

*Demagogues, Dictators and Despots:
How Democracy is being Strangled by Stealth*

The James Walston Memorial Lecture

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Nothing appears more surprising to those, who consider human affairs with a philosophical eye, than the easiness with which the many are governed by the few

*David Hume 'Of the First Principles of Government',
Essays: Moral, Political Literary,
Liberty Fund, 1994 pp.32-36, at 32)*

It is a great honour to deliver the first James Walston Memorial lecture. James was an inspiring, immensely erudite scholar - but also a kind and generous man.

His knowledge of Italian politics and history was unsurpassed even among the natives of this ancient and wonderful land. He was the go-to-person for the likes of *The Economist* when they needed the latest up-dates on Italy. He is sorely missed.

For James, political science was always more than try theory and statistics. For him, politics was always a discipline rooted in culture, in history and even in literature. I recall him talking to me about James Joyce's *Ulysses* as a key to understanding nationalism. I was sceptical. I know now he was right

It is humbling to give a lecture in the honour of James, and to do so in his spirit.

On such an occasion, one would - perhaps - have expected an upbeat assessment of the world. James, after all, was a jovial man who knew how to crack a joke.

And, yet, he was also a serious man. He was someone who - without crying wolf - could point out the malaise of current Italian politics; a scholar could simultaneously play the role of Cassandra and Jeremiah; who could foretell the future (like the Greek Princess) and warn against the impending doom (like the Old Testament Prophet).

It is in this spirit that I will talk about the gravest crisis facing the world today; the risk and danger that democracy will wither away.

In the next, however many minutes I've got left, I will use history, politics - and even literature to show how democracies die - and why there is a grave danger that Abraham Lincoln's system of "government of the people, for the people and by the people" is slowly dying.

We tend to think of democratic breakdowns as momentous events, like General Pinochet's violent overthrow of Salvador Allende in Chile in 1973 - or more recently of Al Sisi's military coup in Egypt.

But this is not how democracies die. Most democracies wither by stealth; almost imperceptively. The despotic leaders do not start by sending in the marines.

No, they win power - often by using fake news - they then gradually replace the judiciary and other checks on power, and then they use libel or tax laws to silence the press, tax-laws to eliminate opponent and business leaders and *presto* after a few years the country falls into dictatorship.

What we are witnessing now is not, therefore, a violent overthrow of power by a subtle undermining of democracy. Many of the institutions remain the same. Not much changes. Not formally, at least. *Tout c'est la même chose, mais plus ça change* - to turn the French saying upside-down.

I know one ought to be careful not to selectively cite the past as evidence for the future. "History does not repeat itself but it often rhymes", Mark Twain reportedly said. (I have not been able to verify that he actually uttered these words!)

And, standing here in Rome, it is at the very least interesting to note how the same gradual - almost undetectably - breakdown of democracy also was seen here many, many centuries ago.

After Octavious (later Augustus) had taken over a *princeps* (note he did not call himself king!), he did not abolish the senate. Many of the rules and institutions stayed the same.

The Roman historian Suetonius (70-130 AD), observed in *The Twelve Caesars* how the emperor - on the face of it - democratized the Roman state, "by granting city councillors of the colonies the right to vote", and even how "ballots were placed and sealed in containers and counted at Rome on polling day" (Suetonius, *The Twelve Caesars*, Penguin, p. 71).

And, yet, a more critical historian of the same vintage, namely Tacitus (56 - 117 AD), sounded a more cautious note,

He [Augustus] seduced the army with bonuses, and his cheap food policy was successful bait for civilians. Indeed, he attracted everybody's goodwill by the enjoyable gift of peace" (Tacitus, *The Annals of Imperial Rome*, Penguin, p.32).

So far so good, but then, Tacitus as noted in a kind of punchline, "he gradually pushed ahead and absorbed the functions of the senate, the officials and even the law" (Tacitus, *ibid*).

It is the word "gradual" that is the key here. The overthrow of government does not appear overnight but little by little - almost by stealth.

The breakdown of democracy. I, would argue, has followed the same pattern from Octavian to Viktor Orban. And in modern times, we have seen the same tendency in places ranging from Rwanda to Russia and from Peru to Poland.

Democracies are dismembered in four stages, first a demagogue is elected, secondly, he (and it is typically a man!) changes the rules of the games (the electoral system, for example), thirdly he draws up new rules and lastly the new rules are then used selectively against opponents of the regime, and after that the ruler has dictatorial powers. The general pattern is a kind of perverted rule of law; "For my friends, everything; for my enemies, the law!" (Kurt Weyland, (2013) 'The Threat from the Populist Left', *Journal of Democracy*, Vol.24 (3), pp. 19-32, at 25).

"World historical events", Karl Marx observed, "occur, as it were, twice...the first time as tragedy the second time as farce" (Robert Tucker (editor), *The Marx-Engels Reader*, Norton, p. 586).

Again, history does not repeat itself exactly, but there is a strange tendency to see some of the same patterns reoccur. In recent years, we have seen several examples of rich businessmen who transform themselves into political leaders, Berlusconi here, Trump in America and Andrej Babis in the Czech Republic.

Reflecting on history, it is odd to note how much has *not* changed.

Two millennia ago the Greek historian Polybius described how powerful men who had been successful in other fields would begin to "hanker after office, and when they find they cannot achieve it through their efforts or their merits, they begin seduce and corrupt the people in every possible way" (Polybius (1972) *The Rise of the Roman Empire*, Penguin, p. 309). "Through senseless craving for prominence [the demagogues] stimulate the masses", wrote Polybius (*ibid*).

Sounds familiar? Well, perhaps because it is. Maybe, there is an inbuilt tendency in democracies that the people, as Plato observed, are "misled by the slanders spread by

their leaders” (Plato, *The Republic*, Penguin, Book IX) a phenomenon we may now call ‘alternative facts’ or ‘fake news’.

Plato and Polybius, of course, did not foresee Putin or Erdogan, nor were they able to predict the antics of Mussolini, Mugabe or Ferdinand Marcos.

Much of what went on in the 20th and 21st Centuries was unprecedented. But the events followed a pattern seen before and was a variation of the same theme -if you like a tune played in the wrong key, but nevertheless attractive to the many.

This is not just an ancient observation.

Many of you, no doubt, will be familiar with Philip Roth’s novel *The Plot Against America* (Vintage 2005), in which an outsider with no political experience wins the presidency, concludes an alliance with Hitler and begins anti-Semitic purges in the USA.

It is interesting, perhaps indicative, of the similar trends in history, that a similar piece of fiction was written in the 1930; in the era of Mussolini, Hitler and Stalin.

In 1935, the American author Sinclair Lewis (who in 1930 was the first American to win the Nobel Prize of literature) published his novel *It Can’t Happen Here*. It was the story about how fictional candidate Buzz Windrip turned America into a dictatorship. This literary character “was vulgar, almost illiterate, a public liar easily detected, and his ‘ideas’ almost idiotic” (Sinclair Lewis, *It Can’t Happen Here*, Penguin, p.70). It even mentioned that he had a strange hairdo (ibid, p.69).

This man - who may seem so very familiar to us today-, “was an actor of genius”, he “would whirl his arms, bang tables, glare from mad eyes” he would “jab his crowds with figures and facts - figures and facts that were inescapable even when, as often happened, they were entirely incorrect” (Sinclair Lewis, ibid.).

In Sinclair Lewis novel, Buzz is - of course - elected. Like other dictators to-be he immediately begins the dismantling of the opposition. But not by rolling in tanks, or burning down the parliament.

But, I’ll come back to that later. First of all, let us look at another problem that often precipitate the gradual overthrow of power.

One of the recurrent patterns of dictatorship, ancient as well as modern, is that the demagogue finds himself at odds with the equally legitimately elected legislature. The president cannot tolerate dissent and he immediately begins to complain that his plans are delayed by the talking shop in Congress. This process, gradually - little by little - leads to the erosion of democracy.

In Sinclair Lewis novel, Buzz Windrip is elected on a promise to limit the power of the legislature. His election platform contains a proposal for a Constitutional amendment saying

Congress shall serve only in an advisory capacity [and the] Supreme Court shall immediately have removed from its jurisdiction the power to negate, by ruling them unconstitutional or by any other action, any or all acts of the President” (Sinclair Lewis, p.64).

Congress, of course, refused. And Buzz Windrip begins his assault. Needless to say, this is fiction, *It can't happen here*, not in real life. And yet, it does.

It is entirely common-place for presidents to be elected and to clash with the senate or other representative body. What is critical is how the demagogues react. Hugo Chavez simply abolished the Senate. He was not alone in this. Let me take another example.

In the 1990s, Peruvian President Alberto Fujimori, a populist elected on a mandate to make Peru great again (!), clashed with Congress. He had been elected to rescue the economy and to deal with the threat of terrorism.

Fujimori did not have time for talk. He preferred, he said, to govern alone “from his laptop”, as he put it. He felt it was undemocratic that he had to listen to or engage with the legislature. He complained, “Are we really a democracy? We are a country that has always been governed by powerful minorities, oligopolies, cliques”. Fujimori had a mandate to get things done. So, did congress. But the “unproductive charlatans” – as he called them – did not act. (All quotes from Steven Levitsky and Daniel Ziblatt, *How Democracies Die*, Penguin, 2018, 73).

So, he had no choice but to get things done, or so he said.

He suspended the constitution called a ‘constituent assembly’ to draft a new and more democratic system of government. This system, you’d not be surprised to note vastly strengthened his powers.

Fujimori could do so because he had the support of the people. His *autogolpe* was supported by a majority of the voters in a referendum. This is indicative of how demagogic populists operate.

Almost inevitably they dress up as democrats. In a letter to Dr. Wilhelm Flick, the interior minister, Adolf Hitler, wrote that he favored the referendum as he, *Der Führer*, was “steeped in the conviction that the authority of the state proceeds from the people and must be ratified by them in a free and secret referendum” (Adolf Hitler (1934), *Reichsgesetzblatt*, p.751-752. That the vote was anything but – that even those in concentration camps were forced to vote under compulsion is another story.

The process is almost always rigged, controlled, formally free but never fair.

Julius Caesar, to use a local example, was a ruler of a similar ilk. “Once in office, Caesar proposed a radical program that included land distributions for the poor...When the Senate rejected it, he took it to the people” (Josephine Quinn, (2018) ‘Caesar Bloody Caesar’, *New York Review of Books*, 22nd March 2018, Vol LXV, Number 5, pp.25-26, at 26. In other words, he held a referendum.

The problem is overall the same; the president versus the congress. Karl Marx who wrote about the fall of democracy under Napoleon III, observed,

While the votes of France are split up among the seven hundred and fifty members of the National Assembly, they are here [in the case of the President] concentrated on a single individual. While each separate representative of the people represents only this or that party or town...he [the President] is the elect of the nation...He possesses a sort of divine right; he is President by the grace of the people”. (Karl Marx (2007) [1852] *Der achtzehnte Brumaire des Louis Bonaparte*, Frankfurt aM, Suhrkamp, quoted in p. 21, translated by MQ).

Like Caesar, Napoleon III also went to the people when he couldn't get the elected representatives to enact his reforms. Only last year President Erdogan in Turkey did the same.

But being a demagogue is not always easy. It is always a good tactic to seek the support of the people. But it is a risky strategy. Bolivian President Evo Morales decided to go to the people to abolish term-limits but *el pueblo* rejected his proposal. If you want to go to the people you need to make sure that everything is under control. And this is difficult early on.

The most important thing is to rig the system to your own advantage. Benito Mussolini, to use another local example, did not come to power in a violent coup.

He took assumed the reins of state gradually. There were no tanks in the streets, the march on Rome (*Il Duce*, of course came by train!) was not a violent revolution. But the gradual strangling of democracy was efficient nonetheless.

Mussolini was frustrated by the slowness of parliament, but he did not arrest them. He used - or rather abused - democracy and the rule of law to undermine the self-same institutions. His *Acerbo* law was a reform of the electoral system, which gave the winning party the virtual guarantee of an overall majority (Allan Todd, (2002) *The European Dictatorships: Hitler, Stalin, Mussolini*, Cambridge, p.111).

What is most important is to ensure that the judiciary is on your side, though maintaining the support of the press is also essential. Again, this requires the would-be dictator to pursue different policies at the same time.

In Lewis Sinclair's book, is – once again – prescient, and even prophetic, “the most liberal four members of the Supreme Court resigned and were replaced by surprisingly unknown lawyers who called the President Windrip by his first name” (Sinclair Lewis, *It Can't Happen Here*, p. 143).

In the real world too, heads of the judiciary replace recalcitrant jurists who might strike down the edicts of the demagogues. All is done by the book, according to the letter of the law but not in its spirit. In Poland, the PiS government recently increased the number of judges, added new ones who were more favourably disposed towards the administration and then introduced a 2/3 majority to rule legislation unconstitutional.

When Juan Perón became president in Argentina and faced opposition from four of the members of the Supreme Court. A man of action, he got allies in Parliament to impeach the three of judges (The fourth resigned before proceedings were started).

Once the press and the judiciary is controlled, the regimes embark upon the third stage of the process of democratic dismantling. Again, everything is done by the book and (formally) in accordance with the constitution and following the rule of law. Except the rules are used selectively.

The late Hugo Chávez – president of Venezuela 1999-2013- used his newly won control over the judiciary to enable him to rule by degree. ‘Autocratic legalism’, is the technical term, and it is not just a Latin American phenomenon (Larry Diamond, Marc Plattner and Christopher Walker (editors) *Authoritarianism Goes Global: The Challenge to Democracy*, 2016, Johns Baltimore University Press, p.79).

But the gradual overturning of democracy is not just an institutional process. The demagogues also rely on dirty tricks. In Peru, President Alberto Fujimori's henchman Vladimiro Montesinos kept newspapermen, senators, judges and other officials under surveillance. They used potentially embarrassing visits to nightclubs as leverage. At the same time, newspapers were offered cash incentives not to write negative stories about the president. The system was gradually expanded. Newspapers were offered additional bribes to let Fujimori's press-officers ‘agree’ to stories.

After only three years, most television station only showed sport, cooking shows and quiz-programmes; the modern-day equivalent of *Panem et circenses* (bread and circuses).

The gradual take-over of power is nothing if not cunning,

Venezuela's arsenal of autocratic laws exhibits two features. First, the autocratic aspect of these laws is not overt. It is often buried among an array of clauses or articles that empower citizens or other political groups [friendly to the government], and these surrounding clauses encourage empowered groups to support these laws. But there is always one other clause that ends up empowering the executive branch far more than other actors, which is what makes these laws so autocratic. Second, these laws have been enacted in a constitutional manner, at least insofar as they have been duly approved by a constitutionally sanctioned process. This paradox poses a twofold problem for the opposition; 1) Such laws bolster the state's capacity to control nonstate actors, and 2) they cannot be easily challenged because they have emerged through constitutional channels (Javier Corrales, 'Autocratic Legalism in Venezuela', in Larry Diamond et al. *Authoritarianism goes Global*, p.82)

This sly and calculating approach to, what we might call, *democracide*. In Venezuela, the government passed *The Law Against Illicit Exchange Transaction* 2010. This - ostensibly- was introduced to limit the power of capitalists - made it illegal to make offers in foreign currency. As a result, companies had to get foreign currency from the Bank of Venezuela before they could buy imported goods. This meant that newspapers were not able to buy paper. According to *Reporters without Borders* one third of the 102 newspapers in the country had to reduce circulation due to these restrictions. A simple technical change unrelated to democracy, and introduced with populist sounding intentions, effectively silenced the opposition (Corrales, *ibid*, p.84).

And there are other ways. Libel laws are another artful way of silencing the opposition. Ecuadorian president Rafael Correa won a massive \$40 million defamation suit against the owners of *El Universo*, when the latter called him a 'dictator'.

And then there are tax laws. Selectively used, of course. In Turkey, President Erdogan fined Dogan Yayin media group - which includes the country's most read paper *Hurriyat* for tax evasion. The company was fined \$ 2.5 billion. The Dogan group has to sell off major assets to pay the fine. Not surprisingly, the only ones who were bidding were media groups friendly to the regime. Dictators learn from each other. The same trick was used in Zambia. In 2016, the independent newspaper *The Post* was closed. Not, mind you, because of its tendency to criticise president Edgar Lungu, but because the proprietor had not paid his taxes.

The essence of autocratic legalism is the selective use of the law. Some crimes go unpunished others do not; justice is not blind!

Gradually, little by little, this process bears fruit. After a while all opposition is gone. But violence is still not widely used. It is always better to appear to be law abiding, even when it is almost comical.

In 2016, the Zambian opposition leader Hakainde Hichiiema was arrested and charged with treason. His crime? He had not stopped for a motorcade carrying President Edgar Lungu. This “endangered the President’s life”, the High Court -whose members were conveniently hand-picked by the ruling *Patriotic Front* (*The Economist*, ‘Democracy in Reverse Gear: A Zambian opposition leader fights treason for not stopping his car’, 24th June, 2017).

Nearly everywhere, democracies are dying away. And yet, not many people are alarmed.

Challenges to democracy are often met with complacency. Writing less than a century before its downfall – and after literally hundreds of years of republican government – Polybius eulogised the Roman Constitution as **it had existed since 509 BC**,

The elements by which the Roman Constitution are controlled are three in number [the consuls, the senate and the people and so balanced is this system that it] is impossible even for the Romans themselves to declare with certainty whether the whole system is an aristocracy, a democracy or a monarchy (Polybius, cit.op 315).

Polybius was an optimist. He believed the checks and balances would prevent one branch from usurping the powers of the others, that “the people would bestow offices upon those who deserved them”, that the Consuls “were obliged to account for their actions to the people” and that ‘under no circumstances [would it be] safe for the consuls to neglect to cultivate the goodwill of both the Senate of the people’. In other words, “the designs of anyone can be blocked or impeded by the others” (Ibid).

Polybius wrote just before the end of the Roman Republic; his words were becoming obsolete as he wrote them.

Today, political commentators are equally optimistic – or even complacent. Writing in *Foreign Affairs* a few months after the inauguration of Donald Trump, political scientists Robert Mickey, Steven Levitsky and Lucan Way, initially sounded an optimistic note,

Where democratic institutions and the rule of law are well entrenched and civil and opposition forces are robust, as in the United States, abuse is both more difficult to pull off and less consequential than it is in countries such as Russia, Turkey and Venezuela (Robert Mickey, Steven Levitsky and Lucan Way, (2017) ‘Is America Still Safe for Democracy?’, *Foreign Affairs*, May/June issue).

The Roman system, Polybius concluded, had “arrived at its best and most perfect form”. A few decades later it was gone.

Those who believe that Western democracies have reached a similar or even higher level of perfection should be careful lest history repeats itself.

And they cannot be certain that it will not. In fact, it is possible that we will not realise that we have followed the Romans down the path of tyranny before it is too late.

The Roman emperors never publicly admitted the Republic had broken down; the fiction was always maintained that the true rulers were *Senātus Populusque Rōmānus* – or SPQR in the well-known acronym. Back then, the Romans were entertained into submission.

Today, a combination of reality television, a steady stream of tweets and a modicum of social security ensure that the *populus* is kept in its place.

Our democracy will not break down like in Nazi-Germany in 1933 or Spain after the Civil War, it will not be replaced by dictatorship after a *coup d'état* in the style of Latin American despots of the Cold War era.

Rather, like in the case of Napoleon Bonaparte, the voters will be seduced into voting for irreversible changes in dubious referendums and other forms of skin-democracy, and the despots will gradually replace judges and officials with hand-picked friends, who little by little will twist the system away from democracy.

Like in the Old Testament (the First Book of Samuel), the people seem to insist on taking the high road to serfdom. And, like in Scripture they seem not to heed the warning of modern-day prophets of gloom and doom,

And Samuel told all the words of the Lord onto the people that asked him a king,
11 And he said, This will be the manner of the King that shall reign over you: He will take your sons, and appoint them for himself, ...he will take your daughters...And he will take your fields...and ye shall be his servants” (1. Samuel 8-15.

And, “Nevertheless the people refused to obey the voice of Samuel and they said, Nay; but we will have a king over us” (1 Samuel 8.19).

So, it seems, like in the Old Testament, we are destined to drift down towards more and more tyrannical governments. With certain exceptions, these systems of government will resemble the demagogues who appeal directly to the voters. Putin, Orban and Erdogan come from countries with different traditions and with varying degrees of democracy and the *Rechtsstaat*.

And it could happen in Europe and in America. Restrictions on the franchise for African Americans by more or less sophisticated schemes of gerrymandering (and upheld by judges appointed by the powers that be) are already undermining the rule of law.

The control of the appointment of justices in Poland and Hungary and complete control of the broadcasters in the same countries is likely to perpetuate the rule of leaders who sometimes publically aspire to the same powers as Russia’s Vladimir Putin. The formal architecture of democracy will remain intact but in reality, there will be no free choice. Democracy is in danger of gradually withering away.

Yes, there have been reversals of democratic backsliding. In Ecuador, the decline of democracy under president Rafael Correa has been reversed by his successor Moreno repealed some of the restrictions against civil society organisations.

And in Peru, the misrule of Alberto Fujimori came to an end when secretly recorded videos showed how Vladimiro Montesinos bribing officials went viral and forced Fujimori to resign. But this was due to luck more than to a concerted effort on the part of his opponents. And these are the exceptions to the rule.

Dictatorships are not generally replaced by democracies – at least not of the genuine variety. Just think of what happened after the revolutions in 1848 and after the Arab Spring.

Nothing in history is inevitable. Some democracies have reversed the trend, some have even returned from what appeared to be certain death.

Are there things that can be done?

Plenty, in fact. Historically, democracies do not tend to break down in parliamentary systems (though Italy under Mussolini is an exception to the rule).

Presidential systems create a problem of dual legitimacy, and without powerful ‘veto-players’ (courts, political parties and law-abiding bureaucracies) there is an inbuilt temptation for president to send Congress packing as in Peru.

But institutions are just not enough. The lesson from the past few years is that demagogues are fully aware that courts, parties and parliaments can hinder their consolidation of power. It is for this reason they act by stealth. And, it is for this reason we need to be vigilant. And, I might add, the critical role of a good liberal arts education might help us – and you – here.

If I may digress. Liberal arts education is – at the risk of oversimplifying – based on René Descartes methodological doubt; the maxim *de omnibus dubitandum est* – ‘you ought to doubt everything’.

The best antidote to impending tyranny is to expose it; to challenge any and every attempt to abuse the courts, the civil service and the law. And this means that we must be critical and try to expose not only Erdogan and Putin and the usual suspects but also EU countries that try to use the law disproportionately. Poland and Hungary are obvious examples, but one should not ignore the Madrid government’s legalistic response to the ‘evenements’ in Catalonia.

I wish I could end on a jollier note. I know that James would have had a joke up his sleeve. Alas, I don’t. I also know that James would have had a quote for the occasion.

The only one I can think of is Dylan Thomas poem on death and his urging that we must “rage, rage against the dying of the day”.

So, ‘do not go gently into that [not so] good night!’ We need to “burn and rave” against the ‘dying’ of democracy.

Thank you for letting be give this lecture.

FINE

ⁱAdolf Hitler, *Reichsgesetzblatt* (henceforth RGB), (1934), p.751-752.