

Do strong institutions discourage democratic backsliding? Case-analysis of Venezuela and Poland

Julia Ferro

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Introduction:

In the past few decades, a wave of democratic backsliding has washed over multiple political regimes. The tendency of democracies to gradually reduce their civil liberties and freedoms has taken predominance, rejecting the exponential transition made during the 1970s and 1990s where “at least 30 countries made transitions to democracy, just about doubling the number of democratic governments in the world.”¹ The motivations behind democratic backsliding lie in each country’s historical context, institutions, and repressive mechanisms. Political parties are determining our democracies by prioritizing “what shows, and ignoring or undermining democratic rights and institutions that are less visible.”² Venezuela and Poland have experienced the effect of democratic backsliding in the past years, resulting in an authoritarian regime for Venezuela, and a reduction in judicial independence and freedom of media in the case of Poland.

The gradual decline within both systems has differed as Venezuela’s authoritarian system has rapidly established through electoral control and repressive executive procedures, while Poland’s democracy has experienced a more gradual backslide through EU oversight, showing how the resilience of institutions plays a central factor in this democratic crumble. Understanding the reasoning behind this behavior threat is crucial to anticipate the government’s future in both countries.

Background:

Democratic backsliding is a process of “state-led debilitation or elimination of any of the political institutions that sustain an existing democracy.”³ According to Nancy Bermeo (2016), it is a more subtle process than a completely instant breakdown of democracy, it is the gradual erosion of democratic liberties and safeguards until its total dismantling.⁴ During the beginning of the 1970s, we saw a “third wave” of democratic expansion. However, the 21st century has witnessed a reversal. This decline of democratic norms has been driven by the constant tension between populism, polarization, and weak institutions, accelerating the degree of backsliding in the political situations of Venezuela and Poland differently.⁵

¹ Huntington, Samuel. 1991. “Democracy’s Third Wave.”

<https://www.ned.org/docs/Samuel-P-Huntington-Democracy-Third-Wave.pdf>.

² Mechkova, Valeriya, Anna Lüthmann, and Staffan I. Lindberg. 2017. “How Much Democratic Backsliding?” *Journal of Democracy* 28 (4): 162–69.

³ Bermeo, Nancy. 2016. “On Democratic Backsliding.” *Journal of Democracy*. (2016). <https://www.journalofdemocracy.org/articles/on-democratic-backsliding/>.

⁴ Ibid.

⁵ Huntington, Samuel. 1991. “Democracy’s Third Wave.”

<https://www.ned.org/docs/Samuel-P-Huntington-Democracy-Third-Wave.pdf>.

The case of Venezuela greatly represents the very nature of the backsliding progress. Venezuela had stable institutions; nevertheless, it was with the presidency of Hugo Chávez in 1999, that “one of the conditions of minimal democracy” was not met, which is to conduct fair and just elections for the executive and legislative branches.”⁶ The promise that Chavez installed socialist reforms to address inequality subtly backfired into electoral instability resulting in a total of 24 elections for the presidency, the legislature, sub-national offices, constituent assemblies, and even referenda being manipulated. It was consolidated by conducting electoral irregularities, reducing judicial independence, and limiting freedom of expression by controlling the press.⁷

On the other hand, post-Soviet Poland after joining multilateral treaties became “the only Visegrád economy to avoid an economic downturn after the global financial crisis in 2008–10.”⁸ The success of its economic growth compared to its neighboring countries originates from multiple reforms that “eliminated subsidies to loss-making state-owned enterprises (SOEs), introduced bankruptcy procedures for such firms, enacted rules against the monetization of budget deficits, and instituted positive real interest rates and rules against the extension of loans to non-performing SOEs.”⁹ However, in 2015, it began experiencing democratic erosion due to the Law and Justice Party (PiS), which, through judicial reforms, reduced the independence of the judicial branch and gained power. This created tension with the EU institutions that Poland forms part of as the reforms underscore democratic measures, which consequently decelerates the democratic backsliding in the country, preventing a transition to authoritarianism such as happened in the case of Venezuela.¹⁰

Analysis:

The pace of the democratic backsliding of these two countries determined their outcome. While Venezuela under Hugo Chávez's rule rapidly became more authoritarian, Poland avoided this complete collapse, thanks to the European Union's oversight. Since 1999, Venezuela has experienced electoral disparities that have contributed to the fragmentation of the political opposition in the country as well as the

⁶ Corrales, Javier. 2020. “Democratic Backsliding through Electoral Irregularities: The Case of Venezuela.” *European Review of Latin American and Caribbean Studies / Revista Europea de Estudios Latinoamericanos Y Del Caribe*, no. 109: 41–65. <https://www.jstor.org/stable/26936902>.

⁷ Ibid.

⁸ ROHAC, DALIBOR. 2016. “Is New Europe Backsliding?: POLAND, HUNGARY, SLOVAKIA, and the CZECH REPUBLIC 25 YEARS after COMMUNISM.” Jstor. American Enterprise Institute. <https://www.jstor.org/stable/resrep03266>.

⁹ Ibid.

¹⁰ Ibid.

assurance of power for the one in office. The corruption in the electoral system “increased every time the ruling party felt more electorally threatened”¹¹ which contributed to the levels of mistrust in political leaders, as they are no longer held accountable for their actions. Venezuela experiences problems on the day of voting and in the campaign process, however, these irregularities “are not so much those that occur on voting day (such as fraud), but rather those that can occur in the period before and after voting day.”¹² By hindering one of democracy’s core aspects: fair elections, the country became a consolidated authoritarian state under Hugo Chávez from 1999 to 2013, and Nicolás Maduro from 2013 until now. Over time, the administration in both presidencies has been able to have full executive control over other branches of government (i.e. military or judiciary) by repressing their opposition by exile, imprisonment, or disqualifying them from elections. This has provoked a severe economic and social burden on the population, such as extreme poverty or migrations, which have led to a “cumulus of irregularities that get entrenched in the system and carried over into the next electoral cycle” where “the regime can no longer qualify as democracy.”¹³

In Poland, the scope of their democratic stability has fallen into a grey area after the rise of the PiS. The new policy changes have included the “takeover of all levels of public administration—including publicly owned companies, media, and the intelligence service” as well as have tried to put into question the “role of the Constitutional Tribunal, leading to a standoff with the EU institutions that prompted the European Commission to launch formal proceedings within the EU’s Rule of Law framework.”¹⁴ The latter has made the EU reluctant to decide whether Poland is following the rule of law standards that qualify its membership. Taking into account other Central European countries, Poland has made public multiple “acts of corruption” that “have been systematically persecuted.”¹⁵ For instance, the Statistics Bureau and the Ministry of the Interior, among other branches of government, purchased computers and information technology systems, which led to the identification of the Polish Anti-Corruption Bureau (CBA) of an enormous amount of corruption that led to “resignation of the head of the Statistics Bureau and

¹¹ Corrales, Javier. 2020. “Democratic Backsliding through Electoral Irregularities: The Case of Venezuela.” *European Review of Latin American and Caribbean Studies / Revista Europea de Estudios Latinoamericanos Y Del Caribe*, no. 109: 41–65. <https://www.jstor.org/stable/26936902>.

¹² *Ibid.*

¹³ *Ibid.*

¹⁴ ROHAC, DALIBOR. 2016. “Is New Europe Backsliding?: POLAND, HUNGARY, SLOVAKIA, and the CZECH REPUBLIC 25 YEARS after COMMUNISM.” Jstor. American Enterprise Institute. <https://www.jstor.org/stable/resrep03266>.

¹⁵ *Ibid.*

investigation of dozens of public officials,”¹⁶ showing how corruption in Poland were not isolated incidents but rather part of a broader behavior within the public administration.¹⁷

Both of these countries' processes of democratic backsliding have led to multiple implications for their global status. The electoral corruption in Venezuela has affected the country, which has led to an increase in migrations creating pressure on neighboring countries to handle the movement of Venezuelans.¹⁸ As Western countries do not provide sufficient intervention or influence, and internal resistance becomes more difficult, the authoritarian regime will be persistent. On the other hand, in October 2023, the opposition political party led by Donald Tusk won parliamentary elections ending eight years of PiS dominance.¹⁹ This event has opened the possibility of the recovery of liberal democracy in the region; nevertheless, due to the weakness of democratic institutions, this process will be complex and gradual.²⁰ Poland's political situation shows how through intervention, institutional reforms, and public opinion, democratic backsliding is reduced, which raises the question of whether Venezuela would benefit from this to become as stable as before.

Policy Solutions

The new electoral results in Poland leave room for the possibility of new reforms that will change the path of democratic erosion it has been involved in. As the main issue they have experienced was due to the influence of the PiS executive in the country's judicial independence, the implementation of constitutional constraints in order to prevent this will be helpful. For instance, the installation of independent judicial councils in charge of the selection process of judges could ensure meritocracy rather than political affiliation. In conjunction with internal reforms, the EU could strengthen the rule of law by investing in Poland's judicial stability, or through economic sanctions rather than legislative proceedings that grant governments the likelihood to stop these reforms.

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ Corrales, Javier. 2020. “Democratic Backsliding through Electoral Irregularities: The Case of Venezuela.” *European Review of Latin American and Caribbean Studies / Revista Europea de Estudios Latinoamericanos Y Del Caribe*, no. 109: 41–65. <https://www.jstor.org/stable/26936902>.

¹⁹ Holesch, Adam , and Camil Ungureanu. 2023. “Poland's Democratic Comeback and the Spectre of National Populism.” CIDOB. Barcelona Centre for International Affairs. 2023. <https://www.cidob.org/en/publications/polands-democratic-comeback-and-spectre-national-populism>.

²⁰ Ibid.

Venezuela's main form of backlash was in its electoral system manipulated by the executive. If automatic voter registration was implemented, the possibility of reducing corruption could be higher. Other policies that will help Venezuela in its path of ensuring freedoms are to stop silencing the press or to sanction corrupt politicians individually, rather than the country as a whole, for instance, by freezing their foreign assets. The Organization of American States (OAS) could supervise taking an active role in the political stability of the country. Other forms of international support could increase the internal opposition to these threads of corruption by denouncing the imprisonment or exile of politicians who aim to restore Venezuela's freedoms.

Conclusion

The preservation of democracy in our regimes can be threatened if the accountability of our leaders and democratic values are not underscored. The cases of Venezuela and Poland show how institutional resilience can indeed alter the course of democratic backsliding with the help of international cooperation and civil society. If Venezuela had stronger institutions, its authoritarianism would not have lasted. At the same time, its lack of international oversight has allowed the authoritarian government to suppress its opposition without consequences, which consequently has led the public to feel repressed in denouncing these actions. Understanding the differences in outcomes between these is crucial in understanding the divergences in our countries, showing the different degrees that democratic backsliding can impose. In order to prevent the unprotection of our democracies, a three-way proactive behavior needs to be guaranteed: citizens must hold leaders accountable, governments need to safeguard institutions, and international organizations need to enhance freedom, the rule of law, and liberty.

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