

**RICHARD  
SAMUELS:**

Welcome, everybody, and thank you very much for joining us. I'm Richard Samuels, the Director of the Center for International Studies here at MIT. And appreciate your making time to participate in this virtual Starr Forum to discuss Democratic failure. Which is, of course, a provocative and sadly, very timely subject.

As many of you will recall, after the demise of the Soviet Union at the end of the Cold War, we became familiar with the notion of failed states. At that time, we had the luxury of looking in from the outside. And we looked in triumphantly. And that was a long time ago. And the Soviet Union was an authoritarian state.

Since then, and really before the Trump presidency, scholars and journalists began to focus on how inequality, elitism, trespass norms, broken social contracts, racism, failed institutions, and generally, the loss of trust can undermine Democratic process as well. Now, of course, we felt those crevices being pried open. Pried open further.

Suddenly, really, with shocking force and disturbing consequences. We find ourselves wrestling with and fretting about the possibility that our upcoming election might not only be adjudicated in the courts, but also on the streets. Now, I come to the subject as an outsider. I'm an American political scientist.

But I don't study the United States. I'm a Japan specialist who, a few years ago, began a project in Japan, on the far right. That was in the mid 2010s. Of course, by then, Japan was already a robust democracy.

But it was a moment when nationalist voices denying the atrocities in Nanjing extolling the virtues of Japanese expansion in mid-20th century Asia and calling for a reversal of Japanese apologies for its wartime aggression were becoming full-throated. Most of the discourse there remained within the bounds of Democratic politics, certainly within the bounds of free speech. But a number of hate groups felt emboldened to spew deeply ugly vitriol against minorities in public demonstrations in Japan's minority neighborhoods and in Tokyo, and Osaka, and elsewhere.

All that was made all the more alarming, both for Japanese and for foreigners who knew the history of so-called violence specialists. Same goes for the thugs who had

been hired by legitimate political parties and who prefigured a moment when Japan's government, by assassination, would gain traction in the interwar period.

We know how all this came out. It was a disaster for Japan, for its neighbors, and for many others as well. But fortunately, however, this time, the Japanese public remain vigilant and wouldn't have any part of extremist nationalism. They defended their democracy.

Their government, an elected conservative one, consolidated power and quieted much of the hate speech. Now, this was a very welcome outcome. But it was also a lesson that activism at the fringes of civic responsibility and respectability in a country with a history of political violence and military government demands vigilance.

As we all know, the imagined close call in Japan was not all there was to be concerned about. Subsequent news from Dresden, from Budapest, from Ankara, most recently from Hong Kong and elsewhere, have been much more unsettling. Much more. And so has been the news from Portland, and Kenosha, and Lansing, and Washington, DC, all here in a country with its own history of violence and repression.

As we'll hear today, incivility just may be a part of the DNA of every democracy. My point, and the organizing idea behind this forum, is just very straightforward. It's the connection of violence to democracy, incivility to democracy is not merely foreign. And it's not merely historical but it's both of those as well its elements are universal and they reside within all civic nations, including our own.

And it behooves us to understand how. And it behooves us to understand why. So that's the task before our four distinguished panelists. Each of whom has thought about these issues in much greater depth than I. They'll begin with a review of how elected leaders routinely have subverted Democratic institutions and allowed democracies to slide into authoritarianism.

Then we'll focus in order on Germany, then on India. And then we'll return to the United States. They'll ask what drives Democratic systems apart and what, if anything, still drives them together? How do they survive? Why do they fail?

So let me introduce our panelists. Steven Levitsky is the David Rockefeller Professor of Latin American Studies and the Professor of Government at Harvard University. He's the co-author, with Daniel Ziblatt, of *How Democracies Die*, which was a *New York Times* bestseller, and has been translated into 22 different languages.

He's also co-author of *Competitive Authoritarianism: Hybrid Regimes After the Cold War*. The aforementioned Daniel Ziblatt is Eton Professor of the Science of Government, also at Harvard, who specializes in the study of Europe, and the history of democracy. And in addition to *How Democracies Die*, he's also the author of *Conservative Parties and the Birth of Democracy*. The full cycle here.

It's a historical account of Europe's democratization. Which won the American Political Science Association's Woodrow Wilson prize for the Best Book in Government and International Relations and the American Sociological Association's Barrington Moore prize. Neeti Nair is Associate Professor of History at the University of Virginia. She teaches South Asian History with a special emphasis on colonialism, nationalism, decolonization, and the afterlives of the partition of the Indian subcontinent. She's a global fellow at the Woodrow Wilson International Center for Scholars, and the author of *Changing Homelands: Hindu Politics and the Participation of India*.

Our final speaker this afternoon is Susan Hennessey. She's the Executive Editor of *Lawfare*, the popular and very influential podcast, and general counsel of the Lawfare Institute. She's also a Brookings Fellow in National Security Law. Prior to joining Brookings, Susan was an attorney at the Office of General Counsel of the National Security Agency and is co-author, with Benjamin Wittes, of *Unmaking the Presidency: Donald Trump's War on the World's Most Powerful Office*.

OK. So the forum will proceed in the order of their introduction. You'll find the Q&A feature on the bottom toolbar. Please type in any questions you have there, and please try to remember to identify to whom you're addressing them. I'll field them after the speakers have each made their remarks. And now I'll get out of your way and hand things over to Professor Levitsky. Steve?

**STEVEN**

Thanks, Dick. And thank you to the forum, for the invitation. It's an honor to be here.

**LEVITSKY:**

So democracies do not die the way they used to die. Democracies used to die at the

hands of men with guns.

During the Cold War, three out of every four democratic breakdowns took the form of a classic military coup. Like Pinochet in Chile, or Franco, in Spain. Today, democracies die in much more subtle way. They die at the hands not of generals, but of elected leaders; presidents, prime ministers, who use the very institutions of democracy to subvert it. They use elections, plebiscites, acts of Congress or parliament, court rulings. This is Putin, Chavez, Erdogan, Orbán in Hungary.

What we think is so dangerous about this electoral road to autocracy is that it happens behind a pretty credible facade of democracy. There are usually no tanks in the streets. The Constitution usually remains, more or less, intact. Elections are still held. Congress continues to function. As a result, many citizens aren't fully aware of what's happening, often, until it is too late.

The question is, how does this happen? And Daniel and I, in our book, argue that Democratic politics requires something we don't always think that much about in politics, which is forbearance. A shared willingness on the part of the political elite to deploy their institutional authority with restraint. Effectively, to not use the letter of the law to subvert its spirit.

This slide into electoral authoritarianism is almost always accompanied by the use of what is now commonly called constitutional hardball, the very explicit use of the letter of the law to subvert its spirit. There's three steps that are quite common in all of these cases. Almost invariably, first an elected autocrat starts by capturing the referees. I'm going to use a sports metaphor because I've been missing sports, in general.

"Capture the referees" means purging and packing law enforcement, intelligence, tax, judicial agencies. Packing the courts, in effect. Controlling the referees. Controlling what are supposed to be the arbiters of political conflict allows governments to shield themselves from prosecution, and to use the courts and law enforcement agencies as weapons against their rivals, to engage in lawfare.

A second step, once you control the referees, is to use the control of those referees to begin to sideline the opposing team's players. This means using your tax and regulatory agencies. Using law enforcement bodies, Intelligence offices, to begin to

investigate, threaten, sometimes punish, independent media, important business people who may finance the opposition, and opposition figures. This may, in the most extreme case, it might mean the jailing or exile of key independent figures, journalists, editors, newspaper owners. But more often, it's a much more subtle process of cooptation and a kind of bullying into silence.

The third step is institutionalization. It's beginning to change the rules in ways that tilt the playing field. This may involve electoral gerrymandering, reconfiguring the electorals in ways that grossly favor the incumbent. But also, political party rules, campaign finance rules, media access rules.

Done brilliantly, for example, in both Hungary and Venezuela in ways that seriously disadvantage the opposition. So the outcome, the result, is what Lucan Way and I call competitive authoritarianism regime. That is formerly Democratic, in which there continues to exist electoral competition. But in which the playing field is pretty heavily skewed against the opposition.

Now, how do you get there? There actually are not that many cases of full-scale Democratic de-consolidation in the world. Established fully-Democratic regimes that then slide into competitive authoritarianism. Hungary is a clear case. Venezuela is a clear case. Maybe Poland. Maybe India. Hopefully not the United States. Philippines, is arguably another case. OK, maybe El Salvador. But there are not a ton of cases in the early 21st century.

What has to happen for this to happen is parties, political parties that had been using restraint, political parties that had largely been engaging in forbearance, somebody's got to stop doing that. Somebody's got to stop playing by Democratic norms and to engage in hardball. So you need both motive and capacity for a party to shift in a more hardball or dirty-politics direction.

There are a bunch of routes. I want to just very quickly present to two possible routes to this outcome. One of the most common in Latin America is populism.

Populists mobilize poor or marginal voters against the establishment and establishing institutions. They campaign explicitly on a pledge to do away with the old system, to drain the swamp, to bury what they depict as a corrupt and unrepresentative oligarchy. Now, sweeping away the old political elite and its

institutions is a pretty radical mandate, when you think about it.

But it is exactly what these guys are elected to do. They're not elected to change tax policy or trade policy. They're elected to give the old elite a punch in the gut. That's what, in essence, the populists are elected to do.

The problem is, the corrupt and unrepresentative institutions that populists rail against, that they promise to sweep away, are things like legislatures, political parties, Supreme courts. In fact, when a populist wins the presidency, almost invariably, he or she finds that the old elite that they've been railing against still controls these other institutions. The traditional parties still have a majority in Congress. They're the appointees of the original parties sit on the Supreme Court and other independent agencies.

For a political outsider who has been elected on a pledge to do away with the old system, that creates a real incentive to assault these institutions. To try to bully or close or circumvent Congress. To pack the court. To rewrite the rules of the game.

If you are elected on a platform of doing away with the old political league, to then sit down and negotiate policy with that league, which is what you have to do normally, it's a betrayal of your electoral mandate. And betraying a populous electoral mandate can be politically costly. So populist presidents, it's not just that they're illiberal people. It's that they've got a political incentive to assault Democratic institutions.

That's a recipe for crisis. It's a recipe for a conflict between a populist outsider who has promised to sweep away the corrupt, unrepresentative elite. And a political elite that often views these institutions. Congress, Supreme Court, other independent agencies, as a last bastion of defense.

Populist presidents sometimes lose these showdowns. I could give you examples, but you probably have not heard of them. Because they lost these showdowns and disappeared into the dustbin of history.

But they usually win them. They usually win them because when a newly-elected populist takes on the old political elite, public opinion usually tends to favor the president. This is people like Fujimori in Peru, Chavez in Venezuela, Erdogan in

Turkey. Correa, in Ecuador, had 70%, 80% approval rates when they began their assault on Democratic institutions. The opposition's lack of support is often reinforced by organizational weakness.

Populists generally win. This is not the case in the US. But populists generally win elections when established political parties are in crisis. As a result, the opposition tends to be quite fragmented and disorganized. Which makes it really hard to mobilize against an abusive president.

When a populist president takes on a weak, discredited fragmented elite, the populace usually wins. And when the populist wins, the result is very, very often a skewed playing field. With 70% or 80% support, with a fragmented, weak opposition, presidents could concentrate a ton of power.

They can close Congress. They can elect a new one with a pro-government majority. They can pack the courts. They can pack electoral authorities. They can pack other state institutions.

They can rewrite electoral laws to weaken political parties. And in some cases, they can rewrite the Constitution in ways that strengthen the incumbent at the expense of their opponents. So all of this is a recipe for competitive authoritarianism.

So populists with big electoral majorities are one obvious path from democracy into competitive authoritarianism. But another factor, may be less common but I think more relevant to the United States, that Daniel and I have been thinking about in recent months is not so much big populist victories or big majorities. But rather, almost the opposite. Fear of losing.

When losing becomes, for a political party, something of an existential threat. I just want to spend a couple of minutes on this. Then I will cede the word.

Democracy requires that parties know how to lose. That means when we lose an election we accept defeat. We go home. We get drunk. We regroup. And we get ready to play again the next day.

But for parties to lose graciously, two conditions have to hold. First of all, parties have to believe they stand a chance of winning again in the future. And second,

parties have to believe that losing will not bring some kind of catastrophic or ruinous consequences.

When politicians fear that they're not going to be able to win future elections, or when they believe that defeat will bring catastrophe, the stakes rise, very high. Politicians' time rise is narrow. And sometimes they throw tomorrow to the wind and in favor of sort of any-means-necessary strategy in an effort to win today.

In other words, it is often desperation that leads politicians to play dirty. It's fear of losing. Daniel, who you hear from him in a couple of minutes, found this dynamic in his research on 19th-century Germany. German Conservatives at the end of the 19th century were terrified by the prospect of universal suffrage. For them, giving the working class the right to vote meant not only the Right's electoral demise, but the demise potential of the entire aristocratic order.

In the face of that perceived existential threat, Conservatives played dirty for decades. Using fraud and repression to hold onto power all the way into World War I. Closer to home, think about Southern Democrats after the Civil War.

Reconstruction, the 15th Amendment brought widespread Black enfranchisement across the US South. African-Americans constituted either an outright majority or a near majority in just about every Southern state. So they're enfranchisement. Mass enfranchisement of African-Americans scared the bejesus out of Southern Democrats and their supporters.

Not only did Black suffrage potentially threaten, or almost certainly threaten the Democrats' electoral dominance, but it threatened to overturn the entire racial order in the South. Facing what they perceived to be an existential threat, Democrats in the US South played dirty. Between 1885 and 1908, all 11 post-Confederate states passed laws or constitutional reforms that allowed the use of poll taxes, literacy tests, property requirements, residency requirements, to effectively eliminate African-Americans' right to vote. Black turnout in the US South fell from 61% in 19-- in 1880, excuse me, to 2%. 2% in 1912.

Unwilling to lose, Democrats in the South stripped the right to vote for nearly half the population, ushering in nearly a century of authoritarian rule. Daniel and I fear-- I should speak for myself. I fear that something similar is happening to the

Republican Party of the US today. Republican medium-term electoral prospects are pretty dim. Republicans are an overwhelmingly White Christian party.

But White Christians, as everybody knows, are a declining portion of the US election. 1992, when Bill Clinton was elected, White Christians were 73% of the electorate. By 2012, Obama's re-election, they were down to 57% . By 2024, they'll likely be below 50%.

It's worse than that, though. Because younger voters are overwhelmingly Democratic. In the midterms last year, midterms 2018, people 18 to 29 voted by more than 2 to 1 margin for the Democratic parties. 30-something's voting 60% Democrat. But it isn't just that Republicans face a bleak electoral future. It's that the Republican base has come to view defeat as catastrophic.

Many Republican voters fear that they're on the brink not just of losing elections, but of losing their country. The very idea of a White Christian America seems to be slipping away. So like the old Southern Democrats, Republicans have increasingly an incentive to play dirty. I will stop there. Thanks.

**RICHARD  
SAMUELS:**

Thanks very much, Steve. You've given us a lot to think about and set the table for us. Daniel?

**DANIEL  
ZIBLATT:**

Yes, great. Thank you so much. Thanks, also, for the invitation and the opportunity to talk. I want to begin just by saying that I, of course, agree with everything my co-author has just said. But I will say something different, because I was asked to reflect on a different topic.

But in many ways, I may end up in a very similar spot as Steve, perhaps unsurprisingly. But I was asked to talk about and to give some reflections on the case of Weimar, Germany. Weimar, Germany, of course, was Germany's first very, very brief experiment with democracy that came about after World War I, 15-year experiment.

I want to think about that case and dig into that case a bit in my 15 minutes, to think about what are some lessons of that case? There's a lot that one could say about this. But I really want to emphasize just one main lesson. And I'll get to that. I think the Weimar experience can help us help teach us about the contemporary

moment.

I should say at the outset that one should always proceed with caution when thinking about historical analogies. One should be especially cautious when analogizing from a Weimar, Germany, and its collapse. Because it was such an extreme case. The calamity of the outcome is extreme. And it's quite easy, I think, to draw false lessons from the Weimar experience.

But Weimar, Germany, and Hitler's rise to power in January, 1933-- which ended the Democratic experiment-- is really, I think, inescapable for us. We have to confront it. Because it just looms so large over all of our discussions of democracy's fate today. In fact, I think more than looming it actually really haunts us. It haunts a lot of people.

Why exactly? Well, I think there's a couple of reasons why the Weimar experiment and experience haunts us today. First, lots of social scientists came of age in the post-war period, for whom, in the pre-war period, it was a very common thing to admire German political development. So if calamity could strike an economically-advanced and culturally-sophisticated Germany, it could happen anywhere.

To put it in more social scientific terms, few social science facts are as firmly established as the idea that rich democracies don't die. National GDP per capita simply appears to almost inoculate countries from Democratic breakdown. And yet, when Germany democratized in 1918, and when it died 15 years later, in 1933, it was one of the wealthiest countries in the world.

Germany was richer than France, richer than Denmark, richer than Sweden, and nearly as rich as Great Britain. Had a big middle class. Had a powerful working class which was organized to a successful and increasingly self-confident social Democratic party that was fully committed to democracy.

Germany had a vibrant civil society. And it possessed a robust rule-of-law tradition admired all around the world at the time. And even Weimar's Constitution itself, written in 1919, was written by the brilliant jurist Hugo Preuss, and the eminent sociologists who all social scientists like to read, Max Weber himself.

Given all of this, the question is, what went wrong? One of the eyewitnesses to

Germany's demise, Karl Loewenstein, who was a liberal political scientist who escaped from Germany, and immigrated to the US in the 1930s, ending up, by the way, at Amherst College, where his papers all sit, by the way.

He wrote an essay in 1937. It actually appeared in *American Political Science Review*. He was assessing the lessons before the war, 1937, of the Weimar experience, as a liberal. He wrote a sentence. He wrote, "Democracy is the Trojan horse by which the enemy enters the city." Democracy is the Trojan horse by which the enemy enters the city.

Loewenstein was a Democrat. He was a liberal. But he thought the Weimar experience exposed really, a deep vulnerability of democracy. You might think that Loewenstein is, in a sense, referring to the vulnerability that Steve just described in his comments.

That voters can elect an autocrat to power. That democracy can die at the ballot box. This would be a great paradox of democracy.

This is, in fact, correct. But it actually only tells half the story of what Loewenstein was describing. Because a major underappreciated threat to democracy in Weimar was not the masses of illiberal voters, or majorities of voters who might vote an autocrat into power.

That's certainly the fear that I think animates those who fear populism in the contemporary world. That the great unwashed masses and majorities will vote autocrats into power. But that isn't quite the right lesson, I think, to learn from Weimar.

Because remember, before it came to power, the Nazi party's membership never really peaked more than 2% of the population. And Hitler's Nazi party never got more than 33% of the vote in free and fair elections before democracy's death in January, 1933. At the peak of their power, they had only 33% of the vote.

Now, during the Weimar era, of course, there were certainly large pluralities of voters in favor of the Nazis. And this was a malignant and destructive social movement that posed a genuine threat to German democracy. But we have to remember that nearly 70% of Germans voted against Hitler at the very peak of its

popularity. 70%.

So what's the point? The point here is that as important as the Trojan horse of democracy may have been, just as important were the gatekeepers who let the Nazis into power. To put it differently, authoritarians come to power.

They come into office not on their own. But with the enabling aid of political allies from inside the political establishment. This is a central lesson of the Weimar breakdown.

Adolf Hitler didn't come to power on his own. He was a marginal figure, clearly, in the early 1920s. Jailed in 1923, after his infamous and failed Beer Hall Putsch. His big break and his party's big break came in 1928-29, simultaneously with the Great Depression. Which obviously played a role in all this.

But another key part of this story, what else happened in 1928-29, was that Germany's relatively mainstream Conservative Party, the [GERMAN], or the German National People's Party, was faltering. And so this was a party of essentially, Germany's aristocrats. This is the party who admired British Tory party. They kind of wanted to be like the British Tory party. They hadn't really fully accepted the Weimar Constitution.

But it was a quite weak party. It was nothing, nothing at all like the British Tory party. Because it was such a weak, aristocratic party.

So this party was faltering. The German conservative party, the [GERMAN]. And their leaders, their new leader in particular, in 1928, began to reach out to Adolf Hitler's group. Seeing all of this energy on this side of the spectrum, seeing people marching in the streets, that leader of the [GERMAN] thought, well, maybe we can tap into some of this.

So he issued his party, the German Conservative Party, issued joint proclamation with Hitler. It made joint appearances and held joint rallies. All of this with the aim of shoring up the popularity of this decrepit German Tory party. The strategy backfired.

This establishment party went into a tailspin. And it was only Hitler's party that gained in respectability. And that's not all.

Because what also happened was in January, 1933, after Hitler's party successful election in the fall of 1932, the aging president Von Hindenburg decided a way of taming Hitler and this growing threat was to appoint Hitler Chancellor.

So when conservative German statesmen Franz Von Papen, who had hatched this plan, tried to ease the worries of his Conservative allies about Hitler's appointment to Chancellor. He said to them, in infamous words, "Don't worry. Within two months we'll have pushed Hitler so far onto a corner he'll squeal." So it's harder to imagine a bigger miscalculation. It was an elite miscalculation. It was an abdication that gave Germany Hitler.

This didn't just happen in Germany. A similar story can be told about Italy, in the 1920s. We all know about Mussolini's legendary March on Rome. Or at least, that's the usual story of how Mussolini came to power.

On October 30th, 1922, Mussolini arrived in Rome, at the Rome train station, an overnight sleeping car from Northern Italy. He'd been invited to Rome by the king, to accept the premiership and to form a new cabinet. Mussolini arrived in the capital city. And with a small group of guards, he stopped off at his hotel.

He was wearing a black jacket, a black shirt, a black bowler cap, and walked triumphantly to the king's palace. The streets of Rome were a little bit chaotic. There were bands of his black-shirted fascists, with mismatched uniforms, roaming the streets.

Mussolini was always aware of the spectacle and the power of the spectacle. Strode into the king's palace and said to the king, "Sir, forgive my attire. I come from the battlefield." This was Mussolini's legendary March in Rome.

The point here, though, is that his flair for the dramatic totally outpaced real events. This fascist myth of 300,000 black shirts crossing the Rubicon to seize power, this was repeated often in national holidays and children's schoolbooks through the fascist era. But Mussolini did everything he could to reinforce this legend.

Actually, one funny bit of the story was that right before the train arrived in Rome, he considered disembarking from the train, and to ride into the city on horseback.

But at the last minute, kind of abandoned that plan. But the point is that he was trying to create this myth of a mass insurrection, mass underpinnings of his fascist revolution. The truth, though, was much more mundane. The bulk of Mussolini's Blackshirts really arrived only after Mussolini had been appointed prime minister, in a very constitutional process.

The Blackshirts were quite disorganized. There was no real March on Rome. The Blackshirts talked a lot about it, but it didn't really happen. So rather than high political drama, it was essentially a negotiation with the king that allowed him into power.

He used his 35 seats in the parliament, out of 500 deputies, as a point of leverage, along with threats of violence and divisions among establishment politicians, to catapult himself into power. So King Victor Emmanuel saw this political star on the horizon, and thought a way of neutralizing the fascist unrest was to bring him into government. Again, elite abdication.

Just a final note about Mussolini. The way he got those 35 seats to begin with was earlier in the year. He had convinced the liberal Italian statesman, aging Italian statesman, Giovanni Giolitti, to include Mussolini's party on the very much establishment party, liberal parties listed for parliamentary elections.

Again, Giolitti thought he was doing this to give himself a boost. Instead, within a year, Giolitti was long gone and Mussolini was in power. Again, I don't want to minimize the power of fascist and authoritarian social movements. They were real. They are real today.

My point is simply that when extremists first arrive on the scene and appear to threaten democracy, they should be taken seriously and marginalized. And not embraced for short-run gain, which only helps bolster their legitimacy. Second, critically, even more critically, perhaps, when anti-democratic demagogues or parties are on the precipice of power, mainstream politicians must do everything possible to form coalitions. Even sometimes very uncomfortable coalitions with parties they may disagree with and even dislike; but who accept the basic Democratic rules of the game, all in order to keep extremists out.

This didn't happen in Weimar, Germany. This didn't happen in 1920s Italy. But it was

possible. And it actually did happen elsewhere.

So just very briefly consider from the same time period, in 1930s Belgium. Far-right Fascist Party inspired by the Nazis, the Rexist party, was on the verge of gaining power through a coalition with a right-wing Catholic party. So the Rexist party had its own march on Brussels, mimicking Mussolini's. But in this instance, the Belgian King used his moral authority to convince Socialists and Catholics, who are sworn enemies in normal everyday parliamentary politics, to cooperate to keep the Rexist out.

Again, the lesson of these stories is that mainstream politicians and parties have a key role to play. When they abdicate that role, when they fail to serve their gatekeeping role out of miscalculation, out of opportunism, extremists get led in the door. This Faustian bargain between establishment politicians and anti-democratic extremist demagogues and parties is a Faustian bargain. It usually backfires. Establishment politicians usually lose control.

So what are the lessons of these historical experiences? Well, I think something similar, clearly in different scale, different setting, different time. But something similar happened in the United States, in 2016. Republican Party, Republican establishment, enabled Donald Trump.

Meaning leading Republicans, even after candidate Trump won the election, clearly openly despised him. Thought he was not fit for office. Were offended by Donald Trump. They could have crossed party lines. They could have. But they didn't endorse the Democratic nominee.

This was in 2016. They could have put, in effect, democracy ahead of party. And this could have made a huge difference. But as we have seen, when politicians don't do this, when they let some politician in the door with autocratic tendencies, it's a changed game.

When Steve and I wrote our book, back in 2018, *How Democracies Die*, we wrote it in part because we had expected and hoped that Republicans would stand up to President Trump. We wanted to send the message of this, of this lesson that I'm describing right now. We wanted to send the lesson that if President Trump crossed the line, the Republicans should step up to it. To confront this and draw a line on the

sand. So I think in many ways we underestimated the threat. Because Republicans never quite did this. And the results is our calamity today.

My main point then, and our lesson from the Weimar experience is that the rise of demagogues who find popular support is certainly a threat to democracy. But it's a threat that's often present. Around 35% of the American electorate has supported demagogues, going back to the Henry Ford, Father Coughlin, and Joseph McCarthy, George Wallace, throughout American history.

So popular support for demagogues, even extensive popular support for demagogues, is not sufficient to kill democracy. A key role in the past in the United States, as well as in other countries, has been played by establishment politicians and parties.

The question that I'll end with here then, is when do politicians and parties, mainstream politicians and parties, act as successful gatekeepers? Is this simply a matter of political courage? I think that's certainly part of it.

I think it's also, part of it is understanding the scale of the threat. That's one of the hopes that I have, is that coming out of this experience people will understand the scale of these kinds of threats. But more than that, I think there's one last thing we can say.

This is where I begin to converge with Steve's message here. It also requires that mainstream political parties not be so fearful of the other side that they're willing to overlook abuses on their own side. In other words, polarization, that's fear of the other side and also fear of the future makes establishment politicians, leads of establishment politicians, to fail in their jobs as gatekeepers. So I think the biggest problem and challenge for our democracy today is that our Republican Party is, as Steve said, in some senses, analogous to the German Conservatives.

Fearful of the future, representing a declining segment of the electorate. Until the Republican Party itself changes, our democracy will be vulnerable. Just like the German aristocrats who were fearful of the future and willing to abdicate and make mistakes that they knew at the time were a danger, America's Republican Party has done very similar things. And I think major reforms need to come. Thank you.

**RICHARD SAMUELS:** Thanks very much, Daniel. I wouldn't call it exactly uplifting, but certainly informative and important. And I appreciate, we all appreciate it. Neeti, fast forward to the present and tell us about the Subcontinent.

**NEETI NAIR:** OK. So by way of introduction, I thought I would begin my presentation by considering where India's Prime Minister, Modi, stands on the litmus test for authoritarianism, provided by Levitsky and Ziblatt in their book.

They provide us with these four key indicators of authoritarian behavior. The first one, let's see, does Mr. Modi show weak commitment to the Democratic rules of the game? Yes. In his second innings as prime minister alone, these have been bookended by the undemocratic abrogation of Article 370 of the Indian Constitution, revoking Kashmir's autonomy without consulting Kashmiri-elected representatives. Most very recently, the passage of important legislation pertaining to agricultural produce that was bulldozed through parliament with a mere voice vote. Cacophonous and confusing, despite key government allies quitting the ruling coalition over this piece of legislation, and a walkout by the opposition.

The second indicator, does Mr. Modi deny the legitimacy of political opponents? Mr. Modi has campaigned twice on the promise of giving Indians a congress, [NON-ENGLISH], an India free of its grand old party, the Indian National Congress. Not only does Mr. Modi show scant respect for parliamentary norms and the opposition, of late, even the opposition has been oblivious of its place in a democracy.

Three, does Mr. Modi tolerate or encourage violence? Yes, of course. The government, led by Mr. Modi, has been turning a blind eye to growing instances of cow vigilantism and Muslim beating in its first term. And this has gotten a lot of international reportage.

In its second term, it has overseen a riot in the capital city of Delhi, where Delhi police falls under the jurisdiction not of the government of Delhi, but of the Ministry of Home Affairs, under the central government. All of this happened while President Trump was, in fact, visiting India. There's a lot more to be said of Mr. Modi's past credentials as rabble-rouser-in-chief, when he was Chief Minister of the State of Gujarat.

Especially during 2002. If one were to take a longer-term view, his leadership then

resulted in his being denied a visa to the United States. Even the newfound popularity of Mahatma Gandhi's assassin, Nathuram Godse, is related to Mr. Modi's toleration of very specific kinds of violence and violent speech.

Finally, the fourth indicator. Is Mr. Modi ready to curtail the civil liberties of opulence, including the media? Yes. Independent media has been viciously targeted, especially by Mr. Modi's troll army. While most but not all of mainstream media houses have taken to reporting government propaganda as news, those who have resisted are being denied government advertisements, a source of revenue. And also, hounded with tax-evasion cases.

Individual activists and conscientious civil servants associated with, for instance, the Election Commission of India, a key institution, have also been targeted by the government for their independence and unwillingness to toe the official line. There we have it. Mr. Modi and his government embody authoritarianism. They pass the litmus test with flying colors.

However, unlike the case of Mr. Trump, Mr. Modi does not fall into the prototype of the outsider who was allowed in to lead his political party by gatekeepers or by establishment politicians who should have known better. Those who made way for Mr. Modi to lead the BJP in 2014, including former president of the party, LK Advani, were as extremist as he. They were schooled in the same Hindu-supremacist ideology of the Rashtriya Swayamsevak Sangh, or the RSS.

Mr. Modi represents the high point of the Hindu Nationalist dream. Which is why he can speak so disparagingly of the opposition. In this dream of a Hindu Rashtra, or a Hindu nation, there is no need for an opposition. Especially one tied to Western ideas of democracy and secularism. These Hindu Nationalists would argue for an Indian-style democracy and secularism that is able to show Muslims, Christians, and the lowest castes their place, even while making some exceptions.

Now, what makes the India case more complicated is that at least some of these authoritarian features are not new. Yes, Mr. Modi's government showed weak commitment to democracy by revoking article 370 unilaterally. But the article that originally provided a pathway for Kashmir to retain some degree of autonomy within the Indian union had already been whittled down to its barest bones during

previous 10 years of the Congress government.

Kashmir had little autonomy, even in name. Even the popular appeal of Gandhi's assassin Nathuram Godse, is not entirely new. In the first general election of 1951, one of the members of the Defense Council for the assassins, PL Inamdar, of the Hindu Mahasabha, won the elections because of his celebrity status as a defense lawyer in the trial.

If you read the intelligence reports on that election campaign, you could be forgiven for mistaking the slogans hailing Gandhi's assassin to the recent election campaign of 2019. But what has happened is a dismissal of that era's Hindu fundamentalism. And depositing instead of a narrative that foregrounds Nehruvian secularism to the exclusion of all other ideas of India. That has led to a lack of reckoning with some of the more lasting consequences of the partition of the Indian subcontinent. The Hindu Nationalist promise, the dream of an undivided India, or an Akhand Bharat, lay dormant but never died.

It is also important to acknowledge that the Modi government's massive majority is the consequence of decades of perseverance of RSS cadres. To be sure, having a team that excelled in social media, targeted advertising, and propaganda has been crucial in capturing attention in a new heavily mediatized environment. However, beneath the noise of social media, the trolls, are millions of real people who have been indoctrinated into the philosophy of the RSS in schools and through attending workshops.

The Indian equivalent of Sunday schools, RSS shakhas. The opposition parties in India, be it the Congress or the communist parties, or an assortment of regional parties, have nothing equivalent. Nor have they the moral courage to face the BJP's charges of pseudosecularism and Muslim appeasement with either a responsive politics or concrete policies.

As a result, Muslims in India, as a community, are now barely represented in Parliament. They are 4.3% of elected members, as opposed to comprising 14% of the population. From Kashmir to Manipal, to Chhattisgarh, India is full of spaces where the rule of law has been a cover for extreme lawlessness.

For too long, neither the drumbeat of elections nor recourse to the judiciary has

provided the people in these "margins" with respite from forces that were allegedly legal. With the riots in Delhi earlier this year, this lawlessness masquerading under the cover of rule of law has come to the heart of India, to its capital city.

And yet, I hold that India, because of its many regional political parties that can and have come together in the past, its enormously diverse and strong civil society, most recently in evidence during protests against the Citizenship Amendment Act of 2019, its independent media that fact checks the daily myths spun by Hindu Nationalist mouthpieces, and some of its still-independent judiciary can withstand this latest grave crisis to its democracy.

If there is a silver lining to Mr. Modi's ascendance, it is that it has forced a dispassionate long-overdue reckoning of the limitations of Indians' electoral democracy. The greatest strength of the Indian National Congress party was its ability to grow, to evolve, to debate with multiple stakeholders and then be persuaded to take up a particular cause.

We see this in Colonial India, when the Congress party moved from representing a "microscopic" minority, to becoming a mass movement under Gandhi in the early 1920s. The party co-opted Muslims briefly. It sought to co-opt Dalits, by subsuming their identity under a common general electorate, to keep the fiction of a majority-Hindu community. Under Nehru and Indira Gandhi, the Congress allied with socialists and communists. It forged electoral alliances across castes and classes.

But after the point, it began to brook absolutely no dissent. This happened in the 1970s, just as Mrs. Indira Gandhi came under the sway of her son, Sanjay Gandhi, and a coterie of unelected powerbrokers. What followed was the emergency. A suspension of the Constitution that lasted 20 months. It is a measure of the seriousness with which Indira Gandhi regarded her political opponents that she had then imprisoned.

In Modi's India, the Congress party doesn't even merit that much of a response. The people being jailed today are student activists, civil society leaders, anyone with a following who criticized the Modi government, and whose words can be framed and distorted to warrant the label anti-national. The question for India's democracy is, can a grand coalition be forged to keep Mr. Modi's BJP from getting a third term? A

term that will irretrievably cast India into an unqualified Hindu majoritarian nation. A nation that many will argue has already come into being.

The next general elections are a little over three years away. The good news is, I think it can be safely said that they will be held. There will be problems and corrupt practices, as far as campaign finances are concerned. Just as there were in 2019. That will have consequences for political parties and electoral outcomes. But the elections will be held.

If the past can be held to be a guide for the future, the defeated will allow for a peaceful transfer of power. I say that because in the past, even if it has taken weeks to prove that the government that the coalition has a majority, typically there has been no resistance from the defeated. There are certain democratic norms in place.

If the opposition can put together a grand coalition with a program that emphasizes growth with redistribution, if it can run a campaign with enough energy and sustenance to thwart the gains that may be made from any contrived or real national security crisis, a "rally around the flag" moment, as happened on the eve of the last general election. If it is transparent in its composition agenda long before the first vote is cast, and if it can put forward a leader whose own life story resonates with aspirational India, there is room for hope.

The Indian people deserve to know, away from the proverbial smoke-filled rooms of yore, who it is who will lead such a coalition government. Since Indian elections too have become "presidential" of late. This majoritarian hatred coursing through India is not new. The months and years following the 1947 partition of India witnessed much worse.

But the leadership at the helm of India took concerted measures to stem the hatred. Even if in retrospect, one might argue, they could have done more than man the RSS for just six months, for instance. Today there is a quite stirring among elements in the corporate sector. And the Hindi film industry.

Even the hate-fanning sections of the news media have just come under legal scrutiny. There are examples from India's own history of putting together lasting coalitions. But winning the battle for democracy at the hustings will still only be a small beginning in a long journey to making India genuinely democratic. Thank you.

**RICHARD**

Thank you very much, Neeti. We're moving toward optimism. It's a reaffirmation which I was hoping we might have. Especially now, as we transition to Susan. We're looking for more reaffirmation closer to home. Thanks, Neeti. Susan? Your turn.

**SAMUELS:**

**SUSAN**

Well, I cannot promise that I will deliver optimism here. But thank you so much for that introduction. And I'm really delighted to be here today.

**HENNESSEY:**

I note a little bit of protest at being forced to go last after those really excellent presentations. But there is a certain logic in saving an examination of our own country for last, and really thinking about how our own system of government really interacts with the kinds of pressures that have caused Democratic erosion, even collapse, in other countries.

I was asked to speak today about the prospect of a Constitutional crisis here in the United States. This is a term that it's received a lot of attention over the past 4-and-1/2 years. But it's actually not a term that has a standard historical or legal or constitutional definition. This idea of a Constitutional crisis.

It's this amorphous term that tends to generally describe the circumstances in which the Constitutional order itself is threatened. In the United States, we often think about it in terms of a discrete precipitating event in which the order is imperiled. Then, in all historical cases, the order is then restored.

This can take a number of different forms. There isn't even agreement on whether or not sort of the typical examples should fully qualify. So obviously, the Civil War itself is the extreme form of constitutional crisis.

But even within that, whenever we examine the presidency, we have a pretty good example of a Constitutional crisis. Which is that Abraham Lincoln unilaterally suspends habeas. Openly admitting that he is violating the Constitution, and really saying, are all laws but one to go unexecuted and the government falls apart?

What Lincoln is arguing there is saying, well, I have these dueling constitutional mandates. Yes, I am supposed to faithfully take care that the laws are faithfully executed. But it also had the mandate to protect and preserve the Constitution of the United States. Therefore, I can breach the law and breach the Constitution. And

I'm doing that consistent with my duty.

That's a moment of Constitutional crisis. The way it's ultimately healed is that Lincoln eventually has to go to Congress to seek ratification. This process of tension and healing where rifts are resolved.

The most sort of familiar modern example, tends to be the Saturday Night Massacre, in which Richard Nixon fires the special prosecutor investigating him. Even that is not an ideal case. Because Nixon is then forced to appoint a new special prosecutor, and eventually has to resign.

So reasonable minds can argue that well, that's actually a case, an example, of the way in which our system works, and demonstrates its resiliency to these kinds of stressors. The Constitutional crisis, it's an important term. But it's squishy. And I don't know that it's the best framework to understand this particular moment.

I think the more useful analogy of this moment is constitutional rot. We are unlikely, at this point, to be faced with a single event that shatters the system. We've seen lots of events over the past four years that we might have predicted decades ago would precipitate a genuine crisis that happened. Instead, what we're seeing is a slow erosion over time.

Where at the end, you're left with the constitutional structure. The institution still exists. The processes still exist. We still observe the technicalities of the constitutional form.

But they're hollowed out. They're stripped not just of their legitimacy, but they actually no longer fulfill their intended constitutional purpose. I think that's the way to understand the specific moment that we're in.

I certainly agree with the prior panelists, that we are experiencing a really alarming erosion under President Trump. I'd suggest the election presents a definitive moment that's going to set us on a path whereby either this rot begins to accelerate rather quickly. Or instead, it's a turning point. And the turning point is only the beginning of a process, a really difficult process, of restoration.

But in order to understand where we are and how we got here, I think it's really important to understand the structure and fundamental nature of the American

presidency, and how it's unlike any other executive structure anywhere else in the world. That's that the founding fathers created an astonishingly powerful executive.

They create the American president. They say it's going to be just one person. They vest that person with all of the Article Two powers. He's the Commander in Chief of the military. He appoints and supervises all of the heads of agencies and cabinet departments. He can fire them. He can make treaties with foreign governments.

He gets to appoint ambassadors and judges with advice and consent. He has the power to veto legislation. This is an aggregation of power in a single person that we don't see elsewhere in the world. Instead, we decided to give it to just one person.

There's a lot of controversy in the legal-academic community about the precise contours of this theory of the unitary executive. But at a sense, it is just the basic constitutional reality. We only have one president. The Executive Branch is not actually legally distinct from the president.

While we think of this sprawling bureaucracy, it's really just the president's the head and the bureaucracy is his arms and fingers. So it's this really powerful thing.

The founders do this on purpose. And they do it fully understanding that they are opening themselves up to the risk of abuse. The reason the founding fathers decide to do this-- and this is best articulated in the Federalist Papers and by Alexander Hamilton, the foremost proponent for this vision of the executive that ultimately prevails-- is this notion that you need to have energy in the executive.

We had a historical colonial tradition early on, of eviscerated governors, overly-empowered legislatures leading up to the Constitutional Convention. They wanted to correct for that. Basically, the idea is, if you want a government that does things, that actually can act and act decisively, and with dispatch and secrecy, and do these really important things in the National interest, you have to let the person do that. You can't require them to do that by committee.

So they contemplate, one, having more than one president, having something like a presidential committee. And two, having other checks. Like well, maybe the president has to get permission from cabinet secretaries, in order to take particular action.

They decide, intentionally, not to do that. Because this concept of energy and a robust executive is really important. And because the unitary nature of the executive, and of an empowered executive, brings accountability.

In the United States, we know exactly who to blame. We know who to blame for Obamacare. We know who to blame for the Iraq War. We know who to blame when a pandemic response is catastrophically mismanaged.

Whether you support or oppose, there's hundreds of things we can list, at the end of the day, we know where the buck ultimately stops. That form of accountability is really, really important. Because what happens is, it leads to the development of this really rich and elaborate tapestry of norms that exist on top of the core powers of the American presidency.

But notably, whenever we talk about the abuses that we've seen over the past four years in the Trump era and in the Trump Administration, by and large, we aren't talking about presidents that are overstepping the edges of their constitutional power. We're talking about abuses of core powers. Things that a president, there's no controversy that the president, in fact, has the ability to issue pardons. There's no controversy that the president does, in fact, have the ability to fire an FBI director. There's no controversy that the president is actually allowed to tweet out that we're withdrawing forces based on a whim, from Syria, based on a whim one morning.

These norms that have hemmed in the president are directly responsive to this notion of strong political accountability. And then, of course, backstopped by the structural separation of powers in the other branches. It's important to note that not all of these norms are good. And they're not, in any way, static over time.

The American presidency is a flexible and evolving institution. And it's changed a lot. Even in important and very controversial ways. So we aren't able to point to a president breaching a norm and saying, that's bad and we need to prevent that from happening.

Because in some cases, every president has breached norms. And in some cases, it ends up being a positive thing. Woodrow Wilson, for example, dramatically changed

the way we understand presidential rhetoric, and how the president communicates with the public. He's the first president who really directly engages, making a policy case to the American people rather than to Congress.

Prior presidents had thought that that was a form of sort of demagoguery, that was intolerable, and was really something that we should avoid. The two-term tradition, for example. George Washington served us for two terms. He steps down. Adams follows. Jefferson follows after that and we have this idea of there being a two-term tradition.

Now, whenever we think about the rhetoric, then Wilson wins re-election. And the office is changed forever. And this, our understanding of how presidents communicate to the public is permanently altered. And it's considered a core power and future of the presidency moving forward.

The two-term tradition, on the other hand, we care about this norm. And we talk a lot about what would happen if somebody tried to violate it in the early Republic. Some people try. President Grant tries to run for a third term.

He doesn't win, so we say, well, don't worry about it. The norm holds. And the American public enforces it and cares about it. And then, FDR goes on to win a third term and a fourth term.

We say, well, we really care about this. So we're going to pass the 22nd Amendment and create an Amendment process to prevent this moving forward. So this is an institution that evolves in conversation with the Constitution, in which breaches of norms can actually lead to positive and dramatic changes. In some cases, we reject them. In some cases, we incorporate them into our constitutional system moving forward.

Trump's breach of ethics are of a different character in nature. It's understood it's important to understand sort of the normative breaches of this moment through that particular lens. There's lots and lots of examples to pick from.

I think the best one is probably ethics. The drafters of the Constitution care a lot about ethics. They care about principles of good governance.

They care about this basic idea that elected officials are acting on behalf of the

public and not in financial interests. Not in their own personal financial interests, not because of any kind of undue influence over them. And this really matters to our core constitutional structure.

Because we're moving away from a system where legitimacy is derived by birth. This is legitimacy derived from the people. So if we don't guard against corruption we have a real problem on our hands.

The founders do a few things. They create the Emoluments Clauses. They had the structural separation of powers. They give certain powers to Congress that they think might be especially ripe for abuse.

But then, lots and lots of norms develop over time. It's this area where scandals happen and norms develop. And new ethics regulations are developed.

Most of them don't apply to the president. But we have these three rules of good governance and ethics. We expect that officials disclose, divest from any conflicts, and also, recuse if they have conflicts of interests. This is just the bread and butter of federal ethics rules.

Most presidents, while they are not technically required to abide by those rules, because again, we want to preserve that flexibility. We don't want to bind a president's hands in cases in which we want him or her to be able to take action. But presidents care a lot about trying to preserve the appearance that they are playing by the rules. So presidents traditionally divest from their businesses. Or at least, they pretend to.

LBJ secretly held control of his family's radio business, is a good example. But he pretends. Ronald Reagan makes an elaborate point of seeking counsel so that he can accept his pension from the State of California, and it's not in violation of the Emoluments Clause.

Obama does this in accepting the monetary award of the Nobel Peace Prize. So presidents at least are attempting to abide by these norms and rules, because it's directly tied to their legitimacy. Trump comes in, and instead, offers a really, really different proposal.

It's a proposal that we call in the book the "I Dare You" principle. The idea that he is going to do whatever he is permitted to do, unless and until somebody stops him. This is an area in which Donald Trump has made a large and radically successful bet.

Donald Trump bet that the American voters didn't really care that much about his tax returns. He bet he could win election anyway. And he was right.

We'll see whether or not he can win re-election on that principle. But he is accurate. He bet that he didn't really have to divest from his businesses. Because the courts either wouldn't be able to get to it in time, or would tolerate it. And that Congress would ultimately tolerate it.

He was right about that. So over time, we've seen him put this proposition on the table. The proposition essentially is that a president doesn't have to abide by sort of the standards of ethics and good governance. And that's the proposition that's on the table whenever we talk about what's at stake in this election.

Because just like reforms around rhetoric, or the way the judiciary has been nominated, another feature where there's been dramatic normative shifts over the past 20 and 30 years. If a president breaches a norm and then wins re-election, he demonstrates to the American public, and to all future presidents, that this is not a norm that really matters. This is a norm that is flexible and can be breached.

That's coming at a moment in which we're seeing institutional sort of erosion and collapse of the very structure of the very constitutional powers that are designed to hem a president in. Basically, we're seeing Congress not do its job. We're seeing it in a lot of different categories. One area, for example, the principle of advice and consent.

When the president nominates somebody, a cabinet official, he's supposed to go to Congress. And Congress has to confirm that person. That is a core constitutional check and balance. It is essential to our system.

Donald Trump has said he prefers acting. He likes the flexibility. He rejects the constitutional principle. And Congress, in response, has shrugged. Congress passed a law saying there's a 10-year term for an FBI Director, following the abuses of J.

Edgar Hoover.

They did that because they wanted this principle of an accountable FBI Director, a sort of generally publicly accountable. They didn't want to have too much independence. But also, they didn't want the FBI Director to be a political appointee.

Donald Trump fired Jim Comey, and Congress shrugged. Now, if he fires Christopher Wray and Congress shrugs again, the FBI Director, moving forward, will be a political appointee. That profoundly changes our understanding of how our constitutional structure interacts with our rights in the real world.

Lastly, and I think most significantly, the place where we've seen institutional collapse by Congress, and in significant ways, is around the idea or around the power of impeachment. Not just the failure to convict based on the impeachment related to Ukraine. A demonstration that the impeachment power is, in fact, just a sort of a raw voting, a raw count of the number of votes that the president has in the Senate, at the number of members of the president's party in the Senate at a given moment, a really, really significant collapse.

But also, the things that the Congress has chosen not to impeach on. Including prototypical impeachable offenses, like abuses of the pardon power. We've seen Congress outsource their investigation and oversight capacity. Largely to the Executive Branch that is controlled by the president.

All of these abuses amount to a proposition. Donald Trump is proposing that it is tolerable and good for a president to interact with the powers of his office the way he has. The problem is that the election is a pretty blunt instrument.

It's a moment in which we either ratify or reject this vision of the presidency. It comes at a moment in which the electoral college, which was in part designed to prevent the public from electing populist demagogues, and instead it has inverted the public's judgment. When the public has rejected somebody like Donald Trump in the popular vote, the electoral college has re-balanced the scales in his favor. The challenge, though, is that this is a very, very blunt instrument.

If Donald Trump does win re-election, he demonstrates that under our existing

system, one can win re-election this way. So I do think that that's the moment in which, if it does, in fact, come to pass, we are going to see not just the abuses we've seen over the past four years. But really, a dramatic and consequential acceleration. And one that is going to be really quite significant moving forward.

**RICHARD  
SAMUELS:**

Thank you very much, Susan. And thanks to all the panelists, for providing so much stimulation on such a difficult topic. We have about 15 minutes left. And we have a large number of questions. And Daniel has got to go off and earn a living. He's got to teach a class.

Before he leaves I wanted to pick out a couple of the questions that were addressed to Daniel. Or at least one in particular, and both are specific, I think, to particular countries in Western Europe, which is what you know so well. No, I just lost it here. Now I'll pull it back up.

The first, this one is from Jean-Luca, who asks whether you think Salvini's recent demise in Italy is a case of a moderate coalition, the Five Stars and the Democrats, being built to insulate democracy from Italian democracy from populism? Or is this something? Is this the way you would explain it?

The second is, a neighbor, in a way, in Southern Europe, which is Bosnia. The question has come up about Civil War, and whether or not we use the wrong example before in some of the cases we invoked. And maybe we should be thinking about the Bosnian example. I wonder if you want to address those two before you disappear?

**DANIEL  
ZIBLATT:**

Yeah. I maybe have less to say about the Bosnian example, unfortunately. But I can say something about the Italian example. And I think there's a more general lesson. I mean, I think in general, yes. That is one way of interpreting what's happened. The ejection of extremist wing of extremist threats.

One interesting thing about European right-wing populists, there's a debate over the degree to which they are a threat to democracy. Or are they simply anti-immigrant parties that have differing policy positions within and accept the basic rules of the Democratic game? I think there's actually variations across Europe.

For example, I think the AfD in Germany is pretty clearly, at least as major strands

of it, that are anti-democratic. That condone and endorse violence, that embrace the Nazi past to varying degrees. So that's a party, for instance, that I think is, under no conditions, should be a legitimate contender in politics.

There's other countries where it's not so clear cut. So I think in general, this strategy, it's worth dwelling just for very briefly on this kind of strategy, of consolidating the middle, as I described in Belgium, let's say, in the 1930s. As Catholics and socialists joining together. I mean, this is, in some ways, a little bit of what's happened, you might say, in Germany today, with a grand coalition for many years. Or what's happened in Austria, not right now, but in the past. History of grand coalitions, where the major parties get together. This is how Italian politics is often operated.

Now, this is good for keeping out demagoguing outsiders. But as in life, there's always trade offs. So the trade-off here is that while it may keep outsiders out, it does create that perception from some voters, of collusion. Where the main parties, rather than competing with each other don't, alternate in power.

And just simply get together to keep outsiders out. So there's a certain cost to that for democracy. So as much as I think that it's a necessary step when facing political parties that are a real threat to democracy, and at least necessary in the short run, as a long-run strategy, it is self-undermining, in the sense that it generates increased sense of disaffection from the political establishment. And it creates the seeds of its own destruction, in a way.

I guess the way to think about this is that democracy is sometimes in acute crisis and sometimes a long-term chronic problem. And when facing an acute crisis, it's worth this long-term cost to keep the outsiders out. But that one should be aware that there's a cost to this kind of strategy, employing it for too long. It's very much actually that move to the center of Angela Merkel, with the SPD in Germany for so long, that some people argue it's given rise to the extremists. Because it's left in the open, on the edges.

So in Italy, similarly, I think this was a good short-term solution. But there's nothing that actually, I think, substitutes for clear alternations in government over time. That's what I would suspect. And unfortunately, I'm sorry, I have less to say about

Bosnia.

**RICHARD  
SAMUELS:**

That's all right. David asked a question, which broadens the lens a bit. And any of you who are so inclined, I hope, will answer. Which is whether if you could explain and speak to how social media serves as an accelerant for the erosion of democracy.

Susan mentioned the early-morning tweets, and so forth. But David wanted to know what might we do to meet the challenge? Should you judge? Or should we judge that social media, ironically, because it's a democratizing instrument, ironically, is a problem for a Democratic practice? Anyone?

**SUSAN  
HENNESSEY:**

I'll give it a very brief answer. that's just the basic assumption of our system and Democratic system generally is that voters will have access to some information. They will have some means to judge whether or not it's true and accurate. So these secondary institutions, social media and the traditional press, play a really, really important role whenever we have a system that depends ultimately on public accountability.

So to the extent that social media ends up becoming used to distribute effective propaganda in ways that actually either genuinely fool people, or rather, make it create a condition in which the public can't believe anything. Then it becomes very, very difficult to martial effective political coalitions. And it dramatically increases the costs of actors in the system that are trying to sort of genuinely inform the public, in order to allow our policy, in legislative and executive systems, to be genuinely accountable. So that's not a solution. It's just it's a little bit of a description of how it connects to the larger problem.

**STEVEN  
LEVITSKY:**

May I take a stab at this?

**RICHARD  
SAMUELS:**

Please.

**STEVEN  
LEVITSKY:**

This is not something that I work on or know much about. But I'm a little skeptical about blaming social media for the challenges facing our democracy. Couple of reasons.

First of all, we've just begun, in political science, to study the impact of social media. The evidence that I've seen suggests that it does in fact, have the effect that most of us think it has. It does tend to polarize us. It does tend to pull us towards ideological extremes.

That said, I think it's fair to say that social media exacerbates existing polarization. Does not create the polarization that is threatening democracies in various parts of the world. And the first bit of evidence seems maybe overly simplistic. But clearly, we've seen earlier periods or periods of polarization in history, that have wrecked democracies prior to the rise of social media.

The Spanish did not need WhatsApp or Facebook to descend into Civil War. The United States didn't need Twitter to descend into Civil War. The polarization that broke German democracy that Daniel described, or Chilean democracy in early '70s, none of that was driven by social media.

So social media will, I think at most, exacerbate underlying problems of polarization. Which is not to say that it doesn't matter. But I think we shouldn't lose focus on what's really driving the polarization in the society.

And just to say one other thing, scholars were terrified of radio when it emerged. It was associated with the rise of fascism. Scholars were worried that the television was going to give rise to demagoguery. Maybe it has.

But we are running to catch up with the effects of social media, without question. But I think there's a plausible chance that governments, politicians, and citizens, eventually will figure out, we'll learn how to effectively formally and informally regulate social media. I'm not sure that it's bound to destroy us.

**RICHARD** Thank you.

**SAMUELS:**

**DANIEL** Very quickly, can I just say something on this? Because I think it's worth making this  
**ZIBLATT:** point.

**RICHARD** And then we'll go to Neeti, yeah.

**SAMUELS:**

**DANIEL** OK. Oh, I'm sorry about that.

**ZIBLATT:**

**RICHARD** No, no, please.

**SAMUELS:**

**DANIEL** Just that there's a sense in which it's easy to think that's what social media does. It eliminates the gatekeepers. It opens up the door to media, a media free for all. But I think the reality actually is that it creates new gatekeepers.

**ZIBLATT:**

Mark Zuckerberg has to decide whether or not to ban Holocaust deniers on his website. Or the head of Twitter us to decide whether to allow for the reporting of stories of Hunter Biden's laptop. These guys then become the gatekeepers.

What this suggests is not the elimination of the removal of gatekeepers in the social media. But actually, they're the real gatekeepers. I think the challenge then becomes for democracies to assert regulatory control over this.

Because in a democracy, you would rather have democratically-accountable regulators, who are accountable to democratically-elected politicians being the ones making these kinds of decisions. Rather than media titans who have no regulation whatsoever. So there's always going to be some limits on free speech. There's always going to be a respect for free speech. And one has to balance these.

But I would rather have regulators and democratically-accountable officials making these kinds of decisions, than unaccountable private interests.

**RICHARD** Thanks. Neeti?

**SAMUELS:**

**NEETI NAIR:** Yeah, this has become a very important live question in India. Some commentators in fact felt that the BJP had a real advantage during the 2019 elections because Mr. Modi, because their social media was apartheid to this organization was so much well honed to adapt to the 2019 election, while the opposition candidate, Rahul Gandhi, barely had a presence on social media.

That has changed. Only in very recent months has he began to tweet and put together a presence. But I also wanted to speak about the trolls that have taken

over social media in India have really targeted women especially, with their misogyny there.

And because of the anonymity that trolling provides, they have made it a very unsafe space. So a lot of women journalists who have received death threats and rape threats on social media have eventually chosen to leave social media. So it has created a different environment that is totally not conducive to Democratic action.

I also wanted to say that on the question of new gatekeepers, Facebook authorities, Twitter as well, their staff have been called to testify in front of parliamentary committees in India, because of reports that have appeared in organs like *The Wall Street Journal*. So there's a lot. Social media transcends these territorial boundaries. So reporting in *The Wall Street Journal*, let's say about Facebook executives, being very cozy with the BJP, have led to questions in parliament about this relationship. So it opens up the landscape in very different ways. Yeah.

**RICHARD  
SAMUELS:**

Thank you. We have time perhaps for just one last question. And I'm being completely arbitrary here, so I apologize to the 27 people who have lined up in the queue but there is this question that has come up from an anonymous participant, who asked who should be the arbiter of determining extremism and undesirable politics? Is it as simple as saying, the people should be able to vote and make the decision? Or is it something more complex that we should be looking for? Daniel?

**DANIEL  
ZIBLATT:**

Well, it depends on what national context in which you're operating. I mean, in the United States, it's entirely up to the voters and to the leaders of parties and private party primaries. There's essentially no regulation of this. Which might be the right answer. That's what we have in the US.

In the German Constitution, there are several articles in the German Constitution which explicitly prohibit speech, or allow for the limits and banning of ultimately political parties that explicitly endorse violence and assaults on the constitutional order. So the kinds of things that we've heard in recent weeks in the American political debate, egging on militias and so on, would launch-- it doesn't happen automatically. Banning a party rarely actually happens in Germany. But what happens is, this allows for the opening of investigation.

There's a judicial process that is investigated under the interior ministry. Judges ultimately decide this. This is probably something that would never fly in the United States.

But I guess, the question which is the best model? I would argue, it probably depends on the national context. Within the German national context, I think this makes sense, given their past. I hope, in the United States, we don't end up in that situation. But on the other hand, you do think that assaults are verbal and rhetorical assaults on the constitutional order should be something that at least voters ought to be paying attention to.

**RICHARD  
SAMUELS:**

Thanks. Susan, I'm going to give you the last word on this. Because it's something that Daniel said that sort of stimulated a case, an example, in the US, in the US case, which is the example of armed militias marching up and down the hallways of state capitals and so forth. You're the Constitutional law expert, but my understanding was that armed militias that aren't under the control of state authorities are illegal in the United States. Not quite the Constitutional prohibition of the kind that Daniel talked about in the German case. But why has that not been prosecuted? Why has that not been stopped? Or is that interpretation wrong?

**SUSAN  
HENNESSEY:**

I'm not sure I'm familiar with the specific case that you're mentioning. But generally, in the United States, I can't imagine a law that would pass constitutional scrutiny that, in fact, banned any kind of speech act for being too extreme. We have the First Amendment. It's very robustly applied.

It's robustly applied in particular to political speech, to domestic political speech. So we don't really operate in a legal environment in which we can regulate what people say. And then we've really rejected that model wholesale. Instead, we focus on acts.

Obviously, things like voter intimidation at polls, there are specific things and specific designations of groups. Although those tend to be foreign groups. But it's a problem that is not easy to remedy within the US constitutional structure. Because essentially, we neither want nor permit the federal government to regulate speech, including political speech.

**RICHARD  
SAMUELS:**

Well, terrific. Thank you. And thanks to all the panelists and to all the participants in today's forum.

There's been a lot of illumination. I've learned a lot. And I hope everyone else has as well. I want to also express my gratitude to Laura Kerwin, and to Michelle English, to John Tirman, all of whom have helped put this event together. Some of you have texted me and asked about what other kinds of events we have.

I encourage all of you to visit our website and you'll see what other Starr Forums are up, are coming up. But first, I guess we can't do this, but I would say, please join me in thanking the speakers. I guess we can, if you simply, clap, the hands clapping. Or the thumbs up.

We can't even do that on this particular version of the webinar. Anyway, the virtual thumbs are up. The virtual hands are clapping. And my gratitude is unbounded. Thank you all very much.