

Elections as Windows of Opportunity? Civic Space in Democratic and Backsliding Regimes

Mateo Villamizar-Chaparro¹, and Erik Wibbels²

Universidad Católica de Uruguay¹, University of Pennsylvania²

Objective

Elections are events where democratic ideals are forged into tangible political outcomes. They're the source of a government's right to lead and the key factor in balancing power among different groups in society. However, these pivotal events can also present opportunities for aspiring autocrats. Such leaders may exploit elections to restrict civic space, weaken opposition forces, or further consolidate power. This concern is particularly relevant because most democratic backsliding is initiated by aspiring autocrats who come to power via elections, sometimes via narrow electoral victories.[1][5] Using high-frequency data from the Machine Learning for Peace (MLP) project, we provide unique evidence on the extent to which backsliding regimes differ from their liberal democratic counterparts in their treatment of civic space around elections.

The Challenge

This report addresses a critical gap in the study of democratic backsliding by focusing on the pivotal role of elections in this process. While an extensive body of research has explored the slow-moving structural factors that contribute to backsliding, less attention has been paid to the specific tactics employed by backsliders immediately before, during and after elections. This report fills an important empirical and analytical gap, using high-frequency data to study the short-term dynamics of democratic backsliding during critical periods and capturing the strategic behavior that underpins longer-term trends.

Questions and Approach

Overall, this report answers three related questions. First, how do democratic and backsliding regimes' treatment of civic space differ during non-electoral periods? Second, do democratic and backsliding regimes differ in their treatment of civic space during electoral periods? Finally, do electorally weaker backsliding regimes (those winning by narrower margins) behave differently from their electorally stronger counterparts?

To answer these questions, we analyze multiple aspects of civic space, including four forms of explicit repression – arrests, censorship, lethal violence, and non-lethal violence – one form of social discontent – protests – and two forms of legal activity – legal actions and legal changes. While 'legal actions' are events when actors take each other to court under existing law, 'legal changes' are more fundamental changes to the rules governing civic space. Legal actions might involve attempts by backsliders to tie opposition figures up in court, while legal changes might involve deeper attempts to rig the rules of the electoral game. To measure monthly dynamics in civic space, we rely on the incidence of news articles reporting on each of the seven event types described above.

We supplement the data on these seven civic space events with information on the timing of 77 elections for the chief executive in 36 countries that qualify as either consolidated democracies or backsliding regimes. We focus on presidential elections in countries with presidential systems and parliamentary elections in countries with parliamentary systems.^a We define 'electoral periods' as the six months before, the single month of, and six months after elections. We use a six month window because it is common in the study of electoral cycles.[2][3]

^aIn countries that require a runoff between candidates, we include the first-round election period.

Distinguishing Regime Types

To distinguish liberal democracies from backsliding regimes, we use the Regimes of the World (RoW) variable from the V-DEM project [4]. RoW classifies regimes into four categories: *liberal democracies*, which have free and fair multiparty elections, strong systems of checks and balances, and robust protection of individual rights; *electoral democracies*, which have free and fair elections but fail to systematically assure individual rights and/or place fewer constraints on the executive; *electoral autocracies*, which maintain elections for the chief executive, but whose elections are not free and fair. Finally, *closed autocracies* have neither electoral competition nor freedom of association.

We classify a regime as backsliding if it has *either* changed from being a liberal democracy to an electoral democracy *or* from an electoral democracy to an electoral autocracy. Once we classify a regime as backsliding, it remains a 'backslider' through the end of our study period unless that backsliding is reversed and the country becomes more democratic.

Findings: Non-electoral Periods

We use linear regression to estimate whether civic space changes during electoral periods, and whether these changes are different between consolidated democracies and backsliders. In our analysis, we account for each country's unique characteristics, as well as the influence of previous months' events on the current month's activity. This approach allows us to get a more accurate picture of how elections might impact civic events under types of regime while controlling for other factors that could affect the results. We then use the results from these models to predict the number of events per 10,000 articles. Results can be seen in Figures 1 and 2.

Figure 1, shows the results for seven types of civic events excluding those related with election activities and election irregularities. During non-electoral periods, backsliding regimes censor more than their democratic counterparts, and this difference grows during election periods. Backsliding regimes also have more arrests and election irregularities during non-electoral periods than democracies. This latter finding probably results from election irregularities that occur during local and off-year elections under backsliders. We don't find any statistical differences with the other event types.

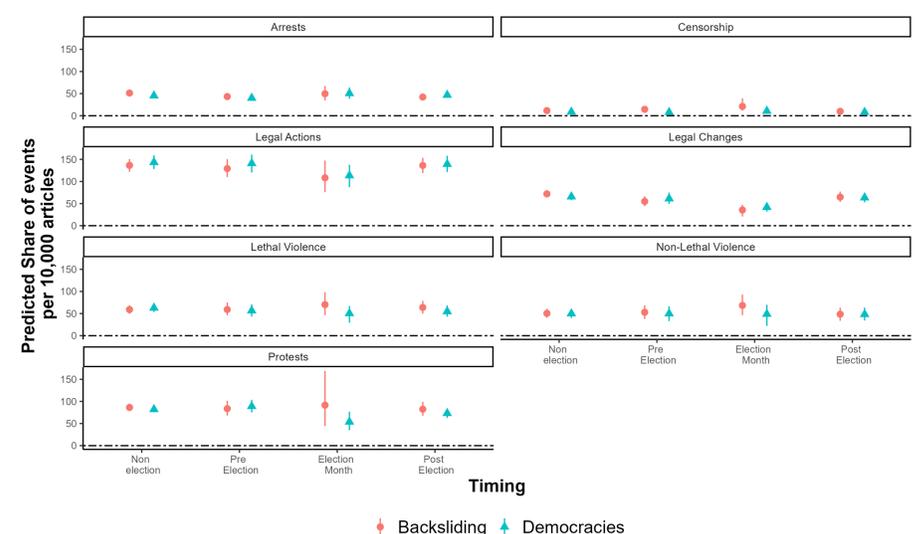


Figure 1: The figure shows the predicted shares of news per 10,000 articles for 7 of the civic space categories across different time periods between democracies and backsliding regimes

Findings: Electoral Periods

Pre-electoral months In the six months before elections, backsliding regimes have far more news about censorship when compared to democratic regimes (see the Censor panel on Figure 1). This difference entails 57% more reporting on censorship in backsliding regimes, which strongly suggests they devote considerable effort to controlling the information ecosystem in the lead up to elections. In separate analyses, we also find that backsliding regimes have more news about election irregularities (44% more) and electoral activities (23%) in the three months before elections. For the other types of events, we don't see any statistically significant differences between regimes.

Month of Elections: As expected, election months are associated with more election-related events for both democracies and backsliders (see Figure 2). Also during election months, legal changes and protests are less frequent than in non-electoral periods for democracies. Other than that, we do not find important differences between backsliders and democracies during the months of elections.

Post-elections Across both types of regimes, protests go down in the months after elections, but we do not see significant differences between backsliders and democracies. This suggests that regimes return to typical levels of civic space activity quickly after the elections.

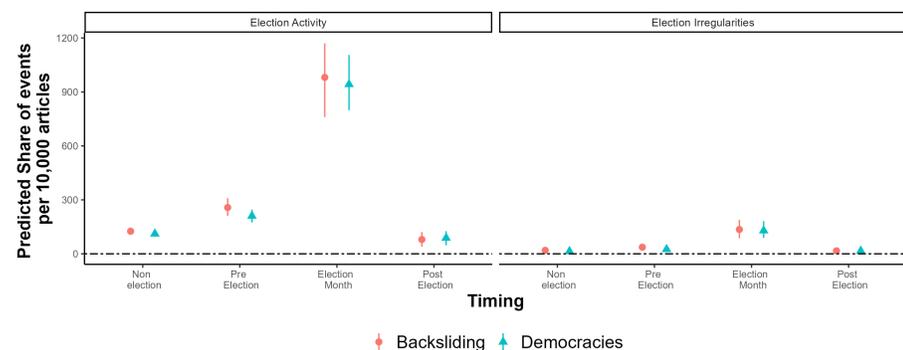


Figure 2: The figure shows the predicted shares of news per 10,000 articles for two of the civic space categories across different time periods between democracies and backsliding regimes

Overall, we find that there are few significant differences between the actions taken by backsliding regimes and democracies during election periods (see Figures 1–2). This could indicate that aspiring autocrats have strategic incentives to appear more democratic during electoral periods. By concentrating attacks on civic space during non-electoral periods, this fleeting respect for democracy likely increases the legitimacy of elections (and the regime itself) in the eyes of domestic and international audiences.

Findings: Electoral Vulnerability and Backsliding Regimes

Our final analysis evaluates whether the electoral strength of backsliding regimes affects their treatment of civic space. Specifically, we use the win margin of backsliding regimes to measure the regime's vulnerability. Win margin is calculated as the percent difference in vote share between the election winner and the runner-up in every election. A smaller win margin indicates a more competitive environment and a more vulnerable regime. We run a series of linear models to estimate whether civic space changes during electoral periods and whether these changes are different between backsliders with larger margins of victory.

Our results show that stronger and weaker backsliding regimes are very similar in many respects. However, during pre-electoral periods, electorally weaker backsliders used legal actions and legal changes less often than backsliders who won by larger margins of victory.

We also find that backsliding regimes with smaller winning margins (i.e., facing more electoral competition) have fewer protests than those with larger winning margins. Figure 3 shows how the change in protest activity in the post-election period differs across regimes with different win margins. Dividing the sample into three bins according to low, medium, and high win margin, we see that backsliding regimes with low and medium win margins see significant reductions in protest activity after elections, but this is not true for high win margin regimes.

Other results show that more electorally vulnerable backsliders tend to make fewer arrests during the pre-electoral period than electorally safer regimes. Moreover, regimes facing more electoral competition use more violence (lethal and non-lethal) and less censorship during the election month than their counterparts who win by larger margins.

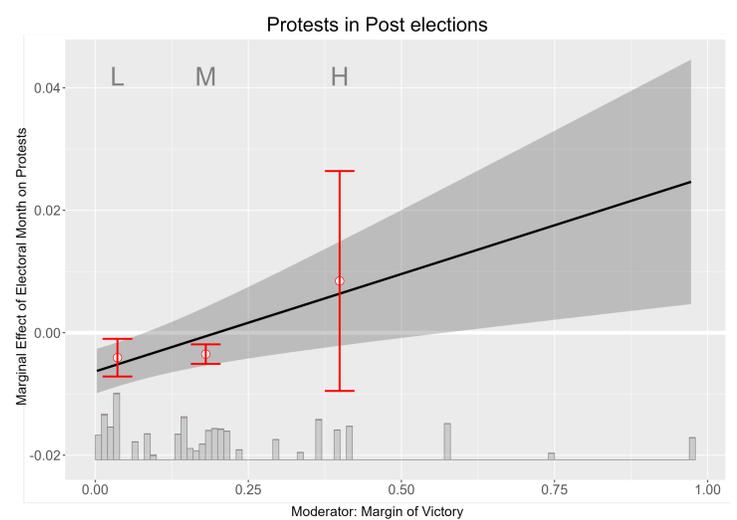


Figure 3: The figure presents the marginal effect of the electoral month on the share of protests. Red lines indicate binned coefficients for observations with low (L), medium (M) and high (H) levels of margin of victory.

Policy Implications

Our findings suggest that backsliding is concentrated in the time *between* elections rather than during electoral periods. This may be because electoral periods garner significant domestic and international attention, and backsliding regimes are reluctant to engage in direct attacks on civic space during these periods of greater scrutiny. Such flagrant attacks could provoke international condemnation, encourage public backlash, or dampen the legitimacy-enhancing effects of electoral victory.

To effectively monitor governance during non-electoral periods, policymakers should pay particular attention to censorship and arrests, which backsliders use at much higher rates than consolidated democracies. We also see evidence that backsliding regimes attack electoral institutions outside of electoral periods, perhaps during local and off-cycle elections. Increasing the availability of legal services for civil society and vulnerable groups that may be particularly vulnerable to arrest, and strengthening independent media that are targeted for censorship, could help address these challenges. Furthermore, strengthening judicial independence and accountability could limit the ability of backsliding regimes to weaponize the legal system against opponents.

References

- [1] S. Haggard and R. Kaufman. *Backsliding: Democratic Regress in the Contemporary World*. Cambridge University Press, 2021.
- [2] A. Healy and G. S. Lenz. Substituting the end for the whole: Why voters respond primarily to the election-year economy. *American Journal of Political Science*, 58(1):31–47, 2014.
- [3] G. A. Huber, S. J. Hill, and G. S. Lenz. Sources of bias in retrospective decision making: Experimental evidence on voters' limitations in controlling incumbents. *American Political Science Review*, 106(4): 720–741, 2012.
- [4] A. Lüthmann, S. I. Lindberg, and M. Tannenbergh. Regimes in the world (riw): A robust regime type measure based on v-dem. *V-Dem Working Paper*, 47, 2017.
- [5] M. Svobik. When polarization trumps civic virtue: Partisan conflict and the subversion of democracy by incumbents. *Quarterly Journal of Political Science*, (15):3–31, 2020.

Acknowledgements

This study funded under the SEGA mechanism by the United States Agency for International Development (USAID) Center for Democracy, Human Rights, and Governance.