

Legislatures and Legislative Politics without Democracy

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What do authoritarian legislatures and legislators do? Would outcomes in dictatorships be different if they were absent? Why do dictatorships have legislatures in the first place? Virtually all contemporary dictatorships and hybrid regimes have a legislature. From the late nineteenth century to now, legislatures have been present in 80 percent of dictatorships with a non-elected executive (Przeworski et al., 2013); all hybrid regimes – by definition – have a legislature. These questions, therefore, represent central puzzles in the study of authoritarian politics and institutions.

Yet, students of non-democratic regimes have only recently begun to apply the empirical methods and theoretical rigor typically seen in the study of democratic legislatures to the study of their non-democratic counterparts. Research on legislative politics, meanwhile, has addressed legislative politics under dictatorship only incidentally. The result is a disparity in our understanding of legislative politics in about one-half of the world’s regimes over the past century. This special issue aims to correct this imbalance, while advancing the research agendas of both authoritarian institutions and legislative studies.¹

Legislatures as Sites of Contestation

Existing research offers at least three analytical perspectives on legislative politics in authoritarian regimes. The first dismisses legislatures and their politics as merely ceremonial – something that may account for the imbalance in the study of legislatures across regime types. Authoritarian legislatures, according to this view, are adopted and maintained in order to provide a veneer of democratic constitutionalism to political decisions made by a narrow elite in different institutional venues, and by possibly extra-institutional means. As Brancati (2014, p. 317) argues, “because authoritarian legislatures exist at the discretion of the dictator, they do not have real decision-making power and only rubber-stamp government-proposed legislation.” This perspective appears to be supported – at least superficially – by empirical evidence: compared to

¹ By “authoritarian legislatures,” we mean legislatures operating in regimes classified as non-democracies, rather than assemblies in democracies that operate, or are run, in an authoritarian fashion. By “authoritarian regimes,” we mean those political systems in which citizens do not have the opportunity to meaningfully hold officials accountable through regular elections, with levels of authoritarianism ranging from “closed” systems to “hybrid” systems, which display a certain level of political competition.

their democratic namesakes, authoritarian legislatures meet less frequently; when they do meet, it is often for ceremonial purposes; and, when not ceremonial, voting in authoritarian legislatures is usually unanimous. Relatedly, legislators in authoritarian regimes may be busy, but with activities that are largely unrelated to the policymaking process. Geddes et al. (2018, p. 137), for example, argue that, although “authoritarian legislatures play a role in the allocation of private benefits and local public goods to citizens, [...] they have little influence on policy.” “Real” politics, it seems, is either hidden from public view or simply takes place elsewhere.

The second analytical perspective on authoritarian legislatures starts from the opposite point of departure: authoritarian legislatures are either proto-democratic institutions with the potential to evolve into fully democratic bodies (Congleton, 2011), or the eroded-but-still-functional versions of their once-fully-democratic selves. The proto-democratic variant is exemplified by the aristocratic legislatures of nineteenth century Europe and Latin America, and the present-day legislatures of Kuwait and Jordan (Herb, 2014); the eroded variant by hybrid regimes, especially those where elected incumbents have subverted democracy without fully subjugating the legislative branch, as in contemporary Turkey or Venezuela, or in certain post-Soviet states (Levitsky and Way, 2010; Schedler, 2013; Way, 2015). According to this perspective, the difference between legislative politics under dictatorship and democracy is not one of kind but rather one of degree: authoritarian legislatures perform the same functions as their democratic counterparts, but they do so in a less-than-fully-democratic fashion.

A third perspective on legislative politics under dictatorship asserts that genuine politics indeed takes place in authoritarian legislatures but is fundamentally different from democratic politics. According to one mechanism, authoritarian legislatures are instruments of power-sharing that reduce asymmetries of information and commitment problems among regime insiders (Boix & Svobik, 2013; Svobik, 2012). Legislatures can also serve to broaden the base of the regime by serving as a forum in which the regime can deal with proto-opposition by distributing rents (Lust-Okar, 2006) and by hammering out concessions while hidden from public view (Gandhi, 2008). Even when legislators engage in legislative behavior that “stands in” for their constituents, they are motivated more so by economic rents, legal immunity, and political promotion rather than concerns over representation (Blaydes, 2010; Malesky & Schuler, 2010;

Truex, 2016). According to this set of mechanisms, legislatures in non-democracies primarily fulfill the interests of authoritarian elites, stabilizing their rule. Put simply, nominally democratic institutions serve distinctively authoritarian ends.

The papers in this issue offer new evidence that helps us assess, discriminate among, and revise these perspectives. They do so by examining legislative politics in three prominent authoritarian regimes: China (Lü et al., Truex), Russia (Noble), and Vietnam (Schuler).

Xiaobo Lü, Mingxing Liu, and Feiyue Li examine a 25-year period during which the legislators of China's National People's Congress (NPC) introduced over 16,000 bills, and delegates of the Chinese People's Political Consultative Conference (CPPCC) issued over 20,000 proposals. Why would delegates in a single-party authoritarian legislature engage in this level of legislative activity, often submitting multiple, competing bill proposals within the same policy area? Examining bills on education, Lü and his collaborators show that legislators who advance competing policy proposals are connected through geographic location, party affiliation, and employment ties to the Ministry of Education. Legislative coalitions are, in effect, extensions of competing bureaucratic coalitions, and legislative politics, more broadly, is an extension of executive-bureaucratic politics.

Ben Noble studies executive-sponsored bills in the Russian State Duma, and shows that these policy initiatives are frequently amended, often beyond recognition. How is a legislature able to change the content of bills proposed by an authoritarian executive? Noble traces the origins of this amendment process to the diversity of policy interests represented within the Russian executive. Bill changes reflect the fact that policy conflicts between executive actors can remain unresolved at the end of the pre-legislative, cabinet-level stage of decision-making. Legislative amendments thus emerge out of policy disputes between executive actors, rather than signifying legislator influence. Both Noble and Lü et al., therefore, demonstrate how intra-executive policy conflicts spill over from the executive into the legislature and the legislative process. Their papers also show that intra-executive conflicts may be the norm, rather than the exception, in authoritarian policymaking and politics.

Rory Truex examines the striking variation in the time that it takes for a legislative proposal in China's NPC to pass. Only around two-thirds of all NPC bills receive consideration during the legislative session in which they were proposed, and just over 10 percent take more than 10 years to pass. What explains this delay and its variation? Truex demonstrates that a combination of two factors accounts for the timing of bill passage: policy divisions within the regime and citizen demands for specific policy reforms. Even under dictatorship, public pressure can break legislative gridlock and decrease delay – but only when the regime fears that ignoring the public might result in unrest and put the regime at risk.

Paul Schuler examines legislative debate within the Vietnamese National Assembly (VNA). During regularly scheduled oversight hearings, VNA deputies publicly query government officials on salient policy issues. Why would a single-party dictatorship allow for, and even encourage, legislators to query government officials on issues of public interest? Schuler shows that such queries typically concern policy areas that the Vietnamese Communist Party has delegated to the state bureaucracy, and are usually initiated by full-time, incumbent delegates. These findings suggest that the Vietnamese Communist Party uses legislative debate as a tool for mobilizing public opinion against underperforming bureaucrats. Jointly, Schuler and Truex demonstrate that public pressure can act as an independent, even if limited, force in legislative politics or serve as an instrument of intra-regime accountability.

More broadly, all four papers show that genuine politics indeed takes place within authoritarian legislatures and during the legislative stage of policymaking, implying that the first perspective outlined above – one of legislatures as merely ceremonial institutions – is, at best, a caricature of legislative politics under dictatorship.

This research also suggests that authoritarian legislatures, at a minimum, simulate – and possibly perform – some of the functions usually associated with democratic legislatures. It is not the case that members of authoritarian legislatures do nothing or show up simply to affirm executive decisions. Instead, the internal organization of authoritarian legislatures resembles that of democratic ones (e.g., committee systems, agenda control). And just like their counterparts in democracies, legislators in dictatorships frequently form coalitions organized around policy

preferences, propose and amend legislation, logroll, obstruct and structure alternatives. The studies in the issue, thus, recognize that some patterns of activity in authoritarian legislatures resemble democratic politics and, in turn, draw on theoretical frameworks that have been used to study democratic assemblies (for example, Krehbiel, 2010; Martin & Vanberg, 2011; and Tsebelis, 2002).

The papers in this volume also reveal that authoritarian legislators sometimes represent, or are aligned with, the policy interests of actors outside the executive – whether they be firms, interest groups, or citizens. As Noble discusses, government agencies that opposed and sought to amend a bill that would allow law enforcement agencies to initiate criminal tax cases without input from the Russian Federal Tax Service were supported by the business community, which feared arbitrary or predatory interference by law enforcement. Similarly, Truex argues that in China’s NPC, legislative action is responsive to citizens: on issues that attract heightened public attention, legislators are loath to be seen as inactive, and, consequently, the legislative process is less likely to get gridlocked. In the area of oversight, legislators also pay attention to the public. Schuler shows that in policy areas that the Communist Party has delegated to the state, legislators are more likely to question the government on issues that are of high public salience. Legislative activity – whether it is policymaking or oversight – is primarily the realm of party and state officials, but it does, under some conditions, incorporate the ideas and preferences of those outside of the government.

Nonetheless, two critical features of authoritarian legislatures differentiate them from their democratic counterparts. In democracies, legislators legislate, sometimes investigate, and, if in opposition, they oppose. They do so because they are driven by re-election incentives (Mayhew, 1974) and need to solve collective action dilemmas that emerge when individual legislators’ re-election incentives conflict with those of their party (Cox & McCubbins, 1993). Moreover, while democratic assemblies may differ in the powers they possess (Chernykh, Doyle & Power, 2017; Fish & Kroenig, 2009; Shugart & Carey, 1992), these powers are normally established constitutionally – with the legislature as a co-equal branch of government.

Under authoritarianism, by contrast, citizen concerns are not a priority for most legislators due to absent or weak electoral incentives. Re-election is a plausible motivation in only a subset of authoritarian legislatures – in so-called hybrid regimes – and even in these regimes, incumbent legislators care less about policymaking on behalf of their constituents because they can (to varying degrees) use manipulation, fraud, or intimidation to secure re-election. Under all forms of authoritarianism – electoral or non-electoral – it may be that “the core mechanism for citizen influence on policymaking is the threat of unrest,” as Truex observes. Yet, a credible mass threat is difficult to sustain (Acemoglu & Robinson, 2005), and its effects on representation remain unclear (Dower et al., 2018). Finally, if they must assuage citizens, officials can simply resort to constituency service rather than legislative policymaking (Manion, 2015; Truex, 2014).² It is only in instances of significant public interest and urgency – severe enough to threaten the regime’s legitimacy or stability – that Chinese and Vietnamese legislators directly respond to the citizenry, as Truex and Schuler document. Even then, this only occurs in areas in which the executive allows legislators to intervene. Some concerns, like human rights violations and freedom of speech, are heavily managed under hybrid regimes and remain entirely off limits in closed dictatorships. There are, therefore, significant limits to “responsive authoritarianism” (Truex, 2016).

Authoritarian and democratic legislatures differ in another critical aspect: actors that are constitutionally precluded from interfering with legislative politics in democracies frequently and decisively shape legislative politics under dictatorship. As Schuler points out, in Vietnam, the Communist Party uses legislative oversight to keep tabs on state-controlled ministries, implying that ministries that are directly run by the Party are off limits. The Party has the power, therefore, to unilaterally decide the boundaries of legislative power. This is also true in China, where legislators may be quite active, but only on issues that do not touch core concerns of the Party (Truex, 2016). The State Council has the sole authority to implement laws – and can, in turn, delay their implementation (Truex, this issue). And as Noble and Lü et al. show, legislators may engage in a frenzy of activity at the margins, but the substantive outcome of important executive-

² In autocracies, non-legislative officials may also use constituency service to respond to citizens (Chen et al., 2016; Distelhorst & Hou, 2017).

proposed bills on which the elite is united is rarely in doubt.³ In sum, authoritarian legislatures are politically subservient to the executive or the regime party, and they may be circumvented by these actors if necessary. For this very reason, legislators' ability to represent or be responsive to their constituents through policymaking faces significant limits.

This evidence suggests that, while authoritarian legislators exhibit behavior that bears some similarity to their democratic counterparts, they do so for distinct reasons. Legislators in both democracies and non-democracies have to balance their constituents on the one hand with competing demands from their party and executive principals on the other (Carey, 2007; Desposato, 2001). But legislators' behavior in non-democracies is markedly more constrained by the political leadership. Thus, legislators in authoritarian states might have opportunities to represent citizens' concerns, but only "within bounds" (Truex, 2016), avoiding politically sensitive issues. More generally, parliamentarians are used by the executive or the party to manage constituents, ensuring compliance and extracting information (Blaydes, 2010; Corstange, 2016; Lust-Okar, 2006), rather than serving as a bottom-up channel of representation.

Similarly, when legislative actors in authoritarian assemblies appear to check and counterbalance through motions, debate, and questioning, it is *not* to perform functions that figure prominently in democratic theory. Legislatures in dictatorships are rarely autonomous from the executive and are, hence, implausible checks on this branch of government. Rather, they are often extensions of the party or the executive and the multitude of interests and coalitions within these institutions. According to Schuler, legislative query sessions in Vietnam's National Assembly represent an opportunity for the party to check the bureaucracy. In Truex's analysis, the "Legislation Law" pitted China's state executive, national legislature, and provincial governments and legislatures against each other. In Noble's study, multiple sectoral and bureaucratic interests appear to be balancing against each other within the legislature and during the legislative stage of policymaking.

³ Examining legislatures in sub-Saharan Africa, Opalo (2019) makes a related point: authoritarian legislatures rarely have "ends independence" in that a legislative majority on its own cannot force an outcome that is unwanted by the executive. Nevertheless, some legislatures have "means independence": their members can play a greater role in determining the legislative path by which those outcomes are achieved.

In sum, authoritarian legislatures appear to be performing functions that are unique to the political regimes in which they operate. In some instances, legislatures appear to be substituting for the lack of opportunities to aggregate policy preferences at earlier stages of the political process. This may be precisely what is needed in dominant and single-party regimes, which, by virtue of the party's monopoly on power, channel through the party and state bodies a wide range of interests but contain few institutional mechanisms to resolve conflicts among them.

In other cases, legislative activity appears to be the consequence of commitment problems under authoritarianism. Policies in these regimes may originate with a single ruler or an elite compromise hammered out behind closed doors – as conventional wisdom would have it. But because agreements are not final until they become law, disputes spill over into the legislature, and – against conventional wisdom – result in genuine politics at this stage. Put differently, we observe competing bill proposals (Lü et al.), significant bill amendments (Noble), legislative deadlock (Truex), and questioning (Schuler) precisely because agreements made within the executive or the party are not fully binding until they are transformed into laws – and possibly not even then. As Noble illustrates, one feature of Russian law-making is policy instability, with legislators being required to sign off on policy decisions undoing recent legal changes – something that reflects the shifting balance of power between competing actors with differing policy preferences. That is, the enactment of laws does not necessarily signal the end of conflict.

This conflict also creates opportunities for outside interests. Some of these interests are sectoral (e.g., producers versus consumers; see Noble and Truex in this issue), some are bureaucratic (e.g., the ministry of finance versus the ministry of education; see Lü et al. and Noble in this issue), and some may be purely political (e.g., the struggle for power) – but only if the executive or party allows these interests to assert themselves in this forum and only if their preferences are taken up by inside actors can this influence be realized. In this way, legislatures are primarily “the battle grounds for policy contestation among regime insiders” (Lü et al.), even if legislative behavior and outcomes appear responsive to outside interests. Consequently, as Noble puts it, “legislatures can matter as institutions, even if [individual] legislators, on the whole, do not.”⁴

⁴ The roles performed by authoritarian legislatures are not necessarily those envisaged by these bodies' creators, however. That endogenously selected political institutions have exogenous effects is no surprise (Shvetsova, 2003).

Authoritarian Secrecy and Challenges to the Study of Legislatures in Dictatorships

One of the central features of authoritarian regimes is the secrecy that typically surrounds their politics (Barros 2016, Svulik 2012). Decision-making bodies within the regime are typically not obliged to keep records or share information with either other institutions or the public. There are few non-state entities that can unearth this information. The government's control over the media and civil society minimizes the uncovering of any information the government wants to keep under wraps. What little opposition exists is often preoccupied with other concerns (e.g., securing basic rights) rather than obtaining information on the policy process. This secrecy can extend to authoritarian legislatures, with legislative records sometimes absent or inaccessible and the most easily observable outcome – usually unanimous legislative votes – seemingly indicating the institution's political irrelevance.⁵

This key feature of dictatorships – the lack of transparency – shapes not only their politics but also how we study these regimes. The lack of legislative data other than floor votes explains the focus in early work on more easily observable but also cruder institutional outcomes. Most prominent among these is the relationship between the presence of a legislature and the survival of authoritarian leaders or regimes. By showing that legislatures, along with parties and elections, contribute to authoritarian survival (Gandhi, 2008; Svulik, 2012), this work challenged the notion that “nominally democratic institutions” under dictatorship are just window dressing.⁶ It also proposed a range of mechanisms to explain how legislatures help autocrats survive: by co-opting potential opposition (Gandhi, 2008), by gathering information about citizen demands (Manion, 2015; Truex, 2016), by distributing rents (Lust-Okar, 2006; Blaydes, 2010), by stabilizing elite power-sharing through information sharing and monitoring (Boix and Svulik,

But it is worth underscoring the gap between design and operation. Different autocrats can create legislatures for different reasons, from merely mimicking institutional forms with a view to being taken seriously as a modern state, to increasing governance capacity. Regardless, however, of the logic of formation, once these bodies are formed, there appears to be a common tendency for them to function as one of multiple possible sites of policy contestation. ⁵ Saiegh, for instance, reports that, in the post-war period, passage rates for bills introduced by the executive in autocracies ranged from 73 to 100 percent – a distribution far more truncated from below than in democracies (2011, pp. 82-83).

⁶ For a review of the research on other institutions in dictatorships, such as political parties and elections, see Brancati (2014), Gandhi & Lust-Okar (2009), Lagacé and Gandhi (2015), Magaloni & Kricheli (2010), and Pepinsky (2014).

2013; Svobik, 2012), or by resolving commitment problems that hinder economic performance (Gehlbach & Keefer, 2012; Jensen, Malesky & Weymouth, 2014; North & Weingast, 1989; Wright, 2008; Wilson & Wright, 2017).

This research agenda, however, faced several limitations driven in part by the opacity of authoritarian politics. The mechanisms proposed in this research were formulated at an abstract, general level, with little direct connection to actual legislative politics. And because of its reliance on crude measures of institutions – typically the presence or absence of a legislature – empirical strategies relied on cross-country comparisons that could not adjudicate among the many mechanisms proposed in this research agenda or credibly establish the direction of causality.

The papers in this volume address the above limitations by examining outcomes other than legislative votes, bringing systematic data to bear on a variety of legislative activities. Lü et al. and Noble study bill proposals and amendments; Truex focuses on the time between when a bill is proposed and approved; and Schuler studies legislative query sessions. Jointly, their approach emphasizes the importance of examining what legislatures actually do (Schuler & Malesky, 2014, p. 690; Lagacé & Gandhi, 2015, p. 288), starting with the premise that votes of unanimity (or near-unanimity) are the least informative of members' preferences or strategic considerations. Voting results are also potentially misleading, conveying a false impression of unity that has influenced popular conceptions of decision-making under autocracy.⁷ They show that legislatures are “places of action” (Truex, 2014, p. 234) where debate, amendment, gridlock, and delay are frequently present. In other words, unanimity at the voting stage disguises a surprising amount of conflict and activity at the pre-voting stage. The move away from floor votes reveals an account of legislative politics under dictatorship that contrasts sharply with the image of either a merely ceremonial, or ruthlessly efficient, political process.

In their emphasis on pre-voting activity, these papers echo some earlier qualitative studies of legislatures in developing states that observed the ways in which legislators could exert influence

⁷ For an insightful illustration and discussion of this point, see Barros's (2002) work on decision-making within the military junta governing Chile from 1973 to 1989.

(see, for example, Nelson & White, 1982; see, also, Remington, 2008, p. 959). In some countries, legislators could debate or even oppose government policy, although dissent was more likely in private – that is, in party or legislative committee meetings.⁸ Legislators could also use delay or amendment as a means of influencing the policymaking process (Mezey, 1979). In communist Poland, for example, Sejm deputies regarded themselves “as separate from the ministries and also as separate from external organs of their respective parties,” resulting in significant amendment activity (Olson & Smith, 1982, p. 50). Yet, from these studies, it was hard to discern the volume and importance of this type of legislative activity since systematic data was sparse and qualitative accounts also emphasized the non-lawmaking aspects of members’ work: constituency service, information dissemination, and mobilization on behalf of the executive or ruling party. From his single-country study, Hopkins (1970) made an observation that seemed to characterize legislators in many authoritarian settings: “the role emerging for an MP in Tanzania emphasizes his functions as a communicator rather than either a deliberator or a law-maker” (p. 764). It became easy to write off any meaningful legislative activity.

The papers in this volume show that law-making is a serious and sustained pursuit in some authoritarianism legislatures – and they do so by employing rigorous methods. To examine the degree of amendment in legislation considered by the State Duma, Noble uses a text-based approach that compares the level of text similarity between introduced bills and final laws for over 800 Russian federal laws passed between 2008 and 2013, along with case studies of particular laws. Schuler uses a mixed-membership topic model to analyze over 5,500 speeches made within the VNA from 2007 to 2013. Lü and his collaborators use network analysis to examine the party and location ties of all CPPCC delegates who initiated education-related legislation. Drawing evidence from legislative documents and secondary sources that are annotated through active citations, Truex analyzes three episodes of lawmaking to illustrate actors’ considerations. The papers use a mix of qualitative and quantitative observational data to leverage as much evidence as possible for their claims.

This level of empirical detail in the study of legislatures in autocracies has been rare. As a forerunner, Desposato (2001) provided evidence on legislator behavior under the military regime

⁸ For examples of noteworthy cases of dissent on the legislative floor, see Saiegh (2011, pp. 79-84).

in Brazil. More recently, a newer set of contributions, initiated by Malesky and Schuler's (2010) path-breaking work on Vietnam, as well as Manion's (2015) and Truex's (2016) work on China, has emerged. The papers in this volume are at the forefront in continuing this tradition. They also are part of a broader wave of new and exciting work on legislatures – such as Opalo's (2019) comparison of Kenya and Zambia, Hou's (2019) analysis of local legislatures in China, Bonvecchi & Simison's (2017) analysis of the Legislative Advisory Commission in the last military dictatorship in Argentina, and Collord's (2017) analysis of executive-legislative relations in Uganda – that provides a detailed and focused look at legislative politics within single, or a small number of, countries.

The focus on legislatures continues the institutional turn in the study of authoritarianism. But does it risk “privileging research on ‘surface’ politics at the expense of ‘deep’ politics” (Pepinsky, 2014, p. 650)? In other words, are we according disproportionate weight to these bodies simply because their activity is more easily observable than that of politburos, juntas, and cabinets (Barros, 2016)? This concern is valid, but we should be careful to distinguish between relative attention and relative importance. The field of legislative studies, which has largely analyzed data on democratic politics, has been able to flourish at the same time as acknowledging that legislatures might not be the beating heart of everyday contemporary politics and policymaking. It is a sign of the maturing of work on non-democratic parliaments that we can delve into the inner workings of these assemblies without necessarily implying that we are getting to the very center of authoritarian politics. That being said, the ties between executive and legislative politics in the cases under study in this volume suggest we might be getting closer than we think to the core of non-democratic politics by focusing on legislatures. Legislative politics, in some circumstances, may provide windows into central political dynamics in otherwise opaque political systems.

Information and the Challenge of Generalization

Key challenges in analyzing legislatures under authoritarianism, as these papers do, lie in accessing and collecting data, in addition to developing valid, meaningful measures of legislative politics. The work requires intensive data collection efforts coupled with linguistic and

contextual expertise. Consequently, it is feasible only at the country level for specific periods, most likely for particular types of legislative activities and institutions. Moreover, it is possible only for countries in which the legislature has enough internal organization; at least some legislators have enough time, resources, and expertise to act; and there is enough record-keeping of this legislative activity. This is the case for the set of countries the papers in this volume study – China, Russia, and Vietnam.

Legislatures that are the most active in the lawmaking process, and for which we have the most information, however, may constitute a unique set of cases, limiting our inferences for the broader study of legislatures under authoritarianism. Consider two potential reasons for their “uniqueness.” One reason links those contemporary legislatures with vigorous and recorded law-making activity to common historical antecedents. In the cases of China, Russia, and Vietnam, the legacy of the party-state looms large. All are descendants of the Leninist, revolutionary model with Russia having had the longest experience as the prototype of the Leninist party-state. Contemporary Russia is the one country-case that has most deviated from the party dictatorship model (various scholars referring to it as a hybrid, oligarchic, or even personalist regime), but China and Vietnam remain single-party regimes. All of these regimes, in different ways and to different degrees, have abandoned their ideological roots, but as (post-) communist systems, they have inherited substantial bureaucracies with extensive formal and informal institutional rules, policymaking processes, personnel, and record-keeping. So, while their shared historical experience makes them comparable to each other, it raises the question of how comparable they are to other regimes that do not share this historical legacy.⁹

Legislatures in these (post-) communist systems did, however, emerge from institutions that, typically, were passive under past versions of the party-state. While many of the rules and institutions governing legislative activity may have been written down, they frequently were not exercised. And initial attempts to stimulate activity on the part of legislators ran up against old habits. For example, even as Gorbachev attempted to transform parliamentary institutions in the

⁹ These shared experiences should not be overplayed, however. One of the attractions in comparing these three countries is the chance to compare single-party regimes with a dominant-party regime. It is striking that, in spite of this regime-type difference, the papers present many similar features of how legislatures feature in the policy-making process.

late 1980s, “[m]any deputies, accustomed to the ceremonial routines of Soviet public life, undoubtedly reasoned that the new congress [of People’s Deputies] was simply a modified version of the rubber-stamp soviets of the past” (Remington, 2001, p. 30). What was required was an executive or party that made substantial effort to reform the legislature by giving legislators both the capacity and incentive to play a more active role (e.g., Remington, 2001; Truex, 2016).

The transformation of (post-) communist legislatures from moribund to active institutions highlights the critical role of the executive or the party in determining the activity of the legislature and its members. In all of these cases, powerful actors outside of the legislature decided to invest the institution and its members with significant law-making powers. In other words, as discussed earlier, the legislature – its existence, internal organization, and strength – is endogenous to larger political considerations that condition the willingness of the executive or party to allow for legislative activity. But these “larger political considerations” constitute another reason why these cases may be “unique.” That serious partisan challenges to the ruling party are absent in the cases examined here is likely not a coincidence. This may be a critical feature of dictatorships that allow for some serious policy debates to occur within a legislature (for a similar point, see Opalo, 2019). As Little (1972, p. 59) – writing about the Supreme Soviet in the Soviet Union – observed, “an effective standing committee system embedded in a weak legislature may well be an acceptable pattern of parliamentary involvement in the political system.”

The scope of legislative action may also depend on the distribution of preferences and power among leaders and elites. Some leaders may want to curtail the legislature’s powers or, in the extreme, close the institution entirely. Once legislatures become critical for power-sharing or co-optation, however, vested interests may make it difficult for rulers to act unilaterally. Lucan Way points to one such episode in 1990s Ukraine, when President Leonid Kuchma was blocked from closing the Verkhovna Rada by opposition from the military (2015, p. 55). By extension, an active legislature may be most likely when power is distributed among different actors rather than consolidated by a single leader (Bonvecchi & Simison, 2017). The legislature becomes just another site of contestation among forces within the executive or party, as some of the papers in

this volume show. The result may be “pluralism by default” (Way, 2015), with space for legislators to engage in meaningful policymaking as long as leaders and elites are not united in suppressing legislative power.¹⁰

The endogeneity of legislatures under authoritarianism, therefore, has implications for inference and generalization about them (Pepinsky, 2014; Svobik 2013). Researchers may be drawn to study only those cases for which we have detailed information (regarding, for example, records of proposals and amendments). But these details are characteristic of only a certain type of legislature (that is, those involved in policymaking) that maps onto a certain type of political situation (e.g., power-sharing within the regime, low organized opposition). Consequently, by our choice of cases, we select into learning not only about a specific class of legislature, but also about a particular kind of dictatorship. The differences in legislative activity across different regimes that Magaloni & Williamson show in the conclusion to this volume is suggestive of this point (see also Wilson & Woldense, 2019).

Given that there is unlikely a unified model of authoritarian legislative politics, “variation among authoritarian legislatures may be just as important as variation between dictatorships with and without legislatures” (Reuter & Robertson, 2015, p. 237). Where there is little evidence of a robust policymaking process, legislatures may simply be a site for the placement of cronies and the collection of rents. Alternatively, in some cases, legislative behavior may be less controlled by the executive and more driven by the preferences and demands of backbenchers and lower-level officials. The opacity of politics within the inner sanctums of the executive or the party will continue to obscure any “smoking gun” evidence that would enable us to determine *ex ante* which regimes should have legislatures active in the law-making process. But this variety does suggest that elements of the three analytical perspectives noted at the start of this introduction might apply both to different legislatures in different places and times, but also to the same body at one point in time. The task is, therefore, not to adjudicate between these perspectives as

¹⁰ Writing of the experience of Arab parliaments, Baaklini, Denoeux and Springborg (1999, p. 51) observe that “whenever there is substantial disagreement within the executive bureaucracy over a particular issue, the role of the legislature is typically enhanced. A lack of consensus within the bureaucracy can cause executive agencies to seek external support, sometimes among legislators, for their respective policy preferences. This gives the legislature leverage over both the executive and policy-making.”

sufficient frameworks to understand all authoritarian legislatures. Once we take this variety seriously, it becomes easier to understand, say, how the same legislature can rubber-stamp an initiative enjoying the support of a collegiate executive, while displaying open conflict on another initiative. One clear implication of this is that the “rubber stamp” label should be put to bed as a satisfying description of all non-democratic legislatures.

The examination of single cases will continue to be important. Only by looking inside the legislature and analyzing its members’ actions will we be able to understand and confirm the extent of its role in the policymaking process. But the opacity of autocracies will continue to require caution in how we understand the move from single-country studies to more general arguments about authoritarian institutions.

Conclusion

Chile under Pinochet, the Philippines under Marcos, Uganda under Museveni.... For even the most long-lasting regimes that seem to be under the grip of a strong ruler, conflict between members of the political elite is often raging under the surface. But we usually recognize and study conflict under authoritarianism when it takes abrupt and often violent manifestations: the reshuffling of elite personnel; the systematic elimination of rivals (purges); and attempts to oust leaders (coups). The articles in this special issue show that conflict in authoritarian regimes also occurs in quieter, less dramatic, but no-less-important ways. Conflict does, in fact, occur over policies within the corridors and smaller rooms of a legislature, as well as during the legislative stage of lawmaking. Put differently, the politics observed is genuine, but not obvious.

Can legislatures play an important role in formulating policy in authoritarian regimes? The papers in this volume add to a growing body of work (e.g., Opalo, 2019; Collord, 2017; Krol, 2017; Noble, 2017) that answers this question with a resounding “yes.” Real participation by the legislature, and real use of legislative institutions, in the formulation of policy is possible only if regime elites have differing preferences about policy outcomes. Otherwise, these bodies really can simply be rubber stamps. Still, the papers in this issue show that authoritarian legislatures are, like their democratic namesakes, complex organizations, with multiple actors representing

multiple interests. The preferences of legislators may be guided less by electoral considerations and more by the incentives promoted by the executive or ruling party. But even when legislators themselves act merely as proxies for extra-legislative actors, the clash in views is real.

But for regimes with legislatures, we miss this conflict if we focus on the most observable of outcomes – roll-call votes. Behavior of interest takes place away from the relative public glare of the plenary hall. The papers show us that members engage in some of the same activities as their democratic counterparts – proposals, motions, amendments, debate, and queries – even if their purview may be more restricted by the executive or ruling party. By doing so, the papers emphasize the importance of detailed single-country studies with appropriate caution about generalization.

Taken together, the papers also point to a number of areas for future study. The papers in this issue suggest the importance of *informal* institutions and practices when making sense of legislative politics in authoritarian regimes. This includes exploring pre-legislative policy struggles, which may well be less constrained by formal rules. But we know little about these earlier phases in policy development. What determines the inclusion (and exclusion) of particular actors during these decision-making processes, and what conditions the likelihood that resolute decisions can be reached efficiently? Although the information constraints discussed above will make such inquiry tricky, we would gain considerably from learning about earlier stages of the policy-making process.

On the legislative floor itself, public displays of unanimity may disguise conflict, but they also are not accidental. It is sometimes critical for authoritarian regimes to avoid public displays of disunity that could make them vulnerable. Visible divisions may make the fragility of existing coalitions a self-fulfilling prophecy. As Magaloni (2006, p. 9) notes, there is an incentive for the ruling elite to “generate a public image of *invincibility*” to dissuade defections from the regime. Moreover, internal divisions can be exploited by opposition actors (Przeworski, 1991). Yet, unanimity does not always occur. In Russia, for example, a very public display of intra-executive conflict emerged over a bill relating to tax crimes, even though there was distinct unease at this

airing of dirty laundry (discussed by Noble). It would be useful, therefore, to better understand the conditions under which generating public displays of unanimity are critical and possible.

Authoritarian legislatures are often approached from the viewpoint of the autocrat and members of the political elite. We can also think of these bodies as “resources” to be used by lower-level agents within the regime or even citizens themselves. Legislators derive many private benefits from office: rents and immunity from prosecution (Lust-Okar, 2006; Blaydes, 2010), but also protection from predation by bureaucratic agents (Hou, 2019). Firms connected to deputies may benefit as well through favorable policies, subsidies, and government contracts (Szakonyi, 2018; Truex, 2014). Elites may be content with strong legislative activity as long as it continues to support their privileges or forestalls major political change by appeasing citizens. Yet, legislatures may, at the same time, become a resource for citizens to agitate for change (Woo & Conrad, 2019). Analysis of how actors outside of the executive or ruling party advance their interests within the legislature will provide a richer understanding of the institution.

The vast majority of existing work explores the functioning of legislatures once they have been set up. Yet, examining moments of creation and closure will help shed light on elite strategies regarding the functions of legislatures that are often simply assumed in extant analysis – and at critical junctures, when such strategic concerns might be more easily discernible. For example, do authoritarian leaders close down legislatures because the latter are weak and a resource-draining distraction with few benefits, or does closure stem from the autocrat’s fear that the assembly might become a venue for dissent? To the extent that we can use episodes of institutional opening and closure to determine the political factors that incentivize executives and ruling parties to empower legislatures, we can gain a more sophisticated understanding of endogenous institutions under authoritarianism, as well as the conditions under which we can use these types of single-country studies to advance our understanding of authoritarian institutions more broadly.

Finally, continued focus on the legislators themselves may also serve as a needed bridge between different levels of analysis. The articles in this special issue take as their starting point broader theories of authoritarian rule – co-optation, power-sharing, and information theories – to help

structure analysis of micro-level processes. Yet, it is not immediately clear that theories developed to explain regime durability can help shed light on the dynamics of more mundane questions of policy. To be sure, sometimes policy conflicts will map onto disagreements directly related to strategies for holding onto power. But, in other cases – perhaps the majority – policymaking relates to quotidian, rather than existential, questions. The next wave of work in the study of authoritarian legislatures should focus on developing mid-level theory helping to tie together micro- and macro-level dynamics (see the conclusion by Magaloni & Williamson). In other words, we need to better consider how the nuts-and-bolts actions of legislators who are seeking to advance their own and others’ interests are related (or not) to the perpetuation of authoritarian rule. Doing so should also help specify scope conditions for existing claims.

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