10

Civil Society Resistance to Democratic Backsliding

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In democracies, violations of democratic norms are supposed to be punished by institutions or electorates. But there are limits to the guardrails that the rule of law, periodic elections, and institutional checks and balances provide for preventing democratic backsliding. Dysfunctional institutions are central to the dynamic that sets backsliding in motion in the first place: party systems that have collapsed, whose legitimacy is eroded, or are captured by societal movements (Haggard and Kaufman 2021); legislatures gripped by gridlock and division and whose authority has declined (Mickey, Levitsky, and Way 2017); electoral rules that can be manipulated or subverted (Bermeo 2016); civil servants who can be replaced (Bauer and Becker 2020); and courts that can be packed or ignored (Lane Scheppele 2018). Much of the functioning of democratic institutions depends on unwritten norms that can be pushed aside by a determined group of politicians (Levitsky and Ziblatt 2018). In short, institutions cannot always be relied upon to save democracy, as democratic backsliding is itself a manifestation of institutional dysfunction.[1]

But if institutions are uncertain and sometimes unreliable defenses against backsliding, what about the other key safeguard that democracies supposedly possess: civil society? Can robust civil society resistance (resistance from social movements, interest and advocacy groups, and ordinary citizens) reverse democratic backsliding once it has emerged?

Two answers predominate within the literature. The neo-Tocquevillian perspective views civil society as the ultimate kryptonite against backsliding – in Daron Acemoglu's words, "the lone true defense we have" (Acemoglu 2017). Active civil societies "intensify the accountability of elected leaders by both reinforcing the formal checks and balances, and imposing audience costs on

[1] In most cases, populist movements have ridden to power on a wave of dissatisfaction with traditional political parties. For a contrary view emphasizing the limited capacity of backsliding leaders to overcome the checks and balances within democratic institutions, see Weyland 2024.

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would-be democratic defectors" (Bernhard, Hicken, Reenock, and Lindberg 2020: 3).[2] They compel budding autocrats to face backlash from society, making it harder for them to recruit societal support and accomplish their goals. The darker, alternative narrative sees civil society as a cause rather than a cure for backsliding. In this account, backsliding leaders ride a wave of civil society mobilization to power and use it to maintain themselves in office; mobilized civil society represents a threat to democratic institutions, especially when society is polarized and institutions are weak (Berman 1997; Greskovits 2015).[3] Polarization and weakened institutions are closely associated with backsliding (McCoy and Somer 2019).[4] Under these circumstances, is civil society a cure for democratic backsliding or part of the disease?

In some ways, the question is unresolvable, as civil societies have represented both possibilities in various times and circumstances. As Roberts, Bunce, Pepinsky, and Riedl put it in their introduction in Chapter 1 in this volume, "civil society networks can be force multipliers that provide mobilizing resources for both democratic and autocratic political projects." But there is much we do not know about the role (and potential) of civil society for containing or reversing democratic backsliding. Schedler points to "the thinness of our comparative knowledge on possible counterstrategies to illiberal aggressions against democracy" and notes that "existing research on contemporary processes of democratic subversion does not tell us … how democratic actors might be able to stop illiberal governments before it is too late" (Schedler 2019: 5).[5]

In what follows, I develop a framework for thinking about these issues. Like others, I conceptualize backsliding democracies as an unsettled regime-type between democracy and competitive authoritarianism and explain why backsliding has been such a conducive environment for the growth of societal activism. I identify a series of dilemmas that civil society actors face in resisting backsliding. And through a variety of cases, I examine the conditions that shape civil society activism under backsliding and the roles it has played in containing or reversing autocratization. As I show, civil society resistance has been critical in restraining and reversing backsliding. But it is better able to counter backsliding when popular support for the backsliding leader has eroded and the opposition is able to work through institutions rather than having to work against them.[6] As backsliding proceeds, institutional channels for influence tend

[2] See also Michael Bernhard's Chapter 9 in this volume.

[3] See Béla Greskovits's contribution to this volume (Chapter 8) for discussion of the Hungarian case.

[4] Not all backsliding democracies are highly polarized – the Philippines under Duterte constituting an important counterexample. Nevertheless, polarization has been a critical element in fostering constituencies for backsliding leaders within democracies.

[5] Schedler (2019: 6–7) notes that "most democratic demolitions teams, like those headed by Chávez, Erdoğan, and Orbán, have faced massive street protests, to little avail."

[6] On this latter point, see Gamboa 2022.

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to deteriorate. As a result, there is a critical window during which civil society resistance stands a better chance of containing backsliding: before electoral processes and institutional constraints are captured. Once capture occurs, civil society resistance moves to the much more dangerous and difficult task of confronting rather than preventing dictatorship – where the odds of success are much lower.

10.1 REGIMES IN-BETWEEN: DEMOCRATIC BACKSLIDING AND SOCIETAL RESISTANCE

Regime-type exercises a deep effect on the organization and political engagement of society; it sets the terms and conditions under which civil societies must function and their relationship to the regimes and states that govern them. It exerts large effects on the goals, forms, timing, and outcomes of societal engagement.

For purposes of simplification, I divide the world of regimes into three types: noncompetitive autocracies; competitive authoritarian regimes; and democracies (Levitsky and Way 2010). In noncompetitive autocracies (such as military governments or one-party regimes), independent civil society is weak and subject to repression and surveillance. Accordingly, much societal resistance is disaggregated, works within the confines of the system, or articulates diminutive goals rather than confronts the regime directly. However, these constraints can shift quickly due to a political opening, a weakening of the regime, or the snowballing of challenges from below.

In competitive authoritarian regimes the electoral moment provides the most important occasions for challenge (Bunce and Wolchik 2011). In rare instances, oppositions win elections. Less rarely but still infrequently, fraudulent elections transform into protests and revolutionary uprisings. Most frequently, societal resistance is repressed. It is difficult to overthrow an authoritarian regime. The risks involved are great, and the chances of success are small.[7]

Backsliding democracies represent a different situation. While de-democratization has assumed various forms, democratic backsliding in the early twenty-first century generally occurred through incremental steps, most of which were legal and carried out within the framework of democracy, but which blurred the line between democracy and competitive authoritarianism (Mickey, Levitsky, and Way 2017: 21). In this respect, a backsliding democracy is a regime in-between, located somewhere between democracy and competitive authoritarianism. The regime has been a democracy and retains many of the features of democracy (how many depends on how far backsliding has proceeded). But democracy is under threat by a would-be autocrat, and

[7] Over the last century the odds of successful revolutionary challenge in competitive authoritarian regimes have been worse than in some types of noncompetitive autocracies (especially, military regimes). Beissinger 2022.

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the regime may ultimately come to resemble more closely competitive authoritarianism than democracy.[8] As backsliding proceeds, the democratic features of the regime grow more residual and formal. In short, in a backsliding democracy, ambiguity reigns.

Ambiguity similarly permeates regime practices under backsliding. Unlike authoritarian regimes, backsliding democracies do not engage in outright electoral fraud. Rather, they tilt the electoral game in ways favorable to the would-be autocrat. They change the size of electorates by empowering pro-incumbent diasporas to vote or denying felons the franchise. They engage in extreme gerrymandering so as to favor the incumbent party, restrict voting times to demobilize opposition voters, or place fewer polling stations in opposition districts. They weaken the constraints of courts and legislatures over executives, dilute civil liberties and freedoms in order to marginalize opposition, harass and undermine independent media, and alter term limits to perpetuate incumbents in office. These kinds of manipulations are clearly unfair, and they elicit widespread opposition. But they generally occur within the blank spaces of the law.[9] Democratic regimes exercise powers of appointment to manage principal-agent problems; backsliding regimes utilize them to pack institutions and undermine constraints on executive power. Open dissent in authoritarian regimes is marginalized, harassed, and restricted. In backsliding democracies, the personal dangers of public dissent are small at the beginning. But as these regimes slip into authoritarianism, the risks of dissent can grow considerably.

Civil society resistance to backsliding aims to block and reverse this erosion of democratic constraints and rights. In this respect, it is defensive and restorative. Democratic backsliding has on occasion provoked revolutionary uprisings.[10] But these largely occurred in countries with weak democratic traditions, were sparked by the sudden acts by executives to repress oppositions or to seize power, and materialized where institutional channels of influence were unavailable. Nevertheless, revolutions in backsliding democracies are rare. The reasons have to do with the lingering effects of two features of the democratic environment out of which backsliding emerges: constraints on majority rule, and periodic free-and-fair elections. Constraints on majority rule lessen the loser's dilemma by lowering the stakes involved in defeat. Under these conditions, losers have less to fear from losing and less

[8] Bangladesh, Turkey, Hungary, Mali (before the coups in 2020 and 2021), Nicaragua, Russia, and Venezuela represent cases in which backsliding tipped into competitive authoritarianism, though the extent to which authoritarianism remains competitive in some of these cases is questionable.

[9] Gandhi (2019) describes the strategy as "following the letter of the law to effectively change the spirit of the law." See also Bermeo 2016; Svolik 2020; Haggard and Kaufman 2021.

[10] Examples include the EDSA II Revolution in the Philippines in 2001, the 2002 Madagascar electoral protests, the 2009 Niger Constitutional Crisis, the 2013 Gezi Park Protests, the 2014 Euromaidan Revolution in Ukraine, the 2014 Burkinabe Uprising, the 2014 Venezuelan protests, the #ResignNow Uprising in Guatemala in 2015, and the 2019 revolt in Bolivia.

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reason to rise up. And free-and-fair elections render revolution unlikely by establishing strong incentives for patience within oppositions: why engage in the high-risk collective action that revolution involves when, every four or five years, oppositions have the chance to change who governs through the ballot box? Revolution presupposes a high-stakes game and an impatience that constraints on majority rule and the periodicity of free-and-fair elections undermine. But when these features of democratic life disappear (as can happen as backsliding proceeds), revolution can become more readily imaginable. Revolution, however, is a risky strategy for countering backsliding – one that can easily backfire. Should the attempt fail, it can undermine the legitimacy of the opposition and lead to further consolidation of authoritarian rule.[11] Within a polarized political environment, it incites countermobilization by supporters of the backsliding leader[12] – potentially sparking a descent into a chronic instability that can destroy the democratic project completely.[13] Thus, revolution as a response to backsliding tends to be a strategy of the truly desperate – one appropriate only for those who are permanently locked out of power and lack hope of any institutional or electoral redress.

As "regimes in-between," backsliding democracies are conducive environments for the rapid growth of social movements and mass mobilization. As prior studies tell us, mobilization and movement activity multiply at times of opportunity and threat (Goldstone and Tilly 2001). Democratic backsliding is a situation of threat for those committed to the democratic project and those targeted by backsliding regimes. Indeed, democratic backsliding has produced some of the most spectacular protest mobilizations of recent times: the US Women's March of January 2017 (with between 3 and 5.5 million participating – considered by some the largest single-day of protest in American history); the failed 2017 "Mother of All Protests" campaign against the Maduro government in Venezuela (involving 2.5 million protestors); the 2016–17 Candlelight protests against President Park Geun-hye in South Korea (with one million protesting in Seoul alone); the summer 2021 protests against Bolsonaro in Brazil (mobilizing up to 800,000); Romania's massive protests in 2017–18 against efforts to weaken rules against government corruption (involving up to half a million); the Women's Strike in Poland in fall 2020 against restrictions on abortion rights (mobilizing more than 400,000); and many others. Backsliding regimes have been conducive to the proliferation of all forms of societal activism, including protest, citizen movements, public involvement in electoral campaigns, legal mobilization in the courts, and advocacy groups seeking to contain backsliding and its impact. The resistance to Trump, for instance, began as expressive protests with the

[11] On the disastrous attempt to overthrow Chavez in Venezuela, see Gamboa 2017.

[12] The EDSA II Revolution in the Philippines, for instance, was followed by the failed EDSA III incident four months later – an attempt by Estrada's followers to seize back the state.

[13] In the Thai case, repeated mobilizations and countermobilizations in a polarized environment eventually led to the seizure of power by the military.

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inchoate goal of "pushing back against Trumpism" (Andersen 2022; Fisher 2019). It soon morphed into a profusion of civil society activism aimed at containing democratic backsliding, securing control of the Democrats over Congress, and defeating Trump at the ballot box. It combined confrontational tactics like protest with institutional tactics like voter mobilization, lobbying, information dissemination, and court challenges.[14] Backsliding is also conducive to mobilization by groups that support backsliding – both in response to opportunities for achieving policy gains and to counter the resistance to which backsliding naturally gives rise. Supporters of backsliding include numerous civil society groups (churches, trade unions, veterans' organizations, and commercial groups) who find common cause with backsliding leaders for policy gains or are drawn to their appeals (Greskovits 2015; Bernhard 2021).

What are the aims of civil society resistance to democratic backsliding? Obviously, the maximalist goal is eviction of the backsliding leader from power and reestablishment of democratic norms and procedures. Removing backsliding leaders is generally easier than overthrowing a full-fledged authoritarian regime: there are simply more channels for exercising control in a backsliding democracy than after authoritarian rule has been consolidated. Removal can occur through impeachment or vote of no confidence, at the ballot box, or as a result of direct pressure from the streets. All three paths involve significant civil society mobilization and have at times proved successful. As backsliding regimes are brought to power through the ballot box, they initially command the support of an electoral or coalitional majority. A key goal of the resistance to backsliding is to alter that situation – to undermine the regime's electoral or legislative coalition and hasten its demise. But even when oppositions are able to remove a backsliding leader through institutional means, the question still remains whether that leader will actually give up power voluntarily. Trump chose not to until forced to do so. Bolsonaro in Brazil pursued a similar strategy. Here, civil society also plays a significant role (in positive and negative ways), with supporters and opponents of backsliding mobilizing. Once a backsliding leader is removed from office, the societal problems that produced backsliding do not magically disappear. They are not simply a matter of institutional control, but are deeply embedded in society and persist beyond the tenure of any single leader, potentially returning to plague politics once more. Leader eviction is only the first step in a process of restoring democracy that is likely to stretch over many years and may never be fully resolved. But if a stable democracy is to be restored, civil society is surely part of the solution, even as it remains part of the problem. The activism that is central to undermining backsliding must be sustained beyond the removal of the leader (when a sense of urgency no longer prevails), while civil society groups associated with backsliding must be co-opted, drawn away from backsliding, or

[14] For a sense of the sheer scope of this activity, see Skocpol, Putnam, and Tervo 2020.

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marginalized. In the American context after Trump's loss at the ballot box in 2020, these proved to be extremely challenging tasks.

There is also the no less important but more minimalist goal of blocking the implementation of backsliding measures. Civil society resistance can sometimes achieve this by signaling the unpopularity of these measures. In Poland, for instance, massive mobilizations by women in fall 2016 helped to shift public opinion against proposed antiabortion laws and ultimately caused parliament to drop the legislation (Korolczuk 2016). But a onetime blocking of backsliding measures is hardly the end of the story. By 2020 the Polish Constitutional Tribunal, then under PiS control, once again tightened abortion laws, making nearly all forms of abortion illegal. This set off an even more massive wave of protest – one of the largest since the collapse of socialism. This time, however, the government refused to relent and utilized the context of the covid pandemic to repress protestors. Thus, the real question that confronts efforts by civil society to block backsliding measures is: what next? It is not a permanent solution, and ultimately the issue of power must be confronted. Indeed, in the case of Poland a coalition of pro-EU parties was able to win legislative elections in October 2023 and to wrest parliamentary control from PiS, though PiS remained in control of the presidency. The struggle for control over the direction of Polish politics continues.

10.2 DILEMMAS OF RESISTANCE TO DEMOCRATIC BACKSLIDING

While democratic backsliding is conducive to the growth of societal mobilization, there are numerous challenges faced by societal efforts to contain a descent into dictatorship. Many of these are rooted in the circumstances that evoke backsliding in the first place.

One such challenge is the electoral support that backsliding leaders enjoy. Backsliding leaders are elected by a majority (or plurality) of citizens (or, in the American case, enough voters to command control over the Electoral College). One of the challenges faced by civil society resistance to backsliding is how to reverse this and undermine the backsliding regime's electoral or legislative coalition. Economic stagnation and elite corruption can alienate elements of the regime's coalition, demobilizing them or making them potentially available for defection. But polarization greatly complicates these efforts. On the one hand, it reinforces a sense of identity within oppositions and aids in mobilizing resistance. On the other hand, it makes winning over voters from backsliding electoral coalitions more difficult and pushes oppositions toward maximizing voter turnout within their own base of support. However, this does not address (and in some respects, reinforces) the conditions of polarization that underpin backsliding in the first place (McCoy and Somer 2019).

Polarization also weakens the possibilities for a broad-based coalition in defense of democracy in early stages of backsliding. In Indonesia in the late 2010s, for instance, democratic backsliding gained momentum when civil

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society groups failed to block the regime's efforts to gut anticorruption laws. This failure by what once had been a vibrant civil society committed to democracy was due to increased polarization between secularists and Islamists, who could not cooperate to prevent this from happening (Mietzner 2021). Similarly, in Ecuador, trade unions and indigenous organizations failed to join forces to stop the growing power of Correa, with some even coming to be co-opted by the regime (Laebens and Lührmann 2021: 917–918). And in the United States many Republican-leaning advocacy groups refused to speak out (and still do not speak out) against Trump's dictatorial impulses, preferring partisan advantage to democratic defense. In short, backsliding proceeds in part because of a failure of collective action within civil society: for some sectors of civil society, the personal gains from cooperating with the would-be autocrat outweigh concerns for preservation of the democratic public good.

The polarization underpinning democratic backsliding is magnified as well by the cultural politics that are inevitably intertwined with backsliding. Issues of gender, race, immigration, and ethnic difference have been closely connected with backsliding because of the use of "traditional values" and mobilization against multiculturalism by backsliding leaders for rallying their constituents (Vachudova 2020). Homophobia, Islamophobia, opposition to gender equality and abortion rights, anti-immigration sentiment, and racist dog whistles have figured prominently in the discourse of backsliding regimes in Poland, Hungary, Turkey, the United States, Croatia, and elsewhere.[15] As a result, issues of gender and cultural difference are inevitably drawn into the resistance to backsliding, as groups attempt to protect themselves from encroachments on their rights. This entwinement of cultural politics with backsliding transforms backsliding into a symbolic politics with deeper roots in social and cultural divides, imbuing these divisions with magnified emotional power.

It also complicates the politics of coordinating opposition to backsliding. Civil society resistance to backsliding is in part restorative, aimed at the defense and recovery of democratic norms and practices. These purposes tend to appeal to more moderate opponents of backsliding. But this restorative orientation finds common cause with a wide variety of minority and progressive political groups (immigrant, racial, ethnic, gender, and environmental) who are under attack. The result is that resistance to backsliding tends to consist of a fragile alliance between those motivated simply by defense of democratic norms and a mélange of single-issue groups driven by more particular concerns. This pluralism creates significant tension within the resistance. Backsliding regimes also rely on coalitional alliances among ideological, economic, and religious voters, though these coalitions tend to be somewhat less diverse. Fragile coalitions create coordination issues and can empower radicals over moderates, leading to a politics of outbidding. This has certainly been the case

[15] See, for instance, Chapter 7 by Lindsay Mayka in this volume on this phenomenon in Latin America.

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within the Democratic and Republican parties in the United States and has been exacerbated by an electoral system that empowers minorities capable of mobilizing numbers within concentrated geographic units.

The connection of gender and cultural issues with the politics of backsliding and the entwinement of backsliding with the international system also play into the nationalist tropes brandished by backsliding leaders. In backsliding regimes "civic organizations representing disadvantaged groups … [have frequently been] framed and silenced as tools of foreign forces" (Bermeo 2016: 14), especially as the United States and the European Union have come to the defense of the rights of minorities. This foreignization of opposition to backsliding tends to be particularly salient the further backsliding processes proceed (Examples include Hungary, Poland, Russia, Turkey, and Venezuela).

Thus, resistance to backsliding can exert unintended impacts and can have the paradoxical effect of reinforcing identity among supporters of backsliding regimes.[16] It can, for instance, be utilized by backsliding regimes for purposes of destabilization and executive aggrandizement. Studies show that when protestors use disruptive tactics, behave unlawfully, or carry firearms, public support for protest plummets (Wouters 2019). Such situations can play to the advantage of backsliding regimes, allowing them to use the occasion to restrict protest and shore up public support. In Venezuela in 2000–01, for instance, confrontations on the streets between Chavez supporters and opponents escalated into violent conflicts, providing an excuse for the regime to repress the opposition (García-Guadilla 2004). Indeed, backsliding regimes often attempt to provoke violent confrontations in hope of using them to consolidate support.

In part for this reason, civil society groups struggling against backsliding have usually sought to avoid violent protest, relying instead on the power of numbers. In this respect, they present a sharp contrast with civil society groups supporting backsliding leaders, who often have embraced violent tactics. However, utilizing the power of numbers requires forging as broad an alliance as possible across a wide variety of groups, and this contains its own challenges. Such alliances are difficult to maintain over time. There can be significant frictions between left and moderate wings of the opposition that hinder cooperation and problematize electoral mobilization. The opposition to Trump, for instance, was highly fragmented. It first coalesced in the Women's March in January 2017. But due to squabbles within its leadership over racial and ethnic divisions, the Women's March movement fragmented and was never able to replicate the same success (Lang 2020). In Hungary, "links between the women's movement and wider democratization processes and protests were very weak … and remained incidental even in the context of anti-democratic

[16] For one example, note how massive anti-Islamist protests in Turkey in 2007 (coupled with institution-based efforts to contain the AKP's growing grip on the state) backfired and reinforced AKP support (Somer, McCoy, and Luke 2021).

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threats from the government." The Hungarian women's movement has been "largely disconnected from wider human rights and democratization protests," and women's rights have been "rarely backed by these groups" (Krizsan and Roggeband 2018: 96). Since the decline of labor's hegemony within the left, fragmentation has been a particular problem for left-wing parties and movements because of the variety of cultural and social issues that the left has absorbed.

The diversity that accompanies reliance on numbers is also exacerbated by the role that digital media play in the twenty-first century in coordinating civil society mobilization. Digital media excel at mobilizing large numbers across disparate groups with minimal organizational presence (Bennett and Segerberg 2013). But they dilute civil society association and have not been adept at generating the kind of strategic coordination that traditional social movement organization was able to supply.

Finally, movements seeking to halt democratic backsliding face a challenge in working through dysfunctional institutions. The resistance to backsliding normally seeks to utilize electoral processes, the courts, and legislative institutions to try to block backsliding and gain back control from backsliding leaders. But these institutions are already dysfunctional to some degree and are part of the underlying causes that brought backsliding into being in the first place. Moreover, as backsliding proceeds, the independence of these institutions is weakened. There is an urgency to civil society resistance to backsliding: action must be taken before already dysfunctional institutions have been fully compromised, for once these institutions are captured, the tactics that the opposition can utilize to contain backsliding narrow considerably.

10.3 THE LOGIC OF CIVIL SOCIETY RESISTANCE TO BACKSLIDING

There is a logic to civil society resistance to backsliding that is largely the product of two factors: (1) the degree of subversion of institutional constraints on backsliding leaders; and (2) the degree of popular support that backsliding leaders command (as refracted through institutional rules). Where a society is located in the backsliding process strongly affects the opportunities and constraints confronting the resistance to backsliding by influencing the degree to which opposition can or cannot work through institutions. As institutional constraints come to be subverted, the possibilities for working through them fade.

The degree of popular support for the backsliding leader also constitutes a separate constraint on civil society resistance by affecting the legitimacy of efforts to remove the leader and the vulnerability of backsliding leaders to electoral challenge or challenges on the streets. As cases like Hungary, Venezuela, India, the Philippines, and Serbia suggest, challenging a backsliding leader who has the allegiance of society is difficult (Bermeo 2016: 11–12). Some backsliding leaders are able to rule with low public support. As of

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2022, for instance, Turkish President Recep Tayyip Erdoğan's approval rating was 42 percent, Polish President Andrzej Duda's 40 percent, and Venezuelan President Nicolás Maduro's 15 percent.[17] Public support is necessary for backsliding leaders to gain power, and high levels of popularity insulate them from significant challenge. But as backsliding proceeds and the regime slips toward authoritarianism, institutions are often redesigned to allow leaders to maintain themselves in power even in the face of declining popularity.[18]

Still, as the popularity of the leader slips, backsliding leaders become more vulnerable to institutional and extrainstitutional challenges. In Ecuador, for instance, Presidential Rafael Correa had been largely unassailable for years, having achieved high levels of popularity due to soaring oil prices and redistributive policies, despite curtailing political freedoms. He won reelection twice and even amended the constitution so that he could hold power indefinitely. But in 2015 oil prices collapsed, the economy turned sharply negative, and Correa's popularity began to decline. In summer 2015 a controversial inheritance law proposed by Correa elicited massive protests. In response, Correa chose not to run again for president, instead passing power to his vice president, who subsequently reversed many of Correa's antidemocratic policies (Conaghan 2016).

When backsliding first materializes, politics is heavily shaped by the democratic institutional context out of which backsliding emerges and the recent election of the backsliding leader. Thus, civil society resistance to backsliding is structured by a condition of low institutional subversion/high leader popularity (cell *a* in Table 10.1). Here, institutional constraints to backsliding, though under attack, remain partially (if not wholly) available, and courts, bureaucracies, and legislatures continue to function as channels through which civil society can exercise influence. Under these circumstances civil society resistance is more likely to be channeled through institutions. But because leaders retain public allegiance, informational dissemination aimed at weakening the leader's public support becomes the dominant task of civil society resistance. Street actions may articulate demands for a leader's resignation or removal. But they have little chance of being acted upon and remain largely expressive. The 2017 Women's March, for example, called for Trump's removal but never attempted to compel his resignation. However, should the popularity of the backsliding leader slip (cell *b* in Table 10.1), the weight of civil society activism transfers to elections, impeachment, or vote of no confidence in an attempt to remove the backsliding leader from power.

[17] These figures come from https://tinyurl.com/4bfxrm4w; https://morningconsult.com/global-leader-approval/#section-2; https://tinyurl.com/yvkcdyf7.

[18] Institutional design can work in both directions. Federalism, for instance, has helped insulate civil society from backsliding governments in the United States and India, providing a foothold for opposition that has facilitated resistance.

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TABLE 10.1 *A logic of civil society resistance to democratic backsliding*

Condition	*Low institutional subversion*	*High institutional subversion*
High leader popularity	*(a)* Advocacy in support of institutional constraints, information dissemination, expressive protest	*(c)* Marginalization of oppositional activity, information dissemination, expressive protest
Low leader popularity	*(b)* Advocacy in support of institutional constraints or impeachment, electoral mobilization	*(d)* Confrontational protest on the streets, electoral mobilization

As backsliding proceeds, oppositional civil society is subjected to growing political constraints, and courts, bureaucracies, and legislatures come to function as instruments of regime rule. In this situation, civil society opposition to backsliding can grow more marginalized and isolated within the political system should the leader retain popular support (cell *c* in Table 10.1). If the "losers' dilemma" in democracies consists of the challenge of inducing compliance with electoral outcomes among those who lose or have little expectation of winning, what happens when those who support democracy are the consistent losers and permanently locked out of power by backsliding leaders who have captured institutions? In Hungary, for instance, Viktor Orbán used his majority in the National Assembly to alter the constitution, appoint loyal followers to key institutions, and rig the electoral process so that it was practically impossible to evict Fidesz from power. Once it gained a two-thirds majority in parliament, Fidesz enacted constitutional amendments to further lock in its grip on government. It eviscerated courts, seized control over universities, and forced the closure of opposition press. While Hungarian civil society has not been entirely undermined, it has been marginalized and largely tamed in the political process (Bernhard 2021; Sitter and Bakke 2019; Nagy 2016).

The Venezuelan case represents a similar situation of the marginalization of civil society resistance. Popular support for the Chavez and Maduro governments (particularly among the poor) was buoyed by Venezuela's oil-based economy, the failures of past democratic governance, and redistributive policies. The opposition engaged in multiple tactics: protest, insurrection, recall movements, electoral contestation. Only electoral competition was able to make a dent in the government's grip on power, as the opposition won a foothold in localities and in 2015 gained control over the legislature. But the government reacted by dissolving the legislature, creating an alternative parliament aligned with Maduro, and rewriting the constitution. Protests at times caused the government to postpone policy proposals, but only temporarily. While business and labor organizations were active in challenging the regime, the

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government eventually built an alternative network of civil society organizations to take their place (Hawkins 2016).

As institutional constraints on dictatorship and the quality of the electoral process grow compromised and backsliding shades into authoritarian rule, a new logic of resistance emerges that more closely resembles the politics of resistance under competitive authoritarianism. In these circumstances, opportunities for reversing backsliding hinge upon public support for the leader (Grzymala-Busse and Nalepa 2022). When institutional constraints on the backsliding leader are weak and the leader commands public allegiance, civil society resistance is marginalized and limited largely to information dissemination and expressive protest. But should support for the regime decline, politics may be pushed in the direction of a more confrontational street politics (cell *d* in Table 10.1). As in competitive authoritarian regimes, open challenges will tend to cluster around electoral campaigns, when authoritarian leaders must renew their legitimacy at the ballot box.

10.4 PATTERNS OF SUCCESS IN CIVIL SOCIETY RESISTANCE TO BACKSLIDING

Judging the influence of movements on political outcomes is difficult (Giugni 1999). Political outcomes depend upon decision-making by government actors and are the products of interactions between movements and regimes in which agency and choice play significant roles. Nevertheless, there are patterns to the outcomes of civil society resistance to democratic backsliding that reflect the larger factors that condition it.

Figure 10.1 provides a mapping of the removal of backsliding leaders across twenty-four backsliding democracies, relative to the degree of subversion of institutional constraints on leaders and the popular support that backsliding leaders commanded. The former is measured by the V-Dem horizontal accountability index (reversed),[19] while the latter measures approval ratings for leaders based on public opinion polls.[20] I have divided the figure into four quadrants analogous to the cells in Table 10.1 and indicated whether leaders were ultimately removed through institutional channels (impeachment or elections) or extrainstitutionally through protest campaigns. Most cases in which leaders were removed by impeachment or elections also involved social movements and protest campaigns; the coding here simply measures whether removal occurred through institutional or extrainstitutional channels.

[19] The index measures the power of state institutions to ensure checks between institutions and prevent abuses of power. Coppedge et al. 2022.

[20] For leaders still in power as of the end of 2022, the measurements are from that year. For those removed from power, they are for the year before removal. In Benin and Zambia, Afrobarometer data on whether the country was moving in the right direction was used.

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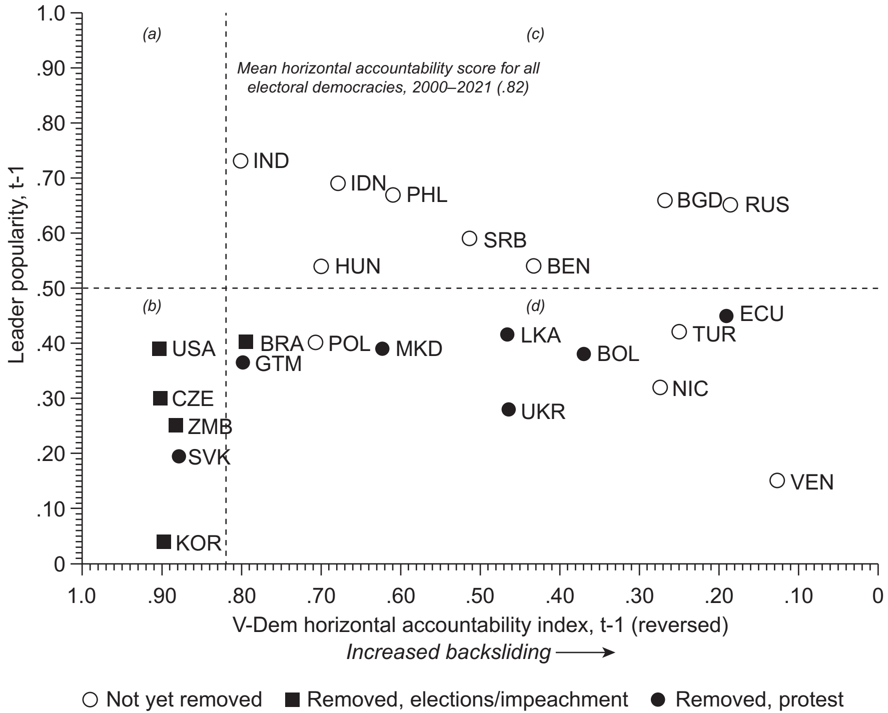

FIGURE 10.1 Horizontal accountability, leader popularity, and leader turnover in backsliding democracies (n=24).

Overall, 50 percent of backsliding leaders in the sample had been evicted from power by the end of 2022. That statistic should provide a degree of hope to those resisting backsliding. But it should also give pause: in half of these cases backsliding leaders not only survived, but on average had been in power for ten years as of 2022 (i.e., most surviving backsliding leaders were reelected at least once or twice). Nearly all of these surviving leaders faced significant waves of protest in response to backsliding, though in none was civil society able to dislodge them.[21] India, for instance, experienced massive waves of protest in response to Modi's anti-Muslim and antidemocratic measures, though these did little to dent his popularity or to stem the BJP's (Bharatiya Janata Party) course toward authoritarianism (Basu 2021). If anything, the BJP deepened its grip on institutions, seizing control over universities, attacking the judiciary,

[21] Quadrant *a* in Figure 10.1 (low institutional subversion/high public support) is empty, with most backsliding regimes falling into quadrants *c* (high institutional subversion/high public support) and *d* (high institutional subversion/low public support). As noted earlier, backsliding regimes generally begin in quadrant *a*, but as backsliding proceeds, horizontal accountability declines, pushing regimes toward quadrants *c* and *d*.

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and revising citizenship laws. Clearly, popularity (which in the case of Modi, hovered around 70 percent in 2023) insulates backsliding leaders from removal or retreat.

But as leader popularity declines, a variety of outcomes emerge. The five countries located in quadrant *b* in Figure 10.1 (low institutional subversion/low public support) had a perfect rate of success in removing backsliding leaders. Removal in these cases largely came through elections or impeachment, though civil society mobilization also played a role. For example, in the wake of a corruption scandal, massive protests forced South Korea's parliament to impeach Park Geun-hye in 2016. The president's New Frontier Party was the largest in the National Assembly and thus in theory should have been able to halt the impeachment process. But as the president's approval rating fell to 4 percent, the ruling party was itself divided, and almost half of its representatives voted for impeachment. Pressure from civil society widened regional and factional fissures within the party (Shin 2020). In Zambia, falling copper prices severely undercut the popularity of President Edgar Lungu, with record voter turnouts in the 2021 elections sweeping the opposition United Party for National Development to power and putting an end to Lungu's decade-long march toward dictatorship (Resnick 2022). Rocked by corruption scandals and with an approval rating of 30 percent, Czech Prime Minister Andrej Babiš narrowly lost his reelection bid in 2021. Babiš's party received only 2 percent less votes than in the prior parliamentary election in 2017, but as a result of a massive turnout effort by the civil society movement "Million Moments for Democracy" (which also mobilized hundreds of thousands in protests calling for Babiš's removal), 5 percent more voters participated in the elections than in 2017 (the highest turnout in Czechia since 1998) – making the crucial difference (Jurečková 2021). And in the United States in 2020, civil society movements magnified voter turnout in key states, producing the highest participation in an American election since 1960 and partially accounting for Trump's defeat.

At first glance, Slovakia may seem an anomaly: it ranked high on horizontal accountability, yet its regime was felled by protest. The murder of journalist Ján Kuciak in 2018 catalyzed huge demonstrations across the country against the government of Prime Minister Robert Fico that forced his resignation. Fico had attacked media freedoms, and Kuciak was in the midst of investigating Fico's government for embezzlement and links to organized crime. But Fico's resignation was in part a function of Slovak political institutions: His power rested on a fragile coalition of four parties, and he resigned to avoid an early election in the face of his coalition's collapse (Bakke and Sitter 2022). In short, this was a case in which protest combined with institutional accountability to evict a backsliding government.[22]

[22] Fico remained active in Slovak politics after his resignation, with the threat of his return to power continuing to hang over the polity.

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A slight majority of backsliding leaders in the sample who have been removed were evicted at least in part through extrainstitutional means. A number of backsliding leaders were able to survive declines in public support through extensive institutional manipulation. But where horizontal accountability declined and leader popularity sank (quadrant *d* in Figure 10.1), the likelihood that backsliding leaders would be challenged by significant protest increased. In the Macedonian case, for instance, massive protests took place for the resignation of Prime Minister Nikola Gruevski in May 2015 in response to accusations of electoral fraud and wiretapping the opposition. But Gruevski refused to leave, even in the face of the resignation of a number of his ministers. Eventually, the EU brokered an agreement among Macedonian parties for Gruevski to step down and new elections (which Gruevski's party lost) to be held (Ceban 2015). In the Bolivian case, accusations of electoral fraud by incumbent Evo Morales set off massive urban protests by the opposition, forcing his resignation after almost fourteen years in power. The uprising ultimately came under the control of ultraconservative forces from the Bolivian lowlands. Many of the protests turned violent, as Morales's supporters mobilized in response (Wolff 2020).

The success rate of protest actions to remove backsliding leaders is mixed. There are also cases like Daniel Ortega's Nicaragua, where thousands of protests since 2018 have been forcefully put down, leading to further consolidation of autocratic rule (Buben and Kouba 2020). Brazil, Turkey, and Venezuela also experienced large-scale protests that failed to remove backsliding leaders – leading, in the latter two cases, to further authoritarian consolidation.

10.5 CONCLUSION

Civil society mobilization has played a critical role in nearly all cases in which democratic backsliding has been contained or reversed. But in a significant number of cases, backsliding leaders have survived attempts by civil society to undermine or deter them. There is a naive belief in some circles that civil society resistance is a cure-all for backsliding – the last great hope when all else has failed. The reality is more complex. Failure is as common as success. What is often forgotten in discussions of the role of civil society in countering democratic backsliding is that civil society resistance only works when the targets to be affected (institutions and publics) are themselves vulnerable to influence.

In this respect, the early stages of backsliding (before institutions are fully subverted) are much more propitious for preventing descent into dictatorship than once authoritarian-minded leaders have consolidated their grip over institutions. However, leaders often command public support in these early stages, and that problematizes efforts to hold backsliding leaders accountable. The more institutions come to be captured by backsliding leaders, the less likely

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civil society resistance can counter de-democratization. In these circumstances, success, when it does occur, depends on an erosion of public support for backsliding leaders. But even here, backsliding leaders have sometimes survived lack of popularity by insulating themselves from society through institutional manipulations and increased reliance on force.

In short, civil society is not a cure-all for the ills of contemporary democracies. It is often deeply polarized, and among opponents of backsliding there are problems of coordination across diverse factions. Working through dysfunctional institutions is difficult. But working against captured institutions is even more challenging.

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