Rethinking anti-corruption in de-democratising regimes

By Inge Amundsen and David Jackson

Regime type matters for the choice of anti-corruption approaches. In recent years, most anti-corruption investments have been allocated to democratising regimes. Today several of these countries are backsliding, including Bangladesh, Brazil, Hungary, Tanzania, Turkey, and Zambia, among others. Often, de-democratisation is disguised as an effort to strengthen government efficiency or enact anti-corruption measures. Would-be autocrats use corruption to finance and sustain their power grab and may weaponise anti-corruption institutions towards the same end. Practitioners need to rethink anti-corruption efforts in de-democratising regimes.

Main points

- Democracy is under threat around the world. In some countries, democracy has broken down and is giving way to autocracy.

- De-democratising regimes were once democratic or clearly democratising states, but are now sliding backwards. They are not yet fully authoritarian but have taken substantial steps towards authoritarianism.

- Most de-democratising countries have democratically elected populist leaders. These illiberal leaders are now threatening democratic institutions and norms.

- In such countries, the opposition is stifled, institutional systems of checks and balances are undermined, and rules of the game are changed to lock in the leader's advantage.

- The consequences for anti-corruption are severe. Traditional governance-focussed reforms are rolled back. Illiberal leaders may even weaponise anti-corruption, abusing state institutions like anti-corruption commissions to cripple the opposition.

- Anti-corruption efforts need to be aligned with a broad democratisation agenda in which corruption is understood as a political phenomenon.

- First, anti-democratic politicians and their strategies should be identified. Second, anti-corruption should strengthen the institutions not yet wing-clipped, reinforce the remaining opposition, civil society, and media not yet stifled, and protect free and fair elections before it's too late.

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Acknowledgements

Regime types and anti-corruption

According to Heeks,[1] most anti-corruption initiatives fail. He claims it is because of overly large 'design-reality gaps': that is, a gross mismatch between the expectations built into the initiatives and the on-the-ground realities in the context of their deployment. This context is usually political. Mason[2] observes, 'Dealing with corruption presents challenges to any practitioner who sees development primarily as a technical problem that can be solved by technical responses. Corruption needs to be viewed as an intensely political phenomenon, with responses crafted accordingly.'

That politics matters for (anti)corruption is not a new claim. Yet despite recent pledges to conduct political economy analysis and search for drivers of change, and despite calls for 'thinking and working politically',[3] anti-corruption reforms are continually undermined or scuppered by politics. This is because anti-corruption interventions threaten those who 'win' from corruption. By introducing reforms to political institutions, building the capacity of enforcement institutions, and reinforcing civil society oversight, anti-corruption initiatives may have a deep impact on the highly sensitive political questions of who will have authority over whom and who will have access to privilege. In many countries, the people who win from the status quo of high-level corruption are defending their privileges and power through non-democratic means, thus undermining democracy itself.

> *The nature of a regime or polity affects both the nature of corruption in the country and the abuses of anti-corruption interventions.*

One way to understand the relationship between politics and anti-corruption is to analyse the overall use and abuse of corruption and anti-corruption in regimes of different types. The nature of a regime or polity affects both the nature of corruption in the country and the abuses of anti-corruption interventions. It follows, therefore, that choices about anti-corruption strategies and tools should take into consideration regime type.

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1. 2011, p. 1.
2. 2020, p. 1.
3. See, e.g., McCulloch and Piron 2019; Laws and Marquette 2018.

Regime types differ in terms of what kinds of corrupt practices are most prevalent, and their scale; in the government's power and capacity to curb corrupt practices; in the extent of political will, at the highest political level, to tackle corruption and abuse of power; and in the autonomy and technical capacity of institutions and social actors outside government to pursue anti-corruption reforms.

In *fragile states*, for instance, power is dispersed, and government capacity is very limited. This tends to favour corruption that is widespread, uncontrolled, and used to maintain stability among rival factions. In such states, efficient anti-corruption is not only a daunting task but can be ill advised, as it can push the country into regime failure and civil war. South Sudan and Afghanistan could be examples.

In *fully authoritarian regimes*, corruption may be less pervasive than in fragile states, but it is just as egregious, used strategically to preserve the power of incumbent elites. In such countries, conventional stand-alone efforts aimed at curbing corruption, especially political corruption, will be fended off. Anti-corruption aimed at petty bureaucratic misdeeds can be implemented if it boosts the legitimacy of the authoritarian ruler; but if the interventions start to bite where it hurts, threatening the regime's hold on power, they will be met with resistance and ultimately rolled back. Authoritarian regimes have the power to do this. For instance, an autocrat can simply nominate another person to lead the anti-corruption commission if the incumbent starts to be 'irritating'.

In *fully consolidated democracies*, corruption is sporadic, opportunist, and limited, occurring when gaps in integrity systems are exploited. In such countries anti-corruption will usually be on the government agenda, promoted by political will at the top. Reforms will also be supported by the electorate, the media, civil society, and government institutions that are broadly autonomous. In such polities, anti-corruption is non-controversial and straightforward, normally centring on refining laws to close loopholes and on investigation and enforcement.

In *democratising regimes*, the political will to restrict corruption is usually in place, as newly elected governments in such countries will typically have further democratisation and anti-corruption high on their agenda. Their power and capacity to execute this agenda may be weak, however, and resistance from vested interests can be substantial. Some of the institutions exerting checks and balances or oversight and control may themselves be controlled by interests allied with the former regime or others likely to lose from deepened reform. In democratising regimes, anti-corruption measures and external support for anti-corruption can have significant effects when they form part of the domestic political process of deepened democratisation.

Finally, there is a regime type that is of increasing concern for anti-corruption: the *de-democratising regimes*. These states were once democratic or unambiguously democratising but are now sliding backwards: not yet fully authoritarian, they are nonetheless veering away from the path of democratisation. The trajectory is unclear, and democratising winds could return, but for the time being the regime has leaders and policies that are distinctly anti-democratic, and the country has taken substantial steps towards authoritarianism. Here, anti-corruption can be of strategic importance if it forms part of a broader domestic and international alliance to stem the tide of de-democratisation.

Why focus on the de-democratisers?

We focus on de-democratising regimes for three reasons. First, democracy is in decline worldwide: de-democratising regimes have become more numerous in recent years, and we need to be able to identify them. Second, the types of corruption pursued by de-democratisers have some characteristics that call for specific anti-corruption tools. The dynamics of such regimes present particular challenges – and opportunities – for anti-corruption. A third reason is our strong warning against opting for the well-trodden path of traditional anti-corruption measures. These are not only very unlikely to succeed in de-democratising settings; they can also backfire.

In de-democratising regimes, political leaders have started to intimidate opponents, restrict the space for civil society and the media, and manipulate institutions, but *some* checks and balances remain. Certain opposition, media, and civil society organisations still exert some restraining influence, and some institutions of oversight and control still have integrity and autonomy. The political will to halt the backsliding, while increasingly weak, still exists among some elites and some influential groups in society. There is also a reserve of technical expertise about how to apply checks and balances and how to address corruption.

The strong warning to anti-corruption practitioners stems from the fact that most anti-corruption and governance programmes undertaken in de-democratising regimes still seem to be filtered through a 'democratising' mindset. They often take for granted that political will exists at the top of government to implement anti-corruption measures. This is no longer the case in de-democratising countries, however, because their leaders are the ones who profit most from political corruption, both economically and in terms of boosting their power. De-democratising regimes are typically led by elected populists and anti-establishment politicians who reject the liberal-democratic rules of the game.

Typically, such illiberal leaders argue that the executive is the expression of the will of the people, so to limit the leader's power is to muzzle democracy.

The consequences of democratic backsliding for anti-corruption are severe.

The consequences of democratic backsliding for anti-corruption are severe. Traditional governance-focussed reforms are rolled back and undermined by de-democratising leaders. Traditional anti-corruption measures can even be hijacked and weaponised by would-be autocrats in their power grabs. Donor-funded anti-corruption interventions can be seized and turned into tools to delegitimise and curb the opposition. Therefore, anti-corruption in a de-democratising regime requires a deliberate rethink. Anti-corruption efforts must be aimed first and foremost at preventing the slide into autocracy.

Contemporary de-democratising regimes

Globally, democracy is under threat and in retreat, in what has been termed 'global democratic backsliding' and a 'third wave of autocratisation'. According to the latest reports from the Varieties of Democracy Institute (V-Dem) in Gothenburg, Sweden, democracy declined in 26 countries during the decade ending in 2019 and broke down completely in six of them. As a result, there are now more autocracies than democracies in the world for the first time since 2001.[4]

Table 1 lists the countries that have experienced significant autocratisation (or de-democratisation) between 2009 and 2019, ranked according to their 2019 scores on V-Dem's Liberal Democracy Index (LDI). The LDI is a composite index of 69 indicators related to clean, free and fair elections; freedom of expression and association; male and female suffrage; and the degree to which government policy is vested in elected political officials. The six countries listed in the third column under 'breakdown' are no longer classified as democratic in 2019 because of severe deficiencies in free and fair multiparty elections and restrictions on freedom of expression. Most of them became electoral *autocracies* recently, during 2018 and 2019.[5]

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4. V-Dem 2020a, 2020b, 2020c.

5. The democracy recession is also confirmed by other indexes, like the Economist Intelligence Unit's Democracy Index 2020. This index lists the following countries with 'big movements' downward in the period 2008–2019: Bangladesh, Belarus, Benin, Bolivia, Cameroon, China, Comoros, Egypt, Honduras, Hungary, India, Iraq, Jamaica, Guyana, Mali, Malta, Mexico, Moldova, Montenegro, Palestine, Senegal, Singapore, Ukraine, and Zambia. The World Bank Institute's Worldwide Governance Indicators also note the general trend, but only cover the period up to 2019 and therefore do not capture the most recent changes.

Table 1: Autocratising countries 2009–2019

LDI score in 2019	Autocratising countries 2009–2019	Breakdown
Top 10%		
Top 10%–20%	United States of America	
Top 20%–30%	Czech Republic	
Top 30%–40%	Croatia, Brazil, Poland, Bulgaria	
Top 40%–50%	Benin, Romania, Paraguay, Hungary, India	Hungary
Bottom 40%–50%	Tanzania, Mali, Bolivia, Ukraine	Mali
Bottom 30%–40%	Zambia, Burkina Faso, Serbia	Zambia, Serbia
Bottom 20%–30%	Comoros, Thailand	
Bottom 10%–20%	Turkey, Bangladesh	Turkey
Bottom 10%	Venezuela, Burundi, Nicaragua, Yemen	Nicaragua

Source: Compiled by the authors based on data from Varieties of Democracy Institute (V-Dem 2020a, pp. 10, 16, 24–26).

The figures in Table 1 are from 2019, and regimes can change quickly. The table is therefore no more than a rough guide. For instance, we can now add Hong Kong to the list of democracies that have broken down, and we can soon add Sri Lanka (where a populist president and his brother as prime minister, both with dubious democratic credentials and an explicit agenda of de-democratisation, were elected in August 2020). Although the global democratic backsliding preceded the Covid-19 pandemic, in some countries the pandemic is accelerating the democratic regression. According to Croissant,[6] the number of countries in which democratic leaders have acquired emergency powers and autocrats have stepped up repression is rapidly increasing.[7] According to the Pandemic Backsliding Risk Index, 48 countries have a high risk of democratic declines during the Covid-19 pandemic, and 34 countries are at medium risk.[8]

Identifying illiberal leaders

The first step for democratic forces and anti-corruption practitioners is to understand how and where de-democratisation begins, so that we can raise red flags. It typically starts with the election of an illiberal president, party, and government. According to Levitsky and Ziblatt in their book *How Democracies Die*, most of the current anti-democratic politicians are populists, demagogues, and anti-establishment figures who

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6. 2020, p. 1.

7. Croissant mentions Hungary's Victor Orbán, who has 'used the pandemic as an excuse to establish Europe's first 'corona dictatorship''; Indonesia, with 'intensified populist anti-scientism […] and strengthened assertiveness among anti-democratic elite actors'; and the Philippines, where populist President Duterte obtained emergency powers in March 2020 (pp. 9–10).

8. V-Dem 2020c, p. 1.

came to power via elections.[9] Leaders prone to authoritarianism can usually be identified when they are elected to office, sometimes even before. According to V-Dem, illiberal leaders use populist rhetoric to claim they are democratic, which makes their presence even more threatening. Their words and deeds fuel toxic polarisation in society, and this polarisation shields their supporters from information that challenges the illiberal leaders' views and opinions.[10]

Illiberal leaders, despite having been elected, are 'not fully committed to the institutions and norms that make a democracy meaningful and enduring, such as civil liberties, the rule of law, and horizontal accountability'.[11] They begin by sidelining and targeting the political opposition, the media, and civil society. Next, the institutions of oversight and control and systems of checks and balances are targeted, politicised, and undermined. The core of democracy is then attacked as free and fair elections are compromised. Finally, the leaders rewrite the rules of the game to lock in their hold on power.[12]

Levitsky and Ziblatt[13] have developed a litmus test, 'a set of four behavioral warning signs that can help us know an authoritarian when we see one'. The aspiring autocrat:

- rejects, in words or action, the democratic rules of the game;
- denies the legitimacy of political opponents;
- tolerates or encourages violence; and
- indicates a willingness to curtail the civil liberties of opponents, including the media.

A politician who meets even one of these criteria, these authors contend, raises red flags that should be cause for concern.

Stages of de-democratisation

According to V-Dem, the countries that have autocratised the most over the past 10 years are (in order of magnitude) Hungary, Turkey, Poland, Serbia, Brazil, and India, with Hungary and Turkey breaking down into autocracy. 'The autocratizing governments in these countries first restricted the scope for media and civil society.

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9. Levitsky and Ziblatt 2018.
10. V-Dem 2020b, p. 6, 13–14.
11. V-Dem 2020b, p. 6.
12. Levitsky and Ziblatt 2018.
13. 2018, pp. 21–24.

Once they had gained sufficient control over the "watchdogs" in the media and civil society, they dared to begin eroding the quality of elections'.[14]

This is the standard trajectory: after undercutting the countervailing forces, rulers feel secure enough to attack the very core of democracy: free and fair elections. We have seen this recently in Latin America, where the fundamental democratic principle of free and fair elections is now under threat. In several countries the opposition candidates have been excluded from the electoral arena, and *The Economist*[15] recently gave the details of how elections are rigged in Venezuela, Guatemala, Ecuador, Peru, and Bolivia.[16]

The de-democratisation trajectory typically consists of three stages, although with many local variations in scope and timing. First, the opposition is targeted, along with the media.

'Key players – anyone capable of really hurting the government – are sidelined, hobbled, or bribed into throwing the game. Key players might include opposition politicians, business leaders who finance the opposition, major media outlets, and in some cases, religious or other cultural figures who enjoy a certain public moral standing.'[17]

In Russia, Hungary, and several other countries, the government stopped advertising through media outlets connected to the opposition or critical of the government, thus crippling their finances. Another example is Tanzania, where the government recently banned the broadcasting of foreign-produced content without the government's permission. Tanzania also required local journalists working for foreign media or with foreign correspondents to be accompanied by an official 'minder',[18] as in North Korea and other autocracies.

Second, the regime targets the 'referees': the judiciary, law enforcement, and government oversight and regulation agencies. In other words, the institutions of horizontal accountability and of democratic checks and balances are manipulated, politicised, and constrained. The elected anti-democratic politicians will use their bases in the presidency, ruling party, and legislature to politicise and discipline these institutions by nominating cronies to top positions and dismissing 'troublemakers'.

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14. V-Dem 2020a, p. 16.
15. 2020.
16. For a general analysis of how elections can be rigged, see Cheeseman and Klaas (2018).
17. Levitsky and Ziblatt 2018, p. 81.
18. Kombe 2020.

Third, the rules of the game are changed to lock in the regime's advantage. This involves changing the electoral law, the party registration law, and the criminal code. This 'electoral prohibitionism' seeks to restrict who can run for office and which parties can register in order to bar rivals and opponents, and it uses technicalities like nationality, presence in the country, criminal charges, alleged tax evasion, higher minimum thresholds for party representation, etc. The altered rules of the game may also involve gerrymandering (redrawing political boundaries to redefine constituencies) and establishing new political parties loyal to the regime with names similar to the main opposition to create confusion. The most extreme means are outright electoral fraud, *not* holding elections (postponing them indefinitely due to some 'emergency'), and abolishing term limits.

Weaponising corruption and anti-corruption

De-democratisation occurs through means that are formal and legal, as well as informal and corrupt. The use of the formal mechanisms of state – changes to laws, appointments of officials, instructions to governmental institutions – is usually within the constitutionally granted prerogatives of a president. The claim that illiberal leaders often make, that they are defending democracy against external and internal threats, might sometimes be true to some extent, although this claim is most often exaggerated and used deliberately to legitimise the power grab.

De-democratisation also occurs through informal, non-institutional strategies that are normally hidden from view. These include the co-optation of powerful people into the de-democratising agenda, the distribution of disinformation and propaganda, and the hoarding of power and resources. These strategies play out behind closed doors and within 'informal policy arenas'.[19]

The ability of leaders to pursue corrupt tactics depends on social networks that have to be sustained via patronage and clientelism. These in turn propel corruption, creating a double bind: corruption becomes more systemic even as democratic checks and balances are being eroded. Corruption is both a cause and an effect of de-democratisation, and the consequences of this evil circle are clear: as de-democratisation proceeds, corruption mutates into something more pernicious and becomes entrenched.

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19. World Bank 2017.

Corruption is used both to finance the power grab and to sustain it. State resources and privately acquired means are often 'reinvested' in power, that is, used to preserve and strengthen the leader's grip. This is indeed the case in de-democratising contexts. Many – although not all – instances of power abuse and usurpation require some hard cash. Buying friends, doling out favours, running election campaigns, and buying votes are costly and involve substantial out-of-pocket expenses. Not all of it can be charged to the government's tab. Most elected would-be autocrats therefore need to extract resources from the economy and the population.

Extractive political corruption includes embezzlement, economic crime, privatisations, crony capitalism, and, most importantly, soliciting bribes in public procurement projects.[20] By bending the rules on party financing and making promises (and sometimes threats), aspiring autocrats can collect substantial amounts of money from private businesses.

Some of the extraction methods are perfectly legal, although morally questionable and criticised by many, such as huge donations to the ruling party by private individuals and businesses. Other methods are illegal and directly corrupt, like the embezzlement of public funds, the soliciting of bribes, and the allocation of government contracts to companies owned by the autocrat himself and/or his relatives and cronies.

The corrupt techniques that illiberal, 'wannabe' autocrats are using to get money are no different than the techniques used by established authoritarian leaders. Although personal greed is often an intensifying factor, political corruption always serves political purposes beyond personal enrichment. For power-grabbing regimes, the purpose is to curb citizen influence, reduce accountability, subvert institutional checks and balances, and establish a non-competitive political system.

Power-preserving political corruption includes practices such as buying support from individuals (through favouritism, co-optations, clientelism, and nepotism), buying support from businesses (by favouring the businesses of political and financial supporters), buying institutions of oversight and control (through appointments, dismissals, and inducements), and the use of state resources to win elections. Finally, judicial impunity can also be bought.[21]

The use of corruption is an effective and sometimes decisive element in all three stages of de-democratisation described above.

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20. Amundsen 2019b, p. 4.
21. Amundsen 2019b, p. 4.

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The first stage: Undermining the opposition

In the first stage of de-democratisation, the aspiring autocrat targets the opposition, the media, and civil society. While this depends in large part on intimidation and violence and on illiberal laws, corruption can serve as an additional tool.

'The easiest way to deal with potential opponents is to buy them off. Most elected autocrats begin by offering leading political, business, or media figures public positions, favors, perks, or outright bribes in exchange for their support or, at least, their quiet neutrality. Cooperative media outlets may gain privileged access to the president, while friendly business executives may receive profitable concessions or government contracts.'[22]

Co-optation refers to the intentional extension of benefits to potential challengers to the regime in exchange for their loyalty.[23] This includes offering them positions in state and government, a method used by many rising autocrats. Sometimes co-optation is so widely used that it comes to be expected, and opposition politicians will campaign with this as their unstated aim. Leaders can also buy loyalty through nepotism, clientelism, patronage, and cronyism, depending on techniques used and the characteristics of the persons favoured. Favouritism has been found to contribute to the durability of authoritarian regimes.[24]

In Nigeria, for instance, opposition leaders have seen corruption charges dropped when they switched over from the opposition to the ruling party. 'Once you join APC, your sins are forgiven', wrote a Nigerian newspaper, referring to President Buhari's All Progressives Congress.[25] In Uganda, pervasive political corruption evolved out of the governing strategy of inclusive co-optation and the need to buy loyalty from a wide spectrum of supporters. The initial strategy was to build a 'broad-based' governing coalition under a no-party 'movement' system. Over time, however, broad-based

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22. Levitsky and Ziblatt 2018, pp. 81–82.
23. Corntassel 2007, p. 139.
24. Zaum 2013, p. 1.
25. Ojo, Prusa, and Amundsen 2019, pp. 182–83.

became 'bread-based' as inclusion was driven by calculations of buying support for the regime and rewarding allies, and to demobilise opposition.[26]

There is always a pretext for illiberal acts. 'Would-be autocrats often use economic crises, natural disasters, and especially security threats […] to justify antidemocratic measures'.[27] As mentioned above, the global Covid-19 health crisis has come in handy as a justification for many anti-democratic measures.

At the same time, anti-corruption, a seemingly laudable endeavour, can itself be hijacked and weaponised. Anti-corruption campaigns can provide a good pretext for illiberal leaders who want to go after rivals and opponents ('drain the swamp' is a phrase that resonates with many voters). In some countries, it is an entrenched culture of elite corruption and special interests that has propelled populist movements and thrust to power demagogues who promise to rein in the corrupt elites. The demagogues take advantage of real grievances and popular demands for accountability. Ironically, in many countries, anti-democracy rulers and parties come to power on a wave of demands for better government and for critical goods and services that many citizens crave. Tanzania's late President John Magufuli is a good example.

Hakobyan[28] mentions the example of Pakistan'sNational Accountability Bureau (NAB) and special corruption courts, which were established by General Pervez Musharraf after the military coup against the 'corrupt' civilian government. Likewise, Ojo, Prusa, and Amundsen[29] mention the use of Nigeria's three anti-corruption agencies as a political weapon:

The executive power (presidency) has in some cases been using the Independent Corrupt Practices and Other Related Offences Commission (ICPC), the Economic and Financial Crimes Commission (EFCC), and the Code of Conduct Bureau and Tribunal (CCB) as state-coercive tools to intimidate political opponents and rivals. […] Ironically, however, these agencies became potent weapons of vendetta and retribution by the Obasanjo administration as they readily harassed, 'investigated' and cowed real and imagined foes of the administration […] Likewise, in 2018 as he was out of power, Obasanjo accused the Buhari administration of using the EFCC and ICPC to the same end, to 'witch-hunt political opponents'.

26. Khisa 2019, p. 98.
27. Levitsky and Ziblatt 2018, pp. 92–93.
28. 2003, p. 3.
29. 2019, p. 86.

In Rwanda, after she announced her candidacy for president in 2017, Diane Rwigara was disqualified from the election and detained, along with her mother and sister, for alleged tax evasion. In Kenya, Daniel arap Moi, dictator until 2002, systematically turned his tax collectors into scourges of the opposition. Politically motivated arrests on tax-related charges have also been reported in Russia and China.[30]

The second stage: Politicising the state apparatus

In the second stage, when an illiberal leader targets the judiciary, law enforcement, and oversight/regulation agencies, buying friends within the state administration can be an efficient tool. The dismissal of 'unruly' or 'problematic' heads of these institutions and the nomination of more servile cronies, friends, and family to occupy those posts is a very common practice. The leader can usually accomplish this without overstepping his constitutional powers. Typically this involves politicizing and wing-clipping the supreme court, oversight and control bodies like the auditor general and the tax authority, the anti-corruption and human rights commissions, the attorney general and prosecutors' office, inspectors, ombuds offices, and so forth. This will not only reduce democratic controls, but can also secure impunity for the perpetrators.

The anti-corruption agenda is also often weaponised to constrain and discipline the institutions of oversight and control. The elected anti-democratic leaders can blame civil servants and the leaders of the various oversight institutions for corruption and mismanagement, self-dealing, and excessive red tape.

Tangri and Mwenda[31] describe how the military was bought off in Uganda, and Khisa[32] describes how the Ugandan president bought parliamentary and ruling party support:

'[President Yoweri] Museveni has become increasingly reliant on using financial inducements to mollify MPs and assure cohesion [...]. In particular, when there is a controversial legislation before parliament, MPs are paid money under the guise of "consultation", even when there is no necessity for consultations and when the MPs do not carry out any consultations.'

In Uganda, President Museveni took part in an 'anti-corruption walk' in late 2019.[33] This had the effect of disciplining the civil service (which was the only target blamed

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30. Economist 2017.
31. 2003, 2006.
32. 2019, p. 106.
33. Athumani 2019; Kasasira 2019.

for corruption) and of defusing criticism of Museveni himself. Critics say that Museveni's march against corruption is ironic because his government is to blame for much of it, and that the stint is an attempt to divert attention and scapegoat lower-level officials and private citizens. The opposition figure Kizza Besigye said that Museveni 'cannot be pretending to fight corruption because he is at the apex of state corruption in Uganda'.[34]

Corruption charges can also be used 'positively', as a carrot to bring people in line. In Pakistan, when Aftab Sherpao, an influential opposition leader and former chief minister, returned from London to face corruption charges, he was acquitted after his party faction pledged its support for Musharraf in the referendum on his presidency.[35] In Nigeria, there is a long list of current and former ruling party officials, governors, parliamentarians, and financers, charged and sentenced for corruption, who have been granted presidential pardons.[36]

In Uganda, both the anti-corruption commission and the tax authorities have been used to curb the opposition. The commission was charged with compiling extensive registers of interests, according to the Uganda Leadership Code, but this exercise was nothing but a smokescreen: the registry was consuming disproportionate resources and impossible to maintain, and the registration rarely led to any enforcement of regulations. In Zambia at the beginning of the 2000s, President Levy Mwanawasa declared his determination to 'stamp out corruption', but his main initiative was to establish a special task force, linked to the Anti-Corruption Commission, to investigate former President Frederick Chiluba and his associates.[37]

The anti-corruption commissions in both Uganda and Zambia were for the most part financed by international aid. One study found that only Ghana's anti-corruption agencies were fully funded by government; those in Malawi, Tanzania, Uganda, and Zambia relied on donor funding.[38] In the Zambian case, donors also supported the commission by providing and funding international expertise. Thus, while anti-corruption commissions in some countries have gained credibility and further funding by showing success in curbing bureaucratic corruption, they have also been used to stifle political opposition and undercut real or potential rivals of illiberal leaders.

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34. Kasasira 2019.
35. Hakobyan 2003, p. 3.
36. Ojo, Prusa, and Amundsen 2019, p. 182.
37. Doig, Watt, and Williams 2005, p. 29.
38. Doig, Watt, and Williams 2005, p. 30.

The third stage: Locking in the advantage

In the third stage, when the rules of the game are rewritten to cement a leader's hold on power, corruption can be used as a mechanism to disrupt free and fair elections. This usually involves systemic electoral fraud – buying qualified majorities in parliament in order to make changes to the electoral law, the party (registration) law, and the constitution to tilt the elections in favour of the incumbent. It usually also involves buying publicity and election campaigns to tilt the public media in favour of the incumbents, to set up new political parties loyal to the regime with names similar to the main opposition to create confusion, to buy the electorate, and to bribe the election commission and the functionaries. A few examples:

- Russia's Vladimir Putin can now hire and fire judges of the supreme and constitutional courts at will, per the constitutional amendment made by the Duma in March 2020.
- Appointments to the Bangladesh Election Commission have been systematically based on political considerations, calling into question the commission's impartiality.[39]
- In Kenya, officials of theIndependent Elections and Boundary Commission have reportedly been bought.[40]
- In Nigeria, election rigging used to be commonplace, 'reproducing regimes in power' at least up to the 2015 election. The political parties in Nigeria even budgeted for bribes to be paid to the Independent National Electoral Commission.[41]
- During the voter registration exercise in Ghana in 2004, the ruling party chairman received around US$1 million from the presidency to help the party mobilise its base, that is, 'to pay for party militants deployed to counter threats from its main rival'.[42]
- In Uganda, money embezzled from donor-funded health projects was used to 'pay presidential pledges in different parts of the country'. The ruling party bought parliamentary support for the removal of presidential term limits by spending public money lavishly on the MPs.[43]

'Handouts' to buy votes are an additional tactic that has been widely used in Malawi, Nigeria, and other countries. There are indications that handouts are continuing, at least

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39. Amundsen 2006, p. 7.
40. D'Arcy 2019, p. 60.
41. Amundsen 2019b, p. 182.
42. Asante and Khisa 2019, p. 34.
43. Khisa 2019, pp. 103–104, 106.

in some parts of Malawi and Nigeria. In Kenya, voters expect handouts as proof that a leader is a 'big man' who can provide for his electorate.[44]

Responding to de-democratisation

The relationship between political corruption and de-democratisation varies across contexts. It is important to remember that, while we can identify broad stages of de-democratisation, there is still much variability, as 'democratic breakdown doesn't need a blueprint'.[45] De-democratisation can happen without corruption, but as the examples above have shown, there is an ever-present risk that would-be autocrats will eventually turn to corruption as a means to hold onto power. Therefore, the very presence of de-democratisation currents should give pause to anti-corruption practitioners as they craft their strategies and responses.

Development partners, international organisations, trans-border civil society organisations, transnational businesses, and others have some potential agency to promote effective anti-corruption in de-democratising regimes. They should think about how anti-corruption measures can be used as defensive instruments, not only to curb corruption but to slow or stop the process of de-democratisation. Unlike established autocratic regimes, democratically elected governments with authoritarian tendencies have not yet subjugated all institutions. There may be some impartial or non-politicised administrative units remaining; certain groups and individuals with influence may already be suffering from the power grab; and some economic sectors may have an interest in halting abuse and usurpation.

Anti-corruption can, depending on the context, play an important role in thwarting further de-democratisation

Given this potential for effective anti-corruption reforms, anti-corruption can, depending on the context, play an important role in thwarting further de-democratisation. Of course, anti-corruption measures cannot be the only bulwark against the power abuse of would-be autocrats, but they can be an effective tool if deployed in a strategic manner in areas susceptible to instrumentalisation by illiberal leaders. Strategic anti-corruption in de-democratising regimes is about timely and targeted provisions aimed at urgent reinforcement of anti-corruption institutions, along

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44. D'Arcy 2019, pp. 55–58.
45. Levitsky and Ziblatt 2018, pp. 75.

with support to collective action, in order to frustrate further de-democratisation. Defensive anti-corruption must also be linked to a broader agenda of policies that aims to halt and reverse democratic backsliding.

Strategies will have to be adapted to local political circumstances. However, rolling back de-democratisation from the outside is hardly possible, just as democratisation cannot be imposed from the outside. Instead, diplomatic pressure and foreign assistance must support a domestic political process. Foreign assistance can be effective when it forms a part of a broad-based defence of democracy, and anti-corruption can be a strategic element in this. To help design this kind of anti-corruption, we suggest four steps.

1. Understand the context
2. Provide urgent reinforcement
3. Support collective action
4. Be flexible

Understand the context

Effective anti-corruption depends on making strategically smart choices. To do this, practitioners will need a thorough understanding of the events and unfolding developments in a given situation. De-democratisation does not always happen in precisely the same way, nor is it always obvious that it is taking place. Like corrupt practices, the erosion of democratic institutions can be pursued surreptitiously and incrementally, in ways that escape media attention. Smart anti-corruption in a de-democratising context therefore relies on having 'a map and a compass' to find out what is really happening. This first mapping step in turn consists of three steps.

First, the groups and actors pursuing de-democratisation must be identified. We need to know who and what we are dealing with. We also need to establish whether and how the various forms of political corruption are instrumentalised and weaponised by illiberal leaders, along with the use of other political instruments, in the given context. The specific rent-capture and power-grabbing methods employed should be identified. This incorporates an analysis of the three stages described above; understanding what stage the process is currently in can help us identify what might come next. The aim is to understand where the system is under pressure and what risks exist.

The checklist in Box 1 provides an overview of some of the areas to focus on. Priority should be given to current, mostly qualitative data sources rather than to quantitative

indicators that may suffer from time lags and thus fail to capture changes as they happen on the ground.[46] Trusted newspapers and other media, very recent research papers, commissioned political analyses, and expert reviews and interviews all can help practitioners gain an understanding of how political corruption may relate to de-democratisation in a specific context.

Box 1: Checklist of focus areas

The litmus test

1. Identifiers of anti-democrats
a. Rejects the democratic rules of the game
b. Denies the legitimacy of the opposition
c. Tolerates or encourages violence
d. Shows willingness to curtail civil liberties and media
e. Abuses emergency powers

Stages of de-democratisation. The regime…

1. Attacks the opposition and anyone else opposing its policies
a. Opposition parties and leaders
b. Opinion leaders supporting opposition
c. Independent media
d. Civil society and NGOs supporting opposition
e. Cultural and religious leaders supporting opposition
f. Private businesses supporting opposition

2. Attacks institutional checks and balances
a. The judiciary
b. The parliament
c. Institutions of oversight and control
i. Auditor general
ii. Tax authority
iii. Election commission
iv. Anti-corruption agency
v. Human rights commission

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46. Mungiu-Pippidi and Cizmaziova 2020, p. 5.

vi. Attorney general and prosecutors
vii. Ombuds office

3. Locks in the advantage
a. Constitutional and legal amendments
b. Changes to the electoral system
c. Abolition of term limits

The uses of corruption

1. Extractive political corruption
a. Bribery in public procurement
b. Embezzlement of public resources
c. Fraud and economic crime

2. Power-enhancing political corruption
a. Cronyism, nepotism, clientelism
b. Buying off the opposition, co-optation
c. Buying elections
d. Buying impunity

3. Weaponising anti-corruption
a. Hijacking the anti-corruption agenda
b. Using anti-corruption institutions against rivals and opponents

Second, we need to identify which institutions, actors, and coalitions are not (yet) captured. This includes an analysis of which institutions still retain some integrity and which are effectively politicised and lost. Spaces of remaining integrity could be important recipients of support.

Third, we need to identify possible resistance and opposition to de-democratisation. This includes an analysis of which groups are being extorted or excluded or are losing out in other ways because of the ongoing power usurpation. The aim is to find ways of defusing the expected resistance and to find alliance partners.

Provide urgent reinforcement

Once we have identified which institutions have succumbed to pressure, which are under pressure and likely to fall next, and which remain resilient against capture, the

next step is to consider urgent reinforcement of the institutions that have not yet been hijacked and weaponised. Support to entities that still provide institutional checks on the executive can help curb the power grabs in the three stages of de-democratisation described above. These may include parliament, the judiciary, and institutions of oversight and control like ombuds offices, supreme audit institutions, anti-corruption commissions, and anti-corruption courts.

These institutions may be able to constrain further de-democratisation through legal checks or by providing vital information. It should be noted, though, that support to intended strengthen these institutions will be subject to the same political risks of co-option. Support should therefore be restricted to those institutions that show evidence of ongoing autonomy – that is, those staffed by leaders committed to integrity, with a track record of relative insulation from the power-preservation corruption of political actors.

This kind of intervention will have to be contextualised, localised, and timely. Generic training and capacity building, or attempts to shape these institutions in the image of those found in the global North, may be ineffective. Jackson, Tobin, and Eggert,[47] in analysing support for female parliamentarians in Jordan, suggest a shift away from typical capacity building and trainings around formal accountability roles (e.g., on parliamentary committees) because these do not reflect how accountability functions in that context. Accountability in such cases was better developed through informal means, such as supporting female parliamentarians with coalition building and communication techniques.

Some countries have been successful in stemming the anti-democratic tide over time through the resilience of institutions. Malawi is a good example, as the country was considered vulnerable due to the passing of presidential power from President Bingu wa Mutharika to his younger brother Peter.Then, with increasingly limited space for civil society and the media, the politicisation of the civil service, and uncontrolled political corruption (most notably the Cashgate scandal), the country slid into de-democratisation. It reached a low point with the blatant manipulation of the May 2019 election, dubbed the 'Tipp-Ex election'. However, surprisingly to most, Malawi's Constitutional Court had the independence, integrity, and courage to nullify these elections and demand a rerun. Other state institutions then followed up and implemented the ruling, with the result that the opposition won the general elections. Now, former President Peter Mutharika is under investigation for corruption.

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47. 2019.

In situations where illiberal leaders have gone so far as to try to lock in their electoral advantage, there can still be some openings for anti-corruption measures. One strategy is to call for a strict application of rules and regulations on campaign spending and on equal access to state media for campaigning, and for a ban on vote buying. In Nigeria, prior to the 2019 general elections, and in Malawi in 2018, new laws made it a crime to give 'handouts' to voters during election campaigns. This significantly reduced the practice even though the laws were not strictly enforced.[48]

In addition to bans on vote buying, there have been some recent attempts to restrict the buying of election commissions and officers in situations where this was an imminent risk. In Nigeria, the victory of the opposition in the 2015 general election was to some extent due to the integrity of the Independent National Electoral Commission and the ability of its chairman, Attahiru Jega, to withstand pressures.[49]

When such restrictions have been put in place and enforced, and when the election commission or supreme court has had a leadership with integrity, determined to withstand the pressures and temptations, outright buying of elections seems to have halted, as in Nigeria and Malawi. The risk remains that illiberal leaders will turn to more subtle practices, like bribing and subduing the media, or to violent actions, like buying militants to commit acts of thuggery and intimidate the opposition. This is why reinforcement of anti-corruption must be aligned with and support measures aimed at protecting and safeguarding the democratic system and rule of law.

Support collective action

At the early stages of de-democratisation, when elected autocrats are still dependent on and sensitive to public opinion, the publication of bribery and corruption cases that involve them might be effective. Anti-corruption attitudes are central to the ideology and identity of many illiberal parties, and democratic actors could benefit substantially from bringing bad behaviour, such as corrupt activities and cronyism by party leaders, to the voters' attention.[50]

The connection between corruption and de-democratisation seems to be understood by an increasing number of people living in countries where populist leaders are grabbing more power. For the past decade, the issue of corruption and abuse of public power has spurred large popular protests in many different parts of the world – including, for

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48. Oyo, Prusa, and Amundsen 2019, pp. 83-84; Dulani 2019, pp. 144–145.
49. Amundsen 2019a, p. 23.
50. V-Dem 2020b, p. 52.

example, Brazil, Colombia, Guatemala, India, Kenya, Malaysia, Mexico, Moldova, South Africa, Tunisia, and Ukraine.[51] The protests have challenged and sometimes even led to the fall of governments, confirming in very concrete terms that corruption is about power and governance.

This gives scope to support the mobilisation of groups against de-democratisers. The focus should be on supporting a broad coalition, as inclusive as possible, of autonomous institutions, pro-democracy figures, and anyone who suffers from power grabs. These actors need sufficient capacity for collective action.

To build collective action capacity, conventional approaches, such as funding NGOs, social accountability measures, or awareness campaigns, may need to change to an emphasis on building an enabling environment and a collective action infrastructure. This means investing in a free press and digital media, creating spaces where civil society can interact, providing protections to protestors and whistle-blowers, and providing political support to uphold human rights. This must be done even when it implies that donors might have to move out of their 'comfort zone' of non-political technical support.

At the same time, one must not forget that some opposition actors and civil society activists can be as corrupt as the elites in power and can use corruption to gain power. The incentive structures run deep. Some actors and movements purportedly seeking democratic change may in fact seek only to overthrow and replace the incumbents and ruling parties, without changing the system in place.

Be flexible

Anti-corruption strategies must be flexible and adapt to rapidly changing circumstances. Power grabbing is an uneven process with progress and setbacks along several lines at the same time, and would-be autocrats are continuously testing their methods and inventing new ones. This means that opportunities for pushback may appear unexpectedly. According to Mason,[52] 'Tackling corruption has the best chance of success when efforts […] are aligned with (often suddenly-arising) political impetus. Practitioners need to be able to operate flexibly and spontaneously to take advantage of unexpected windows of opportunity.'

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51. See, for instance, the Carnegie Endowment for International Peace Global Protest Tracker.
52. 2020.

However, as demonstrated above, the injection of development funds may create new venues for corruption and even increase the levels of corruption, and anti-corruption measures can be hijacked and weaponised. Practitioners will need an intelligent and context-specific design of interventions with 'smart' safeguards and quick exit options. This calls for almost daily updating of the analysis and the strategic options. Some attempts have been made to describe how practitioners can take more 'adaptive approaches' to programming,[53] approaches that emphasise ongoing learning and analysis and can cope with political surprises as reforms play out.

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53. See Jackson and Meyer Dolve 2020.

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