

STATE OF DEMOCRACY IN SLOVAKIA: BACKSLIDING,
HOLLOWING, OR NEITHER?

By

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Submitted to

Central European University

School of Public Policy

In partial fulfilment for the degree of *Master of Arts in International Public Affairs*

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Vienna, Austria

2023

Author's Declaration Form


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Abstract

Slovak Republic offers a curious case of discrepancy between the public perception of the state of democracy and the scores that are attributed to it by democracy indexes. While the country fares rather well in the indexes, the public dissatisfaction with democracy is the highest out of all European countries. This thesis investigates the gap by evaluating the levels of democratic backsliding and hollowing of democracy in the country, while also exploring other potential explanations through empirical analysis of the period between 2018 and 2023. It concludes that Slovakia is not experiencing democratic backsliding, and only a limited degree of the hollowing of democracy. Instead, what can best explain the gap between high democracy scores and public dissatisfaction with democracy, is a combination of halted prosecutions of newly uncovered corruption cases, intensified attacks on minorities, increased polarization, and political instability caused by numerous coalition crises.

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List of Abbreviations

EU - European Union

GSoD - Global State of Democracy Initiative

IMF - International Monetary Fund

LGBTIQ - Lesbian, Gay, Bisexual, Transgender, Intersex, Queer

ESNS - People's Party Our Slovakia

MP - Member of Parliament

OLaNO - Ordinary People and Independent Personalities

SIS - Slovak Information Service

SGI - Sustainable Governance Indicators

SMER-SD - Direction-Social Democracy

SaS - Freedom and Solidarity

V-Dem - Varieties of Democracy

V4 - Visegrad Four

WTO - World Trade Organization

Introduction

Slovakia: Political Background and Regional Context

Slovak Republic is a young democratic country that has achieved independence in 1993, following the amicable breakup of Czechoslovakia. Slovakia is a parliamentary republic with the Prime Minister having the most executive power and the President being a formal head of state with limited powers. Slovak democracy has experienced many ups and downs, starting with a turbulent quasi-democratic era of Vladimír Mečiar that lasted until 1998, followed by a pro-democratic and pro-European government led by Mikuláš Dzurinda between 1998 and 2006. Subsequently, the country was governed by Róbert Fico until 2018 with only a 2-year pause in 2010-2012. Fico is a skilled populist leader who has had countless corruption scandals tied to him and his party, SMER-SD. He was forced to resign in 2018, after country-wide protests took place in response to the murder of the investigative journalist, Ján Kuciak, and his fiancée, Martina Kušnírová (Mortkowitz 2018). While Fico's colleague, Peter Pellegrini, took his place and acted as Prime Minister until 2020, Fico remained in charge of the governing party. In 2020, OĽaNO won the election on an anti-corruption campaign against Fico and SMER-SD and formed a four-party coalition which only survived until 2022. Currently, Slovakia is waiting for early elections that will take place in September 2023, while it is led by a non-political government of technocrats set up by the President, Zuzana Čaputová, following a complete meltdown of the former government.

Slovakia joined the European Union in 2004, Schengen area in 2007 and Eurozone in 2009. Regionally, it is often affiliated with the Czech Republic, Hungary and Poland, which constitute the Visegrad Group together with Slovakia. After the dissolution of the Soviet Union, the mutual cooperation of these countries played a significant role in the transition from a totalitarian regime to a pluralistic and democratic society. The Visegrad Group, or the Visegrad Four (V4), still holds regular meetings and collaborates on issues that represent their common

interests and priorities. However, with Hungary and Poland turning away from the liberal principles of democratic governance, the Visegrad Group has become somewhat fragmented and V4 has turned into V 2+2 (Bayer and Cienski 2022). The aim of this thesis is to find out whether or not Slovakia is following the path of Hungary and Poland in terms of its state of democracy and identify any other potential factors at play.

Relevance of Research

In addition to the regional trends outlined above, zooming in on the state of democracy in Slovakia is important due to the country's unique situation underpinned by contradictions. On the one hand, Slovakia fares quite well on various democracy indexes: it was classified as a working democracy with a score of 0.834 in the *Democracy Matrix* from 2020; its liberal democracy index in 2022 was 0.78 according to *Varieties of Democracy*; it scored 6.7 for the Quality of Democracy in the *Sustainable Governance Indicators* study; and its scores in the indexes developed by the *Global State of Democracy Initiative* also suggest that Slovakia is a stable democratic country. On the other hand, the most recent figures demonstrate that the levels of dissatisfaction with democracy in Slovakia are the highest (67%) of all EU member states (Zmušková 2022a). This is a rather alarming percentage that underlines strong public discontent, despite relatively high levels of democracy in Slovakia suggested by international democracy indexes. Furthermore, scholars like Mesežnikov and Gyárfášová (2018), warn about different threats to democracy as well as illiberal tendencies unfolding in Slovakia. Therefore, there is a significant gap between what the indexes imply and what the public and some authors think about democracy in Slovakia, which calls for research undertaking to explain the gap.

Research Question(s) and Structure

This thesis will be centered on the following research question: *What explains the gap between Slovakia being qualified as a well-functioning democracy on one side, and the high*

levels of public dissatisfaction with democracy on the other side? In order to help answer the overarching question, the following sub-questions will also be tackled: *Can this gap be explained by democratic backsliding, hollowing of democracy, or something else? What role do factors like corruption, attacks on minorities, polarization, and political instability play?*

First, Methodology for the thesis will be outlined, explaining how the main analysis will be carried out and what methods will be employed. This part will be followed by a Literature Review that contains multiple subsections, organizing the relevant academic arguments and theories by themes. Subsequently, the Analysis and Discussion part will present and discuss the main findings, and the Results and Conclusion section will draw overall conclusions, propose an answer to the research question, and identify the most important added value component of the paper. This thesis focuses on the period between 2018 and 2023, as the murder of an investigative journalist and his fiancée in 2018 was arguably a defining event of Slovakia's modern history. It not only spurred large protests across the country but also uncovered corrupt practices and government ties to an Italian crime syndicate, and eventually led to a resignation of the Prime Minister, Róbert Fico, who had been in power for 10 years (Mortkowitz 2018).

Methodology

In order to answer the overarching research question of this thesis, the analysis will be based on qualitative research, mainly relying on academic papers, newspaper articles, thinktank reports, but also public opinion surveys and international indexes. The first part will review the academic literature, with an aim to explain theories on the hollowing of democracy and democratic backsliding, with special attention given to the region of Central-Eastern Europe and the Visegrad Group. This section will focus on the main factors that are specific to the two theories on the state of democracy, while also acknowledging varying perspectives proposed by different scholars.

The analytical part of the thesis will present various international indexes assessing the quality of democracy in Slovakia. Furthermore, a figure on public opinion on the state of democracy will be presented, demonstrating the large dissatisfaction in Slovakia compared to the other European countries. This section will examine the Rule of Law reports published by the EU and compare the Slovak reports with the ones on Hungary and Poland, in order to identify the main similarities and differences in terms of democratic backsliding. Last but not least, scholarly debate on the state of democracy in Slovakia will be outlined, with an aim to identify the most prevalent narrative in the academic literature.

Finally, this thesis includes an empirical part that will examine the most important events and developments - related to democratic values and rule of law principles - that have occurred in Slovakia since 2018. These will largely relate to minority rights, media freedom, rule of law issues, degree of polarization, and political stability. Close attention will be given to the presence of any of the factors of democratic backsliding and hollowing of democracy in Slovakia between 2018 and 2023, while other patterns and potential theories explaining the state of democracy in Slovakia will also be identified.

Literature Review

This section explores various academic arguments, theories and debates surrounding the topic of democratic backsliding as well as the hollowing of democracy, with a special focus on Central-Eastern Europe. Over the past two decades, scholars have given significantly more attention to the process of democratic backsliding than hollowing of democracy, which is reflected in the disproportionate coverage of the two topics in this literature review.

Defining Democratic Backsliding

The number of academic articles using the term democratic backsliding has steadily increased since 1900, with a rather drastic escalation over the past few decades (Waldner and Lust 2018, 94). Some authors have tried to define this phenomenon or even provide theories that would explain its occurrence. Others have simply used it to describe certain regimes, leaders or political contexts, without conceptualizing what democratic backsliding means. Bermeo (2016, 5) has been sceptical about this approach, noting that the concept of democratic backsliding is “frequently used but rarely analyzed”. Without a proper analysis of the term, its applicability and functionality become questionable. Furthermore, there is no clear consensus among scholars and practitioners on the universal definition of democratic backsliding thus far, which complicates its use particularly for comparability purposes.

Waldner and Lust (2018) criticize the lack of easily available ideas to explain backsliding despite a vast and diverse literature, which is why their article attempts to create a solid conceptual and operational basis for the term. Most importantly, they underline that backsliding occurs through a discontinuous succession of gradual actions that undermine the core principles of democracy, rather than a sudden and unexpected shift from democratic rule towards the autocratic one (Waldner and Lust 2018, 95). When democratic backsliding occurs in a country, the elections are still held but they become less competitive, while participation

is indirectly constricted and accountability mechanisms are significantly loosened (Waldner and Lust 2018, 95). According to Sitter and Bakke, backsliding can be defined as *“a process of deliberate, intended actions on the part of a democratically elected government, designed to gradually undermine the fundamental rules of the game in an existing democracy”* (Sitter and Bakke 2022, 23). By emphasizing that backsliding is a gradual process aimed at undermining democratic principles, this definition is in line with the one proposed by Waldner and Lust. However, Sitter and Bakke's definition adds an important element of deliberate nature of actions that lead to democratic backsliding, underlining the strategic nature of this process.

Drivers of Democratic Backsliding

Reaching a scholarly agreement on the drivers of democratic backsliding is just as difficult as finding a consensus on its definition. Haggard and Kaufman (2021) propose a theory of three factors that often go hand in hand with democratic backsliding, namely polarization, attempts at weakening the legislative institutions, and the introduction of so-called “piecemeal initiatives” that aim to undermine democratic institutions. It is argued that polarization raises the possibility that established parties will take radical positions or that emerging anti-system parties would acquire support, both of which can cause backsliding (Haggard and Kaufman 2021, 27). Furthermore, nearly all states where democratic backsliding occurred had experienced high levels of polarization prior to backsliding. Second, the authors draw a clear link between weak legislatures and democratic backsliding, which is why any effort to undermine legislative institutions represents a potential driver of backsliding. Finally, Haggard and Kaufman (2021, 35) warn about the “piecemeal initiatives” that are often used to test the limits of democratic institutions and eventually cripple them, leading to democratic backsliding.

Carothers and Press (2022) go over and criticize multiple theories on the drivers of democratic backsliding proposed by different experts, and eventually suggest their own. They

divide these explanations into two categories: external and internal drivers. One theory relying on external influence holds that the most powerful authoritarian regimes - Russia and China - are the main drivers of democratic backsliding across the globe. While acknowledging that Russia and China are hurting democracies worldwide, the authors stress that Russian and Chinese influence generally only helps maintain an already authoritarian rule rather than prompt democratic backsliding (Carothers and Press 2022, 7). Another external explanation of democratic backsliding puts emphasis on the technological developments, widespread use of social media and the related challenges, including hoaxes and misinformation. Carothers and Press (2022, 8) label this theory as an “extremely simplistic technological reductionism” but admit the facilitating role of new technology in the process of democratic backsliding.

When it comes to internal drivers, the authors first evaluate the argument that underlines populism as a major driver of democratic backsliding. Carothers and Press (2022, 9) dismiss this claim, arguing that even in countries where populist movements or leaders have gained traction in recent years, democracy has not been pushed back severely, while populism has had very little, if any, influence in many of the examples where democracy has declined dramatically during the last fifteen years. The last two internal drivers outlined in this paper are polarization and democracy's failing socio-economic performance. The former gets discredited by the authors as representing the result of autocratization, not a cause of it, and the latter is condemned as empirically inaccurate (Carothers and Press 2022, 10). The paper concludes that democratic backsliding can be best explained by focusing on the domestic political actors specific to the case under evaluation, while it is acknowledged that the instances of backsliding vary widely across the world.

Democratic Backsliding in Central-Eastern Europe

While the scholarly consensus on the definition and main drivers of democratic backsliding has not been achieved, academics at large agree that backsliding has been occurring

in Hungary since 2010 and in Poland since 2015 (Bakke and Sitter 2022, 25). However, some authors have started applying the term to other post-communist countries in the region as well, namely Slovakia and Czech Republic, which constitute the Visegrad Group together with Hungary and Poland. Bakke and Sitter (2022, 23) label this a conceptual stretching as they distinguish between clear cases of democratic backsliding taking place in Hungary and Poland, and the lack of such examples in Slovakia and Czech Republic. In particular, the authors stress the differences between the two groups of countries when it comes to freedom of the media, independence of civil society, free and fair elections, and executive and judiciary power. While the paper points to the problematic and controversial actions and developments relating to each of these areas in Slovakia and Czech Republic, it also demonstrates that these countries are still far away from the backsliding that is happening in Hungary and Poland.

For instance, Bakke and Sitter (2022, 27) highlight that even though Slovakia's ex-Prime Minister Róbert Fico could have changed the electoral system to the Hungarian model when he won the parliamentary majority in the 2012 election, he chose not to. Furthermore, institutional constraints as well as the strength of the opposition in both Slovakia and Czech Republic are identified as meaningful obstacles that have helped steer these countries away from the Hungarian and Polish pathways of democratic backsliding. According to Stanley (2019, 348) Slovakia can be seen as a relatively stable democracy not yet threatened by backsliding, whereas its egalitarian democratic principles remain insufficient, particularly with respect to minorities, and corruption still represents a significant problem in Slovak society. However, the Czech Republic is considered a “weakening democracy” that is closer to the Hungarian and Polish models, mainly due to the blurred lines between political and business interests at the highest level (Stanley 2019, 349).

Zooming in on Hungary and Poland

As Hungary and Poland remain the only universally recognized cases of democratic backsliding within the European Union, it is worthwhile to delve deeper into the origins and defining factors of their backsliding processes. Taking a step back, Bernhard (2021, 586) underlines the unsettling character of the fact that these two countries are undergoing democratic backsliding, pointing to their leading role in the regional democratization processes in 1989 and a rather quick accession to the European Union. Furthermore, the political parties culpable for backsliding, Fidesz and PiS, represent well-established parties with a democratic history, having emerged as an opposition to the communist regime (Bernhard 2021, 586). According to Bernhard (2021, 589), the contrast between the leading role of Hungary and Poland in regional democratization since 1989 and their contemporary backsliding can be explained by a number of factors that came together since 2004. One of them is, ironically, the EU accession itself, as member states have greater latitude to deviate from EU norms according to the author, because they are much less monitored compared to candidate countries. The other factors contributing to democratic backsliding in Hungary and Poland are related to the external shocks. In particular, Bernhard (2021, 606-7) argues that both the economic crisis in 2007-2008 and the migration crisis in 2015 played crucial roles in initiating the process of backsliding in these two countries.

Bakke and Sitter (2022, 28) propose a different set of reasons for democratic backsliding in Hungary and Poland, rooted in the combination of motive, opportunity and lack of opposition. The authors link the motivations for backsliding mainly to the populist ideology and policy, as well as the longing of the political leaders for wealth and power. Nonetheless, for backsliding to take place, these motives need to be accompanied by opportunities in the form of electoral victory, and limited opposition. A substantial opportunity presented itself for the Fidesz party in Hungary when they won a super-majority in the 2010 election. This allowed

Fidesz to amend the constitution to its liking, which affected the judiciary as well as the electoral system and paved the way for Orbán's backsliding strategy (Bakke and Sitter 2022, 30). Finally, if parties aspire to lead their country down the backsliding path, meaningful opposition to their agenda needs to be constrained. Bakke and Sitter (2022, 31) identify three most important opposition actors to be the constitutional courts, opposition parties, and the European Union. On this note, the PiS party in Poland did experience some clashes with the Constitutional Tribunal in 2015-2016, but it managed to introduce its controversial laws nevertheless. Namely, a 2016 legislation curtailed freedom of assembly by virtually permitting authorities to give precedence to preferred groups and events (Przybylski 2018, 58). Moreover, the PiS administration severely eroded institutional checks and balances by modifying the judicial system in 2017-2018, deciding that the fifteen judges who serve on the National Council of the Judiciary are to be decided through political nominations (Przybylski 2018, 59).

Explaining the Hollowing of Democracy

Next to democratic backsliding, the hollowing of democracy is yet another term used by scholars and experts to describe the worsening state of democracy. While democratic backsliding is the one to make the news more regularly, the hollowing of democracy is just as alarming and potentially devastating to democratic countries. The defining features of the hollowing of democracy include a decreasing importance of elections manifested by low electoral turnout, the citizens' exit from the political arena at large, as well as the withdrawal of political parties from relationships with their constituents (Mair 2013, 18). This gap between citizens and conventional political parties has in turn allowed for populist leaders and parties to thrive, especially in Western democracies. However, Greskovits (2015, 29) stresses that the phenomenon of hollowing of democracy is also profound in some East Central European countries, where the electoral turnout is generally lower and citizens' party identification is far from the levels in Western Europe. Another element accompanying the hollowing is the

increasing importance of non-majoritarian institutions, as well as organizations like the EU, WTO, or IMF and other non-political actors (Mair 2013, 19). Moreover, as the political arena becomes less legitimate in the eyes of citizens, they start turning to the judiciary for solutions to their problems instead of addressing them through political means (Mair 2013, 20). All in all, when the hollowing of democracy occurs, the relationship between citizens and politics becomes seriously fragmented, which has numerous consequences including low electoral turnout, the rise of populism, and a shift of some essential functions from political to non-political structures and actors.

Hollowing of Democracy in Central-Eastern Europe

One of the main arguments put forward by Greskovits (2015, 35) is that hollow democracies are more likely to be produced by neoliberal market societies led by reformists and nation-builders than more socially protective countries. While the former is characteristic to the Baltic states, the latter alludes to the Visegrad Four or Slovenia. This conclusion is based on a *map of hollowing and backsliding of democracy in East Central Europe* developed by Greskovits (2015, 32), which ranks all countries in the region according to their levels of backsliding and hollowing of democracy. The only countries that ranked low on hollowing of democracy were Slovakia, Czech Republic, Poland, Hungary and Slovenia, while the data was collected from various sources published between 2012 and 2014. Various elements were taken into account to determine the degree of hollowing, namely the voter turnout at both national and European elections, citizens' political party membership, and electoral volatility. The author even suggests that Slovakia and Czech Republic in particular should be closely examined to identify the factors that helped them successfully avoid both backsliding and hollowing of democracy (Greskovits 2015, 31). Conversely, Van Biezen et al. (2012, 33) present data that suggests a significant downturn in party membership levels in Central-Eastern Europe, highlighting a reduction of party membership by almost 50% in Slovakia over the

period of seven years, and a 40% decline in Czech Republic when compared to the late 1990s level. Nevertheless, to prove the hollowing of democracy in these countries, factors other than the decreasing party membership would have to be considered as well.

Analysis and Discussion

State of Democracy in Slovakia

Democracy Indexes

Democracy Matrix developed by the University of Würzburg considers three dimensions of democracy in its analyses, namely political freedom, political equality, and political and legal control. In 2020, Slovakia's total value index for Quality of Democracy was 0.834, ranking as the 30th out of 176 countries evaluated (University of Würzburg, n.d.). Based on this ranking, Democracy Matrix classified Slovakia as a Working Democracy, grouping it into the same category with countries like Sweden, Denmark, Germany, or Switzerland. Interestingly, the United States of America was ranked in the 36th place, below Slovakia, and it was classified as a Deficient Democracy.

Varieties of Democracy, commonly known as V-Dem, uses aggregated expert judgements to create its various datasets and indexes. Between 2018 and 2022, Slovakia's Liberal Democracy Index increased from 0.71 to 0.78, as shown in Figure 1. For further context, the Liberal Democracy Index that V-Dem attributed to Hungary in 2022 was only 0.34 and that of Poland was 0.42, demonstrating that Slovakia is doing very well in comparison to its neighbors in the region.

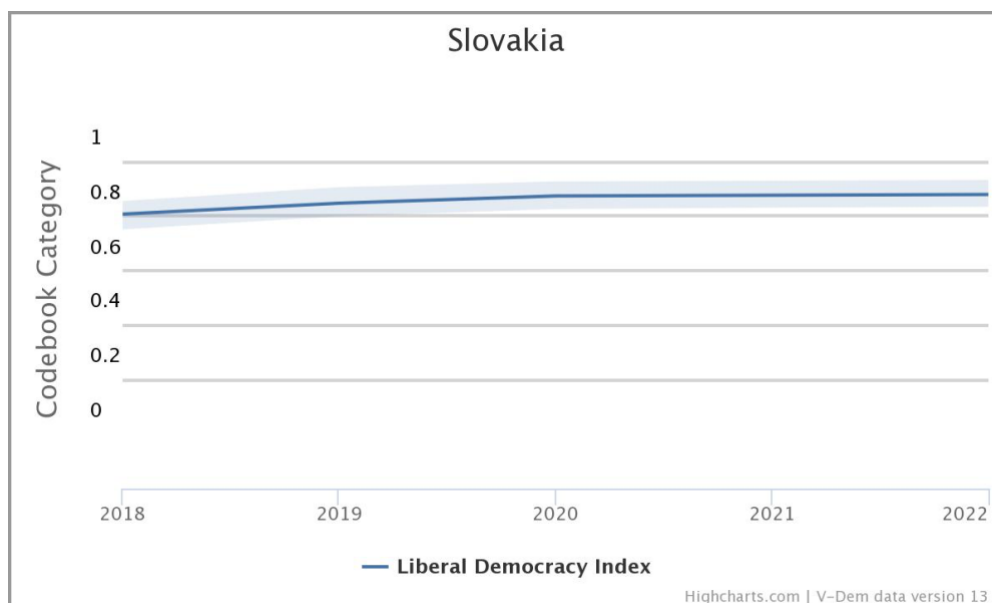
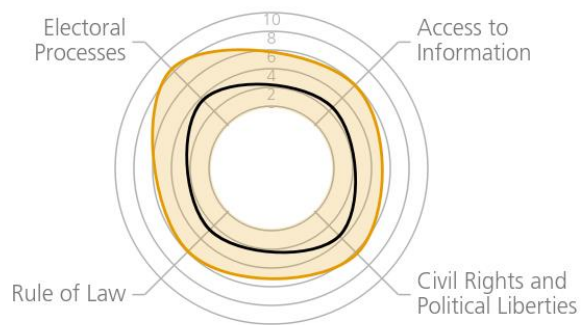


Figure 1. Development of Slovakia's Liberal Democracy Index 2018-2022 (Varieties of Democracy 2023).

Sustainable Governance Indicators, or SGI, draws on country experts as well as quantitative data to create its indexes, one of them being Quality of Democracy. To measure Quality of Democracy, the SGI considers electoral processes, access to information, civil rights and political liberties, and rule of law. In 2022, Slovakia scored 6.7, with the best result in electoral processes (8.4) and the worst result in access to information and rule of law (6.0). Once again, regional comparison shows substantial differences, as Hungary and Poland only scored 3.2 and 4.6, respectively. Graphs that contrast the scores of Slovakia with those of Hungary and Poland are shown in Figure 2 and Figure 3.

Quality of Democracy | Slovakia

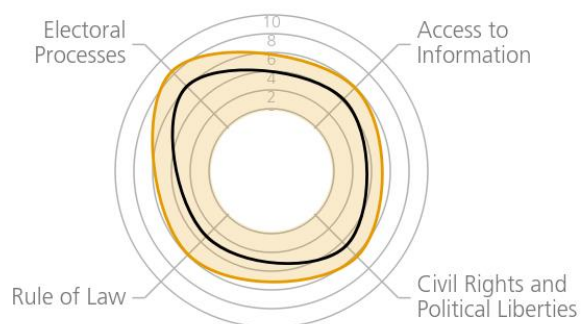


SGI 2022 | Slovakia to Hungary

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Figure 2. Comparison of Quality of Democracy in Slovakia and Hungary (Stiftung 2022).

Quality of Democracy | Slovakia



SGI 2022 | Slovakia to Poland

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Figure 3. Comparison of Quality of Democracy in Slovakia and Poland (Stiftung 2022).

Finally, the Global State of Democracy Initiative, or GSoD, uses expert surveys, observational data and the Varieties of Democracy dataset to form its indexes. In 2021, the GSoD classified Slovakia as a democracy with the following scores: 0.83/1 on Representative Government, 0.78/1 on Fundamental Rights, 0.77/1 on Checks on Government, 0.64/1 on

Impartial Administration, and 0.63/1 on Participatory Engagement. A more detailed breakdown of different indicators and their performance in Slovakia is shown in Figure 4.



Figure 4. Performance indicators of Democracy in Slovakia in 2021 (International IDEA 2021).

Popular Dissatisfaction with Democracy

Despite the overall positive scores that Slovakia has received in the democracy indexes presented in the previous section, the public seems to be alarmingly dissatisfied with the way democracy works in Slovakia. In June 2022, the European Parliament conducted a Parlemeter survey titled *Rallying around the European flag - Democracy as anchor point in times of crisis*. The results of this survey showed that Slovakia has the highest levels of dissatisfaction with democracy among all EU countries, with 67% of people being “not very satisfied” or “not at all satisfied” (Schulmeister 2022, 119). The precise wording of the question asked was the following: “On the whole, are you very satisfied, fairly satisfied, not very satisfied or not at all satisfied with the way democracy works in (OUR COUNTRY)? (%)”. Slovakia is followed in its level of dissatisfaction with democracy by Greece (64%), Bulgaria (60%) and Croatia

(60%). Interestingly, in Hungary and Poland, where democratic backsliding is long underway, only 47% and 39% of the public is not satisfied with how democracy works, respectively. This clearly hints at a mismatch between public perception and reality, while this thesis is also investigating such discrepancy in the case of Slovakia, but in the opposite way.

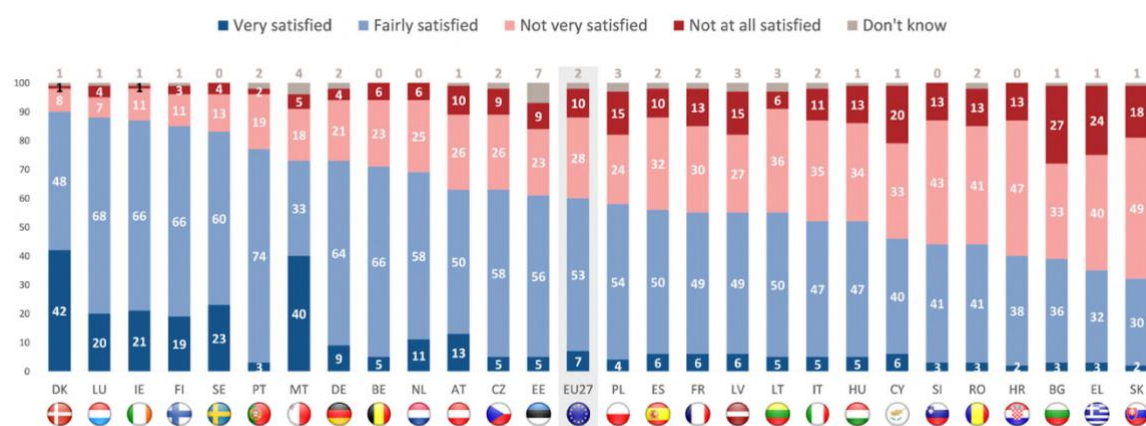


Figure 5. Levels of Satisfaction with Democracy in the EU (Schulmeister 2022).

Elements of Democratic Backsliding in Slovakia

This section reviews the status of three elements of democratic backsliding in Slovakia and examines them in contrast with the situation in Hungary and Poland. This comparison is essential because Article 7 of the EU Treaty was triggered for both Hungary and Poland in 2018 due to a significant deterioration of democratic values and fundamental rights in the two countries. Having been established 23 years ago, the aim of Article 7 was to hold countries responsible for rights violations, since the EU membership is conditioned by adherence to human rights and democratic principles (Hervey and Livingstone 2016). The Article has the power to impose sanctions, stop the flows of EU funds into a country, and take away its EU voting rights (Hervey and Livingstone 2016).

The first area key to assessing the rule of law status of a country is the judiciary. In its 2022 Rule of Law Report on Slovakia, the European Commission (2022d, 1) acknowledges the country's efforts to reform the justice system and endorses the fact that the Supreme Administrative Court has started operating. The report also highlights that the criminal proceedings against judges and other people affiliated with the judiciary system continue, mainly for corruption cases (European Commission 2022d, 8). Furthermore, it is also underlined that the level of public trust in the independence of the judiciary in Slovakia remains alarmingly low, with only 25% of the public perceiving it as “fairly or very good” (European Commission 2022d, 3). Finally, the report recognizes the increased transparency of the decision-making processes within the Judicial Council, while it also raises concerns about the dismissal procedure for the Judicial Council members, who can be suspended without a proper reason by those who appointed them (European Commission 2022d, 3-4). There are no other issues of a more serious nature raised in the 2022 Rule of Law Report on Slovakia. Contrastingly, the 2022 Rule of Law Report on Poland warns that “serious concerns persist related to the independence of the Polish judiciary”, especially when it comes to the independence of the National Council for the Judiciary and the recent Constitutional Tribunal rulings (European Commission 2022c, 1). Similarly, the 2022 Rule of Law Report on Hungary accentuates that the issues causing the Article 7 initiation related to the judiciary still have not been addressed in Hungary. These are mostly linked to the independence of the National Judicial Council, appointments and promotions of judges, case allocation issues, and the election procedure for the President of the Supreme Court (European Commission 2022b, 1).

The second important dimension that helps evaluate the level of democratic backsliding is the nature of changes to the electoral system in a given country. Slovakia uses a proportional representation system, which allows for a rather diverse representation of political parties in the parliament. There have been no changes or adjustments to the electoral system, even when

the SMER-SD party won the parliamentary majority in the 2012 election and had the opportunity to do so (Bakke and Sitter 2022, 27). In December 2021, transparency standards related to campaign financing were extended from national to sub-national levels, and more stringent penalties for electoral corruption were proposed (European Commission 2022d, 17). The situation in Hungary and Poland is very different. Prior to the 2014 election, Fidesz led by Orbán changed the electoral system in Hungary in a way that still essentially guarantees Fidesz the majority in terms of seats, despite not getting a majority of votes (Mudde 2014). This severely challenges fair electoral competition, which is one of the key components of liberal democracy. Poland has also faced controversies related to the last-minute changes to electoral code in March 2023, and the exclusion of the National Electoral Commission from the 2020 election (Ptak 2023; Jałoszewski and Szcześniak 2020).

The final important element of democratic backsliding concerns the attacks on civil society and freedom of the media. The 2022 Rule of Law Report on Slovakia notes that media plurality as well as media ownership transparency were both supported by The Media Services Act and the Publications Act that were passed in June 2022 (European Commission 2022d, 1). However, the proposed laws that would reinforce the protection of journalists and promote the criminal defamation reform still have not been adopted. Meanwhile, the Slovak journalists are facing verbal assaults that are increasing in intensity. According to a survey by the Ján Kuciak Investigative Center, more than two-thirds of Slovak journalists experienced an attack or threat in the last year (Zmušková 2023b). The survey also shows that these attacks are increasing, while they are mostly verbal and take place both in person and online. Furthermore, verbal attacks by politicians towards the Slovak journalists, which are often characterized by dehumanizing and degrading language, have also intensified over the past years (European Commission 2022d, 20). Overall, freedom of the media has been preserved in Slovakia without any major political attempts at taking control of the biggest media outlets, whereas the

increasing number of verbal attacks against journalists raise concerns. When it comes to the Slovak civil society's standing, the 2022 Rule of Law Report concludes that the civil society organizations are continuing to operate freely (European Commission 2022d, 23). However, the report raises concerns over limited public funding of organizations promoting LGBTIQ rights and gender equality, as well as verbal attacks by public figures against these organizations and their proponents. The situation is far more alarming in Hungary and Poland, both in terms of media freedom and civil society. Continuous distribution of substantial quantities of governmental advertising to pro-government media can be observed in Hungary, coupled with a large-scale surveillance of investigative journalists (European Commission 2022b, 1). Furthermore, the civic space in Hungary is classified as “obstructed”, and independent civil society organizations are often targeted by the government and blamed for being “political” (European Commission 2022b, 29). Media pluralism in Poland is threatened by the licensing practices, many journalists are facing lawsuits and abuse, while the civil society is becoming limited in its activities and the civic space is also rated as “obstructed”, just like in the case of Hungary (European Commission 2022c, 1, 29).

Democracy in Slovakia: Scholarly Debate

When it comes to the views of scholars on the state of Slovak democracy, it seems that the majority perceives it as stable, not yet impaired by backsliding. Nevertheless, many academics point to other problems that Slovakia is facing, like gender inequality, minority rights deterioration, and widespread corruption. Bakke and Sitter (2022, 32) argue that despite these issues, Slovakia is nowhere near the severe democratic backsliding that can be observed in both Poland and Hungary. Somewhat less optimistically, Mesežnikov and Gyárfášová (2018, 88) warn about the sustainability of Slovak democracy in the long run, mainly due to the pattern of decreasing civic engagement and public trust in the institutions. The decline of civic participation is also underpinned by an earlier work of Van Biezen et al. (2012, 33), who point

to a nearly 50% decrease in party membership in Slovakia over a seven-year period. Such arguments may contribute to an argument that even though there is no democratic backsliding in Slovakia, the country is undergoing some level of hollowing of democracy. Mair (2013,18) put forward three main features of the hollowing process, namely low electoral turnout, retreat of parties from relations with their voters, and citizens' withdrawal from the political sphere. Scholars only warn about the last component of the hollowing of democracy occurring in Slovakia, while the first two have not yet been spotted or brought to light by academics. All in all, based on the scholarly debate on the state of Slovak democracy, it can be concluded that Slovakia is experiencing hollowing of democracy only to a limited degree, while it is not showing signs of democratic backsliding.

Empirical Analysis: Slovak Democracy since 2018

Rule of Law: Dealing with Corruption

The triumph of OĽaNO in the 2020 parliamentary election may be traced back to the strong anti-corruption stance of the party and its leader, Igor Matovič. The battle against corruption has been one of his government's top goals, with several changes planned in this area. The number of processes in corruption cases and persons convicted of corruption violations increased significantly especially between 2020 and 2021 (Kneuer et al. 2022, 30). In 2020, the Foundation *Zastavme Korupciu*, meaning Stop Corruption, prepared a table of the twenty-four most important anti-corruption promises made by the incoming cabinet at the time. By 2022, the ministers have managed to implement only seven of them (Nadácia Zastavme Korupciu 2022). Moreover, most of these promises were fulfilled in the first year of the government coalition, showing that the government's anti-corruption fight in the legislative area slowed down significantly in its second year in power. The coalition was repeatedly arguing over many of these anti-corruption policies, and MPs from some coalition parties did

not vote for them when they were proposed in the parliament. In particular, among the most contested reforms is a so-called court map and the modification of section 363 of the Criminal Code, which gives the Prosecutor General broad authority to overturn any indictment and stop the investigation.

In fact, section 363 of the Criminal Code has been used by the Prosecutor General, Maroš Žilinka, to stop the prosecution of many high-profile individuals since he was sworn into the office in 2020. Since Maroš Žilinka has been the head of the General Prosecutor's Office, he has used section 363 in favor of financier Jaroslav Haščák, former SIS director Vladimír Pčolinski, but also ex-Prime Minister Róbert Fico and ex-ministers Róbert Kaliňák and Peter Kažimír. He has also recently dropped the charge of bribery in the case of Martin Borgul'a, a member of the We Are Family political party (Hutko 2023). Žilinka has been widely criticized for his overuse of the 363 section and his actions have halted progress in many investigations of high-profile corruption cases. In this way, the Prosecutor General has also managed to discredit the anti-corruption agenda of the governing coalition and undermine public trust in the integrity of investigations, especially when it comes to people with high-level profiles or political connections.

In 2022, a Eurobarometer survey was conducted to measure general perceptions of corruption in European countries. It showed that in Slovakia, 83% of people view corruption as a widespread problem in their country, while the European average is 68% (European Commission 2022a). Furthermore, 41% of people think that the level of corruption has increased in the past three years in Slovakia, and 45% think it has stayed the same (European Commission 2022a). When asked about the areas where corruption is most widespread, almost 60% of Slovaks indicated that the giving and taking of bribes and the abuse of power for personal gain mainly occurs among politicians at national, regional or local level, and in the healthcare system (European Commission 2022a).

While Žilinka's use of the 363 section to halt corruption investigations does not necessarily mean that Slovakia is experiencing democratic backsliding or hollowing of democracy, it is assuredly dismantling the public opinion on the level of corruption in the country. In turn, this can also partly explain the high levels of popular dissatisfaction with democracy in Slovakia, since the rule of law and anti-corruption efforts are both closely tied to democratic values and principles that are expected to be upheld in a democratic society.

Attacks on Minorities and the Media

In the period between 2018 and 2023, various minorities in Slovakia have suffered assaults, which were mostly directed at the LGBTIQ community and women's reproductive rights. In October 2022, two members of the LGBTIQ community were shot dead in an LGBTIQ-friendly bar, Tepláreň (Terenzani and Dlhopolec 2022). They were killed by a 19-year-old grammar school student, son of a far-right party politician, who published a white supremacist manifesto after the shooting and subsequently committed suicide (Terenzani and Dlhopolec 2022). This attack was seen by many as a culmination of years-long hatred and verbal attacks of politicians and other public figures against LGBTIQ people. Despite political promises to support this community following the killings, the situation of LGBTIQ people living in Slovakia is still deteriorating. Some ultra-conservative MPs recently proposed an amendment to the law on birth numbers, which would make it impossible for transgender people to undergo a legal transition, as they would be able to change their name but not the assigned sex or birth number on their identification card (Spectator 2023). This is a clear attack on transgender people, which has been widely criticized by the liberal spectrum in the political arena and among the public.

Another minority rights issue that has been regularly attacked in the Slovak Parliament in the last five years is women's reproductive rights. New laws that aim to restrict abortion rights were proposed every 6 months since 2020, while most of them have been introduced by

Anna Záborská and her colleagues, who claim to be “helping women” (Pietová 2023). These proposals have included different combinations of the following measures: increasing mandatory waiting period from 48 to 96 hours, extending the mandatory waiting period requirement to include all abortions except when a woman’s life is in instant threat, extending a range of personal data that women requesting an abortion must provide, and introducing a ban on “advertising” of abortion services. So far, none of these proposals were successful, although one of them did not pass by only one vote in 2020. Nevertheless, the repeated attempts at restricting abortion access in Slovakia are interpreted by many as attacks against women’s rights that are inspired by the Polish model of almost no abortion access.

After the murder of an investigative journalist and his fiancée in 2018, verbal attacks by politicians against journalists paused for a few years but started again in “an even worse and more dangerous” way, with the opposition leader Róbert Fico referring to journalists as an organized criminal group and calling them anti-Slovak prostitutes (Braxatorová 2022). Nonetheless, the level of media freedom in Slovakia seems to be improving according to a recent study. The World Press Freedom Index developed by the Reporters Without Borders organization showed that while in 2021, Slovakia ranked 35th out of 180 countries in the world with a score of 76.98, a year later it scored 78.38 points and ranked 27th (Zmušková 2022b).

The public views the level of media freedom in Slovakia somewhat differently. The new Media Freedom Poll shows that concerns over media freedom in Slovakia are increasing significantly. While 49% of Slovaks were concerned about media freedom in 2022, this percentage has risen to 62% in 2023, which represents the highest increase among the V4 countries (Zmušková 2023a). However, it remains questionable how the respondents interpreted the term “media freedom”, since the most concerns were expressed by the voters of the ĽSNS party, which encourages distrust in the mainstream media and regularly spreads disinformation (Zmušková 2023a).

All in all, the attempts at restricting LGBTIQ rights as well as women's reproductive rights have not yet been successful, and media freedom in Slovakia has been sustained. Various attacks on minorities and the media thus remain problematic, but do not indicate democratic backsliding or hollowing of democracy in Slovakia. Instead, they undermine public satisfaction with liberal democracy, which should guarantee both minority rights and freedom of the media. Therefore, these attacks represent another piece of puzzle that helps explain the popular dissatisfaction with democracy in Slovakia.

Polarization: Covid-19, Disinformation, and Russian Aggression

The level of polarization within Slovak society has gotten worse over the past years. It started in 2020 with the Covid-19 pandemic and various conspiracy theories related to the origins of the virus as well as the vaccines against it. The conflicts between those who took the pandemic seriously and supported the vaccination and those who undermined the severity of the pandemic and refused to get vaccinated were escalating mainly on social media. According to a Slovak sociologist, Sylvia Porubánová, the topic of the Covid-19 pandemic was a polarizing force even within families and close friend circles, while a large share of the blame belongs to political actors, who used this topic to attract supporters even if it meant putting them in risk (Adamčík 2021). Some opposition politicians organized mass protests against the measures implemented because of the pandemic, and the former president of the Supreme Court, Štefan Harabin, even encouraged the protesters to take off their protective masks (Kuzmány 2021). Well-known public figures thus accelerated polarization within Slovak society during the pandemic, which was immediately followed by the war in Ukraine that increased polarization even further.

While Slovak people showed solidarity in the first weeks of the Russian aggression towards Ukraine, the war has become a polarizing topic dividing Slovak society into those who view Russia as a clear aggressor and want to help Ukraine to defend itself, and those who blame

the West and NATO for the war and do not agree with providing help to Ukraine. According to the latest opinion poll conducted by GLOBSEC (2023), 69% of Slovaks think that by providing military equipment and weapons to Ukraine, Slovakia is provoking Russia and bringing itself closer to the war, while 57% thinks that Slovakia is helping Ukraine defend itself against Russia by doing so. The situation in Slovakia also underlines the larger issues that the Central and Eastern European region faces in terms of Russian aggression and the deceptive narratives it employs. Widespread disinformation campaigns continue to impact public perception in significant ways, often leading to intensified polarization in the society. Furthermore, studies show that Slovak people are particularly prone to believe in conspiracy theories. Based on a survey conducted by the Center for Bioethics of the University of St. Cyril and Methodius in Trnava, the conspiracy index in Slovakia reaches a value of 30.27, which is one of the highest values of all countries where the survey has been carried out so far (Pravda.sk 2022). Russian propaganda relies heavily on the spread of disinformation and fake news, trying to reshape the narrative of the invasion and prove the necessity of its aggression (Gavin 2022). Therefore, Slovakia's susceptibility to disinformation and conspiracy theories is advantageous to the Russian strategy, which also explains the increased polarization within Slovak society when it comes to the war in Ukraine.

Even though the intensified polarization in Slovakia is not a sign of democratic backsliding as such, it can lead to diminished trust in public institutions and democratic processes and accelerate the hollowing of democracy. Furthermore, this trend also helps clarify the high levels of dissatisfaction with how democracy works in Slovakia, since the divide between the opposing camps is growing and creating a strong “us versus them” narrative. The trend of increasing polarization thus not only erodes public trust in democratic institutions but also radicalizes democratic processes at large.

Political Instability and Coalition Crises

Since the last parliamentary election took place in February 2020, instability and unpredictability have characterized the situation in the Slovak government. Four major coalition crises have taken place, resulting in the current non-political government of experts installed by the President, Zuzana Čaputová, after the final breakdown of the previous democratically elected government. First crisis occurred in March 2021, following a secret purchase of the Russian vaccines against Covid-19 by the ex-Prime Minister, Igor Matovič, which led to the resignation of six ministers requesting that Matovič step down (Szekeres 2021). On April 1, 2021, the President appointed the government of Prime Minister Eduard Heger, after Matovič resigned. Its composition was almost identical to the government of Igor Matovič, and the former Prime Minister Matovič became Minister of Finance and Deputy Prime Minister (Teraz.sk 2023). Second crisis happened in August and September 2022, when the ministers from the SaS party gave an ultimatum to Matovič, asking him to step down from his function again. As Matovič refused to do so, all ministers from SaS resigned and the party also officially left the governing coalition, joining the side of the opposition parties (Teraz.sk 2023). In December 2022, the ruling coalition suffered its third major setback, when the President Čaputová dismissed the government of Eduard Heger after the vote of no confidence was performed in the parliament (Teraz.sk 2023). At the same time, the government was temporarily entrusted with the performance of its function to a limited extent, until early election could take place. Finally, after another wave of ministers' resignations in May 2023, Čaputová decided to appoint a government of technocrats to run the country until the early election in September 2023 (Hajdari 2023).

While political instability and numerous crises that have dominated Slovak politics in the past few years do not imply democratic backsliding in the country, these factors can lead to the hollowing of democracy as the public becomes fed up with never-ending political

conflicts and decides to withdraw from the political sphere altogether. Furthermore, the intensification of political crises and the related unpredictability can also help explain why Slovak people are not satisfied with how democracy works in their country.

Results and Conclusion

This thesis explored the gap between Slovakia's categorization as a stable democratic country by various democracy indexes, and the high level of public dissatisfaction with how democracy functions in Slovakia. Democratic backsliding and hollowing of democracy were employed as potential theories to explain this gap, while the empirical analysis was also carried out to offer other insights and possible explanations. It was demonstrated that Slovakia is not experiencing democratic backsliding, which was backed by the evidence from the 2022 Rule of Law Report on Slovakia, comparison with Hungary and Poland regarding the elements of democratic backsliding, scholarly debate on the topic, and the empirical analysis. When comparing Slovakia with Hungary and Poland in terms of democratic backsliding, the focus was directed at the judiciary, the electoral system, and the attacks on civil society and media freedom in these countries. Drawing mainly on the Rule of Law Reports published by the European Commission on all three countries, the analysis showed that Slovakia is far from the level of democratic backsliding observed in Hungary and Poland.

With respect to the hollowing of democracy, there are some factors that point to a limited degree of hollowing in Slovakia, namely the decline in party membership, civic participation and trust in institutions. These are often pointed out by scholars, while the empirical part of this thesis also identified other issues that can lead to or intensify the hollowing of democracy in Slovakia. The first is related to the high level of polarization in Slovak society, which has recently been on the rise in the wake of the Covid-19 pandemic and Russian invasion of Ukraine. Both these events have been characterized by strong disinformation campaigns, while research shows that Slovak society is particularly prone to believe in conspiracy theories and disinformation. With a large part of the population falling for fake news about Covid-19 and the war in Ukraine, the society has become highly polarized. This trend can lead to a decreased trust in public institutions and democratic processes,

exacerbating the hollowing of democracy in Slovakia. The second aspect that can contribute to the process of hollowing is an increase of political conflicts and overall instability that has defined Slovak politics in the past few years. As citizens become overwhelmed by political crises, the likelihood of their exit from the political arena and withdrawal from relationships with political parties becomes higher, amplifying the hollowing of democracy.

Since it was concluded that Slovakia is only experiencing a limited degree of hollowing of democracy and no democratic backsliding, the gap between its high scores in democracy indexes and public dissatisfaction with democracy needs to be elucidated by other factors. This thesis identified four main explanations that stem from an empirical analysis of relevant developments and events that have taken place between 2018 and 2023. First, various high-level corruption cases came to light in recent years, while the Prosecutor General repeatedly used section 363 of the Criminal Code to drop the charges in many of these investigations. The public opinion on the level of corruption in the country has degraded as a result, contributing to higher levels of dissatisfaction with democracy in Slovakia. Second, the attacks on minority rights have intensified in the evaluated period, most often targeting the LGBTIQ community and women's reproductive rights. As minority rights are closely linked to the principles of liberal democracy, these attacks can also help explain the increased public dissatisfaction with how democracy works in Slovakia. The last two factors that have contributed to this trend over the past years include the escalation of polarization and political instability in Slovakia. These were also identified as potential drivers of the hollowing of democracy in the country, but their role in worsening the public opinion on the functioning of democracy was also significant.

Overall, the added value of the conclusions proposed in this thesis is twofold. First, when an EU country is labelled with democratic backsliding, there are severe consequences that follow. Article 7 proceedings, which were already initiated against both Hungary and Poland because of violations of fundamental rights and democratic principles, have the power

to not only halt EU funding but also introduce sanctions and remove voting rights of backsliding countries (Hervey and Livingstone 2016). A recently approved non-binding resolution of the European Parliament even questions Hungary's ability to credibly fulfil tasks related to the EU Council Presidency, which it was supposed to take over in the second half of 2024 (Liboreiro and Zsiros 2023). Due to these significant implications of Article 7 for backsliding countries in the EU, it was important to prove that Slovakia is not experiencing democratic backsliding despite what some sceptics may have suggested. Second, the critical analysis of recent developments and their role in explaining public dissatisfaction with democracy has also provided insights and implications that can be used for further research. For instance, the effect of increased polarization on the level of radicalization of political parties and their strategies could be investigated, which would be particularly interesting in the context of an upcoming parliamentary election in Slovakia.

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