

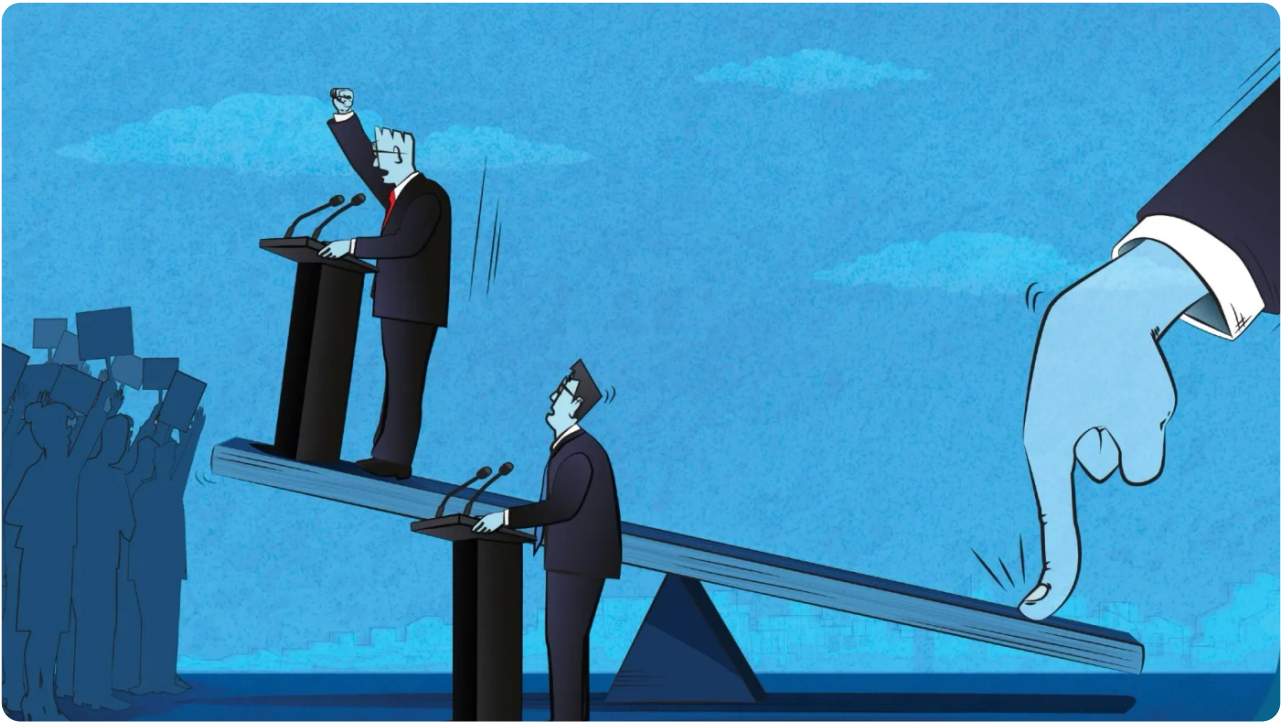
Resilient by Design? Democratic Recovery After Executive Overreach Through the Lens of Authoritarianism and Policing

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Abstract

This article examines policing as a central component of democratic recovery after executive overreach. It describes how authoritarian practices may continue through political surveillance, selective enforcement, discriminatory crowd control, weak disciplinary systems, and pressure on prosecutors even after national leadership changes. The article mentions accountability, neutrality, necessity, and proportionality as the principal standards for distinguishing democratic policing from politically directed coercion. It proposes independent complaint mechanisms with access to records, investigative authority, transparent reporting, and protection from retaliation. The article also discusses de-escalation training, consistent protest-management policies, public disclosure of enforcement data, and protection for officials who resist unlawful instructions. Democratic recovery requires more than removing one executive or police chief because institutional practices are shaped by prosecutors, courts, unions, civilian review bodies, municipal authorities, and community organizations. The article concludes that sustainable reform combines operational changes with constitutional safeguards, professional independence, enforceable oversight, public documentation, and protection against renewed politicization.



In the absence of executive abuses, policing, which is essentially about political safety, tends to be overlooked in recovery efforts aimed at promoting democracy. Not including that bit is expensive. One of the most obvious places where democratic rules are against coercive power is policing, which is the focus of this writeup in February 2025.

Authoritarian practices may be perpetuated after a change of leadership through monitoring, selective enforcement, lacked of discipline and intra-agency politics. This therefore calls for re-designing authority at street level, and re-scaling of the balance of national institutions.

Policing is illustrative of authoritarian creep as it penetrates daily life long before the constitution is undermined. Characteristics are intelligence gathering on lawful activists, a self-serving tolerance of armed groups, heavy handed crowd control on disliked activities, lax discipline around misbehavior, and political influence on charging. Authoritarianism cannot be identified solely by the use of military equipment and strict policing does not necessarily push democracy out of the way. The key question relates to accountability, neutrality, necessity and proportionality. The constant use of force in a system where the police protected helpers and harmed opponents, and where no outside authorities are accountable to the police for police actions, policing is not a public good any longer, but begins to define their political field of struggle.

The transition towards democratic backsliding is not normally announced in the form of elections being cancelled, or a constitutional regime being suspended. Much more

typically, reductions occur in small increments of administration that are technically legal, but erode both the principles of fair competition and public accountability and institutional control. A prosecutor is brought under selective pressure; an inspector general is cut off; criticism is seen as disloyalty by public agencies, or administration of elections becomes more partisan. Though each action may seem insignificant on its own, the strategies could reduce the overall cost of larger abuses. So, the constitutional barrier comes late in the system, after some (informal) barriers have eroded and political actors realize that testing boundaries has limited consequences.

An operational reform with constitutional safeguards needs to dovetail into a democratic recovery strategy with policing at its core. Independent complaint systems must be granted access to records, be given subpoena power, report transparently and be shielded from retaliatory measures. Crowd management policies ought to differentiate between violent behavior and non-violent presence in a crowd, and trainings ought to focus on de-escalation and on viewing neutrality. Chief magistrates, prosecutors, civilian review committees, trade unions, city and town halls, and community groups all have a say in what happens, so there's no such thing as a final chief or as a temporary consent decree. Stop data, force, arrest, surveillance and discipline outcomes data can shed light on disparities, but it is transparently symbolic without enforcement.

To overcome executive overreach, it cannot be just about getting rid of one executive. The electromagnetic radiation is needed to be rebuilt by professionals, agencies to be regulated securely and the electoral administration should be protected from partisan reprisals. Records need to be maintained, illegal instructions are to be examined and emergency situations needs to be formally ended. A credible recovery process also does not mean and does not involve a replacement of one form of politicization with another.

Blanket purges can cause devastation in the capacity of the organizations, as well as exacerbation of grievance; total amnesia can lead to repetition. This most effective design is a blend of specific consequences, gathering house, open selection process, laws, and public clarifications about revised guidelines. Recovery is being made to be permanent, if reforms are designed to make it harder for future perpetrators to engage in abuse no matter which side is in government.

Democratic government can't be achieved by formal law alone. beneath a set of written rules is an informal "operating system" of institutional forbearance, mutual toleration, professional neutrality and acceptance of adverse outcomes. Backsliding is quickened by the use of all legal weapons, the testing of all vacancies, and the partisan use of all

investigations. Litigation generally comes too late to halt or reverse unlawful action, although courts can rule it null and void, but only if the executive cooperate with the court.

Legislatures have powers to investigate, but power erodes as the result of party loyalty over institutional obligations. These will only be lasting solutions if they are met by several actors, who respect each other's space, and are not tempted to take every opportunity that presents itself, particularly not when short term benefits are in opposition to long term continued legitimacy.

America has a complicated, but robust, system of accountability. Pieces of the job are done by federal and state courts, inspectors general, civil-rights units, legislative committees, professional boards, local prosecutors, journalists, and civil society groups. Fragmentation provides multiple opportunities for points of access but also opportunities for responsibility to shift among institutions. Federalism can be a safeguard for experimentation and local autonomy, but it can lead to different responses to comparable abuses as well.

Robust accountability relies upon the sharing of evidence, jurisdiction, protected independence and follow up after the spotlight has faded. You don't have to be able to write a report and then make sure it gets done, or you don't have to be able to settle and then make sure it's done, or you are prosecuted and make sure it does not happen again at the institutional level.

The presumption of a strong evidence approach is to do both general comparative work and detailed work in institutions. Event data can be used to distinguish the timing and geographic location of the events and administrative data can be used to determine enforcement decisions and organizational response. Survey experiments can also be used to measure levels of tolerance among the public and process tracing can be used to reconstruct key decisions. Additional indicators are provided through court opinions, internal guidance, indications of procurement, personnel changes, disciplinary action, and budget changes.

“Democratic erosion” or “accountability” can't be reflected by a single measure. It is important to use triangulation, since public rhetoric is often set in a dangerous tone, official statistics may not be accurate (due to underreporting), and supporters of the legal change may not have put in place the means to enforce it. The more there is certainty about the mechanism at all levels of governance, the higher the level of confidence that is built.

The lessons learned from policing overreach on policing reform include intelligence units, permitting of protests, mutual-aid agreements, tactical equipment and disciplinary bargaining. One part of recovery also involves taking care of anyone resisting unlawful instructions from their superior, or reporting unlawful behavior up through proper channels. When the policy change affects observable experiences of the public as opposed to just the central verbiage public legitimacy is enhanced.

Geographical variation is a focal point as nationwide averages mask any focused intimidation, selective enforcement or failure of administration. A warning system should be credible, should make its criteria clear, and be careful not to engender a "yes, we're all safe" environment and transform risk assessments into "red, yellow, blue" signaling. Ordinary institutional capabilities like keeping records, normal turnover of staff, routine reviews are also critical to institutional resilience.

When the media cover exceptional events, the audience within the nation can magnify the impact without catching the procedures that may shift and cause apparent changes in who can and who cannot take part, and in complaints that are responded to. Comparative evidence as a key to danger must not be isolated from state and municipal institutions as well as from national conflict, for national conflict is a phenomenon of American federalism. That is not the standard "full consensus" at the relevant standard it's "fair competition in consistent rules when political high tides turn to low tides".

While election workers should be physically secure, and legally protected, such measures should not be enacted to prevent the administration from being seen and lawfully subjected to public scrutiny. Threat assessment is only of democratic value if it is ideologically impartial, across ideological and identity lines, geographically partial, across boundaries, and institutionally impartial, out of institutions. Political leaders are able to influence risk through language, including repeated processes of dehumanization allowing intimidation to be seen as common-sense, well-deserved or even advisable.

Civic groups can reduce tensions by providing accurate information, educating legal watchers and dispelling rumors from institutional change. In times of heightened polarization of the national parties, bridging networks can be found in the universities, the unions, the professional associations, faith communities, and at the local media. Public authorities should specify their grounds for exceptional exercise of their discretion, to prevent a subsequent review identifying urgent needs from opportunist discretion.

Transparency won't stop abuse, but neither will opacity help to advance the identification and correction of abuse, and evidence will be weaker and public suspicion more easily

manipulated. Independent courts are very important, but can work effectively when administrators and legislators accept negative decisions without any tactful postponement. Remember measurement does not stop at the national level and should look at both, as a gradual decline might occur within an unchanged annual category.

The core takes the message that democratic protection must take place before a constitutional crisis happens and after public interest wanes. Patterns are more important than roused controversy: early signals are both meaningful and not. When citizens, officials, the courts, legislatures, the media, other professions, and civic groups hold institutions accountable for selective enforcement and promote prudential self-restraint. Political conflict will continue to be fierce and disruption of protests will be purposeful.

Ruikitahi no Rodo does not mean that the streets are quiet, and everyone is in a state of trust. It takes a self-questioning institution to process conflict, without it turning into disloyalty, coercion into norm, or temporary gain into eternity.