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Rethinking Democracy 111: Explaining Why Temporary Authoritarianism Leaders Seek to Capture the Independent Rule of Law System That Enabled Them to Come to Power

By

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Abstract

In the post-2016 liberal democracy landscape, where competition for political power can be understood as occurring between normal liberal democracy and temporary authoritarianism, the role of an independent rule of law system before and after accessing power changes fundamentally. For normal liberal democracy, an independent rule of law system is an enabler in both directions: it facilitates access to power through legally recognized competition and protects the continuation of legitimate government when the political winner remains the legal winner. For temporary authoritarianism, however, the same institution has a different strategic meaning before and after power is obtained. Before accessing power, an independent rule of law system is an enabler because it allows a temporary-authoritarian leader to compete for and obtain power through the existing legal and democratic framework. After accessing power, however, that same independent system can become a constraint and ultimately a threat to remaining in power because, if the temporary-authoritarian movement legally loses a subsequent election, the independent rule of law system can require the peaceful transfer of power back to normal liberal democracy. This creates an important institutional paradox. If the objective of temporary authoritarianism is to remain in power, legally or illegally, particularly when its leaders anticipate that they may eventually lose a free and fair election, there is a rational incentive to partially or fully capture the independent rule of law system. The institution that initially enabled the political leader to obtain power can therefore become a target of the same leader's efforts to retain power. The apparent contradiction disappears once the different strategic roles of the institution before and after power acquisition are considered. This paper therefore asks: Why do temporary-authoritarian leaders seek to capture the independent rule of law system that enabled them to come to power in the first place? Its main goal is to explain, in simple terms, why institutional capture can become a rational strategy for temporary-authoritarian leaders once they

are in power, even when the same independent rule of law system was essential to their original political success.

Goals of the paper

a) To point out that the role of the fully independent rule of law in the majority rule based liberal democratic process can be that of an enabler to access power and/or a threat to continue to stay in power; and b) To show that the need to stay in power if it cannot win legally the democratic contest is what drives temporary authoritarianism to capture the independent rule of law system fully if possible to neutralize this threat to staying in power.

Methodology

1) the terminology used in this paper is listed; 2) the structure of the 2016 shift in the majority rule based liberal democracy competition landscape is shared; 3) the factor deciding who wins elections in majority rule based liberal democracies is highlighted; 4) the factor that ensures that only the legal winner has access to power in majority rule based liberal democracies is stressed; 5) the nature of the fully independent rule of law system as a certifier of access to power is described; 6) the nature of the fully independent rule of law system as an enabler when legally winning elections is detailed; 7) the nature of the fully independent rule of law system as an illegal access to power blocker when legally losing elections or reelections is summarized; 8) the link between losing or winning elections in the new majority rule based liberal democracy landscape and the respect of the rule of law is pointed out; 9) the nature of normal liberal democracy and the need to respect the fully independency of the legal system is discussed; 10) the nature of temporary authoritarianism and its need to capture if possible fully independent rule of law system is described; 11) the case when temporary authoritarianism has partially captured the courts and the expectation of capture is real when legally losing elections and its implications is introduced; 12) the case when temporary authoritarianism has partially captured the courts and the expectation of capture is false when legally losing elections and its implications is given; 13) the case when temporary authoritarianism has fully captured the courts when legally losing elections and its implications is shared; 14) the case when temporary authoritarianism loses election and the independent legal system remains independent and its implications is stressed; 15) a summary of the mechanism of capture deployed by temporary authoritarianism, be it partial capture or full capture, is pointed out; 16) a summary understating of the role of the fully independent rule of law system to access to power and to maintaining power when accessing power in chain form is provided; and 17) some general implications and conclusions are listed.

Terminology

T = True majority MRLD = Majority rule based liberal democracy

M = True minority NLD = Normal democratic outcome

NLDi = Normal democratic outcome type "i" TA = Temporary authoritarianism

TAi = Temporary authoritarianism type "i" NDO = Normal democratic outcome

EDO = Extreme democratic outcome I = Fully independent rule of law system

i = No independent rule of law system E = Effective targeted chaos

e = No effective targeted chaos K = Effective targeted chaos exist

k = No effective targeted chaos exist FCI = Full capture of independence

PCI = Partial capture of independence ELD = Extreme liberal democracy

EPCIF = Expectation of partial capture is false

EPCIR = Expectation of partial capture is real

RFI = The rule of law system remains fully independent

CAP = Competition for power framework

The 2016 shift in the majority rule based liberal democracy landscape

Competition for power is now between normal liberal democracy/normal democratic outcomes and temporary authoritarianism, not between different forms of normal democratic outcomes as it was before 2016 BREXIT and USEXIT (Muñoz 2026), which in terms of the effective targeted chaos-independent rule of law framework can be simplified as indicated in Figure 1 below:

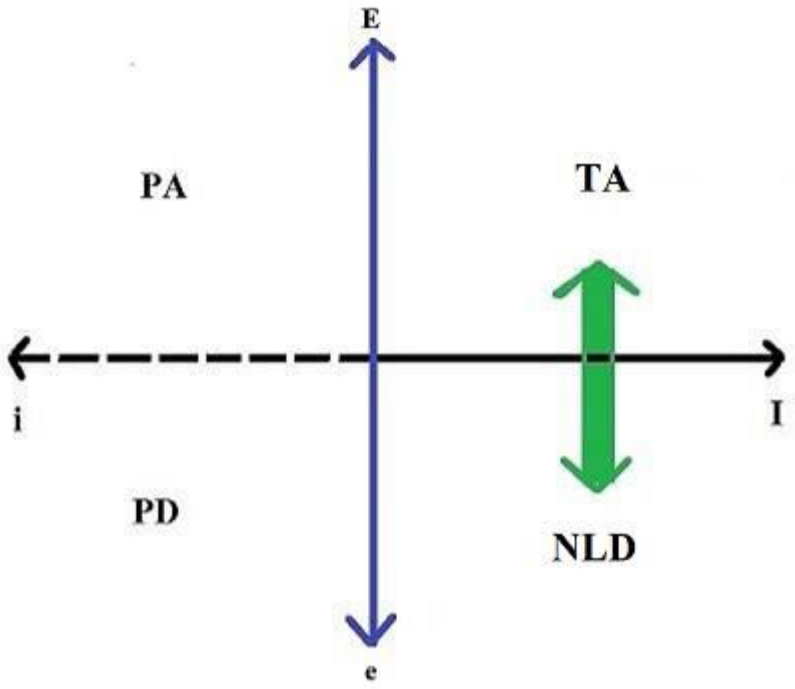

Figure 1 The structure of power access competition in majority rule based liberal democracies since 2016 BREXIT and USEXIT

Figure 1 above indicates that since 2016 competition for power in majority rule based liberal democracies is between temporary authoritarianism (TA) and normal liberal democracy (NLD) under a fully independent rule of law system (I).

The factor deciding who wins elections in majority rule based liberal democracies

The boundaries of the quadrants in Figure 1 above determine who has access to power in that quadrant.

a) When temporary authoritarianism (TA) has the power

If there is effective targeted chaos (E), then temporary authoritarianism (TA) wins.

TA = E.I

Hence, inside the boundaries "E" and "I", temporary authoritarianism rules.

b) When normal liberal democracy (NLD) has the power

If there is no effective targeted chaos (e), then normal liberal democracy (NLD) wins

NLD = e.I

Therefore, within the boundaries "e" and "I" normal liberal democracy (NLD) rules.

c) The competition for access to power landscape (CAP)

CAP = TA.NLD = (EI)(eI) = (Ee)I

The competition for power (CAP) structure above tells us that under a fully independent rule of law system (I), access to power in the majority rule liberal democracy landscape where temporary authoritarianism (TA) and normal liberal democracy (NLD) currently compete, the existence of effective targeted chaos (E) or its absence (e) determines who has access to power.

Implication 1:

The existence of effective targeted chaos or not determines who has access to power in each quadrant and therefore, it determines who wins access to power under competition.

The factor that ensures that only the legal winner has access to power in majority rule based liberal democracies

The constant factor or common factor in the competition for power between normal liberal democracies (NLD) and temporary authoritarianism (TA) as indicated in Figure 1 above is the fully independent rule of law system (I), which determines who the legal winner is if the loser of the elections files claims of electoral fraud. If the claim of electoral fraud are valid or based on actual evidence of fraud, the loser can be declared the legal winner. If the claims of electoral fraud are false, then the winner is declared the legal winner and the loser is declared the legal loser.

Implication 2:

Under a fully independent rule of law system (I) only the legal winner has access to power whether under peaceful transfer of power or not.

The nature of the fully independent rule of law system as a certifier of access to power

Therefore, the fully independent rule of law system has two specific roles and a general role: i) it acts as an enabler to access to power to a legal winner; ii) it acts as a disabler to access to power to those who legally lose an election but claim otherwise without evidence of electoral fraud; and iii) .it acts as the ultimate certifier of who the legal winner of a democratic contest under majority rule actually is.

Implication 3:

The fully independent rule of law system in majority rule based liberal democracies is the ultimate legal winner and legal loser certifier.

The fully independent rule of law system as an access to power enabler when legally winning elections or reelections

a) The case of temporary authoritarianism having access to power and then winning re-election legally

If when temporary authoritarianism (TA) and normal liberal democracy (NLD) compete for access to power during an election and there is effective targeted chaos (E), then temporary authoritarianism (TA) wins. If when temporary authoritarianism (TA) faces competition for reelection there is again effective targeted chaos (E), then temporary authoritarianism (TA) wins again. In both cases, if the legal loser, normal liberal democracy (NLD), files claims of electoral fraud without evidence, the fully independent rule of law system (I) will certify temporary authoritarianism (TA) as the legal winner. A situation reflected in Figure 2 below:

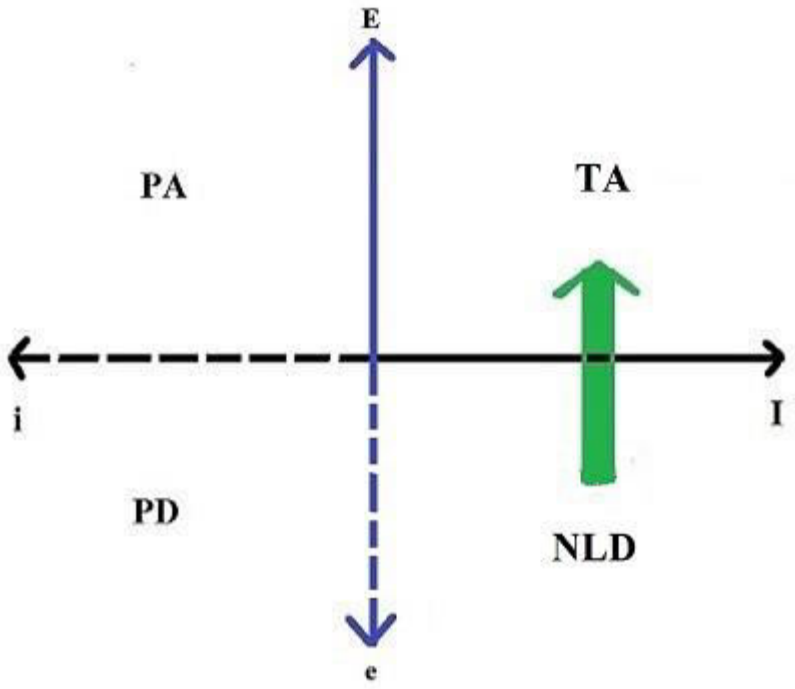

Figure 2 When there is effective targeted chaos (E) temporary authoritarianism (TA) wins access to power, be election or reelection

Figure 2 above shows the fully independent rule of law system (I) as an enabler to access power during elections and reelection when temporary authoritarianism legally wins the democratic contest.

b) The case of normal liberal democracy having access to power and then winning reelection legally

If when temporary authoritarianism (TA) and normal liberal democracy (NLD) compete for access to power during an election and there is no effective targeted chaos (e), then temporary authoritarianism (TA) loses. If normal liberal democracy (NLD) faces competition for reelection and there is again no effective targeted chaos (e), then normal liberal democracy (NLD) wins again. In both cases, if the legal loser, temporary authoritarianism (TA), files claims of electoral fraud without evidence, the fully independent rule of law system (I) will certify normal liberal democracy (NLD) as the legal winner. A situation indicated in Figure 3 below:

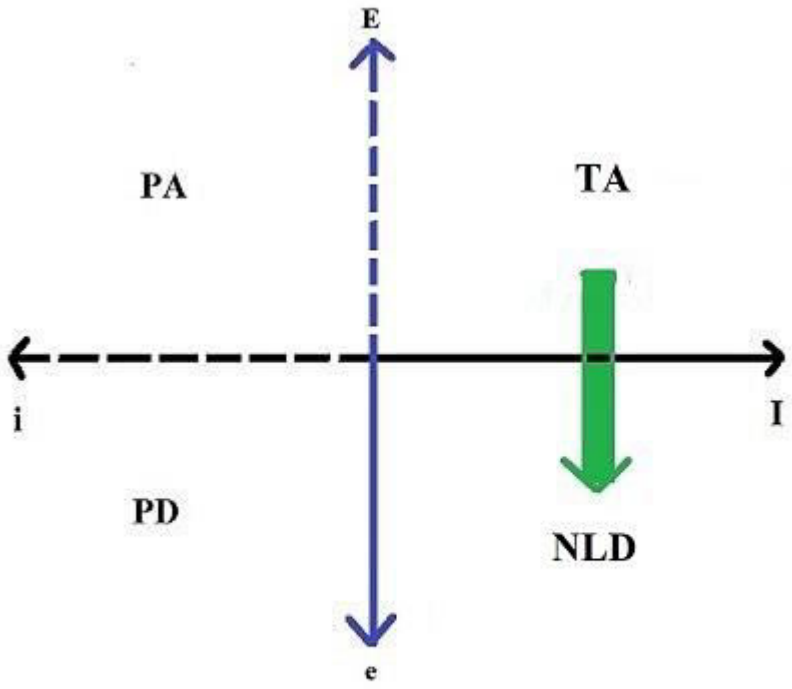

Figure 3 When there is no effecitive targeted chaos (e), normal liberal democracy (NLD) has access to power, whether during election or reelection

Figure 3 above shows the fully independent rule of law system (I) as an enabler to access power during elections and reelection when normal liberal democracy (NLD) legally wins the democratic contest.

Implication 4:

The fully independent rule of law system (I) is an access to power enabler to legal winners during elections and reelections, whether the legal winner is temporary authoritarianism (TA) or normal liberal democracy (NLD).

The fully independent rule of law system as an illegal access to power blocker when legally losing elections or reelections

a) The case of temporary authoritarianism claiming access to power when losing elections or re-election legally

If temporary authoritarianism (TA) loses an election or re-election, but claims electoral fraud without evidence of fraud, then the fully independent rule of law system (I) will certify the

legal winner as the winner and the legal loser as the loser, a situation described in Figure 4 below:

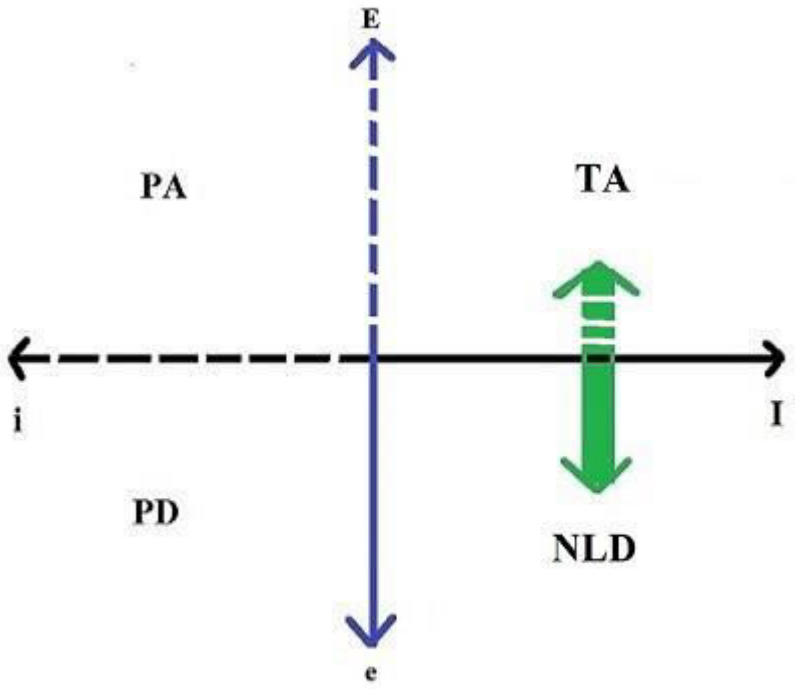

Figure 4 When temporary authoritarianism (TA) loses the election, but claims electoral fraud without evidence of fraud, it is declared the legal loser by the independent courts (I)

Figure 4 above indicates that a fully independent rule of law system (I) will declare normal liberal democracy (NLD) as the legal winner when temporary authoritarianism (TA) loses an election even when it claims electoral fraud without evidence, and hence, block attempts to illegally access power. In other words, Figure 4 above highlights that if the legal loser, temporary authoritarianism (TA) were to challenge the election without evidence of fraud, then the fully independent courts (I) would dismiss the complain and declare normal liberal democracy (NLD) as the legal winner.

b) The case of normal liberal democracy claiming access to power when losing elections or reelection legally

If normal liberal democracy (NLD) loses an election or re-election, but claims electoral fraud without evidence of fraud, then the fully independent rule of law system (I) will certify the legal winner as the winner and the legal loser as the loser, a situation stated in Figure 5 below:

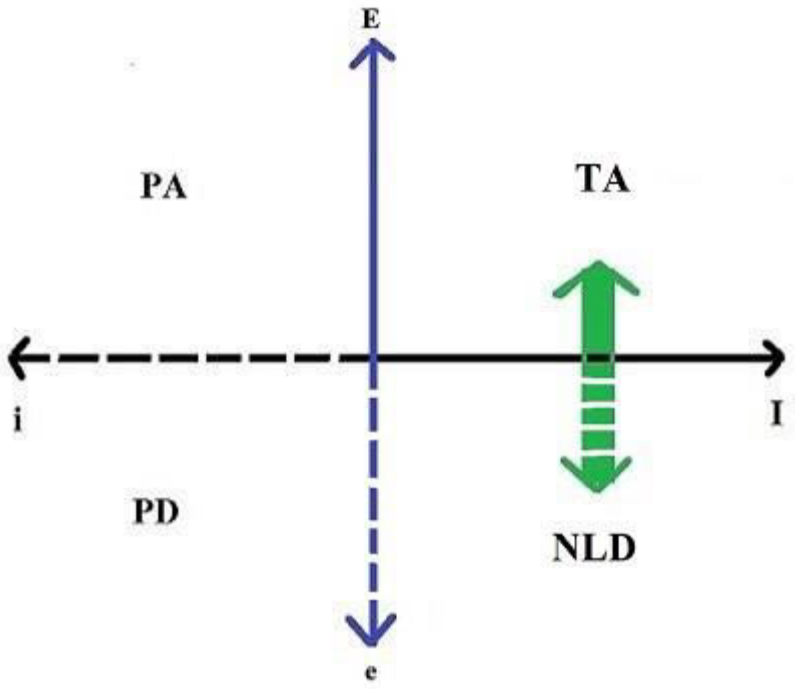

Figure 5 When normal liberal democracy (NLD) loses an election, but files claims of electoral fraud without evidence, the independent rule of law system (I) will declare temporary authoritarianism the legal winner

Figure 5 above shows that a fully independent rule of law system (I) will declare temporary authoritarianism (TA) as the legal winner when normal liberal democracy (NLD) loses an election even when it claims electoral fraud without evidence, and hence, block attempts to illegally access power. In other terms, Figure 5 above indicates that if the legal loser, normal liberal democracy (NLD) were to challenge the election without evidence of fraud, then the fully independent courts (I) would dismiss the complain and declare temporary authoritarianism (TA) as the legal winner.

Implication 5:

The fully independent rule of law system (I) is an access to power blocker to legal losers when they try to illegally remain in power, whether the legal loser is temporary authoritarianism (TA) or normal liberal democracy (NLD).

Losing, winning and the expected respect of the rule of law

a) The case when leaders intend to stay in power only when they legally win election

If both systems aim at staying in power only when they legally win elections and reelections, then they will welcome the role of the fully independent rule of law system as the legal winner and legal loser certifier and illegal winner blocker. And hence, they will respect the role of the rule of law and they will not be expected file electoral complains without evidence of fraud.

b) The case when leaders intend to stay in power whether legally winning or legally losing elections

If one system aims at staying in power whether they legally win elections and reelections or not, then they will welcome the role of the fully independent rule of law system as the legal winners and legal loser certifier when they legally win, but they will reject its role as illegal winner blocker when they legally lose elections. And hence, they will show no respect the role of the rule of law when losing elections and they will be expected file electoral complains without evidence of fraud especially if they feel that independent courts have been capture partially or fully.

Implication 6:

Systems that intend to stay in power only when they legally win elections will respect the full independence of the legal system as certifier of legal winners and legal losers in case elections results are contested so they have no intention to capture the legal system, but strengthen it. Systems that intend to stay in power whether they legally win or not have an incentive to capture the independence of the rule of law partially or fully as that is the only way they can stay in power even when the legally lose an election.

Normal liberal democracies and the need to respect the fully independent rule of law system

Since normal liberal democracy (NLD) comes to power through an independent rule-of-law system, that same independent system remains an institutional enabler to the normal liberal democracy leader leader's ability to remain in power and hence when facing reelection it is an asset that will certify it a the legal winner if temporary authoritarianism challenges the outcome in court without evidence of fraud, and hence normal liberal democracy will support the full independence of this institutional enabler, a situation that displays the following progression:

Independent rule of law → normal liberal democracy access to power → independent rule of law remains an enable → no incentive to capture it, but to strengthen it → access to power again if legally winning or peaceful transfer of power is legally losing.

Therefore, once in power, a leader who wants to ensure that only legal winners have access to power has a strong structural incentive to strengthen or protect fully the full

independent rule-of-law system that will ensure it remains in power if legally winning even when the legal losers file complains of electoral fraud without evidence of fraud.

Implication 7:

Normal liberal democracies see the fully independent rule of law system as the guarantor of the continuation of the majority rule based liberal democracy model so they will respect it and strengthen it as much as possible.

Exism movements or temporary authoritarianism and the need to capture the fully independent rule of law system

Since temporary authoritarianism (TA) comes to power through an independent rule-of-law system (I), that same independent system remains an institutional constraint on the temporary authoritarian leader's ability to remain in power when facing reelection, and this give him the incentive to capture the independent legal system if possible fully so that it is no longer a blocker to access to power illegally and an enabler of illegal access to power, a situation summarized in the progression below:

Independent rule of law → temporary authoritarian access to power → independent rule of law remains a constraint if it loses elections → incentive to capture it → partial or full capture → greater ability to remain in power --→ end of democracy if perception of capture is real.

Therefore, once in power, a leader who wants to transform temporary authoritarianism into permanent authoritarianism to maintain power has a strong structural incentive to weaken, partially capture, or fully capture the independent rule-of-law system.

Implication 8:

Temporary authoritarianism sees the independent rule of law system as a threat to the continuation of the minority rule based liberal democracy model so they will take active steps to capture it, partially or fully, to make sure they stay in power even when legally losing elections or reelections.

The case when the fully independent rule of law is partially captured and the expectation of capture is real

If temporary authoritarianism (TA) loses an election, and the courts have been partially captured (PCI), and the perception of capture is real (EPCIR), then we should expect the captured courts to override the will of the true majority (T) and declare the legal loser the legal winner, a situation summarized in Figure 6 below, where partial cuts to the fully independent law system black arrow (I) or partially broken "I" arrow indicate partial capture of independence (PCI):

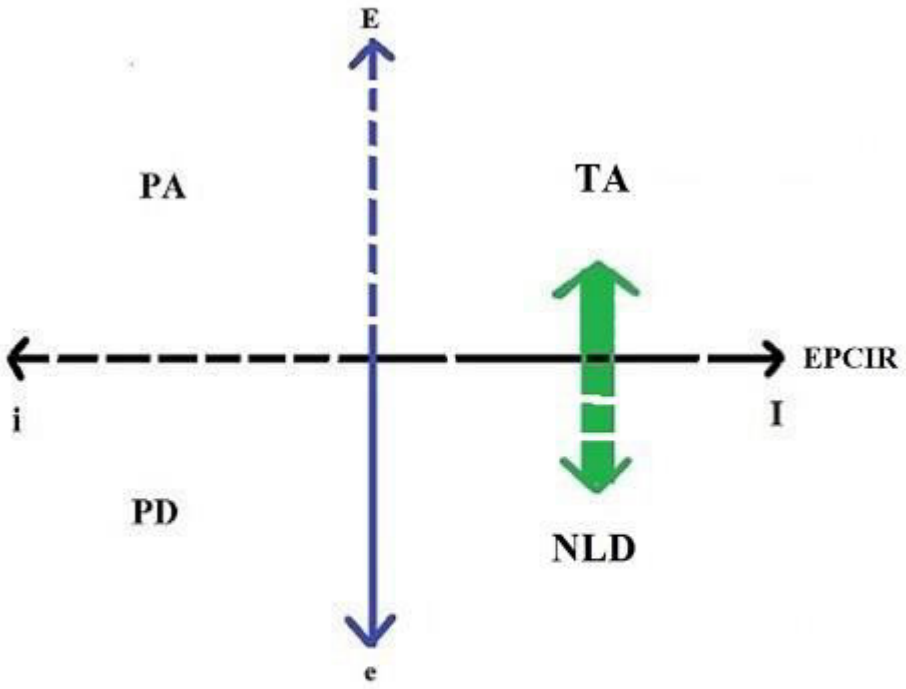

Figure 6 When temporary authoritarianism (TA) loses the election, but the independent rule of law system is partially captured (PCI), the the expectation of partial capture is real (EPCIR), then courts will declare the legal loser, the legal winners overriding the will of the true majority(T)

Figure 6 above tells us that when the expectation of capture is real, temporary authoritarianism (TA) maintains access to power despite legally losing the election with the help of the captured courts, a situation that leads to the following progression:

Partially captured Independent rule of law, when expectation of capture is real → certifies the legal loser as the legal winner as legal independence does not hold → overrides the will of the true majority

Implication 9:

When the expectation of capture is real, the captured courts will override the will of the true majority (T) as full independence does not hold and keep the legal loser of an election or reelection in power by declaring the legal loser the legal winner despite having legally lost the election as here loyalty of the captured courts is to the legal loser, not to the country or the will

of the true majority. When courts are partially captured, but the expectation of capture is real then when temporary authoritarianism loses elections it will most likely choose a non-peaceful transfer of power with the help of the partially captured court system.

The case when the fully independent rule of law is partially captured and the expectation of capture is false

If temporary authoritarianism (TA) loses an election, and the courts have been partially captured (PCI), and the perception of capture is false (EPCIF), then we should expect the still independent courts to respect the will of the true majority (T) and declare the legal winner the legal winner and the legal loser the legal loser, a situation indicated in Figure 7 below, where partial cuts to the fully independent court black arrow (I) or partially broken "I" arrow indicates partial capture of independence (PCI):

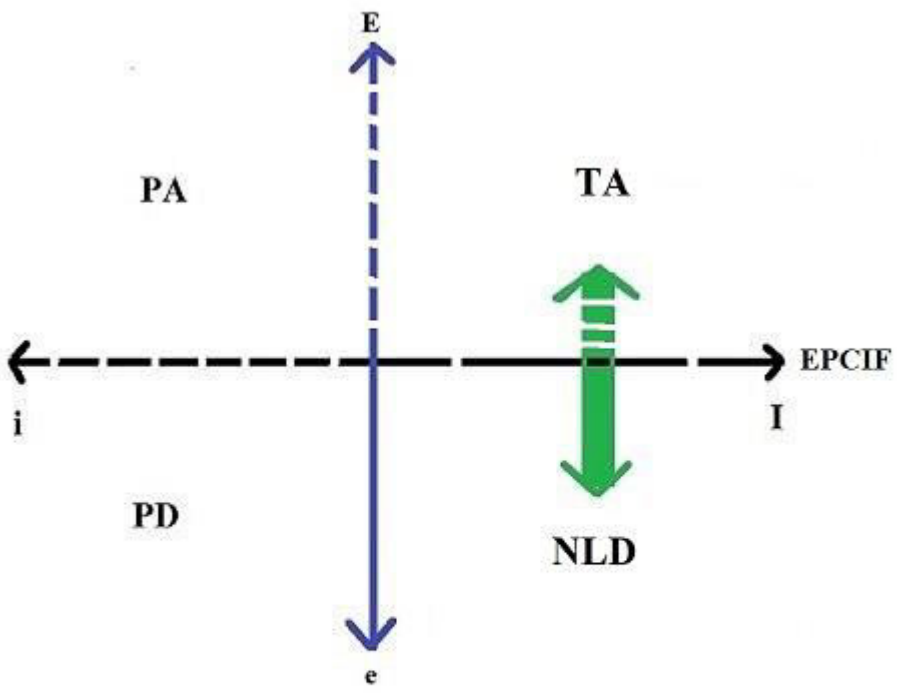

Figure 7 When temporary authoritarianism (TA) loses the election, but the independent rule of law system is partially captured (PCI), and the expectation of partial capture is false (EPCIF), the courts will declare the legal winner the legal winner and the legal loser the legal loser as full independence holds respecting the will of the true majority (T).

Figure 7 above indicates that when the expectation of capture is false, temporary authoritarianism (TA) loses access to power for legally losing the election as the fully

independent courts will certify the legal winner as the legal winner, which leads to the following progression:

Partially captured Independent rule of law, when expectation of capture is false → certifies the legal winner as the legal winner as legal independence holds → respecting the will of the true majority

Implication 10:

When the expectation of capture is false, the still independent courts will respect the will of the true majority (T) and keep the legal loser of an election or reelection in out of power by declaring the legal loser the legal loser and declaring the legal winner the legal winner as despite having legally lose the election the loser claims electoral fraud without evidence as here loyalty of the independent courts is to the legal winner, to the country and to the will of the true majority. When courts are partially captured, but the expectation of capture is false then when temporary authoritarianism loses elections it will most likely choose a non-peaceful transfer of power.

The case when the fully independent rule of law is fully captured

If temporary authoritarianism (TA) loses an election, and the courts have been fully captured (FCI), then we should expect the fully captured courts to override the will of the true majority (T) and declare the legal loser the legal winner and the legal winner the legal loser, a situation shown in Figure 8 below, where a fully broken fully independent court black arrow (I) indicates full capture of independence (FCI):

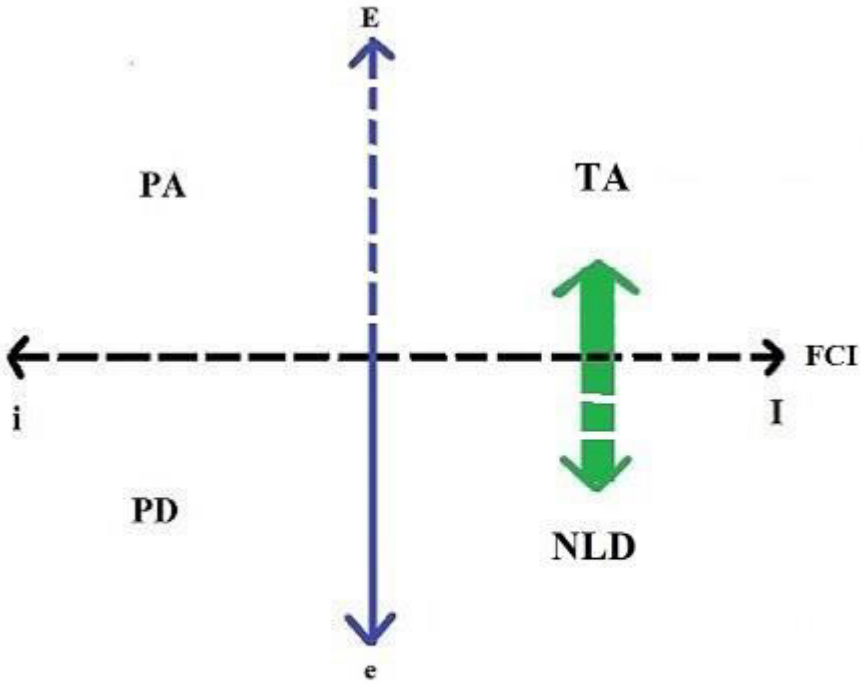

Figure 8 When temporary authoritarianism (TA) loses the election, but the independent rule of law system is fully captured (FCI), then the courts will declare the legal loser the winner and the legal winner the loser overriding the will of the true majority (T) ending democracy and transforming temporary authoritarianism (TA) into permanent authoritarianism (PA)

Figure 8 above tells us that when there is full capture of the independent rule of law system (FCI), temporary authoritarianism (TA) maintains access to power despite legally losing the election with the help of the fully captured courts, the end of majority rule based liberal democracies and the birth of permanent authoritarianism from within, a situation that takes us to the following progression:

Fully captured Independent rule of law → certifies the legal loser as the legal winner as legal independence does not exist → overrides the will of the true majority permanently → permanent authoritarianism comes from within and normal liberal democracy dies

Implication 11:

When the independent courts are fully captured, the fully captured courts will override the will of the true majority(TM) and keep the legal loser of an election or reelection in power by declaring the legal loser the legal winner despite having legally lost the election as here loyalty of the fully captured courts is to the legal loser, not to the country or to the will of the true majority, which means the end of majority rule based liberal democracy and the coming of permanent authoritarianism. When courts are fully captured and everybody knows it then when temporary authoritarianism loses elections it will most likely choose a non-peaceful transfer of power with the support of the fully captured courts.

The case when the fully independent rule of law system remains fully independent

If temporary authoritarianism (TA) loses an election, and the fully independent court system (I) remains fully independent (RFI), then we should expect the remaining fully independent court system to respect the will of the true majority (T) and declare the legal winner the legal winner and the legal loser the legal loser, a situation depicted in Figure 9 below, where a fully continuous fully independent court black arrow (I) indicates the legal court system has remain fully independent (RFI):

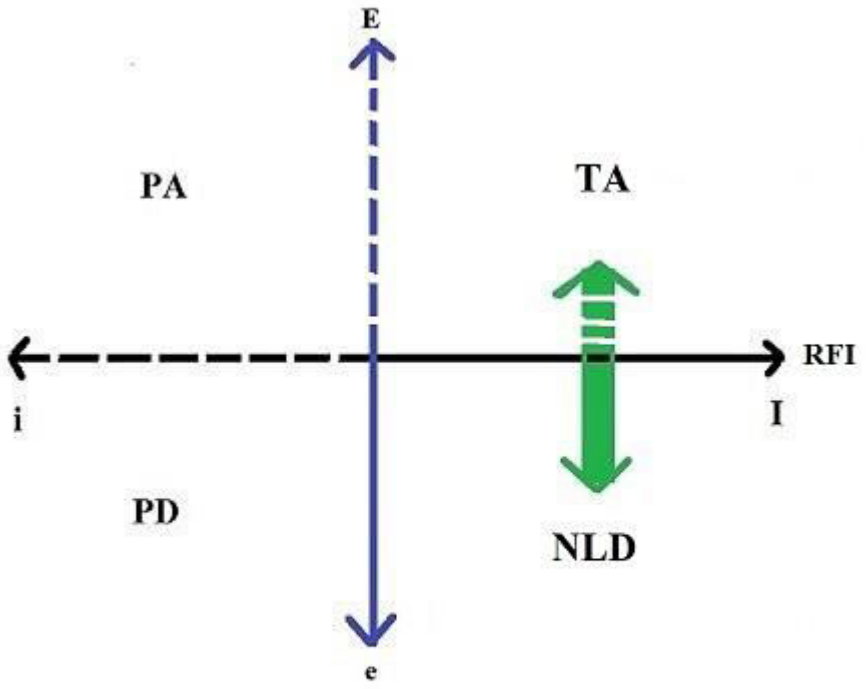

Figure 9 When temporary authoritarianism (TA) loses the election, but the independent rule of law system remains fully independent (RFI), the the courts will certify the legal winner the legal winner and the legal loser the legal loser respecting the will of the true majority (T)

Figure 9 above highlights that when the rule of law remains independent, then temporary authoritarianism (TA) loses access to power for legally losing the election as the remaining fully independent courts (RFI) will certify the legal winner as the legal winner and the legal loser as the legal loser, which brings us to the following progression:

Remaining full Independent rule of law → certifies the legal winner as the legal winner as legal independence holds fully → respecting the will of the true majority and ensuring the survival of majority rule based liberal democracy

Implication 12:

When fully independent courts remain fully independent, then the fully independent courts will respect the will of the true majority (T) and block the legal loser of an election or reelection to illegally accessing power by declaring the legal loser the legal loser and the legal winner the legal winner as here loyalty of the remaining fully independent courts is to the legal winner, to the country or to the will of the true majority. When courts remain fully independent and everybody knows it then when temporary authoritarianism loses elections it will most likely choose a peaceful transfer of power.

Over all implication 13:

Temporary authoritarianism comes to power through an independent rule-of-law system, and once in power that same independent system becomes and remains an institutional constraint on the temporary authoritarian leader's ability to remain in power if it legally loses elections. Therefore, once in power, a leader who wants to transform temporary authoritarianism into permanent rule or permanent authoritarianism has a strong structural incentive to weaken, partially capture, or fully capture the independent rule-of-law system to use it in case that leader can no maintain effective targeted chaos all the way through.

Summary of the mechanism of capture expected in the case of temporary authoritarianism's quest to keep the option of retaining power open in case it legally loses elections

Independent rule of law

→ leader obtains power

→ leader remains subject to independent rule of law

→ possibility of losing power remains

→ incentive to reduce legal institutional independence

→ partial capture by packing courts with loyalists

→ institutional constraints become weaker

→ greater ruler security

or:

→ full capture by fully packing the courst with loyalists

→ independent institutional constraint disappears

→ temporary authoritarianism can become permanen authoritarianism

→ end of normal liberal democracy

Summary understating of the role of the fully independent rule of law system in terms of access to power and to maintaining power in chain form in majority rule based liberal democracies

a) The case of normal liberal democracy

Enabler → access to power → enabler → maintaining power

If normal liberal democracies legally lose power they seek a peaceful transfer of power, with is the rational expectation from normal liberal democracy thinking.

b) The case of temporary authoritarianism

Enabler → constraint to power → threat → capture → maintaining power at all costs

If temporary authoritarianism has a perception of capture even when it is not real, it will not seek a peaceful transfer of power on its own as Trumpism did in 2020 (BBC 2020; TG 2020) and an Brazilexit did in 2022 (Brito and Pulice 2022), but if temporary authoritarianism does not have the perception of capture as it knows that the courts are still fully independent or have remained fully independent it will seek a peaceful transfer of power as the Brexit did when it lost reelection (Sabbagh 2024).

c) The case of the independent rule of law becoming a target of temporary authoritarianism

Before power: independent rule of law → helps the TA leader compete and win legally.

After power: independent rule of law → can constrain the TA leader's ability to remain in power.

Becoming a target for capture: Independent rule of law → needs to be transformed from legal enabler to illegal enabler in case the TA leader loses elections.

General implications

Temporary authoritarianism does not necessarily come to power or did not necessarily come to power because the rule of law is or was weak within majority rule based liberal democracies. They can come to power within a system whose independent rule of law permits their legal political emergence. Once they obtain power, however, that same independence can become an obstacle to retaining or expanding their power, which provides the incentives to capture it, fully or partially, and this incentive to capture the independence of the legal system puts the survival of majority rule based liberal democracy as we know it at risk as if the fully independent legal system is fully capture by exism movements or temporary authoritarianism's leaders that means the end of liberal democracy as we know it and the coming of permanent authoritarianism from within. Therefore, the independent institution that enables or allows temporary authoritarianism leaders to access power in the case normal liberal democracy leaders claim electoral fraud without evidence becomes one they are in power a threat for them to maintain power when legally losing elections, and hence the need to maintain power at all cost even when legally losing elections drives temporary authoritarianism leaders to take action aimed at capturing the independent rule of law system that enabled them to come to power in the first place in order to maintain power when legally losing elections with the help of captured courts. Therefore the expected mechanism towards the independence of the courts becoming a target in the case of the temporary authoritarianism can be simply as **Enabler before power → constraint after power → target of capture → illegally accessing power when losing elections**; and the expected mechanism towards the respect of the independent courts in the case of normal liberal democracies can be stated as **Enabler before power → enabler after power → legally maintaining power when winning or losing power when losing.** And the above means that the same independent institutional arrangement can produce different rational incentives when the underlying political regime changes, which explains why the institution that initially enabled the political leader to obtain power as in the case of temporary authoritarianism can therefore become a target of the same leader's efforts to retain power

.

Conclusions

First, it was pointed out that in the post-2016 liberal democracy landscape, where competition for political power can be understood as occurring between normal liberal democracy and temporary authoritarianism, the role of an independent rule of law system before and after accessing power changes fundamentally. Second, it was highlighted that for normal liberal democracy, an independent rule of law system is an enabler in both directions: it facilitates access to power through legally recognized competition and protects the continuation of legitimate government when the political winner remains the legal winner. Third, it was stressed that for temporary authoritarianism the same independent institution has a different strategic meaning before and after power is obtained as i) before accessing power, an

independent rule of law system is an enabler because it allows a temporary-authoritarian leader to compete for and obtain power through the existing legal and democratic framework and ii) After accessing power that same independent system can become a constraint for temporary authoritarianism objectives and ultimately a threat to remaining in power because, if the temporary-authoritarian movement legally loses a subsequent election, the independent rule of law system can require the peaceful transfer of power back to normal liberal democracy, which creates an important institutional paradox. Fourth, it was indicated that if the objective of temporary authoritarianism is to remain in power, legally or illegally, particularly when its leaders anticipate that they may eventually lose a free and fair election, there is a rational incentive to partially or fully capture the independent rule of law system. And this means that the independent institution that initially enabled the political leader to obtain power can therefore become a target of the same leader's efforts to retain power. Fifth, it was stressed that this apparent contradiction disappears once the different strategic roles of the institution before and after power acquisition are considered, and knowing that this independent institutions are a threat for temporary authoritarianism leaders to remain in power explains why in order to retain power legally or illegally they need to take steps to fully capture the fully independent rule of law system. Sixth, it was mentioned that when they fully capture the fully independent rule of law system, this means the end of normal liberal democracy as then even when they legally lose elections they will retain power with the help of fully capture courts; and valid complains of fraud filed by the legal winner will be dismissed regardless of the illegal power grab. Seventh, in terms of peaceful transfer of powers, it was highlighted that they will happen when temporary authoritarianism loses elections and the courts remain fully independent and peaceful transfer of powers will not happen when temporary authoritarianism has a false perception of capture and illegal power grabs will happen if the perception of capture by temporary authoritarianism is real as then the courts will back temporary authoritarianism and keep it in power. Hence, the need to capture the independent rule of law system is a rational choice for temporary authoritarianism to ensure it retains power at all cost, legally winning or not.

In general, it was highlighted that it is the need to maintain power at all cost that leads temporary authoritarianism to partially or fully capture the independent rule of law system under it comes to exist in order to access power even when legally losing elections.

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