The Bumpy Road of Civil Society in the New Member States: From State Capture to the Renewal of Civil Society

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Abstract: *This theoretical paper discusses the controversial development of civil society in the new member states (NMS) over a quarter century of systemic change and after 10 years of EU membership. In doing so, it attempts to elaborate a new conceptual framework for the decline of top-down democracy and the return to democratisation as a bottom-up process. This study of the bumpy course of NMS civil society analyses the gap between large formal legal institutions and small local informal ones and emphasises the need for participatory democracy if democracy in the NMS is to be sustainable. In fact, in this quarter century, two faces of informal institutions have emerged, reflecting the tension between genuine civil society organisations and large corrupt clientele networks. The mass emergence of these “negative” informal institutions has led to a situation of state capture and a democratic façade often analysed in the NMS academic literature. The study concludes that after the political and policy-learning processes of the last 25 years, there are now some signs of a participatory turn in the bottom-up process of NMS democratisation.*

Keywords: *decline of democracy, formal and informal institutions, state capture, democracy-supporting civil organisations, social activism, participatory turn*

Introduction: The Decline of Democracy and the Absence of Participatory Democracy

The backsliding of New Member State (NMS) democracies has been described and documented extensively in the publications of large international ranking agencies like Bertelsmann’s *Next Generation Democracy Report* (Bertelsmann 2015: 8, 16, 23) and *The Economist’s Democracy Index 2014* (EIU 2015: 2, 18, 22). This process has been comprehensively analysed and assessed in the recent academic literature from the perspectives of both 25 years of systemic change and 10 years of EU membership (see primarily Blokker 2013; Rupnik – Zielonka

2013; Banac 2014; Epstein – Jacoby 2014). This paper expresses a deep concern with the present decline of democracy in the NMS and puts a special focus on informal civil society institutions and the role of participatory democracy in democracy-building. ‘New democracies in crisis’ (Blokker 2013) are analysed in terms of their general features in the NMS, and this study concludes with new perspectives on the renewal of civil society. Both ranking agencies and academic overviews have emphasised that the NMS countries have the same historical trajectory of declining democracy and catch-up-related defects (European Catch-Up Index 2014). At the same time, there are greatly divergent patterns in the developments in the individual member states from Poland to Hungary.¹

The decline of democracy can be described most simply – as the EIU does – by contrasting formal and substantive (“informal”) democracy. This weakness of democracy in the NMS has become more and more evident in the broad databases of ranking agencies as the split between formal and informal institutions has been exposed over time. As the *Democracy Index 2014* notes: ‘Democracy has also been eroded across east-central Europe. [...] [A]lthough formal democracy [is] in place in the region, much of the substance of democracy, including [a] political culture based on trust, is absent’ (EIU 2015: 22). In the past, the old institutionalisms focused on formal institutions, applying “legalism” in a normative analysis, but the new institutionalisms have emphasised the social and cultural embeddedness of patterns of development for institutional change. There has been a hidden agenda, as Douglass North indicated at the very start of the NMS democratisations: ‘Although formal rules may change overnight as the result of political or judicial decision[s], informal constraints embodied in customs, traditions and codes of conduct are much more impervious to deliberate policies. These cultural constraints not only connect the past with the present and future, but also provide us with a key to explaining the path of historical change’ (North 1990: 6).

The twin processes of Europeanisation and democratisation in the NMS meant the initial creation of large formal institutions in the checks-and-balances system followed by institutional transfers from the EU. In order to secure formal membership, the NMS countries established all EU *formal* institutions, but they have not yet set up the proper *informal* institutions for civil society. This twin institution-building system has created formal institutions for (party) *competition* in the emerging NMS democracies, but only brought some of the

1 As a European Science Foundation (ESF) Forward Look research project on the NMS region points out, there is an urgent need for ‘a conceptual breakthrough in terms of better framing the overall context of societal developments’ (ESF 2012: 12). In the mainstream literature, Poland represents the best case scenario for the NMS while Hungary is the worst case scenario. Still, as Rupnik and Zielonka (2013) demonstrate, the common historical trajectory can be seen to produce negative informal institutions in both cases. For more information about these informal organisations and the civil sector, see EEA and Norway Grants Report (2014) Mid-Term Evaluation of the NGO Programmes under the EEA and Norway Grants (2009–2014), Part Two, Country Reports (e.g. Hungary pp. 28–47 and Poland pp. 95–119).

opportunities for (citizen) *participation* that could exist today if proper informal – mobilising and supporting – institutions for patterns of civic political culture had also been established in this process. It has been assumed that the creation of big formal institutions accomplished the transition to democracy so that the NMS countries became and would stay democratic. In fact, classic democracy-supporting informal institutions were not completed in the first decades of democratisation, and they are still rather weak. Large Western constitutional institutions have been transferred to the NMS without the relevant socio-cultural environments, i.e. without proper social embedding. Sustainable democracies have, hence, not yet emerged in the NMS region since meaningful political participation remains missing in these states (see Demetriou 2013 for NMS country chapters).²

From Clientele Networks to State Capture: The Façade of Democracy in the NMS

The disparity between formal and informal institutions has long been one of the issues neglected by theorists. The first quarter century of democratisation has shown that establishing big formal institutions in the young NMS democracies is far easier than creating the corresponding/supporting small informal institutions of civil society. Analysing Eastern enlargement, Heather Grabbe (2006: 36) distinguished early on between the ‘hard policy transfer’ of formal institutions and the ‘soft policy transfer’ of ideas, norms and attitudes from the EU and also raised the issue of the balanced relationship between them. The democratisation process in the NMS has, however, proved to be far more controversial than expected since it has produced a shocking asymmetry between formal and informal institutions and ultimately even the big formal institutions have become increasingly eroded. To some extent, they have become a legal façade for these Potemkin democracies albeit in very different ways across the NMS countries. As Antoaneta Dimitrova argues, ‘If formal and informal rules remain different and do not align, institutionalization will not take place,’ and the large formal institutions will turn out to be ‘empty shells without substance’ (2010: 138–139).³

2 There is no space in this study to analyse the socio-economic processes leading to the decline of democracies in the NMS, but this “triple crisis” has been the focus of my past publications (e.g. Ágh 2013 b and 2014a,b). I have also described the NMS democratisation based on the large database of international ranking agencies concerning good democracy and good governance; see Ágh 2013a.

3 Given the extensive literature on civil society, it is sufficient here to refer to the recent comprehensive overview by Heidbreder (2012). This long report also discusses the impact of EU membership on NMS civil society and concludes that the latter has not yet followed the EU’s participatory turn (Heidbreder 2012: 9–11). Thamy Pogrebinski (2014: 55, 58) notes that “[h]igher demands for participation lead to higher political dissatisfaction when institutions do not properly accommodate them’ and adds that this produces a situation of ‘misalignment of citizens’ demands and political institutions’ supply.’

In fact, formal institutions have not worked properly in the absence of a vibrant civil society and deeply ingrained democratic norms. The NMS academic literature has therefore expressed increasing warnings about the erosion of formal institutions. Many analysts have pointed out that definitions of democracy based on the “procedural minimum” for the operation of big formal institutions have limited explanatory power. Summarising the experiences of the first years of EU membership, Paul Blokker (2013), thus, concludes that the EU has prioritised formal institutions related to the rule of law while overlooking the ‘sociological-substantive dimension to the building of constitutional democracy.’ Blokker has reiterated the distinction between formal and informal institutions in terms of legal constitutionalism and civic constitutionalism. He has also emphasised that the latter is the ‘dimension that involves democratic learning and deliberation, as well as engagement and participation’ (2013: 2). Similarly, Lise Herman has analysed the erosion of NMS democracies from the standpoint of party-citizen dynamics and the socialising role of parties. She concludes that a ‘culturalist’ theory of democracy is needed based on a comprehensive analysis of civil society that properly describes the process of democratic consolidation; the latter should have been a process of radical cultural change for a real participatory turn (Herman 2015: 14–17). Democratic political learning through cognitive change among NMS populations, thus, turns out to be the main precondition for sustainable democratisation. In contrast, earlier mainstream theories have been unable to properly explain the current decline of democracy in the NMS because they have usually favoured a minimalist concept of democracy. As such, they have considered the creation of an institutional façade to be sufficient for the establishment of sustainable democracy.

Today, these arguments for “minimum democracy” are resurfacing in many NMS countries – and also among EU authorities – as a means of conflict avoidance. Even more significantly, political elites in some NMS countries have sought out the ideological protection of these minimalist theories in order to market their eroding democracies with authoritarian features as full democracies at home and abroad, as in the case of Hungary. In fact, in the historical trajectory of the NMS, two types of informal institutions have developed with democratic and autocratic variations. Some negative informal institutions such as clientele corruption networks have arisen gradually in the NMS and even become dominant, and thus, varieties of Potemkin democracy have emerged. It is only now finally – in response to this distortion of democratisation – that new forms of democracy-supporting informal institutions have been activated via citizens’ resistance; they are substitutes for the declining/weakening large formal democratic institutions that are discussed below.

This process of voiding NMS democracy through the weaknesses of “positive,” democracy-supporting informal institutions and the emergence of “negative,” clientele-based informal institutions has been outlined by Rupnik and

Zielonka (2013). They offer a fresh approach to the history of democratisation by focusing on the conceptual framework of negative informal institutions and identifying a special NMS-type of these institutions in the comprehensive system of “closed” party patronage (see also Kopecky 2012). Non-transparent and corrupt clientele networks between the political and economic spheres have undermined the big formal institutions, and thus, been responsible for declining democracy. The overview offered by this comprehensive analysis also leads to the well-known theory of state/agency capture (see, e.g., Innes 2014) since it widens the picture of democracy’s decline and draws attention to the process of oligarchisation in the NMS.⁴

In explaining the reasons for the ‘democratic regression,’ Rupnik and Zielonka (2013) place the contrast between formal and informal institutions at the centre of their analysis. They consider that to date, ‘political scientists have devoted considerable attention to the study of formal institutions in the region such as parties, parliaments and courts. However, informal institutions and practices appear to be equally important in shaping and in some cases eroding democracy, and we know little about them’ (Rupnik – Zielonka 2013: 3). In fact, there is more and more of a ‘gap between the institutional design and actual political practices,’ and hence, no sustainable democracy has emerged (Rupnik – Zielonka 2013: 7). These authors also point out the weaknesses of past assessments by noting the simple fact that political debates across the NMS region have omitted ‘the role of informal politics in undermining formal laws and institutions’ even though formal democratic institutions ‘perform differently in different political cultures because of informal codes and habits’ (Rupnik – Zielonka 2013: 12). They summarise the historical course of NMS countries as a road from democratic transition to ‘democratic regression.’ These countries embarked on their democratic transition in the ’90s, and while they were considered consolidated democracies in the 2000s when they joined the EU, they have since slid back in a democratic regression. In sum, ‘[o]ver years, students of Central and Eastern Europe have acquired a comprehensive set of data on formal laws and institutions, but their knowledge of informal rules, arrangements, and networks is rudimentary at best.’ The reason for the backsliding of democracy is, then, that ‘informal practices and structures are particularly potent [in] Central and Eastern Europe because of the relative weakness of formal practices. Informal practices and networks gain importance when the state is weak, political institutions are undeveloped, and the law is full of loopholes and contradictions.’ All in all, ‘cultural anthropologists are

4 The distortion of civil society may take several forms (see Amnesty International 2015). There is a vast academic literature about ‘uncivil society’ and/or ‘bad civil society.’ The present study refers to the “negative” corrupt clientele networks that have prevailed over the “positive,” democracy-supporting informal institutions in the NMS. These types of negative informal institutions have been analysed extensively by Rupnik and Zielonka (2013) while Innes (2014) sets out a theory of state capture.

probably more suited than political scientists to study social networks' (Rupnik – Zielonka 2013: 13, 14).

Thus, the new NMS literature has generally described the decline of democracy within a conceptual framework of oligarchisation, corruption networks and state capture as a historical trajectory 'from corruption to state capture' (Corruption Research Centre ACRN-CRCB 2015; see also EC 2014). Oligarchs' informal and corrupt clientele networks have produced a new kind of political system by turning big formal institutions into "sand castles" built on moving sand or, to a great extent, a façade, i.e. by reducing this new political system to some kind of Potemkin democracy. Corruption in the NMS is not a marginal phenomenon, but the very essence of the kleptocracy system in the "normal" workings of a Potemkin democracy. This system of power is, in fact, based on the joining of political and business groups in a fusion of economics and politics. These social clientele networks can be likened to a modernised system of "feudal" dependence or "vassalage," or to some kind of subordination pyramid providing mutual support and protection in exchange for certain privileges. In this kleptocratic system, the "vassals," clients or subordinates are organised into a large, nationwide political family. In this perverse world, everything is "legal," including corruption through public tenders since the rule of law has been turned into the "law of rule" or "rule by law." The politico-administrative elite have merged – or at least have been "synchronised" – with the oligarchical business elite to form a unified politico-business elite, who have legislated accordingly to make all their actions "legal." Following the tradition in the southern member states, European transfers in the NMS have been diverted from their original functions and mostly been distributed among the most influential oligarchs. The regulations on EU transfers have not disturbed these clientele networks, which have been completely adapted to suit this system, and thus, with the EU transfers, they have not only survived but also blossomed (Roth 2014).

Although the tensions between short-term "*responsive*" and long-term "*responsible*" government profiles have also appeared in advanced democracies (Bardi et al. 2014), blatant populism and the lack of a long-term strategy have caused far bigger distortions in the declining NMS democracies than in the West since these Central European countries have a long historical tradition as over-centralised states. Furthermore, this chaotic democracy in which the weak state fails to control parallel and complex socio-economic processes has also caused much "collateral damage" incidental to the intended target. Above all, this has produced unprecedented legal uncertainty due to the quickly changing short-term interests of clientele networks as well as the administrative incapacity of the politico-business elite, who have relied on strict political loyalty over professional selection processes. The practices of NMS governments and state administrations have indeed demonstrated the direct and close correlation

between the decline of democracy and poor governance (European Catch-Up Index 2014).

These deficiencies of declining democracies can be described – and measured – in terms of the classic twins of competition and participation. At the present stage of these declining democracies, competition has been restricted to parliamentary and municipal elections among party elites where there is relatively low participation, while in most cases, participation has been reduced to electoral participation. Competition has been eroded by the high level of apathy and the lack of state transparency. Citizens have remained without the meaningful information and strong motivation needed for proper action in the elections, let alone for non-electoral civic activities. Thus, in the NMS, there has been a complete absence of genuine participatory democracy after a quarter century of Europeanisation and democratisation. The democratisation of the NMS has so far followed a *top-down* historical trajectory that was not completed on the first try and has to be changed into *bottom-up* democratisation on the second try. Since formal democratic institutions have been incapacitated and democratic parties have proven elitist, democratic innovations must aim to elaborate this bottom-up democratisation strategy in order to renew the NMS democracies.

The “Western Fallacy,” or a Simplistic Modernisation Theory for the NMS

Europeanisation and democratisation have often been called the Westernisation of the NMS, and rightly so since the NMS countries have wanted not only to catch up with the West in socio-economic terms, but also to create a democratic order following the Western model of democracy. This model is consensual according to both the majority of these populations and analysts in the NMS, but the real problem is how to get there. The major difficulty is the existence of a particular “Western fallacy” in the simplified modernisation theory applied to the NMS that presupposes a virtuous circle of legal-political, socio-economic and cultural-civic developments. This fallacy has been embraced by many NMS analysts and politicians since it has provided an easy, quick and optimistic model. This evolutionary model of copying the “West” in the “East” through “blueprint thinking” has assumed that the West offers not only a model of democracy, but also a road map leading to this model. From a socio-economic standpoint, this notion of the “Western Road” in the East presupposes that there is sustainable economic growth, which generates sustainable social development (leading to a strong middle-class and solving the problems of social inclusion) and that the ensuing prosperity creates sustainable participatory democratisation. Similarly, from a legal-political perspective, the idea is that the establishment of formal institutions generates strong informal institutions and so this mature civil society plays its proper role in mobilising citizens to control and balance the state.

As early as the 1990s, Ernest Gellner emphasised the importance of participatory democracy featuring a vibrant civil society for the new democracies. He therefore warned against viewing civil society as a space of atomised individuals:

Atlantic society is endowed with Civil Society and on the whole, at any rate since 1945, it has enjoyed it without giving much or any thought. Much contemporary social theory takes it for granted in an almost comic manner: it simply starts out with the assumption of an unconstrained and secular individual, unhampered by sociological or theological bonds, freely choosing his aims, and reaching some agreement concerning social order with his fellows. In this manner, Civil Society is simply presupposed as some kind of inherent attribute of the human condition (Gellner 1996: 10).

Despite this warning, proponents of an Eastern carbon copy of the “Western Road” in the NMS have suggested that democracy will work properly after the establishing of formal institutions that will solve the problems in a virtuous circle of political-legal, socio-economic and cultural systemic changes supporting each other, even in the short term, in a sequence of positive, reinforcing feedback. However, this conceptual framework has proven false for the “Eastern Road” because it has taken into consideration neither the specific problems of the NMS’ local/regional path dependence nor the negative externalities of the EU and globalisation. Earlier mainstream literature assumed that the formal institutions would “automatically” create informal ones in a positive spiral. In fact, however, a negative spiral has been set in motion in which the absence of informal institutions has eroded the formal ones. Moreover, civil organisations and civic attitudes have themselves been weakened by a series of socio-economic crises in the NMS, and some negative informal institutions have also been organised by politico-business clientele networks.

Nevertheless, thanks to the re-emerging role of “epistemic communities” of political analysts, recent democratic innovations have elaborated a new conceptual framework. This concept has relied on the analysis of social capital and trust in political institutions – matters that were neglected in NMS theories in the long era of strict optimism. The basic argument is that due to their inherited mental structures, people act habitually, and, in particular, their learned behaviours are cognitive templates representing specific informal institutions. Trust enables and facilitates cooperation, especially in conditions of uncertainty or rapid change. However, trust may also be destroyed by negative experiences; it may turn into distrust, suspicion or even hatred. In “low-trust societies,” trust is predominantly embedded in personalised relationships and informal social networks, while in “high-trust societies,” systemic or generalised trust is more developed and present in both public and private institutions and organisations. Essentially, in low-trust societies, there is a clear-cut separation between private and public. The

private space is one of security, trustworthiness and solidarity, whereas the public one is perceived as a dangerous and hostile arena of uncertainty. In the terms of Robert Putnam, bonding social capital (which is inward and person-oriented) and bridging social capital (which is outward and institution-oriented) must be distinguished. In these societies, bridging social capital is blocked by reciprocal suspicions, and it cannot reduce uncertainty and provide predictability; bonding social capital, on the other hand, is restrained by the legacies of private networks and closed communities due to the long and hostile history of oppressive statehood (see the extensive literature on this issue noted in Roth 2014).

Based on these inherited informal rules and institutions and reinforced to a great extent by the negative effects of the global crisis, a low level of trust in public institutions and politicians is very typical in the NMS. According to all the data, the NMS countries are, in fact, “low trust societies”; in the World Economic Forum rankings, Bulgaria, thus, ranks 130th, Croatia 124th, Czech Republic 138th, Hungary 113th, Poland 101st, Romania 109th and Slovakia 121st while Slovenia is in 133rd place (WEF 2014). In fact, in the formally EU-integrated NMS societies, the interplay of newly established Western-type formal institutions and old Eastern-type informal institutions produces major institutional dysfunctions. In the thicker definition of inclusive institutions, path dependency and the inertia of the institutions and behaviours have played very important roles alongside the destructive impact of socio-economic crises. Thus, a sophisticated process-tracing of the institutional setting is needed in order to explore critical junctures and punctuated developments and capture the rapid bursts of institutional change on EU accession and subsequent long stasis during membership. Even more significantly, since the 2000s, the new institutional set-up has generated an institutional drift away from the Western model towards some kind of “crony capitalism” accompanied by systemic corruption and renewed authoritarianism, as can now be best observed in Hungary.

Consolidation theories of the 2000s presupposed that the NMS had reached a point of no return since the civic culture was developed and embedded enough to ensure a certain resistance to crisis. But developments since the late 2000s have proved that instead of consolidation, there is a pattern of recurring crises in this region. This is partly due to the global crisis that has seriously hit the NMS, but mostly because of the inherent weaknesses of civil society since there has not been adequate societal resistance to the authoritarian turn represented by the clientele networks discussed above. Western Road theorists have ignored both the impact of socio-economic crises and the negative feedback between economic, social and political systemic changes, which undercut each other. Since the 2010s, their sunny-side narrative has increasingly turned into a dark-side narrative in the academic literature evaluating the last quarter century. Socio-economic crises have had a detrimental effect on both democratic norms

and the EU identity of the NMS populations, and hence, the old narrative has lost its analytical value.

All in all, the Western fallacy of easy and rapid democratisation through the establishing of big formal institutions has been confirmed to be not only false but also misleading for the NMS. The transfer of EU institutions has not generated the predicted automatism since inherited social networks – based on former non-democratic habits and practices – have prevailed and been increasingly activated by successive socio-economic crises over the last quarter century. Neither domestic democratic forces nor EU authorities have prevented the development of these negative informal institutions, and the result has been not only state capture, but also the “capture” of EU transfers by domestic oligarchs to a great extent. The decline of democracy began in the chaos of the ’90s when emerging weak democratic states could not control multidimensional – political, economic, social and cultural – transformations. Moreover, the pressure of global crisis has also weakened the NMS, and the ensuing state capture by these powerful politico-business elites has been accomplished by maintaining a democratic façade, with some kind of oligarchic rule behind it. The “law of rule” or “rule by law,” which replaces the rule of law, has created a legislative façade and non-transparent world to cover up corrupt business networks and the illegitimate political actions of the politico-business elite. These activities inside closed, negative informal organisations cannot be seen by “outsiders” and so both the abuse of political power and increasing wealth of oligarchs are mostly hidden from the population at large. It is no accident that transparency is the main weapon of the democracy-supporting organisations that are removing the pseudo-democratic façade and discovering the kleptocratic-clientelistic system behind it.

Conclusion: Civil Society-based Democratisation in the NMS as a Second Try

Informal politics have recently come to the fore worldwide, and especially in the NMS from the emerging perspective of re-democratisation. The EEA and Norway Grants Agency recently presented a report about the last five-year period (2009–2014) for democracy-supporting civil organisations in the NMS. The Grants Report is an assessment of the Agency’s activities, but also provides a larger view on the situation in NMS civil society in general. The Agency’s key task is to support ‘vibrant civil society’ by ‘making democracy truly functional’ and by ‘strengthening the functioning of democratic institutions’ (Grants Report 2015, Part 1: 1). In this respect, ‘innovation challenge’ is particularly important since ‘working for social change requires innovation in thinking and acting to respond to the new realities.’ The report notes that there have been some positive signs of the remobilisation of civil society in the NMS:

While the national NGO sectors are facing their challenges with innovation, the nature of civic action is rapidly changing worldwide. There is a new energy of individuals and groups beyond traditional NGOs – informal groups, bloggers and informal platforms in social media. [...] A critical challenge for both donors and NGOs is how to grasp the new dynamics, how to tap into this new energy for social change of various pop up civic initiatives, new interactive spaces and communities (Grants Report 2015, Part I: 5).

In this new situation of remobilisation, the dismantling of state capture in the NMS has been a frequent topic on social media. One analysis by Open Society raises a vital question rarely touched upon in academic discussions: Can a think tank help expose a captured state? This is a very relevant issue that has been formulated in the broadest terms by democracy-supporting civil organisations. In order to confront state capture, the point of departure for this analysis is widespread apathy in the NMS in which ‘people disheartened by mainstream politics either withdraw from political participation or follow simplistic populists who offer fantasies of systemic change.’ Here the role of think tanks – or democratic civic organisations in general – begins since they can initiate the fight against state capture by way of a participatory turn:

But organisations that research, write, and analyse can go after a captured state at its source: the ideas driving it. [...] Think tanks can dig into the necessary systematic analysis of the structure of the state capture, providing watchdogs and advocacy organizations [...] Society and grassroots coalitions can thus focus their attention where the captors are weakest and create a source of public pressure on antidemocratic actors, to liberate the captured country. [...] Think tanks can offer intellectual support for these wide public coalitions by analysing the weak points of capture. Think tanks should not only analyse the system but also devise and bring policy proposals into public discussions (Nosko 2014: 2–3).⁵

The activities of democracy-supporting civil organisations are instrumental in dismantling state capture since these groups can elaborate on and implement democratic innovations and organise/mobilise mass movements for participatory democracy. In this way, informal institutions have become the real battleground between democratic and anti-democratic forces in the NMS, and they have gained more and more influence. Informal institutions with their

⁵ According to Open Society, state capture appears to be the main disease in the NMS countries: ‘A perverse pattern of “state capture” – substantial, institutionalized, particularistic, self-interested influence or control of unrepresentative actors over public finances of state policy formation and implementation – has settled over a number of countries [...] state capture is a systemic failure which occurs in a country without functioning checks and balances by design. [...] Deficiencies and loopholes become integral to laws and institutions’ (Nosko 2014: 1).

democratic innovations have acted as “icebreakers” providing special political and policy instruments for a breakthrough in re-establishing democracy. It is not by chance that the authoritarian governments of some NMS countries have dubbed them ‘agents of foreign powers.’⁶

In sum, reports from international and national informal institutions have dissipated the myth of “consolidated democracy” in the NMS and instead discovered that these facade democracies are only based on an illusion of effective competition and political participation. Politico-business elites have used many legal tricks to restrict the opposition, and they have manipulated official communications by using and abusing the politics of historical memory – that is, by creating the images of enemies through the falsification of history. Thus, with the erosion of the formal checks-and-balances system of formalised macro-institutions, the balancing and mobilising roles of democracy-supporting informal micro-institutions have been upgraded. They cannot replace big formal institutions, but they can offer powerful corrective mechanisms against the backsliding of democracy. Above all, they can provide mobilising networks for participatory democracy. Civic organisations have become the most important actors in democratic innovations, and this includes the scientific-expert innovations initiated by the research of the NMS academic community. Within the system of external-internal linkages, democracy-supporting international NGOs and/or policy institutes have played an important role worldwide, and the International Institute for Democracy and Electoral Assistance is one example (IDEA 2014). These organisations specialise in democratic innovations and their implementation, and the importance of their work has increased recently, especially in countries with big democracy deficits. As such, the national institutions supporting democracy in the NMS have either taken part directly in global institutional networks like Transparency International and the Helsinki Committee, or they have emerged to address specific national civic, local, minority and gender issues. In most cases, these two kinds of NGOs are closely interwoven and the “national” NGOs usually also receive some support from the international NGOs. Overcoming widespread apathy, the participatory turn is very high on the agenda in the NMS. After the long period of top-down democratisation and ensuing decline of democracy, bottom-up democratisation may offer the NMS a second try at re-democratisation.

⁶ In this paper, I have focused on general NMS developments accompanying the decline of democracy (see also my previous publications: Ágh 2013a,b, 2014a,b and 2015a). I have not dealt with recent Hungarian developments since these are the focus of another forthcoming work by me under the title *Redemocratization Efforts in Hungary as a Second Try: Civil Society Organizations and Mass Movements* (in press). I have also authored several recent papers on the Hungarian party system and the country's participatory revolution; see, e.g., Ágh (2015 b).

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