

“Democracy in Europe
can no longer be taken
for granted...”

BACKSLIDERS

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BACKSLIDERS: MEASURING DEMOCRACY IN THE EU

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Finally, we would like to stress that the views in this report solely represent those of the authors, and not the Progressive Alliance of Socialists and Democrats or anyone mentioned above who contributed to this research. The subject of democratic backsliding remains an extremely controversial and emotional one and we endeavoured as far as possible to reflect the research and the feedback we received accurately and objectively. All errors or omissions remain ours alone.

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Foreword

“Conscious of its spiritual and moral heritage, the Union is founded on the indivisible, universal values of human dignity, freedom, equality and solidarity; it is based on the principles of democracy and the rule of law. It places the individual at the heart of its activities, by establishing the citizenship of the Union and by creating an area of freedom, security and justice.”

The preamble to the Charter of Fundamental Rights of the European Union places democracy, the rule of law, and universal values at the core of European construction. More importantly, it places the individual, its rights and duties, at the centre of its activities and of its actions.

The Treaty of Lisbon has marked a major step in the European integration process, going beyond the objectives linked to the creation of a Single Market towards a Union of shared values and rights. The Charter of Fundamental Rights has acquired a *quasi*-constitutional status, becoming the identity card of the European Union both in internal, and external, policies. The European Parliament has become in many policy fields, a fully-fledged legislator and new tools - like the European Citizens’ Initiative - are now available to all individuals for the exercise of democracy in a truly European public space.

Yet, Europe is in the middle of an unprecedented crisis. A crisis, that is not just financial and economic, but one which touches the very democratic foundations of the European project and which cuts deep into its social and political dimensions.

The conservative recipe based on austerity measures and short-term, short-sighted actions has, at its best, barely alleviated the problem, and at its worst, deepened it, plunging societies into the vicious circle of unemployment, poverty and recession.

Poverty is growing again in Europe. A whole generation risks being entirely lost to active life and many individuals are forced to live on low and ever-decreasing incomes and working on part-time or precarious short-term contracts. In these conditions it is more and more difficult to ensure that citizens, young and old, can live and work in dignity.

The failure of Europe to give clear, effective and socially acceptable answers to the economic, social and democratic crisis is having a deep political impact, feeding rising nationalism, Euro-scepticism and political extremism and boosting their distorted narrative, one where Europe is the scapegoat for all problems and nation states are the solution.

This can be the end of the European dream as we know it.

We know contemporary European history and we know how dangerous these trends can be for the future of democracy in Europe. Indeed the very reason for the existence of the European Union has been to overcome divisions that had led to wars and atrocities for centuries and share a common future of peace and prosperity.

Therefore we believe that democracy is the core of the European project and the democratic challenge that Europe is currently facing must be at the centre of our actions.

For this reason the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament has asked Demos to conduct an in-depth, independent analysis of European democracy, to assess parameters and indices that can define its current shape, to outline those actions that can stop and prevent democratic backsliding in Europe and to indicate ways forward for European institutions and policy makers to reinforce and promote democracy, fundamental rights, citizenship and the rule of law.

This study analyses what makes the substance of European democracy today, dealing, not only with formal aspects of democratic dynamics, but also with the material exercise of democratic practices.

It defines a Democracy Index based not only on traditional electoral and procedural indicators, like respect of the rule of law and the level of political stability, but focusing also on essential

dimensions of the democratic process, such as the respect of fundamental rights and freedoms, the tolerance of minorities, the possibility and willingness of individuals to exercise active citizenship and - most importantly - the level of political and social capital in European societies, i.e. the level of trust and satisfaction with politics and democracy and the feeling of autonomy for citizens in Europe.

In presenting this study, we wish to open a wide and thorough debate on European democracy and on democratic participation in Europe ahead of European elections that will take place in 2014.

We feel that, for the first time in its history, the European Union is at an existential crossroads, one that will test the ability of the European integration project to live up to the expectations of European citizens. These expectations concern above all material needs and material rights: employment, salaries, welfare, decent working conditions and education.

However, they also question the idea of European democracy in its essence: that of a European public space where people are part of the decision-making process and where they do not lose but maintain and uphold the right to be active, the feeling to belong to a *polis* of equals, where their voice is heard and their opinion counts.

We believe that a new dimension of parliamentary democracy is needed in the European Union where the European Parliament and National Parliaments are not opposed but cooperate constructively throughout the legislative and political process.

Reinforcing the European dimension of parliamentary democracy must go together with the construction of real European public space, where there is full participation in the political debate, where a political alternative is clear and where citizenship is not a theoretical exercise but a material right.

We think that Socialists and Progressives in Europe must take up this challenge and show that Europe is the solution, not the problem. We must promote those immediate measures that are necessary to address the economic, social, democratic crisis and, at the same time, we must shape a long term, political vision

of Europe and of its future as the promoter of a wide and successful democratic project in the globalised world.

This is a project that places democracy, values and people at the core of its existence and at the centre of its actions.

Hannes Swoboda

President of the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament.

Executive summary

The European Union (EU) was ‘founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law’.¹ Until recently, these principles were taken for granted as it was assumed that member states conformed to these democratic essentials. With EU expansion into central and Eastern Europe, these principles took on a renewed importance.

The accession process for new EU member states ensures that new countries adhere to these basic principles of democracy (the so-called ‘Copenhagen criteria’). But there are still few mechanisms at the EU’s disposal for ensuring that member states do not slide backwards and become less democratic once they have been inducted into the Union.

In 2007, the Charter of Fundamental Rights outlined the specific rights and freedoms that all citizens of EU member states should enjoy; in 2009, the Lisbon Treaty gave these rights the force of law.² All member states must now ensure that they do not violate these rights, and must maintain a healthy baseline of democracy.

Economic and fiscal concerns involving the eurozone countries dominate EU discussions and people’s perception of the EU. We argue in this report that in years to come the EU will have an increasingly important function as monitor and protector of democracy in EU member states. The EU should step confidently and vocally into the role of promoter and maintainer of democracy in the region.

This report

This report investigates whether democracy and ‘democratic backsliding’ among EU member states can be measured and

prevented. We conducted a review of democracy indices and constructed the Demos EU Democracy Index as an initial attempt to measure democracy's progression among EU member states. We also conducted an in-depth, qualitative review of seven case study countries.

Literature on democratic 'backsliding' has focused on post-accession compliance with formal institutional commitments,³ such as the focus on the enforcement of minority rights rules,⁴ the correct functioning of political parties and party systems,⁵ and the control of corruption.⁶

However, a weakening civil society, decline in civic participation, decreasing political and social capital, lower levels of voter turnout, a lack of trust in political elites, and the emergence of grassroots populist movements all point to a deeper malaise underpinning the democratic culture in both new and old democracies of the EU.

Where is Europe backsliding?

Reports on democratic backsliding tend to focus on central and Eastern European countries. Hungary has been the subject of criticism and concern following legislation and a number of proposals from the ruling Fidesz Government. Bulgaria and Romania, the most recent EU members, continue to be subject to cooperation and verification mechanisms (CVMs) to monitor their democratic development as a condition of their accession.

However, countries in Western Europe have also come under fire for undemocratic legislation. France has been criticised for controversial policies on religious freedom, and Italy continues to face problems with corruption, organised crime and media ownership.

In this report, we analyse seven countries in Europe that have been subject to criticism. France and Italy are founding members of the EU (from its origins as the European Coal and Steel Community in the 1950s), with long traditions of democratic rule unbroken in the postwar period. Greece, the birthplace of democracy, became the EU's 10th member state when it joined in 1981. It is now overwhelmed by extremely high

unemployment, social unrest, endemic corruption and a severe disillusionment with the political establishment.

The other countries are from the former Eastern bloc: Hungary and Latvia both joined in the sizeable expansion of 2004, while Bulgaria and Romania acceded three years later. Each of these countries has experienced controversies in recent years, sparking concern about undemocratic practices and a transition from Communism that remains incomplete.

We identify five core problems of democratic backsliding:

- *Democratic malaise and public distrust:* Across Europe voters are increasingly dissatisfied with traditional political parties. Parties of protest have been gaining ground with startling success. In Greece, the far right party Golden Dawn made a major breakthrough at the 2012 general elections. In Hungary the far right party Jobbik (Jobbik Magyarországért Mozgalom) has risen rapidly.
- *Corruption and organised crime:* Corruption exists in the most advanced democracies, but the extent to which it flourishes and goes unpunished within a country is a reflection of poor democratic institutions and procedures. The European Commission has estimated that €120 billion, or 1 per cent of the EU's GDP, is lost to corruption each year.⁷ In 2012, Greece was placed 94th out of 176 countries, making it the EU's most corrupt member state.⁸ Italy's problems with corruption are long standing and well known.
- *The justice system:* A healthy and functioning democracy requires an independent judiciary that is free of corruption and political influence. Judicial reform and the independence of the judiciary remain issues of concern, particularly among central and Eastern European former Soviet bloc countries. There have been persistent concerns about the functioning of the judicial systems in Bulgaria and Romania, and more recently in Hungary in response to proposed constitutional changes.
- *Media freedom:* The US watchdog Freedom House produces an annual report on the freedom of the press, which classifies the world's countries into three categories: 'free', 'partly free' and 'not free'. In 2012, four of the EU's then 27 member states failed

to make the grade as ‘free’. In order of concern these were Romania, Bulgaria, Hungary and Greece. Hungary was the only country to lose its ‘free’ status in 2012, dropping six points on the previous year.⁹

- *Human rights and the treatment of minorities:* The pressures of immigration are being felt across Europe, where a high standard of living and the opportunity of employment have attracted migrants from every corner of the world. The treatment of asylum seekers, and two minority groups in particular – Muslims and Roma – have been issues of concern in some EU member states.

A qualitative approach is required to provide the substance and context of democratic backsliding. But a systematic approach to the measurement of democracy is essential to understand how democracy progresses over time, both within countries and across the EU as a whole, and how EU member states compare to each other.

Measuring democracy in the EU

Organisations such as the World Bank, the Economist Intelligence Unit (EIU) and Freedom House have developed indices of democracy to measure the strength and development of democracy across the world. There have been very few attempts to develop a democracy index that is uniquely tailored to the European context.

One attempt was undertaken by Demos in 2008. Demos’ Everyday Democracy Index was a composite index that aimed to measure how democratic principles permeated everyday life in European countries, not just in the formal sphere of politics – institutions and electoral democracy – but equally in workplaces and families.¹⁰

In this report we draw on Demos’ Everyday Democracy Index to construct a new index that is specifically designed to measure the evolution of democracy across EU member states.

The Demos EU Democracy Index

Our EU Democracy Index was compiled through indicators from the World Bank's Worldwide Governance Indicators, the Cingranelli-Richards (CIRI) Human Rights Database, and data from the European Values Study (EVS). We also draw on European level and country-specific research and surveys.

Our selection of indicators was based on the rights and commitments outlined in key EU documents and treaties, the availability of data, the necessary conditions of democracy, and fine-grained measures applicable to advanced democracies, as well as population survey data.

Dimension 1: electoral and procedural democracy

Our first dimension aims to capture the 'essentials' of democracy: the independence of institutions, respect for the rule of law and the absence of violence and corruption. It includes three indicators from the World Bank and one indicator based on electoral turnout:

- indicator 1: political stability and absence of violence (World Bank)
- indicator 2: rule of law (World Bank)
- indicator 3: control of corruption (World Bank)
- indicator 4: electoral turnout (Institute for Democracy and Electoral Assistance)

Dimension 2: fundamental rights and freedoms

Our second dimension aims to capture the rights and freedoms outlined in the EU Charter of Fundamental Rights, including political rights, rights of association, freedom of expression, freedom of the press, freedom of religion and gender equality. The data are based on one World Bank indicator and two indicators from the CIRI Human Rights Project:

- indicator 5: voice and accountability (World Bank)
- indicator 6: freedom of religion (CIRI Human Rights Database)
- indicator 7: economic rights of women (CIRI Human Rights Database)

Dimension 3: tolerance of minorities

Our third dimension focuses on attitudes towards minority groups. The rights of minority groups are outlined specifically under articles 20, 21 and 22 in the EU Charter of Fundamental Rights.

The data are based on examining the attitudes of European citizens themselves using the EVS. Many of the challenges, such as the rise of grassroots xenophobic populism, are best measured through the attitudes of citizens. But it is also important to note that our review of pre-existing indices was not able to identify a standalone, 'objective' measure of discrimination towards minority groups.

The EVS asks respondents to choose which types of people they 'would not like to have as a neighbour'. Our indicators related to intolerance towards six minority groups that were likely to face discrimination:

- indicator 8: intolerance of people of a different race
- indicator 9: intolerance of Muslims
- indicator 10: intolerance of Jews
- indicator 11: intolerance of Roma
- indicator 12: intolerance of immigrants
- indicator 13: intolerance of homosexuals

Dimension 4: active citizenship

This dimension measures the health of EU member states' civic culture and the extent to which citizens are political and civically active. The data are based on three 'indicators' compiled from questions asked in the EVS:

- indicator 14: belonging or civic engagement, including involvement in:
 - political parties
 - trade unions
 - women's rights
 - local community action
 - human rights
 - youth work

- indicator 15: volunteering or active citizenship, which measures levels of active citizenship with respect to volunteering based on the percentages of citizens who say they *work unpaid* for the types of organisation listed above
- indicator 16: protest or political activism, which measures how active populations are in different forms of protest – ‘signed a petition’, ‘joined a boycott’, or had taken part in a ‘lawful demonstration’

Dimension 5: political and social capital

The fifth and final dimension measures how attitudes towards democracy and society are changing in the EU, and whether we can observe increasing or decreasing satisfaction.

The first four indicators explore citizens’ attitudes towards democratic governance and evolving attitudes towards authoritarianism:

- indicator 17: satisfaction with democracy
- indicator 18: intolerance of authoritarianism (strong leader)
- indicator 19: intolerance of authoritarianism (army rule)
- indicator 20: support for a democratic political system

We also use two measures of ‘social capital’, which capture the extent to which citizens trust each other and the extent to which respondents feel they have freedom of choice:

- indicator 21: general trust in people
- indicator 22: control over one’s life and freedom of choice

Longitudinal focus

Measuring democratic backsliding requires a longitudinal approach. We wanted to ensure that our index covered a sufficiently long duration of time to ascertain how democracy across EU member states has fared over the past ten years.

The inclusion of population survey data from the EVS inevitably limits the time frames that can be used. The inclusion

of EVS data limits us to two ‘snapshots’ – in 1999/2000 and 2008 – which are applicable across all the indicators we have chosen and all five dimensions. For the first two dimensions, however, we are able to provide more up-to-date indications of trends through 2012. We also supplement our quantitative index with the most recent in-depth qualitative analysis through the summer of 2013.

Findings: who are Europe’s backsliders?

Our index confirms a common perception that Eastern European countries tend to be at the bottom of democracy measures, while Western and Northern European countries are at the top. This should come as no surprise given that many of these countries only emerged from the shadow of Communism in the early 1990s.

And yet on some measures we see this bifurcation of Europe disintegrating, with Eastern European countries showing notable improvements, while Western European countries appear to be suffering democratic malaise – particularly looking at the views of citizens themselves.

Overall, Greece and Hungary emerge as the most worrying backsliders on measures of healthy democracy.

Priority countries: Bulgaria, Romania and Hungary

Bulgaria and Romania are consistently the poorest performers relative to their EU peers across all five dimensions. Given the histories of these countries, this should not be surprising. But there have also been some modest improvements, for example relating to tolerance for minority groups. Bulgaria was the single biggest improver on the second dimension rights and fundamental freedoms.

Hungary was a significant ‘backslider’ on dimensions 1 and 2 and, worryingly, scored poorly with respect to citizens’ attitudes towards democracy. It was also the poorest performer on our measure of active citizenship. In the past few years, the wide-ranging suite of proposed legislative changes in Hungary has

undermined pluralism and democracy. The popularity of the far right Jobbik party adds to international concern about Hungary.

The faltering Mediterranean bloc

Although Spain, Greece, Italy (and Portugal) were rarely among the worst performers, at least one of them is a backslider for every dimension except dimension 3 (tolerance of minorities). Greece experienced the sharpest declines and it continues to suffer severe strain to its democracy: high unemployment, corruption, social unrest, the rise of extremism and a deep public malaise. Particularly worrying is the fact that it was one of the worst performers on dimension 2, fundamental freedoms and rights.

Italy also was a frequent decliner as it continues to battle endemic corruption and organised crime. The corruption and evasion of prosecution by Prime Minister Berlusconi has undermined the public's faith in social and political institutions. The extraordinary rise of populist Beppe Grillo and the Five Star Movement in the 2013 election reflected the public's frustration.

Democracy in the EU in the 21st century

Our index also provides snapshots of how Europe is doing as a whole since the turn of the century.

Procedural and electoral democracy (dimension 1)

On three out of the four indicators we used, the European average declined successively between 2000, 2008 and 2011. Control of corruption worsened, political stability decreased and the number of people voting has declined. There was significant decline in Greece, Italy and Hungary relative to their peers. Greece declined across rule of law, control of corruption and political stability; Italy declined on rule of law and control of corruption; Hungary showed three successive declines on rule of law and control of corruption. Those at the bottom of the table were Bulgaria, Romania, Greece, Latvia and Lithuania.

Bulgaria, Hungary and Romania showed the lowest levels of voter turnout.

Fundamental rights and freedoms (dimension 2)

The European average score for protection of freedoms and rights has been constant since 2000, though within this consistency some countries have fluctuated. The five worst performing countries are Romania, Latvia, Slovakia, Greece and Bulgaria. Hungary was one of the only countries to show three successive declines, and thus should be a priority. Latvia also declined substantially, driven by its score for freedom of religion and economic rights of women.

Tolerance of minorities (dimension 3)

There are clear limitations to the EVS 'neighbour' question (where respondents choose which types of people they 'would not like to have as a neighbour'), but nonetheless it provides some insight into how people's attitudes towards minorities change. Across Europe, we find that Roma were considered the least desirable neighbour, followed by homosexuals and then Muslims. Overall, Netherlands, Austria, Czech Republic and Slovenia experienced the most significant hardening of attitudes. Those countries below the average on this measure tended to be in Eastern Europe, with Austria and Italy being the exceptions. Of all the minority groups considered, negative attitudes towards Muslims hardened most significantly, rising 4 percentage points from 2000 to 2008.

Active citizenship (dimension 4)

Between 2000 and 2008, Europeans on average tended to become less politically active (signing fewer petitions, joining fewer boycotts and demonstrating less) and less likely to belong to a civic organisation. Volunteering, on the other hand, increased. During the years since 2008 there has been economic recession, unemployment has risen, and there have been banking

and fiscal crises; austerity programmes have been met with significant political protest, and may have impacted on volunteering rates as well. For these reasons this dimension is difficult to interpret – rates of political activism could be tied to corruption, inefficient institutions and social and economic unrest. However, the data suggest that this is not the case. Consistently strong democracies like Sweden, France and Denmark also show the highest levels of political activism, while Bulgaria, Romania and Hungary occupy the lowest positions.

Satisfaction with democracy (dimension 5)

Again, the data here are limited to 2000 and 2008, and it is certain that the years since 2008 will have had a significant impact on citizens' attitudes towards democracy. The banking and eurozone crises have contributed to a sense of an out-of-touch political elite. More recent data from the 2012 DEREK [Demand for Right-Wing Extremism] Index showed that anti-establishment views in Greece had increased drastically, with 62 per cent displaying lack of trust in the political system. Even between 2000 and 2008, however – what many describe as the boom years – satisfaction with democracy in Europe was decreasing. Our index showed the most significant declines in those years in Portugal, Czech Republic, Hungary and Bulgaria. Bulgaria, Romania and Latvia score the worst out of their peers.

Recommendations: what can the EU do to stop backsliding?

Few examples of backsliding are completely obvious or uncontested. In almost every instance, governments vigorously defend decisions that others label as backsliding. The identification of backsliding inevitably involves some level of ambiguity and debate. Care needs to be taken to ensure that identification of backsliding is rigorous and objective, and thus not susceptible to charges of politicisation. The Commission and the European Fundamental Rights Agency must hold the primary role for measuring and enforcing democratic commitments.

Tending to democracy is both a long and a short game. The Commission needs to have the tools to be able to react immediately to an undemocratic development. Infringement procedures are the most common form of redress, but alternative mechanisms include submissions to the Court of Justice of the European Union (CJEU), complaints to the European Parliament Committee of Petitions, traditional nation-state political interventions and citizens' initiatives. At the more extreme end, Article 7 of the Treaty of the European Union also provides the possibility for EU member states to suspend a member state's rights if there is concern that a serious breach of EU principles is at risk or has actually occurred.

Yet, at the same time, such transgressions need to be put into the context of wider democracy development. This should include changes in citizens' attitudes that may be undemocratic. While there is little the EU can do in response to this, or in response to rising levels of support for far right populist parties, citizens' attitudes are nonetheless important to consider in assessing the health and vitality (or lack thereof) of democracy in EU member states.

We make the following recommendations:

- *The Commission should distinguish between core backsliding transgressions and smaller order issues:* It should categorise democratic commitments and backsliding in order of priority and importance – with the possibility of advocating different routes and methods of redress for both. Smaller order issues may continue to be dealt with through infringement procedures, but those issues of a more severe order should necessitate more high profile interventions and public pronouncements.
- *The Commission should produce an annual report that focuses on the overall development of democracy in the EU:* This report should include specific issues of backsliding or infringement of fundamental rights and actions taken to redress these issues. Some issues may not necessitate formal measures or sanctions, but such a naming and shaming of countries periodically could have a positive impact. Building on our index, the Commission's

annual report should include a league table or index of country scores to make it easy to identify trends and put specific actions into a broader context.

- *The European Union Agency on Fundamental Rights must develop a more systematic approach to measuring democracy and backsliding among EU member states:* The production of a single ‘score’ for countries, whether overall or at a dimension level, is reductionist and requires methodological care. It should also be supplemented with in-depth qualitative analysis. Nonetheless, it can be valuable to understand whether a country’s democracy is becoming stronger or weaker, as well as the relative position of EU member states to each other and the overall progression of democracy throughout the EU as a whole. Efforts to measure and monitor backsliding to date have not been sufficient.
- *The Commission needs to ensure sufficient levels of investment for the Fundamental Rights Agency to be able to collect the necessary data and produce a quantitative index that is objective and rigorous:* One of the most important obstacles to a more effective measure and enforcement of fundamental rights is lack of data. This is particularly true with respect to citizens’ attitudes and behaviours captured in dimensions 3, 4 and 5 of our index. Moreover, as our attempt to construct an index shows, building a democracy index that applies to only 27 countries requires more frequent data inputs in order to ensure a stronger statistical underpinning. The Commission should invest in and encourage the gathering of more data on democracy at more frequent intervals.
- *The Commission and the EU should carefully consider the potential backlash of intervening too aggressively and without sufficient data:* Monitoring democracy and confronting backsliding will be messy, inconsistent and at times frustrating. A rigorous approach to measuring backsliding or fundamental right infringements could help to eliminate the possibility of politically charged accusations of double standards, politicisation and hypocrisy. But the EU must also consider the potential negative impact of acting too aggressively. Doing so could fan the flames of domestic populist and anti-EU sentiment in the offending

countries. Providing a rigorous and consistent measure of citizens' attitudes in each country can help the Commission and other relevant EU institutions understand where there is a risk of a backlash.

Introduction

The European Union (EU) faces an uncertain future. Concern and scepticism brought on by the eurozone crisis is leading some countries to question the future role of the Union, and their own place within it. These soul-searching debates centre on economic, monetary and fiscal matters. The role of the EU as a protector and promoter of pluralist and liberal democratic principles and good governance across Europe is often neglected.

We argue that this should be a major function of the EU in the years to come. The EU should continually push, pull and prod all EU member states – not just those in Eastern Europe – to the greater reaches of good democratic governance. While not envisaged as a function of the EU from the outset, this role has developed over time, as a natural consequence of the EU's expansion over the past decade from 15 to 28 member states (with the recent inclusion of Croatia). The EU should embrace this role and develop it further as a core element of its *raison d'être*.

In 1993, it was determined that states wishing to become members of the EU had to demonstrate their commitment to democratic principles as outlined by the Copenhagen criteria. The Amsterdam Treaty of 1997, the Charter of Fundamental Rights of the European Union, and more recently the Lisbon Treaty clarified the democratic rights and commitments that are required of both new and pre-existing member states, and strengthened the EU's ability to monitor and enforce respect for these rights. There have also been efforts recently to align further the work of the EU and the Council of Europe in preserving and promoting human rights, democracy and the rule of law and ensuring the coordinated enforcement of the European Convention on Human Rights (ECHR) and the Charter of Fundamental Rights of the European Union.

Of the dozen new members who joined the EU in 2004 and 2007, all but two of them (Malta and Cyprus) were former Communist states. The abrupt transition from one-party rule and the varying degrees of oppression that characterised the former Eastern bloc renders these fledgling democracies vulnerable to anti-democratic forces. The incentive to join the EU has encouraged reform in these countries, and most recently in Croatia. But there have been fears that after their accession to the EU, some countries would no longer prioritise the fight against corruption or the protection of minorities, for example.

Concerns about EU member states 'backsliding' from democracy have grown in recent years as some member states have been renegeing or failing to deliver on commitments. Others have passed legislation that could pose a threat to the integrity of a liberal, pluralist democracy in their countries. This has included concerns over media freedom, corruption and the mistreatment of minority groups.

The 2008 financial crisis and the crisis in the eurozone have also created pressures that are straining democratic government and society across Europe. The inability of democratically elected politicians to resolve Greece's debt problems, for instance, led to the formation of a 'technocratic government' and the rise of populist and extremist political parties, combined with widespread unemployment and poverty. Concerns over sovereign debt and continuing banking crises – and the possible impact that they could have on social unrest – remain for countries such as Cyprus, Italy, Spain, Portugal and Ireland.

Despite these instances of backsliding and concern, EU member states have traditionally been at the forefront of democratic development, and advocating the principles of open society and respect for individual and social rights. As the EU contemplates its future role, the preservation and promotion of fundamental rights, democracy and rule of law within member states must be one of its key aims.

This report

This project explores whether ‘democratic backsliding’ among EU member states can be measured and prevented. Chapter 2 reviews some examples of democratic backsliding in seven EU member states that have attracted criticism. We highlight six areas where democracy is under threat or strain, drawing on experiences in France, Italy, Greece, Hungary, Latvia, Bulgaria and Romania.

Some examples of backsliding are specific, contractual and procedural in nature: countries breaking or failing to implement specific commitments, or passing legislation that contravenes EU law. In these instances there are mechanisms in place – such as European Commission-instigated ‘infringement procedures’ – to bring about enforcement. While the effectiveness of these mechanisms is debated below, responding to these specific developments requires little consideration of the growth of democracy overall; no measurement of democracy and its various components overall is required in this instance.

Ultimately, a more systematic approach needs to be taken to monitor the development of democracy in EU member states. Alongside mechanisms to enforce and see through specific democratic commitments, a broader focus is needed to track the ebb and flow of democracy overall in all member states.

Measuring democracy in the EU

Measuring democracy is notoriously difficult. Organisations such as the World Bank, the Economist Intelligence Unit (EIU) and Freedom House, to name a few, attempt to measure its strength and evolution across the world. There have been very few attempts to develop a measure of democracy that is uniquely tailored to the European context. This is partly because the democratic bar is already set high: some European countries – particularly in the north and west – are consistently among the top performers on democracy worldwide.

One attempt to develop an index tailored for Europe was undertaken by Demos in 2008. Demos’ Everyday Democracy Index was a composite index that aimed to measure the extent to which democratic principles permeated everyday life in

European countries, not just in the formal sphere of politics – within institutions and electoral democracy – but also in human environments such as workplaces and families.¹¹

In this report we draw on the previous work of Demos' Everyday Democracy Index to construct a new index that is specifically geared towards measuring the evolution of democracy across EU member states.

Our conception of democracy is pluralist and liberal. Liberal democracy requires core protections for minorities against the possible 'tyranny of the majority'. It also requires a number of other components beyond simply the election of leaders, such as checks and balances of government branches, independence of institutions (particularly the judiciary), and rights and freedoms of the press, expression and speech.

Concern for a pluralist democracy is also important. Societies that are characterised by a healthy diversity of groups, including private sector businesses, civil society organisations, media outlets and political parties – with equal protections and equal opportunities to pursue their interests – are inherently stronger societies, and thus desirable.

The Demos EU Democracy Index

The first step in developing our EU-tailored democracy index was to conduct an exhaustive review of existing democracy indices and identify indicators that are relevant to EU member states.

Our selection of data was based on the rights and commitments outlined in key EU documents and treaties, the availability of data, the necessary conditions of democracy and fine-grained measures applicable to advanced democracies, as well as population survey data. The sources from which we derive our indicators include the World Bank's Worldwide Governance Indicators, the Cingranelli-Richards (CIRI) Human Rights Database and the European Values Study (EVS). We also draw on a wide range of European level and country-specific research and surveys to inform our analysis.

Our index is based on the belief that the consideration of the health of democracy requires an examination of not only

institutions and government decisions, but also the attitudes of citizens.

Our index allows for the tracking of developments with respect to democratic commitments over time. Longer-term monitoring is essential if the EU is going to prevent democratic backsliding among member states effectively. While backsliding can occur swiftly with the introduction of legislation or spur-of-the-moment actions, the development of strong democratic institutions, procedures and culture is built slowly and painstakingly over time.

As with all such indices, the picture presented is inevitably shaped by the data available, and fails to capture some of the qualitative aspects of undemocratic developments within countries. We thus supplement our index with an in-depth review of our seven EU member states presented in chapter 2.

The report is structured as follows. Chapter 1 provides a brief history of the evolution of the enforcement of democratic principles and commitments in EU member states. This function of the EU arose in response to the process of enlargement to include post-Communist countries in central and Eastern Europe. Key documents and treaties include the Copenhagen criteria, the Amsterdam Treaty, the Charter of Fundamental Rights of the European Union, and the Lisbon Treaty.

Chapter 2 presents a summary of democratic backsliding across seven EU member states that have come under criticism in recent years. We identify six areas of concern: democratic malaise and public distrust, corruption and organised crime, the justice system, media freedom, human rights and the treatment of minorities.

Chapter 3 presents an overview of democracy measurement, the wide range of pre-existing democracy indices and the considerations that need to be taken into account when attempting to construct a EU democracy index.

In chapter 4 we outline the rationale behind our EU Democracy Index and present the basic structure, including the five dimensions of democracy we have chosen and the component indicators.

Chapter 5 presents the findings of our Democracy Index, including the scores and ranks of countries on the five dimensions and the 22 indicators.

In chapter 6 we consider the mechanisms of enforcement that are at the EU's disposal, and include some examples of how the EU has reacted towards the backsliding outlined in chapter 2.

Finally, we conclude with a number of recommendations for the EU to strengthen its role as a guarantor of democracy.

1 The EU and democracy

The language of democracy and human rights has always figured prominently in EU treaties and pronouncements. However, the EU's active involvement in safeguarding democracy and human rights is largely a result of its expansion into central and Eastern Europe.

The Council of Europe – founded in 1950 alongside the European Convention of Human Rights – has originally been at the forefront of preserving and protecting human rights and democracy across Europe – not just limited to EU member states. But in recent years – especially following enforcement of the Lisbon Treaty in 2009 – the EU has adopted the remit alongside stronger powers to hold member states to their commitments under EU law and in line with the Charter of Fundamental Rights.

The EU's desire to enlarge and include post-Communist countries from central and Eastern Europe led to the European Council of Copenhagen of 1993 and the enumeration of conditions of accession to the EU or the Copenhagen Criteria, which stipulate that new members to the EU must have 'achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities'.¹² As the European Commission explained in its 2001 strategy paper, 'the [Copenhagen Criteria] requirements... have continued to serve as important incentives for the candidate countries'. It also noted that 'overall progress in consolidating and deepening democracy and respect for the rule of law, human rights and the rights of minorities has been considerable'.¹³

For those countries that were already members of the EU, the enforcement of human rights and democratic principles remained vague. According to some experts, 'the necessity of promoting a human rights policy in the internal sphere was

largely ignored'.¹⁴ The Maastricht Treaty of 1992, which established the formal creation of the European Union, is said to have 'reflected this ambivalence'. Despite the treaty alluding to the 'objective of developing and consolidating democracy and the rule of law, and to that of respecting human rights and fundamental freedoms' (Article 130U), the text contained only 'weak' provisions to safeguard those standards internally.¹⁵

It was not until the Amsterdam Treaty in 1997 that the EU took a decisive step towards placing fundamental rights and freedoms front and centre of the internal European stage.¹⁶ Among other areas, this included issues related to: *equality* – 'the Community shall aim to eliminate inequalities, and to promote equality, between men and women' (Article 3); *employment and social rights* – by promoting 'a high level of employment and of social protection... the raising of the standard of living and quality of life, and economic and social cohesion' (Article 2); and *non-discrimination* – 'combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation' (Article 13). It also referred to such diverse issues as the abolition of the death penalty, freedom of movement and religion.

The prospect of impending enlargement underlined the need to provide 'a comprehensive (rather than piecemeal) control of human rights standards in member states'.¹⁷ The Amsterdam Treaty formalised initial procedures for considering the suspension of a member state in the case of a 'serious and persistent breach... of principles mentioned in Article 6(1)'. Furthermore, in the event of such a sustained breach, 'the Council [of Ministers], acting by a qualified majority, may decide to suspend certain of the rights deriving from the application of this Treaty to the member state in question' (Article 7.2 Treaty on European Union; TEU).

Charter of Fundamental Rights of the European Union

However, the EU's approach still lacked conceptual clarity and coherence. The presidency conclusions of the Cologne Council in June 1999 noted that 'at the present stage of development of

the EU, the fundamental rights applicable at Union level should be consolidated in a Charter and thereby made more evident'.¹⁸

The Council of Ministers, the European Parliament and the Commission jointly proclaimed the Charter of Fundamental Rights of the European Union at the European Council in December 2000 in Nice, as a non-binding declaration (although with a clear aim to determine its legal status at a later date).¹⁹ The charter is influenced by a variety of human rights documents, including the 1948 non-binding Universal Declaration of Human Rights,²⁰ the 1966 International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights (collectively referred to as the International Bill of Human Rights), as well as the Council of Europe's 1950 European Convention of Human Rights (formally the Convention for the Protection of Human Rights and Fundamental Freedoms).²¹

The preamble of the charter stated its desire 'to strengthen the protection of fundamental rights in light of changes in society, social progress and scientific and technological developments by making those rights more visible'. The charter aimed to reaffirm a series of collective, personal, civil and political rights that were deemed indivisible and common to citizens of European member states.

Grouped into seven chapters, the charter outlined, among other matters, an obligation to maintain freedom of expression and information (Article 11); freedom of assembly and association (Article 12); cultural, religious and linguistic diversity (Article 22); gender equality (Article 23); the right to vote (articles 39 and 40); and freedom of movement (Article 45).²²

The Lisbon Treaty

An amended version of the charter was granted binding force in 2009 through the Lisbon Treaty,²³ which stated:

The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the

*member states in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail. (Article 2 TEU).*²⁴

With the advent of the Lisbon Treaty, the adherence to such fundamental principles and values is viewed as a *conditio sine qua non* for any country wishing to join the Union.²⁵

It has been noted that the ‘protection of fundamental rights in the EU context has been taken to a new level’,²⁶ both in the legally binding nature of the charter,²⁷ and in the Lisbon Treaty’s reaffirmation of the constitutive elements that are viewed as essential in safeguarding ‘fundamental freedoms’ and ‘human rights’ among EU member states. This included such diverse issues such as the need to ‘combat social exclusion and discrimination... promote social justice and protection... solidarity between generations and protection of the rights of the child’ (Article 3.3 TEU).²⁸

The question now is the extent to which EU member states comply with the collective aims set out by the treaty that they are bound to respect. The issue has moved from one of definition to one of measurement.

By giving the Charter of Fundamental Rights legally binding force, the Lisbon Treaty significantly raised the stakes on potentially errant states by making more real the threat of Article 7 and suspension.

With the Lisbon Treaty, the European Council has reaffirmed that

*acting by a qualified majority, [it] may decide to suspend certain of the rights deriving from the application of the Treaties to the member state in question, including the voting rights of the representative of the government of that member state in the Council (Article 7.3 TEU).*²⁹

At the same time, Article 6 of the Lisbon Treaty inextricably connects the EU with the Council of Europe and the European Court of Human Rights, rendering the EU liable if it fails to ensure that human rights and democratic principles are respected across its jurisdiction. This follows on a memorandum

of understanding from 2007 for greater cooperation between the EU and the Council of Europe to ‘preserve and promote human rights, democracy and rule of law’ in Europe.³⁰

Moreover, the European Union Agency for Fundamental Rights was established in 2007 (as successor to the European Monitoring Centre on Racism and Xenophobia) to gather data among EU member states on respect for fundamental rights and to provide expert assistance to EU bodies in their enforcement.

Taken together, these developments show the EU’s steady progression towards outlining and creating an enforcement mechanism to ensure the protection and promotion of democracy, human rights and the rule of law in all member states. Yet at the same time, the ability to measure democracy and enforce democratic commitments needs further attention and development.

Observing – and measuring – systematic backsliding on any of the defined fundamental principles of EU membership is the first requirement of any regulatory and enforcement framework. This requires both qualitative and quantitative information gathering and analysis. In the next chapter we present qualitative analysis of some of the more recent and notable examples of democratic backsliding in seven case study countries.

2 Where is Europe backsliding?

Reports on democratic backsliding tend to focus on central and Eastern European countries, such as Hungary, Bulgaria and Romania. Hungary especially has been the subject of criticism and concern following legislation and constitutional reforms from the ruling Fidesz Government, which has received widespread criticism for undermining pluralism and checks and balances.

Bulgaria and Romania, the most recent EU members, continue to be subject to cooperation and verification mechanisms (CVMs) to monitor their democratic development as a condition of their accession.

Yet countries in Western Europe have also come under fire for undemocratic legislation. France has been criticised for its controversial policies on religious freedom and its treatment of the Roma people. Italy continues to face problems with corruption, organised crime and media ownership.

Across the EU, citizens are angry and frustrated at the grim economic situation – including very high levels of youth unemployment – as well as a political class that is out of touch, self-interested and sometimes corrupt. Many Europeans appear to be losing faith in the political system as a whole to respond to the current crisis.

In the past three years Greek society has been strained at the seams as the Government seeks to enforce painful austerity measures as a condition of its bailout. Athens and other parts of Greece have descended into poverty, crime and (frequently violent) street protests. The far right party Golden Dawn won a shocking 7 per cent of the vote at the last election, entering into parliament for the first time. Greece's democracy is clearly undergoing severe strain.

Backsliding case studies

To understand the nature of democratic backsliding in recent times, we analysed seven countries in Europe that have been subject to criticism. We have selected countries with diverse cultural, political and historical backgrounds, which represent all sides of the EU's north–south and west–east axes.

Our aim is to highlight some of the examples of backsliding in detail as a supplement to our index findings, which are presented later in the report. The attempt to quantify and measure the progression (or backsliding) of democracy inevitably involves a simplification of the matters at hand. For example, measuring the 'rule of law' could entail a plethora of issues – with varying degrees of severity – from the independence of institutions, to corruption, to organised crime. It is essential that examples of backsliding are understood in qualitative detail alongside considerations of quantitative scoring and measurement.

Two of the countries we have featured – France and Italy – are founding members of the EU (from its origins as the European Coal and Steel Community in the 1950s), with long traditions of democratic rule unbroken in the postwar period. Then there is Greece, which became the EU's 10th member state when it joined in 1981, not long after emerging from a period of military rule. The other countries we have studied are all taken from the crop of newcomers, all from the former Eastern bloc: Hungary and Latvia both joined in the big-bang expansion of 2004, while Bulgaria and Romania acceded three years later. In each of these countries there have been notable controversies in recent years, which have sparked concern about undemocratic practices.

In some examples, there has been a clear backsliding from recognised standards that EU member states are supposed to uphold. We also have had to take into account older, often very deep-rooted problems that predate and have then coexisted with democratic politics, such as organised crime in Italy or corruption in Bulgaria. These problems have not only proven difficult to eradicate, but also may have become worse and thus provide further evidence of democratic backsliding.

The five main areas of democratic backsliding in Europe are:

- democratic malaise and public distrust
- corruption and organised crime
- the justice system
- media freedom
- human rights and the treatment of minorities

The Economists' verdict: 'flawed democracies'

We present the results from our own index in later chapters, but a brief look at the Economist Intelligence Unit (EIU) Democracy Index provides an idea of the performance of our case study countries over the past five years.

The EIU Democracy Index scores countries out of 10 by measuring their performance against 60 criteria covering categories such as 'electoral process and pluralism', 'the functioning of government', 'political participation', 'democratic political culture' and 'civil liberties'. A mark of 8 or above qualifies a country as a 'full' democracy, while a score between 6 and 8 means it is defined as 'flawed'.

According to the most recent (2011) EIU Democracy Index, all seven of our case study countries were classified as 'flawed democracies', a status shared by 14 EU member states, with the other 13 qualifying as 'full democracies'.³¹

Consistent with our concern for undemocratic trends, the EIU has noted a decline in the democracy ratings for both Western and Eastern European countries since 2008. Greece, Italy and France all dropped out of the category of full democracies over that time, and were joined by Portugal in 2011.

The EIU cited 'the erosion in sovereignty and democratic accountability associated with the effects of and responses to the eurozone crisis' as the main reason for the decline. As for Eastern Europe, it pointed to a 'lack of substance' in the democratic systems of the nations in that region and to low levels of trust and participation among their electorates.

In 2011, the scores for Italy, Greece, Hungary, Bulgaria and Romania all fell compared with the previous year, while France

and Latvia's performance was flat. In 59th place out of 167 countries, Romania was the lowest placed EU member state, just as it was the previous year. Bulgaria was the next worst performer, in 52nd place. Latvia beat Hungary to 48th place, while Greece fell four places from its 2010 ranking, to 28th. Italy also fell by two places to 31st. France, meanwhile, maintained the same score but climbed two places to 27th following the fall of Greece and Italy.

Democratic malaise and public distrust

Despite the spread of democracy across Europe since the 1970s, with formerly fascist or Communist countries embracing democratic politics and joining the EU, there have been signs in recent years that traditional political systems are coming under strain.

Voters are becoming increasingly dissatisfied with parties that have dominated the political landscape for decades. Parties of protest, often newly formed and specifically opposed to an established mainstream, have been gaining ground with startling success. The rise of the Pirate party in Germany and Ukip in the UK show that even the largest and most stable states in the EU are not immune to the phenomenon.

One of the most startling examples of this trend for anti-political politics has been Italy's Movimento 5 Stelle (M5S), or Five Star Movement, created in 2009 and led by the comedian Beppe Grillo. In the most recent election in February 2013, the Five Star Movement won an astonishing quarter of the vote, making it the largest faction in the lower house of parliament and a significant player in the upper house senate.³²

From the outset M5S has been a web-based project and has specifically disavowed the party political model. As Grillo put it in the movement's founding blogpost: "The parties are dead. I do not want to found "a party", an apparatus, a structure of intermediation. Rather, I want to create a movement with a programme."³³ Grillo's use of social media to create a direct connection between voters and the political process presages a new era of politics influenced by the internet and social media.

While the policy specifics of Grillo's 'movement with a programme' might be vague and idealistic, the success of M5S should be interpreted as a sign of the Italian public's disaffection with traditional politics as usual.

This instability in Italy mirrors to a lesser extent the turmoil in Greece, where in the course of eight months (November 2011 to June 2012) a democratically elected leader was forced to resign and two general elections took place. The two big parties, Pasok and New Democracy, have remained in government, but both suffered a dramatic collapse in their support at the polls. In the May 2012 election, New Democracy crashed to just 19 per cent of the vote, although it managed to increase this to 30 per cent six weeks later. By June 2012, Pasok had lost almost three-quarters of the vote it received at the 2009 election, slumping to 12 per cent of the vote.³⁴

The most striking feature of the 2012 elections was the emergence of new forces in Greek politics. The anti-bailout leftwing coalition Syriza surged to 27 per cent of the vote, making it the main opposition party. Moreover, the far right party Golden Dawn won 7 per cent of the vote and gained its first ever seats in parliament. There are also reports that swathes of the Greek police are sympathetic to Golden Dawn activists.³⁵ Some have argued that freedom of assembly has been challenged repeatedly by the Greek police, who have been accused of the use of teargas and violence against peaceful protesters and the incitement of riots since 2008.³⁶

In France, there has been no major realignment, but disillusionment with the mainstream has been observed there, too. Corruption scandals, administrative incompetence,³⁷ and politicians' perceived lack of accountability have combined to create dissatisfaction.

A mood of mistrust also characterises today's Hungary. One survey conducted in 2011 found that 54 per cent of people did not trust any of Hungary's political parties, while another found that 45 per cent would support an authoritarian government over a democratic one if it led to rapid economic growth.³⁸ According to the Hungarian think tank Political Capital's DEREX [Demand for Right-Wing Extremism] Index

(a measure of the demand for right-wing extremism), 45.5 per cent of Hungarians showed anti-establishment attitudes in 2009.³⁹

Systemic problems: Hungary

Until recently, Hungary was considered one of the more successful countries to make the transition from authoritarianism to democracy. Fears about democratic backsliding have emerged since the Fidesz party of Viktor Orbán came to power in 2010 and instigated a wide range of controversial legislation including a sweeping overhaul of the Hungarian constitution. These fears have been confounded by international controversy since March 2013 around the Fourth Amendment to the newly written constitution.

Fidesz currently holds a ‘supermajority’ of two-thirds in the Hungarian parliament, after winning a significant victory with 52 per cent of the vote in 2010. Taking advantage of their ‘supermajority’, Fidesz drafted a new constitution and over 700 pieces of legislation, which aimed to redraw electoral boundaries in the party’s favour, as well as remove a number of checks and balances to government power that threaten the independence of the judiciary, Central Bank and media.

The government’s actions have been criticised by NGOs,⁴⁰ international organisations,⁴¹ other states⁴² and the EU.⁴³ The European Commission gave Hungary what the *New York Times* called an ‘unprecedented warning’ that the country could face EU sanctions and infringement proceedings.⁴⁴ Infringement proceedings were initiated on legislation that threatened the independence of the national central bank, the judiciary and the national data protection authority.⁴⁵ While proceedings were dropped regarding the central bank following Hungarian promises to amend the legislation, Hungary was referred to the Court of Justice of the European Union (CJEU) on its proposed changes to the judiciary and the national data protection authority.

At the time of writing this report, the back-and-forth continues between the Fidesz Government and European institutions over controversial legislation. The European

Parliament's Civil Liberties Committee has just agreed to accept the draft recommendation made by MEP Rui Tavares in his landmark report on Hungarian democracy. The report came out in strong criticism of the Hungarian fundamental law and Tavares called for Fidesz MEPs to 'restore democratic norms' to the country. When the final report is released, it is expected to be highly critical of wide-ranging legal and constitutional reforms made in the country.⁴⁶

The Fidesz Government has made reforms to its legislation on the judiciary in response to concerns raised by the Venice Commission of the Council of Europe. In the opinion submitted by the Venice Commission in October 2012 it was noted that concerns remained around the powers held by the President of the National Justice Office and the ability to transfer cases to different jurisdictions arbitrarily.⁴⁷ The Venice Commission has continued to criticise aspects of the Fourth Amendment and Hungary's constitutional reforms in its latest report from 15 June 2013. The report suggested that much of the Fourth Amendment acted as 'a threat to constitutional justice and for the supremacy of the basic principles contained in the Fundamental Law of Hungary'.⁴⁸

Legislation on the judiciary and media are discussed further below. The Fidesz Government also passed a controversial electoral law that was widely considered to be unduly beneficial to Fidesz.⁴⁹ For example, were Fidesz and the socialist Magyar Szocialista Párt (MSZP) (in power until 2010) to win the same share of the vote at the general election, Fidesz would receive significantly more parliamentary seats than the MSZP because of the changes.⁵⁰ In response, Freedom House's *Nations in Transit 2012: Hungary* downgraded Hungary's rating for its electoral process.⁵¹

The operation of the electoral system is an issue for Greece, too.⁵² After the junta of 1967–1974 was overthrown, the new constitution aimed to provide the country with much-needed political stability. Provisions to facilitate the formation of single-party governments were brought in and have remained in place ever since. The current electoral law gives the winning party 50 bonus seats in a 300-member parliament, thus allocating one-

sixth of the legislative body to a single party, regardless of its percentage of the vote or its margin of victory.

Following the 2012 elections, which broke the mould of Greek politics, questions have been asked about the usefulness of this system. It boosted the New Democracy party's haul of seats from 79 to 129 in the June 2012 general election, allowing it to form a coalition with its traditional rival Pasok and another party to outflank the anti-bailout leftwing coalition Syriza.⁵³ Whether that was a 'fair' outcome naturally depended on one's political perspective.

In Bulgaria, elections have been confirmed as free and fair by international monitors. However, recent elections have prompted accusations of vote-buying and changes to the electoral system led to significant delays and general administrative inefficiency. As a result, Freedom House downgraded Bulgaria's score in *Nations in Transit 2012: Bulgaria*.⁵⁴

However, Hungary remains the most significant concern overall based on the wide range of legislative changes that the Fidesz Government aimed to pass with little to no consultation with the public or opposition parties. Legislation targeting electoral reform, the judiciary, the media and the national data protection authority have combined to present a significant instance of democratic backsliding by undermining political opposition and pluralist democracy. On top of these concerns, support for the far right populist party Jobbik has surged in recent years, making it the third largest party in Hungary. According to some surveys – most notably the DEREK Index – the Hungarian populace expresses views that are worryingly undemocratic and discriminatory, particularly towards Roma.

The rise of the populist right

The far right is hardly a new phenomenon but it has gained momentum over the past decade or so as EU countries confront the challenges of globalisation and mass immigration. Since 2008, the fallout from the financial crisis, in which living standards have plummeted and unemployment soared in many

European countries, has given the narratives of far right parties new edge and appeal. In some cases, long-established right-wing parties such as France's Front National have taken their support to new levels. Elsewhere, entirely new parties have forged new critiques of contemporary problems. The Italian neo-fascist movement CasaPound, Hungary's Jobbik party and Bulgaria's Ataka fall into this latter category.

In Greece, the far right party Golden Dawn made a major breakthrough at the 2012 general elections. It secured 7 per cent of the vote at both the May and June elections – up from just 0.3 per cent in 2009 – and gained its first ever seats in the Hellenic parliament.⁵⁵ The party has neo-Nazi origins and its MPs make fascist salutes. It is openly anti-immigrant and its activists have been linked to a number of violent attacks. There have also been persistent allegations that the party engages in vigilantism and runs protection rackets. It is widely believed to benefit from collusion with the police, who are said to vote disproportionately for the party.⁵⁶

Despite the ascendancy of the right-wing Fidesz Government, in Hungary the far right party Jobbik (Jobbik Magyarorszáért Mozgalom: the Movement for a Better Hungary) has risen rapidly. Founded in 2003, Jobbik is now the third largest political party in Hungary. It has been called fascist, anti-Semitic, anti-Roma and homophobic.⁵⁷ The party leader, Gabor Vona, has described it as 'a principled, conservative and radically patriotic Christian party', whose 'fundamental purpose' is the protection of 'Hungarian values and interests'. Various explanations for the rise of Jobbik have been offered, among them widespread disillusionment with the political mainstream, fear of crime, which is particularly associated with the Roma minority, and the movement's innovative approach to campaigning through social media.⁵⁸

Corruption and organised crime

The second issue we highlight is the continued existence and spread of corruption. While corruption can exist in the most advanced democracies, the extent to which it flourishes and goes

unpunished is a reflection of poor democratic institutions and procedures.

The European Commission has estimated that some €120 billion, or 1 per cent of the EU's GDP, is lost to corruption each year. It has decreed that 'the implementation of the anti-corruption legal framework remains uneven among EU member states and unsatisfactory overall' often because of a lack of political commitment. To tackle the issue of corruption, the Commission has stated its intention to monitor member states' action against corruption in a new EU anti-corruption report, to be published for the first time in 2013, and then every two years.⁵⁹

Some EU member states' reputation for corruption has been laid bare in the annual Corruption Perceptions Index produced by the Berlin-based NGO Transparency International. The index ranks countries according to perceived levels of public sector corruption, giving them a mark out of 100.

In 2012, Greece was placed 94th out of 176 countries, making it the EU's most corrupt member state. It scored just 36 points out of 100 (marks ranged from 8 to 90). Of European countries, only Russia, Belarus, Kosovo and Albania did worse. Greece's peers (in joint 94th place) included Benin, Colombia and Mongolia. It slipped from 80th place in 2011, indicating that the worsening crisis in the country has exacerbated corruption levels.

Bulgaria was the next worst performing EU state (ranked 75th place in 2012), followed by Italy (72nd) and Romania (66th). The remaining case study countries were Latvia (54th), Hungary (46th) and France (22nd).⁶⁰

Greece

Transparency International claims that a key feature of Greece's corruption problem is a 'crisis of values'. In April 2012, as it launched its National Survey on Corruption in Greece, it commented: 'The long-standing acceptance of corruption by Greek citizens, coupled with fatalism about the chances of

preventing or resisting it, drives petty wrongdoing and perpetuates the bottlenecks in institutions that hamper reform.⁶¹ A Eurobarometer poll found that 60 per cent of Greeks expected public officials to abuse their position for personal gain. According to Transparency International, petty corruption cost the country €554 million in 2011.⁶² The cost of the country's endemic tax evasion has been put at €27 billion.⁶³

Greece's many high profile corruption scandals have implicated politicians,⁶⁴ civil servants,⁶⁵ sporting associations⁶⁶ and the church.⁶⁷ Corruption is said to have thrived in the boom years before the debt crisis hit, when an abundance of lucrative contracts allowed officials scope to rake off kickbacks. Despite the prosecution of former defence minister Akis Tsochatzopoulos, who has denied corruption charges, there have been relatively few prosecutions and even fewer convictions in the Greek courts, fostering the perception that major political players are above the law.⁶⁸

There have long been allegations of large-scale tax evasion by members of the country's business and political elite. Controversy erupted in recent months over the so-called 'Lagarde list', a catalogue of Swiss bank deposits held by more than 2,000 rich Greeks that the then French finance minister Christine Lagarde gave to her Greek counterpart George Papaconstantinou in October 2010. Papaconstantinou has been accused of not just failing to act on the information but of removing the names of three of his own relatives, a charge he has denied.⁶⁹

Corruption is also said to thrive in the less exalted echelons of Greek society. It has been reported that thousands of people trade their votes for a job or public procurement contracts with the public sector,⁷⁰ while 'rank and file' civil servants, police officers and hospital personnel are often caught receiving bribes. The somewhat arbitrary punishments meted out to those convicted of corruption also tend to reinforce a sense that ordinary people are being victimised, but that those with the right connections enjoy impunity.⁷¹

Not so clean hands: Italy

Italy's problems with corruption are long established and well known. It was a corruption scandal in 1992 that led to the end of the so-called First Republic. The extent of corruption uncovered by the 'Mani Pulite' ('Clean Hands') investigation caused the downfall of the two parties that had dominated Italy since the end of the Second World War, radically reshaping Italian politics. However, corruption did not disappear. Italy's Court of Accounts has estimated that the proceeds of corruption amount to €60 billion a year in Italy.⁷²

The dominant political figure of the post-1992 landscape, Silvio Berlusconi, has been plagued with corruption allegations over his two decades in the political spotlight – and mired in sex-related scandals as well. As the *New York Times* summarised: 'Over the years, he was tried for tax fraud, bribing judges and other white-collar crimes. In each case, he was either acquitted, the conviction was reversed on appeal or the statute of limitations ran out.'⁷³

Following Berlusconi's fall in November 2011, Mario Monti's Government succeeded in passing an anti-corruption law. Passed in October 2012, the law increases sentences for public officials caught demanding bribes and also toughens the penalties for private sector corruption.⁷⁴

But many external critics of the Italian system believe the country needs to go further. In March 2012, Transparency International pressed for the establishment of 'an independent anti-corruption watchdog to hold the country's politicians, public officials and institutions to account and enforce new measures'.⁷⁵ The following month, the Council of Europe's anti-corruption body Greco issued a report on Italy in which it criticised the country's party funding system. Control over political funding was 'fragmented and formalistic', Greco said, as it urged parties to develop internal controls and subject their accounts to independent audit. It recommended that the threshold for the declaration of donations be lowered – currently any donor giving less than €50,000 can remain unknown to the public. It also recommended that anonymous donations should be banned. Greco also said Italy should ratify the Council of Europe's Criminal Law Convention on Corruption and

incorporate it into law. Italy signed the treaty in 1999 but unlike most EU member states has failed to ratify it.⁷⁶

New members, old problems

When Bulgaria and Romania joined the EU in 2007, it was acknowledged that they ‘still had progress to make’ on corruption, judicial reform and, in the case of Bulgaria, organised crime (discussed further below). To deal with these problems, the EU set up a CVM to monitor and encourage improvements on these issues. The European Commission set criteria for assessing the progress made by the two countries and has reported back regularly to the European Parliament and European Council.

Bulgaria has suffered from weak democratic traditions, poor administration and a struggling economy. After setting its sights on EU membership, the country underwent a number of reforms including ‘neoliberal shock therapy’, which, combined with a weak state and a corrupt judiciary, led to the rise of ‘oligarchs’.⁷⁷

Some of these oligarchs continue to exploit public resources through public procurement tenders and indulge in a number of illegal activities behind a façade of legitimacy. They also continue to exert significant power in local or ethnic communities, control most of the country’s organised crime and are involved in a number of opaque relationships with public officials – when they are not public servants or politicians themselves.⁷⁸

Since its accession to the EU, Bulgaria has taken steps to tackle corruption, with a specialised anti-corruption body in each branch of the government. However, the Freedom House’s report *Nations in Transit 2012: Bulgaria* argues that ‘the country’s fight against corruption lacks coordination between different units, as well as clearly defined responsibilities and expectations’.⁷⁹

In July 2008, the EU suspended aid payments to Bulgaria worth €500 million, claiming that European public money was being misused.⁸⁰ Ultimately, almost half of this aid was lost because Bulgaria failed to comply fully and within the time frame set by the Commission.⁸¹

The most recent European Commission CVM report, published in July 2012, concluded that the implementation of anti-corruption measures had been ‘patchy’. Very few high-level corruption cases have reached court and there has been a disproportionately high number of acquittals. In a couple of ‘emblematic’ cases that resulted in long prison sentences, proceedings in the appeal court have been delayed, to the frustration of the Commission. The report also noted that complaints about the Bulgarian public procurement system had grown, and that there had clearly been ‘serious violations’ of EU procurement rules.⁸²

Corruption scandals have played a key role in depressing confidence in public institutions and politics among the general public. A Eurobarometer poll published in February 2012 found that 95 per cent of all Bulgarian respondents thought that corruption was a major problem.⁸³

In Romania, too, corruption continues to be a concern: according to the same Eurobarometer poll, 96 per cent of Romanians see it as a major problem. Some 67 per cent of those surveyed believed that corruption had increased in the previous three years. The eleventh European Commission CVM report for Romania, published in July 2012, acknowledged that public concerns would not be dispelled until more high-level trials produced ‘objective and final’ sentences and best practice in trials was seen to be the norm. The report concluded, ‘Too few cases of conflict of interest are pursued, in particular in public procurement, and even when pursued in court, sanctions in this area are in law not dissuasive.’⁸⁴

Latvia has made significant progress in establishing a functioning democracy since the dissolution of the USSR. However, since joining the EU in 2004, Latvia has continued to struggle with corruption. As a result of the continued influence of ‘oligarchs’ in positions of political power – some of whom have been accused of illegal dealings – Freedom House downgraded Latvia’s ‘political rights’ rating in 2008.⁸⁵ The impact of recession and harsh austerity measures has exacerbated the general situation in the country.

In its 2011 report on the country, Freedom House found there had been no significant improvement in Latvia with

regards to corruption and the influence of oligarchs: it found that inefficiency, politicisation and corruption were still prevalent.⁸⁶

However, Freedom House's report *Nations in Transit 2012: Latvia* was generally positive, with no reported backsliding on any of the measures under scrutiny.⁸⁷ The Latvian experts we consulted argued that significant progress has been made and that there has not been notable backsliding since Latvia's accession to the EU in 2004.

Organised crime: Italy

Organised crime is a worldwide phenomenon, which increasingly crosses borders. However, some countries have greater problems with domestic criminal organisations whose tentacles stretch into public institutions, compromising the integrity of politics, the police and the judiciary. The most notorious such organisation is the Italian mafia, which has its roots in the 19th-century struggle for Italian unification.

According to mafia expert John Dickie, Professor of Italian Studies at University College London, 'Italy doesn't just have a mafia, it has a criminal ecosystem in which existing mafias evolve and new ones come into being.' Determined efforts to tackle the mafia, led by the crusading prosecuting magistrate Giovanni Falcone – who spearheaded the 'Maxi' trials of the mid-1980s and was later murdered – have put the mafia on to the back foot, with many senior figures now jailed.⁸⁸

However, the mafia in its various forms in Italy is still thought to make huge amounts of money. A 2007 report by the retailers' federation Confesercenti estimated the earnings of organised crime – excluding the drugs trade – at €90 billion, more than the turnover of the country's biggest corporation.⁸⁹

More recently, in January 2012, a report found that mafia groups had exploited the economic crisis in Italy by becoming effectively the country's largest bank, providing extortionate loans to a host of small businesses. The report by the Palermo-based anti-crime group SOS Impresa suggested that the turnover of organised crime in Italy now stood at €140 billion, with profits

of more than €100 billion, equivalent to about 7 per cent of national output.⁹⁰

Allegations persist that various mafia groups have bought influence at high levels within the Italian state. For instance, in March 2012, 16 judges were arrested in Naples on suspicion of taking bribes to issue financial rulings in favour of the Camorra.⁹¹

Organised crime groups have also made money out of misappropriating EU funds. EU anti-fraud investigators found ‘irregularities’ in the construction of a motorway in the south of Italy connecting Salerno and Reggio-Calabria. The investigators uncovered that no less than €381 million was ‘lost through fraud, fake contracts and ghost road works’. Italy had to repay €307 million to the EU.⁹²

Organised crime: Bulgaria

Bulgaria’s organised crime problem was the third issue, after corruption and judicial reform, put under the microscope by the EU’s CVM after the country became a member state in 2007. The European Commission has reported back on the issue regularly since then.

Organised crime in Bulgaria has been described as ‘unique in the EU to the extent that it exercises considerable influence over the economy which is a platform to influence the political process and state institutions’.⁹³ The annual turnover of the 12 most important organised crime activities has been estimated at €1.8 billion, or 4.8 per cent of GDP.⁹⁴

The latest report from the European Commission, published in July 2012, noted that while important institutional and legal reforms were carried out in 2010 to tackle organised crime, there have been limited results in prosecuting criminals. The report noted that of 33 contract killings monitored by the Commission since 2006, only four court cases had started (although a number of investigations were still under way). Weaknesses in the system were found at all stages of the investigative and judicial process – among the police and prosecutors and in the courts.⁹⁵

The justice system

A healthy and functioning democracy requires an independent judiciary that is free of corruption and political influence. Judicial reform and the independence of the judiciary remain issues of concern, particularly among central and Eastern European former Soviet bloc countries.

Reform in Bulgaria and Romania

Judicial reform was one of the areas where Bulgaria and Romania were found wanting by the EU when they joined in 2007. Since then, both countries have been subject to regular monitoring by the European Commission under its CVM. According to Freedom House's *Nations in Transit 2012: Bulgaria*, 'inefficiency and corruption within the judiciary are considered a major stumbling block in Bulgaria's battle against high-level corruption and organised crime'.⁹⁶

After its accession to the EU, Bulgaria put in place reforms such as the creation of a Supreme Judicial Council to manage the judicial system. The European Commission's most recent CVM report, published in July 2012, gave the country credit for implementing the new framework but said that significant improvements in accountability and efficiency had not yet been achieved and there were still serious question marks over the independence of the judiciary: 'The overall impression is of a failure to respect the separation of the powers of the state which has direct consequences for public confidence in the judiciary.'⁹⁷

Romania presents a similar picture of positive steps towards reform hobbled by some difficulties of implementation. The country has reformed its judicial system and introduced new civil and criminal codes. The European Commission's CVM report in July 2012 found signs that judges and prosecutors had 'gained more professional confidence'. However, the CVM report also noted that there were problems with the inconsistency of the judicial process, inefficiency and weaknesses in the handling of trials.

The July 2012 CVM report also came in the wake of a constitutional crisis in Romania between Prime Minister Victor Ponta and President Traian Bășescu. At the time, the Romanian

Parliament voted to impeach President Bașescu, but the impeachment was not nullified when a referendum to confirm the impeachment did not achieve the 50 per cent + 1 turnout of the Romanian population required by law, although over 7 million of the 8 million who did turn out voted in favour of the impeachment. In the run-up to the referendum and following it, the Government and the President were accused of putting pressure on the Romanian Constitutional Court and the national media debate was very heated. Foreign and domestic criticism divided along ideological lines: many centre-right politicians in Europe condemned the Romanian Parliament's vote to impeach President Bașescu, arguing that it undermined democracy, but those on the centre-left point to the 7 million voters who voted in favour of impeachment.

However, above the political fray was the fact that both parties were attempting to pressure and influence the Constitutional Court unduly. According to the Commission: 'These are unacceptable interventions against an independent judicial institution. The government and all political levels must respect the separation of powers. They must also strictly respect the independence of the judiciary.'⁹⁸

The failure to achieve the impeachment via referendum saw the reinstatement of Bașescu as President. However, a national election in December 2012 resulted in a landslide victory for Victor Ponta's USL (Uniunea Social Liberală) party, which won 68 per cent of parliamentary seats.

In the most recent CVM report, in January 2013, the Commission noted that 'the place of the Constitution and the Constitutional Court has been restored in line with the Commission's recommendations', but that campaigns of 'harassment' against the judiciary continued, including from the media. The Commission subsequently recommended possible regulation of the media to ensure 'effective redress against violation of individuals' fundamental rights and against undue pressure or intimidation from the media against the judiciary and anti-corruption institutions'.⁹⁹

In response, the CVM mechanism has come under increasing accusations of politicisation. In March 2013,

Romanian MEPs clashed in the European Parliament, with supporters of the current Prime Minister Victor Ponta arguing that the CVM was being used by centre-right MEPs to criticise the current Socialist Government.¹⁰⁰ It also highlighted the tension between the Commission's recommendation to regulate the media, and respect for free speech. The example of Romania, therefore, highlights the incredibly difficult and complex issues involved in assessing democratic backsliding. This is a point that we return to later in the report.

Hungary slips back

While Bulgaria and Romania seem to have made some modest progress on the path towards greater judicial independence, Hungary has moved in the opposite direction.

In November 2011, the Fidesz Government passed a new law entirely restructuring Hungary's judiciary, which the EU, among many other institutions and commentators, has argued undermines the judiciary's independence. The most notable concerns were the lowering of the retirement age for judges from 70 to 62 and the consequent forced retirement of over 200 judges (contravening the directive on equal treatment in employment). Powers were also granted to the President of the National Judicial Office – a position subject to political influence as a result of the reforms – to designate a court in a given case and to transfer judges without their consent.

The judiciary was formerly governed by the National Judicial Council, a body composed of judges and members from other branches of government, and was led by the president of the Supreme Court. The new law granted significant discretionary powers to the President of the National Judicial Office in Hungary, and aimed to ensure that the person holding the position was a Fidesz supporter and would serve for a significantly long period of time. The President of the National Judicial Office is elected by a supermajority in parliament (which Fidesz now enjoys) and serves a nine-year term, thereby ensuring a Fidesz supporter in this important position. Indeed, the newly appointed head of the judiciary, Tünde Handó, is a Fidesz ally,

the wife of one of the party's MEPs and a friend of the prime minister's wife.

The Government also forced a number of judges into early retirement by lowering the retirement age from 70 to 62, including the removal of the previous head of the Supreme Court, András Baka. Moreover, the new President of the National Judiciary Office was given the power to appoint more than 200 judges at national and local levels, sparking fears that Fidesz allies will become entrenched in the judiciary.¹⁰¹ This provision was later annulled by the Hungarian Constitutional Court.

While the Hungarian Parliament reduced Handó's powers on 3 July 2012 (including a new one-term limit) following criticism from the Venice Commission of the Council of Europe, the European Parliament and the European Commission, remaining concerns were highlighted by the Venice Commission and Transparency International.¹⁰² The Commission noted that amendments to the legislation restored power to the National Judicial Council as a check on the decisions taken by the President of the National Judicial Office. However, concerns remained around reinstating judges who had been forced to retire, and still-vague criteria for the transfer of cases. The Venice Commission finds that these specific reforms 'may negatively affect all three pillars of the Council of Europe: the separation of powers as an essential tenet of democracy, the protection of human rights and the rule of law'.¹⁰³

The Fidesz Government also removed a number of powers from the 11-member Constitutional Court – which is distinct from the judiciary and whose main role is to determine whether government legislation contravenes constitutional rights. The Government has restricted the jurisdiction of the court, removing its power to review the budget¹⁰⁴ and its supervision of private property rights, which has allowed the Government to nationalise a number of private industries such as private pension funds. Under the Fourth Amendment the Fidesz Government would also annul decisions made by the Constitutional Court since January 2012 and give the president power to move cases between courts.¹⁰⁵ Various other anti-democratic measures have taken place in the judiciary such as the

Government seeking to staff the Constitutional Court with Fidesz supporters and sympathisers and trying to implement data protection measures, which eventually drew infringement procedures from the European Commission.¹⁰⁶

Taken together with the proposed electoral law and the controversial media law discussed below, these changes to the judiciary in Hungary create an atmosphere that restrict the plurality of Hungary's democracy and the ability of opposition parties to organise and have influence.

Latvia

A year after Latvia joined the EU, the country's Advanced Social and Political Research Institute found a raft of problems relating to the rule of law. These included excessively long court proceedings and a failure to implement judicial rulings. In 2000, only 70 per cent of civil case judgments were implemented.¹⁰⁷ Police corruption and a lack of public trust in the police were additional problems noted. Only 33 per cent of those surveyed believed that the police acted in accordance with the laws, while 27 per cent of respondents reported that they or their acquaintances had given a bribe to a police employee.

The 2012 Freedom House *Nations in Transit* report agreed with the experts we have consulted in concluding that the Latvian judiciary has made a number of efforts to improve the efficiency of handling cases.¹⁰⁸ While the general public's trust in the judiciary remains low – the 2010 Eurobarometer showed that only 36 per cent trust the judiciary¹⁰⁹ – a 2011 survey showed that 79 per cent of those who had had contact with the judiciary trusted it.¹¹⁰ This suggests that although it may still be a while before the poor reputation of the judiciary is reversed in the eyes of the public, some progress is being made.

Italy

In *Freedom in the World 2012: Italy*, Freedom House commented: 'The judicial system is undermined by long trial delays and the influence of organised crime.'¹¹¹ Civil cases take on average seven

years to settle, criminal cases five. Around 9 million cases are backlogged. In 2011, the state paid €84 million in compensation for miscarriages of justice and legal delays. Of the 68,000 people in jail, 28,000 people are awaiting trial.¹¹²

Media freedom

The US watchdog Freedom House produces an annual report on the freedom of the press, which features an index classifying the world's countries into three categories: 'free', 'partly free' and 'not free'. A country is deemed to be free if it scores 30 or less, partly free if it is in the 31–60 range, and not free if it scores more than 60.

In 2012, four of the EU's then 27 member states failed to make the grade as 'free'. The worst performing was Romania, with a score of 41, which put it in 86th place out of the 197 countries in the index, below Botswana and El Salvador. Bulgaria and Hungary shared 78th place, on a score of 36. Italy was given 33 points, putting it in 70th place. Greece just scraped in to the ranks of countries classed as free, its 30 points putting it in 65th place. Latvia was 54th with 27 points, and France was 43rd with 24.

Hungary: from 'free' to 'partly free'

Hungary was the only country to lose its 'free' status in 2012, dropping six points on the previous year. The authors of the report explained this downgrade:

Following a sharp numerical slide in 2010, Hungary was downgraded to Partly Free due to concerted efforts by the conservative government of Prime Minister Viktor Orbán to seize control over the legal and regulatory framework for media. This two-year drop of 13 points in what had long been a Free country is extremely unusual in the history of the index, but it demonstrates that media freedom cannot be taken for granted even in seemingly well-established democracies.¹¹³

The main action triggering these concerns was in the new media law, which was passed by the Hungarian Parliament under the Fidesz Government in December 2010 and came into effect from January 2011. The most widely criticised aspect of the law is the creation of the National Media and Electronic Communications Authority (also known as the National Media and Broadcasting Agency), which is empowered to grant licences, monitor content and investigate public complaints. The Government now appoints the members of the main regulatory body, the Media Council, including a chairperson who was initially to be directly appointed by the prime minister for a nine-year term but is now nominated by the office-holder and appointed by the president.¹¹⁴ Nevertheless, as Freedom House's separate *Nations in Transit* report notes, Hungary has a vibrant media sector, including newly emerging online news portals that strive for high professional standards.¹¹⁵

Additionally, under media reforms journalists were forced to reveal their sources for articles concerning national security or public safety issues.¹¹⁶ In November 2011, the International Partnership Mission of Freedom of Expression and media development groups condemned the effect of the media law reforms and called for change. Hungary's Constitutional Court declared the protection of free speech offered by the law was inadequate: in December 2011, the court annulled as unconstitutional some provisions of the law and called for new drafts.¹¹⁷ The Hungarian Government also agreed to make any changes to its media laws if the EU Commission found them to be unlawful.¹¹⁸ Eventually, after intense pressure from the European Commission, the law was changed so that the requirement to reveal sources was removed.

Romania

According to Freedom House, press freedom in Romania is protected by the constitution and 'generally respected' by the government. However, they report that politicians have shown hostility towards critical news outlets, and that reporters sometimes face 'physical altercations' in the course of going

about their work, such as in the massive anti-austerity and anti-government protests in January 2012, which ended with the resignation of the PDL (Partidul Democrat-Liberal) Government.¹¹⁹

During the summer of 2012 and the referendum that sought to impeach President Bașescu, the national media debate was highly tense and polarised. A number of western correspondents were accused of being ‘anti-Romanian agents’ in the pay of the president. Reporters Without Borders condemned the ‘climate of intimidation’.¹²⁰

Bulgaria

The Bulgarian Government ‘generally respects’ constitutional rights of freedom of speech and of the press, according to Freedom House. The courts have generally favoured press freedom when government officials have filed lawsuits. Although Bulgaria has a freedom of information law, other legislation has reduced journalists’ access to a registry of private companies’ contracts and activities. Accusations of politicisation and corruption have been levelled at Bulgaria’s broadcasting regulatory body. There have been some concerns about the editorial independence of state-owned Bulgarian National Television and Bulgarian National Radio. As in Romania, the economic problems facing the media have increased the potential influence of businesses or political parties, as well as raising the importance of state subsidy.

Perhaps more worryingly, journalists can face intimidation and sometimes actual violence from political or criminal interests. Freedom House commented, ‘Impunity for crimes against journalists remains the norm, encouraging self-censorship.’¹²¹

The Berlusconi complex

Silvio Berlusconi has long been Italy’s pre-eminent media mogul through his interest in Mediaset, the largest private media company in Italy. In his three terms as Italy’s prime minister (1994–95, 2001–06, 2008–11), Berlusconi also gained influence

over RAI [Radiotelevisione Italiana], the state broadcaster. This gave him potential control of up to 90 per cent of the country's broadcast media and put him in a position to exert influence over political debate.¹²² It also gave him the opportunity to use his political power to further his business interests.

During Berlusconi's years in power, this long-running conflict of interest has given rise to a number of specific controversies. In 2010, RAI suspended political debate a month before elections, ostensibly so that candidates would not be treated unequally, but Berlusconi's critics insisted that this was a politically motivated decision to restrict criticism of his government.¹²³ Amid controversy over a sex scandal in February 2011, Berlusconi was alleged to have called together all the editors of Mediaset news programmes and the editors of several newspapers to discuss news coverage.¹²⁴

On other occasions, the focus has been on his business empire. The Legge Gasparri legislation that was approved in 2004 was said to favour Berlusconi's interests in the television sector. The Venice Commission (the Council of Europe's advisory body on constitutional matters) criticised the law as incompatible with European standards of freedom of expression and pluralism.¹²⁵ In July 2011, the CJEU ruled that the Italian switchover from analogue to digital TV was illegally subsidised and favoured the channels of Berlusconi. His companies were ordered to reimburse this illegal state aid to the Italian authorities.¹²⁶

'Free' countries: Greece and Latvia

Even among countries deemed to be 'free' by Freedom House, there have been worrying signs of media freedoms coming under pressure. In Greece, media freedoms have been generally well respected, as there are no significant laws curtailing freedom of speech or freedom of the press. The media remains pluralistic and diverse. Nevertheless, there has been a surge of hostility towards journalists on the ground, including some violent incidents. These have multiplied since the full extent of the country's debt crisis emerged in 2010.

Journalists have found themselves viewed as apologists for the Greek political and business elites who have attracted so much popular opprobrium.¹²⁷ The mainstream media are held to support the leading political parties and their policies, and have on a number of occasions been accused of falsifying or distorting facts.¹²⁸ As a result of this, some journalists have faced violence and harassment by supporters of the far right party Golden Dawn,¹²⁹ as well as from other emerging extremist movements.¹³⁰

Concerns about media freedom were raised by a couple of incidents in October 2012. Costas Vaxevanis was prosecuted for breach of privacy, after his magazine *Hot Doc* published the names of more than 2,000 alleged tax evaders on the so-called 'Lagarde list'. He was acquitted after a one-day trial.¹³¹ And two presenters on state television were suspended for criticising a minister over his reaction to claims of police brutality.¹³²

Latvia

Freedom of speech is protected in Latvia by law. However, the media industry has traditionally lacked transparency and there have been persistent allegations of influence from political and business interests. The Latvian Government passed an amendment to the country's media law in 2011 requiring all media outlets to publish details about their benefactors. This has revealed links between Latvian 'oligarchs' and media outlets.¹³³

In 2011, Freedom House downgraded Latvia's 'civil liberties' rating because of 'negative developments for press freedom'. In particular, Freedom House was worried about the effect of the sale of the *Diena* newspaper, which was bought in 2009 by an unknown foreign owner. In 2011, recordings from an anti-corruption investigation revealed that three of Latvia's 'most notorious oligarchs' were the true owners of *Diena*, not Viesturs Koziols its official owner.¹³⁴

Similarly, in 2010, the *Telegraf* newspaper was sold under unclear circumstances to an undisclosed buyer. The transaction has been linked to Vladimir Antonov, a businessman with ties to the Russian authorities.¹³⁵

Human rights and the treatment of minorities

While Europe has largely consigned the ethnic strife that scarred the 20th century to the past, new strains of hostility towards minorities have emerged in recent years. The pressures of immigration are being felt across Europe, where a high standard of living and the opportunity of employment have attracted migrants from every corner of the world. Instability and violence, not least in Iraq and Afghanistan, has driven many to seek asylum in the EU. European countries with ageing populations have also needed migrants to fill jobs that their own citizens have not always been willing or able to do. And as the EU has expanded, there has been far more migration between member states, particularly but not exclusively from east to west.

Here, we look at problems relating to the treatment of three broad categories of minorities, which are exemplary rather than exhaustive:

- new migrants, often asylum seekers, whose presence has sometimes been resented by host populations and whose rights have often been disregarded or left in limbo
- Muslims, whose status and rights have come under greater scrutiny as Europe's traditionally Christian character wanes and the secular values of human rights are tested by diversity
- the Roma people, a long-established minority in many countries who have for decades faced discrimination and marginalisation.

Considering the treatment of these three categories allows for a discussion of some of the dominant trends in Europe. Of course there are other immigrant communities and religious or ethnic minorities who may also be the subject of discrimination, hostility or embedded disadvantage.

The treatment of immigrants

Many European countries have had to cope with an influx of economic migrants and asylum seekers in recent years as poverty, lack of opportunity, global conflict and instability have led people to look for a better life in the EU. The strain of

accommodating newly arrived people and the political pressure to control immigration has caused tensions.

Many immigrants without official papers cross from north Africa to Italy and the instability following the 'Arab spring' in 2011 intensified this traffic across the Mediterranean. But the reception given to these immigrants has been controversial. According to Freedom House's assessment: 'The Italian government has been criticised for holding illegal immigrants in overcrowded and unhygienic conditions and denying them access to lawyers and other experts.' Hundreds of people have been arrested under a crackdown on illegal immigration that began in 2008. Under a law passed in 2009, illegal immigrants can be fined and detained without charge for up to six months.¹³⁶

Greece too is often considered to be a gateway to the EU for migrants from the south and east. However, they can face tough conditions on arrival. Amnesty International has accused Greece of treating migrants like criminals and disregarding its obligations under international law.¹³⁷ In January 2011, the European Court of Human Rights found Greece had violated Article 3 of the ECHR, which requires member states to prohibit torture, inhuman or degrading treatment or punishment, because of its poor asylum procedures.¹³⁸ Thomas Hammarberg, the Commissioner for Human Rights at the Council of Europe, said that asylum seekers faced 'extremely harsh conditions' in Greece.¹³⁹ Greece has also witnessed an increase in violent attacks on minority communities, which has been associated with the far right party Golden Dawn.¹⁴⁰

The treatment of Muslims

The position of Europe's Muslims has shot up the political agenda in the 12 years since the 9/11 attacks in the USA. Events of geopolitical significance such as the western interventions in Afghanistan and Iraq, the 'war on terror' and the Arab spring, as well as domestic atrocities such as the 2004 Madrid bombings and the 7/7 attacks in London the following year, have formed the backdrop to highly charged debates about the integration of Europe's Muslim minorities. It should be noted that the validity

of generalising about Muslims is limited, given the enormous diversity of Europe's Muslim communities and their experiences.

One controversial decision took place in France, which has Europe's largest Muslim minority. In April 2011, France became the first EU member state to prohibit covering the face in public, effectively targeting Islamic face veils such as the burqa and niqab.¹⁴¹ Although the law did not refer explicitly to Islam, it was passed against a backdrop of rhetoric from then president Nicolas Sarkozy, who said the burqa was 'not welcome in France'.¹⁴² The government and supporters of the face covering ban – including those from within the French Muslim community – claim that the law's aim is to protect the 'dignity' of women and 'gender equality' and that the burqa is not essential to the practice of Islam, but is rather associated with more extreme and fundamental sects.¹⁴³ The law's opponents argue that the legislation is fundamentally illiberal and is squarely targeted at France's Muslim community, of whom only a reported 2,000 women are believed to wear the face veil. Those in breach of the law receive a fine of €150 and are forced to take mandatory citizenship classes.¹⁴⁴ However, on the whole, the French population has supported the law, and the current French President François Hollande has said that he will not attempt to overturn it.¹⁴⁵

This example highlights the ambiguity that can exist on questions of undemocratic legislation or backsliding. On the one hand, the law was approved by elected French politicians, has significant levels of popular support and can be challenged in the French courts. Some could argue that the maturity of France's democracy, and the checks and balances it entails means that – while some might disagree with the policy – it should not necessarily qualify as an example of backsliding that should concern the EU. On the other hand, the ban could be seen as unduly targeting a national minority group and may undermine some Islamic sects' right to practice something that they see as integral to their religion – even if various religious scholars disagree with their judgement.

Indeed, legal experts and commentators have argued that the law violates Article 9 of the ECHR, which guarantees

freedom of religion.¹⁴⁶ Challenges to the law are currently going through the French legal system and are being considered by the European Court of Human Rights. With respect to the latter, there is precedent from a judgment on headscarves in Turkey: there the court justified the state's ban on wearing them in public institutions,¹⁴⁷ but ruled that applying it in public spaces was disproportionate.¹⁴⁸ The French courts have remained divided on the issue and judges continue to grapple with how to implement the law. Two contradictory decisions have been made recently involving dismissal cases at a private nursery 'Baby Loup' and the French health insurance and care provider Caisse Primaire Assurance Maladie (CPAM). In Baby Loup, the courts ruled in favour of a former employee dismissed for wearing a burqa at work and called it religious discrimination.¹⁴⁹ In the CPAM case, however, an appeal made by an employee dismissed on similar grounds was rejected.¹⁵⁰

In Bulgaria, while reports of discrimination towards Muslims are relatively rare, there have been some incidents. In May 2011, supporters of the far right party Ataka assaulted praying Muslims outside a mosque in Sofia. However, their actions were widely criticised and three Ataka MPs abandoned the party over the incident.¹⁵¹ There was a similar incident in Greece in September 2011 where members of the far right party Golden Dawn threatened to remove a group of Muslims holding open-air prayers in a public square, but were held back by riot police.¹⁵²

The treatment of Roma

The status of the Roma people as a marginalised, stateless minority across Europe has long been of concern. The EU has attempted to drive better integration for the 6 million Roma who live in the EU's member states and the many others in candidate countries outside the EU.¹⁵³

In Hungary, while there is improved monitoring of the legal rights and treatment of the Roma, they still face widespread discrimination. Freedom House reports that Roma children are segregated in schools and sometimes wrongly placed in schools

for students with mental disabilities. Research has shown many Hungarians harbour hostile views towards Roma communities; a survey by the social research institute TÁRKI showed that 63 per cent of people believed that criminality was ‘in the blood’ of Roma people.¹⁵⁴ The far right party Jobbik is openly vitriolic and hostile towards the Roma minority.¹⁵⁵

In other parts of Eastern Europe and the Balkans, the Roma experience significant disadvantage. According to Freedom House, Romania has struggled to obtain and spend EU funding dedicated to improving their living conditions.¹⁵⁶

Freedom House argues that Roma people in Bulgaria ‘face traditional discrimination in employment, health care, education and housing’.¹⁵⁷ In Greece, too, Roma face ‘considerable governmental and societal discrimination’.¹⁵⁸

The most high profile incident concerning the treatment of Roma in recent years took place in France. Controversy erupted in August 2010 over the deportation of Roma immigrants – EU citizens from Bulgaria and Romania who were living in camps without the work permits required under French law. Human rights organisations criticised the French authorities’ plan to close 300 Roma camps and expel around 1,000 individuals.¹⁵⁹

The European Commissioner responsible for justice and fundamental rights, Viviane Reding, branded the French plan a ‘disgrace’, and announced plans to fast-track an infringement procedure.¹⁶⁰ Although the Commission eventually dropped proceedings,¹⁶¹ the European Parliament voted in favour of a non-binding resolution condemning the French Government, commenting that it had been ‘deeply concerned at the inflammatory and openly discriminatory rhetoric that has characterised political discourse during the repatriations of Roma, lending credibility to racist statements and the actions of extreme rightwing groups’.¹⁶² The parliament also took the opportunity to criticise the Commission’s ‘late and limited response’.¹⁶³

Conclusion

This chapter highlighted some of the most high profile and notable examples of backsliding among EU member states. In

some instances, countries are continuing efforts to mitigate historical and long-standing issues in their countries. Organised crime and corruption have long plagued Italy and Greece, while countries such as Bulgaria, Romania and Hungary continue to struggle in creating pluralist democracies and strong institutions against their Soviet, authoritarian pasts. In other instances – such as intolerance towards minorities – growing hostility (and far right political parties and groups) can be seen against Muslims and Roma as immigration to EU countries has increased.

Moreover, some examples of backsliding are discrete government decisions (eg France's Roma expulsion) and proposed legislation that contravenes specific EU laws (eg Hungary's forced retirement of judges contravening the directive on employment). These actions can be, and have been, met with responses from the European Commission through infringement proceedings or the threat thereof.

But it is important to note that very few examples of backsliding are wholly obvious and uncontested. In almost every instance, the decisions taken by governments that are seen as backsliding are vigorously defended by the government and other commentators (eg in France and Hungary). The identification of backsliding is thus inevitably fraught with some level of ambiguity and debate. Nonetheless, discrete actions can be met with discrete responses from the Commission. Much more difficult to consider are changes in citizens' *attitudes* that may be undemocratic, such as discriminatory attitudes towards minorities and a preference for authoritarian governance. While there is clearly little the EU can do in response to this, or in response to rising levels of support for far right populist parties, citizens' attitudes are nonetheless important to consider in assessing the health and vitality (or lack thereof) of democracy in EU member states.

This chapter presents these examples in qualitative detail in the briefest manner possible. Each example and country situation could comprise its own separate chapter, if not entire report. Interested readers could find a wealth of additional information, facts and details about each of the examples

mentioned above. A systematic attempt to identify and measure backsliding must entail a method that allows for capturing a country's historical context in a simple and easily digestible manner, as well as an ability to compare it against its peers. In the next chapter we review some of the issues involved in attempting to measure democracy in a systematic manner. As might be expected, attempts to measure such a complex and fluid subject such as 'democracy' are highly complex and contested. We then proceed to outline our own proposed dimensions and indicators for an index for measuring democratic backsliding among EU member states and present our results.

3 Measuring democracy: a review of democracy indices

Maintaining democratic commitments among EU member states requires first and foremost the ability to measure the main components of democracy. In the last chapter we discussed concerns about the independence of institutions, threats to media freedom and plurality, corruption and loss of public trust and the rise of populist extremist parties. Measuring the health of democracy requires encapsulating these issues as well as other key measures of democratic health. However, at present, the determination of backsliding is ad hoc and fundamentally reactive. While some element of this is inevitable, a broader and systematic attempt to measure democratic trends is necessary to place incidents of backsliding into the wider context of democracy's progression.

This chapter presents a brief review of the questions, debates and issues involved in the attempt to measure democracy. We then present the outline and rationale behind the Demos EU Democracy Index in chapter 4 and the results in chapter 5.

Measuring democracy: a plethora of initiatives

Social scientists have devoted enormous amounts of time to defining, constructing and assessing various approaches to measuring democracy and related concepts such as good governance, rule of law and human rights. A synopsis commissioned by the Statistical Office of the Commission of the European Communities (Eurostat) identified 'over 550 initiatives or written texts on democracy, human rights and good governance', of which '170 initiatives were identified as having served as seminal efforts to measure democracy, human rights and good governance'.¹⁶⁴ The synopsis notes that 'of all of the

reviewed initiatives, 45 main initiatives have developed methodologies or indicators that have stood the test of time, are used frequently in empirical studies and policy documents, are updated regularly or are cited as examples of best practice'.¹⁶⁵

Coupled with and driving the growth in measurement initiatives, is the fact that international organisations, human rights groups, development agencies and civil society networks are increasingly dependent on 'reliable figures and robust analysis that will empower their work in the fields of monitoring, reporting, advocacy, or policy design'.¹⁶⁶

A number of indices have become influential in driving foreign policy decision-making (Freedom House's authority in certain political circles in the USA), and as a basis for development assistance (World Bank's Worldwide Governance Indicators). The demand for such measures is viewed as increasingly important, as 'the turn to good governance, accountability and aid conditionality among leading international donors has created additional demands for measures of democracy that can be used for country-, sector- and programme-level assessments'.¹⁶⁷

While a comprehensive review of existing measures is outside the remit of this study, a brief overview reveals exceptional diversity within existing measures. This diversity applies to everything from the ideological motivations of the commissioning organisations, the conceptual dimensions under investigation, and their longitudinal and geographical scope, to the applied data-collection principles, measurement criteria and aggregation techniques.

Democracy indices: an overview

The field of democracy measurement is increasingly crowded and complex. Some of the most notable indices related to democracy measurement include the Alvarez, Cheibub, Limongi and Przeworski Political Regimes Index, the Freedom House political rights and civil liberties indices, Polity IV autocracy and democracy indices, the multidimensional EIU Democracy Index, the Bertelsmann Transformation Index (BTI), the Vanhanen

Polyarchy Index and the World Bank's Worldwide Governance Indicators.

Within this abundance of existing measures, it has been noted that even the best indices suffer from significant flaws and trade-offs.¹⁶⁸ For example, those with a broad geographical scope are accused of being superficial, some are seen as employing inappropriate data-collection methodologies, while others have been blamed for failing to capture the concepts they set out to study.

Ongoing debates surrounding the development of democracy indices have tended to be classified around three core areas of enquiry:

- the conceptualisation of the dimensions under study
- the operationalisation of those concepts into observable indicators
- the aggregation of these indicators into usable scores¹⁶⁹

Conceptualisation: what is democracy?

Although democracy is one of the most frequently invoked concepts in international relations and the media, there remains debate about what it actually consists of.

Discussion tends to centre on the necessary and sufficient conditions of democracy – whether ‘thin’, minimalist definitions defining the baseline characteristics of electoral democratic processes are sufficient to qualify as a ‘democracy’, or if a more ‘thick’ definition, which attempts to broaden the conceptual scope of the term beyond the electoral and procedural basics, is necessary.¹⁷⁰

‘Thin’ definitions of democracy originate in the works of Robert Dahl.¹⁷¹ In his book *Polyarchy*, Dahl identified a set of core ‘institutional requirements’ for democracy as comprising fundamental dimensions of ‘competition’ and ‘participation’.

The most rigid empirical application of Dahl’s conceptualisation of democracy is embodied in Vanhanen’s dataset ‘polyarchy’. Based on electoral data, Vanhanen constructed an index in which countries are judged as either

‘democracies’ or ‘not democracies’ through a measure of ‘competition’ by calculating the share of votes amassed by parties other than the ruling one, and ‘participation’ by measuring the proportion of people who voted in elections.¹⁷² Although Vanhanen’s attempt is often viewed as an outlier because of its conceptual stringency, other indices place themselves on the ‘thin’ end of the definitional continuum. For example, the Alvarez, Cheibub, Limongi and Przeworski Index classifies a country as a democracy if political elites are nominated through multiparty electoral systems.¹⁷³

‘Thick’ definitions, on the other hand, have endeavoured to broaden democracy’s scope beyond its core electoral characteristics, to incorporate concepts such as ‘freedom’, ‘equality’, ‘socioeconomic rights’ and ‘justice’. Freedom House’s measures of political freedom and civil liberties are inspired by a ‘thick’ definition of democracy.¹⁷⁴ However, those in the ‘thin’ camp charge that these measures include things that are only vaguely related to aspects of democracy.¹⁷⁵

As evidence of the debates and disagreements in this area, the EIU has gone a step further and argued that the Freedom House Index does not ‘encompass sufficiently or at all some features that determine how substantive democracy is or its quality’.¹⁷⁶ Instead, the EIU offers five interrelated dimensions of democracy: electoral process and pluralism, functioning of government, political participation, democratic political culture and civil liberties. These dimensions, on the whole, extend well beyond the conceptual remit of more minimalist definitions of democracy.¹⁷⁷

Given our purpose – that of measuring democracy among EU member states, many of which already set a high bar for democracy – we argue that a ‘thick’ conception of democracy is most appropriate.

Operationalisation: how can we observe it?

After deciding on a definition of democracy, the availability and collection of data is the next essential step in the measurement process.

Among experts and academics devoted to this field, debates centre primarily on the reliability and validity of ‘objective’ measures versus ‘subjective’ or perceptions-based measures.

The use of ‘objective’ data-collection methodologies can assume many forms, with the most common being standards-based, rules-based or events-based indicators. These can range from electoral measures such as voter turnout, counts of individual human rights breaches or the existence of specific legislation to combat discrimination against minorities.

The primary benefit of ‘objective’ indicators is their tangibility. It is relatively straightforward to determine whether a state has legal and institutional structures in place to guarantee rule of law or whether it is a signatory to various human rights treaties. Also, the collection of such data can be achieved at a relatively low cost while assuring broad geographical and temporal coverage.

However, these benefits can be undermined by the inherent difficulties in linking ‘objective’ assessments to complex democratic realities, such as whether minority rights legislation translates into the enjoyment of those rights in reality. In other words, ‘objective’ assessments may be necessary, but they are not sufficient to measure the substantive quality of democracy. A full understanding of the quality of a country’s democracy requires an understanding of the relationship between rules as they appear ‘on the books’ and democratic realities as observed ‘on the ground’.¹⁷⁸

‘Subjective’ indicators thus provide a portrait of how *de jure* guarantees, laws and standards translate practically. This can be either through the perceptions of citizens themselves, or through the views of country experts. Subjective indicators therefore lend themselves to capturing ‘thicker’ components of the quality of democratic rule. These types of data-collection methodologies are employed in two of the most widely cited indices, the Polity IV Project initiated by Tedd Gurr,¹⁷⁹ and the Freedom House measures of political rights and civil liberties.

Critics of subjective measures argue that they do not provide a reliable basis for assessment. Some of the drawbacks of

subjective data include issues of inter-coder reliability in the ranking of countries, and cultural biases associated with the subjective judgements of citizenries or country experts.¹⁸⁰ Moreover, the longitudinal and geographical coverage of survey data can be limited.

Some indices using subjective measures can also suffer from a lack of transparency. For example, the EIU Democracy Index does not provide information as to who the 'experts' are that provide the judgements on countries, and by what methods they are doing so.

Such issues have led many to triangulate their data-collection methodologies as the strongest and most comprehensive approach. This is most notably exemplified in the World Bank's Worldwide Governance Indicators, which provide multiple-source aggregate measures drawing on judgements of a multiplicity of stakeholders.¹⁸¹

Aggregation: scoring: how do we report it?

Once democracy is defined and the data are collected, the third challenge is determining how the indicators should be grouped and combined to produce scores that are valid, reliable and have explanatory power.

The need for actionable policy-relevant results means that many democracy indices endeavour to combine their collection of diverse and unwieldy indicators into more coherent scales and scores. However, the manner in which this is achieved, the level at which this takes place and the rules applied to do so vary considerably.

At the extreme, the Alvarez, Cheibub, Limongi and Przeworski Index classifies polities as being either democratic or non-democratic using a dichotomous classification system. Naturally, this approach would not be valuable in the context of EU member states, all of which would surely classify as 'democratic' as opposed to un-democratic or authoritarian.

Many democracy indices take this into account and instead offer scores for a range of dimensions. The EIU Index reports

measures across five dimensions, while the World Bank's Worldwide Governance Indicators measure six dimensions related to aspects of 'good governance'.

There are also debates about the rules associated with aggregation methods (addition versus multiplication) and the assumptions made about the relationships between constitutive dimensions of aggregated indices. For example, the additive method of aggregation (eg indicator 1 + indicator 2 + indicator 3 = dimension score) assumes that indicators are substitutable: that they are equally important in the composition of democracy. However, this may not be the case. For example, an index that employs a 'thick' definition of democracy may include indicators for rule of law or protection against torture, as well as one's level of autonomy in the workplace – as the Everyday Democracy Index does. Yet it is clear that the former indicators are a more crucial element of democracy than the latter. Without recognition of this, nonsensical results could arise.

Longitudinal and cross-sectional scope

Democracy indices also vary in their longitudinal and cross-sectional coverage. Vanhanen's Polyarchy Index, in part because of its relative conceptual and operational simplicity, extends from 1810 to 2000, covering 187 countries. Similarly expansive in its historical coverage, the Polity IV autocracy and democracy indices extend as far back as 1800. Meanwhile, the EIU's Democracy Index, while possessing a broad geographical scope through its analysis of 165 states, extends back only as far as 2006. At the other extreme, the Nations in Transit Index, a comparative study of democracy development produced by Freedom House, covers 29 post-communist states from central Europe and Eurasia, with a longitudinal coverage extending back only to 2004. Inevitably, an index based on a 'thick' definition of democracy will be limited in its scope due to lack of data going back in time, as well as across country borders.

Conceptualising the Demos EU Democracy Index

As we have seen, the EU requires member states to demonstrate their formal commitment to a number of democratic principles and values, such as judicial independence, the protection of minorities and a commitment to equality and non-discrimination.

The bulk of the academic literature surrounding democratic backsliding has focused on post-accession compliance with formal institutional commitments,¹⁸² such as the focus on the correct enforcement of minority rights rules,¹⁸³ the correct functioning of political parties and party systems¹⁸⁴ and the control of corruption.¹⁸⁵

However, as we saw in chapter 2, many of the democratic challenges facing member states are of a more universal character, affecting a variety of polities, even those further along the supposedly sequential path of democratisation. A weakening civil society and the decline in civic participation, decreasing political and social capital, lower levels of voter turnout, a lack of trust in political elites, and the emergence of grassroots populist movements all point to a deeper malaise underpinning the democratic culture across both the new and old democracies of the EU.

In 2008, Demos argued that ‘modern democracies should be everyday democracies; they must be rooted in a culture in which democratic values and practices shape not just the formal sphere of politics, but the informal spheres of everyday life’.¹⁸⁶ Everyday democracy is therefore not only the reflection of the healthiness of political institutions, but also the observed vibrancy of public engagement in the informal realms of civil society, the degree of social and political capital and attitudes, values and opinions that inform popular engagement in both the public and private domains.

Analysis of these informal arenas of people’s everyday lives, coupled with that of formal institutions that govern them, is crucial to gain an appreciation of the democratic culture that exists within individual member states. While political institutions are clearly central to the calculus of democratic backsliding, they are not the full story;¹⁸⁷ the vibrancy of the

informal realms of political engagement must also be included in the democratic equation.

Moreover, institutional reform represents only part of the solution; democratic renewal must also be embedded in the reality of people's everyday lives.¹⁸⁸ Without probing the healthiness of the core components of 'everyday democracy', our diagnosis of 'democratic backsliding' in the EU risks being incomplete.

4 The Demos EU Democracy Index: rationale and outline

Although democracy measurement is a crowded field, there is still scope for the creation of a composite index that applies specifically to EU member states and aims to measure democratic health and backsliding. The Demos EU Democracy Index is an initial attempt to do this and explore the potential challenges involved. Our design of the Index, and the decisions we made, were governed by the following principles and caveats.

Rationale

First, similar to the rationale expressed for the Demos Everyday Democracy Index, we ‘do not accept, especially when looking within the EU... that democracy is so culturally relativist that we cannot or ought not to say anything about its cross-national differences at all’.¹⁸⁹ Of course, there will exist a degree of subjective understanding of the concepts we seek to explore, especially as we cross political and cultural boundaries. However, this does not preclude comparative analysis, especially when our observations take place in the context of the relatively homogenous EU.¹⁹⁰

Second, we approach the measurement of democracy through a fine-grained conceptual prism. A multitude of democracy indices have been accused of being ‘insensitive to important gradations in the degree and quality of democracy across countries or through time’.¹⁹¹ We therefore use a relatively ‘thick’ definition of democracy in order to differentiate the quality of democratic governance among EU member states. As Demos has previously observed, an index that is good ‘at pointing out the differences between Burma and Belgium will almost certainly have little to say about the differences between Finland and France’.¹⁹²

Third, part of our aim is to capture the ‘lived experiences’ of democracy in Europe. This led us to include perceptions-based indicators, reflecting the situation on the ground, rather than the existence or lack of formal laws or rules as they appear ‘on the books’.¹⁹³ Given some of the concerns surrounding the use of perceptions-based data, where possible, we sought to employ standards-based indicators.

Finally, our approach is inevitably pragmatic. The operationalisation of our index ‘is naturally and unavoidably guided in part by the availability or accessibility of data’.¹⁹⁴ In an ideal world we would be able to perform a systematic longitudinal analysis of time-series data charting the evolving democratic health of member states from their accession to the present. However, given our reliance on external sources of data collection, such a study is not feasible.

Designing the Index

Below we present an outline of the five dimensions and 22 indicators that make up our EU Democracy Index. In addition to the principles outlined above, the design of our index – the choice of the dimensions and indicators and how they are grouped – was based on a number of considerations, including:

- previous work in Demos’ Everyday Democracy Index
- the Charter of Fundamental Rights and EU commitments
- examples of backsliding highlighted in chapter 2
- available indicators from other indices

We also undertook principal components analysis in order to identify the best grouping of indicators into dimensions and to provide our index with a statistical underpinning. The strengths, weaknesses and limitations of our measures and general research design are explored in detail in the technical appendix to this report.

The dimensions

Dimension 1: electoral and procedural democracy

Our first dimension encapsulates the necessary (but not sufficient) ‘essentials’ of democracy, including the independence of institutions, respect for the rule of law, and the absence of violence and corruption. After a review of existing indices, and with consideration to the relevant EU treaties, we have identified four indicators to represent ‘electoral and procedural democracy’.

Our dimension for electoral and procedural democracy includes three indicators from the World Bank’s Worldwide Governance Indicators. Relying on perceptions-based data-collection methodologies, the World Bank’s governance measures include opinions of non-governmental organisations, risk-rating agencies, country experts, supranational bodies, as well as opinion surveys of citizens and commercial enterprises, to deliver a quantitative comparative appraisal of countries’ standing along six dimensions subsumed within the concept of ‘democratic governance’.¹⁹⁵ For our purposes we have employed three of the most relevant measures, which are applicable to articles 3, 4, 16, 17, 20, 39, 41, 47, 48, 49 and 50 of the Charter of Fundamental Rights. The indicators are:

- *political stability and absence of violence*: measures the perception of the likelihood that the government will be destabilised or overthrown by unconstitutional or violent means, including home-grown violence and terrorism¹⁹⁶
- *rule of law*: measures perceptions of the extent of the quality of law enforcement agencies, the courts, the likelihood of criminality and other types of violence, and the respect for contract enforcement
- *control of corruption*: measures perceptions of the extent to which private gain is amassed through the exercise of public powers, and the influence on the state of private parties and elites

While anticipated that member states would score highly overall on these measures, there are some instances – particularly among new entrants – where it appeared that backsliding on these core elements occurred or was at risk of occurring.

Moreover, any attempt to measure democracy – even when the countries in question are long-standing democracies – would be amiss if it did not include these essential components.

We also include a measure for average electoral turnout as an essential component of a democracy index. As previous scholars have noted, the degree of political participation measured through voter turnout remains an acceptable proxy to measure just how important citizens believe it is to exercise their political rights.¹⁹⁷ Following the approach of the Demos Everyday Democracy Index, this indicator is based on voter turnout at the last three national elections.

Dimension 2: fundamental rights and freedoms

In the Charter of Fundamental Rights and the Lisbon Treaty, the EU is explicit about the fundamental rights and freedoms that member states are required to uphold. While not reflective of the charter in its entirety, this dimension includes measures for political rights, rights of association, freedom of expression, freedom of the press, freedom of religion and gender equality.

Three indicators are deployed, which are relevant to articles 10, 11, 12, 21, 22, 23, 39 and 40 in the Charter of Fundamental Rights. They include:

- *voice and accountability*: aims to capture the extent to which citizens are able to participate in selecting their government, and other core rights such as freedom of expression, freedom of association and a free press
- *freedom of religion*: measures the extent to which freedom of the exercise of religion is subject to government restrictions
- *economic rights of women*: measures the extent to which the rights of women are respected, both formally and informally

While the voice and accountability indicator could be subsumed within the electoral and procedural dimension, as was the case with the Demos Everyday Democracy Index, this measure taps into some of the core political rights as outlined by the charter (eg in articles 10, 11 and 12). Thus, for this

project, we include it within this dimension of fundamental rights and freedoms.

The other two indicators are taken from the CIRI Human Rights Data Project. CIRI, one of the most comprehensive standards-based datasets on rights measures, provides annual counts for a variety of components related to human rights compliance across 15 separate practices.¹⁹⁸ This allows us to supplement the use of perceptions-based data from the World Bank Index, with standards-based indicators from the CIRI Human Rights Data Project.

With the growth of Islam in Europe and the rise of Islamophobia, freedom of religion is a particularly important issue for the EU to monitor (relevant to Article 22, as well as articles 10, 11 and 12). The inclusion of economic rights of women is outlined in the EU Charter of Fundamental Rights (Article 23), and continues to be at risk in some EU member states.

Dimension 3: tolerance of minorities

Our third dimension focuses on the protection of minority groups. The rights of minority groups – and protection against discrimination – are highlighted specifically in the EU Charter of Fundamental Rights under articles 20, 21 and 22. It could also be the case that minorities are not afforded the same rights as majority ethnic groups (eg articles 10, 12 and 19, to name a few). Recent developments – including the rise of xenophobic parties and street movements – suggest that the protection of the rights of minority groups is an area of concern for the EU.

This dimension employs population-level responses to questions in the EVS that attempt to track popular opinion vis-à-vis specific minority groups by asking a series of ‘neighbour questions’. The EVS asks respondents to choose which types of people they ‘would not like to have as a neighbour’. We chose to explore attitudes towards six minority groups that we felt are most likely to face discrimination:

- people of a different race
- Muslims

- Jews
- Roma
- immigrants
- homosexuals

While not a measure tracking a government's *de jure* stance towards minority groups, we believe such perceptions-based measures provide powerful *de facto* indicators of the evolving status of minorities within various European societies. Probing citizens' own attitudes towards minorities is important for two fundamental reasons. First, there is anecdotal evidence to suggest that formal laws do not necessarily translate into the enjoyment of these rights on the ground. Second, many of the challenges facing minorities, such as the rise of grassroots populism, are best measured through the attitudes of citizens and not through the actions of elites.

Moreover, our review of pre-existing indices was not able to identify a standalone, 'objective' or standards-based measure of discrimination towards minority groups across EU member states.

Dimension 4: active citizenship

Our fourth dimension finds its origins in Demos' work on everyday democracy discussed above.¹⁹⁹ Taking the measure of democracy's health requires going beyond the institutional aspects of democracy to include the lived experience and active participation of citizens in both formal and informal spheres. With this dimension, the aim is to uncover the health of EU member states' civic culture and the extent to which citizens are political and civically active. The indicators in this dimension are related most directly to article 12 of the Charter of Fundamental Rights, on the right to assembly and association.

The measure of active citizenship is based on three indicators compiled from questions asked in the EVS. The first indicator aims to measure the health of each country's civil society by determining how many civil society organisations citizens 'belong' to.

This civic involvement indicator is based on the percentage of a country's citizens who say they belong to the following types of organisation, or organisations devoted to the following issues:

- political parties
- trade unions
- women's rights
- local community action
- human rights
- youth work

The second indicator aims to measure levels of active citizenship with respect to volunteering. It is based on the percentages of citizens who say they work unpaid for the above list of organisation types, and aims to capture something slightly different: the extent to which citizens are motivated to work for free on these issues.

The third indicator looks at how active populations are with respect to different forms of protest. It is based on three questions from the EVS probing whether, in the last 12 months, respondents had:

- joined a boycott
- signed a petition
- taken part in a 'lawful demonstration'

While national-level averages provide a picture of how active the citizenry is, they also suggest the validity and importance of other rights and aspirations, including freedom of assembly and the equality of women.

Dimension 5: political and social capital

The fifth and final dimension aims to capture social and political capital among European citizens. This dimension seeks to explore the extent to which attitudes towards democracy and society are changing in the EU, and whether we can observe increasing or decreasing dissatisfaction around these issues. We

believe that probing this is vital if we are to gain a rounded appreciation of current attitudes towards the quality and grassroots experiences of democracy in the EU.

Again grounded in the EVS, the political and social capital measure is constructed around six indicators.

The first four indicators explore citizens' attitudes towards democratic governance and evolving attitudes towards authoritarianism. These indicators are drawn from EVS questions and are grouped together into a sub-category: 'political capital: views on democracy'. The indicators are based on the percentage of citizens:

- who report being satisfied with democracy in their country
- who think that having a 'strong leader who did not bother with parliament and elections' would be a bad way to govern their country
- who think that having the army rule would be a bad way of governing the country
- who agree with having a democratic political system²⁰⁰

This is supplemented with two further measures that capture levels of social capital and feelings of autonomy and agency, again from the EVS. This includes a measure capturing the extent to which citizens trust each other and the extent to which respondents feel they have freedom of choice. The questions in the EVS were:

- 'Generally speaking, would you say that most people can be trusted or that you need to be very careful in dealing with people?'
- 'How much freedom of choice and control do you feel you have over the way your life turns out?'

Longitudinal focus

Measuring democratic backsliding requires a longitudinal approach.

The inclusion of population survey data from the EVS inevitably limits the time frames that can be deployed to two snapshots that are applicable across all the indicators we have chosen and all five dimensions: 1999/2000 and 2008. While clearly limiting, these two snapshots nonetheless help to gain a sense of how the quality of democracy and democratic governance has evolved among European member states – and countries that were on track to become EU member states – over a sufficient period of time. This conforms to best practice: the World Bank has argued that longer time frames are needed to analyse trends meaningfully, as countries are generally going to show only very small variations from one year to the next.

Moreover, an alternative approach, based on shorter interval periods over a shorter period of time would require us to jettison the valuable population-level perceptions-data take from the EVS. Focusing on a relatively narrow time frame could also fail to capture broader latent trends in the development of democracy and may be biased by short and crisp ‘spikes’ (particularly given the political volatility associated with the recent eurozone crisis).

Plus we are able to provide more up-to-date indications of trends for the data in the first two dimensions. For the indicators based on the World Bank’s data we are able to track countries up to 2011 and we thus present three snapshots: 2000, 2008 and 2011. For the two indicators based on the CIRI Human Rights data we are able to track countries up to 2010.

For all five dimensions and all of our indicators, we supplement our quantitative index with in-depth qualitative analysis. We combine the qualitative data with the larger trend data that we see coming from the index in order to identify the most worrying backsliders. Systematic measuring of democracy requires an inevitable simplification of complex issues into categories and numerical judgements. It is thus essential that measuring democracy and tracking its progression in EU member states deploys a mixed methodology of quantitative and qualitative assessments.

5 The Demos EU Democracy Index: results

This chapter presents the results of our EU Democracy Index. It is divided into five sections corresponding with each dimension. In each section we first present the country rankings for the overall dimension combined with qualitative analysis of recent trends to identify the most worrying ‘backsliders’. We then present the scores and country rankings for each of the indicators.

Interpreting the results

A number of points should be stressed before presenting the data below. A full breakdown of the decisions we made and the analysis conducted is provided in the technical appendix to this report.

What the graphs tell us: a country’s distance from the average

As described in chapter 3, the construction of an index requires researchers to ‘standardise’ the data so they are on the same scale and can thus be combined and compared. For example, the World Bank’s Worldwide Governance Indicators rank countries on a scale of -2 to $+2$, while responses from the EVS are the percentage of respondents providing a certain answer out of 100. The standardisation process enables us to put both scores on to a scale of 0 to 100 so they can be more effectively compared.

Our chosen method of standardisation is based on the ‘theoretical distance from the mean’. For each measure or indicator, we calculated the average score across the 27 (or 25 in some instances with Malta and Cyprus excluded because of lack of data) EU member states. We then reassigned new scores to countries on a scale of 1 to 100 (with a score of 50 representing

the mean) based on their distance either above or below the mean score.

The average distribution for each indicator is between a numerical score of 20 and 30 for the poor performers and between 60 and 70 for the high performers. A very low or a very high numerical score for one or two countries would suggest that they are significant outliers compared with their EU member state peers. As we see below, this is the case in some instances with the Scandinavian countries at the top end, and typically Romania and Bulgaria at the bottom end.

The country rankings for each dimension are presented in quartiles based on their relative position. The top two quartiles are at a score of 50 or above, while the bottom two quartiles are below a score of 50:

- 1st (or top) quartile: countries ranked approximately 1st to 6th
- 2nd quartile: countries ranked approximately 7th to 14th
- 3rd quartile: countries ranked approximately 15th to 21st
- 4th (or bottom) quartile: countries ranked approximately 22nd to 27th

While all instances of backsliding are to some extent noteworthy, the countries with scores below the average for EU member states are clearly a priority, and especially those in the bottom quartile.

It is also important to consider what the 'ideal' world of perfect democracies would look like numerically according to our index. Indeed, rather than all countries achieving a score of 100, an ideal world would actually show every country perfectly aligned with scores of 50. Consider the rule of law indicator from the World Bank, which ranks scores from -2 to +2 with the latter being the best possible score. If every EU member state received a best possible score of +2, then the mean or average would also be +2. If the scores were then standardised using the 'theoretical distance from the mean' approach then each country's score would equal 50. It is thus important to consider and note where the mean score of EU member states lies in the original source of data, and we do this for each dimension below.

The last point to consider is how we interpret backsliding. Because of the nature of our approach, evidence of backsliding does not necessarily mean that the score for the country in question decreased in real terms. Rather, it could be actually that the country's score remained the same – or even, possibly, increased – but that a significant number of the other countries improved to a greater extent, thereby raising the average score. For each instance of backsliding according to our index, we went back to the original data to explore whether the country's score in real terms decreased. Our review of the data suggests that evidence of backsliding on our index is in fact correlated with decreases in real terms. We note below those instances where this is not the case.

Dimension 1: electoral and procedural democracy

The first dimension of our index consists of four indicators:

- indicator 1: political stability and absence of violence (World Bank)
- indicator 2: rule of law (World Bank)
- indicator 3: control of corruption (World Bank)
- indicator 4: electoral turnout (Institute for Democracy and Electoral Assistance)

Recalling the discussion from chapter 2, we might expect Greece to perform poorly for political stability and absence of violence, and Bulgaria, Romania and Italy to score poorly on indicators 2 and 3 because of their experiences with corruption and organised crime. Moreover, Hungary, with its arguable undermining of the independence of the judiciary in recent years, could be expected to have backslid with respect to indicator 2, rule of law. Trends suggest there have been low levels of voter turnout in former Soviet bloc countries in central and Eastern Europe, and consistently declining levels of turnout in Western Europe.

Electoral and procedural democracy dimension rankings

As we can see in table 1, the relative position of countries – particularly at the bottom – has not changed significantly over the past 12 years, with one exception: the precipitous decline of Greece into the third worst position, ahead of only Bulgaria and Romania.

Table 1 **Electoral and procedural democracy dimension rankings for EU countries, 1999, 2008 and 2011**

| Rank | 1999 | 2008 | 2011 |
|------|----------------|----------------|----------------|
| 1 | Denmark | Luxembourg | Luxembourg |
| 2 | Luxembourg | Denmark | Denmark |
| 3 | Finland | Finland | Sweden |
| 4 | Sweden | Sweden | Finland |
| 5 | Netherlands | Malta | Netherlands |
| 6 | Malta | Netherlands | Belgium |
| 7 | Germany | Austria | Germany |
| 8 | Belgium | Germany | Malta |
| 9 | Austria | Ireland | Austria |
| 10 | UK | Belgium | Ireland |
| 11 | Ireland | France | France |
| 12 | France | Cyprus | Cyprus |
| 13 | Cyprus | UK | UK |
| 14 | Spain | Slovenia | Slovenia |
| 15 | Italy | Portugal | Czech Republic |
| 16 | Portugal | Estonia | Estonia |
| 17 | Slovenia | Czech Republic | Spain |
| 18 | Greece | Italy | Portugal |
| 19 | Hungary | Slovakia | Poland |
| 20 | Slovakia | Spain | Italy |
| 21 | Estonia | Hungary | Slovakia |
| 22 | Czech Republic | Greece | Hungary |
| 23 | Poland | Poland | Lithuania |
| 24 | Latvia | Latvia | Latvia |
| 25 | Lithuania | Lithuania | Greece |
| 26 | Bulgaria | Romania | Romania |
| 27 | Romania | Bulgaria | Bulgaria |

Otherwise, the preponderance of Eastern European countries in the bottom quartile reflects the common wisdom on the legacy of Communism and the Soviet Union in Eastern Europe, the infancy of democratic institutions and the

proliferation of corruption and organised crime. These countries should remain priority countries for the EU when monitoring threats to democratic commitments in these core characteristics.

When we look at the data sources for this dimension we see that, overall, democracy among EU member states has declined. On three of the four indicators, the average score in Europe has declined successively. The rule of law indicator was the only one in which there were three successive increases between 2000 and 2011. Table 2 shows the mean score for each of the three World Bank indicators, based on their scale of -2.5 to 2.5 . Voter turnout also appeared to decline slightly overall – from an EU average of 74.7 per cent to 71.0 per cent.

Table 2 **Mean score on the World Bank data scale of 27 EU countries for three World Bank indicators on electoral and procedural democracy, 2000, 2008 and 2011**

| | 2000 | 2008 | 2011 |
|---------------------------------------------|-------|-------|-------|
| Political stability and absence of violence | 0.883 | 0.798 | 0.77 |
| Rule of law | 1.074 | 1.163 | 1.18 |
| Control of corruption | 1.130 | 1.073 | 1.027 |

Table 3 shows the countries with the biggest declines. The three most notable successive declines were in Greece, Italy and Hungary. While the Eastern European countries consistently at the bottom may be worst off overall, it is important to recognise that they are already starting from a low position, and the state of their democracy should be judged with their histories in mind. Greece, Italy and Hungary – on the other hand – have slid consistently backwards over the past 12 years.

The other most notable declines are in the UK, Portugal and Germany, each showing a successive backslide between 2000 and 2011, but as these countries are located in the top two quartiles above the average score, they are less notable than Italy, Hungary and Greece. The score for the UK in particular might

Table 3 **Most significant backsliders among EU countries on indicators on electoral and procedural democracy, 2000, 2008 and 2011**

| Country | 2000 | 2008 | 2011 | Decline between 2000 and 2011 |
|----------|------|------|------|-------------------------------|
| Greece | 140 | 120 | 104 | -36 |
| Italy | 141 | 121 | 120 | -22 |
| UK | 172 | 157 | 155 | -17 |
| Portugal | 159 | 151 | 146 | -12 |
| Germany | 178 | 170 | 168 | -10 |
| Hungary | 139 | 136 | 134 | -5 |

appear surprising and, as discussed below, appears to be driven by the low score awarded to it by the World Bank on the political stability and absence of violence indicator.

On a positive note, a number of Eastern European countries experienced improvements in electoral and procedural democracy between 2000 and 2011, as shown in table 4, with the Czech Republic, Poland and Slovakia improving the most. Romania showed improvement from 2000 to 2008, when it formally became a member of the EU, but since its accession it has fallen backwards by approximately four points. While this decline is small, it is notable as it might have been hoped that the country would have continued to improve after it became an EU member state.

Table 4 **Most significant improvers among EU countries on indicators on electoral and procedural democracy, 2000, 2008 and 2011**

| Country | 2000 | 2008 | 2011 | Improvement between 1999 and 2011 |
|----------------|------|------|------|-----------------------------------|
| Czech Republic | 124 | 142 | 147 | +24 |
| Poland | 124 | 133 | 144 | +21 |
| Slovakia | 118 | 138 | 137 | +19 |
| Lithuania | 117 | 128 | 130 | +13 |
| Romania | 87 | 103 | 99 | +12 |
| Latvia | 110 | 120 | 121 | +11 |

The following sections present the country scores and rankings for each of the indicators in this dimension. Analysis at the indicator level indicates precisely which issues of democracy are under threat, and what accounts for the decline of the backsliding countries highlighted above.

We find there are consistent and precipitous declines in Greece and Italy, in particular on core components of political stability, rule of law and control of corruption. Greece dropped sharply on all measures, including electoral turnout, as public disillusionment with the EU bailout and austerity programme grew dramatically in 2010. Italy remained politically stable and absent of violence (remaining constant on the first indicator), but showed declines in the categories rule of law and control of corruption, likely due to ongoing systemic problems and the high profile nature of cases involving former Prime Minister Silvio Berlusconi. Hungary, while faring better overall than Greece and Italy on all measures, nonetheless was below the average and one of the only countries where there were three successive declines on all four indicators.

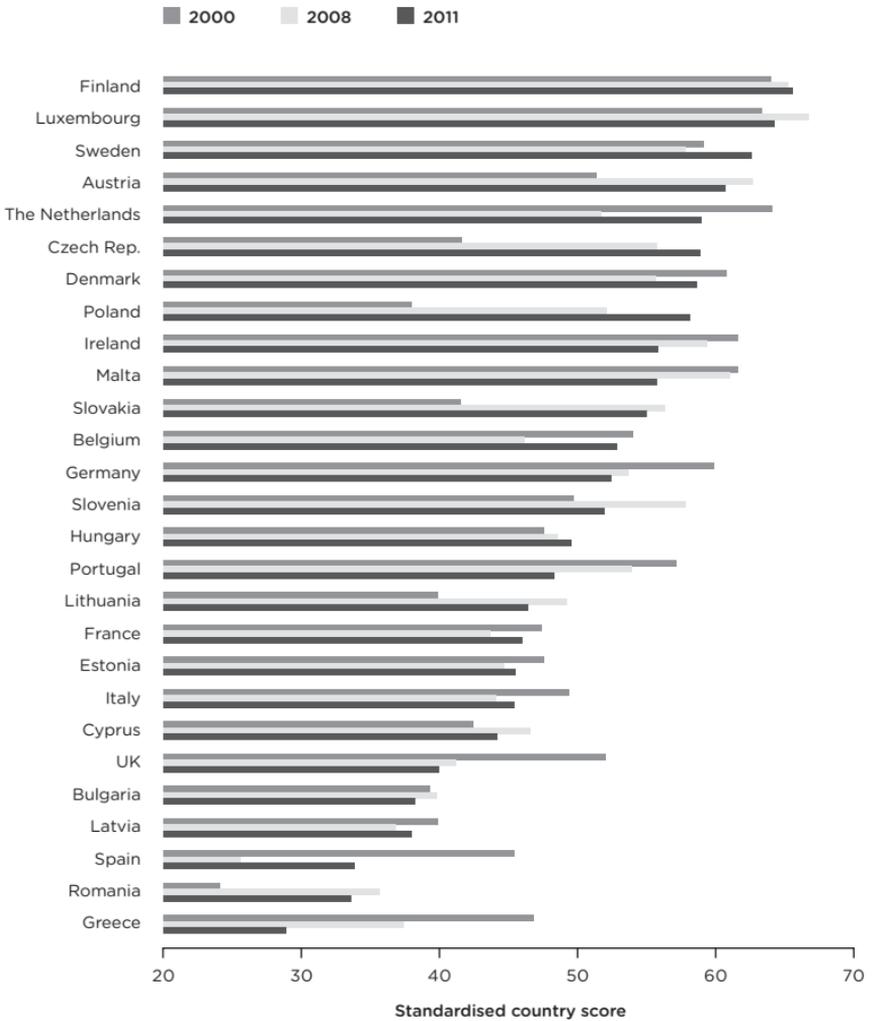
Indicator 1: political stability and absence of violence

The components of the indicator for political stability and absence of violence include frequency of political killings, disappearances, torture, existence of ethnic or religious conflict, social unrest, violent demonstrations, and internal or external conflict. The main sources for the European countries in the World Bank's Worldwide Governance Indicators are the CIRI Human Rights Index, the EIU and the Political Risk Services International Country Risk Guide.

Figure 1 shows that the results on this measure are fairly striking and anomalous, with countries like Spain and the UK scoring below or equal with the likes of Bulgaria, Hungary and Slovakia. Unfortunately, the World Bank does not explain the judgement behind a country's score, most likely because the score is based on a wide range of data sources.

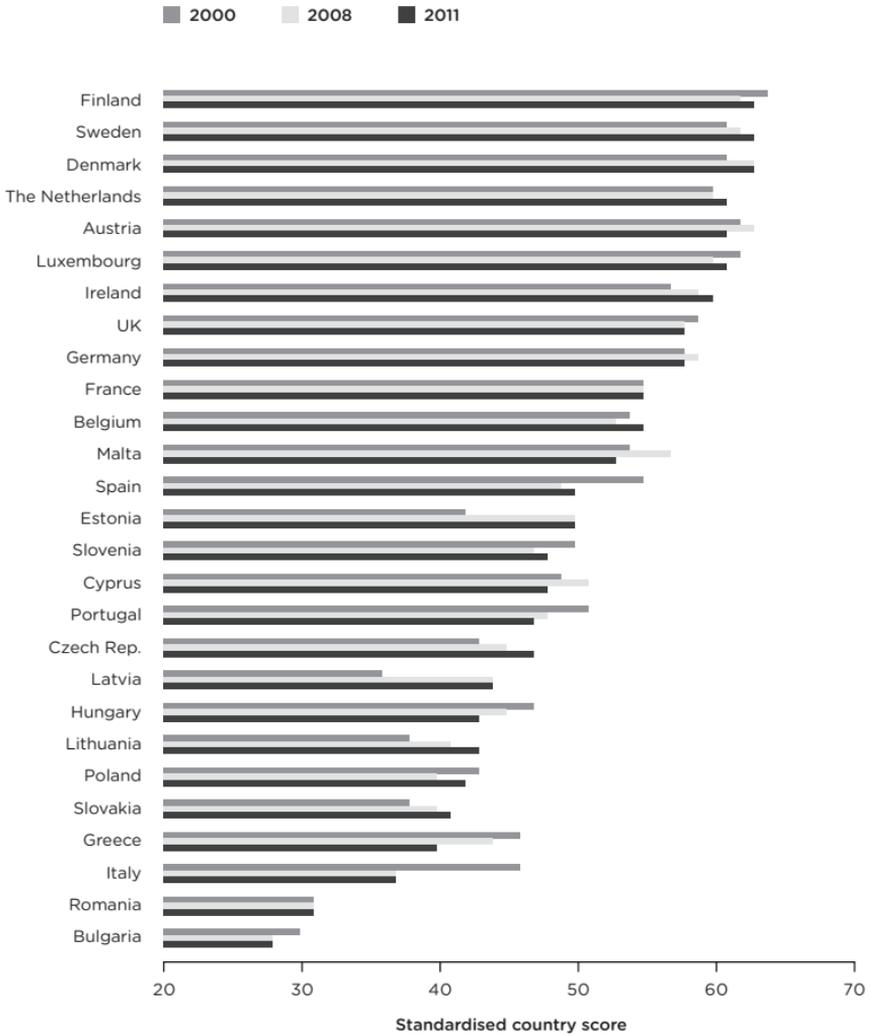
This highlights the inherent limits in quantitative measures of democracy. When various aspects of democracy are grouped and aggregated into single scores for a whole category there is a

Figure 1 **EU country scores for political stability and absence of violence, 2000, 2008 and 2011**



Source: Demos analysis based on 'theoretical distance from the mean' method of standardisation of the World Bank Governance Indicator 'political stability and absence of violence'.

Figure 2 EU country scores for rule of law, 2000, 2008 and 2011



Source: Demos analysis.

greater possibility of some components producing incongruous results.

Nonetheless, the World Bank data show that the worst backsliders by 2011 were Greece, Spain and the UK. While analysis of the underlying data used for the World Bank's Worldwide Governance Indicators does not shed light on the reason for these declines, it is possible that Spain's struggles with the Basque separatist movement ETA [Euskadi Ta Askatasuna] accounted for Spain's decline between 1999 and 2008, while riots in the north of England in 2001 likely brought the UK's score down (though the 2011 riots were too late to be included in the 2011 data). Both countries were also targets of al Qaeda-inspired attacks in 2003 and 2005 – with the UK facing the most severe threat from such attacks out of all European countries.

Among the poor performers, Romania improved notably from its 2000 score, but showed declines between 2008 and 2011. Bulgaria improved marginally between 2000 and 2008, but its most recent scores show it had slipped below its 2000 score. Encouragingly, most of the improvers were concentrated among the Eastern European states, including Slovakia and the frequently poor performer Lithuania.

Indicator 2: rule of law

The components of the rule of law indicator include adherence to rule of law, losses and costs of crime, kidnapping of foreigners, enforceability of government and private contracts, violent crime, organised crime, judicial independence, fairness of the judicial process, speediness of judicial process, black market, property rights, independence of judiciary, and law and order tradition. Figure 2 shows the country rankings for the rule of law indicator.

For most countries, the degree of improvement or backsliding is rather slighter than is the case for many indicators, with some exceptions: Latvia and Estonia witnessed significant improvements since 2000, whereas Italy and Greece underwent a major backslide and Spain also suffered a not insubstantial degree of backsliding. Bulgaria, which was at the bottom of the list in 2000, backslid further in 2008 but then improved again

slightly by 2011. While Bulgaria remains at the bottom, the slight improvement since becoming an EU member in 2011 is a small positive development.

The gap between those nations at the top of the list and those at the bottom on this indicator is particularly worrying. In 2011, Bulgaria had a score in the high 20s and Romania in the low 30s, Italy and Poland were the only other nations with scores in the 30s; seven nations had scores of 60 or above.

Indicator 3: control of corruption

The components of the control of corruption indicator include measures of public trust in politicians, diversion of public funds, incidence of bribery, views on government, media and legal system corruption, and transparency and accountability in the public sector.

The most immediately apparent trend in figure 3 is the sharp drops seen in Italy and Greece, reflecting discussion of the problems in these countries presented in chapter 2. In Romania there was an improvement between 2000 and 2008, but then a decline in 2011 leaving it tied with Bulgaria for the worst score. Improvements can be seen in Eastern European nations Latvia, Czech Republic and Slovakia, although many remain towards the bottom end of the ranking.

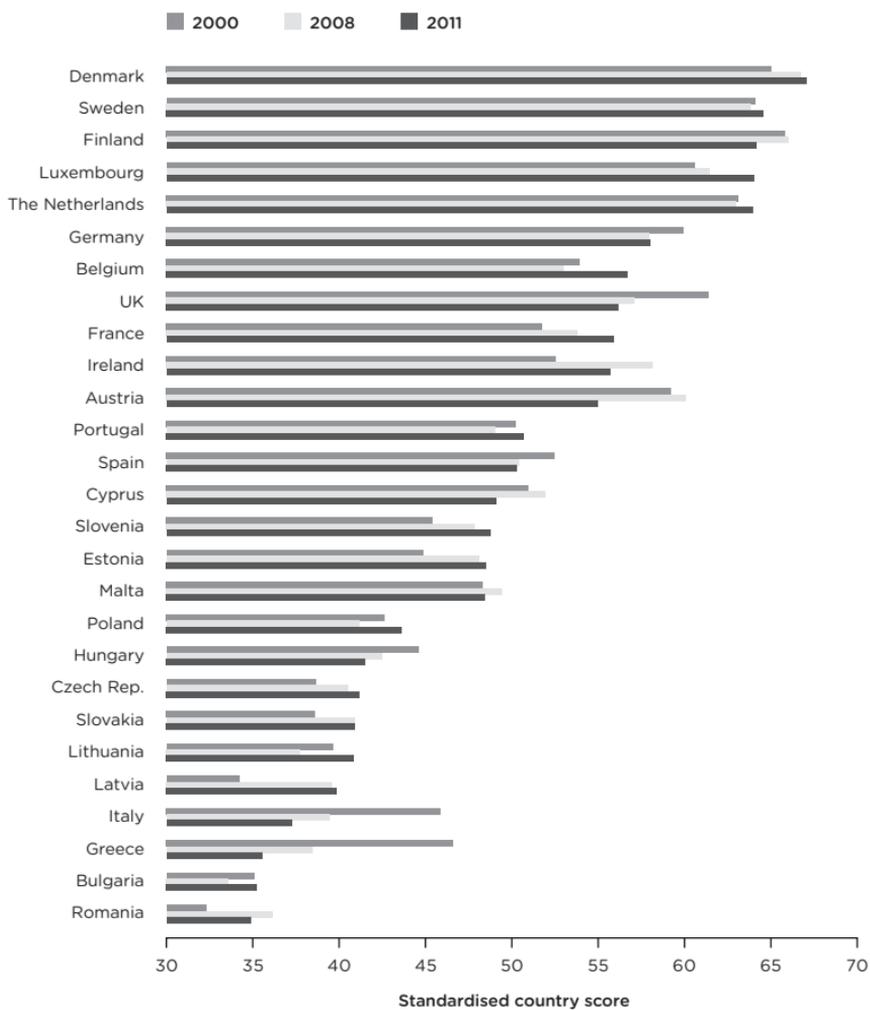
General social, political and civic developments in Eastern Europe must help to explain the improvements here, while in countries like Greece and Italy corruption has risen in line with sluggish economic fortunes and, in the case of the latter, the continued rule of Berlusconi, Italian prime minister between 2001 and 2006 and again between 2008 and 2011.

Indicator 4: electoral turnout

This indicator is based on data collected by the Institute for Democracy and Electoral Assistance. The scores consist of the average electoral turnout in the two national elections closest to each date (2000 and 2008), including up to 2012.

Scores on this measure are difficult to interpret, but we present them nonetheless as electoral turnout is a key measure of democracy. It cannot be assumed that high turnout is necessarily

Figure 3 **EU country scores for control of corruption, 2000, 2008 and 2011**



Source: Demos analysis.

a good thing as it could indicate possible corruption or other social turmoil that is sending citizens to the ballot box. Moreover, countries across Western Europe are experiencing a sustained decline in voter turnout over the past 50 years, seemingly driven by increased apathy and a perceived absence of political choice.

Again, significant declines in Italy and Greece are most immediately apparent in figure 4. Romania, Bulgaria, Greece and Italy again occupy the four positions at the bottom. In general, we see – as may be expected – a clear Northern–Western versus Southern–Eastern European divide, with the former predominant in the top two quartiles and the latter in the bottom two.

Dimension 2: fundamental rights and freedoms

Our second dimension consists of three indicators:

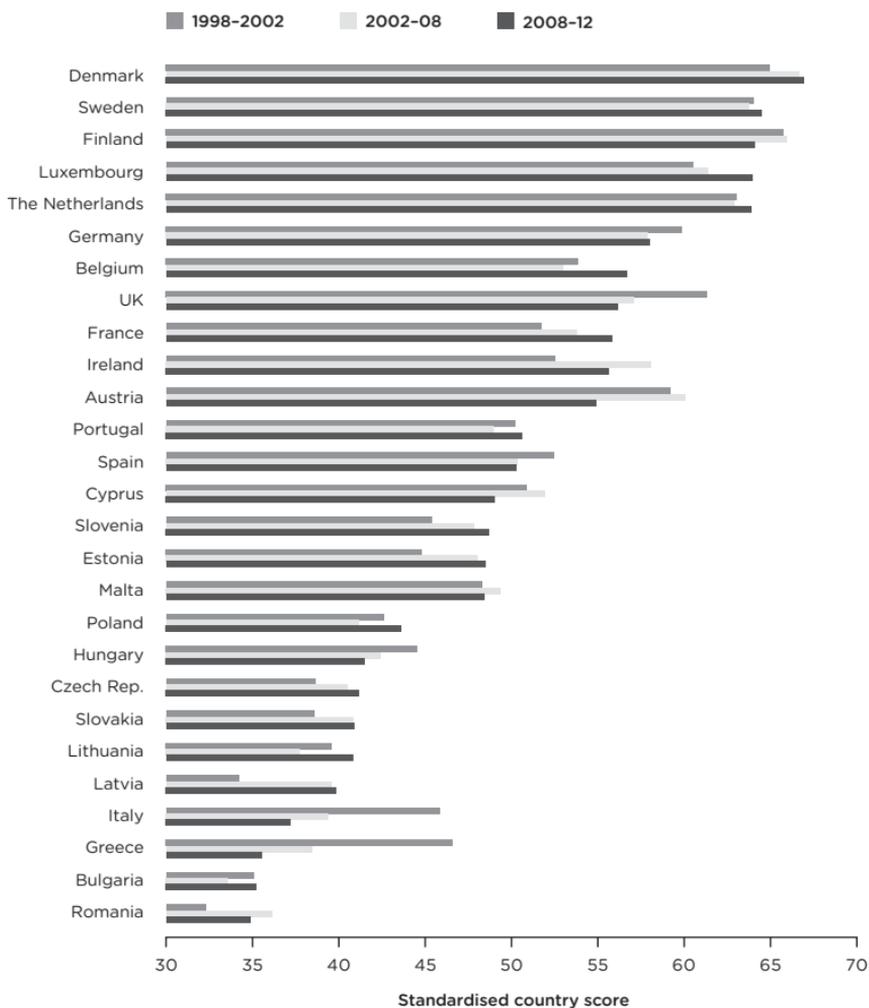
- indicator 5: voice and accountability (World Bank)
- indicator 6: freedom of religion (CIRI Human Rights Database)
- indicator 7: economic rights of women (CIRI Human Rights Database)

Between them, these indicators capture a significant proportion of the rights and freedoms that are protected under the European Charter of Fundamental Rights. The voice and accountability measure includes fundamental rights such as freedom of association, the press, political participation, imprisonment, government censorship and other measures of civil and political liberties. We also included additional rights that appear the most relevant to EU member states: freedom of religion and equal gender rights.

Table 5 (page 108) shows the country rankings relating to fundamental rights and freedoms. Scores for Cyprus and Malta cannot be reported on this dimension because of lack of data.

As with the previous dimension, we have also calculated the mean or average score for EU member states on the original data scales (in this case, the World Bank and CIRI) to determine if

Figure 4 **EU country scores for voter turnout scores in national parliamentary elections, 1998-2002, 2002-08 and 2008-12 (in descending order of most recent results)**



Source: Demos analysis.

the average score is improving or sliding backwards. Contrary to dimension 1, where we saw successive declines on three of the four indicators, the mean score for fundamental rights and freedoms indicators is constant across 2000, 2008 and 2011 for the World Bank, and 2000, 2008 and 2010 for CIRI. Within this constancy, of course, some individual countries may have improved while others declined. The one exception is the economic rights of women indicator, which showed an increase in the mean score from 1.92 in 2000 to 2.46 in 2010.

In general, we might expect to see Eastern European countries scoring poorly on this measure alongside drops in countries like Greece and Hungary in recent years. Other incidents involving legislation applying to Muslims and Roma may also be expected to bring down the scores of countries like France and Belgium.

As we can see in table 5, the most notable result on this dimension is the improvement of Bulgaria, which jumped 40 points, making it the single biggest improver among the 25 member states on this measure. In last place in 2000, Bulgaria rose above Romania, Latvia, Slovakia and Greece in 2008. Both Spain and Hungary saw the steepest declines falling from 8th to 18th place and 9th place to 19th place, respectively. There were additional declines in Latvia, Finland and Sweden, although the latter two remain in the top five among member states. Given the developments involving Greece and Hungary described above, it is reasonable to assume that their scores continued to decline on assessments in more recent years.

Indeed, at the indicator level we can track developments up to 2011 on the voice and accountability indicator and up to 2010 on the other two indicators. On the former, Greece and Hungary have declined again up to 2011.

Priority countries on this measure include those in the bottom five: Latvia, Greece, Slovakia, Romania and Bulgaria, as well as Hungary because of its steep fall between 2000 and 2008 and the likelihood that it has fallen further in light of the recent controversy over constitutional changes.

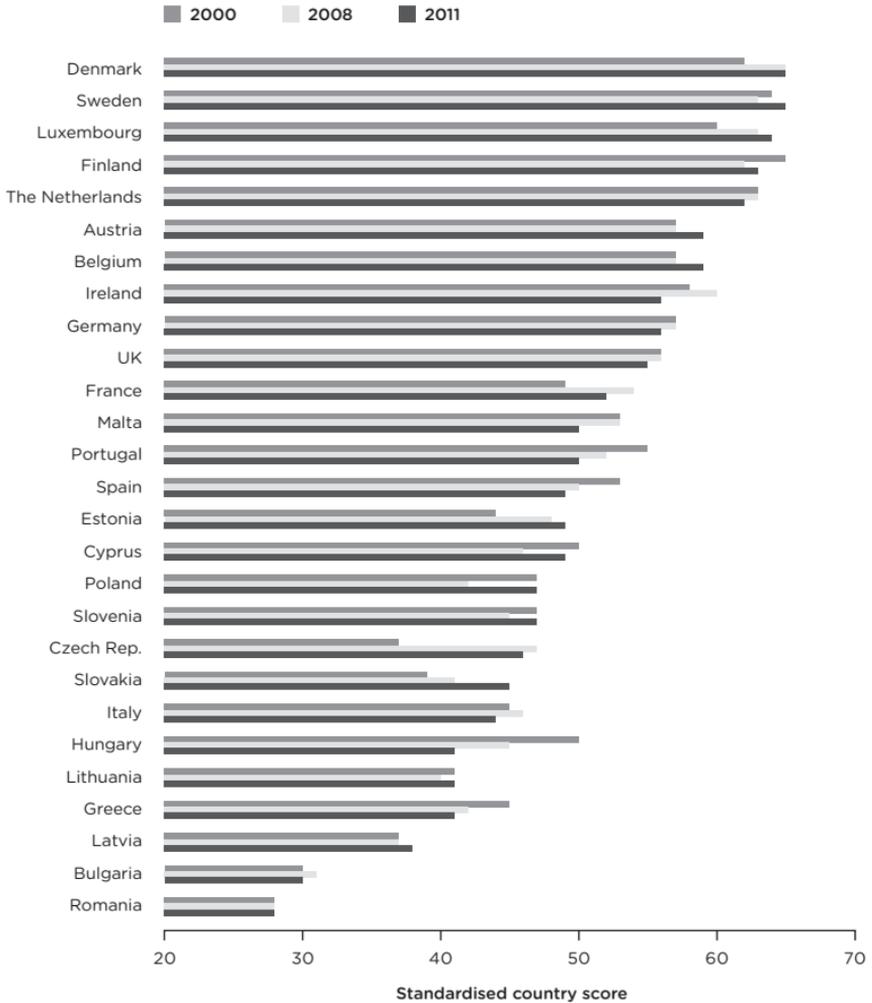
Table 5 **Fundamental rights and freedoms rankings for EU countries, 1999, 2008 and 2010-11**

| Rank | 1999 | 2008 | 2010-11 |
|------|----------------|----------------|----------------|
| 1 | Finland | Denmark | Denmark |
| 2 | Sweden | Sweden | Sweden |
| 3 | Netherlands | Luxembourg | Luxembourg |
| 4 | Denmark | Netherlands | Finland |
| 5 | Luxembourg | Finland | Netherlands |
| 6 | Ireland | Ireland | Austria |
| 7 | Portugal | Austria | Ireland |
| 8 | Spain | Portugal | Portugal |
| 9 | Hungary | Belgium | Belgium |
| 10 | Slovenia | Germany | Germany |
| 11 | Italy | UK | UK |
| 12 | Estonia | France | France |
| 13 | Belgium | Estonia | Estonia |
| 14 | Austria | Slovenia | Slovenia |
| 15 | Germany | Italy | Italy |
| 16 | UK | Lithuania | Lithuania |
| 17 | Czech Republic | Czech Republic | Poland |
| 18 | France | Spain | Spain |
| 19 | Poland | Hungary | Czech Republic |
| 20 | Lithuania | Poland | Slovakia |
| 21 | Slovakia | Bulgaria | Hungary |
| 22 | Latvia | Greece | Greece |
| 23 | Greece | Slovakia | Bulgaria |
| 24 | Romania | Latvia | Latvia |
| 25 | Bulgaria | Romania | Romania |

Indicator 5: voice and accountability

Overall, ten of the 27 countries we examined regressed in the measures of voice and accountability between 2000 and 2008, while Hungary, Greece, Spain and Portugal continued their decline in 2011. Greece's fall to the bottom five is notable and particularly worrying. As might be expected, many of the poorest performing countries are located in Eastern Europe: Romania, Bulgaria, Latvia and Lithuania. A number of other countries showed improvements between 2000 and 2008, but saw subsequent declines in 2011: Bulgaria, Czech Republic, France and Ireland.

Figure 5 **EU country scores for voice and accountability, 2000, 2008 and 2011**



Source: Demos analysis.

The most notable declines in voice and accountability measures apparent in figure 5 are in Hungary and Greece. As demonstrated in earlier chapters, Hungary and Greece have both experienced issues in these areas in recent years. The EIU Democracy Index, one of the sources used by the World Bank, shows Hungary getting progressively worse in the categories of ‘functioning government’ and ‘civil liberties’, which measures the separation of powers within governments, the supremacy of the legislature in lawmaking as well as the extent to which there is a free press. In the 2010 EIU Index, Hungary was ranked 43rd (falling in to the category of flawed democracies) having been rated 38th in 2006.

Indicator 6: freedom of religion

This indicator and the next one are from the CIRI Human Rights Database. The CIRI project releases data every two years for countries on a range of measures capturing fundamental freedoms. The country scores given by CIRI are based on analysis from the US State Department country reports into respect for rights and freedoms across the world. While the CIRI database is used extensively in attempts to measure democracy it appears to suffer from some methodological shortcomings. For example, there is no systematic rationale or classification method for ranking countries. The CIRI website simply states that country scores are based on US State Department reports. However, a review of those reports undertaken by the authors does not necessarily shed light on why some countries’ scores have improved or worsened. We are able to use an additional source for the indicator for economic rights of women– the EIU’s Women’s Economic Opportunity Database – to compare our data and to track countries’ performance in 2010 and 2012. However, no additional data or measures could be identified for the freedom of religion indicator – it appears that more nuanced data need to be gathered to measure freedom of religion.

The freedom of religion indicator from the CIRI Human Rights Database aims to measure ‘the extent to which the freedom of citizens to exercise and practice their religious beliefs is subject to government restrictions’. Countries receive a score

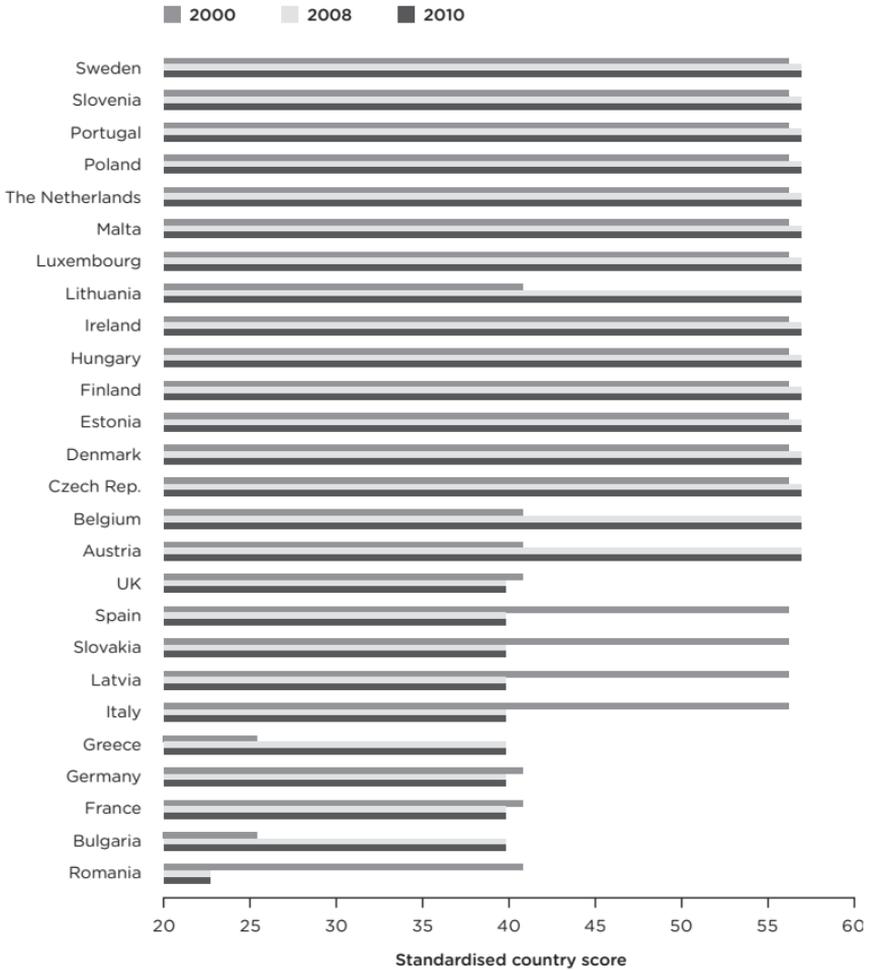
of either 0, 1 or 2 – with 2 being the best score and 0 being the worst. The average score for EU member states on this measure on the CIRI scale was stable at 1.57. However, because there are only three scores possible, the results take the shape of three tiers of countries, as can be seen in figure 6. Romania is the only country to receive a score of 0, while Bulgaria up to the UK received a score of 1 and the rest scored the highest possible with a 2.

The most notable findings from figure 6 are the backsliding of Spain, Italy, Slovakia, Latvia and Romania. Unfortunately, CIRI does not provide a rationale for the decreased scores in these countries, nor do US State Department reports provide detailed assessments. For example, Romania alone holds the lowest ranking in 2008 and 2010, indicating ‘severe and widespread government restrictions or religious practices’ according to CIRI.²⁰¹ Analysis of US State Department reports show that criticism refers to the 2007 Law on the Freedom of Religion and the General Status of Denominations. While the legislation itself states that ‘the Romanian State observes and guarantees the fundamental right to freedom of thought, conscience and religion’, the US State Department asserts that some restrictions have ‘adversely affected the rights of many religious groups’, particularly minority religious groups.²⁰² However, in its more recent reports on international religious freedom in Romania, from 2011 and 2012, the State Department concluded that ‘there were no reports of abuse of religious freedom’. It is therefore likely that the score for Romania will rise in the next iteration of the CIRI data.

Indicator 7: economic rights of women

Although there have been improvements in gender equality in the past 20 years, it continues to be a matter of concern in many EU member states. The indicator we use to assess member states on gender equality comes from the CIRI Human Rights Database and aims to capture ‘the extent to which the economic rights of women are formally and informally respected’. The indicator includes equal pay for equal work, free choice of profession or employment without the need to obtain male

Figure 6 **EU country scores for freedom of religion, 2000, 2008 and 2010 (in descending order of 2010 results)**



Scores for Cyprus were not included in the CIRI database.

Source: Demos analysis.

relative and spouses' consent, equality in hiring and promotion practices, job security, non-discrimination and the right to be free from sexual harassment in the workplace.

CIRI scores countries on a scale from 0 to 3, with 0 indicating 'no economic rights for women in law and systematic discrimination based on sex' and 3 indicating 'all or nearly all of women's economic rights guaranteed by law and the government fully and vigorously enforces these laws in practice'. No EU member state received a score of 0 on this indicator; however, the four countries at the bottom of the ranking in figure 7 all received a score of 1 in 2010.

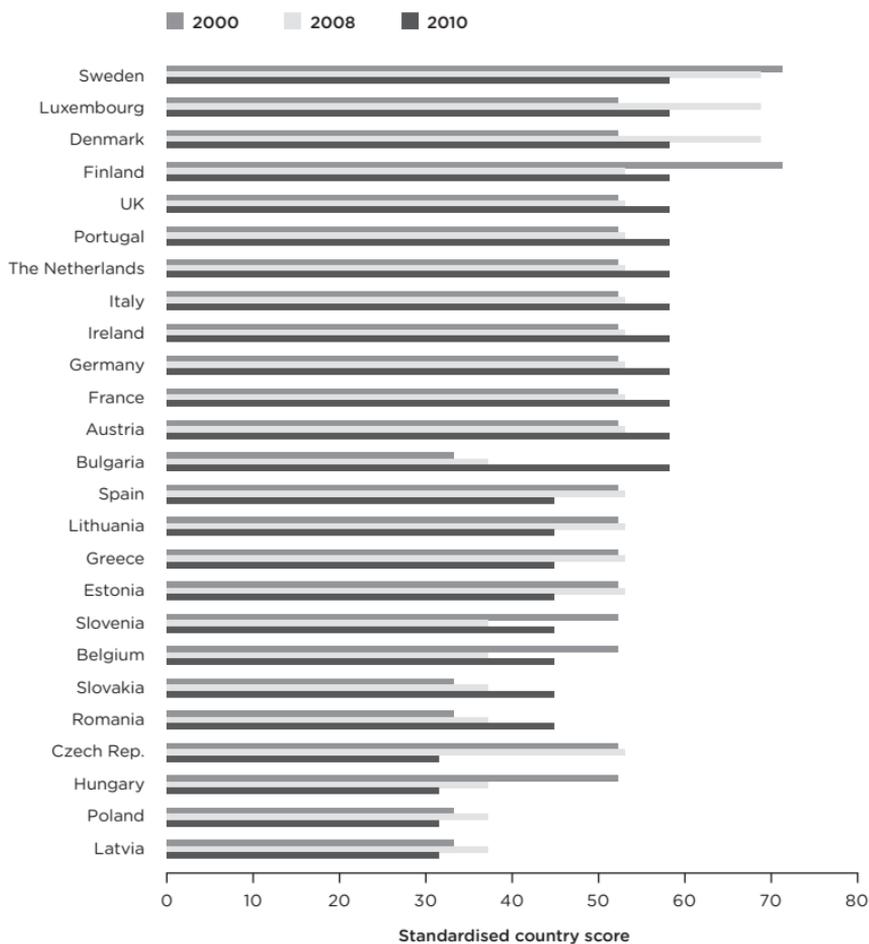
As mentioned above, the mean (average) score for EU member states on this indicator has improved significantly: in 2000 the mean score was 1.88 (out of 3), while the mean score in 2011 was 2.38. Indeed, EU member states as a whole have improved substantially on this measure: in 2000 only Sweden and Finland could boast of a score of 3. By 2011, 14 countries had achieved a score of 3 out of 3 (including Malta, which is excluded from figure 7 as data from 2000 is missing).

The CIRI data show improvements in a number of countries including Portugal, France, Italy and the UK in Western Europe, and Romania, Slovakia and Bulgaria in the east. Bulgaria in particular improved its score significantly.

Despite the overall improvements, there are a number of countries whose scores have declined, including Hungary, the Czech Republic, Lithuania, Greece and Spain. However, looking back at the original data we see that the scores for Greece, Spain and Lithuania actually remained the same across all three time-slice points; in other words, in this case, the rest of Europe improved while these countries stayed the same.

In 2010, both Hungary and the Czech Republic received scores of 1 out of 3 on the CIRI Index, as 'women had some economic rights under law, but these rights were not effectively enforced'.²⁰³ The US State Department criticised Hungary on the basis of a 15 per cent difference in the average gross hourly earnings as well as the poor record of the Hungarian Equal Treatment Authority. In the Czech Republic it was found that women's salaries for similar work were over 26 per cent less than

Figure 7 **EU country scores for economic rights of women, 2000, 2008 and 2010**



Scores for Cyprus were not included in the CIRI database, and scores for Malta in 2000 were not available.

Source: Demos analysis.

Table 6 **Scores and ranks on EIU's measure 'women's economic opportunity' for EU countries, 2010 and 2012**

| Rank | Country | 2010 score | 2012 rank | 2012 score | Rank change |
|------|----------------|------------|-----------|------------|-------------|
| 1 | Sweden | 88.2 | 1 | 90.4 | - |
| 2 | Belgium | 86.4 | 3 | 87.7 | ? |
| 3 | Finland | 85.2 | 2 | 88.2 | - |
| 4 | Germany | 83.9 | 4 | 86.3 | - |
| 5 | Netherlands | 82.5 | 5 | 85.0 | - |
| 6 | France | 79.4 | 7 | 79.5 | - |
| 7 | Portugal | 78.3 | 9 | 77.3 | - |
| 8 | Denmark | 77.6 | 6 | 81.3 | - |
| 9 | UK | 76.8 | 8 | 78.9 | - |
| 10 | Ireland | 76.4 | 15 | 74.6 | - |
| 11 | Hungary | 75.3 | 14 | 74.9 | - |
| 12 | Austria | 74.0 | 11 | 76.3 | - |
| 13 | Bulgaria | 73.3 | 18 | 73.5 | - |
| 14 | Slovenia | 73.2 | 12 | 76.2 | - |
| 15 | Czech Republic | 73.1 | 22 | 70.8 | - |
| 16 | Luxembourg | 71.9 | 13 | 75.4 | - |
| 17 | Lithuania | 71.6 | 10 | 77.0 | - |
| 18 | Spain | 70.5 | 16 | 74.0 | - |
| 19 | Estonia | 70.4 | 20 | 71.7 | - |
| 20 | Greece | 69.4 | 24 | 68.7 | - |
| 21 | Latvia | 68.5 | 19 | 72.1 | - |
| 22 | Italy | 68.3 | 21 | 70.9 | - |
| 23 | Poland | 68.0 | 23 | 70.2 | - |
| 24 | Slovakia | 65.2 | 17 | 73.8 | - |
| 25 | Romania | 61.0 | 25 | 62.2 | - |

Source: EIU's scores and rankings for 'women's economic opportunity' for 2010 and 2012.

those for men and women were 'more likely to work in less well-paid positions',²⁰⁴

The EIU's measure 'women's economic opportunity' provides more recent data up to 2012. Table 6 shows the ranking of EU member states from 2010, as well as their rankings in 2012. The ones highlighted in red are those countries that declined by three or more places between 2010 and 2012, while those in green improved by three or more places.

Interestingly, while the order of the countries on the EIU measure differs from our ranking in figure 7, there is overlap in

the key backsliders – Hungary, Czech Republic and Greece. But, there are also a couple of significant differences: the CIRI measure shows Bulgaria improving while the EIU measure suggests it has declined on this measure between 2010 and 2012. Again, this highlights the difficulty involved in providing a definitive and objective quantitative measure for countries.

Dimension 3: tolerance of minorities

Pluralist, liberal democracies require tolerance towards minority groups and policies to prevent systemic or violent discrimination. Whether countries have policies to protect minority groups, and in particular the will to enforce such protections, depends in part on the population's attitude towards minority groups. In those countries where discriminatory attitudes are more pervasive among the public, the threat of infringement and undemocratic policies may be higher. Our third dimension is devoted specifically to the question of minorities.

The EVS is the primary source in Europe that captures Europeans' attitudes towards minorities. Respondents are asked who in the following list 'they would not want to live next door to as a neighbour'. While there are a number of different options, including 'far right' extremists and alcoholics, the groups that we are most interested in are those minorities that most commonly face discrimination, covered by the following indicators:

- indicator 8: intolerance of people of a different race
- indicator 9: intolerance of Muslims
- indicator 10: intolerance of Jews
- indicator 11: intolerance of Roma
- indicator 12: intolerance of immigrants
- indicator 13: intolerance of homosexuals

The 'scores' for each country on this measure are based on the percentage of the population who do not want to live next to the minority group – thereby displaying some form of prejudice or aversion. As above, the scores have been recalculated through

the normalisation approach based on theoretical distance from the mean (see technical appendix at the back of this report). Therefore it is important to recognise that the scores below do not reflect analysis about the existence and prevalence of *institutional* racism or discrimination.

Moreover, the scores do not necessarily take into account the rise of racist, anti-Semitic or Islamophobic political parties or street-based movements. While we might expect to see correlations between population attitudes and the emergence and success of such movements, this is not necessarily the case. We therefore rely on qualitative analysis and consideration of other factors and developments to supplement our findings below.

Unfortunately, as with other indicators, there is a lack of data collected frequently (annually or biannually) related to tolerance towards minorities. The most useful sources on institutional discrimination are the CIRI Human Rights Index and the Freedom House *Nations in Transit* reports, which focus primarily on Eastern European countries. The 2011 CIRI findings – which are based on annual reports from the US State Department – highlight concerns in Germany, Bulgaria and Malta. In Germany, the State Department found that ‘beatings and harassment of foreigners and members of racial minorities remained a problem throughout the country’. In Bulgaria, the State Department noted ‘right-wing violence against Roma, Muslims, and other religious minorities’ as well as perceptions that the ‘judicial system rendered unequal justice’.²⁰⁵

Bulgaria is also cited in the most recent 2012 Freedom House *Nations in Transit* reports as showing consistent decreases between 2007 and 2012 related to their indicator for judicial framework and independence. According to the report, ‘the most frequently criticised problems in Bulgaria’s court and penal system are discrimination against the Roma minority and certain religious beliefs’.²⁰⁶ The Nations in Transit reports also single out Hungary for successive declines in the judicial framework and independence indicator. According to the report, ‘the political representation of women and minorities, particularly the Roma, continues to be unsatisfactory’. The report also noted that ‘the judiciary in 2011 continued its practice of disproportionately

trying and sentencing Roma for hate crimes against ethnic Hungarians, effectively persecuting minorities with a provision intended to protect them'.²⁰⁷

Other sources measure attitudes towards minorities holding public office, and attitudes towards immigration in general. While holding oppositional views towards immigration is by no means undemocratic, it could signify a broader tendency towards intolerance and discrimination. The European Social Survey (ESS) asks Europeans whether their country is 'made a worse or better place to live by people coming to live here from other countries'. Overall, the ESS suggests a hardening of attitudes towards immigration between 2008 and 2010. This was especially true in Greece, whose population showed significantly more negative attitudes towards minorities than all the other countries. Eastern European countries Hungary and the Czech Republic also showed majorities with negative attitudes, while Bulgaria – perhaps surprisingly – showed much more positive views.

Political Capital's DEREK Index

One of the most useful and up-to-date sources on citizens' attitudes towards minorities is the Budapest-based think tank Political Capital's DEREK Index.

The DEREK Index is based on four categories: prejudices, anti-establishment attitudes, right-wing value orientation and fear, distrust and pessimism) and aims to measure the susceptibility of populations to far right ideologies.

The 2012 DEREK Index suggests that Greece, Cyprus and Hungary are the EU member states of most concern.²⁰⁸ Greece scores the highest overall with 57 per cent displaying prejudicial attitudes, 62 per cent displaying anti-establishment attitudes, 31 per cent displaying right-wing value orientation and 41 per cent displaying 'fear, distrust and pessimism'. Hungary displayed the second most prejudicial attitude with 48 per cent as well as the second most 'right-wing value orientation' scores with 32 per cent (Cyprus came out first with 45 per cent).

Relevant to dimension 3 is the category prejudices and welfare chauvinism, which is based on homophobic and anti-

immigrant attitudes. The 2012 DEREK survey showed that Greece displayed the highest percentage of prejudices with 57 per cent, with Hungary in second place with 48 per cent and Cyprus in third place with 47 per cent.

Recent developments: the rise of 'far right' populists

European countries have experienced racism and anti-Semitism for decades. While progress has been made with respect to increased levels of tolerance and far fewer examples of institutional prejudice, in the past decade Islamophobic sentiment and, to a lesser extent, anti-Roma sentiment have risen. In the 2000s there was a rise in support for political parties such as the Dutch Freedom party (led by the outspoken Geert Wilders), the Front National in France, the Danish People's party and the Sweden Democrats – as well as street-based movements such as the English Defence League in England and Bloc Identitaire in France. These parties and groups claim to be against 'radical Islam' and what they perceive as immigrants who are unwilling to 'integrate' into European and national cultures. Some groups, like the Dutch Freedom party, argue that Islam is fundamentally in conflict with European values. In many of these countries Muslims are often portrayed in a highly negative light in media and newspapers, thus possibly entrenching discriminatory views towards Muslim immigrants. While the emergence and success of these political parties and groups is worrying, particularly in France, the UK, Netherlands, Denmark, Sweden and Austria, it is important to note that – with the exception of street-based groups like the English Defence League – they are democratically elected political parties.

In Denmark and Netherlands, far right parties were key junior partners in governing coalitions. In Sweden, the Sweden Democrats won approximately 8 per cent of the vote and entered parliament for the first time – an astonishing result for a party that was openly neo-Nazi. In France, the Front National won an impressive 17.9 per cent of the vote in the 2012 election, but failed to make it into the second round of the elections. The Austria Freedom party, which had strong electoral success in

1999 (discussed in chapter 6), continues to show notable electoral results, achieving 17 per cent in the 2008 election. While many of these groups are seeking support through traditional democratic means, it is nonetheless important to consider the possible implications of their policies and rhetoric as leading to possible discrimination against minorities.

An assessment of levels of tolerance towards minorities should also consider the prevalence of racially, ethnically or religiously motivated violence. There are also concerns about the rise of far right terrorism, such as the attacks in summer 2011 in Norway perpetrated by the far right extremist Anders Breivik. There have also been notable arrests and attacks in Italy and Germany. In the UK, recent figures suggest that 10 per cent of individuals referred to the Government's anti-terrorism programme Prevent have been motivated by far right or racist views.²⁰⁹

Another worrying emergence of far right support can be seen in Hungary, as argued above, with the emergence of the Jobbik party. While still described as far right extremists or populists – unlike the parties mentioned above, which have shifted focus to Islam and Muslim immigrants – Jobbik's primary target is the Roma minority in Hungary; its members also have traditional far right anti-Semitic views. It is the third largest party in Hungary, winning 16 per cent of the vote in 2010.

We present the scores for our index below, with these issues and more recent trends in mind.

Tolerance of minorities as neighbours: dimension scores

There are limited data from the EVS 1999 wave: there are no data for Cyprus for any of the indicators, while data only exist for Hungary on attitudes towards homosexuals and Jews, and there are no data in these two categories for Ireland. Because of this we have been forced to exclude these countries from our dimension scores.

Looking at the EVS data before they were standardised, we see that the average percentage or mean score rose – albeit slightly – between 2000 and 2008 for each of the neighbour

Table 7 **Proportion of people in EU member states who said they would not want to live next to various sorts of neighbours, 2000 and 2008**

| | 2000 | 2008 |
|-----------------------------|--------|--------|
| Someone of a different race | 11.43% | 12.85% |
| Muslims | 17.95% | 22.07% |
| Jews | 10.85% | 11.63% |
| Roma | 38.40% | 39.63% |
| Immigrants | 14.63% | 16.31% |
| Homosexuals | 30.25% | 27.00% |

questions excluding homosexuals – higher percentages in 2008 said they did not want to live next to someone of a different race, a Muslim, a Jewish person, or a Roma person than in 2000 (table 7).

Perhaps unsurprisingly the group towards which there was the biggest increase in intolerant attitudes between 2000 and 2008 were Muslims. Overall, Roma are the group people are most averse to being neighbours to, followed by homosexuals and Muslims. Indeed, while attitudes towards homosexuals softened between 2000 and 2008, the aversion remains strong in Eastern European countries, thereby raising the EU average.

As we can see in table 8, in both 1999 and 2008 the populations in Eastern European nations are the least likely to want certain minority groups as neighbours. As these countries display lower levels of immigration and fewer minority groups, this aversion could be due to unfamiliarity and, with respect to homosexuality, a more general social conservatism.

In a number of Eastern European countries, including the Czech Republic, Latvia and Slovenia, there were increases in opposition to minorities. Perhaps more notable though are the sharp increases in opposition to minorities in the Western European countries: Austria, Netherlands and Sweden, reflecting the growing support for far right populist groups in these countries as discussed above.

Conversely, other countries that have had similar movements – such as France, Belgium and the UK – appear to

Table 8 **EU country rankings for tolerance of minorities dimension, 1999 and 2008 (from most tolerant to least tolerant)**

| Rank | 1999 | 2008 |
|------|----------------|----------------|
| 1 | Sweden | France |
| 2 | Netherlands | Spain |
| 3 | Denmark | Sweden |
| 4 | Portugal | Belgium |
| 5 | Germany | Denmark |
| 6 | Spain | UK |
| 7 | Luxembourg | Germany |
| 8 | Latvia | Netherlands |
| 9 | Austria | Luxembourg |
| 10 | France | Portugal |
| 11 | UK | Finland |
| 12 | Czech Republic | Greece |
| 13 | Finland | Slovakia |
| 14 | Belgium | Poland |
| 15 | Greece | Italy |
| 16 | Italy | Latvia |
| 17 | Slovenia | Austria |
| 18 | Estonia | Bulgaria |
| 19 | Malta | Romania |
| 20 | Slovakia | Malta |
| 21 | Poland | Czech Republic |
| 22 | Bulgaria | Slovenia |
| 23 | Lithuania | Estonia |
| 24 | Romania | Lithuania |

Cyprus, Ireland and Hungary are not included because of missing data.

have become more tolerant. Despite perceptions of a rise of intolerance towards minorities across Europe, the trend between 1999 and 2008 is evenly split, with 12 improvers and 12 backsliders among those countries where data were available. There were improvements between 1999 and 2008 in Bulgaria, Romania, Poland and Slovakia.

As mentioned above, more recent data from the DEREX survey suggest that the countries whose citizens have the most prejudicial attitudes are Greece, Hungary and Cyprus.

While this provides an idea of citizens' attitudes, it does not demonstrate backsliding with respect to institutional racism and discrimination. As our review of the available data was not able to identify an indicator or measure of government policy for the

Table 9 **EU country rankings for population's tolerance of having neighbours of a different race, 1999 and 2008 (from most tolerant to least tolerant)**

| Rank | 1999 | 2008 |
|------|----------------|----------------|
| 1 | Sweden | France |
| 2 | Latvia | Spain |
| 3 | Netherlands | Germany |
| 4 | Germany | Denmark |
| 5 | Luxembourg | Belgium |
| 6 | Portugal | Sweden |
| 7 | Denmark | UK |
| 8 | Austria | Finland |
| 9 | Lithuania | Greece |
| 10 | Czech Republic | Ireland |
| 11 | France | Netherlands |
| 12 | UK | Poland |
| 13 | Spain | Portugal |
| 14 | Slovenia | Luxembourg |
| 15 | Finland | Latvia |
| 16 | Ireland | Lithuania |
| 17 | Belgium | Slovakia |
| 18 | Greece | Italy |
| 19 | Estonia | Austria |
| 20 | Italy | Romania |
| 21 | Slovakia | Bulgaria |
| 22 | Poland | Czech Republic |
| 23 | Malta | Estonia |
| 24 | Romania | Malta |
| 25 | Bulgaria | Slovenia |

treatment of minorities, information about backsliders must be gathered qualitatively. For example, France performs very well on our dimension, holding the top spot for tolerance in 2008. Yet as noted above, between 1999 and 2008 and afterwards, France instituted policies that some argue were discriminatory (eg the expulsion of Roma communities and the banning of the burqa in public).

Indicator 8: intolerance of people of a different race

Table 9 presents the rankings for each country for the degree of tolerance of the population towards having someone of a different race as a neighbour.

In 2008 the countries with the most negative attitude towards having neighbours of a different race were Slovenia, Malta, Estonia, the Czech Republic and Bulgaria. Within each of these countries, with the exception of Bulgaria, attitudes have become more negative in 2008 than those in 1999.

Overall, there are 11 backsliders and 14 improvers, indicating an overall softening of attitudes. In Slovenia, attitudes hardened, and the country backslid by over 20 percentage points in nine years, the most substantial change in either direction of any of the countries in any of the six indicators. Improvements in Romania, Bulgaria, Poland, Belgium, France and Spain were also notable.

Another source, the European Social Survey (ESS) indicates that discrimination on grounds of colour or race increased in all case study countries for which we have a comparison between 2008 and 2010 (Bulgaria, France, Greece, Hungary), with particularly sizeable increases in Greece and France. The ESS findings suggest that discrimination on grounds of ethnicity also rose marginally for all countries.²¹⁰

Indicator 9: intolerance of Muslims

Islamophobia has been on the rise in Europe following the attacks of 9/11 and bombings in Madrid in 2004 and London in 2005. As noted above, the rise in suspicion and even hatred of Muslims is demonstrated in the growth of political parties and street-based movements that campaign against Muslims in Europe, such as Geert Wilders' Freedom party in the Netherlands or the Front National in France.

Table 10 presents the EU country rankings relating to tolerance of members of the population over having Muslims as neighbours.

Given the size of Muslim populations in Western Europe, and the rise of political parties focusing on anti-Muslim rhetoric, it is surprising that only one Western European country – Austria – is among the top five worst performers on this question. However, there were declines in Austria, Germany, Italy, Netherlands and Sweden. In total, there were 14 backsliders and 11 improvers, reflecting the hardening of views towards Muslims. In Austria and Germany the percentage of

Table 10 **EU country rankings for population's tolerance of having Muslims as neighbours, 1999 and 2008 (from most tolerant to least tolerant)**

| Rank | 1999 | 2008 |
|------|----------------|----------------|
| 1 | Portugal | France |
| 2 | Sweden | Spain |
| 3 | Spain | UK |
| 4 | Netherlands | Denmark |
| 5 | Germany | Belgium |
| 6 | UK | Portugal |
| 7 | Ireland | Sweden |
| 8 | Latvia | Luxembourg |
| 9 | Austria | Greece |
| 10 | Czech Republic | Netherlands |
| 11 | Luxembourg | Bulgaria |
| 12 | Denmark | Ireland |
| 13 | France | Italy |
| 14 | Italy | Romania |
| 15 | Finland | Slovakia |
| 16 | Belgium | Finland |
| 17 | Greece | Poland |
| 18 | Bulgaria | Germany |
| 19 | Estonia | Latvia |
| 20 | Slovenia | Slovenia |
| 21 | Poland | Czech Republic |
| 22 | Slovakia | Austria |
| 23 | Malta | Malta |
| 24 | Lithuania | Estonia |
| 25 | Romania | Lithuania |

Data for Hungary and Cyprus in 1999/2000 were not available from EVS.

citizens who said they did not want to have Muslims as neighbours doubled from 15 per cent to 30 per cent in Austria and 12 per cent to 26 per cent in Germany.

Perhaps most surprising is that France is the strongest performer on this measure, and improved substantially between 1999 and 2008. The percentage who said they did not want Muslims as neighbours dropped from 16 per cent to 7 per cent. The rate of improvement was similar in Belgium, also prone to anti-Muslim groups and tendencies. Romania also saw a big

improvement from last place in 1999 as least tolerant of Muslims as neighbours to just below the average score.

However, the finding for France on the EVS neighbour question contrasts with evidence from other sources in more recent years – notably the Eurobarometer survey and the ESS. According to the Eurobarometer survey, there were significant declines in comfort levels towards different religions (although not specifying which religion) in France between 2009 and 2012. The ESS also suggests that there was an increase in discrimination towards Islam in France. Again, these differences demonstrate how it can be difficult to compare different methodologies and research questions.

Indicator 10: intolerance of Jews

Historically Jewish people have faced discrimination and persecution throughout Europe. Before the Second World War, anti-Semitism was common to a degree that would be shocking to most people today. And yet, despite the lessons of the Second World War and an overall improvement in attitudes towards Jewish people, anti-Semitism is nonetheless common in some parts of Europe today. A survey in ten European countries (Austria, France, Germany, Hungary, Italy, the Netherlands, Norway, Poland, Spain and the UK) by the Anti-Defamation League suggests prejudice towards Jewish people remains substantial in a number of European countries.²¹¹

Table 11 ranks EU countries according to the degree of tolerance shown by their populations towards having Jews as neighbours, in 1999 and 2008.

Again, the example of Hungary demonstrates the limits of our EVS-based indicator. Other sources suggest that anti-Semitism is high in Hungary. Indeed, the emergence of the anti-Semitic Jobbik party since 2008 makes it one of the countries with the most worrying levels of anti-Semitism. The results from the EVS also contrast with the aforementioned survey conducted by the Anti-Defamation League. In that survey, Hungary fares particularly badly, as does Spain and Poland: 75 per cent of a sample of 500 Hungarians said that it was ‘probably true’ that Jews have ‘too much power in international financial markets’,

Table 11 **EU country rankings for population's tolerance of having Jews as neighbours, 1999 and 2008 (from most tolerant to least tolerant)**

| Rank | 1999 | 2008 |
|------|----------------|----------------|
| 1 | Netherlands | Denmark |
| 2 | Denmark | France |
| 3 | Sweden | Spain |
| 4 | Czech Republic | Sweden |
| 5 | Latvia | UK |
| 6 | France | Belgium |
| 7 | Germany | Finland |
| 8 | UK | Germany |
| 9 | Austria | Hungary |
| 10 | Finland | Netherlands |
| 11 | Spain | Latvia |
| 12 | Luxembourg | Czech Republic |
| 13 | Slovakia | Italy |
| 14 | Poland | Greece |
| 15 | Belgium | Slovakia |
| 16 | Estonia | Portugal |
| 17 | Hungary | Luxembourg |
| 18 | Italy | Bulgaria |
| 19 | Slovenia | Austria |
| 20 | Bulgaria | Poland |
| 21 | Greece | Romania |
| 22 | Malta | Malta |
| 23 | Lithuania | Estonia |
| 24 | Romania | Slovenia |
| 25 | Poland | Lithuania |

Data for Ireland and Cyprus in 1999/2000 were not available from EVS.

compared with 67 per cent in Spain and 54 per cent in Poland. By contrast, 22 per cent responded similarly in the UK and 17 per cent, the lowest score, in the Netherlands.

The backsliding of Austria on our indicator appears to mirror worrying political developments – the rebirth and rise of the Austrian Freedom Party, which has been accused of anti-Semitic tendencies. Other countries with significant declines on this indicator include the Netherlands, the Czech Republic, Estonia and Slovenia. As the examples of Hungary and Austria show, there is a tendency for anti-globalisation arguments from

the right of the political spectrum to equate international capitalism with Jewish people.

Indicator 11: intolerance of Roma

The final group that we consider are ‘Gypsies’ or Roma. As table 12 shows, there were 11 backsliders and 13 improvers on this question between 1999 and 2008.

Several of the backsliders on this indicator are more prosperous nations such as Austria, Denmark and Ireland. Italy showed the second highest degree of anti-Roma sentiment, and the Czech Republic showed a significant increase in anti-Roma feeling in 2008. While data from Hungary are missing on this measure, other sources suggest there are very high levels of anti-Roma sentiment in Hungary – marked especially by the electoral success of the anti-Roma party Jobbik. The success of Jobbik makes Hungary by far the biggest concern with respect to the rise of anti-Roma attitudes.

Indicator 12: intolerance of immigrants

Immigration has also been a major concern among many European countries. Immigration within the EU has increased significantly with the Schengen Agreement, which allows for free movement and settlement in any EU member state for all EU citizens.²¹² At the same time, migration from outside the EU, particularly from asylum seekers, also continues to be high in many EU member states.

As we can see in table 13, the biggest declines in tolerance towards minorities were observed in the Netherlands, Latvia, Austria and Malta. Given the prominence of debates on immigration since 2008, it seems likely that a number of countries should be of concern over their discriminatory attitudes towards immigrants. As noted above, the ESS showed very high levels of opposition towards immigration in Greece, and in Hungary to a lesser extent. Moreover, an assessment of country scores relating to immigration must go beyond the EVS general population ‘neighbour’ question and consider other factors, such as discriminatory policies, discrimination in employment and frequency of violent attacks on immigrant groups.

Table 12 **EU country rankings for population's tolerance of having Gypsies as neighbours, 1999 and 2008 (from most tolerant to least tolerant)**

| Rank | 1999 | 2008 |
|------|----------------|----------------|
| 1 | Denmark | Sweden |
| 2 | Netherlands | Luxembourg |
| 3 | Sweden | France |
| 4 | Austria | Spain |
| 5 | Ireland | Belgium |
| 6 | Luxembourg | Germany |
| 7 | Latvia | Netherlands |
| 8 | Spain | Austria |
| 9 | Malta | Malta |
| 10 | Belgium | Poland |
| 11 | Germany | UK |
| 12 | Greece | Greece |
| 13 | Portugal | Denmark |
| 14 | Slovenia | Slovenia |
| 15 | UK | Latvia |
| 16 | Poland | Portugal |
| 17 | Czech Republic | Estonia |
| 18 | France | Romania |
| 19 | Finland | Bulgaria |
| 20 | Estonia | Ireland |
| 21 | Romania | Finland |
| 22 | Bulgaria | Slovakia |
| 23 | Italy | Czech Republic |
| 24 | Lithuania | Italy |
| 25 | Slovakia | Lithuania |

Data for Hungary and Cyprus in 1999/2000 were not available from EVS.

Indicator 13: intolerance of homosexuals

Despite the growing number of protections given to homosexuals across most of the EU in the last decade, the possibility of discrimination nonetheless remains high in some EU member states (table 14).

Overall, the degree of both backsliding and improving is far slighter than for the other five indicators in this dimension. The countries with the strongest anti-homosexual attitudes are, perhaps unsurprisingly, based in Eastern Europe: Lithuania,

Table 13 **Rankings of EU countries of degree of tolerance of having immigrants as neighbours, 1999 and 2008 (from most tolerant to least tolerant)**

| Rank | 1999 | 2008 |
|------|----------------|----------------|
| 1 | Portugal | Spain |
| 2 | Sweden | France |
| 3 | Netherlands | Belgium |
| 4 | Luxembourg | Sweden |
| 5 | Spain | Denmark |
| 6 | Latvia | Portugal |
| 7 | Denmark | Germany |
| 8 | Germany | Luxembourg |
| 9 | France | Ireland |
| 10 | Austria | UK |
| 11 | Finland | Greece |
| 12 | Ireland | Netherlands |
| 13 | Greece | Finland |
| 14 | UK | Italy |
| 15 | Belgium | Slovakia |
| 16 | Malta | Poland |
| 17 | Slovenia | Bulgaria |
| 18 | Italy | Romania |
| 19 | Czech Republic | Latvia |
| 20 | Estonia | Austria |
| 21 | Romania | Slovenia |
| 22 | Lithuania | Lithuania |
| 23 | Slovakia | Czech Republic |
| 24 | Bulgaria | Estonia |
| 25 | Poland | Malta |

Data for Hungary and Cyprus in 1999/2000 were not available from EVS.

Romania, Bulgaria, Poland and Estonia, though problems of data collection make proper analysis impossible. For example, on some measures, countries in Eastern Europe have very low levels of reported discrimination towards homosexuals because of the pervasive social stigma, so many homosexuals move or live in secret. For example, according to the ESS, discrimination on the grounds of sexuality was reported as zero in Bulgaria and Hungary (and in Romania in 2008), which is extremely unlikely.

Table 14 **EU country rankings for population's tolerance of having homosexuals as neighbours, 1999 and 2008 (from most tolerant to least tolerant)**

| Rank | 1999 | 2008 |
|------|----------------|----------------|
| 1 | Netherlands | Spain |
| 2 | Sweden | France |
| 3 | Denmark | Denmark |
| 4 | Germany | Sweden |
| 5 | France | Belgium |
| 6 | Spain | UK |
| 7 | Belgium | Netherlands |
| 8 | Czech Republic | Finland |
| 9 | Finland | Germany |
| 10 | Luxembourg | Luxembourg |
| 11 | UK | Malta |
| 12 | Portugal | Italy |
| 13 | Austria | Czech Republic |
| 14 | Greece | Austria |
| 15 | Hungary | Portugal |
| 16 | Italy | Hungary |
| 17 | Malta | Greece |
| 18 | Latvia | Slovakia |
| 19 | Slovakia | Slovenia |
| 20 | Slovenia | Latvia |
| 21 | Estonia | Estonia |
| 22 | Bulgaria | Poland |
| 23 | Poland | Bulgaria |
| 24 | Romania | Romania |
| 25 | Lithuania | Lithuania |

Data for Ireland and Cyprus in 1999/2000 were not available from EVS

Dimension 4: active citizenship

The measure of active citizenship aims to capture the health of civil society, the freedom of association permitted, and how active people are and feel they can be in undertaking various forms of protesting. While the rights that allow for active citizenship were included in previous indicators (eg voice and accountability in dimension 2), this dimension measures the extent to which citizens are inclined and motivated to exercise these rights.

There are three indicators in this dimension, each based on questions from the EVS:

- indicator 14: belonging – the percentage of country populations who report belonging to a:
 - women’s organisation
 - trade union
 - political party
 - community organisation
 - human rights organisation
 - youth work organisation
- indicator 15: volunteering – the percentage of country populations who volunteer unpaid for the organisations listed above
- indicator 16: protest – the percentage of country populations who have ever:
 - joined a boycott
 - signed a petition
 - participated in a demonstration

As our indicators are based on the EVS, the most recent data available for our index are from 2008. The five years since 2008 have been turbulent for EU member states, starting with the 2008 financial crash; the ensuing recession; austerity agendas, which have led to drastic cuts to public spending; increasing unemployment (particularly among young people); and sovereign debt and banking sector crises in countries such as Greece, Italy, Spain, Portugal and Cyprus. People have demonstrated active citizenship in all EU member states by taking to the streets to protest against austerity programmes, spending cuts and unemployment. In some countries, such as Greece and Spain, these protests have been frequent and sometimes turned violent.

While we have been able to locate post-2008 data related to civil society participation and levels of protest, unfortunately no new information was available from a range of sources (including the World Bank’s Worldwide Governance Indicators, the EIU Democracy Index, the Freedom House *Nations in*

Transit reports, the ESS, or Eurobarometer) on recent levels of volunteering.

The 2010 GHK study, *Volunteering in the European Union* for the Directorate General of Education and Culture, provides a useful source of information and summary of volunteering in the EU but uses old data from national reports from 2001 to 2009 and from the 2006 Eurobarometer ‘European Social Reality’ survey, and therefore fails to capture more recent events.²¹³ Also, the 2012 European Quality of Life Survey by Eurofound offers data on levels of participation in unpaid voluntary work for all 27 countries in graphic form, but has not yet made the dataset available.²¹⁴

The ESS contains more recent data on civil involvement and membership of organisations, which can be used when examining civil society and protest indicators. The survey is conducted every two years with the latest available results for comparison being 2010; thus comparisons are made between the 2008 and 2010 results. However, there are important limitations to this survey, including the omission of Austria, Italy, Luxembourg, Malta and Lithuania in 2008, and Romania and Latvia in 2010. Post-2008 results and trends for the other countries are discussed below in the relevant sub-section.

Active citizenship dimension scores

In 1999, Eastern European nations tended to occupy low positions, whereas more advanced nations, and the Scandinavian countries in particular, tended to show higher levels of civic activism.

As table 16 shows, the countries with the steepest declines in active citizenship by some margin were Sweden, Greece and Slovakia. Greece and Slovakia fell from 4th and 5th place, respectively, to 18th and 21st places in 2008. The countries at the bottom end of the scale are Hungary, Poland, Bulgaria and Romania, reflecting the enduring effect of these countries’ Communist pasts.

Given the recent turmoil in Greece and the widespread opposition to EU-enforced austerity, the Greek Government and

Table 15 **Average (mean) percentages of people in EU member states on three measures of protest indicators, 2000 and 2008**

| | 2000 | 2008 |
|------------------------------------|--------|--------|
| Signed a petition | 45.64% | 40.68% |
| Joined a boycott | 9.85% | 9.05% |
| Demonstrated or attended a protest | 23.23% | 19.31% |

politicians in general, it is reasonable to assume that Greece's score for the protest indicator rose significantly. Indeed, it is likely that the scores for most EU member states with respect to protest will have risen substantially since the 2008 EVS, given economic turmoil and social unrest in the face of international and European economic crises.

Looking at the EU average scores on the EVS data we see that, overall, as of 2008, Europeans had become less likely to engage in various forms of protest: the average number of Europeans who had joined a boycott, signed a petition or participated in a demonstration or protest declined from 2000 to 2008 (table 15). It will be interesting to see the impact of the housing and banking crisis, global recession, eurozone debt crisis and austerity programmes in the next wave of EVS data.

Looking at the EVS averages we also see that fewer Europeans belonged to civil society organisations in 2008 than in 2000. While the declines were mainly slight, the decline of civil society membership echoes Robert Putnam's thesis in his seminal book *Bowling Alone*, which is about the decline of social capital and the rise of individualism.²¹⁵ The EU average for belonging to all of the organisations above fell from 6.22 per cent in 2000 to 5.42 per cent in 2008.

However, while belonging and protest declined between 2000 and 2008, Europeans on average tended to volunteer more. Averaging the mean score for each of the organisation types we see that an average of 2.31 per cent claimed to volunteer in 2000 compared with 4.95 per cent in 2008.

Table 16 **EU country rankings for the active citizenship dimension, 1999 and 2008**

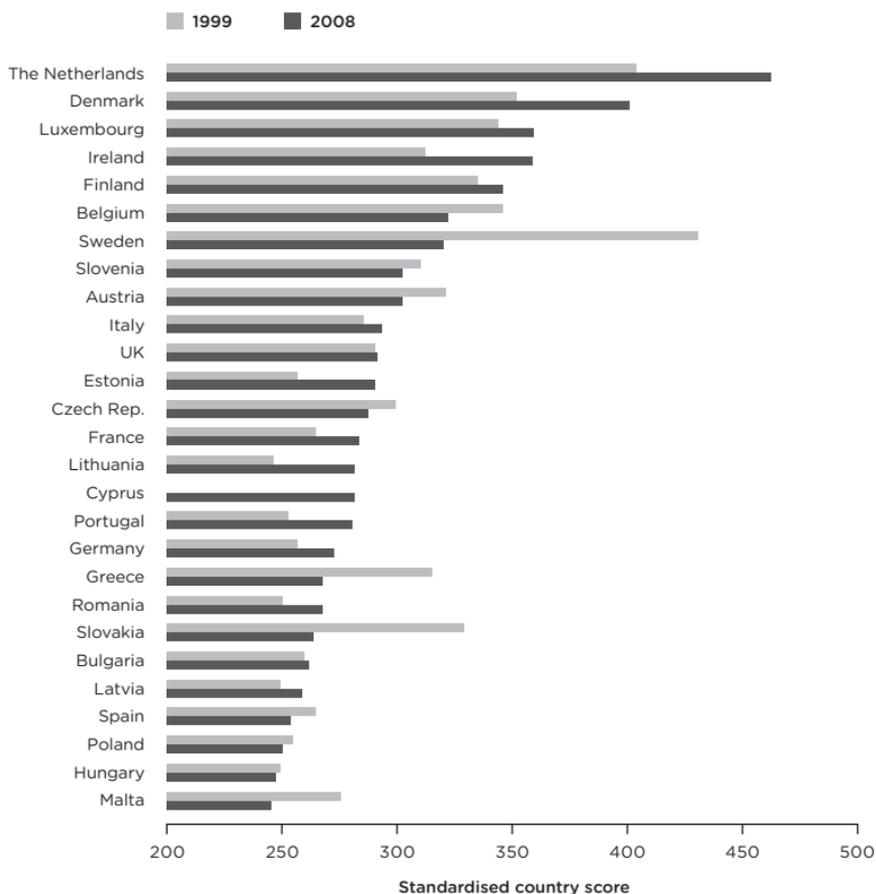
| Rank | 1999 | 2008 |
|------|----------------|----------------|
| 1 | Sweden | Denmark |
| 2 | Netherlands | Netherlands |
| 3 | Belgium | Italy |
| 4 | Greece | Ireland |
| 5 | Slovakia | Luxembourg |
| 6 | Denmark | Finland |
| 7 | Luxembourg | Sweden |
| 8 | Finland | Belgium |
| 9 | Ireland | France |
| 10 | Austria | Austria |
| 11 | UK | UK |
| 12 | Czech Republic | Slovenia |
| 13 | Slovenia | Germany |
| 14 | Malta | Czech Republic |
| 15 | Italy | Estonia |
| 16 | France | Spain |
| 17 | Germany | Portugal |
| 18 | Spain | Greece |
| 19 | Bulgaria | Lithuania |
| 20 | Romania | Latvia |
| 21 | Estonia | Slovakia |
| 22 | Latvia | Malta |
| 23 | Portugal | Romania |
| 24 | Poland | Bulgaria |
| 25 | Lithuania | Poland |
| 26 | Hungary | Hungary |

Indicator 14: belonging (civic involvement)

The EVS aims to measure the health of a country's civil society by asking respondents whether they belong to a range of different social and political organisations. For our study, we chose the following six types of organisation:

- women's organisation
- trade union
- political party
- community organisation
- human rights organisation
- youth work organisation

Figure 8 **EU country scores for belonging and civic involvement, 1999 and 2008**



Source: Demos analysis.

Typically, Scandinavian and northern European countries tended to score very highly on measures of civic involvement, while southern European and Eastern Europe tended to score poorly.

The most noticeable declines shown in figure 8 are Sweden, Greece, Slovakia and Malta. Sweden, once a leader on active citizen engagement measures, declined sharply on all measures of civic involvement. Most dramatically, 62 per cent of Swedish respondents said they belonged to a trade union in 2000 compared to just 24.8 per cent in 2008. Similarly, in Greece and Slovakia, the percentage of citizens belonging to our list of civil society organisations declined across the board between 2000 and 2008. The Netherlands, Denmark and Ireland had the biggest increases in civic involvement, while there were also improvements in the Eastern European countries Romania, Lithuania and Estonia.

Indicator 15: volunteering

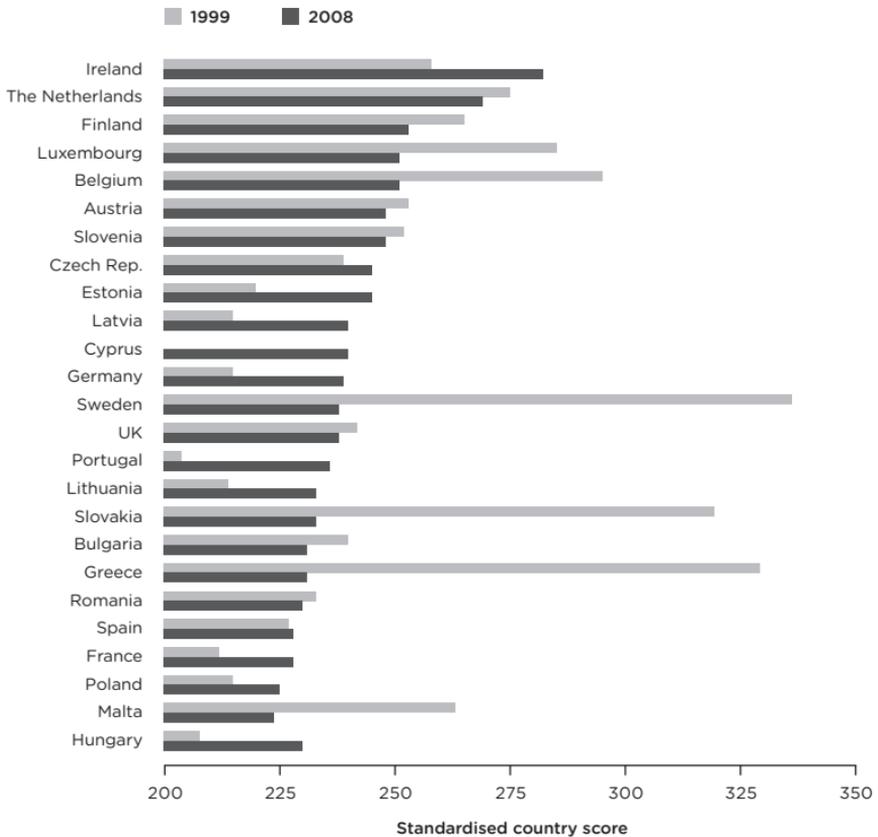
While belonging to an organisation suggests a formal, well-established civil society, volunteering captures the extent to which citizens are willing to spend their time helping their fellow citizens. For this indicator, in figure 9 we present the rates of respondents who reported doing unpaid work for the same list of organisations above.

Similar to the belonging indicator, the most dramatic declines in volunteering occurred in Belgium, Sweden, Slovakia, Greece and Malta. For example in Sweden, the percentage of citizens volunteering for trade unions fell from 10.5 per cent in 2000 to 2.2 per cent in 2008. The percentage of citizens volunteering for the other organisations also declined, though more slightly. In Greece the percentage of citizens volunteering in 2000 tended to be approximately 5–6 per cent but declined to approximately 1–2 per cent across the board. Positively, the percentage of citizens volunteering increased between 2000 and 2008 in a number of Eastern European countries, including Hungary, Poland, Lithuania, Latvia and Estonia.

Indicator 16: protest

The protest indicator aims to measure the extent to which citizens are free and inclined to engage in measures of protest. To form the protest measure, we combined three different aspects of

Figure 9 EU country scores for volunteering, 1999 and 2008



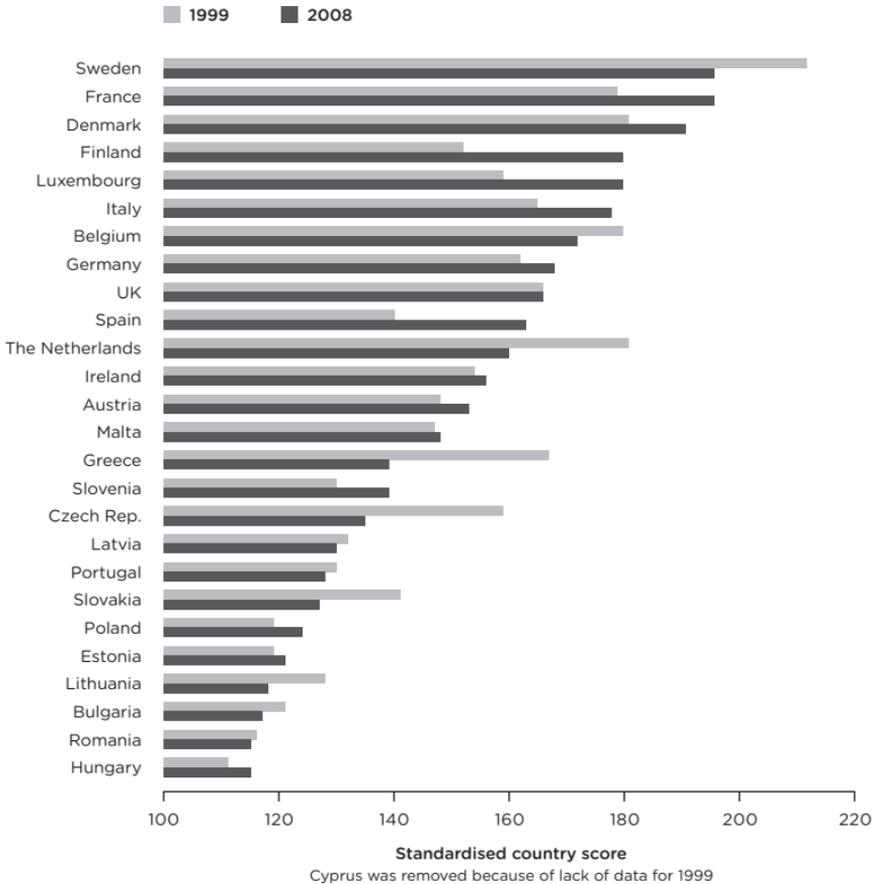
Data for Cyprus are not available for 1999. Data for Denmark and Italy for 2008 on this measure are based on very small sample sizes thereby skewing results. For this reason these two countries were removed from this indicator.

Source: Demos analysis.

civic activism from the EVS: signing a petition, joining in a boycott, or participating in a legal demonstration.

This indicator presents some interesting and difficult challenges to interpreting the results. On the one hand, high levels of protest could suggest social unrest, corruption or another form of social ill. On the other, it suggests an actively

Figure 10 EU country scores for protest, 1999 and 2008



Source: Demos analysis.

engaged citizenry keeping tabs on the government and those in power, as well as the freedom to engage in these types of protest. High levels of participation and protest could also signal a tacit belief that change is possible and that these means could be effective. In other words, that democracy is as it should be, responsive to (but not slave of) public demands.

Indeed, in figure 10 we see that those with the highest rates of protest are those countries that tend to be the strongest democracies on other measures as well: Sweden, France, Denmark and Finland. There is a stark distinction between Western and Eastern European countries for this indicator, perhaps more than for any other previously discussed, with those in the west at the top, and those in the east gathered at the bottom. There are worryingly low scores of protest in Hungary, Romania and Bulgaria, which is unsurprising given the countries' previous experience of Communism and history of dissent being met with violence and imprisonment.

Dimension 5: political and social capital

The fifth and final dimension of our index measures political and social capital. For our purposes, we take 'political capital' to refer to the extent to which citizens have faith in and respect for a democratic system of governance and elected officials, or whether they are attracted to more authoritarian systems of government such as army rule or a 'strong leader who does not bother with parliament and elections'. For 'social capital', our aim is to measure the extent to which citizens feel that they have control over their own lives, as well as the extent to which they feel that other people can be trusted – a classic measure of social capital.

As outlined in the previous chapter, our indicators for political capital – views on and respect for democracy – were:

- indicator 17: satisfaction with democracy – how satisfied citizens are with democracy in their country
- indicator 18: intolerance of authoritarianism (strong leader) – how inclined citizens were to agree with the need for a strong leader who did not bother with parliament and elections
- indicator 19: intolerance of authoritarianism (army rule) – the extent to which citizens thought that army rule would be bad
- indicator 20: support for a democratic system – the extent to which citizens thought having a democratic political system was good

Our indicators for social capital were:

- indicator 21: general trust in people – the extent to which citizens felt that other people could in general be trusted
- indicator 22: control over life – the extent to which citizens felt they had control over their lives

Again, our indicators come from the EVS, from which data are available until 2008. The tumultuous years since 2008 and 2010 have likely had a detrimental impact on Europeans' satisfaction with democracy in their countries. Policy decisions such as austerity measures and public spending cuts have been reflected in political dissatisfaction in many eurozone states in particular. Similarly, the discontent with out-of-touch politicians that led to the rise of anti-establishment populist groups is likely to be also registered in questions on satisfaction with democracy.

A review of more recent data sources shows current information on political and social capital to be less readily available than for previous dimensions. While new or relevant data have been unavailable from a range of sources (including the World Bank's Worldwide Governance Indicators, the Freedom House Index, the Eurobarometer, and the EIU Democracy Index), the ESS does provide a few questions on satisfaction with democracy and trust in people between 2008 and 2010. These are discussed further below.

Analysing the ESS from 2010 we see increasing polarisation: the proportion of extreme satisfaction or dissatisfaction increased simultaneously at both ends of the scale in some cases, while the proportion of more moderate opinions decreased.

Increased dissatisfaction alongside decreased satisfaction appeared highest among states whose economies had suffered most in the eurozone crisis, such as Greece, Spain, Portugal and Cyprus. While in Greece and Portugal this continues a trend of decreasing satisfaction in democracy from 1999 to 2008, democratic satisfaction in Spain during this period had previously risen marginally. This seems to contribute to evidence of the destructive impact of the financial crisis on countries such as Spain.

Conversely, countries such as Bulgaria and Hungary, which acceded to the EU more recently, showed an increased proportion of democratic satisfaction between 2008 and 2010, with decreased levels of dissatisfaction. However, qualitative data from more recent years shows there is likely to be a reversal of this trend in these countries.

Political and social capital dimension scores

Again, the ranking of countries on this dimension suggests the enduring relevance of history, with Scandinavian countries at the top, while Eastern European countries tend to be in the bottom. Perhaps the most surprising finding is Greece's extremely high score given its poor showing on all the other measures in our index. It is highly likely – given more recent surveys – that Greece's score on the next wave of the EVS, reflecting the period since 2008, will be volatile and much different.

Indeed, the 2012 DEREK Index shows that anti-establishment attitudes are highest in Greece by a significant margin, with 62 per cent displaying lack of trust in the political system and the political elite, with the Ukraine a distant second with 51 per cent. The DEREK measure most closely related to our social capital indicators – 'fear, distrust and pessimism' – also showed Greece in the worst position with 41 per cent, with Bulgaria (39 per cent) and Ukraine (33 per cent) in second and third place.

This is highly significant given the strong score that Greece displays on our indicators between the years 2000 and 2008. As the DEREK survey began in 2008 it is difficult to know if the very poor scores for Greece are to some extent historical or instead dramatically display the shift undergone in Greece following the recession and eurozone crisis. Between 2009 and 2012 the DEREK Index shows significant increases in prejudice (+11), anti-establishment attitudes (+31) and fear, distrust and pessimism (+11). However, interestingly, Greece's score on right-wing value orientation decreased by 4 percentage points, despite the recent electoral success of Golden Dawn.

EVS EU average

Looking at the mean scores on the EVS for these questions we see that between 2000 and 2008 political capital – satisfaction with democracy – declined, albeit slightly. On average, 51 per cent of EU citizens were satisfied with democracy in 2000 compared with 48 per cent in 2008; 72 per cent were averse to a ‘strong leader who doesn’t bother with parliament or elections’ in 2000 compared with 69 per cent in 2008; and 91 per cent thought a democratic system was good in 2000 compared with 89 per cent in 2008. The percentage averse to army rule was constant at 93 per cent. The average percentage of EU citizens who felt they had control over their life (a measure of social capital) was constant at 71 per cent. The average score for generalised trust increased slightly from 31 per cent in 2000 to 34 per cent in 2008.

Again, it is likely that the years since 2008 – especially in countries suffering as a result of the eurozone and sovereign debt crisis – have resulted in far greater dissatisfaction with democracy. Measures of social capital have also likely declined in the face of social unrest and rising xenophobia in countries like Greece.

However, in the years preceding the 2008 financial crisis and ongoing eurozone issues, we can see that the countries that fell substantially on this measure are Portugal, Bulgaria, Austria, Netherlands, the Czech Republic and Ireland. Among these countries, Bulgaria and Portugal are the most worrying as they are among the poorest five performers – with Bulgaria in the last position.

Encouragingly, the top three improvers in this dimension are Eastern European, with Poland, Slovakia and Romania making significant gains (table 17).

In the sections below, we highlight on which indicators these countries have either improved or declined on. A few considerations are important when interpreting the data. First, for simplicity and ease of presentation, we grouped responses in order to produce binary answer choices. For example, on the question about satisfaction with democracy, we combined the scores for ‘very’ and ‘fairly’ satisfied into one ‘satisfied’ score and vice versa for ‘unsatisfied’. At the beginning of each section below we clarify how the scores were coded from the EVS answer choices.

The second consideration is that we have chosen the response that is most likely to produce high results for good

Table 17 **EU country rankings for political and social capital dimension, 1999 and 2008**

| Rank | 1999 | 2008 |
|------|----------------|----------------|
| 1 | Denmark | Denmark |
| 2 | Netherlands | Sweden |
| 3 | Sweden | Finland |
| 4 | Greece | Netherlands |
| 5 | Austria | Greece |
| 6 | Germany | Luxembourg |
| 7 | Ireland | Germany |
| 8 | Finland | Spain |
| 9 | Spain | UK |
| 10 | Italy | Austria |
| 11 | Luxembourg | Ireland |
| 12 | Czech Republic | Italy |
| 13 | Portugal | Belgium |
| 14 | UK | France |
| 15 | Belgium | Slovenia |
| 16 | France | Poland |
| 17 | Slovenia | Slovakia |
| 18 | Estonia | Estonia |
| 19 | Hungary | Czech Republic |
| 20 | Lithuania | Lithuania |
| 21 | Slovakia | Hungary |
| 22 | Bulgaria | Portugal |
| 23 | Latvia | Latvia |
| 24 | Poland | Romania |
| 25 | Romania | Bulgaria |

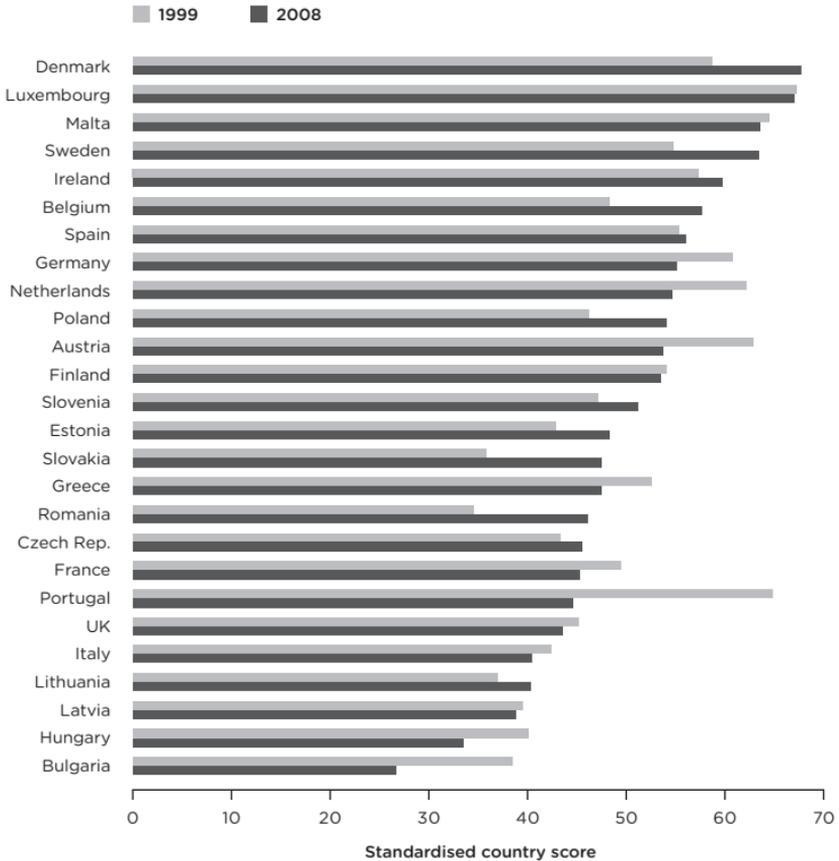
performers, and bad results for poor performers. For example, on the army rule question, respondents are asked whether they think it is a good or bad thing for the army to rule. We would argue that the more citizens who think it is a good thing, the less vibrant and solid the democracy is in that country – and thus at greater risk of backsliding.

Political capital

Indicator 17: satisfaction with democracy in one's country

A consideration of the quality of democracy in each EU member state must be informed by citizens' views about the quality of democracy in their country.

Figure 11 **EU country scores for citizens' views on whether they are satisfied with democracy, 1999 and 2008**



Scores for Cyprus were not included in the CIRI database.

Source: Demos analysis.

As figure 11 shows, Portugal, Hungary and Bulgaria showed the largest decreases in satisfaction levels with democracy in their country between 1999 and 2008. Romania, Slovakia and Poland all showed significant improvements, with increasing numbers of citizens expressing satisfaction, bringing

them closer to – and above in the case of Poland – the average score in 2008 for EU member states.

Backsliding in Hungary, Greece, as well as countries like Austria, the Netherlands and Germany, suggest a public wariness with the state of ‘politics as usual’ in their countries, and presages the rise of populist parties as described in earlier chapters.

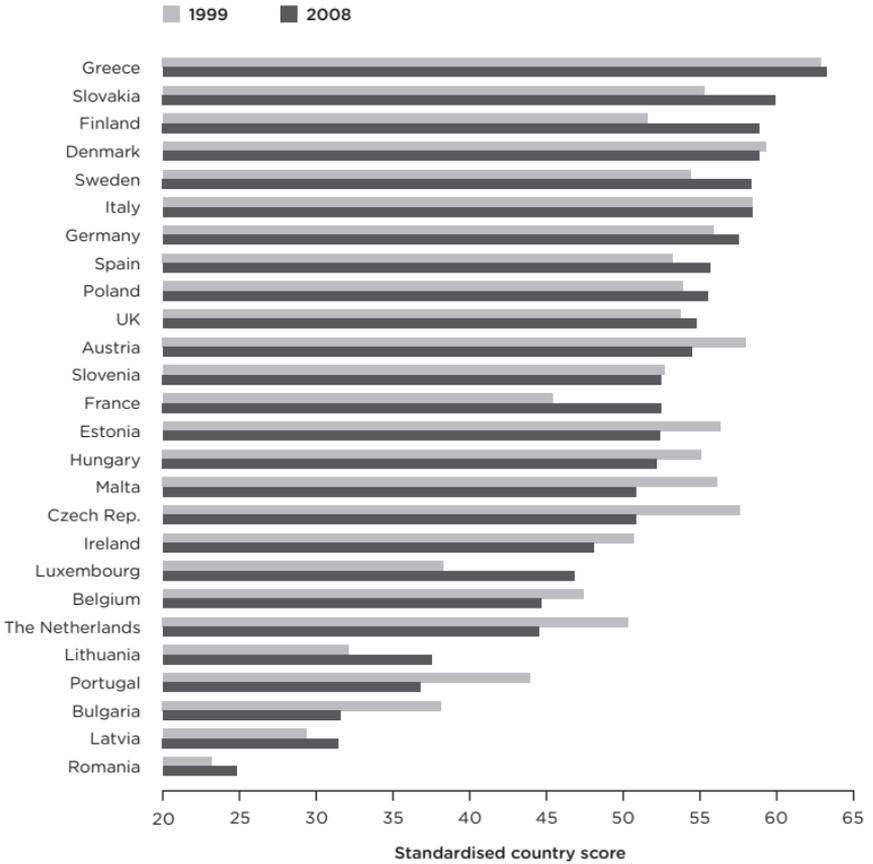
Developments since 2008 suggest further increases in dissatisfaction, particularly in states whose economies had suffered most in the eurozone crisis, such as Greece, Spain, Portugal and Cyprus. While in Greece and Portugal this continues a trend of decreasing satisfaction in democracy from 1999 to 2008, democratic satisfaction in Spain during this period had previously marginally risen.

Indicator 18: intolerance of authoritarianism (strong leader)

This indicator captures the extent to which citizens support the idea of authoritarianism by asking them whether ‘having a strong leader who does not have to bother with parliament and elections’ is a ‘very good’, ‘fairly good’, ‘fairly bad’ or ‘very bad’ way of governing their country. We coded two answer choices ‘good’ and ‘bad’, and present the scores and rankings in figure 12 based on the percentage of citizens who said it was a *bad* way of governing the country, as this is the pro-democracy answer.

Interestingly, the two top pro-democracy positions are occupied by Greece and Slovakia, most likely reflecting past experience of dictatorship. Of course, the same could be said of the three countries that score at the bottom on this measure. The difference between these countries lies in the complex history of each – in their experience with Communism and the success of their social, economic and political transition away from Communism.²¹⁶ The poor results for Romania, Latvia and Bulgaria could be explained by remnants of affinity for Soviet style politics, or disillusion at the state of democratic politics in their country. Unfortunately, there are no alternative data sources on this specific question available between 2008 and 2012.

Figure 12 **EU country scores for citizens' views on whether having a strong leader is bad, 1999 and 2008**

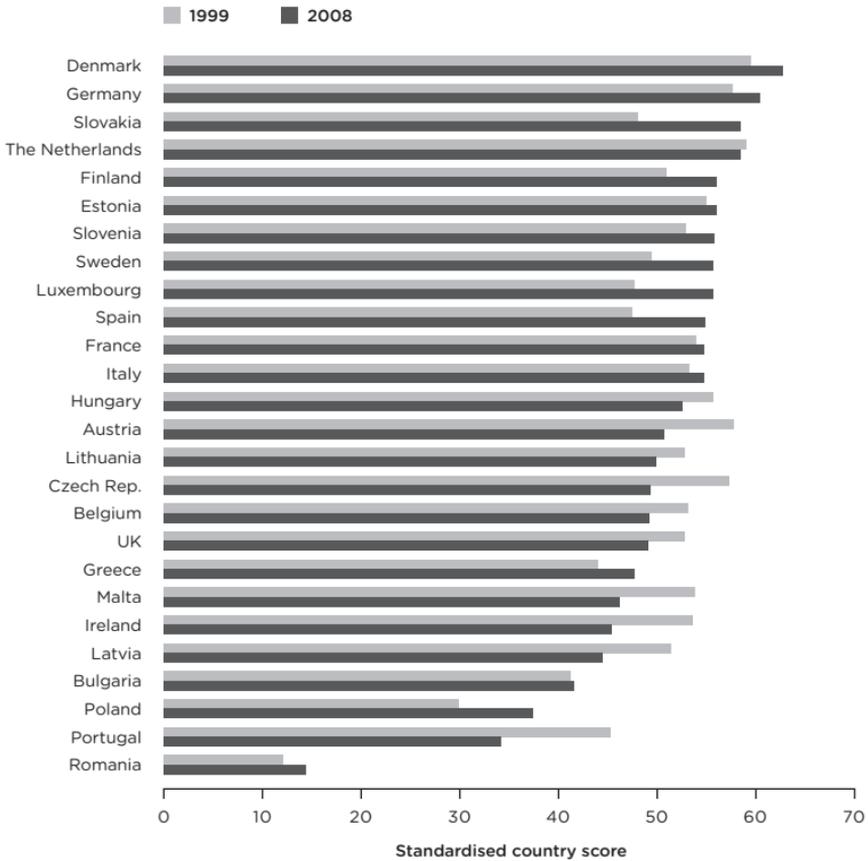


Source: Demos analysis.

Indicator 19: intolerance of authoritarianism (army rule)

Believing that having the army rule one's country is a good thing suggests either an affinity for dictatorship or supreme disillusionment with democracy and government. Figure 13 presents scores based on the percentage of residents giving the pro-democracy answer: that the army ruling the country is a bad way of governing.

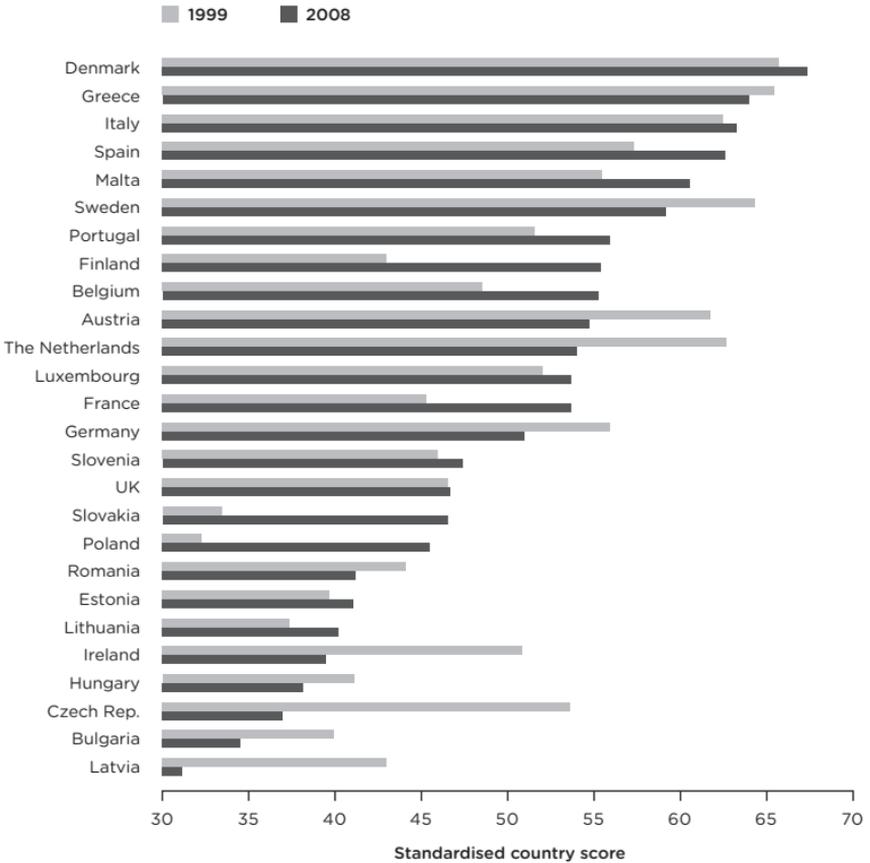
Figure 13 **EU country scores for citizens' views on whether army rule is bad, 1999 and 2008**



Source: Demos analysis.

The most notable result here is Romania's significant distance from the rest of the EU member states on the bottom – its citizens showing distinctly more preference for army rule than citizenry in any other EU member state. Looking at the EVS percentages, in the majority of countries 90 per cent or more of citizens say army rule would be a bad thing. In Romania, 72 per cent thought it was a bad thing in 1999 and 73.8 per cent in

Figure 14 **EU country scores for citizens' views on whether having a democratic system is good, 1999 and 2008**



Source: Demos analysis.

2008, which is 20 percentage points below those for most other EU member states.

Indicator 20: support for a democratic political system

The last of these questions probes directly views about having a democratic system of government. Figure 14 presents the case

study country rankings based on the score of citizens saying that democracy was a ‘good’ (including ‘very good’ and ‘fairly good’) way of governing.

Confirming the trend from indicators above, the populations in Eastern European countries are least well disposed towards democracy with Latvia, Bulgaria, the Czech Republic and Hungary occupying the lowest four rankings. Moreover, the ranking for each of these countries – as well as Ireland, in the 5th to last ranking – declined significantly from the EU average between 1999 and 2008. Declines in pro-democracy sentiment can also be seen in Romania, Germany, Netherlands, Austria and Sweden. Similar to indicators above, Poland and Slovakia demonstrated notable increases in pro-democratic sentiment. The scores of some traditionally strong and vibrant democratic countries are also worth noting, with the UK in particular occupying a not-so-favourable position below Slovenia.

Social capital

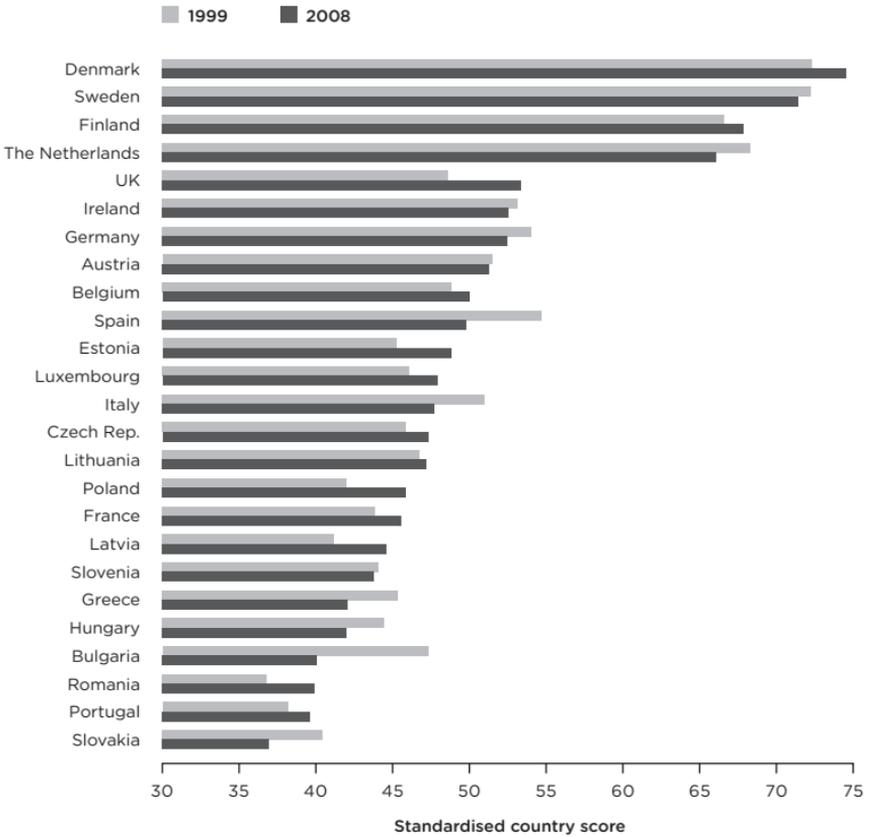
Indicator 21: trust in people

One of the most often used indicators of social capital is the level of general trust in society. Low levels of general trust suggest a breakdown in community and communications between citizens. It could also indicate that people are more fearful of crime and being taken advantage of, and have less confidence in protection or redress through the social system. Figure 15 presents the rankings for replies to the general trust question asked on the EVS: ‘Generally speaking, would you say that most people can be trusted or that you can’t be too careful in dealing with people?’ The scores shown in figure 15 are based on the answer ‘most people can be trusted’ (as opposed to ‘you can’t be too careful’).

It is worth noting that the EU average on this question is affected by the fact that general trust in Scandinavian countries is significantly higher than other European countries.

Very few countries showed a notable regression on this measure, with levels of trust in other people remaining fairly constant between 1999 and 2008. The largest declines in trust

Figure 15 **EU country scores for citizens' views on whether most people can be trusted, 1999 and 2008**



Source: Demos analysis.

were in Spain and Bulgaria, with smaller declines in Hungary, Slovakia, Greece, Italy and Spain. The populations in Romania and Latvia showed slight improved levels of trust.

Data from the ESS in 2010, when the financial crisis and recession were in full swing and the sovereign debt crisis was just beginning in Greece, suggest there has been a simultaneous increase or decrease in extreme trust and distrust in the majority of countries between 2008 and 2010 once more. Views became

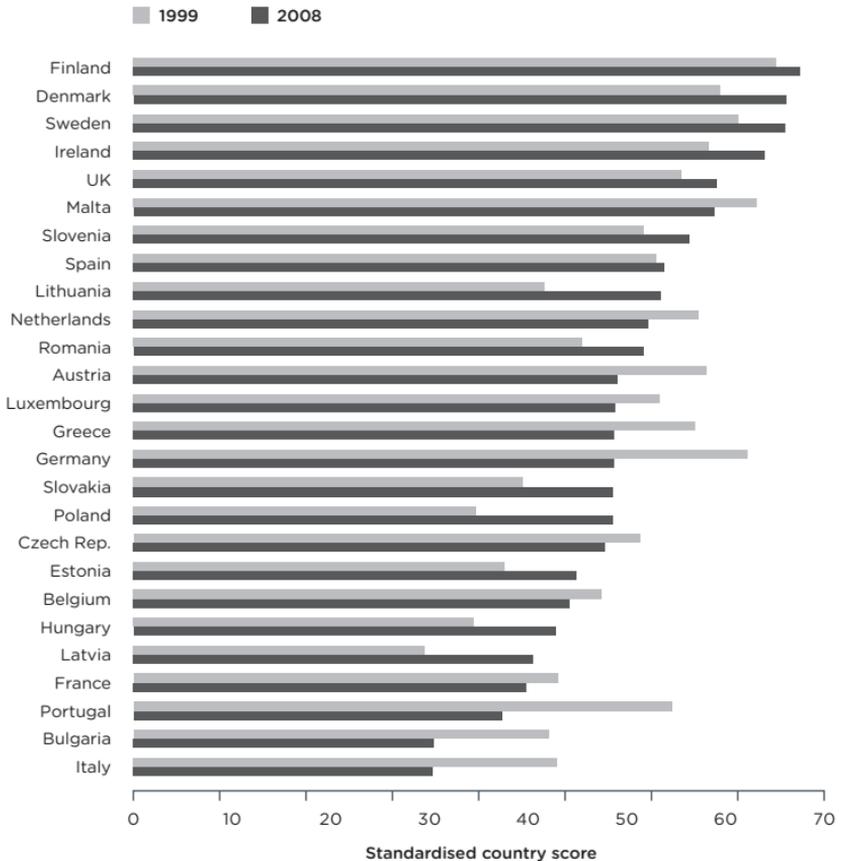
more extreme and polarised on each side of the spectrum, including in our case study countries, Bulgaria and Greece. France's population showed generally higher proportions of distrust and lower levels of trust in 2010; conversely, Hungary's population had generally lower levels of distrust and higher levels of trust in 2010 than in 2008. The fluctuations on this measure are difficult to interpret and difficult to ascribe to a specific event or development. Further analysis and in-depth research into the causes of fluctuations in generalised trust is needed.

Indicator 22: control over one's life and freedom of choice

Feeling a sense of control over one's life and having freedom of choice is, if not an essential aspect of a democratic system, something that should be aspired towards. Respondents to the EVS are asked to 'indicate how much freedom of choice and control you feel you have over the way your life turns out' on a scale from 1 to 10, with 1 feeling 'none at all' and 10 feeling 'a great deal'. We grouped choices from 1 to 5 as 'lack of control or freedom of choice' and 6–10 as having 'control or freedom of choice'. Figure 16 presents scores based on those who said they felt they had freedom of choice.

As with our other indicator of social capital, Scandinavian countries score consistently well on this measure, with Denmark, Sweden and Finland as the top three countries in this indicator. Italy comes in the last position, having fallen a significant amount between 1999 and 2008. Bulgaria also decreased significantly on this measure and is more or less tied with Italy in last place, while Portugal fell steeply from 1999 to the third last position. Interestingly, with a few exceptions, Western European countries decreased on this measure while a number of Eastern European countries increased. Moreover, on this indicator more than others, Western European countries are found towards the bottom end, suggesting a growing dissatisfaction with the level of control and freedom of choice among citizens of Western European countries. In addition to Italy (in the worst position), France and Belgium are towards the lower end and Germany also scored relatively poorly on this measure.

Figure 16 **EU country scores for citizens' views on whether they have control over their lives, 1999 and 2008**



Scores for Cyprus were not included in the CIRI database.

Source: Demos analysis.

On the other hand, countries in Eastern Europe showed the most significant improvement, including Latvia, Hungary, Estonia, Poland, Slovakia, Romania, Lithuania and Slovenia. This is clearly a positive development and suggests that Eastern European citizens en masse feel a greater sense of control over their lives 20 years since the collapse of the Soviet Union.

Summary of index results

As we can see in the results described above, the ebb and flow of democracy is constantly shifting. Some countries become slightly more or less democratic, while others make more significant leaps on specific indicators. There are also serious issues with the availability of relevant data and the method of building a quantitative index to measure democracy. Different sources can produce significantly different scores as well as slight differences, which makes it difficult to arrive at a definitive judgement or country ranking.

Perhaps unsurprisingly, Bulgaria and Romania are consistently the worst performers across all five dimensions. They should thus remain the priority countries to watch in case of backsliding. Indeed, Bulgaria was a major backslider in relation to electoral and procedural democracy, as well as – tellingly – citizens’ views towards democracy.

But it is also worth noting some modest improvements in these countries, for example in their tolerance for minority groups – at least in so far as captured by our indicators. Moreover, Bulgaria was the single biggest improver on the second dimension, rights and fundamental freedoms. Considering the history of these countries, these improvements should be recognised and praised, alongside the monitoring of continuing concerns.

More recent data sources and qualitative analysis suggest that Greece and Hungary are also high priority areas and have experienced significant backsliding in recent years. The 2012 DEREK Index and other sources (including our own indicators, which stretch up to 2012) show that Greece has experienced the greatest shock to its democracy.

All three of the Baltic States also fared rather poorly across the five dimensions. Latvia fared the worst of these three nations, being among the poorest performers for dimensions 1, 2 and 5, and a backslider for dimensions 2 and 3. Lithuania was among the poorest performers for dimensions 1 and 3, and Estonia for dimension 3.

However, the index reveals considerable malaise among several more established democracies in Western and Southern Europe, indicating that the problems confronting the EU are not

limited to the Union's Eastern European bloc. Indeed, Greece is a major backslider on electoral and procedural democracy and active citizenship (dimensions 1 and 4). Portugal is a backslider on electoral and procedural democracy and political and social capital (dimensions 1 and 5), and Spain on electoral and procedural democracy and fundamental rights and freedom. Netherlands was a backslider for dimensions 1, 3 and 5.

Overall, our index confirms a common perception that Eastern European countries tend to be at the bottom of democracy measures, while Western and Northern European countries are at the top. This should come as no surprise given that many of these countries only gained independence from the Soviet Union in the early 1990s. And yet on some measures we see this bifurcation of Europe disintegrating, with Eastern European countries showing notable improvements, while Western European countries appear to be suffering some democratic malaise – particularly looking at the views of citizens themselves.

As argued above, the EU neither can nor should act on some of these measures to prevent democratic backsliding. For example, there is little the EU can do to change the perceptions of European citizens on satisfaction with democracy, attitudes towards minorities or levels of active citizenship. But an assessment of democracy's health requires consideration of these important components of democracy.

The EU can act on other measures of democratic backsliding – such as the independence of institutions, media freedom and legislation to prevent discrimination against minorities. In the next chapter we discuss the tools at the EU's disposal to prevent backsliding. In the final chapter we offer our recommendations about how the EU should use these tools better, and develop additional mechanisms to prevent backsliding.

6 How can the EU prevent backsliding?

The EU has at its disposal a number of options when it comes to sanctioning member states or responding to undemocratic developments. Infringement procedures instigated by the European Commission are the most common form of redress, but alternative mechanisms include submissions to the CJEU, complaints to the European Ombudsman, traditional nation-state political interventions, and citizens' initiatives.

This chapter outlines the different mechanisms used in preventing backsliding, and uses some examples from our case study countries to explore their effectiveness. We also discuss some of the more recent recommendations from the European Parliament's *Report on the Situation of Fundamental Rights in the European Union*, which called for the Commission and the Council of the European Union, in particular, to more fully embrace their role in holding member states to account on democratic commitments and fundamental rights.²¹⁷ This includes greater cooperation with international organisations dealing with fundamental rights, a wider remit for the Fundamental Rights Agency to monitor fundamental rights and the production of annual reports and a 'permanent scorecard' to analyse the situation in member states.

While there is a role for parliament and the Council of Ministers, the European Commission holds primary responsibility for ensuring that member states are correctly implementing EU law and standing firm on the commitments they have made. Although the Commission itself has no direct legal power to sanction non-compliant states, it can bring them to the CJEU, which has the power to impose financial sanctions.

At the more extreme end, Article 7 of the Maastricht Treaty – strengthened by the Lisbon Treaty – gives member states

(acting as a qualified majority) the right to suspend the rights and privileges of member states that are guilty of ‘serious and persistent breach by a member state of principles’ at the heart of the EU (outlined in articles 2 and 6 and the Treaty of the European Union). This step has yet to be taken in the history of the EU, but remains part of the available mechanisms to prevent backsliding.

Infringement procedures

Articles 258 and 260 of the Treaty on European Union (TEU) state that the failure of a member state to comply with EU law activates infringement procedures. These can be initiated in response to both an action that a member state takes that is deemed contrary to EU law, as well as a ‘failure to fulfil’ a requirement stipulated by EU law. Infringement procedures are the most common mechanism used for preventing backsliding.²¹⁸

While effective in many instances, infringement procedures can be long and protracted. The majority of infringements are settled in the pre-litigation phase – before the Commission resorts to a referral to the CJEU. Indeed, the Commission has not generally seemed willing to take states to court over apparently undemocratic developments, preferring to settle matters before litigation.

Most infringement proceedings relate to the application of EU law in the domains of health, consumer protection and the environment – not the issues identified in the previous chapter as being the key threats to democracy in Europe. In 2010, the country with the highest number of infringement proceedings against it was Italy (176 open cases), followed by Belgium (159) and Greece (157).²¹⁹

The Commission can be informed of an infringement from a variety of sources: individual complaints,²²⁰ the media, national reports, petitions or questions submitted in the European Parliament, and other sources, including conformity studies and indices like the one that is being developed through this project. For example, Amnesty International sent an open letter to Commissioner Viviane Reding to ‘request to trigger an

infringement procedure against Italy for breaching the race equality directive'.²²¹

There are several formal stages in the 'infringement procedure'. First, the Commission may undertake an initial investigation.²²² Once a breach has been recognised, the Commission initiates formal proceedings with a letter of formal notice, sent to the infringing member state outlining the key aspects of non-compliance. Examples of these include the three letters of concern sent to the Hungarian Government in January 2012.²²³ Following the submission of this formal letter of complaint to the member state, the Commission gives a deadline for a response. This pre-litigation phase enables the member state to conform voluntarily with the requirements of the treaty.

The threat of infringement proceedings against France over its deportation of Roma in 2010 is an example of a member state responding positively to Commission concerns. Viviane Reding noted approvingly:

*The French authorities submitted detailed documentation to the Commission. This documentation includes draft legislative measures and a credible calendar for putting the procedural safeguards required under the EU's Free Movement Directive into French legislation by early 2011. France has thus done what the Commission had asked for.*²²⁴

If the pre-litigation phase fails to achieve compliance, the Commission may refer the issue to the CJEU, which has the power to pronounce a declaratory judgment on whether there has been non-compliance. The Commission dropped infringement proceedings towards Hungary on issues related to its central bank since they were provided with sufficient assurances that Hungary complied on this point, but the Commission still brought Hungary to the CJEU for infringement of data protection laws and issues related to the independence of the judiciary.²²⁵

Under Article 258 of the TEU, the member state is under an obligation to take adequate measures to comply with a CJEU judgment, the correct implementation of which is monitored by the Commission. The size of the penalty payment is

*based on a method that takes account of the seriousness of the infringement, having regard to the importance of the rules breached and the impact of the infringement on general and particular interests, its duration and the member state's ability to pay, with a view to ensuring that the penalty itself has a deterrent effect.*²²⁶

While the Commission can propose financial sanctions, it remains at the court's discretion to determine the fines to be imposed.

If the member state still fails to comply with a CJEU declaratory judgment, the Commission may decide to bring the state back to the CJEU through a second referral, which 'must always be accompanied by a proposal for a penalty and/or lump sum payment'.²²⁷

Examples of infringement procedures

Below we present three examples of infringement procedures taken against two of our case study nations, Hungary and France.

Box 1

Infringement proceedings in Hungary (A)

One of the most high profile examples of infringement proceedings in recent years were those initiated against Hungary following national legislation passed on 1 January 2012. Hungary was accused of three counts of infringement:

- *restricting the independence of the national central bank*
- *imposing measures concerning the judiciary and in particular the mandatory early retirement of judges and prosecutors at the age of 62 instead of 70*
- *restricting the independence of the national data protection authority*²²⁸

Hungary's response to the infringement proceedings has been mixed. The Commission dropped the proceeding relating to the independence of its central bank after promises from the

Hungarian Government to change the legislation and remove those provisions that were incompatible with the independence requirements of the EU treaties.

Concerns over the judiciary remain. The sudden reduction of the retirement age of judges, prosecutors and notaries from 70 to 62 years would result in the early retirement of 236 judges in 2012 alone. This is in clear contravention of the Directive 2000/78/EC, which aims to establish a ‘framework for equal treatment in employment and occupation’.²²⁹ It was decided that Hungary did not provide an objective or coherent justification for its measures, and was therefore taken to the CJEU.

While Hungary has amended its legislation and continues to be in active discussion with the Commission and the Venice Commission of the Council of Europe on this matter, concerns persist over the powers attributed to the President of the National Judicial Office to designate a court in a given case, and the potential transfer of judges without their consent.²³⁰

These proceedings occurred during a period when Hungary was requesting a loan from the International Monetary Fund, a process that was halted in light of the Commission’s concerns. As a result, President Victor Orbán said that ‘creating political conditions – for example over the justice system – would amount to blackmail, which is unacceptable within the European Union’.²³¹ Despite his initial strong rhetorical response to the EU’s concerns and actions, the Fidesz Government has recently adopted a more conciliatory tone in its negotiations with the EU Commission and the Council of Europe.

Box 2

Infringement proceedings in France

Infringement proceedings were brought against France in response to its forced repatriations targeting Roma communities.

Commissioner Viviane Reding decided to bring the case against France for a ‘discriminatory application of the Free

Movement Directive’, and for ‘lack of transposition of the procedural and substantive guarantees’ under that directive. A memo from the French Ministry of Interior revealed that French authorities were specifically targeting Roma in their crackdown on immigration, something they had previously denied.²³²

The process began in 2010 with 20 of the Commission’s legal experts examining official documents. They determined that France had not sufficiently implemented EU rules on freedom of movement.²³³ This gave grounds for an infringement procedure to begin. Commissioner Reding’s highly charged comparison of Nicolas Sarkozy’s policy with the treatment of Jews by the wartime Vichy regime garnered considerable media attention and created an outcry in France. It is arguable that the furore her remarks created undermined the Commission’s efforts on what was already a delicate issue.

The Commission backed down over infringement proceedings in October 2010, following a series of assurances from the French Government and draft amendments to immigration laws.²³⁴ It pledged to introduce provisions into an immigration bill to ensure the correct transposition of the 2004 EU Freedom of Movement Directive (Directive 2004/38/EC).²³⁵ The CJEU stated that ‘the [French] government adopted the legislative amendments required by the Commission to ensure compliance with the Free Movement Directive on 16 June, including the safeguards that protect EU citizens against arbitrary expulsions or discriminatory treatment’.²³⁶

The European Roma Rights Centre said the absence of a clear statement from the European Commission on the issue of discrimination was ‘unfortunate’, arguing that ‘allowing its strong concerns about discrimination to fade into the background suggests the Commission has exonerated France, despite no evident change in the latter’s approach to dismantling camps and expelling Roma’.²³⁷

A recent poll showed that 80 per cent of the French public approved of dismantling the illegal camps, even though 73 per cent also thought that it would merely displace the

*problem.*²³⁸ *Considering these levels of public support, it is unsurprising that President Hollande has continued with the repatriation of the Roma population in France in contrast to his Socialist party's opposition to discrimination against this group.*²³⁹

The European Parliament has been critical of the Commission's role as 'guardian of the treaties' and its decision in this instance. Following the infringement proceedings brought against France, the Parliament criticised the 'late and limited response' to developments, while affirming that the Commission should 'stand firmly behind the values enshrined in the EU treaties'.²⁴⁰ The UK MEP Claude Moraes said Reding 'could have and should have gone further in putting pressure on France to bring its actions into line with EU law'.²⁴¹

Box 3

Infringement proceedings in Hungary (B)

As mentioned above, Hungary has also been criticised for a series of new press laws passed under Prime Minister Viktor Orbán from June to December 2010. The laws were criticised by international observers and EU representatives for threatening media independence and pluralism.²⁴² On 21 January 2011, the European Commission requested clarification by Hungary on its adherence to EU Directive 2010/13/EU covering media laws.²⁴³ The complaints centred on the following aspects of the laws:²⁴⁴

- *making journalists responsible for publicising insulting or libellous statements made by others*
- *forcing journalists to reveal their sources when covering issues related to national security or public safety, or if the information was classified; reporters also had to notify the authorities if a source revealed material considered a state secret; the penalties for failing to comply with such a request for information could amount to up to \$230,000*
- *the Mass Media Act and Press Freedom Act created the Media Council, a new regulatory body under the National*

Media Authority; this was criticised as restrictive by the opposition, press freedom groups, and the Organization for Security and Co-operation in Europe; in this way, the Hungarian Government removed the article from Hungary's constitution, which had previously banned information monopolies

The law in question was first amended in March 2011, at the request of the Commission. Vice-President of the Commission Neelie Kroes said the amendments ensured that the law complied with 'the aspects of EU law that we have raised, including the Charter of Fundamental Rights'.²⁴⁵

However, these amendments did not affect the composition of the Media Council, nor did they change the newly established supervisory structure of public service broadcasters.²⁴⁶ In its 2011 briefing to the Hungarian Government on the media situation in Hungary, Amnesty International said:

It is particularly worrying that such a restrictive legislation has been adopted by a country that is holding the Presidency of the European Union and should serve as an example when it comes to compliance with human rights standards.²⁴⁷

Meanwhile, the European Parliament voted in favour of a declaration condemning both the Hungarian Government over the tweaks to its media law and the Commission's 'limited targeting of only three points' in discussions with Hungarian authorities.²⁴⁸

Human Rights Watch also raised concerns on these media laws, noting that they 'fell short of what was required to bring the media laws in line with Hungary's obligations with respect to freedom of expression under EU and human rights law'.²⁴⁹ Human Rights Watch released a memo in 2012 on media freedom in Hungary, which documented the Media Council's lack of independence. Human Rights Watch called on the European Commissioner to take action against Hungary under Article 7 of the EU Treaty.²⁵⁰

Reporters Without Borders has also criticised the EU Parliament, saying: 'We deplore the 'official' silence of the European Parliament, which has simply debated the issue and not passed a resolution clearly condemning a law which tarnishes the EU's good reputation for defending media freedom.'²⁵¹ A preliminary report issued by experts of the Council of Europe in March 2012 also stated that Hungary's media law still does not guarantee independence from political influence.

Conclusions on infringement proceedings

These examples show that infringement proceedings can involve protracted negotiations with mixed results. The Commission is often slow to react to undemocratic developments in member countries, primarily because of lengthy 'letter of formal notice' procedures requesting that states clarify their position in relation to the potential infringement. They also require goodwill from infringing member states in cooperating with the Commission during the monitoring phase and the redress period.

The Commission has not shown itself very willing to take states to court over undemocratic developments, preferring to settle these matters during the lengthy pre-litigation phase. The European Parliament has been critical of the Commission at times, accusing it of reluctance in its approach to infringing states and of failing to act in scenarios other than when states are failing to implement EU law. The European Parliament has criticised the Commission and called on it 'to ensure that infringement proceedings secure the effective protection of human rights, rather than aiming for negotiated settlements with member states'.²⁵² Yet it could be argued that the pre-litigation phase has been effective at getting states to amend controversial legislation.

There is the possibility of circumventing the Commission and referring issues straight to the CJEU, but the ability to initiate court proceedings through the CJEU is more limited.

Under Article 263(3) of the Treaty on the Functioning of the European Union (TFEU), 'non-privileged' applicants

(persons or organisations as opposed to member states) can resort to the CJEU against EU institutions and member states for failure to act in accordance with EU treaties. The ‘non-privileged’ status includes individuals, employees, trade unions, employers and businesses. Though it is less common, one member state may launch a claim at the CJEU against another member state.

In order for the CJEU to have jurisdiction, the act has to constitute a violation ‘on grounds of lack of competence, infringement of an essential procedural requirement, infringement of the Treaties or of any rule of law relating to their application, or misuse of powers’ resulting from legislative acts or acts with legal effects. Moreover, the CJEU has interpreted these provisions very strictly, limiting the ability of an individual to bring a case before the CJEU.²⁵³

Austria, Article 7 and suspension of rights

The most dramatic action involving EU member states acting in concert to prevent backsliding involved Austria in 2000. EU member states (numbering 14 at the time, excluding Austria) reacted unanimously when Joerg Haider’s extreme right-wing Freedom party became part of the Austrian Government, by suspending bilateral relations with the Austrian authorities. The 14 states also unanimously decided ‘not to support Austrian candidates for positions in international organisations, and received Austrian ambassadors in their countries only at a technical level’.²⁵⁴

The most controversial aspect of these actions was that they were pre-emptive measures based on the belief that Austria, because of Haider’s views, would eventually violate Article 6.1 of the TFEU, which covers principles of freedom, democracy, human rights, basic human privileges and a constitutional state.²⁵⁵ In effect, individual member states joined together to impose sanctions on a state that had not violated any human rights or democratic commitments, although Haider’s Freedom party had come to prominence through free and fair elections, gaining 27 per cent of the vote. It is important to distinguish that

the sanctions imposed on Austria had nothing to do with the European institutions, even if individual member states believed they were acting to safeguard common European values.

In response to the situation, an EU-commissioned ‘three wise men’ report in September 2000 found that Austrian policies on immigration and human rights were in accordance with the values of the EU and that EU member states should lift sanctions against Austria immediately.²⁵⁶ The report even noted that certain aspects of Austria’s human rights records were ‘superior to [those] found in many other EU member states’.²⁵⁷ The report also noted that the sanctions had fanned ‘nationalist sentiments’ in Austria because these were ‘falsely understood as being directed against the Austrian people’,²⁵⁸ and that they potentially set a dangerous precedent that could pave the way for EU intervention in domestic politics, which had traditionally been outside its remit.

Nevertheless, proponents of the sanctions felt that some sort of early warning or identification mechanism should be included in the sanctions procedures of Article 7, especially given developments in Austria. Member states felt that the Amsterdam Treaty had to be amended, as the EU could not take any preventive action over what it viewed to be serious developments that could potentially be the source of future breaches.

The Nice Treaty of 2001 added a prevention mechanism in the event of a ‘clear risk of a serious breach’ of human rights, freedom, democracy and the rule of law. But the procedure was extensively amended by the Lisbon Treaty where Article 7 of TEU and Article 354 of TFEU were created, establishing a prevention mechanism and a penalty mechanism in the event of an actual breach. These amendments amounted to significantly altering the relationship between the EU and member states, by providing mechanisms through which the EU could sanction states for their internal human rights record. These mechanisms are activated in the case of a ‘clear risk of a serious breach’ or a ‘serious and persistent breach’ of Article 2, respectively.

The Commission and the European Council are granted discretionary powers to determine whether a breach or a risk of a breach of fundamental freedoms exists. All these decisions are

subject to democratic control by the European Parliament, while the CJEU maintains power of review.

Systematic problems: monitoring

According to the interpretation adopted by the EU, Article 7 is intended to address systematic problems, rather than situations that can be rectified by a court of law (national, European or international).

Decisions for the activation of these preventive mechanisms are in part dependent on a clear and concise reporting of emerging threats. The Haider furore led to the development of EU monitoring capacities (extending the use of the ‘wise men’ reports), on in-country reports relating to issues of human rights, freedom, democracy and the rule of law.

Much of the decision to intervene or not is based on the findings included in the annual reports produced by parliament and the Fundamental Rights Agency on the fundamental rights situation in the EU, as well as alternative sources (non-governmental organisations, regional and international case law, international organisations, individual complaints and so on). The official agency responsible for gathering data and monitoring respect for fundamental rights is the European Union Agency for Fundamental Rights, set up in 2007.

The Commission has (since 2010) started publishing annual reports on the implementation of the Charter of Fundamental Rights of the European Union, aiming to use monitoring to detect situations where relevant breaches or violations may occur. Following the Haider controversy, it was also recommended to expand the ‘existing EU Observatory on racism and xenophobia... in order to make possible the establishment of a full EU Agency on Human Rights’.²⁵⁹ In order to expand this information network, the Commission has also proposed the establishment of permanent communication channels with the Council of Europe and its Commissioner for Human Rights, as well as continuous dialogue with civil society and NGOs.

Systematic problems: sanctions

If a breach or risk of breach is determined, then the EU Council can suspend a member's rights under Article 7 of TEU. However, the Council cannot take the initiative in this regard but rather has to respond to the recommendation of such action from the Commission, or a third of the member states in the Council of Ministers. Moreover, the European Parliament has to assent to the decision of the Council by a majority of its members and a two-thirds majority of the votes cast.

Once a breach has been established, the Council may (but is not under any formal obligation to) suspend all or part of the member state's rights, eg voting rights, in the Council. The Council also retains the right to vary or revoke the measures at any future point. The member state remains bound by the sum of its obligations, regardless of any measures taken against it. In deciding the nature and extent of these measures, the Council decides by qualified majority, again excluding the member state in question from the process.

This action has yet to be taken against an EU member state, in contrast to the high number of infringement procedures initiated each year. Clearly, the invocation of Article 7 and a suspension of rights is reserved for serious and systemic breaches. The closest example of a country at risk of being subjected to Article 7 is probably Hungary. As noted above, the combination of reforms initiated by the Fidesz Government has led many to accuse it of a systematic effort to reduce checks and balances in the Hungarian Government. The fact that the Hungarian Government has amended the legislation in some instances – in response to alternative pressures from EU institutions, including the threat of withholding funds and infringement procedures – has likely forestalled the EU from attempting to take this more dramatic action.

Financial and economic incentives

Naturally, all sorts of political measures that fall within the category of international relations, bilateral interactions and modern governance are open for EU member states and the EU itself. Peer pressure, framework directives, soft law, co-regulation,

partnership models, voluntary agreements, social dialogue and so on are all available. The EU can also decide to cajole errant states through financial and economic incentives.

As indicated by the case of Bulgaria in 2008, the EU can informally apply sanctions to member states that are deviating from their obligations. After the findings of the Office de Lutte Anti-Fraude (OLAF), the European Anti-Fraud Office, the Commission suspended EU funds of €500 million to Bulgaria because of its unsatisfactory performance on corruption, judicial reform and organised crime. The EU also revoked the permits of two Bulgarian agencies to manage EU funds.

Recent developments in the eurozone crisis have further highlighted the possibility of withholding of EU funds. The EU has already used these measures against Hungary – by threatening to withhold funding from the International Monetary Fund – over its fiscal policies. While these measures may be effective at bringing member states into compliance there is a potential knock-on risk of fanning the flames of anti-EU sentiment among national populaces and thereby strengthening populist movements.

Conclusion and recommendations

As we have argued in this report, the EU should continue its progression in recent years and embrace its role as the protector of democracy and fundamental rights among EU member states. The Lisbon Treaty has enshrined this duty for the EU, and the requirement of compliance among member states. Monitoring and reporting mechanisms are now in place, primarily in the role of the European Union Agency for Fundamental Rights. There have also been efforts to bolster coordination with the Council of Europe, and for the EU to accede to the ECHR, giving it the force of Union law. The Parliament is now committed to releasing an annual report on the subject, and has called for the Commission and the Council to do the same, tracking and measuring the protection of EU principles (articles 2 and 6 in particular).

However, more can and should be done. As we have seen, a number of countries – including founding members of the Union – have arguably slid backwards on key aspects of democracy in recent years. The ongoing economic issues and eurozone crisis are likely to result in even further instances of backsliding as social unrest continues and policy becomes susceptible to populist pressures.

The most recent 2012 European Parliament *Report on the Situation of Fundamental Rights in the European Union* has made recommendations and pointed to a number of shortcomings thus far in preventing backsliding on EU principles and fundamental rights.²⁶⁰ In general, it argued for the ‘strengthening of European mechanisms to ensure that democracy, the rule of law and fundamental rights are respected’. In particular, the report calls for greater cooperation with international organisations and NGOs monitoring fundamental rights, and greater transparency and information sharing between EU institutions, agencies and

member states. It also argues that the Commission and the Council need to do more to ensure scrutiny of EU legislation itself and whether it contravenes fundamental rights.

Most of our recommendations are aimed at the Commission and the Fundamental Rights Agency, the primary enforcer and monitor of democracy and fundamental freedoms, respectively.

The European Commission: the enforcer

The European Commission is the principal actor enforcing commitments among member states. It can formally raise issues brought to its attention on fundamental rights, initiate infringement procedures and refer member states to the CJEU. However, it needs to do more to embrace fully its role in monitoring the evolution of democracy and holding member states to account.

Infringement procedures – the Commission’s main tool of enforcement – are protracted and subject to politics and pressure from member states at various points in the process, sometimes to the detriment of a positive resolution. The Commission often appears reluctant to refer countries to the CJEU – the natural conclusion of an infringement procedure. On the other hand, the suspension of member states’ rights under Article 7 – a far more serious punishment compared to an infringement procedure – has yet to be invoked in the EU’s history. The Commission needs to develop an array of measures in between the two.

The Commission should make a distinction between core backsliding transgressions relating to infringement procedures and smaller order issues – echoing one of the recommendations in the European Parliament’s report.

As we note in chapter 3, the number of infringement proceedings can be incredibly high (for example, in 2010 there were 176 open cases in Italy, 159 in Belgium and 157 in Greece). Moreover, most proceedings were in the domains of health, consumer protection and the environment. While no doubt important, these are hardly first order issues on the essentials of democracy. Thus, it might be useful for the Commission to

categorise democratic commitments and backsliding in order of priority and importance – with the possibility of advocating different routes and methods of redress for both. While smaller order issues may continue to be dealt with through infringement procedures, those issues of a higher order should necessitate more high profile interventions and public pronouncements.

The European Commission should also produce an annual report that focuses on the overall development of democracy in the EU, specific issues of backsliding or infringement of fundamental rights and actions taken to redress these issues. While some issues may not necessitate formal measures or sanctions, periodic naming and shaming of countries will help to raise the profile of the EU – and especially the Commission’s – focus on such issues. It will also help to apply public pressure to countries to get their democratic act together. This is where our index can be especially helpful, as the Commission’s annual report should include a rigorous league table or index of country scores to make it easy to identify trends and put specific actions into a broader context.

A fundamental rights and backsliding scorecard

In order to implement and enforce fundamental rights in the EU, the Commission has already proposed the creation of a ‘permanent scorecard’ on justice, the rule of law, democracy and fundamental rights to cover all EU member states. However, there has been very little publicly announced about this scorecard and it is unclear if the Commission is working on it, and at what stage it is in.

Our index can help to provide some of the underpinning for this scorecard. It also points to the potential methodological obstacles in developing such a scorecard – the need to gather more and better data, more frequently. As demonstrated above, the consideration of democracy’s evolution and respect for fundamental freedoms must take into account the historical context and the analysis must combine qualitative and quantitative data. The production of a single ‘score’ for countries, whether overall or at a dimension level, is inevitably

reductionist and requires significant methodological rigour. Nonetheless, it can be valuable to understand whether a country's democracy is becoming stronger or weaker, as well as the relative position of EU member states to each other and the overall progression of democracy throughout the EU as a whole.

To date, efforts to measure and monitor backsliding have not been sufficient. We argue that the European Union Agency on Fundamental Rights must develop a more systematic approach to measuring democracy and backsliding among EU member states.

Measuring backsliding and data collection

One of the most important obstacles to a more effective measure and enforcement of fundamental rights is lack of data. This is particularly true with respect to citizens' attitudes and behaviours captured in dimensions 3, 4 and 5 of our index. The primary source for this information is the EVS, which is conducted infrequently across all of the EU member states (eg in 2000 and 2008 in the past 15 years).

The European Parliament report has called for expanding the Fundamental Rights Agency's remit to 'cover the full scope of articles 2, 6 and 7 of the TEU'. This report supports that recommendation, but would go further to argue that the Commission needs to ensure sufficient levels of investment for the Fundamental Rights Agency to be able to collect the necessary data and produce a quantitative index that is objective and rigorous. This should include data on citizens' attitudes and behaviours relating to tolerance towards minorities and civic engagement, and their attitudes towards the quality of democracy in their countries. While citizens' attitudes are not directly relevant to member states' commitments on fundamental rights, they are nonetheless a bellwether for democratic health and something that EU institutions and agencies should monitor and assess.

Tending to democracy is both a long game and a short one. The Commission needs to have the tools to be able to react immediately to an undemocratic development. Yet, at the same

time, such transgressions need to be put into the context of wider democracy development. Despite updating their governance indicators annually, the World Bank argues that the tracking of trends should consider longer periods of time. Thus, while our EU Democracy Index may appear to be infrequent, a consequence of including data from the EVS, four to five years should be the appropriate time frame to reproduce results using the monitor and explore trends. We recommend that in addition to the Commission and the Fundamental Rights Agency producing annual reports, both organisations should also produce more comprehensive reports every three to five years that explore some of the broader trends of democracy in Europe.

It is important for a distinction to be made between the EU responding to action or in-action that constitutes an infringement of fundamental rights, and being watchful of undemocratic trends across Europe. For example, the fourth and fifth dimensions of our index present little that the EU can act on directly – unless for example, protests are explicitly prevented or outlawed in a country, to take an indicator from dimension 4 as an example. However, an idea of how active the citizens are for a given country is important information for assessing the development of democracy overall in that country.

No room for double standards

A more rigorous approach to measuring backsliding or fundamental right infringements will help to eliminate the possibility of politically charged accusations of double standards and hypocrisy. For example, in response to EU criticisms, Hungary's Prime Minister Victor Orbán accused the EU of double standards by not investigating Italy on issues of media freedom. However, as we have argued, the total package of Hungary's legislation on the judiciary, electoral reform and media freedom demonstrates a more sustained and worrying attack on Hungary's democracy and thus merits more attention from the EU. Italy also has problems with media freedom as well as corruption and organised crime. But, in contrast to Hungary, many of these are historical issues that Italy has continuously

grappled with, rather than the product of a series of legislative changes that sought radically to alter the landscape in a short period of time. Our index – or a similar rigorous scorecard approach – could help to provide further support for why some countries face more stringent attacks on backsliding than others. For example, if they appear weak or declining on a range of measures, this could underwrite the need to intervene.

Politics as usual

Finally, as a note of caution, it is important to recognise that the EU is a fundamentally political organisation that is subject to the power struggles and compromises of countries within the Union. Indeed, as we've seen recently with the Tavares report submitted in the EU Parliament on Hungary, accusations of backsliding will inevitably be met with allegations of political meddling and opposing camps dividing equally along ideological lines. Therefore the process of monitoring democracy and confronting backsliding will inevitably be messy, inconsistent and at times frustrating. We cannot expect the EU to be able to identify crystal clear instances of backsliding, nor have the ability to stop backsliding unequivocally and every time. While this reality should inform expectations and procedures, it should by no means undermine the importance of the task, or the EU's resolve to fulfil this role. The EU must also consider the potential negative impact of acting too aggressively, as this could fan the flames of domestic populist and anti-EU sentiment in the offending countries. Providing a rigorous and consistent measure of citizens' attitudes in each country can help the Commission and other relevant EU institutions understand where there is a risk of an anti-EU backlash in order to be better prepared to handle it.

Annex: Technical appendix

This technical appendix outlines the method, analysis and decisions taken in the process of creating our Demos EU Democracy Index.

This report follows in the footsteps on the Demos Everyday Democracy Index. In constructing our Democracy Index, we relied as much as possible on the contents of the Everyday Democracy Index and the process in which it was constructed.

Our aim was to create a comprehensive index to measure the democratic health of the 27 member states (before the recent accession of Croatia) on the following measures of democratic functioning:

- independence of the judiciary
- freedom of the media
- freedom of expression
- electoral procedure and participation
- rule of law – constitutionality
- policy making mechanisms
- democratic institutions
- discrimination and equal rights
- rights of minorities
- activism and civic participation
- aspiration and deliberation (the extent to which people value democracy as a way of solving problems)

Our index is a composite index, constructed through the use of indicators in other democracy indices that are relevant to our purposes. It was beyond the scope of this project to gather new data on which to construct our index.

Our first task was to conduct a comprehensive review of democracy indices in order to identify the relevant indicators for

our own purposes. There were a number of factors and limitations that informed our decision on which indicators to use.

First, the majority of democracy indices aim to measure democracy for the majority of countries globally. This influences the types of indicators that are included, as many countries do not have even the basic requirements of democracy. As our purpose is to measure democratic backsliding among EU member states, which are already at a certain level of democracy, our choice of indicators had to take this into account.

Second, we wanted to make sure to align our indicators with the pronouncements of the EU on the democratic requirements for member states. To this end, we used the European Charter of Fundamental Human Rights and aimed to ensure that the indicators we chose aligned with the most important protected rights, as well as those that are most at risk of backsliding.

Third, while backsliding primarily occurs following decisions taken by national governments, we also wanted to capture the ‘lived experiences’ of democracy measured in citizens’ attitudes towards key questions. In 2008, Demos affirmed that ‘modern democracies should be everyday democracies; they must be rooted in a culture in which democratic values and practices shape not just the formal sphere of politics, but the informal spheres of everyday life’.²⁶¹

Everyday democracy is therefore not only the reflection of the healthiness of political institutions, but also the observed vibrancy of public engagement in the informal realms of civil society, the degree of social and political capital, and attitudes, values and opinions that inform popular engagement in both the public and private domains. The underlying force of public sentiment can have an impact on the types of policies that national governments may pursue (for example, anti-Roma sentiment leading to anti-Roma policies). Moreover, it is also worth the EU monitoring the extent to which anti-democracy views exist in countries of concern, and the degree to which these views are getting worse.

Lastly, our approach is inevitably a pragmatic one. The operationalisation of our index ‘is naturally and unavoidably guided in part by the availability or accessibility of data’.²⁶²

The Demos Index: dimensions and indicators

The Demos Index is made of five dimensions:

- *Electoral and procedural democracy*: This measures the basic integrity of the formal political system – to what extent does this country get the basics right – free and fair elections, plurality, rule of law? To what extent do people value the right to vote, which is the foundation of democracy?
- *Rights and fundamental freedoms*: How are human rights protected and enshrined? These include freedom of movement domestically and freedom of association. Is there a free press and an independent judiciary?
- *Tolerance of minorities*: Were citizens tolerant living next to those of different ethnicities? Were nations more tolerant of homosexuals, Jews, Muslims and gypsies, groups which had traditionally experienced high levels of intolerance?
- *Active citizenship*: To what extent were citizens politically active and engaged in the civic life of their community? Did they protest, volunteer or demonstrate to express an opinion?
- *Political and social capital*: This measures how attitudes towards democracy and society are changing in the EU, and whether we can observe increasing or decreasing satisfaction.

Data sources

The indicators we chose to form our composite index are from three sources: the World Bank’s Worldwide Governance Indicators, the CIRI Human Rights Database and the EVS.

The World Bank’s Worldwide Governance Indicators

The World Bank first compiled its governance indicators in 1996, and began measuring and producing them annually in 2002.

The index consist of six indicators of governance, of which we use the first four:

- *voice and accountability*: captures perceptions of the extent to which a country's citizens are able to participate in selecting their government, as well as freedom of expression, freedom of association, and a free media
- *political stability and the absence of violence*: measures perceptions of the likelihood that the government will be destabilised or overthrown by unconstitutional or violent means, including politically motivated violence and terrorism
- *rule of law*: captures perceptions of the extent to which agents have confidence in and abide by the rules of society, and in particular the quality of contract enforcement, property rights, the police and the courts, as well as the likelihood of crime and violence
- *control of corruption*: captures perceptions of the extent to which public power is exercised for private gain, including both petty and grand forms of corruption, as well as 'capture' of the state by elites and private interests
- *government effectiveness*: captures perceptions of the quality of public services, the quality of the civil service and the degree of its independence from political pressures, the quality of policy formulation and implementation, and the credibility of the government's commitment to such policies
- *regulatory quality*: captures perceptions of the ability of the government to formulate and implement sound policies and regulations that permit and promote private sector development

The World Bank's Worldwide Governance Indicators aim to measure the quality of governance in '215 economies'. They are composite indicators based on '30 individual data sources produced by a variety of survey institutes, think tanks, non-governmental organisations, international organisations, and private sector firms'. A list of the underlying sources for each of the indicators is available on their website: <http://info.worldbank.org/governance/wgi/index.asp>. The most relevant sources for the European countries include Freedom

House, the EIU, the World Economic Forum Global Competitiveness Survey, the CIRI Human Rights Database and the Political Risk Services International Country Risk Guide.

The CIRI Human Rights Database

According to its website, the CIRI database contains

*standards-based quantitative information on government respect for 15 internationally recognised human rights for 195 countries, annually from 1981–2010. It is designed for use by scholars and students who seek to test theories about the causes and consequences of human rights violations, as well as policy makers and analysts who seek to estimate the human rights effects of a wide variety of institutional changes and public policies including democratization, economic aid, military aid, structural adjustment, and humanitarian intervention.*²⁶³

For our index we use two measures taken from the CIRI database:

- *Freedom of religion*: This variable indicates the extent to which the freedom of citizens to exercise and practise their religious beliefs is subject to actual government restrictions. Citizens should be able to practice their religion freely and proselytise (attempt to convert) other citizens to their religion as long as such attempts are done in a non-coercive, peaceful manner. A score of 0 indicates that the government restricted some religious practices, while a score 1 indicates that the government placed no restrictions on religious practices in a year.
- *Economic rights of women*: This relates to a number of statutory rights for women, including:
 - free choice of profession or employment without the need to obtain a husband or male relative's consent
 - the right to gainful employment without the need to obtain a husband or male relative's consent
 - equality in hiring and promotion practices
 - job security (eg maternity leave, unemployment benefits, no arbitrary firing or layoffs)

- non-discrimination by employers
- the right to be free from sexual harassment in the workplace
- the right to work at night
- the right to work in occupations classified as dangerous
- the right to work in the military and the police force

CIRI data are updated annually. The data are drawn from the US Department of State's Country Reports on Human Rights Practices.²⁶⁴

The European Values Study

The EVS began in 1981 and is a large-scale, cross-national and longitudinal research programme on basic human values. It consists of a standardised survey on a number of issues in society. We used 14 indicators from the EVS in the Demos index.

For the 2008 EVS, the sampling method consisted of a representative multi-stage or stratified random sample of the adult population of the country 18 years old and older (except age 15+ in Armenia and 18 to 74 years in Finland). The net sample size (in the sense of completed interviews) is 1,500 respondents per country, although there were exceptions such as Northern Cyprus and Northern Ireland (with 500 interviews each).

The English basic questionnaire was translated into other languages by means of the questionnaire translation system WebTrans, a web-based translation platform designed by Gallup Europe. The whole translation process was closely monitored and quasi-automated documented.²⁶⁵ For country-specific information, see country reports on national datasets.

Indicator list

Dimension 1: electoral and procedural democracy

- 1 STAB: score on the political stability and absence of violence indicator of the World Bank's Worldwide Governance Indicators:
Date: 2000, 2008

Source: World Bank

Other notes: original source available at www.govindicators.org

- 2 **RULE**: score on the rule of law indicator of the World Bank's Worldwide Governance Indicators
Date: 2000, 2008
Source: World Bank
Other notes: original source available at www.govindicators.org
- 3 **CORR**: score on the control of corruption indicator of the World Bank's Worldwide Governance Indicators
Date: 2000, 2008
Source: World Bank
Other notes: original source available at www.govindicators.org
- 4 **TURNOUT**: percentage turnout in national elections
Date: 2000, 2008
Source: Institute for Democracy and Electoral Assistance (IDEA)
Methodology: IDEA uses data from national electoral management bodies and national statistics bureaus to work out electoral turnout. We subsequently looked at voter turnout in the last two national elections in each country.

Dimension 2: rights and fundamental freedoms

- 5 **VOICE**: score on the voice and accountability indicator of the World Bank's Worldwide Governance Indicators
Date: 2000, 2008
Source: World Bank
Other notes: original source available at www.govindicators.org
- 6 **RELIGION**: freedom to practise religious beliefs
Date: 2000, 2008
Source: CIRI Human Rights Database
Coding: Respondents were asked to give a figure between 0 and 2 showing 'the extent to which the freedom of citizens to exercise and practice their religious beliefs is subject to government restrictions'. Score '0' for severe and widespread restriction; score '1' for moderate restriction; score '2' where restrictions on religious practice were practically absent.

- 7 **WOMEN:** respect given to formal and informal economic rights of women
Date: 2000, 2008
Source: CIRI Human Rights Database
Coding: This measure of the CIRI Human Rights Database looked at the right of women to work and the extent to which the government enforced law on equal pay. Score '0' if there were no economic rights for women and systematic discrimination was based built into law; score '1' when some economic rights for women were enshrined in law but in reality were not enforced; score '2' when economic rights were mainly enforced; score '3' if the country's economic rights for women were enshrined in law and vigorously enforced.

Dimension 3: tolerance of minorities

- 8 **RACE:** question in European Values Survey
Date: 2000, 2008
Source: European Values Survey
Methodology: asking 'would you not like to have people of a different race as neighbours?'; closed, perception-based question; original source available at www.europeanvaluesstudy.eu
- 9 **MUSLIMS:** question in European Values Survey
Date: 2000, 2008
Source: European Values Survey
Methodology: asking 'would you not like to have Muslims as neighbours?'; closed, perception-based question; original source available at www.europeanvaluesstudy.eu
- 10 **JEWS:** question in European Values Survey
Date: 2000, 2008
Source: European Values Survey
Methodology: asking 'would you not like to have those from a Jewish background as neighbours?'; closed, perception-based question; original source available at www.europeanvaluesstudy.eu

- 11 GYPSIES: question in European Values Survey
Date: 2000, 2008
Source: European Values Survey
Methodology: asking ‘would you not like to have those from Gypsy background as neighbours?’; closed, perception-based question; original source available at www.europeanvaluesstudy.eu
- 12 IMMIGRANTS: question in European Values Survey
Date: 2000, 2008
Source: European Values Survey
Methodology: asking ‘would you not like to have immigrants or foreign workers as neighbours?’ Closed, perception-based question; original source available at www.europeanvaluesstudy.eu
- 13 HOMOSEXUALS: question in European Values Survey
Date: 2000, 2008
Source: European Values Survey
Methodology: asking ‘would you not like to have homosexuals as neighbours?’ Closed, perception-based question; original source available at www.europeanvaluesstudy.eu

Dimension 4: active citizenship

- 14 CIVIL SOCIETY: percentage of respondents who reported being members of the following types of civil society organisations: women’s group, trade union, political party, community organisation, youth work organisation
Date: 2000, 2008
Source: European Values Survey
Coding: the total number of groups that respondents belonged to. National average computed based on all respondents from that country.
Other notes: original survey items: ‘Please look carefully at the following list of voluntary organisations and activities and say... which, if any, do you belong to?’

- 15 **VOLUNTEERING:** percentage of respondents who reported volunteering for the following types of civil society organisations: women's group, trade union, political party, community organisation, youth work organisation.
Date: 2000, 2008
Source: European Values Survey
Coding: the total number of groups that respondents belonged to or volunteered for was added together (no double counting). National average computed based on all respondents from that country.
Other notes: original survey items: 'Please look carefully at the following list of voluntary organisations and activities and say... which, if any, do you belong to?' and 'For which if any are you currently doing unpaid voluntary work?' Questionnaire then listed range of organisation types, of which we chose: labour union, political party, human rights, youth work, women's group.
- 16 **ACTIVE CITIZENSHIP; PROTEST**
- a **PETITION:** percentage of people who claimed to have joined a boycott
Date: 2000, 2008
Source: European Values Survey
Coding: respondents coded 1 if they had signed a petition, 0 if they had not; national average computed based on all respondents from that country
Other notes: Original survey item: 'Now I'd like you to take a look at this card. I'm going to read out some different forms of political action that people can take, and I'd like you to tell me, for each one, whether you have actually done any of these things... Signing a petition?'
- b **BOYCOTT:** percentage of people who claimed to have joined a boycott
Date: 2000, 2008
Source: European Values Survey
Coding: respondents coded 1 if they said they joined a boycott, 0 if they had not; national average computed based on all respondents from that country
Other notes: Original survey item: 'Now I'd like you to take a look at this card. I'm going to read out some different forms of

- political action that people can take, and I'd like you to tell me, for each one, whether you have actually done any of these things... Signing a petition?'
 c DEMONSTRATION: percentage of people who claimed to have attended a demonstration
 Date: 2000, 2008
 Source: European Values Survey
 Coding: respondents coded 1 if they had attended lawful demonstrations, 0 if they had not; national average computed based on all respondents from that country
 Other notes: Original survey item: 'Now I'd like you to take a look at this card. I'm going to read out some different forms of political action that people can take, and I'd like you to tell me, for each one, whether you have actually done any of these things... Attended lawful demonstrations?'

Dimension 5: political and social capital

- 17 SATISFACTION: measured how satisfied citizens were with development of democracy
 Date: 1999, 2008
 Source: European Values Survey
 Coding: respondents coded 1 if they were very satisfied with the way democracy was developing in their country, 2 if rather satisfied, 3 if not very satisfied, 4 if not at all satisfied
 Other notes: original survey item: 'On the whole are you very satisfied, rather satisfied, not very satisfied or not at all satisfied with the way democracy is developing in our country?'
- 18 STRONG: measured how desirable an authoritarian style government was
 Date: 1999, 2008
 Source: European Values Survey
 Coding: Respondents coded 1 if they said having a strong leader who did not bother with parliament and elections was very good, 2 if they said it was fairly good, 3 if they said it was fairly bad, 4 if they said it was very bad
 Other notes: original survey item: 'I'm going to describe various

types of political systems and ask what you think about each as a way of governing this country. For each one, would you say it is very good, fairly good, fairly bad or very bad way of governing this country... Having a strong leader who does not have to bother with parliament and elections?’

19 ARMY: measured how desirable an army rule style of government was

Date: 1999, 2008

Source: European Values Survey

Coding: respondents coded 1 if they said it was a very good way of governing to have the army rule the country, 2 if they said it was fairly good, 3 if they said it was fairly bad, 4 if they said very bad

Other notes: original survey item: ‘I’m going to describe various types of political systems and ask what you think about each as a way of governing this country. For each one, would you say it is a very good, fairly good, fairly bad or very bad way of governing this country... Having the army rule the country?’

20 DEMOCRATIC: measured how desirable having a democratic political system was

Date: 1999, 2008

Source: European Values Survey

Coding: respondents coded 1 if they said it was a very good way of governing to have a democratic political system, 2 if they said it was fairly good, 3 if they said it was fairly bad, 4 if they said it was very bad

Other notes: original survey item: ‘I’m going to describe various types of political systems and ask what you think about each as a way of governing this country. For each one, would you say it is a very good, fairly good, fairly bad or very bad way of governing this country... Having a democratic political system?’

21 TRUST: Percentage of how much trust citizens had in other people

Date: 1999, 2008

Source: European Values Survey

Coding: respondents coded 1 if they said most people can be trusted, 2 if they said that you can’t be too careful

- Other notes: original survey item: ‘Generally speaking, would you say that most people can be trusted, or that you can’t be too careful in dealing with people?’
- 22 CONTROL: measured how much control over their lives citizens felt they had
 Date: 1999, 2008
 Source: European Values Survey
 Coding: the European Values Survey used a sliding scale measure from 1 to 10 to code responses. Respondents coded 1 when citizens said they had no control over their lives whatsoever; at the other end of the scale they coded 10 if they said they had a great deal of control.
 Other notes: Original survey item: ‘Some people feel they have completely free choice and control over their lives, and other people feel that what they do has a real effect on what happens to them; please use the scale to indicate how much freedom of choice and control you feel you have over the way your life turns out’

Longitudinal focus

As our aim is to measure backsliding, it is essential that our index has various points in time in order to measure progressions. Most specifically, we are interested in the progression of democracy from the point of accession to the present day. However, as mentioned above, we encountered a number of limitations in the data.

For example, as mentioned above, our aim was to include perceptions-based data from population surveys in our index. The best source for us in this context was the EVS, which only runs every four years. The EVS did not release the 2012 data in time for this report, so our data are based on the 2008 survey.

Looking across all the indicators that we chose, there were only two data points that existed across all of the different sources: the years 1999–2000 and 2008. We initially were going to include three time ‘slices’ using the World Values Study data for 2005, which ask essentially the same questions as the EVS. However, unfortunately data were not collected for

approximately a quarter of EU member state, so we could not include 2005 as an additional time point.

Although this restriction was forced on us by the limitations in the data, it is important to note that it is best practice in other democracy indices not to measure trends over year-to-year periods. According to the World Bank:

*Changes in governance over short year-to-year periods are difficult to measure with any kind of data, and are typically quite small. Recognising this, users of the WGI [World Bank Governance Indicators] should in most cases not focus on short-run, year-to-year changes but rather in trends over longer periods.*²⁶⁶

We thus produce two scores for each country and analyse each country's movement (whether they were backsliders or not) and their overall position. Where possible, however, we also include analysis at the indicator level for those indicators where data exist between 2008 and 2011, such as the World Bank's Worldwide Governance Indicators.

Building the index: normalisation, weighting and aggregation

There are three key technical issues when constructing a democracy index:

- *normalisation*: manipulating raw data to ensure they are comparable across different indicators and data sources
- *weighting*: determining how the indicators relate to each other and how much weight is placed on each indicator in calculating the dimension score
- *aggregation*: determining how the data, once normalised and weighted, should be combined to achieve overall dimension scores

Normalisation: distance from the mean

Once the list of indicators was chosen, the data needed to be standardised in order to make meaningful comparisons and to

ensure that the indicators could be aggregated in a way to achieve a dimension score.

The data provided for each indicator varied substantially in scale. For example, the World Bank's Worldwide Governance Indicators provide scores on a scale between -2.5 and 2.5, while the scores from the EVS are often percentages on a scale from 0 to 100. Other questions – for example, asking people's opinion on 'having a democratic political system' – present answer choices, such as: 'very good', 'fairly good', 'fairly bad', 'very bad' and 'do not know'.

There are a couple of ways that data can be rescaled. For example, on the Everyday Democracy Index, the data were rescaled on a range from 0 to 10, with the country receiving the lowest score receiving a 0 and the country receiving the highest score receiving a 10. The other countries then fall in between 0 and 10 according to their relative distance from this maximum and minimum. The advantage of this approach is the simplicity of making comparisons across countries at a given moment in time; the disadvantage is that it highlights relative performance over absolute performance. It also assumes that the country at the top is 'perfect' and the one at the bottom is the worst possible, and thus does not provide a stable means of providing comparisons over time, as the maximum and minimum countries could shift over time.

In order to ensure that our data were comparable across different times, our approach to normalising the data was based on a recalculation of the scores, using a z score to represent a particular country's distance from the mean on a given item. The use of z scores as a method of standardising data of varying types is common in statistical analyses, and the z score values represent an individual country's (partial or full) standard deviation above or below the sample mean for each item. Thus, to calculate the z scores, both the country's score and the mean of all 27 countries' scores were calculated. We then determined each country's distance from this mean using the 'z-score' formula:

$$\frac{(\text{country score} - \text{mean score})}{\text{standard deviation}} = z \text{ score}$$

While z scores are a standardised and dimensionless quantity suitable for analysis, they are often difficult to interpret as the z-score units are measured as standard deviations from the mean. Therefore, a more intuitive and reader-friendly standardisation tool, called t scores, were then calculated for use in this analysis. T scores represent the same concept as z scores, showing an individual's distance and direction from the mean; however, the units and scale are now in the range from 0 to 100, with 50 representing the mean. For instance, a country with a t-score of 56 would be 6 units above average, while a country scoring 24 would be 26 units below average. The final t scores for each country were therefore calculated based on a formula using the z-score values.

Weighting: principal component analysis

Once the scores are normalised to the same scale the next decision is how to weight and combine indicator scores in order to establish an overall score for each dimension. The most common approach is to assign equal weights to each indicator.²⁶⁷ While the simplicity of this approach is appealing, this assumes that indicators could be substituted for each other. For example, in the dimension 'electoral and procedural democracy', it could be argued that 'rule of law' and 'absence of violence' are more important than 'electoral turnout' when it comes to assessing a country's democratic health.

Before deciding to assign equal weights, we explored principal component analysis to determine the most robust grouping of indicators and how they should be weighted.

Principal component analysis

Principal component analysis is 'a technique for understanding the relationships between a number of different variables to see whether they can be reduced to a smaller number of latent "components", which cannot be observed or measured directly'.²⁶⁸ Thus, in part, PCA aims to identify superfluous indicators that could be removed for purposes of simplicity. Assigning the same weight to two indicators that are highly

correlated means that information is being duplicated or counted twice, which may impact on the final scores received.²⁶⁹

PCA also determines the best way to combine indicators based on how they relate to each other. Thus, the weights and groupings of indicators derived from PCA analysis are ‘based on statistical grounds rather than a researcher’s theoretical judgement’.²⁷⁰

For our research, two types of PCA were conducted: exploratory and confirmatory. The goal of exploratory factor analysis (EFA) is to present a summary of the data, uncovering the underlying structure of a relatively large set of variables. The goal of confirmatory factor analysis (CFA) is to present a summary of the data by predicting relationships based on hypothetical latent factors. CFA differs from EFA in that for CFA a specific relationship between the items and the factors is confirmed rather than discovered.

Exploratory analysis

This analysis was conducted on the 1999–2000 data and on 2008 data. The variables of the 1999–2000 dataset were better correlated than those for the 2008 dataset. The majority of correlations in the 1999–2000 dataset were above 0.3 and below 0.9, whereas in the 2008 dataset many correlations were below 0.3, which is too low for PCA.

On the first analysis, the model was not constrained by any number of components (or ‘dimensions’), but rather decided itself the number and constitution of the components based on the associations between variables.

While the analysis was stronger for the 1999–2000 data than for the 2008 data, the grouping of indicators that made the most explanatory sense came from the 2008 data. For both sets of data, the model grouped indicators into six different ‘factors’ or ‘dimensions’. The transformation matrix was unsymmetrical; therefore, in addition to orthogonal rotation, oblique rotation was tried, but none of the rotations produced theoretically sound groupings.

A second exploratory analysis was then conducted. This time the number of components was constrained, first with five

Figure 17 **Factor groupings based on second exploratory factor analysis**

| | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Component 1</p> <p>Voter turnout Freedom of religion Signing petition Joining boycott Legal demonstration Intolerance of authoritarianism: views of democracy</p> | <p>Component 2</p> <p>Voice and accountability Political stability and absence of violence Rule of law Control of corruption Economic rights of women Trust people</p> |
| <p>Component 3: attitudes towards minorities</p> <ul style="list-style-type: none"> • Who would you not want as your neighbour question (EVS): • people of a different race • Muslims • Jews • immigrants • Gypsies • homosexuals | <p>Component 4: active citizenship</p> <ul style="list-style-type: none"> • Belonging and unpaid work for: • trade union • political party • community organisation • human rights organisation • women's group |

and then four components. This analysis produced the groupings presented in figure 17 as the best fit.

The analysis also excluded the following indicators: physical integrity measure (CIRI Human Rights Database) and the intolerance of authoritarianism: views about army rule (EVS). These two indicators were grouped into their own separate component, which did not make sense from a theoretical standpoint. Therefore, they were excluded on the basis of this analysis.

There was a theoretical coherence to the grouping of indicators in components 3 and 4 (which can be described as attitudes towards minorities and active citizenship, respectively). However, the groupings of indicators in components 1 and 2 lacked theoretical coherence. As researchers from the LSE have pointed out, this is the main drawback of PCA. As they put it, “The results may be extremely “abstract” in the sense that the methodology reduces one’s ability to capture theoretical concepts that are not reflected in the statistics.”²⁷¹

In addition to the PCA, we also planned to conduct confirmatory analysis, but this was unsuccessful because of the small size of the dataset. Confirmatory analysis requires at least 200 ‘cases’ with over 500 being preferred. Our data set only contains 27 ‘cases’ (countries).

Conclusion: equal weights, with theory-led Index

Two conclusions are drawn from the PCA. First, overall, the statistical underpinning for the grouping of our indicators is weak because of the nature of the data and the small number of cases (countries). The overwhelming majority of democracy indices analyse all countries in the world, while our project is limited to the 27 EU member states. Because of this weakness, and the lack of theoretical coherence entailed in the grouping of the indicators as a result of the PCA, we have decided to make our index theory-led. We thus produced the index according to our initial structure, as presented above. We therefore present the findings of the dimension scores with the appropriate caveats. We also provide in-depth analysis at the indicator level, thereby not putting too much weight on the dimension scores.

Second, we decided to apply equal weights to the indicators in the construction of the dimension scores. The rationale for this is further supported by the fact that, within each dimension, it is incredibly difficult and arbitrary to ascribe some indicators with higher values. While it may be the case that indicators in dimension 1 (for example, rule of law) are more important for democracy than indicators in dimension 3 (for example, signing a petition), they have relatively the same value *within* each dimension. Moreover, we are not producing a total backsliding score for each country based on the aggregation of each dimension. Such a number would be too simplistic and reductive, and would be of little use or explanatory value.

Aggregation: add or multiply

The final decision was how to combine the indicator scores in order to obtain a dimension score. There are two methods of aggregation: scores can either be added together or multiplied.

The additive approach is the most straightforward and commonly used method. The main drawback is that it assumes that indicators are substitutable, and thus of equal importance. As described above, while this would be especially problematic when combining dimension scores, it is less so within the dimensions. We therefore chose the additive approach to aggregating our indicator scores into our dimension scores.

Notes

- 1 *Treaty of Amsterdam Amending the Treaty on European Union, the Treaties Establishing the European Communities and Certain Related Acts*, 2 Oct 1997, www.eurotreaties.com/amsterdamtreaty.pdf (accessed 14 Jul 2013).
- 2 ‘Charter of Fundamental Rights of the European Union’, *Official Journal of the European Union*, 2007/C 303/01, 14 Dec 2007, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2007:303:0001:0016:en:PDF> (accessed 15 Jul 2013); ‘Treaty of Lisbon Amending the Treaty on European Union and the Treaty establishing the European Community, signed at Lisbon’, *Official Journal of the European Union*, 2007/C 306/01, 17 Dec 2007, <http://eur-lex.europa.eu/JOHtml.do?uri=OJ:C:2007:306:SOM:EN:HTML> (accessed 15 Jul 2013).
- 3 RA Epstein and U Sedelmeier, ‘Beyond conditionality: international institutions in postcommunist Europe after enlargement’ *Journal of European Public Policy* 15, no 6 (2008) 795–805; F Sasse, ‘The politics of EU conditionality: the norm of minority protection during and beyond EU accession’, *Journal of European Public Policy* 15, no 6 (2008), 899–917.
- 4 Sasse, ‘The politics of EU conditionality’.
- 5 MA Vachudova, ‘Tempered by the EU? Political parties and party systems before and after accession’, *Journal of European Public Policy*, 15, no 6 (2005), pp 861–79.
- 6 MA Vachudova, ‘Corruption and compliance in the EU’s post-Communist members and candidates’, *Journal of Common Market Studies*, suppl (2009).

- 7 European Commission, 'Fighting corruption in the EU', communication from the Commission to the European Parliament, the Council and the European Economic and Social Committee', COM(2011) 308 final, 6 June 2011, [http://ec.europa.eu/home-affairs/news/intro/docs/110606/308/1_EN_ACT_part1_v12\[1\].pdf](http://ec.europa.eu/home-affairs/news/intro/docs/110606/308/1_EN_ACT_part1_v12[1].pdf) (accessed 14 Jul 2013).
- 8 Transparency International, 'Corruption Perceptions Index 2012', www.transparency.org/cpi2012/results (accessed 11 Jan 2013).
- 9 Freedom House, Freedom of the Press 2012: Selected data from Freedom House's annual press freedom index, 2012, www.freedomhouse.org/sites/default/files/Booklet%20for%20Website.pdf (accessed 14 Jul 2013).
- 10 P Skidmore and K Bound, *The Everyday Democracy Index*, London: Demos, 2008.
- 11 Ibid.
- 12 Europa, 'Accession criteria (Copenhagen criteria)', nd, http://europa.eu/legislation_summaries/glossary/accession_criteria_copenhagen_en.htm (accessed 14 Jul 2013).
- 13 European Commission, *Making a Success of Enlargement: Strategy paper and report of the European Commission on the progress towards accession by each of the candidate countries*, nd; http://ec.europa.eu/enlargement/archives/pdf/key_documents/2001/strategy_en.pdf (accessed 27 Jul 2013); see also S Peers and A Ward, *The EU Charter of Fundamental Rights: Politics, law and policy*, Oxford: Hart, 2004.
- 14 E Fierro, *The EU's Approach to Human Rights Conditionality in Practice*, The Hague: Martinus Nijhoff, 2003.
- 15 Ibid.

- 16 *Consolidated Version of the Treaty Establishing The European Community*, 1997, www.ab.gov.tr/files/ardb/evt/1_avrupa_birligi/1_3_antlasmalar/1_3_2_tadil_antlasmalari/1997_cec_treaty_eng.pdf (accessed 14 Jul 2013).
- 17 B de Witte and G Toggenburg, 'Human rights and membership of the EU' in Peers and Ward, *The EU Charter of Fundamental Rights*.
- 18 Consilium, 'Cologne European Council: presidency conclusions, 3 and 4 June 1999', www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/ec/kolnen.htm (accessed 14 Jul 2013).
- 19 European Council, 'European Council – Nice, 7–10 December 2000: conclusions of the presidency', www.europarl.europa.eu/summits/nice1_en.htm (accessed 14 Jul 2013).
- 20 Regardless, the Union, through practice such as the creation of the European Instrument for Democracy and Human Rights and the jurisprudence of the CJEU, seems to accept the customary law character of the Declaration.
- 21 Accession of the EU to the ECHR became a legal obligation under the Treaty of Lisbon (Article 6, paragraph 2). Meanwhile, Article 59, para 2, of the ECHR was drafted specifically for such an occasion, ('the European Union may accede to this Convention'), as amended by Protocol No 14 to the ECHR, which entered into force on 1 June 2010.
- 22 The seven chapters covered concepts of dignity, freedom, equality, solidarity, citizens rights, justice and general provisions. See 'Charter of Fundamental Rights of the European Union', *Official Journal of the European Communities*, C 364/1, 18 Dec 2000, www.europarl.europa.eu/charter/pdf/text_en.pdf (accessed 14 Jul 2013).

- 23 *Treaty of Lisbon Amending the Treaty on European Union and the Treaty Establishing the European Community, signed at Lisbon, 13 Dec 2007*, Article 1, Treaty of Lisbon; Article 6, Treaty on European Union.
- 24 ‘Consolidated version of the treaty of the European Union’, *Official Journal of the European Communities*, C 83/13, 30 Mar 2010, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:083:0013:0046:en:PDF> (accessed 14 Jul 2013).
- 25 Europaforum, ‘The Lisbon Treaty: information leaflet for the citizens of the European Union’, www.europaforum.public.lu/fr/dossiers-thematiques/2008/traite-lisbonne/Traite_Lisbonne_EN_08-04-2008_def_SIP.pdf (accessed 14 Jul 2013).
- 26 K Mathisen, ‘The impact of the Lisbon Treaty, in particular Article 6 TEU, on member states’ obligations with respect to the protection of fundamental rights’, 2010, http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1650544 (accessed 14 Jul 2013).
- 27 This was made clear in Article 6, which stated, ‘The Union recognises the rights, freedoms and principles set out in the Charter of Fundamental Rights of the European Union of 7 December 2000, as adapted at Strasbourg, on 12 December 2007, which shall have the same legal value as the Treaties’ (Article 6.1 TEU).
- 28 ‘Consolidated version of the treaty of the European Union’.
- 29 Ibid.
- 30 Council of Europe, ‘Memorandum of understanding between the Council of Europe and the European Union’, 117th Session of the Committee of Ministers, Cm(2007)74, Strasbourg, 10–11 May 2007, www.coe.int/t/dg4/nscentre/GE/JMA/MoU-CoE-EU.pdf (accessed 23 July 2013).

- 31 Economist Intelligence Unit, *Democracy Index 2011: Democracy under stress*, 2011, www.sida.se/Global/About%20Sida/S%C3%A5%20arbetar%20vi/EIU_Democracy_Index_Dec2011.pdf (accessed 14 Jul 2013).
- 32 ‘Profile: Beppe Grillo’, BBC News, 26 Feb 2013, www.bbc.co.uk/news/world-europe-21576869 (accessed 21 Mar 2013).
- 33 B Grillo, ‘Comunicato politico numero venticinque’, blog, 2009, www.beppegrillo.it/2009/09/comunicato_politico_numero_venticinque.html (accessed 14 Jul 2013).
- 34 NSD European Election Database, ‘Greece, parliamentary elections: election results 1990–2012’, 2012, Norwegian Social Science Data Services, www.nsd.uib.no/european_election_database/country/greece/ (accessed 9 Apr 2013).
- 35 See A Chatzistefanou, ‘Golden Dawn has infiltrated police, claims officer’, *Guardian*, 26 Oct 2012, www.guardian.co.uk/world/2012/oct/26/golden-dawn-infiltrated-greek-police-claims (accessed 1 Aug 2013).
- 36 M Brabant, ‘Witnesses tell of Greek police brutality’, 15 Dec 2008, BBC News, <http://news.bbc.co.uk/1/hi/world/europe/7782907.stm> (accessed 14 Jul 2013); H Smith, ‘Greek police face investigation after protest violence’, *Guardian*, 1 Jul 2011, www.guardian.co.uk/world/2011/jul/01/greek-police-investigation-protest-violence (accessed 1 Aug 2013); Amnesty International, ‘Greece: new report exposes alleged police brutality’, 30 Mar 2009, www.amnesty.org.uk/news_details.asp?NewsID=18130 (accessed 18 Jun 2012). See also a well-documented report published by J Roos in RoarMag.org, ‘Greek police wage war on their own people – in videos’, 1 Jul 2011, <http://roarmag.org/2011/07/greek-police-wage-war-on-their-own-people-in-videos/> (accessed 18 Jun 2012).

- 37 Transparency International, 'Corruption Perceptions Index: Overview', www.transparency.org/research/cpi/overview (accessed 14 Jul 2013); Freedom House, *Freedom in the World 2012: France*, 2012, www.freedomhouse.org/report/freedom-world/2011/france (accessed 18 Jun 2012).
- 38 'Nézőpont: a magyarok közel fele lemondana a demokráciáról a gazdasági növekedésért' [in Greek: 'Perspective Institute: nearly half of Hungarians would give up democracy for economic growth'], Origo.hu, *Magyar Nemzet*, 25 Oct 2011, www.origo.hu/itthon/20111025-nezopont-az-emberek-kozel-harmada-felvaltana-a-demokraciat-a-gyors.html (accessed 14 Jul 2013).
- 39 Political Capital, 'Back by popular demand: Demand for Right-Wing Extremism (DEREX) index', 2010, www.riskandforecast.com/useruploads/files/derec_study.pdf (accessed 14 Jul 2013).
- 40 Human Rights Watch, 'Hungary: reforms needed to new constitution', 23 Jun 2011, www.hrw.org/news/2011/06/23/hungary-reforms-needed-new-constitution (accessed 18 Jun 2012).
- 41 Venice Commission of the Council of Europe, 'Draft opinion on the new constitution of Hungary' Opinion no. 618/2011, Jun 2011, www.venice.coe.int/docs/2011/CDL_per_cent282011_per_cent29032-e.asp (accessed 18 Jun 2012).
- 42 E Tsakopoulos-Kounalakis, 'A second look', *Heti Válasz*, 8 Dec 2011, <http://hungary.usembassy.gov/kounalakis12082011.html> (accessed 18 Jun 2012).
- 43 Europa, 'Statement of the European Commission on the situation in Hungary on 11 Jan 2012', press release, 11 Jan 2012, http://europa.eu/rapid/press-release_MEMO-12-g_en.htm?locale=en (accessed 14 Jul 2013); European Parliament, 'European Parliament resolution of 5 July 2011 on the Revised Hungarian Constitution', 5 Jul 2011, www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2011-0315+0+DOC+XML+Vo//EN&language=EN (accessed 18 Jun 2012).

- 44 J Ewing and J Kanter, 'European Union gives Hungary an ultimatum', *New York Times*, 12 Jan 2012, www.nytimes.com/2012/01/13/world/europe/european-union-gives-hungary-an-ultimatum.html (accessed 18 Jun 2012).
- 45 Europa, 'Statement of the European Commission on the situation in Hungary on 11 Jan 2012'.
- 46 European Parliament Committee on Civil Liberties, Justice and Human Affairs, 'Draft report on the situation of fundamental rights: standards and practices in Hungary', 2 May 2013, www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A7-2013-0229+0+DOC+XML+Vo//EN&language=en (accessed 28 Jun 2013).
- 47 Venice Commission of the Council of Europe, 'Opinion on the cardinal acts on the judiciary that were amended following the adoption of opinion CDL-AD(2012)001 on Hungary', 15 Oct 2012, www.venice.coe.int/webforms/documents/?country=17&year=all (accessed 24 Apr 2013).
- 48 Venice Commission of the Council of Europe, 'Opinion on the fourth amendment to the fundamental law of Hungary adopted by the Venice Commission at its 95th plenary session', Venice, 15 Jun 2013, www.venice.coe.int/webforms/documents/?country=17&year=all (accessed 28 Jun 2013).
- 49 V Szigetvári, C Tordai and B Veto, 'Beyond democracy: the model of the new Hungarian parliamentary electoral system (Part 2)', Nov 2011, <http://lapa.princeton.edu/hosteddocs/hungary/Beyond%20democracy%20-%2027%20Nov%202011.pdf> (accessed 14 Jul 2013); Republikon Analysis, "'Royal Television?": government dominance and the disappearance of opposition views in the Hungarian Public Television (MTV)', 2011, www.republikon.hu/upload/4000183/media_hungary_0910.pdf (accessed 18 Jun 2012).
- 50 Thank you to Tamas Boros of Policy Solutions for this clarification.

- 51 Freedom House, *Nations in Transit 2012: Hungary*, 2012, www.freedomhouse.org/report/nations-transit/2012/hungary (accessed 18 Jul 2013).
- 52 G Benedetto, 'Is the Greek electoral system to blame?', blog, Centre for European Politics, 23 May 2012, <http://cep.rhul.ac.uk/cep-blog/2012/5/23/is-the-greek-electoral-system-to-blame-1.html> (accessed 18 Jun 2012).
- 53 NSD European Election Database, 'Greece, parliamentary elections: election results 1990–2012'; Ministry of Interior, 'Parliamentary Elections June 2012', 2012, [www.ekloges.yypes.gr/v2012b/public/index.html?lang=en#{\"cls\": \"level\", \"params\": {\"level\": \"epik\", \"id\": 1}}](http://www.ekloges.yypes.gr/v2012b/public/index.html?lang=en#{\) (accessed 9 Apr 2013).
- 54 Freedom House, *Nations in Transit 2012: Bulgaria*, 2012, www.freedomhouse.org/report/nations-transit/2012/bulgaria (accessed 29 Aug 2012).
- 55 NSD European Election Database, 'Greece, parliamentary elections: election results 1990–2012'.
- 56 H Smith, 'Greeks protest against violent neo-Nazi MP on the run', *Guardian*, 8 Jun 2012, www.guardian.co.uk/world/2012/jun/08/greek-police-golden-dawn; M Margaronis, 'Fear and loathing in Athens: the rise of Golden Dawn and the far right', *Guardian*, 26 Oct 2012, www.guardian.co.uk/world/2012/oct/26/golden-dawn-greece-far-right (accessed 14 Jul 2013); Red Notebook, '[Governments may collapse, but the collaboration between the riot squads and the far-right remains]', in *Greek*, 30 Jun 2011, <http://rnbnet.gr/details.php?id=2839> (accessed 18 Jun 2012), an extensive blog post in *Greek* on the relationship between Golden Dawn and the Greek police, including articles and documentaries from mainstream Greek newspapers and TV channels.
- 57 J Kirchick, 'Meet Europe's new fascists', *Tablet*, 12 Apr 2012, www.tabletmag.com/jewish-news-and-politics/96716/meet-europes-new-fascists (accessed 14 Jul 2013); F Bruni, 'Round up

- the usual scapegoats', *New York Times*, 23 Apr 2012, www.nytimes.com/2012/04/24/opinion/bruni-in-hungary-the-usual-scapegoats.html (accessed 18 Jun 2012).
- 58 J Bartlett et al, *Populism in Europe: Hungary*, London: Demos, 2012.
- 59 European Commission, 'Fighting corruption in the EU'.
- 60 Transparency International, 'Corruption Perceptions Index 2011', www.transparency.org/cpi2011/results (accessed 27 Jul 2013); Transparency International, 'Corruption Perceptions Index 2012'.
- 61 Transparency International, 'Greece: the cost of a bribe', 3 Apr 2012, www.transparency.org/news/feature/greece_the_cost_of_a_bribe (accessed 14 Jul 2013).
- 62 Ibid.
- 63 H Smith, 'Greece's "Lagarde list" sparks calls for catharsis over tax avoidance', *Guardian*, 7 Jan 2013, www.guardian.co.uk/world/2013/jan/07/greece-christine-lagarde (accessed 14 Jul 2013).
- 64 'Former defense minister Akis Tsochatzopoulos arrested', Keep Talking Greece, 2012, www.keeptalkinggreece.com/2012/04/11/former-defense-minister-akis-tsochatzopoulos-arrested/ (accessed 18 Jun 2012).
- 65 'Greece's powerful union involved in a squander scandal?', Keep Talking Greece, 2012, www.keeptalkinggreece.com/2012/04/04/greeces-powerful-union-involved-in-a-squander-scandal/ (accessed 18 Jun 2012).
- 66 'Dozens named in Greece football scandal', BBC News, 25 Jun 2011, www.bbc.co.uk/news/world-europe-13914118 (accessed 18 Jun 2012).

- 67 C Papachlimintzos, 'Vatopedi scandal reaches prison', Athens News, 1 Jan 2012, www.athensnews.gr/issue/13476/51928 (accessed 18 Jun 2012).
- 68 R Donadio and N Kitsantonis, 'Corruption case hits hard in a tough time for Greece', *New York Times*, 2 May 2012, www.nytimes.com/2012/05/03/world/europe/akis-tsochatzopouloss-corruption-case-hits-hard-in-greece.html?pagewanted=all (accessed 14 Jul 2013).
- 69 Smith, 'Greece's "Lagarde list" sparks calls for catharsis over tax avoidance'.
- 70 M Chorianopoulos, 10 Jun 2012, '[ND official: those that we have "accommodated" should vote for us]', in Greek, News 247, http://news247.gr/eidiseis/politiki/ekloges-gr/stelexos_nd_na_mas_pshfisoy_n_aytoi_poy_volepsame.1811357.html (accessed 18 Jun 2012). Captured in video is the public admittance of these practices by a local ND party executive, calling for the people that have been 'favoured' by his party to not abstain from the upcoming elections, to remember that they are indebted to the party and to bring their parents to the ballot to vote for them too.
- 71 'Siemens, Greece settle decade-long bribery scandal', *Sydney Morning Herald*, 9 Mar 2012, www.smh.com.au/business/world-business/siemens-greece-settle-decadelong-bribery-scandal-20120309-1u023.html (accessed 14 Jul 2013); Keep Talking Greece, 'Greek ministers and Vatopedi scandal: much ado about nothing', blog, 19 Jan 2012, www.keeptalkinggreece.com/2011/01/19/greek-ministers-vatopedi-scandal-much-ado-about-nothing/ (accessed 14 Jul 2013); C Papachlimintzos, 'Submarine scandal resurfaces', Athens News, 20 Feb 2011, www.athensnews.gr/issue/13431/37986 (accessed 18 Jun 2012).
- 72 P Pulella, 'New Italy law tackles rampant corruption', Reuters, 30 Oct 2012, www.reuters.com/article/2012/10/30/us-italy-corruption-idUSBRE89T1MT20121030 (accessed 14 Jul 2013).

- 73 R Donadio and E Povolevo, 'Berlusconi, magnetic and divisive, whose politics were personal', *New York Times*, 12 Nov 2011, www.nytimes.com/2011/11/13/world/europe/berlusconi-both-drew-and-divided-italians.html?pagewanted=2&_r=0&ref=silvioberlusconi (accessed 21 Jan 2013).
- 74 Pulella, 'New Italy law tackles rampant corruption'.
- 75 Transparency International, 'Italy needs anti-corruption watchdog', 30 Mar 2012. www.transparency.org/news/pressrelease/20120330_italy_needs_anti_corruption_watchdog (accessed 2 Aug 2012).
- 76 Council of Europe, 'Council of Europe Group of States against Corruption calls on Italy to improve transparency in political party funding and to sanction corruption vigorously', press release, 11 Apr 2012, [www.coe.int/t/dghl/monitoring/greco/news/news\(20120411\)eval3italy_EN.asp](http://www.coe.int/t/dghl/monitoring/greco/news/news(20120411)eval3italy_EN.asp) (accessed 14 Jul 2013).
- 77 Feedback received from Dr Emil Tsenkov from the Centre for the Study of Democracy.
- 78 Sources for information on crime, corruption, politics and the presence of oligarchs: Center for the Study of Democracy, *Serious and Organised Crime Threat Assessment 2010–2011*, 2012, www.csd.bg/fileSrc.php?id=20822 (accessed 14 Jul 2013); Freedom House, *Freedom in the World 2012: The Arab uprisings and their global repercussions*, 2012, www.freedomhouse.org/report/freedom-world/freedom-world-2012 (accessed 14 Jul 2013); Bulgarian Helsinki Committee, *Human Rights in Bulgaria 2011*, 2012, http://issuu.com/bghelsinki/docs/bhc_annual_report_en_2011-1 (accessed 18 Jun 2012).
- 79 Freedom House, *Nations in Transit 2012: Bulgaria*.
- 80 'EU suspends funding for Bulgaria', BBC News, 23 Jul 2008, <http://news.bbc.co.uk/1/hi/7520736.stm> (accessed 8 Jun 2012).

- 81 'EU strips millions from Bulgaria', BBC News, 25 Nov 2008 <http://news.bbc.co.uk/1/hi/world/europe/7748300.stm> (accessed 8 Jun 2012).
- 82 European Commission, 'Report from the Commission to the European Parliament and the Council on progress in Bulgaria under the Cooperation and Verification Mechanism', SWD (2012) 232 final, 18 July 2012, http://ec.europa.eu/cvm/docs/com_2012_411_en.pdf, pp14–19 (accessed 14 Jul 2013).
- 83 Eurobarometer, *Corruption*, 2012, http://ec.europa.eu/public_opinion/archives/ebs/ebs_374_en.pdf (accessed 14 Jul 2013).
- 84 EUR-Lex, *Report from the Commission to the European Parliament and the Council on Progress in Romania under the Cooperation and Verification Mechanism*, 2012, http://eur-lex.europa.eu/smartapi/cgi/sga_doc?smartapi!celexplus!prod!DocNumber&lg=EN&type_doc=COMfinal&an_doc=2012&nu_doc=410 (accessed 27 Jul 2013).
- 85 Freedom House, *Freedom in the World 2008: Latvia*, 2008, www.freedomhouse.org/report/freedom-world/2008/latvia (accessed 18 Jun 2012).
- 86 Freedom House, *Freedom in the World 2011: Latvia*, 2011, www.freedomhouse.org/report/freedom-world/2011/latvia (accessed 18 Jun 2012).
- 87 Freedom House, *Nations in Transit 2012: Latvia*, 2012, www.freedomhouse.org/report/nations-transit/2012/latvia (accessed 29 Aug 2012).
- 88 John Dickie, interview with The Browser; see T Ash, 'John Dickie on the Italian Mafia', *Salon*, 18 Jun 2012, www.salon.com/2012/06/18/john_dickie_on_the_italian_mafia_salpart/ (accessed 27 Jul 2013).

- 89 J Hooper, 'Organised crime does pay in Italy – to the tune of €90bn', *Guardian*, 24 Oct 2007, www.guardian.co.uk/world/2007/oct/24/italy.johnhooper (accessed 14 Jul 2013).
- 90 J Mackenzie, 'Mafia now "Italy's No. 1 bank" as crisis bites: report', Reuters, 10 Jan 2012, www.reuters.com/article/2012/01/10/us-italy-mafia-idUSTRE80g1YX20120110 (accessed 14 Jul 2013).
- 91 BBC News, 'Judges held in Italy Naples mafia swoop', 19 Mar 2012, www.bbc.co.uk/news/world-europe-17429114 (accessed 14 Jul 2013).
- 92 B Waterfield, 'Italy repays £307 million to EU after road project "mafia corruption" exposed', *Telegraph*, 5 Jul 2012, www.telegraph.co.uk/news/worldnews/europe/italy/9376202/Italy-repays-307-million-to-EU-after-road-project-mafia-corruption-exposed.html (accessed 14 Jul 2013).
- 93 S Dimitrova, 'EC to continue monitoring Bulgaria, Romania', 23 Jul 2012, SE Times.com, www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2012/07/23/feature-02 (accessed 27 Jul 2013).
- 94 Attributed to Europol, and quoted in European Commission, 'Report from the Commission to the European Parliament and the Council on progress in Bulgaria under the Cooperation and Verification Mechanism'.
- 95 European Commission, 'Report from the Commission to the European Parliament and the Council on progress in Bulgaria under the Cooperation and Verification Mechanism'.
- 96 Freedom House, *Nations in Transit 2012: Bulgaria*.
- 97 European Commission, 'Report from the Commission to the European Parliament and the Council on progress in Bulgaria under the Cooperation and Verification Mechanism'.

- 98 European Commission, 'Report from the Commission to the European Parliament and the Council on Progress in Romania under the Cooperation and Verification Mechanism', SWD(2012) 231 final, 18 Jul 2012, http://ec.europa.eu/cvm/docs/com_2012_410_en.pdf (accessed 14 Jul 2013).
- 99 European Commission, 'Report from the Commission to the European Parliament and the Council on Progress in Romania under the Co-operation and Verification Mechanism', COM(2013) 47 final, 2013, http://ec.europa.eu/cvm/docs/com_2013_47_en.pdf (accessed 1 Aug 2013).
- 100 BBC Democracy Live, 'EU monitoring of Romania accused of becoming politicised', 14 Mar 2013, www.bbc.co.uk/democracylive/europe-21784058 (accessed 23 July 2013).
- 101 Freedom House, *Nations in Transit 2012: Hungary*.
- 102 Venice Commission of the Council of Europe, 'Opinion on the cardinal acts on the judiciary'.
- 103 Venice Commission of the Council of Europe, 'Opinion on the fourth amendment to the fundamental law of Hungary'.
- 104 M Bojarska, 'Orban's goulash less and less digestible', *Liberté*, 20 Jan 2012, <http://liberteworld.com/2012/01/20/orbans-goulash-less-and-less-digestible/> (accessed 14 Jul 2013); Freedom House, *Freedom in the World 2011: Hungary*, 2011, www.freedomhouse.org/report/freedom-world/2011/hungary (accessed 18 Jun 2012).
- 105 Office of the Parliament [Hungary], 'Fourth amendment to Hungary's fundamental law', 2013, <http://lapa.princeton.edu/hosteddocs/hungary/Fourth%20Amendment%20to%20the%20FL%20-Eng%20Corrected.pdf> (accessed 27 Jul 2013); K Lane Scheppele, 'Constitutional revenge', *New York Times*, 1 Mar 2013, http://krugman.blogs.nytimes.com/2013/03/01/guest-post-constitutional-revenge/?_r=0 (accessed 28 Jun 2013).

- 106 Freedom House, *Nations in Transit 2012: Hungary*; European Commission, 'European Commission launches accelerated infringement proceedings against Hungary', press release, 17 Jan 2013, http://europa.eu/rapid/press-release_IP-12-24_en.htm (accessed 28 Jun 2013).
- 107 Freedom House, *Nations in Transit 2006: Latvia*, 2006, www.freedomhouse.org/report/nations-transit/2006/latvia (accessed 27 Jul 2013).
- 108 J Dreifelds, 'Latvia' in *Nations in Transit 2012*, 2012, www.freedomhouse.org/sites/default/files/NIT2012Latvia_final.pdf (accessed 9 Apr 2013).
- 109 Eurobarometer, *Public Opinion in the European Union*, Eurobarometer 74, Feb 2011, http://ec.europa.eu/public_opinion/archives/eb/eb74/eb74_publ_en.pdf (accessed 9 Apr 2013).
- 110 Dreifelds, 'Latvia'.
- 111 Freedom House, *Freedom in the World 2012: Italy*, 2012 www.freedomhouse.org/report/freedom-world/2012/italy (accessed 14 Jul 2013).
- 112 B Moody and R Landucci, 'Insight: overloaded justice system ties Italy in knots', Reuters, 5 Apr 2012, www.reuters.com/article/2012/04/05/us-italy-justice-idUSBRE83409E20120405 (accessed 14 Jul 2013).
- 113 Freedom House, *Freedom of the Press 2012: Selected data from Freedom House's annual press freedom index*.
- 114 Freedom House, *Freedom of the Press 2012: Hungary*, 2012, www.freedomhouse.org/report/freedom-press/2012/hungary (accessed 9 Apr 2013).
- 115 Freedom House, *Nations in Transit 2012: Hungary*.

- 116 Ibid.
- 117 Centre for Media and Communications Studies, 'New media laws in Hungary', 2012, <http://cmcs.ceu.hu/node/26249> (accessed 18 Jun 2012).
- 118 N Goebel, 'Hungary agrees to amend controversial media law', DW, 8 Feb 2011, www.dw.de/hungary-agrees-to-amend-controversial-media-law/a-14824823 (accessed 18 Jun 2012).
- 119 Freedom House, *Freedom of the Press 2012: Romania*, 2012, www.freedomhouse.org/report/freedom-press/2012/romania (accessed 14 Jul 2013).
- 120 'Press freedom in Romania: journalism under fire', blog, Eastern Approaches, 1 Sep 2012, www.economist.com/blogs/easternapproaches/2012/09/press-freedom-romania (accessed 14 Jul 2013).
- 121 Freedom House, *Freedom of the Press 2012: Bulgaria*, 2012, www.freedomhouse.org/report/freedom-press/2012/bulgaria (accessed 14 Jul 2013).
- 122 Freedom House, *Freedom of the Press 2008: Italy*, 2008, www.freedomhouse.org/report/freedom-press/2008/italy (accessed 27 Jul 2013).
- 123 Freedom House, *Freedom in the World 2011: Italy*, 2011, www.freedomhouse.org/report/freedom-world/2011/italy (accessed 18 Jun 2012).
- 124 R Donadio, 'Under threat, Berlusconi enlists his media empire', *New York Times*, 11 Feb 2011, www.nytimes.com/2011/02/12/world/europe/12italy.html (accessed 18 Jun 2012).
- 125 Venice Commission, 'Comments on the compatibility of the Gasparri Law with the Council of Europe Standards in the field of freedom of expression and pluralism of the media', Op Nr 309/2004, CDL(2005)050, 31 Aug 2005.

- 126 EurActiv, 'EU court strikes Berlusconi's media empire', 29 Jul 2011, www.euractiv.com/competition/eu-court-strikes-berlusconi-media-empire-news-506824 (accessed 18 Jun 2012).
- 127 RefWorld, 'Freedom of the Press 2011: Greece', 2011, www.unhcr.org/refworld/country,,FREEHOU,,GRC,,4e7303741a,o.html (accessed 22 Aug 2012).
- 128 Public Issue, '[How the opinion poll published by Public Issue was altered]', in Greek, 4 Jun 2012, www.publicissue.gr/2033/parapoiisi-dimoskopisis/ (accessed 14 Jul 2013); '[Misinformation by Mega channel]', in Greek, *Gazzetta*, 15 May 2012, www.gazzetta.gr/politiki/article/289346-i-parapliroforisito-y-mega (accessed 18 Jun 2012). Discusses inverting polling results in the first instance, altering the German Federal Minister's words in the second.
- 129 R Greenslade, 'Press freedom alarm over Greek party's treatment of journalists', *Guardian*, 8 May 2012, www.guardian.co.uk/media/greenslade/2012/may/08/greece-press-freedom (accessed 2 Aug 2012).
- 130 M Hanrahan, 'Jerusalem Post reporter attacked in Athens: Gil Shefler assaulted for filming mob attack', *Huffington Post*, 8 Jun 2012, www.huffingtonpost.com/2012/06/08/reporter-attacked-athens-mob-greece_n_1581185.html (accessed 18 Jun 2012).
- 131 H Smith, 'Greek editor Kostas Vaxevanis acquitted over Swiss bank list', *Guardian*, 2 Nov 2012, www.guardian.co.uk/world/2012/nov/01/greek-editor-kostas-vaevanis-acquitted (accessed 27 Jul 2013).
- 132 J Borger, 'Greek journalists warn over press freedom', *Guardian*, 29 Oct 2012, www.guardian.co.uk/world/2012/oct/29/greek-journalists-warn-press-freedom (accessed 14 Jul 2013); 'Greek bank list editor Costas Vaxevanis acquitted', BBC News, 1 Nov 2012, www.bbc.co.uk/news/world-europe-20121101 (accessed 14 Jul 2013).

- 133 Freedom House, *Freedom of the Press 2012: Latvia*, 2012, www.freedomhouse.org/report/freedom-press/2012/latvia (accessed 9 Apr 2013).
- 134 Freedom House, *Freedom in the World 2011: Latvia*.
- 135 'Latvia's media: press under pressure', *The Economist*, 9 Dec 2010, www.economist.com/blogs/easternapproaches/2010/12/latvias_media (accessed 18 Jun 2012).
- 136 Freedom House, *Freedom in the World 2012: Italy*.
- 137 Amnesty International, 'Greece must stop treating migrants as criminals', 27 Jul 2010, www.amnesty.org/en/news-and-updates/report/greece-must-stop-treating-migrants-criminals-2010-07-27 (accessed 14 Jul 2013).
- 138 T Syring, 'European Court of Human Rights' judgment on expulsion of asylum seekers: *M.S.S. v. Belgium and Greece*'. ASIL Insights, 24 Feb 2011, www.asil.org/insights110224.cfm (accessed 20 Aug 2012).
- 139 Council of Europe, 'Need to halt transfer of asylum seekers to Greece: Commissioner Hammarberg intervenes in the Strasbourg Court', press release, 1 Sep 2010, www.coe.int/t/commissioner/news/2010/100901strasbourgcourt_EN.asp (accessed 21 August 2012)
- 140 Human Rights Watch, 'Hate on the streets: xenophobic violence in Greece', 10 Jul 2012, www.hrw.org/reports/2012/07/10/hate-streets-o (accessed 21 Aug 2012); Margaronis, 'Fear and loathing in Athens: the rise of Golden Dawn and the far right'.
- 141 S Erlanger, 'France enforces ban on full-face veils in public', *New York Times*, 11 Apr 2011, www.nytimes.com/2011/04/12/world/europe/12france.html, (accessed 18 Jun 2012)

- 142 A Chrisafis, 'France bans burqa and niqab', *Guardian*, 11 Apr 2011, www.guardian.co.uk/world/2011/apr/11/france-bans-burqa-and-niqab, (accessed 18 Jun 2012).
- 143 A Chrisafis, 'France's Burqa ban: women are "effectively under house arrest"', *Guardian*, 19 Sep 2011, www.guardian.co.uk/world/2011/sep/19/battle-for-the-burqa (accessed 18 Jun 2012).
- 144 P Allen, 'French burka ban: police arrest two veiled women', *Telegraph*, 11 Apr 2011, www.telegraph.co.uk/news/worldnews/europe/france/8442622/French-burka-ban-police-arrest-two-veiled-women.html (accessed 18 Jun 2012).
- 145 'Hollande would keep burqa ban'. CBC News, 27 Apr 2012, www.cbc.ca/news/world/story/2012/04/27/france-francois-hollande-burqa-ban.html (accessed 18 Jun 2012).
- 146 J Rozenberg, 'Would the burqa ban stand up at the European Court?', *Guardian*, 13 Apr 2011, www.guardian.co.uk/law/2011/apr/13/law-burqa-ban-european-court (accessed 18 Jun 2012).
- 147 European Court of Human Rights, *Leyla Şahin v. Turkey*, application no 44774/98, 29 Jun 2004, <http://cmiskp.echr.coe.int/tkp197/view.asp?action=html&documentId=699739&portal=hbkm&source=externalbydocnumber&table=F69A27FD8FB86142BF01C1166DEA398649> (accessed 14 Jul 2013); and *Dahlab v. Switzerland*, application no 42393/98, 15 Feb 2001, http://baer.rewi.hu-berlin.de/w/files/l_adr/dahlab_echr_2001_4239398.pdf (accessed 18 Jun 2012).
- 148 European Court of Human Rights, *Ahmet Arslan et autres c. Turquie*, application no 41135/98, 23 Feb 2010, <http://strasbourgconsortium.org/document.php?DocumentID=4731> (accessed 18 Jun 2012).

- 149 'French firing over veil was "religious discrimination"', France 24, 25 Mar 2013, www.france24.com/en/20130319-france-court-nursery-school-firing-veil-religious-discrimination (accessed 28 Jun 2013).
- 150 Cour de Cassation, 'Chambre Social: arrêt no 537 du 19 mars 2013 (12-11.690)', www.courdecassation.fr/jurisprudence_2/chambre_sociale_576/537_19_25763.html (accessed 28 Jun 2013).
- 151 Freedom House, *Freedom in the World 2012: Bulgaria*, [2012], www.freedomhouse.org/report/freedom-world/2012/bulgaria (accessed 14 Jul 2013).
- 152 Freedom House, *Freedom in the World 2012: Greece*, 2012, www.freedomhouse.org/report/freedom-world/2012/greece (accessed 14 Jul 2013).
- 153 European Commission, 'EU and Roma', 4 Apr 2013, http://ec.europa.eu/justice/discrimination/roma/index_en.htm (accessed 14 Jul 2013).
- 154 Hungary Around the Clock, 'International "radicalism index" puts Hungary fifth of 33 countries; belief in genetic roots of Roma crime widespread', Politics. hu, 5 Dec 2011, www.politics.hu/20111205/international-radicalism-index-puts-hungary-fifth-of-33-countries-belief-in-genetic-roots-of-roma-crime-widespread/ (accessed 14 Jul 2013).
- 155 Freedom House, *Nations in Transit 2012: Hungary*.
- 156 Freedom House, *Freedom in the World 2012: Romania*, 2012, www.freedomhouse.org/report/freedom-world/2012/romania (accessed 14 Jul 2013).
- 157 Freedom House, *Freedom in the World 2012: Bulgaria*.
- 158 Freedom House, *Freedom in the World 2012: Greece*.

- 159 'France sends Roma gypsies back to Romania'. BBC News, 20 Aug 2010, www.bbc.co.uk/news/world-europe-11020429 (accessed 21 Feb 2012).
- 160 'EU's Reding loses patience with France on Roma', EurActiv, 14 Sep 2010, www.euractiv.com/future-eu/eus-reding-loses-patience-france-news-497770 (accessed 18 Jun 2012).
- 161 M Saltmarsh, 'EU suspends case against France for expulsions of Roma', *New York Times*, 19 Oct 2010 www.nytimes.com/2010/10/20/world/europe/20roma.html (accessed 18 Jun 2012).
- 162 I Traynor, 'French "anti-Gypsy policy" denounced by European Parliament'. *Guardian*, 9 Sep 2010, www.guardian.co.uk/world/2010/sep/09/french-anti-gypsy-european-parliament (accessed 18 Jun 2012).
- 163 'Euro MPs tell France to stop deporting Roma', BBC, 9 Sep 2010, www.bbc.co.uk/news/world-europe-11243923 (accessed 18 Jun 2012).
- 164 T. Landman and J Häusermann, *Map-making and Analysis of the Main International Initiatives on Developing Indicators on Democracy and Good Governance*, Human Rights Centre, University of Essex, 2003, www.oecd.org/dac/governance-development/20755719.pdf (accessed 14 Jul 2013).
- 165 Ibid.
- 166 JR Suesser and RS de Miguel, 'Metagora: an experiment in the measurement of democratic governance' in J Asher, DL Banks and F Scheuren (eds), *Statistical Methods for Human Rights*, New York: Springer, 2008.
- 167 T Landman (ed), *Assessing the Quality of Democracy: An overview of international IDEA framework*, 2008, www.idea.int/publications/aqd/upload/AssessingOverviewWeb.pdf (accessed 14 Jul 2013).

- 168 GL Munck and J Verkuilen, 'Conceptualizing and measuring democracy: alternative indices', *Comparative Political Studies* 35, no 1, 2002.
- 169 Ibid; see also KA Bollen and P Paxton, 'Subjective measures of liberal democracy', *Comparative Political Studies* 33, no 1, 2000; M Coppedge and WH Reinicke, 'Measuring polyarchy', *Studies in Comparative International Development* 25, no 1, 1990.
- 170 For an overview of 'thick' and 'thin' concepts, see M Coppedge, 'Defining and measuring democracy' in *Political Concepts*, Committee on Concepts and Methods Working Paper Series, Apr 2005, www.nd.edu/~mcoppedg/crd/ch2.pdf (accessed 18 Jun 2012).
- 171 RA Dahl, *Polyarchy: Participation and opposition*, New Haven: Yale University Press, 1970.
- 172 T Vanhanen, 'A new dataset for measuring democracy, 1810–1998', *Journal of Peace Research* 37, no 2, www.fsd.uta.fi/fi/aineistot/taustatietoa/FSD1289/Introduction_2010.pdf (accessed 18 Jun 2012).
- 173 Committee on Evaluation of USAID Democracy Assistance Programs, National Research Council, *Improving Democracy Assistance: Building knowledge through evaluations and research*, Washington DC: National Academies Press, 2008, www.nap.edu/openbook.php?record_id=12164&page=75 (accessed 14 Jul 2013).
- 174 Freedom House, 'Methodology', 2012, www.freedomhouse.org/report/freedom-world-2012/methodology (accessed 18 Jun 2012).
- 175 KA Bollen, 'Political rights and political liberties in nations: an evaluation of human rights measures, 1950 to 1984', *Human Rights Quarterly* 8, no 4, 1986, www.jstor.org/discover/10.2307/762193?uid=3738032&uid=2129&uid=2&uid=70&uid=4&sid=47699055021737 (accessed 18 Jun 2012).

- 176 L Kekic, 'The Economist Intelligence Unit's index of democracy', 2007, www.economist.com/media/pdf/DEMOCRACY_INDEX_2007_v3.pdf (accessed 18 Jun 2012).
- 177 Ibid.
- 178 D Kaufmann and A Kraay, 'Governance indicators: where are we, where should we be going?', Policy Research Working Paper, World Bank, <http://info.worldbank.org/governance/wgi/pdf/wps4370.pdf> (accessed 14 Jul 2013).
- 179 Polity IV Project, www.systemicpeace.org/polity/polity4.htm (accessed 18 Jun 2012).
- 180 M Coppedge and J Teorell, 'A new approach to conceptualizing and measuring democracy', paper presented at the 3rd International Conference on Democracy as Idea and Practice, University of Oslo, Norway, 12–13 Jan 2012, www.uio.no/english/research/interfaculty-research-areas/democracy/news-and-events/events/conferences/2012/papers-2012/Coppedge-et-al-Wshop7.pdf (accessed 14 Jul 2013).
- 181 D Kauffman, A Kraay and M Mastruzzi, 'The worldwide governance indicators: methodology and analytical issues', World Bank, Sep 2010, <http://info.worldbank.org/governance/wgi/pdf/WGI.pdf> (accessed 14 Jul 2013).
- 182 Epstein and Sedelmeier, 'Beyond conditionality'; Sasse, 'The politics of EU conditionality'.
- 183 Sasse, 'The politics of EU conditionality'.
- 184 Vachudova, 'Tempered by the EU?'
- 185 Vachudova, 'Corruption and compliance in the EU's post-Communist members and candidates'.
- 186 Skidmore and Bound, *The Everyday Democracy Index*.

- 187 T Bentley, *Everyday Democracy*, London: Demos, 2005.
- 188 Skidmore and Bound, *The Everyday Democracy Index*.
- 189 Ibid.
- 190 J Schwartz, 'Participation and multisubjective understanding: an interpretivist approach to the study of political participation', *Journal of Politics* 46, 1984.
- 191 Kaufmann and Kraay, 'Governance indicators'.
- 192 Skidmore and Bound, *The Everyday Democracy Index*.
- 193 Kaufmann and Kraay, 'Governance indicators'.
- 194 Munck and Verkuilen, 'Conceptualizing and measuring democracy'.
- 195 World Bank, *Strengthening World Bank Group Engagement on Governance and Anticorruption*, 2007, <http://siteresources.worldbank.org/EXTGOVANTICORR/Resources/3035863-1281627136986/GACStrategyPaper.pdf> (accessed 18 Jun 2012).
- 196 D Kaufmann, F Recanatini and S Biletsky, *Assessing Governance: Diagnostic tools and applied methods for capacity building and action learning*, World Bank, 2002, www1.worldbank.org/publicsector/LearningProgram/anticorrupt/kaufassessing.pdf (accessed 18 Jun 2012).
- 197 Vanhanen, 'A new dataset for measuring democracy, 1810–1998'.
- 198 DL Cingranelli and DL Richards, 'Short variable descriptions for indicators in the Cingranelli-Richards (CIRI) human rights dataset', CIRI Human Rights Data Project, 2008, http://ciri.binghamton.edu/documentation/ciri_variables_short_descriptions.pdf (accessed 18 Jun 2012).
- 199 Skidmore and Bound, *The Everyday Democracy Index*.

- 200 Ibid.
- 201 See CIRI Human Rights Data Project, 'CIRI frequently asked questions', www.humanrightsdata.org/faq.asp#1 (accessed 14 Jul 2013).
- 202 US Department of State, *Romania: International Religious Freedom Report 2010*, 2010, www.state.gov/j/drl/rls/irf/2010/148975.htm (accessed 25 July 2013).
- 203 See CIRI Human Rights Data Project, 'CIRI frequently asked questions'.
- 204 J Kerry, 'Secretary's preface' in US Dept of State, *Country Reports on Human Rights Practices for 2012*, www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper (accessed 14 Jul 2013).
- 205 US Department of State, *2011 Human Rights Reports: Bulgaria*, 2012, www.state.gov/j/drl/rls/hrrpt/2011/eur/186338.htm (accessed 27 Jul 2013); US Department of State, 'Bulgaria: Executive summary', 2011, www.state.gov/documents/organization/186548.pdf (accessed 27 Jul 2013).
- 206 Freedom House, *Nations in Transit 2012: Bulgaria*.
- 207 Freedom House, *Nations in Transit 2012: Hungary*.
- 208 Political Capital, 'Attitude radicals in Hungary – in international context', Feb 2013, www.riskandforecast.com/post/in-depth-analysis/attitude-radicals-in-hungary-in-international-context_734.html (accessed 12 Apr 2013).
- 209 'Far-right extremism "a real threat" says UK security minister', BBC News, 13 Mar 2013, www.bbc.co.uk/news/uk-21767326 (accessed 27 Jul 2013).

- 210 Demos analysis conducted on 2008 and 2010 data from European Social Survey, available for download from www.europeansocialsurvey.org/ (accessed 25 Jul 2013).
- 211 ADL, 'ADL survey in ten European countries finds anti-Semitism at disturbingly high levels', press release, Anti-Defamation League, 20 Mar 2012, www.adl.org/press-center/press-releases/anti-semitism-international/adl-survey-in-ten-european-countries-find-anti-semitism.html#. UWhPWIXyA6E (accessed 14 Jul 2013).
- 212 The UK and Ireland are the only countries with opt-outs on the Schengen Agreement. Bulgaria, Croatia, Cyprus and Romania are legally obliged to join in the future. The Schengen Area also includes Iceland, Liechtenstein, Norway and Switzerland, which are non-EU members but members of the European Free Trade Area (EFTA).
- 213 GHK, *Volunteering in the European Union*, 2010, http://ec.europa.eu/citizenship/pdf/doc1018_en.pdf (accessed 17 Jul 2013).
- 214 Eurofond, *European Quality of Life Survey*, 2012, www.eurofound.europa.eu/surveys/eqls/2011/ (accessed 17 Jul 2013).
- 215 RD Putnam, *Bowling Alone: The collapse and revival of American community*, New York: Simon & Schuster, 2000.
- 216 T Judd, *Postwar: A history of Europe since 1945*, London: Pimlico, 2005.
- 217 European Parliament, *Report on the Situation of Fundamental Rights in the European Union (2010–2011)*, Committee on Civil Liberties, Justice and Home Affairs, 22 Nov 2012
- 218 European Commission, 'Infringements of EU law', 23 Jan 2013, http://ec.europa.eu/eu_law/infringements/infringements_en.htm (accessed 14 Jul 2013).

- 219 European Scrutiny Committee, 'Infringement proceedings against member states', 19 Jul 2012, www.publications.parliament.uk/pa/cm201213/cmselect/cmeuleg/86-viii/8614.htm (accessed 14 Jul 2013).
- 220 Digital Agenda for Europe, 'Infringements', European Commission, nd, <https://ec.europa.eu/digital-agenda/en/infringements> (accessed 27 Jul 2013).
- 221 Amnesty International, 'Request to trigger infringement procedure against Italy for breaching Race Equality Directive', letter, 20 Jul 2012, www.amnesty.eu/content/assets/Doc2012/B1236_Letter_to_Commissioner_Reding_to_trigger_infringement_procedure_against_Italy.pdf (accessed 14 Jul 2013).
- 222 Ibid.
- 223 Europa, 'European Commission launches accelerated infringement proceedings against Hungary over the independence of its central bank and data protection authorities as well as over measures affecting the judiciary', press release, 17 Jan 2012, <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/12/24> (accessed 14 Jul 2013).
- 224 Europa, 'Statement by Viviane Reding... on the recent developments concerning the respect for EU law as regards the situation of Romania', press release, 19 Oct 2010, http://europa.eu/rapid/press-release_MEMO-10-502_en.htm (accessed 27 Jul 2013).
- 225 MTI, 'EU court registers two infringement procedures against Hungary', 19 Jun 2012, Politics.Hu, www.politics.hu/20120619/eu-court-registers-two-infringement-procedures-against-hungary/ (accessed 14 Jul 2013).
- 226 European Commission, 'Action under article 260', 6 Jun 2013, http://ec.europa.eu/eu_law/infringements/infringements_260_en.htm (accessed 14 Jul 2013).

- 227 Ibid.
- 228 Europa, 'Statement of the European Commission on the situation in Hungary on 11 January 2012'.
- 229 Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation, 27 Nov 2000, <http://eur-lex.europa.eu/Notice.do?checktexts=checkbox&val=237068> (accessed 14 Jul 2013).
- 230 Venice Commission of the Council of Europe, 'Opinion on the cardinal acts on the judiciary that were amended following the adoption of opinion CDL-AD(2012)001 on Hungary'.
- 231 AFP, 'Hungarian PM attacks EU "blackmail" over IMF loan', 13 Apr 2012, www.google.com/hostednews/afp/article/ALeqM5jNlnTsM2MlMpKsT-a8VzU3ggHCvg?docId=CNG.17a8f950c459eb9c24ac1a9e11bb9ocd.8a1 (accessed 27 Jul 2013).
- 232 H Samuel, 'French interior ministry ordered police to single out Roma, memo shows', *Telegraph*, 13 Sep 2010, www.telegraph.co.uk/news/worldnews/europe/france/8000119/French-interior-ministry-ordered-police-to-single-out-Roma-memo-shows.html (accessed 5 Jun 2013).
- 233 'France really faces EU infringement procedure over Roma', *Novinite*, 27 Sep 2010, www.novinite.com/view_news.php?id=120530 (accessed 14 Jul 2013).
- 234 C Middleton, 'EU drop legal proceedings against France', *Lawyer Monthly*, 13 Dec 2010, www.lawyer-monthly.com/news/EU-drop-legal-proceedings-against-France (accessed 14 Jul 2013).
- 235 Human Rights Watch, 'France's compliance with the European Free Movement Directive and the removal of ethnic Roma EU citizens: a briefing paper submitted to the European

- Commission in July 2011', 28 Sep 2011, www.hrw.org/node/101963 (accessed 14 Jul 2013).
- 236 Europa, 'Free movement: determined Commission action has helped movement cases', press release, 25 Aug 2011, <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/11/981> (accessed 14 Jul 2013).
- 237 R Kushen, 'Intolerant Europe: the drive against the Roma', *Global Dialogue* 12, no 2, 2010, www.worlddialogue.org/content.php?id=485 (accessed 14 Jul 2013).
- 238 A Chrisafis, 'Roma raids intensify in France as Socialists seek ways to end "PR disaster"', *Guardian*, 21 Aug 2012, www.guardian.co.uk/world/2012/aug/21/roma-raids-france-francois-hollande (accessed 14 Jul 2013).
- 239 Ibid.
- 240 M Banks, 'Criticism over "weak" EU response to Roma crisis', Parliament.com, 9 Sep 2010, www.theparliament.com/policy-focus/culture-education/culture-article/newsarticle/eu-commission-branded-weak-in-response-to-roma-crisis/#.UEXcXNBWqt8 (accessed 14 Jul 2013).
- 241 Ibid.
- 242 Freedom House, *Freedom of the Press 2011: Hungary*, 2011, www.freedomhouse.org/report/freedom-press/2011/hungary?page=251&year=2011&country=8053 (accessed 14 Jul 2013).
- 243 Letter from Neelie Kroes, vice-president of the European Commission, to Tibor Navracsics, Deputy Prime Minister, Hungary, 21 Jan 2011, http://cmcs.ceu.hu/sites/default/files/domain-69/cmcs-archive/EC_lettertoHungary_2011Jan21.pdf (accessed 14 Jul 2013).
- 244 Freedom House, *Freedom of the Press 2011: Hungary*.

- 245 Europa, 'Commission vice-president Kroes welcomes amendments to Hungarian media law', memo 16 Feb 2011, <http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/11/89> (accessed 14 Jul 2013).
- 246 Free Speech Debate, 'Hungary's new media regulation', 30 Mar 2012, <http://freespeechdebate.com/en/case/hungarys-new-media-regulation/> (accessed 14 Jul 2013).
- 247 Amnesty International, 'Freedom of expression under fire: briefing to the Hungarian government on the new media legislation', 2011, www.amnesty.org/en/library/asset/EUR27/004/2011/en/3af2e47c-a909-48d4-ad31-45f873ee892b/eur270042011en.pdf (accessed 14 Jul 2013).
- 248 'European Parliament resolution of 10 March 2011 on media law in Hungary', <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:199E:0154:0157:EN:PDF> (accessed 14 Jul 2013).
- 249 Human Rights Watch, 'Memorandum to the European Union on media freedom in Hungary', 16 Feb 2012, www.hrw.org/news/2012/02/16/memorandum-european-union-media-freedom-hungary (accessed 14 Jul 2013).
- 250 Human Rights Watch, 'Hungary: media freedom under threat', 16 Feb 2012, www.hrw.org/news/2012/02/16/hungary-media-freedom-under-threat (accessed 14 Jul 2013).
- 251 Reporters Without Borders, 'European Commission response to media law "inadequate"', 17 Feb 2011, <http://en.rsf.org/hungary-european-commission-response-to-17-02-2011,39575.html> (accessed 14 Jul 2013).
- 252 European Parliament, *Report on the Situation of Fundamental Rights in the European Union (2010–2011)*.
- 253 *Plaumann and Co. v. Commission*, Case 25/62, 1963 ECR 95.

- 254 M Calingaert, 'Sanctions against Austria pose troubling questions for the EU', *European Affairs* 1, no II, 2000, www.europeaninstitute.org/20000302762/Spring-2000/sanctions-against-austria-pose-troubling-questions-for-the-eu.html (accessed 14 Jul 2013).
- 255 Crismart, "'The 14" and the sanctions against Austria', Crisis Management Research and Training, nd, www.fhs.se/Documents/Externwebben/forskning/centrumbildningar/Crismart/Forskning/Fallbanken/EU_AND_1.PDF (accessed 14 Jul 2013).
- 256 A Evans-Pritchard, "'Wise men" urge EU to end Austria sanctions', *Telegraph*, 9 Sep 2000, www.telegraph.co.uk/news/worldnews/europe/austria/1354691/Wise-men-urge-EU-to-end-Austria-sanctions.html# (accessed 14 Jul 2013).
- 257 Ibid.
- 258 U Rippert, 'European Union lifts sanctions against Austria: a blank cheque for Jörg Haider', World Socialist Web Site, 15 Sep 2000, www.wsws.org/articles/2000/sep2000/haid-s15.shtml (accessed 14 Jul 2013).
- 259 HB Freeman, 'Austria: the 1999 parliamentary elections and the European Union members' sanction', *Boston College International and Comparative Law Review* 25, no 1, 2002, www.bc.edu/dam/files/schools/law/lawreviews/journals/bcicl/25_1/04_FMS.htm (accessed 14 Jul 2013).
- 260 European Parliament, *Report on the Situation of Fundamental Rights in the European Union (2010–2011)*.
- 261 Skidmore and Bound, *The Everyday Democracy Index*.
- 262 Munck and Verkuilen, 'Conceptualizing and measuring democracy'.

- 263 The CIRI Human Rights Data Project, www.humanrightsdata.org/ (accessed 14 Jul 2013).
- 264 CIRI Human Rights Data Project, 'CIRI frequently asked questions'.
- 265 See EVS, *EVS 2008 Guidelines and Recommendations*, GESIS Technical Reports 2010/16, European Values Study, 2010, www.europeanvaluesstudy.eu/ (accessed 17 Jul 2013).
- 266 Worldwide Governance Indicators, <http://info.worldbank.org/governance/wgi/resources.htm> (accessed 14 Jul 2013).
- 267 Nardo et al, *Handbook on Constructing Composite Indicators*.
- 268 Skidmore and Bound, *The Everyday Democracy Index*.
- 269 Nardo et al, *Handbook on Constructing Composite Indicators*; LSE and Demos, *Measuring Everyday Democracy: Evaluating the index for the EU and recommendations for an index in Latin America*, London: Capstone Project Report, 2007.
- 270 LSE and Demos, *Measuring Everyday Democracy*.
- 271 Ibid.

References

ADL, 'ADL survey in ten European countries finds anti-Semitism at disturbingly high levels', press release, Anti-Defamation League, 20 Mar 2012, www.adl.org/press-center/press-releases/anti-semitism-international/adl-survey-in-ten-european-countries-find-anti-semitism.html#.UWhPWIXyA6E (accessed 14 Jul 2013).

AFP, 'Hungarian PM attacks EU "blackmail" over IMF loan', 13 Apr 2012, www.google.com/hostednews/afp/article/ALeqM5jNlnTsM2MlMpKsT-a8VzU3ggHCvg?docId=CNG.17a8f950c459eb9c24ac1a9e11bb90cd.8a1 (accessed 27 Jul 2013).

Allen P, 'French burka ban: police arrest two veiled women', *Telegraph*, 11 Apr 2011, www.telegraph.co.uk/news/worldnews/europe/france/8442622/French-burka-ban-police-arrest-two-veiled-women.html (accessed 18 Jun 2012).

Amnesty International, 'Freedom of expression under fire: briefing to the Hungarian government on the new media legislation', 2011, www.amnesty.org/en/library/asset/EUR27/004/2011/en/3af2e47c-a909-48d4-ad31-45f873ce892b/eur270042011en.pdf (accessed 14 Jul 2013).

Amnesty International, 'Greece must stop treating migrants as criminals', 27 Jul 2010, www.amnesty.org/en/news-and-updates/report/greece-must-stop-treating-migrants-criminals-2010-07-27 (accessed 14 Jul 2013).

Amnesty International, 'Greece: new report exposes alleged police brutality', 30 Mar 2009, www.amnesty.org.uk/news_details.asp?NewsID=18130 (accessed 18 Jun 2012).

References

Amnesty International, 'Request to trigger infringement procedure against Italy for breaching Race Equality Directive', letter, 20 Jul 2012, www.amnesty.eu/content/assets/Doc2012/B1236_Letter_to_Commissioner_Reding_to_trigger_infringement_procedure_against_Italy.pdf (accessed 14 Jul 2013).

Ash T, 'John Dickie on the Italian Mafia', *Salon*, 18 Jun 2012, www.salon.com/2012/06/18/john_dickie_on_the_italian_mafia_salpart/ (accessed 27 Jul 2013).

Banks M, 'Criticism over "weak" EU response to Roma crisis', Parliament.com, 9 Sep 2010, www.theparliament.com/policy-focus/culture-education/culture-article/newsarticle/eu-commission-branded-weak-in-response-to-roma-crisis/#.UEXcXNBWqt8 (accessed 14 Jul 2013).

Bartlett J et al, *Populism in Europe: Hungary*, London: Demos, 2012.

BBC Democracy Live, 'EU monitoring of Romania accused of becoming politicised', 14 Mar 2013, www.bbc.co.uk/democracylive/europe-21784058 (accessed 23 July 2013).

BBC News, 'Judges held in Italy Naples mafia swoop', 19 Mar 2012, www.bbc.co.uk/news/world-europe-17429114 (accessed 14 Jul 2013).

Benedetto G, 'Is the Greek electoral system to blame?', blog, Centre for European Politics, 23 May 2012, <http://cep.rhul.ac.uk/cep-blog/2012/5/23/is-the-greek-electoral-system-to-blame-1.html> (accessed 18 Jun 2012).

Bentley T, *Everyday Democracy*, London: Demos, 2005.

Bojarska M, 'Orban's goulash less and less digestible', *Liberté*, 20 Jan 2012, <http://liberteworld.com/2012/01/20/orbans-goulash-less-and-less-digestible/> (accessed 14 Jul 2013).

Bollen KA, 'Political rights and political liberties in nations: an evaluation of human rights measures, 1950 to 1984', *Human Rights Quarterly* 8, no 4, 1986, www.jstor.org/discover/10.2307/762193?uid=3738032&uid=2129&uid=2&uid=70&uid=4&sid=47699055021737 (accessed 18 Jun 2012).

Bollen KA and Paxton P, 'Subjective measures of liberal democracy', *Comparative Political Studies* 33, no 1, 2000.

Borger J, 'Greek journalists warn over press freedom', *Guardian*, 29 Oct 2012, www.guardian.co.uk/world/2012/oct/29/greek-journalists-warn-press-freedom (accessed 14 Jul 2013).

Brabant M, 'Witnesses tell of Greek police brutality', 15 Dec 2008, BBC News, <http://news.bbc.co.uk/1/hi/world/europe/7782907.stm> (accessed 14 Jul 2013).

Bruni F, 'Round up the usual scapegoats', *New York Times*, 23 Apr 2012, www.nytimes.com/2012/04/24/opinion/bruni-in-hungary-the-usual-scapegoats.html (accessed 18 Jun 2012).

Bulgarian Helsinki Committee, *Human Rights in Bulgaria 2011*, 2012, http://issuu.com/bghelsinki/docs/bhc_annual_report_en_2011-1 (accessed 18 Jun 2012).

Calingaert M, 'Sanctions against Austria pose troubling questions for the EU', *European Affairs* 1, no II, 2000, www.europeaninstitute.org/20000302762/Spring-2000/sanctions-against-austria-pose-troubling-questions-for-the-eu.html (accessed 14 Jul 2013).

Campbell D, *The Basic Concept for the Democracy Ranking of the Quality of Democracy*, 29 Sep 2008, www.democracyranking.org/downloads/basic_concept_democracy_ranking_2008_A4.pdf (accessed 14 Jul 2013).

References

Center for the Study of Democracy, *Serious and Organised Crime Threat Assessment 2010–2011, 2012*, www.csd.bg/fileSrc.php?id=20822 (accessed 14 Jul 2013).

Centre for Media and Communications Studies, ‘New media laws in Hungary’, 2012, <http://cmcs.ceu.hu/node/26249> (accessed 18 Jun 2012).

‘Charter of Fundamental Rights of the European Union’, *Official Journal of the European Union*, 2007/C 303/01, 14 Dec 2007, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2007:303:0001:0016:en:PDF> (accessed 15 Jul 2013).

‘Charter of Fundamental Rights of the European Union’, *Official Journal of the European Communities*, C 364/1, 18 Dec 2000, www.europarl.europa.eu/charter/pdf/text_en.pdf (accessed 14 Jul 2013).

Chatzistefanou A, ‘Golden Dawn has infiltrated police, claims officer’, *Guardian*, 26 Oct 2012, www.guardian.co.uk/world/2012/oct/26/golden-dawn-infiltrated-greek-police-claims

Chorianopoulos M, 10 Jun 2012, ‘[ND official: those that we have “accommodated” should vote for us]’, in Greek, News 247, http://news247.gr/eidiseis/politiki/ekloges-gr/stelexos_nd_namas_pshfisoy_n_aytoi_poy_volepsame.1811357.html (accessed 18 Jun 2012).

Chrisafis A, ‘France bans burqa and niqab’, *Guardian*, 11 Apr 2011, www.guardian.co.uk/world/2011/apr/11/france-bans-burqa-and-niqab, (accessed 18 Jun 2012).

Chrisafis A, ‘France’s Burqa ban: women are “effectively under house arrest”’, *Guardian*, 19 Sep 2011, www.guardian.co.uk/world/2011/sep/19/battle-for-the-burqa (accessed 18 Jun 2012).

Chrisafis A, ‘Roma raids intensify in France as Socialists seek ways to end “PR disaster”’, *Guardian*, 21 Aug 2012,

www.guardian.co.uk/world/2012/aug/21/roma-raids-france-francois-hollande (accessed 14 Jul 2013).

Cingranelli DL and Richards DL, 'Short variable descriptions for indicators in the Cingranelli-Richards (CIRI) human rights dataset', CIRI Human Rights Data Project, 2008, http://ciri.binghamton.edu/documentation/ciri_variables_short_descriptions.pdf (accessed 18 Jun 2012).

CIRI Human Rights Data Project, 'CIRI frequently asked questions', www.humanrightsdata.org/faq.asp#1 (accessed 14 Jul 2013).

Committee on Evaluation of USAID Democracy Assistance Programs, National Research Council, *Improving Democracy Assistance: Building knowledge through evaluations and research*, Washington DC: National Academies Press, 2008, www.nap.edu/openbook.php?record_id=12164&page=75 (accessed 14 Jul 2013).

Consilium, 'Cologne European Council: presidency conclusions, 3 and 4 June 1999', www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/ec/kolnen.htm (accessed 14 Jul 2013).

Consolidated Version of the Treaty Establishing The European Community, 1997, www.ab.gov.tr/files/ardb/evt/1_avrupa_birligi/1_3_antlasmalar/1_3_2_tadil_antlasmalari/1997_ccc_treaty_eng.pdf (accessed 14 Jul 2013).

'Consolidated version of the treaty of the European Union', *Official Journal of the European Communities*, C 83/13, 30 Mar 2010, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:083:0013:0046:en:PDF> (accessed 14 Jul 2013).

Coppedge M, 'Defining and measuring democracy' in *Political Concepts*, Committee on Concepts and Methods Working Paper Series, Apr 2005, www.nd.edu/~mcoppedg/crd/ch2.pdf (accessed 18 Jun 2012).

References

Coppedge M and Reinicke WH, 'Measuring polyarchy', *Studies in Comparative International Development* 25, no 1, 1990.

Coppedge M and Teorell J, 'A new approach to conceptualizing and measuring democracy', paper presented at the 3rd International Conference on Democracy as Idea and Practice, University of Oslo, Norway, 12–13 Jan 2012, www.uio.no/english/research/interfaculty-research-areas/democracy/news-and-events/events/conferences/2012/papers-2012/Coppedge-et-al-Wshop7.pdf (accessed 14 Jul 2013).

Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation, 27 Nov 2000, <http://eur-lex.europa.eu/Notice.do?checktexts=checkbox&val=237068> (accessed 14 Jul 2013).

Council of Europe, 'Council of Europe Group of States against Corruption calls on Italy to improve transparency in political party funding and to sanction corruption vigorously', press release, 11 Apr 2012, [www.coe.int/t/dghl/monitoring/greco/news/news\(20120411\)eval3italy_EN.asp](http://www.coe.int/t/dghl/monitoring/greco/news/news(20120411)eval3italy_EN.asp) (accessed 14 Jul 2013).

Council of Europe, 'Memorandum of understanding between the Council of Europe and the European Union', 117th Session of the Committee of Ministers, Cm(2007)74, Strasbourg, 10–11 May 2007, www.coe.int/t/dg4/nscentre/GE/JMA/MoU-CoE-EU.pdf (accessed 23 July 2013).

Council of Europe, 'Need to halt transfer of asylum seekers to Greece: Commissioner Hammarberg intervenes in the Strasbourg Court', press release, 1 Sep 2010, www.coe.int/t/commissioner/news/2010/100901strasbourgcourt_EN.asp (accessed 21 August 2012)

Cour de Cassation, 'Chambre Social: arrêt no 537 du 19 mars 2013 (12-11.690)', www.courdecassation.fr/jurisprudence_2/

chambre_sociale_576/537_19_25763.html (accessed 28 Jun 2013).

Crismart, “‘The 14’ and the sanctions against Austria’, Crisis Management Research and Training, nd, www.fhs.se/Documents/Externwebben/forskning/centrumbildningar/Crismart/Forskning/Fallbanken/EU_AND_1.PDF (accessed 14 Jul 2013).

Dahl RA, *Polyarchy: Participation and opposition*, New Haven: Yale University Press, 1970.

de Witte B and Toggenburg G, ‘Human rights and membership of the EU’ in Peers and Ward, *The EU Charter of Fundamental Rights*.

Digital Agenda for Europe, ‘Infringements’, European Commission, nd, <https://ec.europa.eu/digital-agenda/en/infringements> (accessed 27 Jul 2013).

Dimitrova S, ‘EC to continue monitoring Bulgaria, Romania’, 23 Jul 2012, SE Times.com, www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2012/07/23/feature-02 (accessed 27 Jul 2013).

Donadio R, ‘Under threat, Berlusconi enlists his media empire’, *New York Times*, 11 Feb 2011, www.nytimes.com/2011/02/12/world/europe/12italy.html (accessed 18 Jun 2012).

Donadio R and Kitsantonis N, ‘Corruption case hits hard in a tough time for Greece’, *New York Times*, 2 May 2012, www.nytimes.com/2012/05/03/world/europe/akis-tsochatzopoulos-corruption-case-hits-hard-in-greece.html?pagewanted=all (accessed 14 Jul 2013).

Donadio R and Povolevo E, ‘Berlusconi, magnetic and divisive, whose politics were personal’, *New York Times*, 12 Nov 2011, www.nytimes.com/2011/11/13/world/europe/berlusconi-both-drew-and-divided-italians.html?pagewanted=2&_r=0&ref=silvioberlusconi (accessed 21 Jan 2013).

References

'Dozens named in Greece football scandal', BBC News, 25 Jun 2011, www.bbc.co.uk/news/world-europe-13914118 (accessed 18 Jun 2012).

Dreifelds J, 'Latvia' in *Nations in Transit 2012*, 2012, www.freedomhouse.org/sites/default/files/NIT2012Latvia_final.pdf (accessed 9 Apr 2013).

Economist Intelligence Unit, *Democracy Index 2011: Democracy under stress*, 2011, www.sida.se/Global/About%20Sida/S%C3%A5%20arbetar%20vi/EIU_Democracy_Index_Dec2011.pdf (accessed 14 Jul 2013).

Epstein RA and Sedelmeier U, 'Beyond conditionality: international institutions in postcommunist Europe after enlargement' *Journal of European Public Policy* 15, no 6, 2008, 795–805.

Erlanger S, 'France enforces ban on full-face veils in public', *New York Times*, 11 Apr 2011, www.nytimes.com/2011/04/12/world/europe/12france.html, (accessed 18 Jun 2012)

'EU strips millions from Bulgaria', BBC News, 25 Nov 2008 <http://news.bbc.co.uk/1/hi/world/europe/7748300.stm> (accessed 8 Jun 2012).

'EU suspends funding for Bulgaria', BBC News, 23 Jul 2008, <http://news.bbc.co.uk/1/hi/7520736.stm> (accessed 8 Jun 2012).

'EU's Reding loses patience with France on Roma', EurActiv, 14 Sep 2010, www.euractiv.com/future-eu/eus-reding-loses-patience-france-news-497770 (accessed 18 Jun 2012).

EUR-Lex, *Report from the Commission to the European Parliament and the Council on Progress in Romania under the Cooperation and Verification Mechanism*, 2012, http://eur-lex.europa.eu/smartapi/cgi/sga_doc?smartapi!celexplus!prod!DocNumber&lg=

EN&type_doc=COMfinal&an_doc=2012&nu_doc=410 (accessed 27 Jul 2013).

EurActiv, 'EU court strikes Berlusconi's media empire', 29 Jul 2011, www.euractiv.com/competition/eu-court-strikes-berlusconi-media-empire-news-506824 (accessed 18 Jun 2012).

Eurobarometer, *Corruption*, 2012, http://ec.europa.eu/public_opinion/archives/ebs/ebs_374_en.pdf (accessed 14 Jul 2013).

Eurobarometer, *Public Opinion in the European Union*, Eurobarometer 74, Feb 2011, http://ec.europa.eu/public_opinion/archives/eb/eb74/eb74_publ_en.pdf (accessed 9 Apr 2013).

Eurofound, *European Quality of Life Survey*, 2012, www.eurofound.europa.eu/surveys/eqls/2011/ (accessed 17 Jul 2013).

'Euro MPs tell France to stop deporting Roma', BBC, 9 Sep 2010, www.bbc.co.uk/news/world-europe-11243923 (accessed 18 Jun 2012).

Europa, 'Accession criteria (Copenhagen criteria)', nd, http://europa.eu/legislation_summaries/glossary/accession_criteria_copenhagen_en.htm (accessed 14 Jul 2013).

Europa, 'Commission vice-president Kroes welcomes amendments to Hungarian media law', memo 16 Feb 2011, <http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/11/89> (accessed 14 Jul 2013).

Europa, 'European Commission launches accelerated infringement proceedings against Hungary over the independence of its central bank and data protection authorities as well as over measures affecting the judiciary', press release, 17 Jan 2012, <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/12/24> (accessed 14 Jul 2013).

References

Europa, 'Free movement: determined Commission action has helped movement cases', press release, 25 Aug 2011, <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/11/981> (accessed 14 Jul 2013).

Europa, 'Statement by Viviane Reding... on the recent developments concerning the respect for EU law as regards the situation of Romania', press release, 19 Oct 2010, http://europa.eu/rapid/press-release_MEMO-10-502_en.htm (accessed 27 Jul 2013).

Europa, 'Statement of the European Commission on the situation in Hungary on 11 Jan 2012', press release, 11 Jan 2012, http://europa.eu/rapid/press-release_MEMO-12-9_en.htm?locale=en (accessed 14 Jul 2013).

Europaforum, 'The Lisbon Treaty: information leaflet for the citizens of the European Union', www.europaforum.public.lu/fr/dossiers-thematiques/2008/traite-lisbonne/Traite_Lisbonne_EN_08-04-2008_def_SIP.pdf (accessed 14 Jul 2013).

European Commission, 'Action under article 260', 6 Jun 2013, http://ec.europa.eu/eu_law/infringements/infringements_260_en.htm (accessed 14 Jul 2013).

European Commission, 'EU and Roma', 4 Apr 2013, http://ec.europa.eu/justice/discrimination/roma/index_en.htm (accessed 14 Jul 2013).

European Commission, 'European Commission launches accelerated infringement proceedings against Hungary', press release, 17 Jan 2013, http://europa.eu/rapid/press-release_IP-12-24_en.htm (accessed 28 Jun 2013).

European Commission, 'Fighting corruption in the EU', communication from the Commission to the European Parliament, the Council and the European Economic and Social

Committee', COM(2011) 308 final, 6 June 2011, [http://ec.europa.eu/home-affairs/news/intro/docs/110606/308/1_EN_ACT_part1_v12\[1\].pdf](http://ec.europa.eu/home-affairs/news/intro/docs/110606/308/1_EN_ACT_part1_v12[1].pdf) (accessed 14 Jul 2013).

European Commission, 'Infringements of EU law', 23 Jan 2013, http://ec.europa.eu/eu_law/infringements/infringements_en.htm (accessed 14 Jul 2013).

European Commission, *Making a Success of Enlargement: Strategy paper and report of the European Commission on the progress towards accession by each of the candidate countries*, nd; http://ec.europa.eu/enlargement/archives/pdf/key_documents/2001/strategy_en.pdf (accessed 27 Jul 2013).

European Commission, 'Report from the Commission to the European Parliament and the Council on progress in Bulgaria under the Cooperation and Verification Mechanism', SWD (2012) 232 final, 18 July 2012, http://ec.europa.eu/cvm/docs/com_2012_411_en.pdf, pp14–19 (accessed 14 Jul 2013).

European Commission, 'Report from the Commission to the European Parliament and the Council on Progress in Romania under the Co-operation and Verification Mechanism', COM(2013) 47 final, 2013, http://ec.europa.eu/cvm/docs/com_2013_47_en.pdf (accessed 1 Aug 2013).

European Commission, 'Report from the Commission to the European Parliament and the Council on progress in Romania under the Cooperation and Verification Mechanism', SWD(2012) 231 final, 18 Jul 2012, http://ec.europa.eu/cvm/docs/com_2012_410_en.pdf (accessed 14 Jul 2013).

European Council, 'European Council – Nice, 7–10 December 2000: conclusions of the presidency', www.europarl.europa.eu/summits/nice1_en.htm (accessed 14 Jul 2013).

References

European Court of Human Rights, *Ahmet Arslan et autres c. Turquie*, application no 41135/98, 23 Feb 2010, <http://strasbourgconsortium.org/document.php?DocumentID=4731> (accessed 18 Jun 2012).

European Court of Human Rights, *Leyla Şahin v. Turkey*, application no 44774/98, 29 Jun 2004, <http://cmiskp.echr.coe.int/tkp197/view.asp?action=html&documentId=699739&portal=hbkm&source=externalbydocnumber&table=F69A27FD8FB86142BF01C1166DEA398649> (accessed 14 Jul 2013).

European Parliament, 'European Parliament resolution of 5 July 2011 on the Revised Hungarian Constitution', 5 Jul 2011, www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2011-0315+0+DOC+XML+Vo//EN&language=EN (accessed 18 Jun 2012).

European Parliament, *Report on the Situation of Fundamental Rights in the European Union (2010–2011)*, Committee on Civil Liberties, Justice and Home Affairs, 22 Nov 2012

European Parliament Committee on Civil Liberties, Justice and Human Affairs, 'Draft report on the situation of fundamental rights: standards and practices in Hungary', 2 May 2013, www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A7-2013-0229+0+DOC+XML+Vo//EN&language=en (accessed 28 Jun 2013).

'European Parliament resolution of 10 March 2011 on media law in Hungary', <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:199E:0154:0157:EN:PDF> (accessed 14 Jul 2013).

European Scrutiny Committee, 'Infringement proceedings against member states', 19 Jul 2012, www.publications.parliament.uk/pa/cm201213/cmselect/cmeuleg/86-viii/8614.htm (accessed 14 Jul 2013).

Evans-Pritchard A, “Wise men” urge EU to end Austria sanctions’, *Telegraph*, 9 Sep 2000, www.telegraph.co.uk/news/worldnews/europe/austria/1354691/Wise-men-urge-EU-to-end-Austria-sanctions.html# (accessed 14 Jul 2013).

EVS, *EVS 2008 Guidelines and Recommendations*, GESIS Technical Reports 2010/16, European Values Study, 2010, www.europeanvaluesstudy.eu/ (accessed 17 Jul 2013).

Ewing J and Kanter J, ‘European Union gives Hungary an ultimatum’, *New York Times*, 12 Jan 2012, www.nytimes.com/2012/01/13/world/europe/european-union-gives-hungary-an-ultimatum.html (accessed 18 Jun 2012).

‘Far-right extremism “a real threat” says UK security minister’, BBC News, 13 Mar 2013, www.bbc.co.uk/news/uk-21767326 (accessed 27 Jul 2013).

Fierro E, *The EU’s Approach to Human Rights Conditionality in Practice*, The Hague: Martinus Nijhoff, 2003.

‘Former defense minister Akis Tsochatzopoulos arrested’, Keep Talking Greece, 2012, www.keeptalkinggreece.com/2012/04/11/former-defense-minister-akis-tsochatzopoulos-arrested/ (accessed 18 Jun 2012).

‘France really faces EU infringement procedure over Roma’, Novinite, 27 Sep 2010, www.novinite.com/view_news.php?id=120530 (accessed 14 Jul 2013).

‘France sends Roma gypsies back to Romania’. BBC News, 20 Aug 2010, www.bbc.co.uk/news/world-europe-11020429 (accessed 21 Feb 2012).

Free Speech Debate, ‘Hungary’s new media regulation’, 30 Mar 2012, <http://freespeechdebate.com/en/case/hungarys-new-media-regulation/> (accessed 14 Jul 2013).

References

Freedom House, 'Methodology', 2012, www.freedomhouse.org/report/freedom-world-2012/methodology (accessed 18 Jun 2012).

Freedom House, *Freedom in the World 2008: Latvia*, 2008, www.freedomhouse.org/report/freedom-world/2008/latvia (accessed 18 Jun 2012).

Freedom House, *Freedom in the World 2011: Hungary*, 2011, www.freedomhouse.org/report/freedom-world/2011/hungary (accessed 18 Jun 2012).

Freedom House, *Freedom in the World 2011: Italy*, 2011, www.freedomhouse.org/report/freedom-world/2011/italy (accessed 18 Jun 2012).

Freedom House, *Freedom in the World 2011: Latvia*, 2011, www.freedomhouse.org/report/freedom-world/2011/latvia (accessed 18 Jun 2012).

Freedom House, *Freedom in the World 2012: Bulgaria*, 2012, www.freedomhouse.org/report/freedom-world/2012/bulgaria (accessed 14 Jul 2013).

Freedom House, *Freedom in the World 2012: France*, 2012, www.freedomhouse.org/report/freedom-world/2012/france (accessed 14 Jul 2013).

Freedom House, *Freedom in the World 2012: Greece*, 2012, www.freedomhouse.org/report/freedom-world/2012/greece (accessed 14 Jul 2013).

Freedom House, *Freedom in the World 2012: Italy*, 2012, www.freedomhouse.org/report/freedom-world/2012/italy (accessed 14 Jul 2013).

Freedom House, *Freedom in the World 2012: Romania*, 2012, www.freedomhouse.org/report/freedom-world/2012/romania (accessed 14 Jul 2013).

Freedom House, *Freedom in the World 2012: The Arab uprisings and their global repercussions*, 2012, www.freedomhouse.org/report/freedom-world/freedom-world-2012 (accessed 14 Jul 2013).

Freedom House, *Freedom of the Press 2008: Italy*, 2008, www.freedomhouse.org/report/freedom-press/2008/italy (accessed 27 Jul 2013).

Freedom House, *Freedom of the Press 2011: Bulgaria*, 2011, www.freedomhouse.org/report/freedom-press/2011/bulgaria (accessed 14 Jul 2013).

Freedom House, *Freedom of the Press 2011: Hungary*, 2011, www.freedomhouse.org/report/freedom-press/2011/hungary?page=251&year=2011&country=8053 (accessed 14 Jul 2013).

Freedom House, *Freedom of the Press 2012: Bulgaria*, 2012, www.freedomhouse.org/report/freedom-press/2012/bulgaria (accessed 14 Jul 2013).

Freedom House, *Freedom of the Press 2012: Hungary*, 2012, www.freedomhouse.org/report/freedom-press/2012/hungary (accessed 9 Apr 2013).

Freedom House, *Freedom of the Press 2012: Latvia*, 2012, www.freedomhouse.org/report/freedom-press/2012/latvia (accessed 9 Apr 2013).

Freedom House, *Freedom of the Press 2012: Romania*, 2012, www.freedomhouse.org/report/freedom-press/2012/romania (accessed 14 Jul 2013).

References

Freedom House, *Freedom of the Press 2012: Selected data from Freedom House's annual press freedom index*, 2012, www.freedomhouse.org/sites/default/files/Booklet%20for%20Website.pdf (accessed 14 Jul 2013).

Freedom House, *Nations in Transit 2006: Latvia*, 2006, www.freedomhouse.org/report/nations-transit/2006/latvia (accessed 27 Jul 2013).

Freedom House, *Nations in Transit 2012: Bulgaria*, 2012, www.freedomhouse.org/report/nations-transit/2012/bulgaria (accessed 29 Aug 2012).

Freedom House, *Nations in Transit 2012: Hungary*, 2012, www.freedomhouse.org/report/nations-transit/2012/hungary#_ednref13 (accessed 29 Aug 2012).

Freedom House, *Nations in Transit 2012: Latvia*, 2012, www.freedomhouse.org/report/nations-transit/2012/latvia (accessed 29 Aug 2012).

Freeman HB, 'Austria: the 1999 parliamentary elections and the European Union members' sanction', *Boston College International and Comparative Law Review* 25, no 1, 2002, www.bc.edu/dam/files/schools/law/lawreviews/journals/bcicl/25_1/04_FMS.htm (accessed 14 Jul 2013).

'French firing over veil was "religious discrimination"', France 24, 25 Mar 2013, www.france24.com/en/20130319-france-court-nursery-school-firing-veil-religious-discrimination (accessed 28 Jun 2013).

GHK, *Volunteering in the European Union*, 2010, http://ec.europa.eu/citizenship/pdf/doc1018_en.pdf (accessed 17 Jul 2013).

Goebel N, 'Hungary agrees to amend controversial media law', DW, 8 Feb 2011, www.dw.de/hungary-agrees-to-amend-controversial-media-law/a-14824823 (accessed 18 Jun 2012).

‘Greece’s powerful union involved in a squander scandal?’, Keep Talking Greece, 2012, www.keeptalkinggreece.com/2012/04/04/greeces-powerful-union-involved-in-a-squander-scandal/ (accessed 18 Jun 2012).

Greenslade R, ‘Press freedom alarm over Greek party’s treatment of journalists’, *Guardian*, 8 May 2012, www.guardian.co.uk/media/greenslade/2012/may/08/greece-press-freedom (accessed 2 Aug 2012).

‘Greek bank list editor Costas Vaxevanis acquitted’, BBC News, 1 Nov 2012, www.bbc.co.uk/news/world-europe-20121101 (accessed 14 Jul 2013).

Grillo B, ‘Comunicato politico numero venticinque’, blog, 2009, www.beppegrillo.it/2009/09/comunicato_politico_numero_venticinque.html (accessed 14 Jul 2013).

Hanrahan M, ‘Jerusalem Post reporter attacked in Athens: Gil Shefler assaulted for filming mob attack’, *Huffington Post*, 8 Jun 2012, www.huffingtonpost.com/2012/06/08/reporter-attacked-athens-mob-greece_n_1581185.html (accessed 18 Jun 2012).

‘Hollande would keep burqa ban’. CBC News, 27 Apr 2012, www.cbc.ca/news/world/story/2012/04/27/france-francois-hollande-burqa-ban.html (accessed 18 Jun 2012).

Hooper J, ‘Organised crime does pay in Italy – to the tune of €90bn’, *Guardian*, 24 Oct 2007, www.guardian.co.uk/world/2007/oct/24/italy.johnhooper (accessed 14 Jul 2013).

Human Rights Watch, ‘France’s compliance with the European Free Movement Directive and the removal of ethnic Roma EU citizens: a briefing paper submitted to the European Commission in July 2011’, 28 Sep 2011, www.hrw.org/node/101963 (accessed 14 Jul 2013).

References

Human Rights Watch, 'Hate on the streets: xenophobic violence in Greece', 10 Jul 2012, www.hrw.org/reports/2012/07/10/hate-streets-o (accessed 21 Aug 2012).

Human Rights Watch, 'Hungary: media freedom under threat', 16 Feb 2012, www.hrw.org/news/2012/02/16/hungary-media-freedom-under-threat (accessed 14 Jul 2013).

Human Rights Watch, 'Hungary: reforms needed to new constitution', 23 Jun 2011, www.hrw.org/news/2011/06/23/hungary-reforms-needed-new-constitution (accessed 18 Jun 2012).

Human Rights Watch, 'Memorandum to the European Union on media freedom in Hungary', 16 Feb 2012, www.hrw.org/news/2012/02/16/memorandum-european-union-media-freedom-hungary (accessed 14 Jul 2013).

Hungary Around the Clock, 'International "radicalism index" puts Hungary fifth of 33 countries; belief in genetic roots of Roma crime widespread', *Politics.hu*, 5 Dec 2011, www.politics.hu/20111205/international-radicalism-index-puts-hungary-fifth-of-33-countries-belief-in-genetic-roots-of-roma-crime-widespread/ (accessed 14 Jul 2013).

Judt T, *Postwar: A history of Europe since 1945*, London: Pimlico, 2005.

Kaufmann D and Kraay A, 'Governance indicators: where are we, where should we be going?', Policy Research Working Paper, World Bank, <http://info.worldbank.org/governance/wgi/pdf/wps4370.pdf> (accessed 14 Jul 2013).

Kauffman D, Kraay A and Mastruzzi M, 'The worldwide governance indicators: methodology and analytical issues', World Bank, Sep 2010, <http://info.worldbank.org/governance/wgi/pdf/WGI.pdf> (accessed 14 Jul 2013).

Kaufmann D, Recanatini F and Biletsky S, *Assessing Governance: Diagnostic tools and applied methods for capacity building and action learning*, World Bank, 2002, www1.worldbank.org/publicsector/LearningProgram/anticorrupt/kaufassessing.pdf (accessed 18 Jun 2012).

Keep Talking Greece, 'Greek ministers and Vatopedi scandal: much ado about nothing', blog, 19 Jan 2012, www.keeptalkinggreece.com/2011/01/19/greek-ministers-vatopedi-scandal-much-ado-about-nothing/ (accessed 14 Jul 2013).

Kekic L, 'The Economist Intelligence Unit's index of democracy', 2007, www.economist.com/media/pdf/DEMOCRACY_INDEX_2007_v3.pdf (accessed 18 Jun 2012).

Kerry J, 'Secretary's preface' in US Dept of State, *Country Reports on Human Rights Practices for 2012*, www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper (accessed 14 Jul 2013).

Kirchick J, 'Meet Europe's new fascists', *Tablet*, 12 Apr 2012, www.tabletmag.com/jewish-news-and-politics/96716/meet-europes-new-fascists (accessed 14 Jul 2013).

Kroes N, letter to Tibor Navracsecs, 21 Jan 2011, http://cmcs.ceu.hu/sites/default/files/domain-69/cmcs-archive/EC_lettertoHungary_2011Jan21.pdf (accessed 14 Jul 2013).

Kushen R, 'Intolerant Europe: the drive against the Roma', *Global Dialogue* 12, no 2, 2010, www.worlddialogue.org/content.php?id=485 (accessed 14 Jul 2013).

Landman T (ed), *Assessing the Quality of Democracy: An overview of international IDEA framework*, 2008, www.idea.int/publications/aqd/upload/AssessingOverviewWeb.pdf (accessed 14 Jul 2013).

References

Landman T and Häusermann J, *Map-making and Analysis of the Main International Initiatives on Developing Indicators on Democracy and Good Governance*, Human Rights Centre, University of Essex, 2003, www.oecd.org/dac/governance-development/20755719.pdf (accessed 14 Jul 2013).

Lane Scheppelle K, 'Constitutional revenge', *New York Times*, 1 Mar 2013, http://krugman.blogs.nytimes.com/2013/03/01/guest-post-constitutional-revenge/?_r=0 (accessed 28 Jun 2013).

'Latvia's media: press under pressure', *The Economist*, 9 Dec 2010, www.economist.com/blogs/easternapproaches/2010/12/latvias_media (accessed 18 Jun 2012).

LSE and Demos, *Measuring Everyday Democracy: Evaluating the index for the EU and recommendations for an index in Latin America*, London: Capstone Project Report, 2007.

Mackenzie J, 'Mafia now "Italy's No.1 bank" as crisis bites: report', Reuters, 10 Jan 2012, www.reuters.com/article/2012/01/10/us-italy-mafia-idUSTRE8091YX20120110 (accessed 18 Jun 2012) (accessed 14 Jul 2013).

Margaronis M, 'Fear and loathing in Athens: the rise of Golden Dawn and the far right', *Guardian*, 26 Oct 2012, www.guardian.co.uk/world/2012/oct/26/golden-dawn-greece-far-right (accessed 14 Jul 2013).

Mathisen K, 'The impact of the Lisbon Treaty, in particular Article 6 TEU, on member states' obligations with respect to the protection of fundamental rights', 2010, http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1650544 (accessed 14 Jul 2013).

Middleton C, 'EU drop legal proceedings against France', *Lawyer Monthly*, 13 Dec 2010, www.lawyer-monthly.com/news/EU-drop-legal-proceedings-against-France (accessed 14 Jul 2013).

‘[Misinformation by Mega channel]’, in Greek, *Gazzetta*, 15 May 2012, www.gazzetta.gr/politiki/article/289346-i-parapliroforis-toy-mega (accessed 18 Jun 2012). Discusses inverting polling results in the first instance, altering the German Federal Minister’s words in the second.

Ministry of Interior, ‘Parliamentary Elections June 2012’, 2012, [www.ekloges.yypes.gr/v2012b/public/index.html?lang=en#{“cls”:"level",“params”:{“level”:"epik",“id”:1}}](http://www.ekloges.yypes.gr/v2012b/public/index.html?lang=en#{“cls”:) (accessed 9 Apr 2013).

Moody B and R Landucci R, ‘Insight: overloaded justice system ties Italy in knots’, Reuters, 5 Apr 2012, www.reuters.com/article/2012/04/05/us-italy-justice-idUSBRE83409E20120405 (accessed 14 Jul 2013).

MTI, ‘EU court registers two infringement procedures against Hungary’, 19 Jun 2012, Politics.Hu, www.politics.hu/20120619/eu-court-registers-two-infringement-procedures-against-hungary/ (accessed 14 Jul 2013).

Munck GL and Verkuilen J, ‘Conceptualizing and measuring democracy: alternative indices’, *Comparative Political Studies* 35, no 1, 2002.

‘Nézőpont: a magyarok közel fele lemondana a demokráciáról a gazdasági növekedésért’ [in Greek: ‘Perspective Institute: nearly half of Hungarians would give up democracy for economic growth’], Origo.hu, *Magyar Nemzet*, 25 Oct 2011, www.origo.hu/itthon/20111025-nezopont-az-emberek-kozel-harmada-felvaltana-a-demokraciat-a-gyors.html (accessed 14 Jul 2013).

NSD European Election Database, ‘Greece, parliamentary elections: election results 1990–2012’, 2012, Norwegian Social Science Data Services, www.nsd.uib.no/european_election_database/country/greece/ (accessed 9 Apr 2013).

References

Office of the Parliament [Hungary], 'Fourth amendment to Hungary's fundamental law', 2013, <http://lapa.princeton.edu/hosteddocs/hungary/Fourth%20Amendment%20to%20the%20FL%20-Eng%20Corrected.pdf> (accessed 27 Jul 2013).

Papachlimintzos C, 'Submarine scandal resurfaces', Athens News, 20 Feb 2011, www.athensnews.gr/issue/13431/37986 (accessed 18 Jun 2012).

Papachlimintzos C, 'Vatopedi scandal reaches prison', Athens News, 1 Jan 2012, www.athensnews.gr/issue/13476/51928 (accessed 18 Jun 2012).

Parekh B, 'Cultural diversity and liberal democracy' in D Beetham (ed), *Defining and Measuring Democracy*, London, Sage, 1994.

Peers S and Ward A, *The EU Charter of Fundamental Rights: Politics, law and policy*, Oxford: Hart, 2004.

Political Capital, 'Attitude radicals in Hungary – in international context', Feb 2013, www.riskandforecast.com/post/in-depth-analysis/attitude-radicals-in-hungary-in-international-context_734.html (accessed 12 Apr 2013).

Political Capital, 'Back by popular demand: Demand for Right-Wing Extremism (DEREX) index', 2010, www.riskandforecast.com/useruploads/files/dere_x_study.pdf (accessed 14 Jul 2013).

Polity IV Project, www.systemicpeace.org/polity/polity4.htm (accessed 18 Jun 2012).

'Press freedom in Romania: journalism under fire', blog, Eastern Approaches, 1 Sep 2012, www.economist.com/blogs/easternapproaches/2012/09/press-freedom-romania (accessed 14 Jul 2013).

‘Profile: Beppe Grillo’, BBC News, 26 Feb 2013, www.bbc.co.uk/news/world-europe-21576869 (accessed 21 Mar 2013).

Public Issue, ‘[How the opinion poll published by Public Issue was altered]’, in Greek, 4 Jun 2012, www.publicissue.gr/2033/parapoiisi-dimoskopisis/ (accessed 14 Jul 2013).

Puddington A, ‘Essay: the Arab uprisings and their global repercussions’, Freedom House, 2012, www.freedomhouse.org/report/freedom-world-2012/essay-arab-uprisings-and-their-global-repercussions (accessed 14 Jul 2013).

Pulella P, ‘New Italy law tackles rampant corruption’, Reuters, 30 Oct 2012, www.reuters.com/article/2012/10/30/us-italy-corruption-idUSBRE89T1MT20121030 (accessed 14 Jul 2013).

Putnam RD, *Bowling Alone: The collapse and revival of American community*, New York: Simon & Schuster, 2000.

Red Notebook, ‘[Governments may collapse, but the collaboration between the riot squads and the far-right remains]’, in Greek, 30 Jun 2011, <http://rnbnet.gr/details.php?id=2839> (accessed 18 Jun 2012), an extensive blog post in Greek on the relationship between Golden Dawn and the Greek police, including articles and documentaries from mainstream Greek newspapers and TV channels.

RefWorld, ‘Freedom of the Press 2011: Greece’, 2011, www.unhcr.org/refworld/country,,FREEHOU,,GRC,,4e7303741a,o.html (accessed 22 Aug 2012).

Reporters Without Borders, ‘European Commission response to media law “inadequate”’, 17 Feb 2011, <http://en.rsf.org/hungary-european-commission-response-to-17-02-2011,39575.html> (accessed 14 Jul 2013).

References

- Republikon Analysis, “‘Royal Television?’: government dominance and the disappearance of opposition views in the Hungarian Public Television (MTV)”, 2011, www.republikon.hu/upload/4000183/media_hungary_0910.pdf (accessed 18 Jun 2012).
- Rippert U, ‘European Union lifts sanctions against Austria: a blank cheque for Jörg Haider’, World Socialist Web Site, 15 Sep 2000, www.wsws.org/articles/2000/sep2000/haid-s15.shtml (accessed 14 Jul 2013).
- Roos J, ‘Greek police wage war on their own people – in videos’, RoarMag.org, 1 Jul 2011, <http://roarmag.org/2011/07/greek-police-wage-war-on-their-own-people-in-videos/> (accessed 18 Jun 2012).
- Rozenberg J, ‘Would the burqa ban stand up at the European Court?’, *Guardian*, 13 Apr 2011, www.guardian.co.uk/law/2011/apr/13/law-burqa-ban-european-court (accessed 18 Jun 2012).
- Saltmarsh M, ‘EU suspends case against France for expulsions of Roma’, *New York Times*, 19 Oct 2010 www.nytimes.com/2010/10/20/world/europe/20roma.html (accessed 18 Jun 2012).
- Samuel H, ‘French interior ministry ordered police to single out Roma, memo shows’, *Telegraph*, 13 Sep 2010, www.telegraph.co.uk/news/worldnews/europe/france/8000119/French-interior-ministry-ordered-police-to-single-out-Roma-memo-shows.html (accessed 5 Jun 2013).
- Sasse F, ‘The politics of EU conditionality: the norm of minority protection during and beyond EU accession’, *Journal of European Public Policy* 15, no 6, 2008, 899–917.
- Schwartz J, ‘Participation and multisubjective understanding: an interpretivist approach to the study of political participation’, *Journal of Politics* 46, 1984.

'Siemens, Greece settle decade-long bribery scandal', *Sydney Morning Herald*, 9 Mar 2012, www.smh.com.au/business/world-business/siemens-greece-settle-decadelong-bribery-scandal-20120309-1u023.html (accessed 14 Jul 2013).

Skidmore P and Bound K, *The Everyday Democracy Index*, London: Demos, 2008.

Smith H, 'Greece's "Lagarde list" sparks calls for catharsis over tax avoidance', *Guardian*, 7 Jan 2013, www.guardian.co.uk/world/2013/jan/07/greece-christine-lagarde (accessed 14 Jul 2013).

Smith H, 'Greek editor Kostas Vaxevanis acquitted over Swiss bank list', *Guardian*, 2 Nov 2012, www.guardian.co.uk/world/2012/nov/01/greek-editor-kostas-vaevanis-acquitted (accessed 27 Jul 2013).

Smith H, 'Greek police face investigation after protest violence', *Guardian*, 1 Jul 2011, <http://www.theguardian.com/world/2011/jul/01/greek-police-investigation-protest-violence> (accessed 13 Aug 2013).

Smith H, 'Greeks protest against violent neo-Nazi MP on the run', *Guardian*, 8 Jun 2012, <http://www.theguardian.com/world/2012/jun/08/greek-police-golden-dawn> (accessed 13 Aug 2013).

Suesser JR and de Miguel RS, 'Metagora: an experiment in the measurement of democratic governance' in J Asher, DL Banks and F Scheuren (eds), *Statistical Methods for Human Rights*, New York: Springer, 2008.

Syring T, 'European Court of Human Rights' judgment on expulsion of asylum seekers: *M.S.S. v. Belgium and Greece*'. ASIL Insights, 24 Feb 2011, www.asil.org/insights110224.cfm (accessed 20 Aug 2012).

References

Szigetvári V, Tordai C and Veto B, 'Beyond democracy: the model of the new Hungarian parliamentary electoral system (Part 2)', Nov 2011, <http://lapa.princeton.edu/hosteddocs/hungary/Beyond%20democracy%20-%2027%20Nov%202011.pdf> (accessed 14 Jul 2013).

Transparency International, 'Corruption Perceptions Index 2011', www.transparency.org/cpi2011/results (accessed 27 Jul 2013).

Transparency International, 'Corruption Perceptions Index 2012', www.transparency.org/cpi2012/results (accessed 11 Jan 2013).

Transparency International, 'Corruption Perceptions Index: Overview', www.transparency.org/research/cpi/overview (accessed 14 Jul 2013).

Transparency International, 'Greece: the cost of a bribe', 3 Apr 2012, www.transparency.org/news/feature/greece_the_cost_of_a_bribe (accessed 14 Jul 2013).

Transparency International, 'Italy needs anti-corruption watchdog', 30 Mar 2012. www.transparency.org/news/pressrelease/20120330_italy_needs_anti_corruption_watchdog (accessed 2 Aug 2012).

Traynor I, 'French "anti-Gypsy policy" denounced by European Parliament'. *Guardian*, 9 Sep 2010, www.guardian.co.uk/world/2010/sep/09/french-anti-gypsy-european-parliament (accessed 18 Jun 2012).

Treaty of Amsterdam Amending the Treaty on European Union, the Treaties Establishing the European Communities and Certain Related Acts, 2 Oct 1997, www.eurotreaties.com/amsterdamtreaty.pdf (accessed 14 Jul 2013).

Treaty of Lisbon Amending the Treaty on European Union and the Treaty Establishing the European Community, signed at Lisbon, 13 Dec 2007, Article 1, Treaty of Lisbon.

‘Treaty of Lisbon Amending the Treaty on European Union and the Treaty establishing the European Community, signed at Lisbon’, *Official Journal of the European Union*, 2007/C 306/01, 17 Dec 2007, <http://eur-lex.europa.eu/JOHtml.do?uri=OJ:C:2007:306:SOM:EN:HTML> (accessed 15 Jul 2013).

Tsakopoulos-Kounalakis E, ‘A second look’, *Heti Válasz*, 8 Dec 2011, <http://hungary.usembassy.gov/kounalakis12082011.html> (accessed 18 Jun 2012).

US Department of State, *2011 Human Rights Reports: Bulgaria*, 2012, www.state.gov/j/drl/rls/hrrpt/2011/eur/186338.htm (accessed 27 Jul 2013).

US Department of State, ‘Bulgaria: Executive summary’, 2011, www.state.gov/documents/organization/186548.pdf (accessed 27 Jul 2013).

US Department of State, *Romania: International Religious Freedom Report 2010*, 2010, www.state.gov/j/drl/rls/irf/2010/148975.htm (accessed 25 July 2013).

Vachudova MA, ‘Corruption and compliance in the EU’s post-Communist members and candidates’, *Journal of Common Market Studies*, suppl (2009).

Vachudova MA, ‘Tempered by the EU? Political parties and party systems before and after accession’, *Journal of European Public Policy*, 15, no 6, 2005, pp 861–79.

Vanhanen T, ‘A new dataset for measuring democracy, 1810–1998’, *Journal of Peace Research* 37, no 2, www.fsd.uta.fi/fi/aineistot/taustatieto/FSD1289/Introduction_2010.pdf (accessed 18 Jun 2012).

References

Venice Commission of the Council of Europe, 'Draft opinion on the new constitution of Hungary' Opinion no. 618/2011, Jun 2011, www.venice.coe.int/docs/2011/CDL_per_cent282011_per_cent29032-e.asp (accessed 18 Jun 2012).

Venice Commission of the Council of Europe, 'Opinion on the cardinal acts on the judiciary that were amended following the adoption of opinion CDL-AD(2012)001 on Hungary', 15 Oct 2012, www.venice.coe.int/webforms/documents/?country=17&year=all (accessed 24 Apr 2013).

Venice Commission of the Council of Europe, 'Opinion on the fourth amendment to the fundamental law of Hungary adopted by the Venice Commission at its 95th plenary session', Venice, 15 Jun 2013, www.venice.coe.int/webforms/documents/?country=17&year=all (accessed 28 Jun 2013).

Venice Commission, 'Comments on the compatibility of the Gasparri Law with the Council of Europe Standards in the field of freedom of expression and pluralism of the media', Op Nr 309/2004, CDL(2005)050, 31 Aug 2005.

Waterfield B, 'Italy repays £307 million to EU after road project "mafia corruption" exposed', *Telegraph*, 5 Jul 2012, www.telegraph.co.uk/news/worldnews/europe/italy/9376202/Italy-repays-307-million-to-EU-after-road-project-mafia-corruption-exposed.html (accessed 14 Jul 2013).

World Bank, *Strengthening World Bank Group Engagement on Governance and Anticorruption*, 2007, <http://siteresources.worldbank.org/EXTGOVANTICORR/Resources/3035863-1281627136986/GACStrategyPaper.pdf> (accessed 18 Jun 2012).

Worldwide Governance Indicators, <http://info.worldbank.org/governance/wgi/resources.htm> (accessed 14 Jul 2013).

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Reports on democratic backsliding tend to focus on Central and Eastern European countries, most notably Hungary, Bulgaria and Romania. However, countries in Western Europe have also come under fire for undemocratic legislation, controversial policies on religious freedom and problems over corruption and media ownership.

Backsliders assesses in detail the status of democracy in seven European countries – France, Italy, Greece, Bulgaria, Romania, Hungary and Latvia – and considers how the EU should confront the challenge of upholding strong democratic values in all its member states. It also builds on existing measures from around the world to create a unique index that provides a detailed picture of democracy across Europe. The report concludes arguing that the EU, and the European Commission in particular, needs to fully embrace its role as a democratic protector.

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