

Democratic backsliding: “Zooming in” on Poland and Hungary

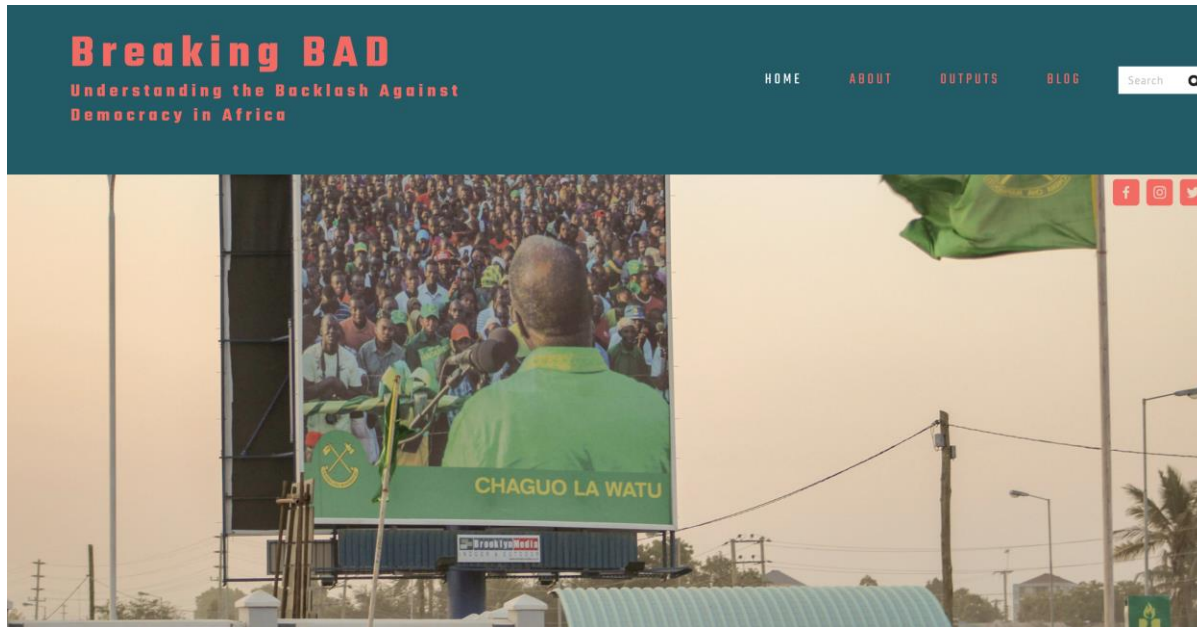
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Breaking Bad: Understanding Backlash Against Democracy

<https://www.democraticbacklash.com/>



We investigate the development of democracy along four different clusters of rights: contestation, association, rule of law and gender.

We work in: Ghana, Kenya, Malawi, Tanzania, Uganda, Zambia, Zimbabwe

We have collected primary data through elite interviews and surveys in several of the country cases.

We focus on specific aspects within each of the four dimensions such as political finance (contestation rights), freedom of information (association rights), judicial appointments (rule of law) and gendered electoral violence (gender).

Democratic backsliding



- ✓ Why is democracy under attack?
- ✓ What part of democracy is challenged?
- ✓ Should we rather talk about autocratization?
- ✓ How do we confront democratic backsliding?

Democracy is in decline



And the democratic backsliding is global

Freedom House:

- 67 countries experiencing net declines in liberties in 2017
- 68 experiencing net declines in 2018
- 2020 was the 14th consecutive year of a worldwide decline in the quality of democratic rights.

Prodemocracy protests

- 2019: The “year of global protests.” (V-Dem)
- Hong Kong, Tehran, Warsaw, Santiago, Karthum, USA

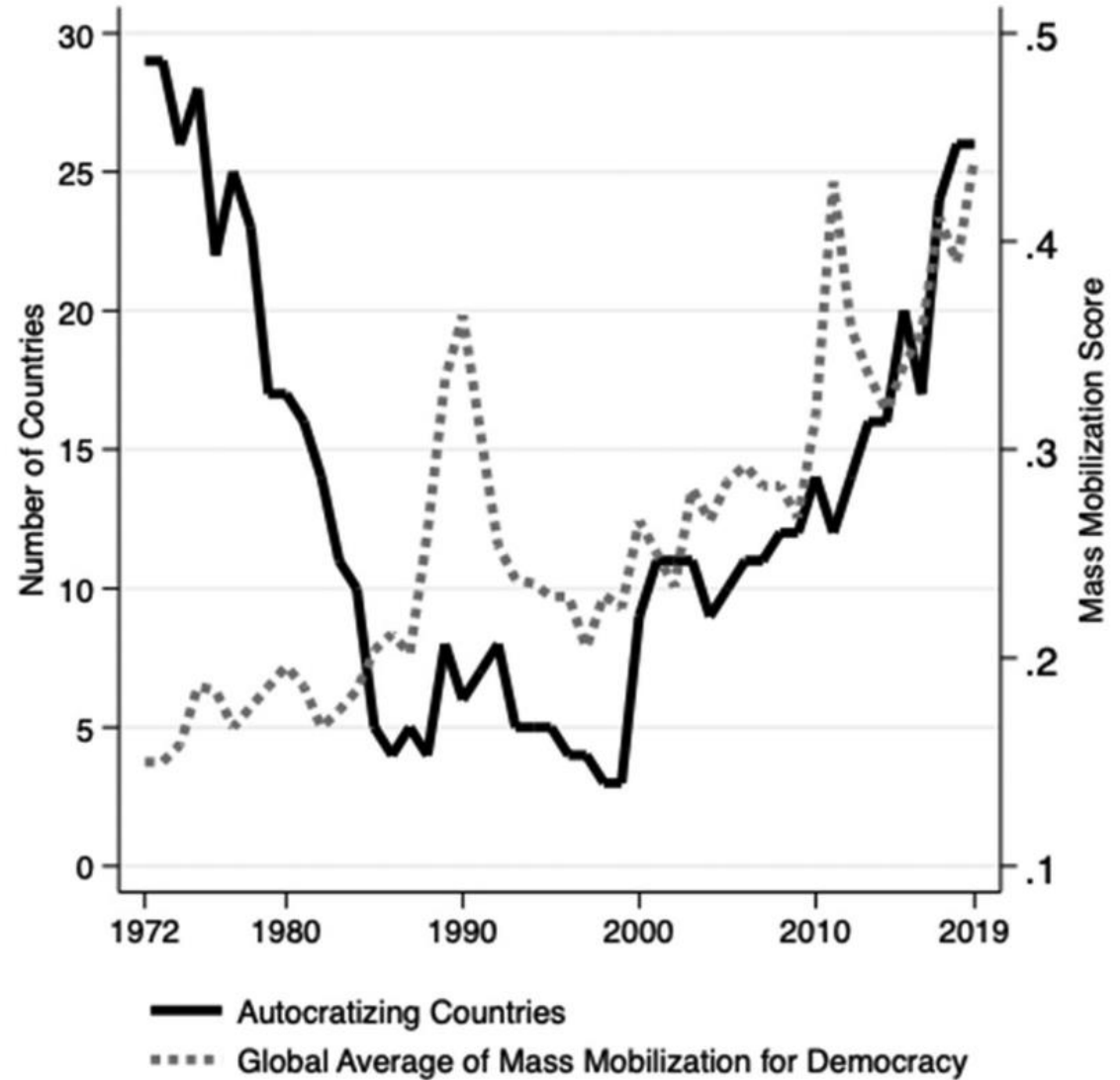


Figure 9. Global trends in autocratization and mass mobilization for democracy.

Nancy Bermeo: Democratic Backsliding *(Journal of Democracy 2016)*

- Democratic erosion is slow, piecemeal and occurs along multiple dimensions
- It is not possible to give an exact date to democratic backsliding- when exactly did democracy die?
- As a result of the gradual and «piecemeal» nature of democratic backsliding- it is difficult to challenge

Backsliding (Wadner and Lust 2018)

- A process related to, but distinct from reversing to autocracy
- Involves fine-grained degrees of change
- A deterioration of qualities associated with democratic governance, within any regime
- Problem:
 - Are illiberal laws, limitations to political rights, arbitrary constitutional changes and coups symptoms of the same disease?
 - How do we discriminate between ongoing political developments?
 - Is it liberal democracy or democracy as such that is challenged?

Democratic backsliding by democratic means...



The slow erosion of democracy by legal means

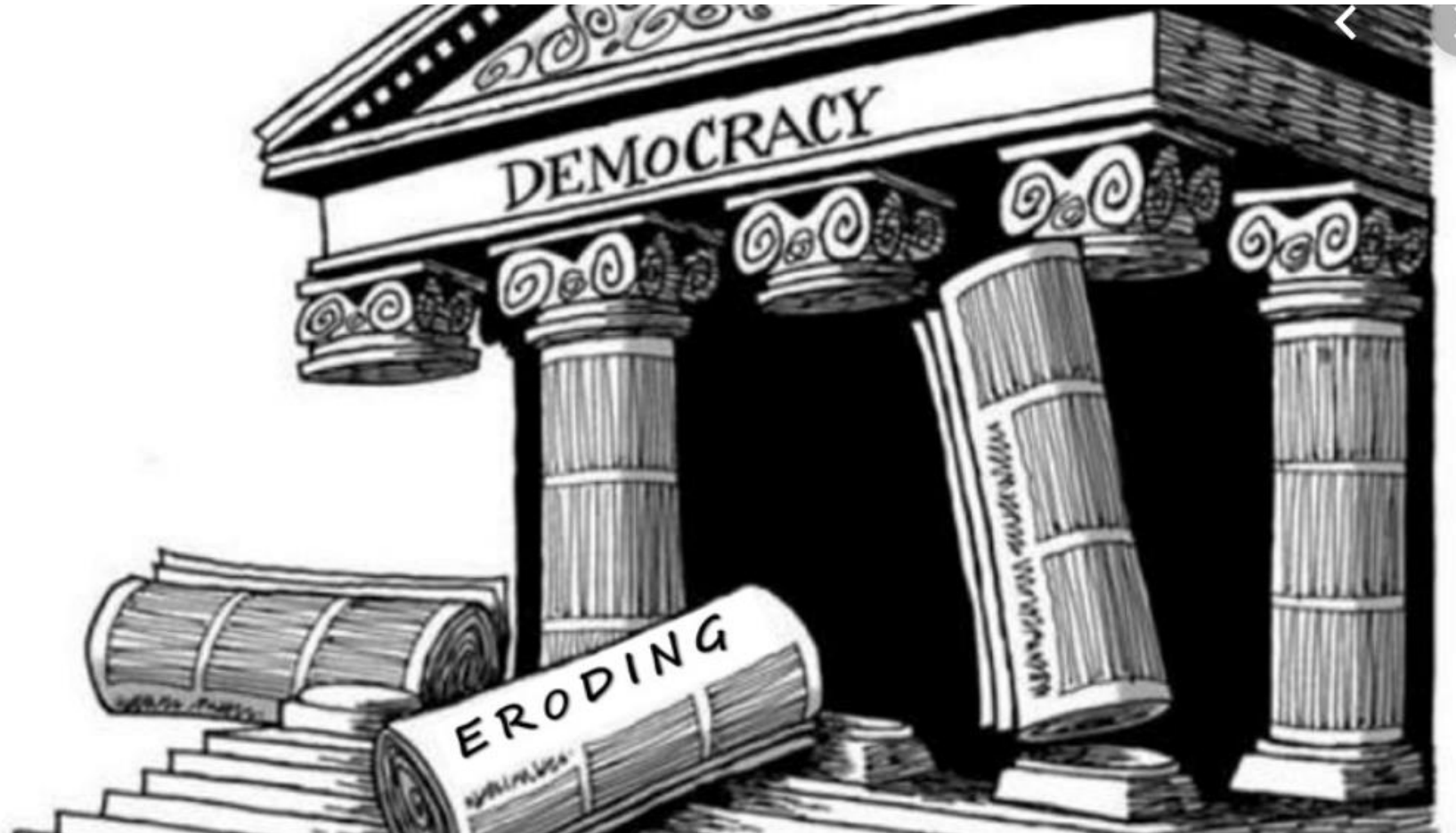
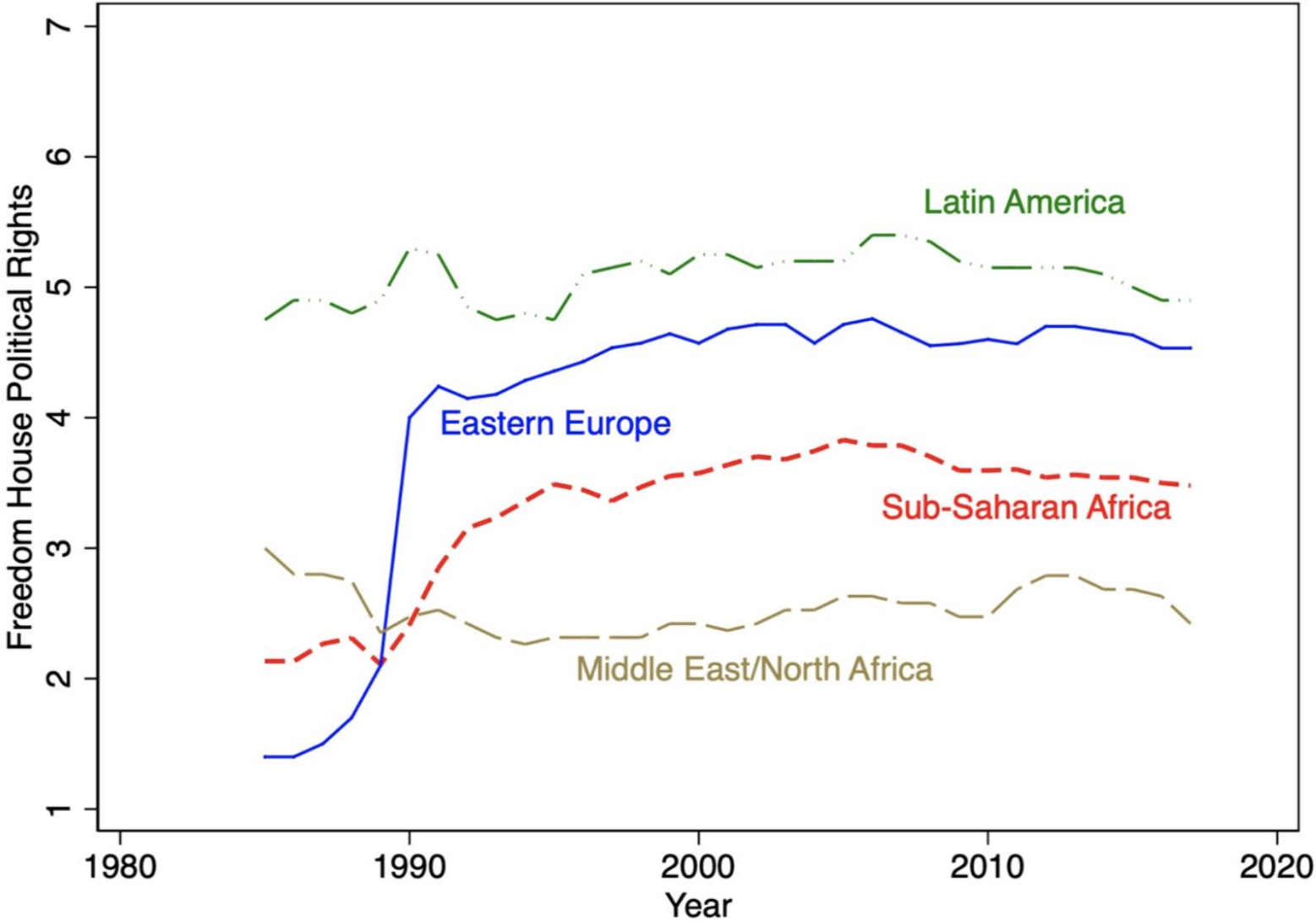


Figure 3. Freedom House Political Rights: Cross-Regional Variation



What parts of democracy are under attack?



Associational Rights

Russia: The “foreign agents” law suffocate nongovernmental organizations (NGOs), while authorities unleashed an intimidation campaign against individuals for allegedly defying the law banning “undesirable” foreign organizations

Poland: Since coming to power in 2015, the PiS government has targeted women’s rights groups through raids and denial of funding, often with little warning and no clear rationale

Tanzania: Cyberlaw (2015), self censorship

Zambia: NGO lovgivning- krav om registrering informasjonsministeriet

It is non-governmental associations that are under attack

The “curse” of international democracy support?

«Hungary’s The Stop Soros Bill»

- Voluntary associations that receive International support must pay a 25 % tax if they work to support multiculturalism and migration..
- «*Hands off my Regime*» [Dupuy](#), Ron, Prakash (World Politics 2016): «The civil society resource curse»: External funds diminish need to build local support
- When the government with majority support in parliament decide to do away with civil society associations, not enough people feel «ownership» to protest to protect the associations.

Attacking sexual and reproductive rights



The perfect enemy? From migrants to sexual minorities

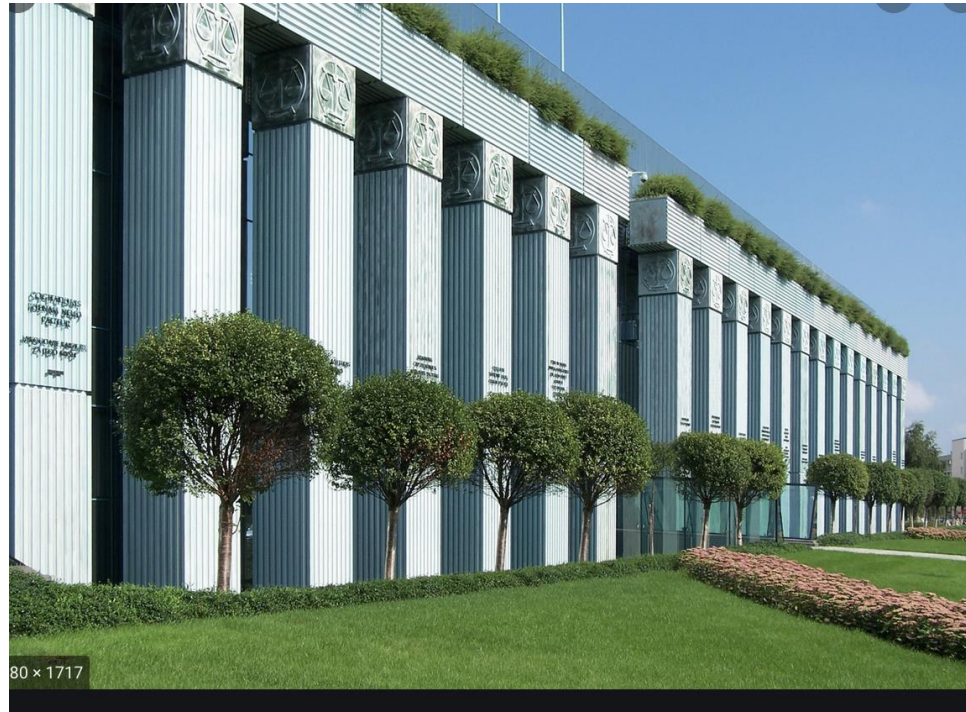


Democratic backsliding through politicized homophobia

- In Hungary, India, Turkey, the US, Poland, Venezuela gender rights come under attack as part of election campaigns
- (Poland) The attack on LGBT rights is linked to criticism of international interference and the “import” of western liberal values

Attacks on judicial independence





For my friends, everything....

...for my enemies, the law...



Department

The War against Facts: Freedom of Information rights

- *The autocrats dilemma: Information deficit*
- *The autocrats innovation: Collection, production, dissemination of information*

Aim: Trust in governments through undermining the ability of organize and question government

Means: Collection of “Big” data on citizens- as China’s Weibo- microbloggpos

Table 1. The menu of autocratic innovation. (Table view)

Lee Morgenbesser, Democratization, 2020

Innovation	Primary target	Prototypical case	Supporting source
<i>Informational</i>			
Preference Divulgence	Citizens	Russia	Lankina et al. (2020)
Travelling GONGOs	Civil Society	Cuba	Walker (2016)
Unfriendly Media Ownership	Citizens	Egypt	Reporters Without Borders (2019)
Zombie Monitors	Citizens	Belarus	Walker and Cooley (2013)
<i>Legal</i>			
Anti-Civil Society Measures	Civil Society	Turkey	Gilbert and Mohseni (2018)
Defamation and Libel Suits	Opposition	Singapore	Sim (2011)
Fake News Laws	Systematic	Malaysia	Fernandez (2019)
Interpol Red Notices	Opposition	Tajikistan	Lemon (2019)
<i>Political</i>			
Imitation Legislatures	Citizens	Venezuela	Casey (2017)
Nominal Anti-Corruption Bodies	Citizens	Rwanda	Booth and Golooba-Mutebi (2012)
Pro-Government Mobilisation	Citizens	Syria	Hellmeier and Weidmann (2020)
Systemic (Winning) Opponents	Opposition	DRC	Wilson and Pilling (2019)
Transnational Party Alliances	Opposition	Saudi Arabia	Burnell (2017)
<i>Reputational</i>			
Human Rights Mock Compliance	Policymakers	Togo	United Nations (2018)
International Television Networks	Systematic	Qatar	Samuel-Azran (2013)
Public Relations Firms	Policymakers	Equatorial Guinea	Quinn (2015)
Think Tanks	Policymakers	United Arab Emirates	Jilani and Emmons (2017)
<i>Technological</i>			
Flooding (Strategic Distraction)	Systematic	China	Roberts (2018)
Foreign Influence Operations	Citizens	Iran	Timberg and Romm (2019)
Intrusive Surveillance	Systematic	Uganda	Parkinson et al. (2019)

From election observation to Zombie monitors (Lee Morgenbesser 2020)

Another item on the menu of autocratic innovation utilized by autocratic regimes has been zombie monitors. Beginning in the late 1980s, the number of elections monitored by intergovernmental organizations, non-governmental organizations and sovereign states increased substantially. This brought increased criticism of the behaviour of autocratic regimes, which signalled their compliance to the international norm in exchange for certain benefits, such as foreign direct investment, membership in international organizations and a token of legitimacy.³³ Over the last decade, however, autocratic regimes fought back via the creation of zombie monitors. Instead of either allowing unfettered observation or forbidding all observation, they began employing partisan individuals and groups who could be relied upon to provide a positive assessment of their flawed elections.³⁴ Such zombie monitors have been observed in Azerbaijan, Belarus, Cameroon, Ecuador, Egypt, Ethiopia, Ivory Coast, Kazakhstan, Mozambique, Russia, Sudan, Tajikistan, Uganda, Uzbekistan, Venezuela and Zimbabwe, amongst other countries. A glowing endorsement from zombie monitors has helped the autocratic regimes ruling these countries claim to be representative of and accountable to their citizens, while also offering a useful counterfoil to criticism of their flawed polls.

Why is democracy under attack?



World Value Survey: Support for the core values of democracy are in decline in Europa and USA

A question of “supply”-
are people dissatisfied with what democracies have delivered?

A question of “demand” – are social and cultural norms changing – do people no longer desire democracy?



Why is this happening? The Backlash hypothesis

The Hollow Hope Gerald Rosenberg Professor of Law
(1991)

Can law and courts contribute to social transformation?

- If courts and the legal system are «ahead» of public opinion on issues such as LGBT, abortion, gay marriage etc., conservative groups will counter mobilize
- This will lead to a polarized debate climate and moderate voices will be silenced

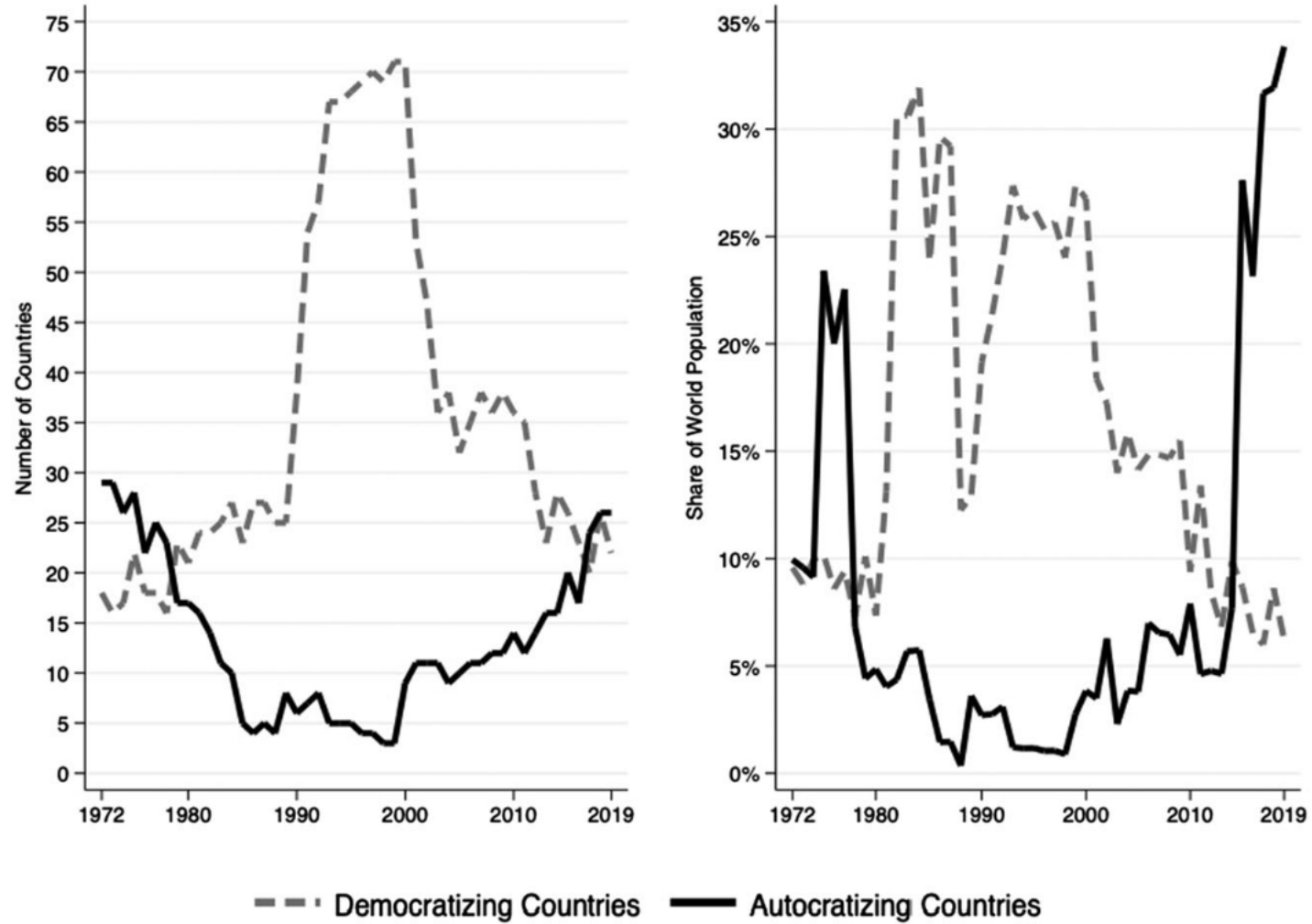


Figure 1. Autocratizing vs democratizing countries by the Liberal Democracy Index, 1972–2019 (left side - number of countries; right side - share of world population).

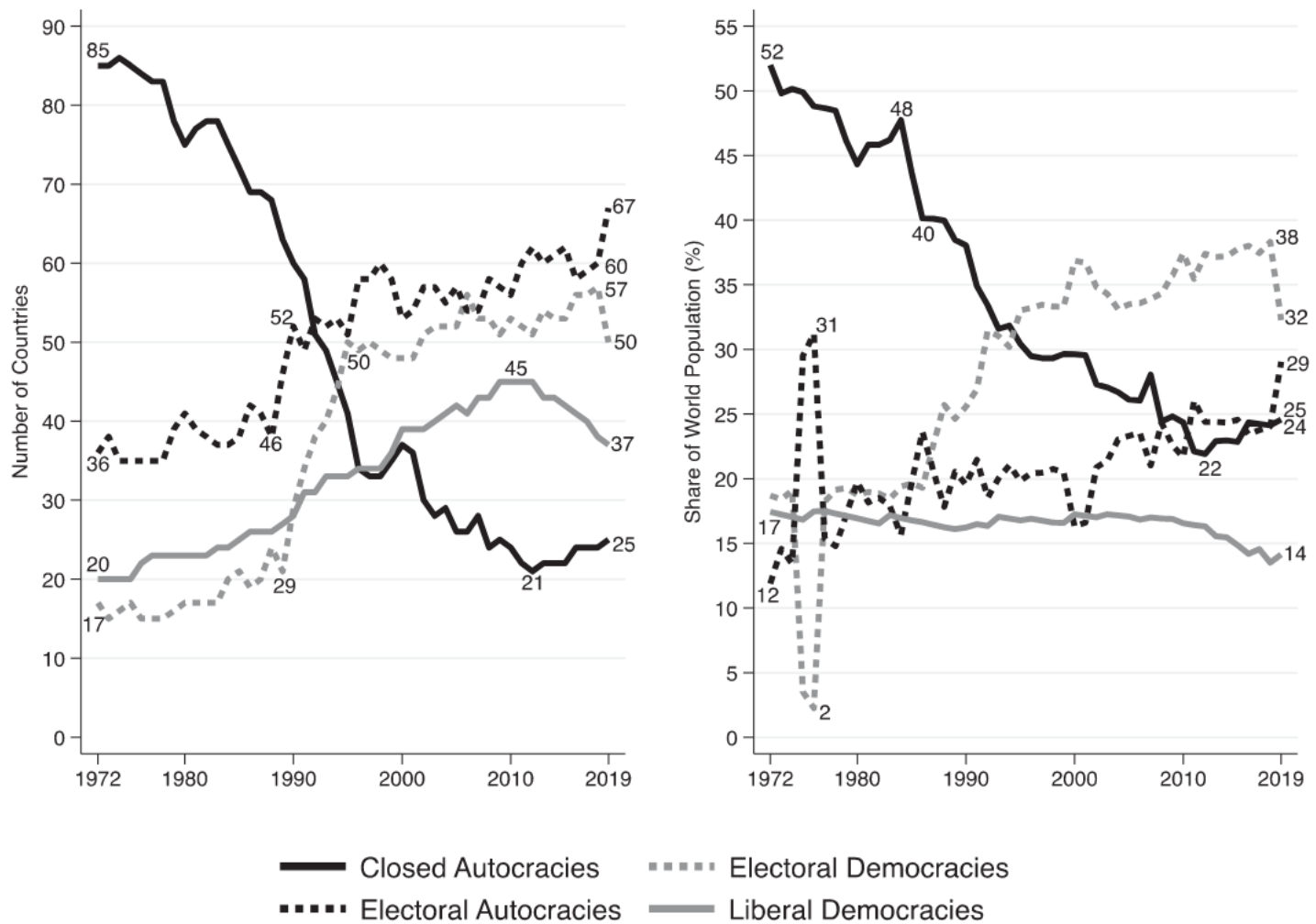


Figure 2. Number of countries per regime type (left) and share of population (right).

How do we defend
democracy against attacks?



Prodemocracy protests

- 2019-20: The “year of global protests.” (V-Dem)
- Hong Kong, Tehran, Polen, Chile, Sudan, USA

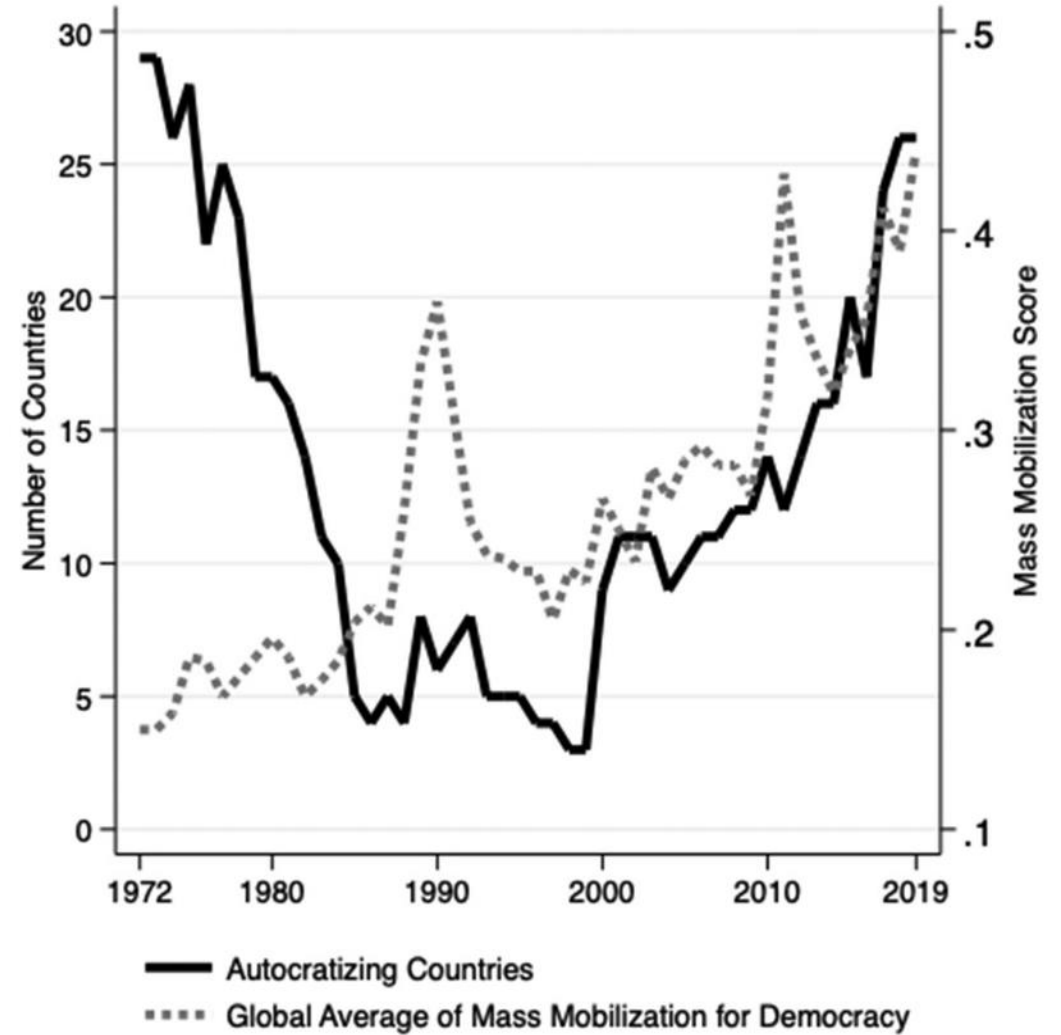


Figure 9. Global trends in autocratization and mass mobilization for democracy.



New movements and new protests



- ✓ Social media (Whatsapp, twitter, facebook, digital news) is key
- ✓ But dictators learn from each other too...

The affects of the Covid-19 pandemic


- The Corona pandemic provide political leaders with opportunities for enhancing and deepening processes of autocratization
- A great number of countries have implemented legal restrictions on association rights as a response to the pandemic
- Some countries have also tied restrictions to media and freedom of speech
- The long-term economic consequences of the pandemic will most likely lead to more protests



80 x 1280

Martha Lemphart: The bravest woman in Poland?



A photograph of a protest. In the foreground, a woman's face is partially visible. Behind her, several signs are held up. One sign on the left has the word 'GIRLS' written in white on a brown background. Another sign on the right has 'STOP VIOLENCE AGAINST' written in red. The background is slightly blurred, showing other protesters and signs.

February 6, 2019

“The Breath of the Government on My Back”

Attacks on Women’s Rights in Poland

The persistence of the protesters suggests that “Poland is not lost yet.” However, the current government and its supporters, are acting determinedly to ensure that the rule of law is lost in Poland. This is much more than a concern just for Brussels. The repeated violations of fundamental rights and principles under international law corrode the very foundations of the democracy Poland fought so hard to win. Who will stand up for the Polish flag at international forums if it disappears again, literally or metaphorically?

Why democracy?



“When universal values and international law are cast aside, global affairs are governed by force.”