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Sergiu Gherghina & Petar Bankov

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Troublemakers and game changers: how political parties stopped democratic backsliding in Bulgaria

Sergiu Gherghina  and Petar Bankov

Department of Politics and International Relations, University of Glasgow, Glasgow, Scotland

ABSTRACT

Democratic backsliding has been halted in different countries around the world through various types of accountability. However, it is unclear what happens in political settings in which the usual accountability characteristics are absent. This article aims to explain how backsliding was stopped in 2021 in Bulgaria, which is an illustrative example of such a political setting. We illustrate how opposition political parties played a crucial role in halting democratic backsliding, through collaboration with each other and isolation of the government party. Our qualitative analysis uses data from media reports and public statements from the elites belonging to the parliamentary parties in the three Bulgarian parliaments of 2021. The novelty of our analysis lies in identifying a particular way of addressing democratic backsliding in countries in which the incumbent enjoys strong support and has been in office for a long period of time, and in presenting an alternative strategy to those which are often discussed in the literature. Instead of competing, political parties can cooperate to neutralize a common opponent and amplify the impact of other factors.

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Introduction

In the past decade, Eastern Europe has been a region strongly associated with democratic backsliding. The latter is usually defined as the process by which the pillars of democracy are undermined. These pillars include electoral competition, political freedoms, civil liberties and civil society, the free media, and the rule of law.¹ In Eastern Europe, this process completes a cycle that started with democratization in the 1990s and continued with democratic consolidation during the 2000s. Since the early 2010s, democratic backsliding has occurred in several political settings in the region; for some countries this was temporary, while for others it has occurred on an apparently permanent basis.² Given the increased spread of backsliding and its ongoing development in several countries,³ understanding how it can be stopped is vital to the future of democracy.

CONTACT Sergiu Gherghina  sergiulor@yahoo.com

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So far, one of the most common explanations for the halt of democratic backsliding has been accountability. This entails several processes that are partially overlapping and mutually reinforcing phenomena: vertical, horizontal, and diagonal accountability.⁴ Vertical accountability refers to pro-democracy pressures arising from the competition between parties and within ruling parties. Opposition parties, or factions within the ruling party, can stop these activities, causing backsliding with the help of popular support. Horizontal accountability concerns the legislative and judicial checks on executive power exercised by other institutions. Among these, the European Union (EU) has often been identified as a potential source of external pressure with the necessary power to address this.⁵ Diagonal accountability refers to the pressures exerted by the independent media and civil society. Extensive research documents the reactions of civil society – reflected mainly in the form of protests – as a response to democratic backsliding.⁶ Three scenarios may bring these accountability elements together to halt backsliding: (1) elite miscalculation when seeking to evade accountability, (2) changes in the power balance arising from contextual developments which make incumbents vulnerable⁷ or (3) a strong and credible threat to ruling party control.⁸

It remains unclear what stops democratic backsliding in political settings where none of these three scenarios occurs. Bulgaria is an illustrative example of such a political setting. Democratic backsliding in Bulgaria had five characteristics: the use of state resources to provide public procurement to private companies associated with the government party and its allies (i.e. horizontal clientelism)⁹; the instrumentalization of state institutions (such as government ministries) as pressure tools oriented towards private businesses to bring them under government party control¹⁰; a strong political control over the judiciary that endangered the separation of powers; increased media capture by the government¹¹; and the minimization of parliament's role through the government's strategic behaviour and contempt for the legislature.¹²

The democratic backsliding in Bulgaria was halted in 2021 although the conservative Citizens for European Development of Bulgaria (GERB) and its leader, Boyko Borisov, had dominated the political landscape since 2009. Within this time frame, the party had won all the national legislative elections and had spent just over a year in opposition. GERB enjoyed strong (albeit declining) support throughout these years, and thus the balance of power did not change. The party survived many competitors and street protests and had no major splits over the years which could have opened the door to an electoral challenge. Overall, the party faced relatively weak threats to its position until 2021 and few counterbalancing actors since the media in Bulgaria lacks integrity,¹³ while the country is also at the bottom of judicial independence rankings in the EU.

This article shows the key role of opposition political parties in stopping democratic backsliding in Bulgaria. Although it was the first democracy in the world since 1945 to have held three parliamentary elections in one year, the political instability in the country provided a favourable context for the actions of the opposition parties. Using process tracing, we show how the coordinated action of the opposition parties and their agreement to isolate GERB through a *cordon sanitaire* during the 2021 elections put a halt to democratic backsliding. This was a lasting solution, since GERB has not regained government office since April 2021 – despite five elections taking place (including one each in 2022 and in 2023) – unlike it had several times in the past. To evidence our findings, we use data from media reports and public statements from the elites belonging to the parliamentary parties in the three

Bulgarian parliaments of 2021. Our study contributes to the literature in three ways. First, we illustrate the existence of a particular way of addressing democratic backsliding in political settings in which the incumbent enjoys strong support and has been in office for a long period of time. Second, we show a different way in which horizontal accountability works in the absence of external actors (EU) and in a limited presence of diagonal accountability (civil society). We also present an alternative strategy to those often discussed in the literature: rather than continuing to compete, political parties can instead cooperate to neutralize a common opponent. Third, we advance the research on Bulgarian political parties by showing how they fulfil an under-investigated function. Prior studies focus mainly on their organizational development¹⁴ or ideological shifts.¹⁵ This article highlights the important benefits that political parties can bring to democratic processes.

The next section reviews the literature on accountability and outlines the potential importance of three major categories of conditions theorized to halt democratic backsliding. The third section presents the research design and outlines the case selection, data collection and methods. The fourth section provides an overview of the Bulgarian political landscape and provides details of the democratic backsliding experienced in the country. The following section comprises our analysis, demonstrating how the actions of political parties were both necessary and sufficient to stop the backsliding. The discussion and conclusion summarize the key findings and discuss the main implications of the article for the broader field of study.

Theory

This theoretical section outlines the accountability mechanisms that could halt democratic backsliding.¹⁶ These mechanisms coincide with three forms of democratic accountability: vertical (elections), horizontal (institutional checks and balances), and diagonal (civil society and the media). We present them in a different order, starting with a specific type of horizontal accountability with a focus on the role of the EU. We continue with diagonal accountability by discussing the role of civil society, and we leave aside the media due to its high level of corruption and pursuit of private interests in the Bulgarian context.¹⁷ We end by considering how political opposition can use its position in the system of checks and balances to fight backsliding in the electoral arena.

The EU and its avenues for action

The European Union (EU) can use three main tools to defend representative democracy and the rule of law at the national level in its member states. However, each of these has important limitations that makes them quite ineffective in practice. First, a legal safeguard is in place allowing the European Commission to bring infringement cases to the European Court of Justice. The infringement procedure means that the Commission can bring legal proceedings against a member state's government for infringing the EU Treaty requirements or secondary legislation. This has been used extensively over time and countries have been pressed to comply with EU legal norms, regardless of the costs.¹⁸ This procedure is ineffective for two reasons: selective procedures, and vague norms. The Commission can initiate the infringement procedure at its discretion, and it does so selectively.¹⁹ No publicly available criteria are used to select the instances in which it initiates the procedure – a fact which, along

with the Commission's politicization, reduces its credibility to act as an agent of impartial judgment, and limits the possibility of effective intervention.²⁰ The use of this procedure could result in general allegations from national governments that the Commission meddles with sovereignty issues, especially when these governments enjoy strong public support.²¹ Moreover, the Commission is limited in its ability to prosecute member state infringements when the norms are uncertain or vague.²² All these complications together indicate that the EU's judicial tools are insufficient to halt democratic backsliding.²³

Second, the EU has the means to use material sanctions against domestic breaches of liberal democracy by its member states. Although mentioned in Article 7 of the Treaty of the European Union, these material sanctions have not yet been applied, for various reasons including a very high voting threshold being required to establish the existence of a breach, plus a qualified majority to initiate the material sanctions²⁴; the member states' preference to avoid sanctions and the implicit isolation of a country, which could affect cooperation in the EU; and the positioning of party groups in the European Parliament which could oppose the sanctions.²⁵ The parliamentary party groups are not homogenous, and are divided on issues arising connected with the fundamental values of the EU. Legislators vote differently about sanctions in line with their ideology, government affiliation, or country's democratic performance.²⁶ There are also some questions about their effectiveness, implementation speed, and credibility.²⁷ The sanctions were ineffective for candidate countries during the conditionality period, when the threat of remaining outside the EU did not discourage governments in Slovakia and Croatia from using illiberal practices to maintain power.²⁸ More recently, the threat to withhold EU funds did not make an impact on rule of law infringements in Hungary, but rather opened the door for discussions with the national government.²⁹ The threat of sanctions can also trigger the emergence of transnational coalitions between member state governments with illiberal practices oriented against the EU.³⁰

Third, the EU can rely on social pressure to exert influence on national governments without material leverage. For example, in 2012–2013, Romania experienced partial backsliding, to which the EU swiftly reacted by denouncing the national government's actions and requesting the reversal of the democratic breaches.³¹ This pressure took place in the context of acceptable compliance costs, with the background threat of material pressure,³² and with a favourable political opportunity structure that involved EU and national-level institutions and actors.³³ The EU extended the monitoring process on Romania beyond the five-year-period initially foreseen by the Cooperation and Verification Mechanism (CVM). This decision occurred after the legal resolution of the crisis, indicating the EU's concern about preventing further backsliding.³⁴ The EU enjoyed high levels of popularity among voters and political elites, which placed the Romanian government in a difficult position.³⁵ Nevertheless, additional nuance has been evidenced in general by a study demonstrating that only some MEPs exert social pressure through agenda-setting mechanisms and voting resolutions.³⁶

Civil society

Civil society can be crucial in stopping democratic backsliding in several ways, especially because normative democratic approaches claim that civil society promotes and invigorates democracy,³⁷ monitors democratic reforms, and protects them when

they are under threat.³⁸ It may prevent democratic backsliding by creating social accountability in contexts in which political elites can be vertically undermined when voters withdraw their support in elections, and also horizontally when democratic institutions monitor and sanction power-holders for non-compliance with the law.³⁹ Another way in which civil society can stop democratic backsliding is through its mediation of partisan interests and by preventing citizens from trading off democratic principles to fulfil those interests.⁴⁰ It can also mobilize against incumbent governments that seek to limit democratic rights and freedoms. One important opportunity in this respect is the legacy of pro-democracy social movements that provide the mobilizing structure for civil actors.⁴¹

In general, civil society driven by democratic values resists the actions of political elites attempting democratic rollback. For example, in Indonesia, conservative political elites withdrew their attacks on democratic institutions after civil society opposition. When the parliament passed a law that abolished direct elections for local government heads, strong reactions from civil society forced the country's president to overturn the law.⁴² In Eastern Europe, citizens have gathered at recent demonstrations to protest in defence of liberal democracy.⁴³ In Czechia, the 2018 and 2019 protests against prime minister Andrej Babis were coordinated by a civil society group called *Million Moments for Democracy*. Babis was accused of fraud in using EU subsidies for his private business, but all investigations were terminated by the prosecutor's office. The protests forced the prosecutor's office to re-open the investigation on Babis, although he remained in office.⁴⁴ In Romania, two large waves of protests emerged in 2017 and 2018 in response to government attempts to pass legislation that would weaken the prosecution and punishment of criminal offenses. The proposed changes included a provision that would have exonerated the leader of the main government party of several corruption charges. The protests led to the resignation of the Minister of Justice, but the government kept trying to pass these laws in different formats.⁴⁵ In response, protesters kept returning to the streets until the idea of the laws was dropped.

In spite of this potential, civil society can be instrumentalized by politicians. Indonesian political elites tried to weaken the Anti-Corruption Agency and end its special investigation privileges because they deemed it a threat to clientelistic fundraising practices. Strong mass protests, organized by civil society organizations, emerged to defend the Agency.⁴⁶ Understanding the mobilizing force of civil society and its potential to undermine illiberal actions, the political actors behind those actions built and mobilized their own civil society structures. In Hungary and Poland, government parties implementing illiberal reforms convened sympathetic networks rather than taking over existing structures of civil society that support democratic values.⁴⁷

Opposition political parties

There are several ways in which opposition parties can stop democratic backsliding. First, they can use their legislative leverage to constrain the executive (i.e. horizontal accountability). For example, President Bolsonaro had to govern with unstable coalitions in Brazil, which constrained his ability to abuse constitutional powers. In the US, President Trump faced greater oversight and was impeached twice after the Democratic Party regained control of the House of Representatives in 2018. In Bolivia, the opposition held a veto over the drafting of a new constitution, and the version ratified in 2009 did not include the provision to eliminate term limits which

had initially been suggested by the president. The opposition also fought against deep cuts in revenues to decentralized governments, which represented a threat to the powers of the opposition in Bolivia.⁴⁸

Second, opposition parties can fight against electoral irregularities (vertical accountability) by competing, voicing their discontent with the political actors that use or accept such irregularities, or leaving the electoral arena.⁴⁹ Threats to boycott elections can draw the attention of the international community, as happened in Bangladesh.⁵⁰ Nevertheless, opposition parties are unlikely to succeed in addressing democratic backsliding when they lack homogeneity and have limited credibility with the electorate. In Singapore, these were the two main reasons – next to the absence of pro-democratic reformers – why the illiberal actions of the governing party could not be stopped.⁵¹ In Hungary and Poland, the weakness and disunity of the opposition contributed to democratic backsliding because the respective governing parties felt no threat of electoral defeat for several years, until around 2019 in both cases.⁵² In the 2022 legislative elections, the main opposition parties in Hungary formed an electoral alliance to provide an alternative to the ruling party, but they were convincingly defeated. This result brought to mind the words of Ash that “the erosion of democracy [has] gone so far that it is difficult to envisage even the best-organized opposition party winning a national election anytime soon.”⁵³

Third, in some instances opposition parties can join forces with civil society to stop backsliding. For example, the president of Benin proposed a series of measures that included the politicization of the judiciary, control over sources of economic rent, and constitutional changes that would allow a third presidential term. Such changes triggered reactions from the judiciary and civil society. Protests were held throughout the country, and were joined by party political opposition seeking to defend the country’s constitution and ensure free and fair elections.⁵⁴ In other instances, opposition parties have used windows of opportunity opened by the actions of civil society to stop backsliding: in South Korea, the political opposition acted in response to civil society rather than taking the initiative to impeach the president for corruption allegations.⁵⁵

All these arguments from the literature indicate that the EU, civil society, and political opposition can play a role – either separately or jointly – in stopping democratic backsliding. For example, the EU can start with social pressure, while civil society can continue with protests, and eventually political opposition could use its power to block government initiatives, with EU and civil society support. The following section discusses how we set out to analyse the effects of these three main factors in Bulgaria.

Research design

Bulgaria is an appropriate case for this analysis because it exemplifies democratic backsliding in Central and Eastern Europe. Despite this, it is under-researched in comparison to Hungary, Poland, or Romania. The country reflects the mainstreaming of illiberalism in political and public life which typically underpins the hollowing out of democratic institutions and procedures.⁵⁶ Similarly to other countries in the region, democratic backsliding in Bulgaria was triggered by one party which enjoyed a continuous presence in government. GERB, and its leader Boyko Borisov, dominated Bulgarian politics between 2009 and 2021. We investigate the halt of backsliding in Bulgaria through the method of process tracing. This is a method for within-

case analysis that draws descriptive and causal inferences from diagnostic pieces of evidence.⁵⁷ Process-tracing is used for the systematic description of political and social phenomena in order to understand causal mechanisms, and to test existing, or develop new, explanations.⁵⁸

Process tracing uses qualitative data to establish whether a potential explanation can be confirmed for the phenomenon in question and whether this represents a sufficient and/or necessary explanation for it. There are four formal tests for the sufficiency and/or necessity of a potential explanation: straw-in-the-wind (neither sufficient nor necessary), hoop (sufficient but not necessary), smoking gun (necessary but not sufficient), and double decisive (both sufficient and necessary).⁵⁹ In this article we test the sufficiency and necessity of the EU, civil society, and the political opposition (for which we draw a distinction between the president and political parties) in halting democratic backsliding in Bulgaria.

The data for the analysis are drawn from media reports on developments in Bulgarian politics, as our attempts to schedule interviews with key figures involved in them were unsuccessful. While the focus is on the events of 2021 to identify the immediate explanation, materials were also sought from previous years in support of the analysis. The time frame for data collection was between 14 January 2021 – the day when the Bulgarian president announced the date of the April parliamentary elections – and 13 December 2021, the day of the formation of a regular government without GERB's involvement. This period coincides with the initial halting of democratic backsliding. The following efforts to consolidate and build upon this achievement, associated with seven months of regular government until July 2022, and the timid efforts to sustain the halt by the caretaker government, are not explored. These are separate phases in the process of resisting democratic backsliding, which deserve their own separate and thorough analyses.

Media reports come from the main news sources in the country that cover a wide range of analytical and ideological viewpoints.⁶⁰ They include Bulgarian National Television, Bulgarian National Radio, Dnevnik, Kapital, Mediapool, Offnews, Radio Free Europe Bulgaria, Darik Radio, Sega, 24 Chasa, Trud, and Duma. We conducted a keyword search on the websites of these media outlets for the period between 1 January 2021 and 31 December 2021. The terms included “European Union,” “European institutions,” “civil society,” “NGOs,” “media,” “democracy,” and the names of the eight parties that entered parliament in 2021 at least once. The articles were then added to a catalogue after an initial screening for the relevance of their content to the three potential explanations.

To test sufficiency and necessity in relation to each factor we triangulated the information in the media reports in order to develop a consistent chain of events. Specific references to a particular event leading to another event were helpful in identifying this chain, and where information was missing, the authors looked for empirical evidence of linkages from the public statements by the elites of the represented parties in the three Bulgarian parliaments of 2021. The chain of events helped us to illuminate the role of each factor in the overall process of suspending the backsliding process. In this respect, the necessity of a particular factor is assessed on basis of existing theory and previous experiences of halting democratic backsliding in Bulgaria. Should the particular factor be identified as theoretically important, or to actually have contributed to previous efforts in halting democratic backsliding, then it is recognized as necessary by our analysis. Sufficiency has been assessed based on whether the

particular factor had a role in the developments of 2021. This emerged from the chain of events, developed on basis of the media reports and public statements. In this respect, we tried to remove the factor from the chain of events to see whether the final outcome would nevertheless have been achieved. If the removal revealed the impossibility of halting democratic backsliding, then sufficiency was confirmed.

Democratic backsliding in Bulgaria

The democratic backsliding in Bulgaria involved five processes. First, state resources were used to provide public procurement and benefits to private companies associated with the government party and its allies (i.e. horizontal clientelism). The Bulgarian parliamentary majority passed lobbyist legislation favouring private companies closely affiliated to government⁶¹ and privatizing key state enterprises through non-transparent initiatives.⁶² Second, state institutions were used as pressure tools oriented against private businesses that were not under the control of the government party. The direct competitors of the companies favoured by the government were prosecuted by state institutions.⁶³ Third, the separation of powers was endangered through the politicization of the judiciary. For example, during the elections for chief state prosecutor in 2012 and 2019, potential competitors to the candidate supported by the ruling party were barred or dismissed from participation.⁶⁴ Fourth, media capture increased through Delyan Peevski's ownership. Peevski is a parliamentarian belonging to the Movement for Rights and Freedoms (DPS) and a recent addition to the list of oligarchs sanctioned by the US Magnitsky Act.⁶⁵ This concentration facilitated the (self-)censorship of materials and investigations critical to the Bulgarian government and the promotion of government-friendly media, which attacked and discredited opposition politicians and other figures critical of the government.⁶⁶ Fifth, Parliament's role was minimized through the government's strategic behaviour and contempt for the legislature; the prime minister stopped attending parliamentary sessions when legislators had questions for him.⁶⁷

By the end of 2021, the democratic backsliding had been halted, at least temporarily. Following popular protests against the GERB-led government in 2020, regular parliamentary elections in April 2021 resulted in a hung parliament in which GERB was isolated by the other represented parties (the centre-left Bulgarian Socialist Party [BSP]; the liberal centrist DPS, representing the sizable Turkish minority; the populist There is Such a People [ITN]; the liberal right alliance Democratic Bulgaria [DB]; and the left-wing Stand Up! Thugs Out! [IBGMV]) while retaining a plurality. As no party could form a government, the president installed a caretaker government and called for further elections in July 2021, which resulted in another hung parliament largely due to the failure of the reform-oriented parties (ITN, DB, IBGMV) to form a governing coalition. Following the introduction of a second caretaker government and another snap vote called by the Bulgarian president, Rumen Radev, for November 2021, the deadlock was broken with the emergence of PP, which managed to bring ITN and DB into an ideologically broad four-party coalition with BSP. This was the first government since 2013 without GERB in its composition. The government tried to dismantle GERB's legacy, and stopped developments with the five characteristics described above, thus bringing the democratic backsliding in Bulgaria to a halt.

However, the developments of 2022 demonstrated the fragility of that halt. The PP-led government coalition disintegrated within six months as its ambitious reform and

anti-corruption programme faced a significant backlash from GERB and DPS, whose interests were affected; from Radev, from whom the government (the PP in particular) became increasingly emancipated; and from Vazrazhdane, which opposed the government drive for closer EU and NATO integration. As a result, internal coalition pressures and disagreements erupted in July 2022 when ITN left the coalition, leading to a successful no confidence vote that brought down the government, and thus ended the focused efforts to consolidate the halt and to reverse the process of backsliding. After another round of elections in October 2022, at the time of writing the country is being governed by a new caretaker government, installed by Radev, as all attempts to form a regular coalition government failed in the new parliament. As of March 2023, the country is about to hold its fifth parliamentary elections in just two years in an effort to break the deadlock.

Our analysis treats the events of 2021 as a separate phase in the process of opposing democratic backsliding for good reasons. Although the events of 2021 constitute the first phase in the process by which the democratic backsliding was stopped, this halt does not mean a reversal of the backsliding process, just a break with the ongoing practices. Viewed from this perspective, the events up until July 2022 and the fall of the PP-led government should be seen as a subsequent phase of consolidation of the initial halt and initial efforts for the reversal towards increased political democratization. These subsequent events since July 2022 are still ongoing, as power has clearly shifted towards the figure of the Bulgarian president, Rumen Radev. As his actions suggest the unwinding of the achieved halt with the potential to return to democratic backsliding set around a new power figure, these developments are separate from the initial stage, that focused on achieving an initial cessation of the existing backsliding process over the past decade. In this respect, our analysis does not claim that democratic backsliding in Bulgaria has been completely reversed, but we do claim that the democratic backsliding, associated with the dominance and practices of GERB and DPS, has been decisively halted. The absence of these two parties from power for the past two years, the longest period both parties have been out of power since the turn of the century, attests to the significance of the events of 2021. Future researchers may look into the factors that influenced the subsequent phases (December 2021–July 2022, and July 2022 onwards).

Our analysis also treats the events of 2021 as separate from previous attempts to stop and reverse democratic backsliding, particularly in reference to the mass anti-government protests of 2013–2014, which succeeded in bringing down the BSP-DPS coalition government and their own attempt to pervert Bulgarian democracy. As will be shown below, our analysis recognizes the importance of these and other past events in the impact of the four factors in 2021, but in order to understand what happened in 2021 and how the halt was successful, we need to look at it separately from past developments. The past helps us to contextualize the events of 2021, but as will be seen below, 2021 includes important breaks with past practices and experiences in resisting democratic backsliding in Bulgaria.

Analysis and findings

This section presents the analysis of each of the potential factors outlined in the theoretical discussion that may have stopped democratic backsliding in Bulgaria: the EU, civil society, and the opposition. The latter includes two actors: the president – an

independent supported by most pro-reform parties and opposed to GERB – and political parties. Although the theory focuses mainly on the potential role of opposition parties, the outlined mechanisms can also work for the president, who is a formal component of executive power.

The passive EU

The EU played a minimal role in the halting of democratic backsliding in Bulgaria. Since its accession to EU membership in 2007, the country has been under regular monitoring by the European Commission under the CVM to control remaining issues with Bulgarian democracy, particularly related to judicial reform and tackling corruption and organized crime. The Commission has produced regular reports on progress in these areas, and has made recommendations on how to address ongoing issues. These reports have regularly revealed its failure to address these issues.⁶⁸ As GERB regularly sought external legitimization of its policies by receiving a “good word” from European institutions and politicians,⁶⁹ the effects of these reports stymied government efforts at the time. Additionally, the EU withheld regional funding for Bulgaria in 2007–2009 due to reports from the European Anti-Fraud Office on the corrupt practices of the Bulgarian government.⁷⁰

Despite these earlier actions, the influence of the EU on the process of democratic backsliding has been weak for two main reasons. First, the Bulgarian government regularly refrained from introducing reforms in accordance with the Commission’s recommendations, and faced no repercussions for its lack of compliance. These recommendations included far-reaching judicial reforms, such as improved transparency in the selection and appointment of high-ranking judicial posts, as well as improved efforts, regular reporting, and legislative amendments to allow prosecutions for high-level corruption and organized crime. Second, the Borisov governments regularly received backing from their partners in the centre-right European People’s Party (EPP) around the time of the reports,⁷¹ and on occasions when his government had been under heavy criticism from the domestic opposition and/or internationally. In this respect, Borisov publicly demonstrated his close relationship with Jean-Claude Juncker, the president of the European Commission between 2014 and 2019, who has called Borisov a “close friend,”⁷² and with Manfred Weber, leader of the EPP group in the European Parliament since 2014, who regularly praised Borisov’s policies.⁷³ In doing so, the EPP and its leading figures adamantly supported a government led by its Bulgarian affiliate over expressing concerns about the quality of Bulgarian democracy. This lack of reaction was noted by the Bulgarian population, which increasingly showed its disappointment with the EU. By 2020, even citizens supportive of European integration became vocal critics of the EU’s passivity.⁷⁴

The passivity of the EU is in striking contrast to the actions of other international actors, which had a more noticeable effect. The US is a particular case in point. Prior to the April elections, a bipartisan statement from the US Senate Committee on Foreign Relations declared in no uncertain terms its concern regarding the deteriorating democratic conditions in Bulgaria, and expressed tacit support for the anti-government protests,⁷⁵ thus signalling a growing impatience and intolerance of a key international partner of Bulgaria with GERB’s practices. An even more direct blow to GERB’s (and DPS’s) economic interests came in June when the US Treasury included a number of recognizable political and economic figures from Bulgaria in its Magnitsky

Act list of sanctions,⁷⁶ including Peevski, gambling mogul Vasil Bozhkov, and GERB's Ilko Zhelyazkov, an established member of the intelligence community. While these actions had a noticeable impact on GERB's international standing and its claim to rule democratically, their significance in the halt of democratic backsliding is indirect, as they provided the main opposition actors with additional arguments to avoid any agreements or concessions from the GERB-led government.

The necessary but insufficient role of civil society

Civil society created a public environment that did not tolerate further anti-democratic drifts by the Bulgarian government. On previous occasions of democratic retrenchment, civil society had managed to apply enough pressure to prevent it from happening, such as during the wave of anti-government protests in 2013–2014.⁷⁷ Civil society also managed to force noticeable policy U-turns from the Borisov government over the years, such as a moratorium on shale gas fracking in Bulgaria⁷⁸ and the regular overturning of pro-business and anti-environmental legislation.⁷⁹ These activities built upon the work done by NGOs in Bulgaria, organizations which have documented and acted upon instances of democratic backsliding including corruption, clientelism, lobbying, and the suppression of individual rights and freedoms. Overall, Bulgarian civil society has a strong capacity to mobilize the public over specific matters, and does not shy away from doing so – with some evident success stories.

In 2020–2021, however, the role of civil society was more limited than in the previous instances. Following a series of public scandals in 2020 centering around Borisov's personal wealth and the orchestrated efforts by state institutions to crack down on the competitors of government-affiliated businessmen,⁸⁰ a new wave of anti-government protests erupted. These protests pursued three main goals: the resignation of the government and the chief state prosecutor, early elections, and judicial reform through constitutional amendments.⁸¹ They mobilized a broad and diverse range of social and political groups, as well as many politically inactive or apolitical people.⁸² In doing so, the protests created enough pressure against the government to stop its abuses of power. However, the protests ultimately did not achieve all of their goals; the Borisov government pretended to respond to the protesters' claims by proposing a new Bulgarian constitution accommodating most of their demands,⁸³ but did so for self-interested reasons. This strategy ensured that the government would not resign for at least six months, the minimum period required for parliamentary deliberation on the proposal according to the constitution. As such, the government completed its term in office without taking any of the actions demanded by the protestors.

Furthermore, although the protests avoided partisan affiliation⁸⁴ in order to remain inclusive, they failed to produce non-partisan representatives who could challenge the GERB-led government. The main beneficiaries of the protests were opposition political actors: the president Rumen Radev and the reform-oriented parties that supported the protests, who substantially improved their public ratings and electoral prospects respectively.⁸⁵ Therefore, the protests created an environment of active opposition towards democratic backsliding, but were not sufficient to halt the process.

The sufficient but unnecessary role of the Bulgarian president

The increased popularity of the Bulgarian president due to his support for the protests⁸⁶ – as well as to the work of the caretaker governments he chose and installed as per the constitution in the periods before the early elections in July and November 2021 – contributed to stopping the democratic backsliding process. For example, the caretaker governments pushed through sweeping cadre reform of the internal and defence ministries⁸⁷ and the intelligence services.⁸⁸ In doing so, Radev created the conditions for the further dismantling of GERB's legacy, extended by the pro-reform coalition government formed around PP in December 2021. PP emerged as a party affiliated with the president as its main figureheads, Kiril Petkov and Asen Vasilev, became popular as caretaker Ministers of the Economy and of Finance. Radev's re-election campaign in November 2021 contributed to closer relations between the four parties that ended up in a government coalition (PP, BSP, ITN, DB), as most of them (DB excluded) supported him. In doing so, his role was important in holding together the efforts of the opposition parties at a time when they had failed to form a coalition government following the July elections.

Although sufficient, these actions were not necessary to stop the authoritarian turn since other political actors could have achieved it without the president's involvement. This is the case for three main reasons. First, the Bulgarian president, even one from a different party than the governing party, has never played a decisive role in previous attempts to stop and/or reverse democratic backsliding, although he has been instrumental in catalyzing (Zhelev in 1992) and resolving government crises (Stoyanov in 1997). Radev himself had only played a minimal role in halting democratic backsliding until 2020, even though he already had experience in introducing a caretaker government following GERB's tactical resignation in 2016–2017. At that time, Radev offered limited opposition to their practices. Second, despite the important work done by the caretaker governments chosen and installed by Radev (and, thus, for which he carries the political responsibility) to dismantle GERB's power grab, these governments have by design a limited governance horizon until a regular government is elected by parliament. The caretaker governments of 2021 thus exceeded their mandate. Third, the president required a supportive presence in parliament to extend the process of democratic recovery beyond the mandate of the caretaker governments. This was achieved through the emergence of PP. However, without it he would have required the cooperation of the opposition parties; again, he therefore had to depend on the workings of the Bulgarian party system. Overall, the role of the Bulgarian president in installing reformist caretaker governments and encouraging a pro-reform coalition at a crucial moment following the failed attempts of July 2021 was sufficient to halt the democratic backsliding of the country, but was not necessary given past experiences.

The sufficient and necessary role of political parties

The main help to halt backsliding came from the party response to democratic backsliding. As GERB made its power grab by hollowing out various institutions and norms, bending them to the economic interests of themselves and their allies,⁸⁹ the main arena where they were challenged was within existing political institutions. In this respect, the Bulgarian constitution places an emphasis on parliamentarism⁹⁰ and hands parties a major role in the political process, particularly those already

represented in the legislature. Until that point, however, Bulgarian parties had had minimal involvement in society and were quite reactive. Although their party membership was not trivial,⁹¹ they rarely mobilized support beyond party ranks for activities and campaigns. Although growth of non-partisan civil society that mobilized people on the streets refrained from affiliating with political parties, it inspired parties to chase events and to join or declare support for protests rather than staging their own protests and activities.

Nevertheless, in 2020–2021, Bulgarian political parties changed the repertoire of their actions. Their political response to democratic backsliding appears to have been decisive. Three elements of their response played a particularly influential role in this respect. Firstly, three pro-reform parties (four from September 2021 – DB, ITN, IBGMV, PP) created a *cordon sanitaire* that prevented GERB from returning to power. An important element in this respect was that the parties avoided a formal electoral alliance to jointly oppose GERB, instead opting to enter the electoral arena as independent and separate competitors. Because coalitions in Bulgarian politics had a negative image due to past experiences in the country's post-communist political history,⁹² the lack of an official alliance allowed these parties to mobilize diverse social groups.⁹³ As a result, any anti-GERB sentiment at all – whether from the left, the liberal right, nationalist voters, protest voters, disillusioned former GERB supporters, young and/or first-time voters, previous non-voters, diaspora voters, and so on – was captured by the different parties across the spectrum of the pro-reform opposition.⁹⁴ This maximization of support would arguably not have been possible if the parties had entered a formal electoral alliance, as some of these social groups may have been reluctant to support a compromise alliance, as seen in previous attempts to form a joint electoral coalition, such as the 2014 participation of the Reformist Bloc which united the main forces of the country's liberal right.

Second, despite their separation, the *cordon sanitaire* involved the unwritten understanding that all these parties would reject any official or unofficial post-election agreement with GERB (or with DPS, which – as seen in the case of Peevski – enjoys close ties to state institutions and similar corrupt practices to those of GERB). This was a notable change of strategy by the pro-reform parties following the failure of their efforts to co-opt GERB into a broad coalition government in the past.⁹⁵ The parties openly pledged their rejection of any co-operation with GERB and DPS⁹⁶ and supported each other in parliament when making legislative proposals aimed to curb GERB's influence on state institutions. For example, while all these parties pledged *different* versions of electoral code reform, they all managed to agree on the expansion of machine voting for the July 2021 elections.⁹⁷ This had been a shared goal aiming at improved accessibility and participation in the electoral process, as well as at preventing the corrupt practices of clientelism (such as vote buying). In doing so, the pro-reform opposition parties not only kept their pledge to resist GERB's power grab, but also established a parliamentary record of policy achievements which they used to re-mobilize their voters following the April elections. More importantly, they left few options for GERB to find potential coalition partners, which could have been a way for it to thwart pro-reform efforts.

Third, the pro-reform parties also learned to compromise with parties of the status-quo which nevertheless shared the goal of removing GERB from power. For example, the BSP were staunch opponents of GERB despite being seen as a status-quo party contributing to democratic backsliding itself, given its record in government from the 2000s and 2010s, and due to its lack of noticeable interest in radical democratic

reform.⁹⁸ For this reason, three pro-reform parties (DB, ITN, IBGMV) originally rejected the idea of engaging with BSP.⁹⁹ Nevertheless, the failure of these three parties to form a minority coalition government following the July 2021 elections,¹⁰⁰ necessitated further compromise, so they sought agreements with BSP to keep GERB out of power. This was a radical break with past practices that refrained from any involvement with any status-quo parties. In doing so, the *cordon sanitaire* was expanded, not only preventing GERB from joining the government, but forming a pro-reform majority that could push through legislation and executive actions to halt previous backsliding.

It should be noted, however, that the central role of political parties in stopping democratic backsliding came about in very specific circumstances. The parties succeeded because they benefited from the public rejection of a further authoritarian drift from the government. This environment was fostered by civil society, with the groundwork laid during the president's successive caretaker governments, and the room for manoeuvre was provided by the air of political instability. Without these prerequisites, the loose coalition of opposition parties and their *cordon sanitaire* would have likely proven less viable. The reverse perspective is also valid – that without the crucial role of the *cordon sanitaire*, the impact of civil society and of the Bulgarian president on halting the democratic backsliding would have been rather limited.

This combination of factors also appeared in the context of previous successful efforts to resist democratic backsliding in Bulgaria. In 2013–2014, popular protests halted the democratic backsliding happening at the time, while the role of horizontal accountability was limited. The main reason for this was that horizontal accountability, coming from political parties, was contained within the existing ideological divides. Back in 2013–2014 it was easier for parties on and of the right, who were the main vehicles of the summer anti-government protests at that time, to isolate the short-lived government of BSP and DPS (representatives of the political left and centre in Bulgarian politics). In the case of the 2020–2021 halting of democratic backsliding, GERB as an integral party of the right mainly faced opposition from parties with whom it has few differences on fundamental policy questions. From this perspective, some institutional learning had occurred from the experience of 2013–2014, upon which the main actors in the current case of democratic backsliding in Bulgaria built. From an analytical point of view, the developments of 2020–2021 illustrate the existence of a combination of factors as opposed to single determinants; here, political parties are the strongest driver, but acted in concert with popular protest and institutional resistance, each of which matter in the process.

Conclusion

This article has aimed to explain what factors stopped democratic backsliding in Bulgaria in 2021. Using the theoretical framework of accountability, we utilized process-tracing to identify the influence of external pressure, civil society, and political opposition actors on the process. Our findings illustrate that the horizontal accountability of external factors did not make a difference. The EU was passive, and did not even provide an anti-government discourse as it had done on several other occasions when other post-communist member states displayed similar illiberal tendencies. This weak EU reaction appears to confirm earlier accounts concerning its limited tools and lack of political will.¹⁰¹ Forms of diagonal accountability were also limited

in scope. Pressure from civil society was necessary to trigger a signal regarding the gravity of the situation, but it proved ineffective and lacked the strength to bring it to a standstill. The horizontal accountability associated with the actions of the president also played only a limited part in the halt of democratic backsliding, because his actions depended on the support of political parties.

Political parties were the real game changers, but not in a manner which was aligned with the usual understanding of vertical accountability in which competition prevails. In this case, their agreement to isolate the ruling party had an impact. The political instability that characterized the Bulgarian political system in 2021, with three parliamentary elections, provided time for political parties to organize and experiment in their cooperation. They tried different combinations of approaches to keeping GERB out of power, with new elections being called when they failed. While GERB was denied access to office in the short term – the time between elections was a few months – the consequence is that the party has at the time of writing been out of office for almost two years (April 2021–March 2023), the longest period since 2009. In essence, the cooperation of different opposition parties is a particular type of vertical accountability which involves an oversight role. While the primary goal of these parties was to keep the most powerful player away from the political game, the immediate consequence was a halt to democratic backsliding.

This strategy of loose cooperation to maintain a *cordon sanitaire* demonstrates the relevance of an alternative strategy for political parties seeking to resist authoritarian drifts. While in other cases, such as Hungary and Slovakia, parties have formally united in opposing a dominant common opponent, the Bulgarian experience points to the effectiveness of a confederative approach, whereby independent actors sharing a common goal collaborate without a formal agreement. Therefore, Bulgaria is a reference point for alternative practices by opposition parties in conditions of democratic backsliding or electoral authoritarianism. In a broader sense, this analysis illustrates that when political parties' activities are the source of democratic backsliding (e.g. the incumbent party aggrandizes the executive or captures state institutions), the most important factor in halting it lies in party politics. More precisely, it is about other parties' ability to win electoral support and to form coalition governments that exclude the drivers of backsliding.

Building upon these insights, future research may investigate the conditions which determine the choice of strategy, as well as the role of experience gained from previous attempts to resist democratic backsliding. Furthermore, as democratic backsliding in Bulgaria relates to the dynamics between political and economic elites, party politics may be the symptom but not the root cause of democratic backsliding. Hence, more research needs to be done on the role of political parties in these elite dynamics. Beyond these more general directions, the study of democratic backsliding in Bulgaria may benefit from a more thorough analysis of the subsequent stages of resistance to (or perhaps the return of) democratic backsliding, particularly the seven months of PP-led government, as well as the current period of political dominance of the Bulgarian president, Rumen Radev. Also, it would be useful to explore the impact of long-term developments in Bulgarian politics leading to the halt of democratic backsliding in 2021.

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2. Schimmelfennig and Sedelmeier, "The Europeanization of Eastern Europe."

3. Holesch and Kyriazi, "Democratic Backsliding in the European Union"; Hanley and Vachudova, "Understanding the Illiberal Turn."
4. Laebens and Lührmann, "What Halts Democratic Erosion?"
5. Sedelmeier, "Political Safeguards against Democratic Backsliding in the EU"; Schlipphak and Treib, "Playing the Blame Game on Brussels"; Gherghina and Soare, "A Test of European Union Post-Accession Influence"; Blauburger and Kelemen, "Can Courts Rescue National Democracy?"
6. Dimitrova, "The Uncertain Road to Sustainable Democracy"; Sitter and Bakke, "Democratic Backsliding in the European Union"; Bernhard, "What Do We Know about Civil Society"
7. Laebens and Lührmann, "What Halts Democratic Erosion?"
8. Mietzner, "Sources of Resistance to Democratic Decline"; Bernhard, "What Do We Know about Civil Society."
9. Stavrova, "The Lobbying in Post-Communist Time."
10. Vorley and Williams, "Between Petty Corruption and Criminal Extortion."
11. Dimova, "Politicising Government Accountability."
12. Spirova and Sharenkova-Toshkova, "Juggling Friends and Foes."
13. Price, "Media Corruption and Issues."
14. Spirova, "Political Parties in Bulgaria."
15. Karasimeonov, *Partiynata Sistema v Bulgaria [The Party System in Bulgaria]*; Karasimeonov, "The Party System in Bulgaria, 2009-2019."
16. Laebens and Lührmann, "What Halts Democratic Erosion?."
17. Price, "Media Corruption and Issues."
18. Blauburger and Kelemen, "Can Courts Rescue National Democracy?"
19. Hartlapp and Falkner, "Problems of Operationalization and Data."
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23. Blauburger and Kelemen, "Can Courts Rescue National Democracy?."
24. Sedelmeier, "Political Safeguards against Democratic Backsliding in the EU."
25. Sedelmeier, "Anchoring Democracy from Above?"
26. Herman, Hoerner, and Lacey, "Why Does the European Right Accommodate Backsliding States?"; Meijers and van der Veer, "MEP Responses to Democratic Backsliding in Hungary and Poland."
27. Schimmelfennig and Sedelmeier, "The Europeanization of Eastern Europe."
28. Vachudova, *Europe Undivided*; Sedelmeier, "Political Safeguards against Democratic Backsliding in the EU."
29. Strupczewski, "Hungary Aims to Reach Deal."
30. Holesch and Kyriazi, "Democratic Backsliding in the European Union."
31. Iusmen, "EU Leverage and Democratic Backsliding in Central and Eastern Europe."
32. Sedelmeier, "Political Safeguards against Democratic Backsliding in the EU."
33. Iusmen, "EU Leverage and Democratic Backsliding in Central and Eastern Europe"; Gherghina and Soare, "A Test of European Union Post-Accession Influence."
34. Gherghina and Soare, "A Test of European Union Post-Accession Influence."
35. Iusmen, "EU Leverage and Democratic Backsliding in Central and Eastern Europe"; Sedelmeier, "Political Safeguards against Democratic Backsliding in the EU."
36. Meijers and van der Veer, "MEP Responses to Democratic Backsliding in Hungary and Poland."
37. Edwards, *Civil Society*; Diamond, "Rethinking Civil Society."
38. Mietzner, "Sources of Resistance to Democratic Decline." Several contrasting views illustrate the limited effect of civil society on democratic backsliding in weakly institutionalized democracies Lorch, "Elite Capture, Civil Society," the absence of a relationship between associational development and democratic failure Bernhard et al., "Parties, Civil Society, and the Deterrence of Democratic Defection," or where civil society organizations can even promote democratic regress Berman, "Civil Society and the Collapse of the Weimar Republic"; Riley, *The Civic Foundations of Fascism in Europe* For the sake of clarity of argument, we focus in this article on the potentially positive role of civil society in stopping democratic backsliding.
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41. Rakner, "Don't Touch My Constitution!"
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43. Dimitrova, "The Uncertain Road to Sustainable Democracy."
44. Liebich, *The Politics of a Disillusioned Europe*.
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49. Corrales, "Democratic Backsliding through Electoral Irregularities."
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51. Abdullah, "'New Normal' No More."
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57. Collier, "Understanding Process Tracing."
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69. Bankov, "The Fireman's Ball in Bulgaria?."
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94. Gallup International, “Demographic Profile of Voters – November 14th.”
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97. Svobodna Evropa, “Mashinno Glasuvane, Nova TsIK i Bez Ogranichenie Za Sektsiite v Chuzhbina. Kakvo Se Promeni v Izborniya Kodeks [Machine Voting, New Electoral Commission and No Restrictions of the Polling Places Abroad. What Changed in the Electoral Code].”
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Notes on contributors

Sergiu Gherghina is an Associate Professor in Comparative Politics at the Department of Politics and International Relations, University of Glasgow. His research interests lie in party politics, legislative and voting behavior, democratization, and the use of direct democracy.

Petar Bankov is a Lecturer in Politics at the at the Department of Politics and International Relations, University of Glasgow. His research interests are in comparative party politics, particularly in the local dynamics between party organisations and local communities.

ORCID

Sergiu Gherghina  <http://orcid.org/0000-0002-6627-5598>

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