

Barlai | Griessler | Herbers | Bos | Filzmaier | Hainzl [Eds.]

Democratic Backsliding in Europe



Nomos



ANDRÁSSY
UNIVERSITÄT
BUDAPEST

Andrássy Studien zur Europaforschung

Edited by

Prof. Dr. Michael Anderheiden, Lehrstuhl für
Europäisches Öffentliches Recht und seine Grundlagen

Prof. Dr. Ellen Bos, Lehrstuhl für Vergleichende
Politikwissenschaft mit Schwerpunkt Mittel- und Osteuropa in
der EU

Prof. Dr. Martina Eckardt, Lehrstuhl für Finanzwissenschaft

Assoz. Prof. Dr. habil. Georg Kastner, Lehrstuhl für
Mitteleuropäische Geschichte

Prof. Dr. Zoltán Tibor Pállinger, Rektor der
Andrássy Universität Budapest

Volume 31

Melani Barlai | Christina E. Griessler
Martin R. Herbers | Ellen Bos
Peter Filzmaier | Christina Hainzl [Eds.]

Democratic Backsliding in Europe



Nomos

© Coverpicture: Lánchíd, Sherad, <http://www.orszagalbum.hu/kep.php?p=1>, 02.10.2012

Das Erscheinen des Bandes wurde gefördert:
The publication of the book was funded

Von der Andrassy Universität Budapest (AUB)
by the Andrassy University Budapest (AUB)



Von der Zeppelin Universität (ZU)
by the Zeppelin University

zeppelin universität
zwischen
Wirtschaft Kultur Politik

Von der Universität für Weiterbildung Krems (UWK)
by the University for Continuing Education (UWK)



Vom / *by the*
Institut für Strategieanalysen (ISA)



Vom Netzwerk für Politische Kommunikation
by the Network for Political Communication

netPOL
INTERNATIONALES UND INTERUNIVERSITÄRES NETZWERK
POLITISCHE KOMMUNIKATION

The Deutsche Nationalbibliothek lists this publication in the Deutsche Nationalbibliografie; detailed bibliographic data are available on the Internet at <http://dnb.d-nb.de>



ISBN 978-3-7560-0859-9 (Print)
978-3-7489-1603-1 (ePDF)

Online Version
Nomos eLibrary

1st Edition 2025

© Nomos Verlagsgesellschaft, Baden-Baden, Germany 2025. Overall responsibility for manufacturing (printing and production) lies with Nomos Verlagsgesellschaft mbH & Co. KG.

This work is subject to copyright. All rights reserved. No part of this publication may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or any information storage or retrieval system, without prior permission in writing from the publishers. Under § 54 of the German Copyright Law where copies are made for other than private use a fee is payable to “Verwertungsgesellschaft Wort”, Munich.

No responsibility for loss caused to any individual or organization acting on or refraining from action as a result of the material in this publication can be accepted by Nomos or the editors.

Acknowledgements

This edited volume is a personal endeavour for the editors. During the process of conceptualisation and structuring of the book, while compiling the relevant theories and reading the contributions by our experts across various countries, it became evident that democracy is under pressure and increasingly challenged by the dynamics of democratic backsliding. With this book, we believe we contributed to the understanding of how democracies are weakened and have helped to raise awareness of the underlying causes and circumstances of democratic backsliding. Still, despite the more sober picture of the state of democracies in the EU and neighbouring areas, the book points out the measures to counter these developments, so that in the end the democratic structures are turning out to be stronger than before.

This publication would not have been possible without the expertise of all the authors and the support provided by the involved research institutions and universities. The comparative approach of the book was only possible due to the cooperation of all the authors of the individual chapters. We thank each contributor of the book for their insightful analyses of their respective case studies and the smooth collaboration with the editors.

The book was the brainchild of Dr. Melani Barlai (Network for Political Communication netPOL, Andrassy University Budapest), who provided the initial inputs on the issue of democratic backsliding and coordinated a PhD seminar at the Andrassy University Budapest in November 2024. For additional expertise and support, Dr. habil. Martin R. Herbers and Dr. Christina Griessler joined the project and formed the team of operational editors. However, the successful implementation of the project was only made possible by the financial support of a number of universities and institutions. We would like to thank the Andrassy University Budapest (AUB), the University of Continuing Education Krems (UWK), the Zeppelin University, Friedrichshafen (ZU) and the Institut für Strategieanalysen (ISA) for their financial contributions to the costs of proofreading and publication of the

Acknowledgements

book. Finally, the editors wish to thank Bénédicte Williams for proofreading the book and the Nomos publishing house for their patience and support.

The editors,
Budapest, Friedrichshafen, Vienna, May 2025

Inhaltsverzeichnis

<i>Melani Barlai/Christina Eva Griessler/Martin Rolf Herbers</i> Introduction: Democratic Backsliding in Europe	9
<i>Melani Barlai</i> The Theoretical Context of Democratic Backsliding in Europe	23
<i>Martin Rolf Herbers</i> Democratic Backsliding in Germany	37
<i>Ádám Bence Balázs</i> Weakening French Democracy: The Constitution of the French Fifth Republic and the Instrumentalisation of its Democratic Framework	57
<i>Elisabeth Alber/Petra Malfertheiner</i> Democratic Backsliding in Italy: Not a Big Bang, but Steady and Insidious	81
<i>Christoph Konrath/Katrin Praprotnik</i> Risks of Democratic Backsliding in Austria	103
<i>Angelos Chrysogelos/Yannis Tsirbas</i> Greece under New Democracy Rule: A Case of "Liberal Illiberalism"?	129
<i>Pavel Pšejja</i> Democratic Backsliding in the Czech Republic: Looming Danger or Distant Menace?	149
<i>Florian Hartleb/Teele Holmberg</i> Democratic Backsliding in Mainstream Estonia	173

Inhaltsverzeichnis

Melani Barlai

Democratic Backsliding in Hungary - Institutional Dismantling,
Electoral Autocracy, and the Authoritarian Accumulative State under
Viktor Orbán 201

Edit Zgut-Przybylska

Democratic Backsliding in Poland - An Autocratic Remodeling
Attempt under PiS Rule 223

Matjaž Nahtigal

Democratic Backsliding in Slovenia: The mutually Reinforcing
Effects of Economic Neoliberalism and Illiberal Democracy 247

Anna Krasteva/Emilia Zankina

Democratic Backsliding in Bulgaria: Mainstreaming of Far-Right
National Populism and Post-Democracy 265

Daniela-Maria Mariş

Democratic Backsliding in Romania: Between Democratic
Consolidation and Backsliding 289

Senada Šelo Šabić/Ana Vučemilović-Grgić

Democratic Backsliding in Croatia – Autocratic Tendencies Die
Hard 307

Christina Eva Griessler

Sliding back into the Past? Delegative Democracies in the Western
Balkans 329

Daniela Ingruber/Peter Filzmaier

Political Mistrust and the Crisis of Democracy: An Overview 357

Melani Barlai/Christina Eva Griessler/Martin Rolf Herbers

Conclusion 377

Introduction: Democratic Backsliding in Europe

Melani Barlai¹/Christina Eva Griessler²/Martin Rolf Herbers³

In recent years, democratic backsliding has moved from a peripheral concern to a central challenge across Europe. Societal changes, political realignments, and a deepening sense of uncertainty have created an environment in which democratic norms and institutions are increasingly vulnerable. This volume aims to address the multifaceted dynamics of democratic backsliding by providing a comparative, country-specific analysis that bridges societal developments and institutional transformations.

From a societal perspective, democratic backsliding is deeply intertwined with widespread shifts in political opinion and behavior. Traditional centrist parties, once the stabilising anchors of European democracies, have steadily lost ground to parties on the political fringes. In Germany, for example, the decline of the *Volksparteien* (catch-all parties, such as the CDU/CSU and SPD) has created new spaces for the rise of the far-right Alternative für Deutschland (AfD), a trend mirrored in many other European countries. Attempts to exclude certain parties from coalition-building—particularly on the right—have paradoxically limited the formation of stable governments, forcing historically unprecedented and often fragile political alliances.

This realignment is occurring in a broader context of societal polarisation, intensified by crises such as the global financial crash in 2008, the refugee influx of 2015, the COVID-19 pandemic of 2020 to 2022, and the ongoing energy and climate crises. These disruptions have eroded public confidence in the ability of liberal democracies to address urgent challenges. Disillusionment with traditional democratic structures has fostered the growth of new political narratives: questioning of the status quo,

1 netPOL - Network for Political Communication, Andrassy University Budapest, melani.barlai@aub.eu

2 netPOL - Network for Political Communication, Andrassy University Budapest, christina.griessler@aub.eu

3 Zentrum für Politische Kommunikation, Zeppelin Universität, netPOL - Network for Political Communication, martin.herbers@zu.de

proliferation of conspiracy theories, and nostalgia for perceived national "golden ages."

At the same time, the objective uncertainty of the political environment—spurred by economic crises, migration pressures, geopolitical tensions, and the acceleration of climate change—has reinforced populist and nationalist sentiments across the continent. As comparative reports on political trust and the crisis of democracy show (e.g. Van der Meer 2017; Valgarðsson et al. 2025), this widespread uncertainty has created fertile ground for actors who promise simple solutions to complex problems, often by scapegoating minorities or external institutions like the European Union.

From a scholarly perspective, the study of democratic backsliding has evolved significantly. Contemporary backsliding rarely involves dramatic coups or overt dictatorship; instead, it often manifests subtly through the erosion of democratic norms and institutions—a process referred to as soft backsliding. Leaders exploit legal mechanisms to consolidate executive power while maintaining a democratic facade, as seen in Hungary's manipulation of electoral laws and judicial appointments. What remains is a hollowed-out form of democracy, a system applying formally legal-democratic but illiberal processes.

This volume situates itself within this field of study, emphasising the need to analyse both institutional backsliding (the formal weakening of checks and balance), and non-institutional backsliding, the deterioration of democratic discourse and societal norms. For example, in France, constitutional ambiguities and presidential overreach during political crises have raised concerns about the instrumentalisation of democratic structures. Similarly, in Germany, while institutional safeguards remain comparatively strong, growing public acceptance of anti-democratic rhetoric marks a significant cultural shift. As democratic backsliding is predominantly investigated through the lens of the erosion of public administration in democracies transitioning to autocratic systems (Bauer et al. 2021), this volume presents a more holistic view of the overarching process.

Moreover, roots of populism and nationalism - long underestimated - have reemerged partly because Europe's authoritarian and illiberal past has never been fully addressed. Historical legacies, such as the lingering influence of elites from authoritarian periods and unprocessed collective memory, continue to shape democratic vulnerabilities today. As documented, Croatia's democratic development is marked by autocratic periods in

the first years of the country's independence, which still affect its politics today.

In light of these developments, this volume provides a comparative framework for understanding how democratic backsliding manifests differently across Europe, reflecting varying national histories, political cultures, and institutional designs. Through detailed country studies and cross-national analysis, the book not only diagnoses the challenges but also seeks to identify strategies for strengthening democratic resilience.

1 Clarification of Concepts

The concept of democratic backsliding is fundamentally related to other concepts of democratic deterioration, yet substantially different with regard to the roles of citizens and institutional politics, the role of media and populism, as well as in its temporal and geographical dimensions. Hence, a short overview of the conceptual differences (Goertz 2006) helps to clarify our approach to democratic backsliding in light of recent academic discourse.

Democratic backsliding refers to the gradual internal erosion of democratic institutions, processes, and norms within a state. In this process, elected leaders or ruling parties subtly undermine checks and balances, often through legal means and incremental reforms that maintain a veneer of legitimacy (Bermeo 2016). This framework emphasises how such backsliding in Europe weakens independent judiciaries, legislatures, and the media from within, rather than via overt coups or breakdowns. This notion aligns with scholarly observations that modern autocrats consolidate power behind a democratic facade, illustrating an insidious regression where formal democratic structures remain in place even as their substance decays.

Compared to this notion, Colin Crouch's concept of post-democracy presents a distinct scenario. In a post-democratic condition, formal democratic institutions (elections, parliaments, etc.) continue to function, but they become hollowed out as real political decision-making shifts to elites and technocrats (Crouch 2004). Unlike democratic backsliding—where active efforts degrade democracy's foundations—post-democracy describes a passive decline in democratic vitality. It is characterised by citizen disengagement and weakened public influence, rather than deliberate institutional sabotage. Thus, while backsliding implies intentional institutional

erosion by those in power, post-democracy denotes a stage where democratic forms endure but democratic substance and participation wane.

The third wave of autocratisation refers to a broad global trend of democratic decline in recent decades (Skaaning 2020). This term situates contemporary instances of democratic backsliding within a larger historical pattern: after the Third Wave of democratisation expanded freedoms worldwide (Huntington 1993), a reverse wave of authoritarian resurgence has been underway. Unlike the state-specific focus of democratic backsliding, the third wave of autocratisation highlights worldwide patterns—numerous countries experiencing parallel erosions of democracy (Skaaning 2020). It is a macro-level phenomenon, indicating that individual cases of backsliding are part of an overarching global regression. In contrast to Crouch’s post-democracy (a critique of the quality of democracy in stable systems), both democratic backsliding and the autocratisation wave point to active declines. However, democratic backsliding is analysed at the domestic level, whereas the third wave of autocratisation frames the trend as a global, epochal shift.

Table 1: Overview of related concepts of democratic backsliding; Figure by the authors

Aspect	Democratic Backsliding (Bermeo 2016)	Post-Democracy (Crouch 2004)	Third Wave of Autocratisation (Skaaning 2020)
Core Idea of the Concept	Active, gradual internal erosion of democratic institutions and norms by elected political elites.	Democratic institutions formally persist, but genuine participation and public influence diminish significantly.	Global reversal from the democratisation wave of the late 20th century toward increased worldwide autocratisation.
Role of Citizens	Citizens formally remain involved, but their real political influence is systematically restricted or manipulated.	Citizens increasingly become passive, disillusioned, and detached from political participation.	Citizens globally experience parallel declines in democratic quality and opportunities for meaningful participation.

Aspect	Democratic Backsliding (Bermeo 2016)	Post-Democracy (Crouch 2004)	Third Wave of Autocratisation (Skaaning 2020)
Role of Political Institutions	Institutions (judiciary, legislature) are intentionally weakened, legally undermined, and manipulated, though they formally remain intact.	Institutions remain formally intact, but real decision-making shifts toward elites and technocratic bodies, weakening democratic substance.	Institutional erosion occurs worldwide, often accompanied by the dismantling of democratic reforms, varying from subtle to drastic.
Role of Media	Media increasingly come under state control or pressure; independent voices are systematically marginalised but maintain formal presence.	Media formally remain free but are dominated by economic elites, reducing critical journalism and public scrutiny.	Globally, media freedom declines in parallel with rising authoritarianism and constraints on pluralistic discourse, varying significantly by region.
Role of Populism	Populism is central: Populist actors actively exploit societal divisions and grievances to weaken democracy from within.	Populism plays a lesser role; the primary issue is not populist mobilisation but general political alienation and democratic disengagement.	Populism intensifies global autocratic trends and provides ideological justification for authoritarian measures but is not the primary driver of the global dynamic.
Time Horizon	Medium-term and gradual (several years to decades); democratic structures are incrementally undermined.	Long-term, gradual, and processual decline over multiple decades; democracy progressively loses substance without formally collapsing.	Long-term global development (several decades) with a cyclical pattern: democratisation waves typically followed by reverse waves of autocratisation.
Geographical Scope	Primarily national-level analysis, notably prominent in European states where democratic standards formally persist.	Originally articulated for Western democracies (especially Europe and North America), which remain formally intact yet qualitatively deteriorated.	Global in scope, with synchronous patterns worldwide; affects countries across diverse regions and is not limited to specific states or regime types.

2 Structure of the Book - Case Studies on Democratic Backsliding in Europe

The order of the discussed case studies is based on the duration of the countries' democratic experience, thereby starting with the democracies re-established after World War Two and moving to the post-Cold War democracies. The democracies which re-established their democratic systems after World War Two are looking back at an 80-year period of democratic experience; according to this logic, these countries are considered to be "old" and stable European democracies. The case studies discussed in the book are Germany, France, and Italy, each of them with their specific political issues and evidence of recent occurrences of democratic backsliding. Austria, although not a founding member of the EU (it joined in 1995), fits into this category of "old", established democracies. Greece, on the other hand, experienced a civil war and was ruled by a conservative autocratic regime until the mid-1970s. In 1981, it was admitted into the EU, a step that was seen as strengthening the country's process of democratisation.

In the wake of the new wave of democratisation at the end of the Cold War, new democracies emerged, which aimed for closer cooperation and integration into the EU. The 2004 EU enlargement, which brought eight post-communist countries "back to Europe", and into the EU, was celebrated as marking the end of the division of the European continent and the "victory of liberal democracy" over autocratic regimes. The discussion of the case studies on the Czech Republic, Estonia, Hungary, Poland, and Slovenia paints a picture of countries that were once considered to be successful models in terms of their democratisation achievements, but which have experienced democratic setbacks in recent years, with Hungary as the most prominent example. In the cases of Bulgaria and Romania, the EU felt that additional time and monitoring was required for the countries to become EU members; however, even after their accession to the EU in 2007 and monitoring of their democratic development, the apparent democratic weaknesses remained in place. Finally, Croatia, one of the former federal republics of Yugoslavia, became an EU member in 2011 and has since the 1990s developed a flawed, but functioning democracy. The rest of its neighbours in the so-called Western Balkan region are in the EU's "waiting room" with no clear timeline for when they might be able to join. The loss of a viable EU perspective results in regressing democratic developments.

Based on this overarching order, Martin Rolf Herbers' case study on Germany focuses on non-institutional democratic backsliding and explores how historical remnants of authoritarianism, rising populism, and a grow-

ing distrust toward democratic institutions threaten the stability of German democracy. The chapter details how, despite the resilience of Germany's constitutional order and strong institutional checks and balances, the political discourse has become increasingly polarised, especially after events like the COVID-19 pandemic. Specific incidents such as attempts to influence the media (the "Causa Wulff"), threats to judicial independence (as seen in the Metzler kidnapping case), and administrative failures during the 2021 Berlin elections are discussed as warning signs of democratic erosion. The chapter concludes with the argument that while Germany's formal institutions remain intact, the cultural and discursive foundations of democracy are weakening, emphasising that safeguarding democracy will depend on strengthening civic resilience and democratic norms.

The case study on France, by *Ádám Bence Balázs*, analyses how the constitutional structure of the French Fifth Republic, characterised by its hybrid semi-presidential system, creates vulnerabilities for democratic backsliding. Following the 2024 European Parliament elections and the dissolution of the National Assembly by President Macron, France entered a period of political turmoil, marked by confusion over the distribution of executive power and contested democratic legitimacy. While no blatant authoritarian shift occurred, Balázs argues that the instrumentalisation of constitutional ambiguities, reliance on presidential powers, and political elitism fueled public distrust and political instability. The chapter warns that even legally sanctioned actions, if perceived as undemocratic or self-serving, can erode faith in democratic institutions and pave the way for future extremist takeovers. The weakness, according to Balázs, lies not in outright violations, but in the gradual hollowing out of democratic legitimacy within the existing framework.

The Italian case study, by *Elisabeth Alber* and *Petra Malfertheiner*, demonstrates that democratic backsliding does not occur suddenly, out of context, but is rather a multi-dimensional process affecting political institutions and that it appears alongside the emergence of populism, and the undermining of social and human rights. The chapter provides an overview of the political development of Italy and discusses the constitution, which has to balance the centralist state idea with the existence of Autonomous Provinces within its territory. The political framework changed from a party system polarised between communist and anti-communist parties into a more personalised and fragmented party system. These political changes are seen by the chapter's authors as predecessors to Meloni's electoral success in 2022. Meloni's attempt to strengthen the role of the prime minister

has not been successful yet, but indicates the direction of the government's policy. Apart from the envisioned constitutional changes, backsliding of the liberal democratic system in Italy is detected in the weakening of social and human rights, intimidation of journalists and limitations on media freedom, and attacks on the judiciary.

Austria has long been perceived as a stable and consolidated democracy, but it now faces risks of democratic backsliding, primarily due to the erosion of informal norms and the politicisation of institutions. In their chapter, Katrin Praprotnik and Christoph Konrath analyse how mounting political pressures, the normalisation of exclusionary rhetoric and the strategic exploitation of constitutional provisions for partisan ends, despite the independence of the country's Constitutional Court, expose underlying vulnerabilities. The rise of the Freedom Party (FPÖ) and changes in political culture demonstrate that even well-established democracies are vulnerable when democratic conventions are weakened.

Greece presents a distinctive case of democratic backsliding despite the absence of populist rule. In their chapter, Angelos Chryssogelos and Yannis Tsirbas introduce the concept of 'liberal illiberalism' to describe how the centre-right, anti-populist New Democracy (ND) government of Kyriakos Mitsotakis has overseen a notable erosion of democratic checks and balances since 2019. Despite its liberal, pro-European rhetoric and substantial international support, the ND government has been linked to serious violations of the rule of law. The authors also document a significant decline in media pluralism. Greece ranks at the bottom among EU countries in key indices on media freedom, perception of corruption, and citizen satisfaction with democracy. Chryssogelos and Tsirbas argue that Greece's democratic deterioration demonstrates that backsliding can occur under mainstream, non-populist parties when external and internal checks are weak, and that liberal discourses can mask illiberal practices.

Hungary is the paradigmatic example of democratic backsliding in Europe. In her chapter, Melani Barlai analyses how Viktor Orbán and his Fidesz party have transformed the country into an electoral autocracy since 2010 through constitutional manipulation, capturing the judiciary, centralising the media and establishing an autocratic patronage system. A key factor in this transformation has been the adoption of a plebiscitary leadership style, enabling the concentration of political and economic power and the establishment of a regime that accumulates power while maintaining the appearance of democratic institutions.

In Poland, democratic backsliding has occurred through gradual yet profound institutional change. Between 2015 and 2023, the United Right government, led by the Law and Justice Party (PiS), undermined judicial independence, restricted media freedom, and asserted informal executive dominance, as examined by Edit Zgut-Przybylska. Despite lacking a constitutional supermajority, PiS used informal networks and legal reforms to weaken democratic checks and balances. The triggering of Article 7 of the treaty on European Union against Poland highlighted the European Union's limited leverage in the face of strategic illiberalism.

Slovenia offers a striking example of accelerated democratic backsliding under a populist leader. Matjaž Nahtigal explains how the country experienced severe attacks on media independence, civil society organisations and judicial autonomy during Janez Janša's third term (2020–2022). Although these institutions initially proved resilient, Janša's illiberal governance style exposed their vulnerabilities, showing how quickly a democratic system can deteriorate if the political elite lacks a strong commitment to democratic values.

Estonia exhibits a more subtle form of democratic backsliding, in which exclusionary nationalism reshapes the political culture without dismantling formal institutions. Florian Hartleb and Teele Holmberg analyse how the mainstreaming of the far-right Estonian Conservative People's Party (EKRE) has brought ethno-nationalist, eurosceptic, and revisionist discourses into the political arena. Although Estonia's rule of law is still relatively strong, there is evidence of symbolic backsliding in the form of increased polarisation and challenges to liberal democratic norms.

In her analysis of Romania, Daniela-Maria Mariş refers back to the beginning of Romania's political transition in December 1989, which was marred by violence and was characterised by a lack of actual elite replacement. As a consequence, the political institutions remained weak and the separation of powers between the president and the prime minister was not clear-cut. Cohabitation created further frictions within the political system. Additionally, increasing populism and political elites' attempts to undermine civil society and media contributed to the democratic backsliding of the country. The 2025 elections were presented as a test for Romania's democracy, which the author assessed has failed, as the political institutions did not prevent dubious influences on the electoral process.

Anna Krasteva and Emilia Zankina's case study of Bulgaria focuses on the issue of the country's experience with democratic transition and its impact on the current political system. Moreover, it addresses the po-

litical issues contributing to democratic backsliding such as corruption, the weakening of the rule of law and judiciary, the issue of populism, and the dominant political actors. Krasteva and Zankina suggest that the transition of the Bulgarian political system fell short of developing into a fully functioning liberal democracy, establishing instead a system which Colin Crouch (2004) defines as post-democracy. The authors claim that, because democratic institutions are limited in fulfilling their tasks as intended, other actors and institutions step in. In this context, corruption plays a major role, as it accompanied the process of political transition from a (post-)communist to a post-democracy, by evolving from endemic corruption to state capture. Bulgarian post-communist politics began with a bipolar political system and regular changes of governments but new political actors and parties emerged after 2000 and led to a rather unstable political system. Krasteva and Zankina provide an analysis of the decline in the areas of rule of law and the judiciary and highlight the issue of populism and the rule of political actors in the context of democratic backsliding. Still, an understanding of the meaning of citizenship and the role of citizens in counteracting these developments concludes this chapter on a positive note.

Senada Šelo Šabić and Ana Vučemilović-Grgić's case study focuses on Croatia's democratic deficit and the underlying reasons for the country's democratic backsliding despite its EU membership. The chapter looks at the foundation of the democratic institutions to provide an answer. Croatia's democratic transition in the early 1990s took place against the backdrop of a violent war. The first government, which proceeded over the secession from Yugoslavia and the establishment of an independent Croatia, showed a lack of interest in facilitating the democratisation of the state. The characteristics of weak checks and balances, centralisation of political power within the governing party, the emergence of clientelism and informal political structures, although weakened, have remained an issue for the functioning of democratic institutions. The authors argue that EU membership has overall improved the situation of democracy in Croatia, but that external inputs are limited, therefore some of the characteristics which were built into the political system in the 1990s have solidified and become reinvigorated since 2013.

The Western Balkan states are not yet part of the EU but are closely integrated into its enlargement strategy, which aims to prepare these countries for their accession. Griessler's chapter analyses the horizontal and vertical elements of democracy of the countries in the region to identify

the weaknesses of the political systems. These countries never reach the level of fully developed democracies, hence the decline of the quality of democracy is more difficult to evaluate. The chapter applies the concept of delegative democracy (O'Donnell 1994) to assess the horizontal checks and balances as foreseen in a democratic political system, and combines it with an evaluation of the vertical accountability between elected representatives and the electorate. What can be seen is that political institutions remain weak, with powerful politicians controlling the political system. In recent years, with the delay in the EU enlargement process, these semi-authoritarian regimes have institutionalised their way of governance. The population, however, is questioning the legitimacy of the political elites' activities and consequently challenges the process of democratic backsliding. While horizontal accountability is failing, vertical accountability - people demanding accountability from their elected representatives - becomes more prominent.

The chapter on Political Mistrust and the Crisis of Democracy by Daniela Ingruber and Peter Filzmaier offers a broader theoretical reflection on how declining trust in democratic institutions correlates with democratic backsliding. Based on recent surveys and studies, Filzmaier and Ingruber show how economic crises, societal exhaustion post-COVID-19, and the relentless sequence of overlapping crises have eroded citizens' trust in governments, parliaments, and political parties across Europe. This widespread mistrust fosters a breeding ground for populist movements, polarisation, and the normalisation of anti-democratic rhetoric, particularly through social media. The authors stress that this development is subtle and emotional rather than driven by concrete facts, and point to the increasing difficulty in maintaining democratic discourses against the backdrop of populism, conspiracy theories, and individualistic value shifts. Nevertheless, Ingruber and Filzmaier end on a cautiously hopeful note, highlighting democracy's resilience and the need to address root causes of dissatisfaction to prevent further erosion.

In a concluding chapter, Melani Barlai, Christina Eva Griessler and Martin Herbers present a comparative analysis of the individual cases of democratic backsliding. They argue that democratic backsliding, while presenting itself through the lens of national idiosyncrasies, follows certain patterns. In visualising these patterns, the chapter offers a perspective on possible remedies for backsliding processes on the supranational and national levels as well as on the level of civil society and civic action.

3 Concluding remarks

By distinguishing democratic backsliding from related concepts such as post-democracy and the global wave of autocratisation, we emphasise the need for a nuanced, context-sensitive analysis that captures the formal and informal dimensions of democratic erosion in Europe.

This volume's central argument is that democratic backsliding is not confined to young or transitional democracies, nor does it follow a consistent trajectory. Instead, it is shaped by specific national legacies, political cultures and institutional vulnerabilities. Whether through plebiscitary leadership, legal instrumentalisation, the erosion of civic norms or social polarisation, the patterns observed across Europe point to a common challenge: the weakening of liberal democratic standards from within, often under the guise of democratic legitimacy.

The following chapters examine how these dynamics play out in different European contexts, including old and new democracies, EU members and candidates, and consolidated systems and fragile institutions. Together, they provide a comparative perspective on the drivers, manifestations and potential counterforces of democratic backsliding. By doing so, this volume contributes to a broader understanding of how democracies can erode incrementally and how they can be defended.

Bibliography

- Bauer, M. W./Peters, B. G./Pierre, J./Yesilkagit, K./Becker, S. (eds.) (2021), *Democratic Backsliding and Public Administration: How Populists in Government Transform State Bureaucracies*, Cambridge: Cambridge University Press.
- Bermeo, N. (2016), *On Democratic Backsliding*, *Journal of Democracy*, Vol. 27 (1), 5–19, <https://doi.org/10.1353/jod.2016.0012>
- Crouch, C. (2004), *Post-Democracy*, Cambridge/Oxford: Polity.
- Goertz, G. (2006), *Social Science Concepts: A User's Guide*, Princeton: Princeton University Press.
- Huntington, S. P. (1993), *The Third Wave: Democratization in the Late Twentieth Century*, Norman: The University of Oklahoma Press.
- O'Donnell, G. A. (1994), *Delegative Democracy*, *Journal of Democracy*, Vol. 5 (1), 55–69, <https://doi.org/10.1353/jod.1994.0010>
- Skaaning, S.-E. (2020), *Waves of Autocratization and Democratization: A Critical Note on Conceptualization and Measurement*, *Democratization*, Vol. 27 (8), 1533–1542, <https://doi.org/10.1080/13510347.2020.1799194>

- Valgarðsson, V./Jennings, W./Stoker, G./Bunting, H./Devine, D./McKay, L./Klassen, A. (2025), A Crisis of Political Trust? Global Trends in Institutional Trust from 1958 to 2019. *British Journal of Political Science*, Vol. 55 (15), 1-23, <https://doi.org/10.1017/S0007123424000498>
- Van Der Meer, T. W. G. (2017), Political Trust and the “Crisis of Democracy,” in Van Der Meer, T. W. G. (ed.), *Oxford Research Encyclopedia of Politics*, Oxford: Oxford University Press, <https://doi.org/10.1093/acrefore/9780190228637.013.77>

The Theoretical Context of Democratic Backsliding in Europe

*Melani Barlai*¹

Introduction

By 2022, global democracy will have regressed to levels last seen in 1985, with about 71% of the world's population - some 5.7 billion people - now living under autocratic rule, a sharp increase from 48% in 2013 (V-Dem Institute 2023). This trend reflects the phenomenon of democratic backsliding, whereby democratic institutions, norms and processes are gradually eroded. Scholars have documented how modern autocrats use legal mechanisms, populist rhetoric, and subtle manipulation to consolidate power while maintaining a democratic facade (Bermeo 2016; Waldner/Lust 2018). In response to these challenges, the literature on democratic backsliding has developed to examine the various strategies of erosion and the ways in which democratic systems are weakened from within.

For a volume focusing on democratic backsliding in Europe, it is crucial to examine the institutional dimensions of this phenomenon. Democratic regression often unfolds as a dual process: the weakening of formal institutions and the erosion of democratic norms. Institutions such as independent judiciaries, legislatures, and the media are the backbone of European democracies, providing essential checks and balances to ensure governance, accountability and the rule of law. Analysing how these institutions are undermined or co-opted in backsliding contexts can reveal specific vulnerabilities within European democracies and inform strategies to counter democratic erosion across the continent. Although democratic backsliding is often associated with Central and Eastern Europe, cases from Western Europe - such as recent populist pressures in Austria and France, or debates over judicial independence in Greece - show that no region is immune to the risks of democratic decline.

1 Andr ssy University Budapest/netPOL, melani.barlai@aub.eu

1. Soft vs. Hard Democratic Backsliding

In recent years, scholars have distinguished between soft and hard democratic backsliding as two distinct forms of democratic erosion (Levitsky/Way 2020; Svoboda 2019). Hard democratic backsliding involves overt, often violent, actions against democratic institutions, such as military coups, outright suspension of constitutional protections, and direct attacks on political freedoms. These actions are usually justified by leaders as necessary to maintain national security or political stability, as seen in authoritarian regimes that use emergency laws or security measures to crack down on dissent. This form of backsliding is visible and typically triggers immediate responses from both domestic actors and the international community (Levitsky/Way 2020, 52). Hard backsliding has historically been observed in cases where political elites or militaries dismantle democratic systems, resulting in rapid shifts to authoritarian rule (Huntington 1991; Linz/Stepan 1996).

Soft democratic backsliding is a subtle but dangerous form of democratic erosion. Unlike hard backsliding, where democratic norms and institutions are visibly under attack, soft backsliding is more insidious. Leaders engaged in soft backsliding operate within existing legal frameworks, using incremental, legally sanctioned changes to weaken institutional checks and balances. This approach allows leaders to consolidate executive power, limit political competition, and restrict opposition while maintaining a veneer of legitimacy (Bermeo 2016; Schedler 2024).

Nancy Bermeo's work on democratic backsliding highlights how soft backsliding avoids direct violations of the law, instead making incremental adjustments that appear legitimate. These changes - often presented as reforms - include subtle shifts in electoral rules, judicial restructuring, and administrative rules that together undermine democratic institutions over time (Bermeo 2016, 10-12). Andreas Schedler (2024, 19-22) describes this process as „democratic subversion“, where the democratic facade remains intact even as core principles and protections are systematically eroded. He highlights the deceptive nature of such subversion, which often masquerades as legitimate reform, making it difficult to detect and counter (ibid., 26). The „fake character“ of soft backsliding - its ability to masquerade as legitimate reform rather than outright repression - makes it particularly difficult to detect and combat. Because these actions appear legal and often occur in small, seemingly reasonable steps, they can proceed unnoticed by the public and avoid immediate international condemnation (Huq/Gins-

burg 2018). According to Huq and Ginsburg, the reformist appearance of soft backsliding allows it to persist longer than overt authoritarian tactics, often progressing until it is deeply embedded in the political system, at which point democratic actors face significant obstacles in reversing it (ibid., 83, 97). Soft backsliding is not only challenging to detect but also difficult to reverse. Waldner and Lust (2018) emphasise that this form of backsliding results in the gradual erosion of democratic norms, where incremental changes cumulatively undermine key pillars of democracy, often beyond repair. Once weakened, these norms—such as judicial independence, media freedom, and fair electoral practices—are difficult to rebuild, as they rely heavily on trust and established precedents that cannot easily be restored.

In Europe, the potential for soft backsliding is particularly important because of the strong legal frameworks and general expectation of constitutional governance that characterise many European democracies. Leaders in backsliding regimes have demonstrated how the manipulation of these frameworks can shield undemocratic actions from scrutiny. By exploiting the structural complexity of legal and constitutional systems, they enact reforms that, while technically legal, undermine the basic principles of democratic governance. This tactic allows such leaders to maintain the appearance of compliance with the rule of law, legitimising their actions domestically and complicating intervention efforts by international actors, including European institutions (Kelemen 2020).

Soft backsliding contrasts sharply with hard backsliding, which involves overt and often abrupt actions, such as military coups or constitutional suspensions, that typically provoke immediate resistance. Soft backsliding, on the other hand, is more insidious and requires sustained vigilance to counter its incremental and often subtle nature. This distinction is consistent with Andreas Schedler's concept of democratic subversion, where incremental legal reforms allow backsliding to proceed almost unnoticed, eroding democratic institutions while preserving their outward appearance (Schedler 2024, 19-22).

Table I. Key distinctions between soft and hard democratic backsliding

Criteria	Soft Democratic Backsliding	Hard Democratic Backsliding
Legal framework	Within existing laws	Bypasses or violates laws
Visibility	Subtle, gradual	Highly visible, sudden
Methods used	Incremental weakening	Forceful measures
Institutional changes	Gradual erosion	Rapid, sweeping changes
Media freedom	Media co-opted or pressured	Media censored or shut down
Civil liberties	Constrained legally	Civil liberties overtly violated
Public perception	Less noticeable	Immediately evident
International response	Slow, limited	Strong, often with sanctions

2. Mechanism of Backsliding

2.1 The Role of Legal Manipulation and Competitive Authoritarianism

Legal manipulation is central to soft backsliding, allowing leaders to consolidate power without overtly abandoning democratic structures. This strategy is often associated with competitive authoritarianism, a hybrid regime type that combines formal democratic institutions with undemocratic practices that skew the playing field (Levitsky/Way 2010). In competitive authoritarian regimes, elections are held regularly, but the opposition is disadvantaged by media restrictions, legal barriers and state interference (ibid.). Viktor Kazai's (2024) research on autocratic (il)legalism shows how leaders can use the law to consolidate power while maintaining a veneer of legality. In Hungary, for example, Viktor Orbán's government implemented a series of legal reforms that strengthened executive control over the judiciary, the media, and electoral institutions, effectively neutralising institutional checks (Kazai 2024; Krekó/Enyedi 2018, Bánkuti et al. 2012). In Greece, controversies surrounding judicial appointments and media regulations have highlighted the potential for legal manipulation even within an EU member state (European Commission 2023; European Parliament 2024).

The concept of competitive authoritarianism provides a framework for understanding how legal manipulation supports soft backsliding. As Kazai

(2024) and Levitsky and Way (2010) note, the legal and institutional facade of democracy allows leaders to avoid international scrutiny because their actions appear to conform to formal democratic processes. This phenomenon is increasingly relevant in Europe, where the EU's limited ability to enforce democratic norms among member states has created opportunities for soft backsliding to persist (Kelemen 2020; Müller 2016).

2.2 Normative Erosion in Democratic Backsliding

Democratic backsliding often combines hard and soft forms of erosion, with leaders manipulating both institutions and norms to consolidate power. While institutional manipulation often defines hard backsliding, soft backsliding involves a more gradual erosion of democratic norms, including mutual toleration and institutional forbearance (Levitsky/Ziblatt 2018). Mutual toleration refers to the recognition of the legitimacy of political opponents, and institutional forbearance involves restraint in the exercise of power. The erosion of these norms fosters a polarised environment, enabling divisive rhetoric and extraordinary measures against rivals, and destabilising democratic governance.

Normative erosion, as Svobik (2019) highlights, functions as both a cause and a consequence of backsliding. Leaders delegitimise opposition through polarising narratives, paving the way for "legal" reforms that weaken institutional checks under the guise of protecting democracy. Over time, public tolerance for undemocratic practices grows, making it increasingly difficult to reverse regressive trends.

2.3 Populism, Nationalism and Cultural Backlash in Backsliding

Populism, nationalism, and cultural backlash further facilitate soft backsliding, particularly in European democracies (Diamond 2015; Norris/Inglehart 2019). Populist leaders exploit grievances - economic, social or cultural - while presenting themselves as defenders of "the people" against elites (Müller 2016). These leaders justify reforms that concentrate executive power by framing their actions as responses to societal demands, thereby eroding democratic institutions while maintaining a veneer of legality. Csehi and Zgut-Przybylska highlight that populists often present themselves as the only legitimate voice of the people, undermining pluralism and

democratic accountability, thereby eroding both institutional and normative safeguards (Csehi/Zgut-Przybylska 2020). A particularly powerful tool in this strategy is the manipulation of history for political purposes. In many Eastern European countries, populist leaders reframe national narratives to glorify historical struggles or emphasise victimhood, using these themes to justify their policies and delegitimise the opposition. But this dynamic is not limited to newer democracies in Eastern Europe. Similar patterns have emerged in Western Europe as populist leaders manipulate historical memory and cultural anxieties to advance exclusionary agendas. In Austria, populist rhetoric has reshaped political discourse, subtly undermining pluralism and exerting pressure on independent institutions (Liebhart 2020). Similarly, in France, debates over executive powers during states of emergency have highlighted the tension between security measures and the protection of civil liberties, raising concerns about the potential erosion of democratic checks and balances (Hennette Vauchez 2021). Caramani and Manucci (2019) argue that right-wing populists in Western Europe re-elaborate the national past through narratives of culpabilisation, victimisation, heroisation, and cancellation, reshaping cultural memory to legitimise exclusionary policies and weaken democratic norms.

In Germany, culpabilisation of the Nazi past has constrained the far right, but the AfD has gained traction in regions such as Thuringia, where fading collective memory and economic disparities loosen these constraints. In Austria, victimhood narratives that portray the country as the "first victim" of Nazi aggression have allowed the FPÖ to exploit nationalist and anti-immigrant sentiments while avoiding historical accountability. In France, Marine Le Pen's National Rally combines the heroisation of France's resistance legacy with the victimisation of the nation, blaming globalisation and the EU for national decline. Similarly, in Italy, selective amnesia about Mussolini's regime allows parties like Fratelli d'Italia to portray Italy as a victim of foreign influence, normalising right-wing populist discourse.

These strategies highlight how populists manipulate historical memory to build narratives of national resurgence, fostering polarisation and undermining mutual tolerance - a core democratic norm. By framing reforms as efforts to "protect the nation" from external and internal threats, populist leaders obscure their attempts to weaken institutional checks and consolidate executive power.

2.4 Judicial Reforms: Undermining Checks and Balances

Independent judiciaries, crucial to democratic accountability, are often targeted by populist leaders. In Poland, the PiS party implemented judicial reforms ostensibly to eliminate communist-era corruption. These included lowering the retirement age for judges, restructuring judicial councils, and appointing government loyalists, thereby undermining judicial independence (Pech/Scheppele 2017). Hungary's Orbán similarly framed judicial reform as a measure of efficiency and protection of sovereignty, expanding the Constitutional Court and filling it with party loyalists (Krekó/Enyedi 2018). As Bozóki and Hegedűs (2018) argue, these actions represent a deliberate strategy to dismantle checks and balances under the guise of reform. In Slovenia, recent governments have increased pressure on media independence, judicial autonomy and civil society, particularly during the COVID-19 pandemic, which was characterised by a disproportionate expansion of executive powers (Fink-Hafner 2024). Bulgaria's anti-corruption reforms, while publicly appealing, have similarly entrenched executive influence over the judiciary. These actions reflect a subtle but systematic weakening of democratic institutions while maintaining the formal structures of democracy, consistent with the notion of democratic subversion, where legality is externally preserved even as core principles erode.

2.5 Media Control: Silencing Independent Voices

Control of media narratives is another hallmark of soft backsliding. Hungary provides a clear example, where Orbán centralised media ownership among loyalists, restricted press freedom, and established regulatory bodies staffed by government members (Bajomi-Lázár/Stępińska 2019). In Slovenia, Janša accused critical media of left-wing bias and reduced funding for public broadcasters, adopting populist strategies similar to those of Viktor Orbán in Hungary (Fink-Hafner 2024, 10-11), which seek to undermine media independence and limit pluralistic discourse. In Croatia, populist leaders have exerted financial and political pressure on independent outlets to subtly restrict journalistic freedom (Peruško et al. 2021). Anne Applebaum (2020) notes that such measures not only consolidate power, but also stifle dissent by creating an echo chamber of pro-government narratives.

While media control and censorship are more overt in countries experiencing hard backsliding, there are also subtle pressures on the media