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# TRANSITIONAL JUSTICE AND DEMOCRATIC RESILIENCE IN POST- COMMUNIST EU MEMBER STATES

A Master's Thesis in International Relations

Faculty of Social Sciences and Humanities

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**David Victor Rathkjen**

Student number: 20123653

153.006 keystrokes

drathk23@student.aau.dk

Supervision by Dominik Schraff

dosc@dps.aau.dk



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# Transitional Justice and Democratic Resilience in Post-Communist EU Member States

Abstract: This master's thesis investigates whether transitional justice creates more resilient democracies. It does so by using empirical evidence from Central and East European EU member states. Today, many Central and East European (CEE) member states experience democratic backsliding with Hungary and Poland being the most infamous cases, but countries as Romania and Slovakia also experience significant democratic backsliding.

The Central and East European member states are unique in the sense that they until 1989 all were Communist dictatorship and after 15-18 years of democratisation, they became EU member states. As part of their democratisation process all CEE member states adopted different degrees of transitional justice to avoid sliding back to authoritarianism. While scholars try to find different explanations for democratic backsliding in CEE such as political polarisation, populism, and economic grievances, this master's thesis asks whether the conditions for democratic resilience and democratic backsliding are predetermined in the short period of 1989-2004 democratic consolidation before EU membership. It does so through a qualitative comparative analysis (QCA) where the necessity of different conditions such as level of transitional justice, level of corruption, political polarisation, etc. are tested on the outcome of liberal democracy, to see what conditions are necessary for liberal democracy in a Central and East European context. The QCA is followed by a comparative case study analysis of five CEE countries to investigate how transitional justice affects transitional justice.

Through the analysis the thesis finds that transitional justice does create more resilient democracies, but only through wide measures. It further finds that a swift commencement of transitional justice early in the democratisation process is crucial, as time allows for the institutions of the former regime bureaucracy to conceal and perform an institutional mimicry appearing to be democratic. Thus, leaving the newly established democracy with institutional weaknesses that can be unfolded and exploited under the right authoritarian pressure.

This thesis also investigates alternative explanations for democratic resilience and finds that government ideology at the onset of democracy and historic legacies affect democratic



consolidation, as centre-right governments and the legacy of pre-Communist democracy played a crucial role in consolidating democracy in the Czech Republic and the Baltics.

#### Statement on the use of AI

*During the writing process of this master's thesis, I have used ChatGPT to search for literature and explain different terms and theories. I have always prompted the AI to provide the original sources, and I have read the original sources afterwards. This master's thesis does not quote ChatGPT or contain any AI generated text.*

## Introduction

At the end of the Cold War the Communist dictatorships of the Warsaw-pact countries and the former Soviet Republics disappeared as their citizens called for democracy. As one Central and East European democracy after another rose, West Europe and the EU was filled with optimism and hope for a brighter, prosperous and more peaceful future. In both the EU and the new Central and East European (CEE) democracies there were a mutual desire for a larger EU consisting of the new democracies as well. For the EU the logic was that CEE member states would be required to adopt the EU *acquis communautaire* and high democratic standards, thus securing democracy and stability in Europe (Cini & Borrigan, 2019). For the newly established CEE democracies EU membership was matter of returning to Europe, remove trade barriers, and gain access to the financial support the EU gives to its underdeveloped regions that the CEE countries desperately needed (Cini & Borrigan, 2019). And what could go wrong?

The democratisation process in Central and East Europe was promising, the countries were quick to reach a high level of democracy, and they had to accommodate the EU's standards and regulations and not vice versa. The EU even adopted the Copenhagen Criteria in 1993 explicitly stating that all candidate countries must secure the "stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities" (European Commission, 2025).

Since the 2004-2007 EU enlargement that saw nine CEE states enter the EU, the region has become an increasing source of frustration among the old EU member states, as CEE member states' democracies has started to backslide. Especially Hungary and Poland have been challenging the EU's values of democracy and minority rights as described in the Copenhagen Criteria and



Article 2 of the Treaty on European Union. What has perhaps frustrated the old EU member states more than the countries' internal affairs are how Hungary and Poland has stunted negotiations to gain concessions from the EU (Cini & Borragan, 2019).

Since 2010 Hungary has been under the rule of Viktor Orban's Fidesz - a Christian-conservative populist party, that through gerrymandering effectually has turned Hungary into an electoral autocracy, where the only party that can win elections is Fidesz (Sata & Karolewski, 2023). In the 2015-2023 Poland was under the rule of the illiberal PiS party, and in 2017-2021 the Czech Republic was under the rule of Andrej Babis and his populist ANO party, parties with an illiberal agenda working to undermine democracy from within. The tide has changed in the Czech Republic and Poland, but democratic backsliding continues to be one of the EU's largest obstacles with CEE member states as Slovakia and Romania experiencing democratic backsliding today (Vachudova, 2024; Gora & de Wilde, 2022).

Scholars seek to find different explanations that can explain democratic backsliding such as economic grievances and inequality (Rau & Stokes, 2025), political polarisation (Vachudova, 2020; Gora & de Wilde, 2022; Svolik, 2019; Nalepa, 2020), populism (Grzymala-Busse, 2019; Vachudova, 2020; Rohac, 2023; Sata & Karolewski, 2020) and even the EU accession process (Meyerrose, 2024; Dimitrova, 2018; Dimitrova, 2010). The common denominator of all these explanations is that according to them the roots for democratic backsliding are to be found during or after the EU accession process and not before. But what will happen to our understanding of democratic backsliding in Central and East Europe if we assumed that the conditions for democratic backsliding were determined before the EU accession process?

Looking at the different CEE member states some countries experience democratic backsliding while others do not, with the Czech Republic, and the Baltic states at the forefront some CEE countries just seem to be more democratic resilient than others. After the regime changes in 1989-1991 all the CEE countries adopted *transitional justice measures* in one form or the other. The most common form of transitional justice in CEE was *lustration* (Horne, 2014). A form of vetting civil servants to determine their suitability for working in the newly established democracies. As the Czechoslovak president Vaclav Havel announced in 1991: "We had free elections... we elected a free parliament, we have a free press, we have a democratic government. Yet... there still exist and work the powerful structures of the former regime... Many places are governed by the same people as before. They are connected to managers of industrial enterprises. There exist immense bureaucratic colossuses that preclude economic behaviour of individual



enterprises and firms. The old bureaucracy persists on all levels.” (David, 2003, p. 394). In other words, the goal of transitional justice and lustration was to purify the newly established democracies’ still consolidating institutions from inherent norms, informal rules and networks of the former regime to be able to consolidate democracy, without sliding into the old habits of autocracy.

There is, in my opinion, a highly overlooked body of research literature examining the effects transitional justice has on democratisation in Central and East Europe (Letki, 2002; David, 2003; Czarnota, 2009; Choi & David, 2012; Horne, 2014; Horne, 2024). The research literature does not treat the question of democratic backsliding – probably because most of the research was done before the EU saw serious democratic backsliding. However, it does raise the concern that the lack of transitional justice can be exploited by illiberal governments (Horne, 2014). I believe that the research on transitional justice can help us understand the mechanisms of democratic backsliding from a new perspective, which is why I will dedicate my master’s thesis to investigate the research question: “Does transitional justice create more resilient democracies?”. I will do this by using evidence from the post-Communist EU member states in Central and East Europe that joined the EU in 2004-2007. I will instrumentalise the existing research on transitional justice and its effects on democratisation to be able to analyse whether the *lack* of transitional justice leads to democratic backsliding and whether its occurrence leads to more democratic resilience.

In the following sections I will introduce a literature review that accounts for the existing research literature of transitional justice in CEE and existing literature on democratic backsliding to better understand the two phenomena. Afterwards I will present my theory of democratic resilience and the hypotheses I wish to answer in the analysis in the Theoretical Argument section. The analysis will consist of two parts; a qualitative comparative analysis (QCA) followed by a comparative case study analysis. The QCA is a research method of systematic comparison somewhere in between qualitative and quantitative research, which I have found ideal for a case study consisting of nine cases. The QCA, which focuses on explicit connections between conditions, gives me the possibility to test different conditions on the same outcome. In my case I argue that transitional justice is a necessary condition for democratic resilience in CEE, while other scholars would argue that economic equality is a necessary condition for liberal democracy. In the QCA I will be able to test both conditions without performing a time- and space-consuming qualitative case study and see what condition is actually the most crucial for liberal democracy.



In second part of the analysis, I conduct a comparative case study analysis of the Czech Republic, Estonia, Hungary, Latvia, and Poland to see how transitional justice creates more resilient democracies. It is in this part of the analysis we will gain in-depth knowledge on the single cases' transitional justice measures and how these have affected democratisation and how resilient the democracies are today. The analysis will be followed by a discussion of alternative explanations of democratic resilience in post-Communist EU member states. In this section I will discuss importance of government ideologies and historic legacies at the onset of democratisation.

## Literature Review

### Transitional Justice and its effects on democratisation

The Central and East European democracies that all experienced one form of regime change either through negotiation or revolution in the period 1989-1991 belonging to what American political scientist Samuel P. Huntington described as Third Wave Democracies, discussed in his 1991 book, *The Third Wave* (Huntington, 1991). According to Huntington, democratisation has happened in waves - the first wave being from 1826-1926 where we saw the consolidation of democracies in countries such as the United States, France, United Kingdom, Denmark, etc., fuelled by the ideals of liberal democracy rooted in the American and French Revolutions, a period one hundred years long. The first wave was followed by a reverse wave in the interwar period with the rise of fascism and communism (Huntington, 1991). The second wave from 1943-1962 happened in the wake of the end of World War II with the democratisation of countries such as Germany, Japan, Italy, and the end of colonialism, followed by a reverse wave of especially former colonies gliding into authoritarianism (Huntington, 1991). The third wave began in 1974 with the fall of fascist and military regimes in Portugal, Spain, Greece, South Korea, South America, and then in 1989 with the fall of Communism in Central and East Europe (Huntington, 1991).

In his book Huntington stress that democratisation is a process with different stages: transition and consolidation, and that a transition to democracy can be quick, but the process of embedding democratic norms and institutions is both slow and fragile (Huntington, 1990). As we will see in this part of the literature review, the CEE countries attempted to accelerate the democratic consolidation through the transitional justice measure of lustration. As one scholar argues, lustration should be seen as a measure to secure the consolidation of the emerging political



system as it minimises the influence of the non-democratic past on democratising present (Letki, 2002).

*Transitional Justice* (TJ) is a term that was first coined in 1990s. The term describes the wide range of mechanisms and institutions such as tribunal, truth commissions, memorial projects, reparations, etc., set in motion to redress the past wrongs of the former regime (Buckley-Zistel, et al., 2014). It is difficult to define exactly what constitutes transitional justice, and even more difficult to build a *transitional justice theory* as the term is built on different experiences of democratisation and regime change in many different parts of the world from South Africa to Central and East Europe, and from South America to Greece, Portugal and Spain (Buckley-Zistel et al, 2014). Furthermore, research in transitional justice is treated by many different fields, rarely interfering with each other, such as political science, sociology, philosophy, and psychology, and even within a given field, such as political science, it is treated through different schools of thought such as realism, feminism, post-colonialism, etc. (Buckley-Zistel et al, 2014). One definition of transitional justice is made by Neil J. Kritz who has tried to define the word “transitional” of transitional justice “as representing the political process by which new democratic regimes seek to find a balance between seeking revenge against past rulers and at the same time establishing democratic credibility by adhering to and fostering rule of law,” (Pettai & Pettai, 2018, p. 283).

In a Central and East European context, the main instrument of transitional justice in the CEE states' decommunization efforts was *lustration* (Pettai & Pettai, 2018). The word lustration comes from the Latin verb *lustrate* and can best be translated as “to purify ceremonially as a means of removing blood-guiltiness and cleansing a house” (Letki, 2002: 530). Lustration in a CEE context, however, is a mix of vetting and purging civil servants of the former regime, where the civil servants are screened for their participation of past wrongs in the former regime. Lustration laws were passed in all CEE states during the democratisation process in the 1990s (Letki, 2002), they were however, as we will now investigate, both different in their form and implemented in varying degrees.

In her article *The Impact of Lustration on Democratization in Postcommunist Countries* Cynthia M. Horne examines whether the varying degrees of lustration laws and their implementation have an effect on the consolidation of democracy in post-communist countries. In her article Horne identifies four types of lustrations:

- 1) *Wide and Compulsory Lustration*, which involves required bureaucratic change and public disclosures,



- 2) *Narrow and Voluntary Institutional Change*, involving public disclosures with voluntary bureaucratic change,
- 3) *Public Disclosure and Symbolic Change*, involving limited and/or informal vetting through public disclosures, and
- 4) *No Change, Symbolic or Institutional* (Horne, 2014).

In her article Horne divides CEE countries into the different types of lustrations or TJ as seen in Table 1.

Table 1. Categories of lustration systems (Source: Horne, 2014)

<b>Wide and Compulsory Lustration</b>	<b>Narrow and Voluntary Institutional Change</b>	<b>Public Disclosure and Symbolic Change</b>	<b>No Change, Symbolic or Institutional</b>
Czech Republic	Poland	Bulgaria	Albania
Latvia	Hungary	Romania	Russia
Estonia	Lithuania	Slovakia	Ukraine

Source: Horne, 2014

Using Freedom House's *Nations in Transit* measure of democracy/democratic consolidation, Horne finds that democracies that implemented *wide and compulsory* lustration has a 9 percent higher consolidation score than democracies that implemented *narrow and voluntary* lustration, whom again have a 9.6 percent higher score than countries that opted for *public disclosure and symbolic change*. Overall, there is 31.4 percent difference in democracy/democratic consolidation between *wide and compulsory* lustration and no lustration (Horne, 2014).

Horne's study clearly shows a connection between the consolidation of democracy and lustration. In the article Horne identifies three mechanisms of lustration that helps the promotion of democracy: 1) Lustration removes civil servants in positions of public trust 'whose morals, values and commitment to the new democracy might be compromised by their previous beliefs, affiliations and actions' (Horne, 2014: 503). 2) Lustration breaks up *patronage networks* – social networks of patronage and cronyism that existed during the communist regime and dominated many areas of economic and political life, and in many post-communist countries continue to dominate key areas and impede institutional reform. 3) Lustration changes the trustworthiness of the government by changing its composition, which contributes to citizen perceptions that government is trustworthy and encourages active citizen engagement (Horne, 2014).

Horne's four definitions and findings are supported by Susanne Choi and Roman David's study *Lustration Systems and Trust*. In their study *Lustration Systems and Trust* Choi and David turn their attention to the sociological aspect of lustration: trust. In their study Choi and David focus



on how different lustration types affect the public's trust in their public officials and democracy using empirical evidence from the Czech Republic, Hungary, and Poland. Choi and David identify three lustration methods: *dismissal*, *confessional*, and *exposure*. Through *dismissal* high-ranking officials of the past regime are either downgraded or dismissed and barred from attaining positions in the new administration, this type of lustration was widely used in the Czech Republic (Choi & David, 2012) and belongs Horne's *wide and compulsory* lustration. Through *exposure* the identity of officials associated with the old regime was disclosed for the public. This type of lustration was used in Hungary where officials of the old regime could retain their position in exchange for their names and roles being publicised (Choi & David, 2012). The third method *confession* was used in Poland, where officials voluntarily could confess their past action in exchange for amnesty and keep their position if the confession aligned with past regime's archives regardless of their past actions (Choi and David, 2012). Both exposure and confessional lustration belongs to Horne's *narrow and voluntary* lustration. Since Choi and David do not focus on lustration and democratisation but on trust, their results support Horne's results as they find that dismissal, or wide and compulsory lustration, leads to higher trust in government than both exposure and confessional lustration or *narrow and voluntary* lustration (Choi and David, 2012).

Another important aspect of transitional justice and lustration is its timeframe and legality. In which period were the offenses that transitional justice should mend performed and for how long after the regime change can perpetrators be brought to justice? This topic is discussed by Cynthia M. Horne in her 2024 article *Contending Temporalities: Stretching the Temporal Reach of Lustration in Central and Eastern Europe* and by Natalia Letki's 2002 article *Lustration and Democratisation in East-Central Europe*. In her article Horne explains how different international actors brought forward their worries and recommendations during the early period of transitional justice where the European Court of Human Rights (ECtHR), the Council of Europe, the Venice Commission, and the United Nations cautioned the CEE countries that transitional justice was an extraordinary measure of justice punishing individuals for something that was not a crime at the time and therefore should be brought to a stop as quickly as possible (Horne, 2024). The general advice at the time was therefore that lustratable offenses should only be considered within timeframe for ten years prior to the regime change, with a hard stop at the date of the regime change, and the timeframe for transitional justice should be no longer than ten years, meaning all transitional justice and lustration efforts should stop after ten years (Horne, 2024). These timeframes were based on a



worry that if an individual were punished for crimes committed too long ago it would be difficult to both prove, and for the individual to defend themselves, thus undermining the rule of law and the possibility of due process. Further the UN, ECtHR and the Venice Commission raised concerns that delayed measures could be used for ulterior motives and be political instrumentalised to undermine democracy rather than support it. Furthermore they argue that transitional justice would become obsolete over time, as there would be a natural bureaucratic turnover and demographic change rendering delayed measures unnecessary (Horne, 2024).

The UN, ECtHR and the Venice Commission's concerns and recommendation were largely ignored by the CEE countries where all countries that adopted TJ measures used timeframes at least going back to the start of the communist regimes in the late 1940s until the regime changes 1989-1991, some countries even included the periods of Nazi occupation as was the case in Estonia, Latvia, and Lithuania (Horne, 2024). Letki argued in the defense of the CEE countries actions, as Western countries had no frame of reference or experience regarding neither Communist dictatorship nor lustration to justify their criticism. Further Letki argued, in 2002, that the countries who underwent the fastest and most thorough forms of lustration were the countries that reached negotiations and eventually membership of NATO and EU first, while countries who were slower as Bulgaria and Romania, were slower at reaching the same goals (Letki, 2002).

Table 2. Transitional Justice Measures and their timeframe in CEE countries.

Country	Transitional Justice Measure (year law passed)	Elongation of the Past
Bulgaria	Lustration, Public Disclosures (1992, 2001, 2006)	September 12, 1944 – November 10, 1989
Czech Republic	Lustration (1991)	1948 - 1989
Estonia	Lustration, Disclosure Act, Oath of conscience for office holders (1992, 1995)	June 17, 1940 – December 31 1991
Hungary	Lustration (1994)	December 21, 1944 – May 2, 1990
Latvia	Election and Citizenship Laws (1992, 1994, 1995)	July 22, 1944 – July 31, 1991
Lithuania	Lustration (1991)	October 1918 – January, 1992
Poland	Lustration (1997, 2006)	July 22, 1944 – July 31, 1991
Romania	Lustration, public disclosures (1999, 2006, 2012)	March 6, 1945 – December 22, 1989
Slovakia (Then Czechoslovakia)	Lustration (1991)	1948 - 1989

Source: Horne, 2024

In her article Horne finds that the elongation on the timeframe of lustratable offenses that cover more than the international established guideline were being used to more than just a transitional



justice measure, it was also used as a “historical marker flagging important events in time and periodising history before and after Soviet influence” (Horne, 2024, p. 106). Horne finds that late lustration, pass the ten years recommendation, can be politically instrumentalised to discredit political opponents and thus undermine both democracy and legitimacy of transitional justice, which has been seen inside the EU in Poland and Romania, and outside of the EU in countries as Albania (Horne, 2024).

## Democratic backsliding

In this section we are going to explore different scholars' work on democratic backsliding all delivering different explanations to the phenomenon. Democratic backsliding is defined by Antoaneta Dimitrova as something that begins when “executives systematically devise and implement measures, be they formal legislative, organisational or informal, that enable them to dominate the institutions and organisational structures of the state, erode the balance of powers and increase their control of the state and judiciary” (Dimitrova pp. 257-258, 2018).

But to fully understand democratic backsliding and its mechanisms we need to discuss what it breaks down and what makes democracies resilient against democratic backsliding - namely norms, institutions, formal, and informal rules. A functioning democracy is not only based on a formal set of rules, but also informal rules and norms that guide politicians and institutions alike. Institutions are defined as a set of man-made rules guiding the behaviour of actors, these rules are both formal and informal, that together comprise the “rules-in-use” which define the daily practices (Dimitrova, 2010). The formal rules are written down and are subject to outside enforcement, the informal rules are not written down nor subject to outside enforcement, however, informal rules can be supplementary to formal rules and can be enhancing efficiency or of a distributive nature (Dimitrova, 2010). Institutionalisation is defined as the process when a “new formal rule is supported by supplementary informal rules and both become the new rules-in-use” (Dimitrova, 2010, p. 138). Therefore, institutionalisation does not take place when a new formal rule is challenged or ignored and the formal and informal rules do not align, as actors follow the informal rules, in this case formal rules become “rules-on-the-books” while informal rules are the rule-in-use (Dimitrova, 2010).

In their 2018 popular science book *How Democracies Dies* Steven Levitsky and Daniel Ziblatt discuss how democracies no longer die from external enemies, such as foreign states,



insurgents, or a military coup, as seen time and time again through history in South America, Africa, Asia, and Southern Europe, but rather from elected autocrats who subvert democracy from within (Levitsky & Ziblatt, 2018). In their book, that is mainly based on examples from the USA and South America, Levitsky and Ziblatt argues that the foundation of democracy is based on the more fragile norms and informal rules than explicit formal rules, and that when incumbents undermine the norms and unwritten rules of democracy, democracies slide slowly, sometimes unnoticeable into authoritarianism (Levitsky & Ziblatt, 2018). Among these norms and values Levitsky and Ziblatt have identified two norms that are crucial for the functioning of democracy: *Mutual toleration* and *institutional forbearance*. Mutual toleration is a norm politicians follow in a well-functioning democracy where political opponents are viewed as legitimate politicians who have an equal right to exist and compete for power despite a wide range of disagreements (Levitsky & Ziblatt, 2018). Levitsky and Ziblatt argues that when norms of mutual toleration are weak, democracy is hard to sustain, as political rivals are perceived as a dangerous threat “[w]e may decide to employ any means necessary to defeat them – and therein lies a justification for authoritarian measures.” (Levitsky & Ziblatt p. 104, 2018).

A second norm crucial to democracy is that of institutional forbearance. According to Levitsky and Ziblatt institutional forbearance “... can be thought of as avoiding actions that, while respecting the letter of law, obviously violate its spirit.” (Levitsky & Ziblatt p. 106, 2018). Meaning that the law of a country might allow legislators or executives certain actions, such as impeaching a president or suspending parliament on a dubious basis, thus eroding the trust in democracy. Mutual toleration and institutional forbearance are related, as they reinforce each other, as politicians who see their rivals as legitimate are less tempted to break norms to keep them out of power. But when the opposite happens, and mutual toleration is weak politicians might deploy their institutional powers as broadly as they can get away with (Levitsky & Ziblatt, 2018).

While Levitsky and Ziblatt mainly focus on the USA and South America, the importance of norms and institutions in sustaining democracy is also a focus of a large body of research literature focusing on democracy and democratic backsliding in the CEE EU member states to understand the democratic backsliding in post-communist EU member states. But before we zoom into the literature investigating democratic backsliding in EU members specifically, I would like to focus on the impetuses of democratic backsliding, because democratic backsliding does not occur out of nowhere. There is an impetus that drives voters to vote for autocratic candidates, and it is rarely a



wish for the dismantling of democracy; two of the well-established causes for democratic backsliding is that of economic inequality and political polarisation.

In their paper *Income inequality and the erosion of democracy in the twenty-first century* Eli G. Rau and Susan Stokes reveals a strong association between economic inequality and democratic backsliding. According to their study economic inequality contributes to the public's perception of unfairness in economic distribution and opportunities which in turn weakens people's commitment to political norms and institutions (Rau & Stokes, 2024). Rau and Stokes find that economic inequality can be used as predictor of democratic backsliding as they find economic equal countries are less prone to democratic backsliding; as an example, Rau and Stokes find that a country like Sweden with a gini-coefficient at 26.4 is only four percent likely to backslide. Sweden has had a rise in far-right political parties, but despite the far-right rise political leaders have not attacked the press or coequal institutions, and the public trust in state institutions remain high (Rau & Stokes, 2024).

Opposite to Sweden is the United States with a gini-coefficient at 38.4 and a 8.4 % risk of democratic backsliding. Despite being the world's oldest democracy, which is a factor that earlier has been seen as one of the greatest guarantors of democracy's survival, we have witnessed some degree of democratic backsliding in the US in recent years (Rau & Stokes, 2024). However, Rau and Stokes find that the age of democracy is rather obsolete if the country experiences a high rise of economic inequality especially income inequality, and polarisation can be fuelled in a highly unequal setting by political leaders appealing to those who feel left behind. These grievances can be aimed at economic and social elites or migrants, ethnic or religious minorities (Rau & Stokes, 2024).

Economic grievances are not necessarily based on domestic experiences; according to Milada Vachudova, economic grievances can be rooted in the perception of how people in other countries are doing, as is the case in the CEE (Vachudova, 2020). In the case of the new CEE EU member states, they have experienced nothing but economic prosperity, but they are still no near the same wealth as in West and Northern Europe, e.g. limited travel opportunities to the West can create a sense of unfairness, leading to economic grievances, that can be used by populist politicians (Vachudova, 2020).

Polarisation as a causal effect of democratic backsliding is a subject that has received plenty of attention for the past many years and has already been mentioned more than once in this literature



review. Among the scholars treating how polarisation leads to democratic backsliding is Milan Svolik; in his paper *Polarization versus democracy* he finds that in highly polarised societies voters are willing to trade off democratic principles for an autocratic candidate representing their ideological views (Svolik, 2019). In his study Svolik explains that in highly polarised societies where the political opponents' ideological standpoints are seen as a threat to society, despite the opponent being a full supporter of democracy, voters are, despite their commitment to democracy, willing to vote for anti-democratic candidates that represent their own worldview rather than voting for a pro-democratic candidate with whom they ideologically disagree with (Svolik, 2019). Further Svolik finds that moderate and independent voters are more willing to punish anti-democratic behaviour and compromise with their own policy preferences than partisan voters (Svolik, 2019).

However, with an example of the 2019 Polish Parliamentary election, Svolik explains that it is not always as simple as first presented, as the 2019 Polish Parliamentary election saw an incumbent anti-democratic Law and Justice government with a successful economy against democratic liberal opposition with nothing to show for economically leaving pro-democratic conservative voters the choice to vote against their own political interests and more importantly economic stability in the defence of democracy (Svolik, 2019). Again, leaving income equality as major impetus for democratic backsliding as it all becomes centred around trade-offs with voters choosing between democracy or, to put it ruthlessly, poverty.

Svolik's argument that voters vote for authoritarians with their eyes open in CEE countries, is challenged by Monika Nalepa who in her 2020 article *Transitional Justice and authoritarian backsliding* looks at the correlation between lack of transitional justice and elite polarisation, and how this leads to authoritarian backsliding (Nalepa, 2020). Nalepa refers to her two cases Poland and Hungary as *lustration laggards*, as the two countries' implementation of their lustration laws were at best limited, which according to Nalepa makes their TJ efforts insufficient (Nalepa, 2020). According to Nalepa Poland and Hungary's lack of lustration has created two loopholes for would-be-authoritarians in polarised political climate: 1) the lack of lustration makes it possible for politicians to question their opponent's past and connect them to the former regime. 2) It makes it possible to undermine the judiciary system, as the judges have not been purged and can therefore be questioned at later point in time, as has happened (Nalepa, 2020). Furthermore, Nalepa argues that the voters of Poland and Hungary support democracy and do not want an authoritarian regime, but elite polarisation creates uncertainty among voters on what kind of politicians they are facing and what their real intentions are (Nalepa, 2020). In the case of Poland Nalepa finds that PiS voters do



not vote for PiS because they want to undermine the judiciary, on the contrary they support rule of law, and the polarised political environment makes it difficult for voters to fathom PiS' real intentions, hence they vote for the party literally meaning "Law and Justice" (Nalepa, 2020). Meaning that according to Nalepa, lack of TJ fuels elite polarisation that fuels democratic backsliding.

One of the main drivers for political polarisation and one of the main forces to take advantage of polarisation are populist political parties. In a Central and East European context, the modern populist are, according to Milada Vachudova, Ethnopolitists (Vachudova, 2020). In her article *Ethnopolitism and democratic backsliding in Central Europe* Vachudova describes the mechanisms of *ethnopolitism* exemplifying Fidesz, PiS, and ANO's rise to power and radicalisation while in government in Hungary, Poland, and the Czech Republic (Vachudova, 2020). These three parties all won their first elections as mainstream conservative parties but radicalised to keep power. What makes ethnopolitists differ from other populist parties, e.g. nationalist parties, is that ethnopolitists fabricate external and internal enemies of the people, who they claim are a threat to national security, the economy and the survival of national culture (Vachudova, 2020). The external enemies are typically Muslims, immigrants, the EU and other international organisations promoting liberal values, while the internal enemies who conspire with them are opposition parties, the civil service, the media and independent groups (Vachudova, 2020).

The ethnopolitists are especially good at mobilising voters who feel left behind globalisation and the EU's neo-liberal policies; neo-liberal policies are an especially interesting term, as ethnopolitists create a connotation between *neo-liberal* and *liberal* making the mechanism of liberal democracy, and not only neo-liberalism, a threat to society and good traditional Christian family values (Vachudova, 2020). This conflation of liberalism and unpopular neo-liberal initiatives, especially initiated by the EU and during the 2008 financial crisis, makes it possible for ethnopolitists to attack liberal democratic norms and institutions legitimately, as they can claim to protect the people from the failures of neo-liberalism by dismantling liberal democracy (Vachudova, 2020).

Despite the CEE population have had little contact with Muslims or other groups of "liberal animosity" Fidesz, PiS, and ANO have all had success in winning elections on a xenophobic platform and, in except for ANO, built illiberal democracies. A reason for this behaviour lies in the fact that CEE voters have historically been more likely to punish and remove incumbents, resulting



in ethnopopulists undermining norms and institutions to claw onto power, as seen in Hungary's redesigned electoral system shaped to favour Viktor Orbán's Fidesz (Sata & Karolewski, 2020).

This leads to the next theory of a third impetus in the case of CEE countries: The EU as an impetus for democratic backsliding.

The idea of the EU as an impetus for democratic backsliding is that the *acquis communautaire* of rules and regulations, that EU candidates must adopt to become EU members undermines and weakens the candidate countries' institutions. In her 2024 article *Building strong executives and weak institutions: How European integration contributes to democratic backsliding* Anna M. Meyerrose investigates how the EU accession process affected the democratic institutions of the seven CEE countries that joined the EU in 2004; the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia. These seven countries all had in common that they were either former Soviet Republics or Warsaw pact countries that had only just transitioned to democracy 13-15 years prior. Meyerrose argues that the post-Maastricht accession process laid the foundation for future democratic backsliding as the EU's meddling in the countries' domestic laws, rules, and economy, for the countries to adapt the EU's *acquis communautaire* undermined the countries' natural democratisation (Meyerrose, 2023).

Meyerrose identifies two elements of the accession process that can lead to democratic backsliding; 1) the accession process is elite driven, and it enhances the executive's power and 2) it limits the domestic policy space. The EU accession process is a technocratic process during which bureaucracies with EU technocrats are created within the aspiring member states to secure that the states will comply with the EU's *acquis communautaire* (Meyerrose, 2023). During this process executives work closely with the EU bureaucrats to implement the *acquis'* requirements, this is a top-down process resulting in institutions created to fulfil the *acquis'* criteria without support from political groups or civil society; as Meyerrose puts it: "the EU invests predominantly in the bureaucracy at the expense of institutions that both play a representative function and act as checks on executive power. The result is a state with a relatively strong executive that controls a powerful bureaucracy" (Meyerrose p. 312, 2023).

Furthermore, Meyerrose argues that the EU pre-accession conditions to adequately promote and support the development of a strong, independent judiciary, as the EU used a model of "one-size-fits-all" judicial council often ended up insulating judges of the former regime without instilling a culture of legal interpretation based on the principles and values of liberal democracy, or



promoting independence and impartiality among judges (Meyerrose, 2023). Thus, leaving the executive with an underdeveloped judiciary susceptible to future manipulation.

Meyerrose's second element is that of the domestic policy space. According to Meyerrose the scope of the policy space is important for the institutional development in new democracies, as a wide range of policy options makes it possible for political actors to distinguish themselves from one another based on ideological differences, which leads to stronger representative institutions and checks on the executive (Meyerrose, 2023). The EU's *acquis communautaire*, however, stunts the domestic policy space and leave little room for domestic ideological debates as the EU accession requirements stipulated extensive democratic, regulatory, and institutional policies and standards for the candidate states to adopt (Meyerrose, 2023).

According to Meyerrose the EU's accession and membership requirements limits the role of the legislature as policy makers in new underdeveloped democracies. The EU policy requirements infringe on primary roles of a legislature such as proposing, drafting and implementing legislation, this limitation contributes to power asymmetries between the executive and legislature as it stunts the institutionalisation of the legislature (Meyerrose, 2023). This leaves few economic policy alternatives for political parties to distinguish themselves from one another, forcing the political both mainstream and niche parties to differentiate themselves on non-economic issues such as nationalism, opposition to the EU, globalisation, and immigration (Meyerrose, 2023). In sum according to Meyerrose the EU accession process creates institutional weaknesses as it enhances the executive and weakens checks and balances, and it lays the ground for political polarisation as the only place for parties to distinguish themselves from others is within identity politics.

Another researcher in line with Meyerrose is Antoaneta Dimitrova who in her article *The new member states of the EU in the aftermath of enlargement: Do new European rules remain empty shells?* also describes the effects of the EU's *acquis* on new post-communist member states. Dimitrova, however, differs from Meyerrose, as Dimitrova not only focuses on the power enhancement of the executive, but focuses on the whether the adoption of the EU *acquis* is institutionalised in the CEE member states or if a new/old set of informal rules dominates the political, institutional, and judiciary system of the new member states.

Dimitrova looks at what she identifies as *veto players*; these are "early winners" of the transition process who gained extraordinary power and economic gains during the often-chaotic transition process, these veto players afterwards seek to sustain the imbalances power, often through



obstructing reforms weakening their influence (Dimitrova, 2010). Furthermore, Dimitrova argues that the post-communist states were already very weak democracies at the beginning of the accession process still in the process of restructuring the state and reconstructing public authority, during the reconstruction process the state is too weak to support institutional rules with sanctions or administrative resources, and thus also too weak to support the newly adopted EU rules that become “dead letters” (Dimitrova, 2010). While the EU accession process is a mainly executive driven process, the ‘veto players’, by some called oligarchs, may not be able to influence the EU accession process itself, but due to the weakness of the institutions supposed to enforce the *acquis* the veto players may influence the implementation process (Dimitrova, 2010).

In the article Dimitrova predicts that one of three things will happen to the *acquis* in the post-accession CEE member states: 1) a reversal of the new rules, 2) institutionalisation, the formal and informal rules align, or 3) “empty shells” actors ignore the new rules, while parallel informal rules are used. Thus, according to Dimitrova, the CEE member states democracies were already weak before the EU accession, as the democratisation process was not over yet, the EU does not necessarily weaken the states it is just a new thing rent-seekers can influence and abuse to their own gain, as they already did. But the EU does weaken the new member states in the sense its institutions are further weakened as the formal and informal rules get further and further separated by new legislation that is not followed.

As an extension to the role of veto-players and their influence on democratic consolidation, Dimitrova discussed the topic further in her 2018 article *The uncertain road to sustainable democracy: elite coalitions, citizen protests and the prospects of democracy in Central and Eastern Europe*. In her article Dimitrova bases her analysis of democratic backsliding on a “Tillyian perspective” on democracy, Dimitrova notes that Charles Tilly saw the difference between the CEE democratisation and earlier democratisation processes as Tilly linked “timescale to agency and societal context, noticing that the instrumental view of democracy as engineered by bargaining elites was fundamentally different from previous perspectives on democracy as emerging from mass mobilisations, and struggles of broad movements against elites making concessions to popular demands” (Dimitrova, 2018, p. 259).

According to Tilly, the role of the citizens is important in a democracy, as without their clear interests and social mobilisation, rule and institutions can be established quickly and uncontested by citizens, which according to Dimitrova can lead to *state capture*. According to Dimitrova state



capture happens when networks of businesses and politicians form dominant rent-seeking coalitions controlling society, plundering the resources of the state (Dimitrova, 2018).

According to Dimitrova there are two types of dominant rent-seeking coalition: 1) the network-type dominant coalition, consisting of businessmen and politicians of different political parties, and 2) ideological party-type dominant coalition, consisting of politicians from one political party with associated businessmen (Dimitrova, 2018). In the network-type dominant coalitions formal rules are completely disregarded and an informal network controls the composition of administrative and judicial personnel through a widespread use of informal rules. In the ideological party-type dominant coalition, the formal rules have been changed to concentrate and consolidate power and weaken formal checks and balances on the executive (Dimitrova, 2018). According to Dimitrova the rent-seekers have no interest in reforms that can limit their own power, and the EU accession process was not necessarily in the interest of rent-seekers as the EU required a high-level of civil service professionalisation and rules in line with EU legislation, which constrained informal networks (Dimitrova, 2018). However, in post-accession member states with dominant rent-seeker coalition can be recognised by several changes or recall of EU legislation, such as reenacting political appointments or other political control over institutions, and high levels of corruption (Dimitrova, 2018),

## Theoretical Argument

In the existing literature we see that researchers have at great length discussed democratic backsliding and its causes and transitional justice and its effects on democratisation, but we rarely see them speak to each other. We see both Meyerrose and Dimitrova arguing very well, if not proving, that the EU has a role in CEE member states' later democratic backsliding, as the EU accession process and *acquis communautaire* interferes early in the CEE countries democratisation processes and limits their domestic policy space, enhances the executive's power, and weakens their institutions. Meyerrose's argues that the reason why the EU accession process had such damaging effects was because their democracies were already weak, she indicates this is because they have not had enough time to consolidate, but Meyerrose still sees the EU accession policies as a main impetus for future democratic backsliding. Dimitrova's research supports Meyerrose's claim but Dimitrova also discusses how the institutional weakening through the EU accession strengthens



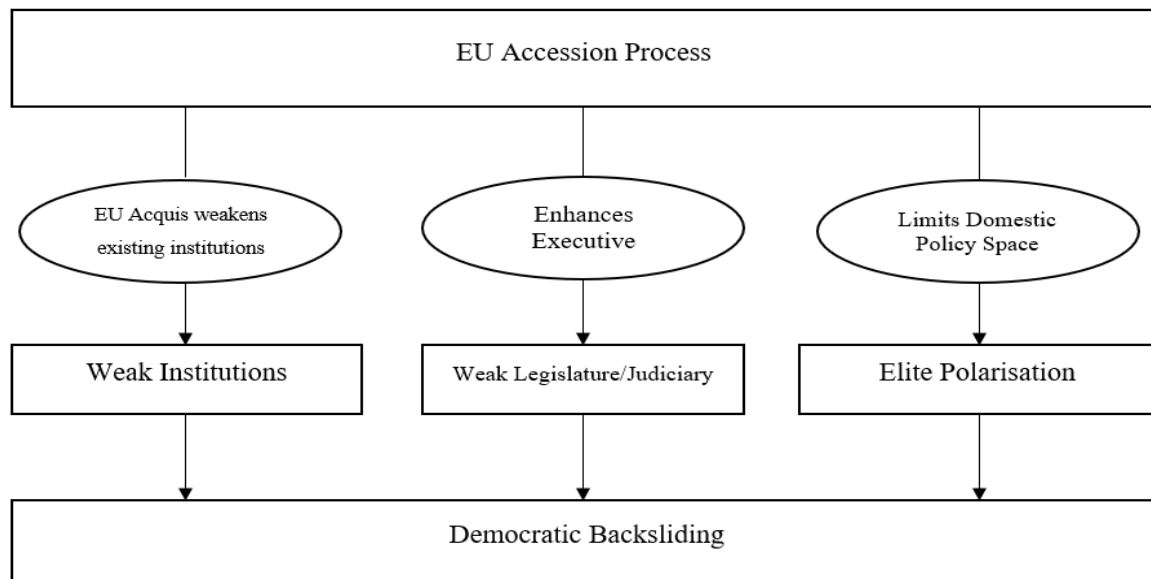
informal networks and veto-players. Both Meyerrose and Dimitrova recognise that the CEE countries were already weak democracies at the beginning of the accession process and their democracies were not fully consolidated. But interestingly through their research one gets the sense that the institutional weakening and strengthening of the executive and informal networks are a process with no past or alternatives to a more successful democratisation process creating more resilient democracies (See Figure 1).

In their research Meyerrose and Dimitrova are missing political and societal preconditions from the period of transition and democratisation between regime change and the EU accession process, which e.g. determines how consequential the adverse effects of the EU accession are. While they identify how key impetuses for democratic backsliding such as enhancing the executive's power, strengthening informal networks, limited domestic policy space, populism, weakening of the legislature and judiciary system, can be rooted in the EU accession process, they do not discuss other potential preconditions for the same outcome. For example, Dimitrova mentions that the EU integration process can strengthen informal networks while Horne in her analysis of lustration's effect on democratisation in CEE member states stresses that lustration can weaken informal networks. Meyerrose attributes the fall of the centre-left parties in Poland and Hungary to the neo-liberal economic policies forced upon the countries by the *acquis* while other researchers would stress how the centre-left parties in the two countries were filled with members of the former regime holding on to their power and former privileges and trying to prevent democratisation policies (David, 2003).

Only Monika Nalepa finds a correlation between TJ and democratic backsliding, as she argues the uncertainty on politicians' past caused by lack of TJ enables politicians to smear each other's reputation by claiming them to be agents of the former regime generating political polarisation, which leads to populist and illiberal governments.



Figure 1. Meyerrose's model of democratic backsliding in CEE member states



According to Levitsky and Ziblatt *mutual toleration* and *institutional forbearance* are crucial for functioning democracies; according to Meyerrose the conditions set to erode mutual toleration and institutional forbearance are to be found in the post-Maastricht EU accession process as it weakens the institutions, enhancing institutional weaknesses, and limits the policy space, creating leeway for populist parties.

I will argue that the preconditions for the institutional weaknesses and political polarisation, or elite polarisation, are rooted earlier than the EU accession process, namely in the early period of democratisation, which determines how resilient a democracy becomes. I acknowledge that different conditions can lead to the same outcome, and that both political polarisation and economic inequality are plausible explanations for democratic backsliding. However, I believe that the Central and East European states possess a unique explanation in the form of their transitional justice measures implemented at the initial onset of democratisation, if not to explain democratic backsliding, then the democratic resilience that can mitigate democratic backsliding. In this thesis I will investigate whether there is a correlation between the early democratisation process and the *institutional weaknesses*, which I define as state institutions' lack of capacity, autonomy, or legitimacy to perform their functions properly, and *political polarisation* causing democratic backsliding 20-25 years later. The early democratisation process is important as especially the different transitional justice processes the countries underwent predetermined their democratic resilience during and after the EU accession process. All Central and East European member states



underwent the EU accession process as described by Meyerrose and Dimitrova but not all of them have experienced the same level of democratic backsliding as Poland and Hungary experienced. Of the nine EU CEE member states that joined the EU 2004-2007 there seems to be a common denominator for the countries that did not experience severe democratic backsliding – transitional justice.

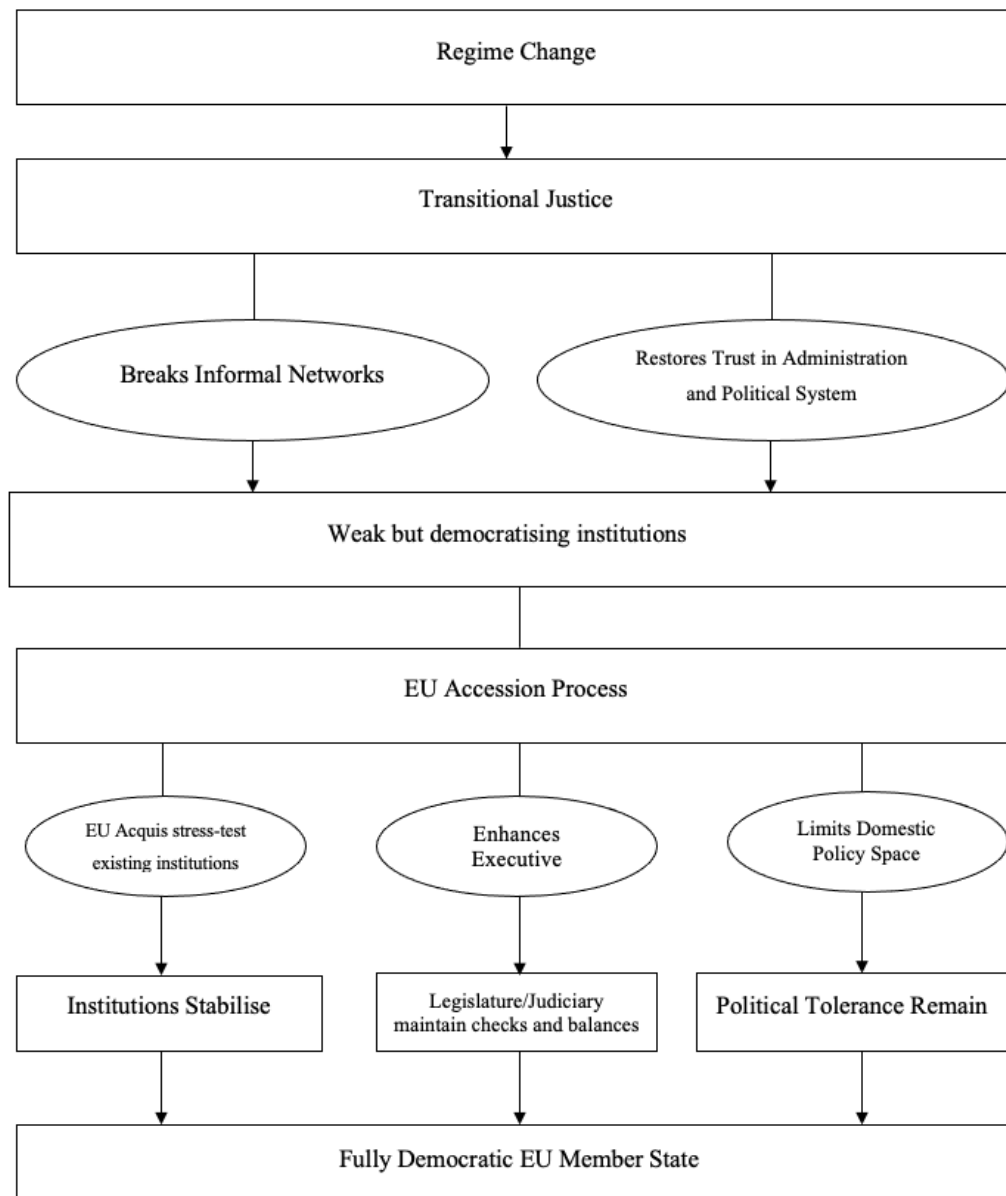
According to existing literature a high degree of transitional justice, which in a CEE perspective very often is lustration, leads to a higher public trust in government and governmental institutions, weakens informal networks and institutions, as it limits the possibility of cronyism. A higher public trust leads to a more engaging and democratic conscious civil society, a society that at elections punish politicians trying to subvert democracy (Vachudova, 2020). Furthermore, as it removes autocratic civil servants from higher offices it changes the formal institutions' norms and informal rules to a more liberal democratic culture thus enhancing democratic resilience (see figure 2). On the contrary, a low level of TJ leads to low public trust both in politicians and government institutions and sustains the non-democratic and often corrupt norms and informal rules of the former non-democratic regimes. As civil servants of the former regime are not vetted, removed or demoted, the informal institutions of the regime are able to be sustained and the former regime's elite morph into the new elite and keeps and enhances its privileges. Under these conditions newly established democratic institutions remain weak as they are subverted by informal rules and networks. The new rules become rules-on-the-books only.

I will argue that countries with a low level of TJ have a significantly higher risk of democratic backsliding when they experience political polarisation. As the trust in government and institutions are lower in countries with low TJ it is easier for an illiberal government to undermine the public's trust both in institutions and opposition politicians. In a former dictatorship that has not legally contested its authoritarian past that is dominated by low trust in government, and low mutual toleration among politicians, it is easier for politicians to undermine political opponents and resistant institutions, e.g. the judiciary, by accusing them of being members of the former regime. If a government shows no institutional forbearance, it could be able to e.g. undermine the judiciary system by accusing all judges, opposing government policies through their defence of law and order, for being of the former regime. Furthermore, an illiberal government can, due to the former low level of TJ, propose its own postponed lustration and vetting, and thus cleanse government institutions and the judiciary for personnel of its dislike under the pretence of transitional justice.



And due to low public trust in government institutions this could meet support from the public, as they would identify it as the enhancement of democracy.

Figure 2. Transitional Justice and democratic consolidation



In transitional justice literature different countries have been identified as high achievers that have gone through well-developed and well-executed vetting and purges of civil servants to strengthen and change both their institutions and institutional norms and rules. The Czech Republic and the Baltic states of Estonia, Latvia, and Lithuania are all recognised as countries that have succeeded in strengthening their democratic institutions through transitional justice. Most other CEE member



states have had limited success in executing post-communist TJ, which have led to cronyism, weak democratic institutions, and an often highly polarised political environment in the early periods of their democracy.

Based on existing research and literature I believe there is correlation between transitional justice in the democratisation process and later democratic backsliding in CEE EU member states. A correlation that so far has not been properly addressed. It may have been described through research but very often to explain something else, e.g. we see Horne finding a correlation between lustration and stronger democracy (Horne, 2014); Horne lays the groundwork for describing the lack of lustration and democratic backsliding, but Horne does not investigate the matter herself. Building on Horne's, among others, findings I have the hypothesis: *That a high level of transitional justice during the democratisation process leads to stronger and resilient institutions that can sustain democracy.* This hypothesis is not new, and similar hypotheses can be seen in research on TJ, what is new is why I hypothesise this. So far, this hypothesis has been used to explain TJ's positive effects on democratisation on a much shorter timescale; here I want to explain TJ's effects on resisting authoritarian movements in politics and society through long lasting democratic resilience, as I expect TJ to create institutions that can sustain democracy even under the rule of illiberal politicians like Andrej Babis' rule in the Czech Republic. This also means that I believe that a democracy can be sustained even with higher levels of political polarisation, as long as the rules and norms of institutions are in place, sustaining checks and balances on the political elite. But I also expect that a high level of TJ leads to less political polarisation, as it is difficult to instrumentalise a disclosed past politically against political opponents. Meyerrose and Dimitrova identify important aspects of democratic backsliding, but they attribute it in large part to the EU accession process. I believe that they are right in their assessment of EU accession process is contributing to later democratic backsliding, but I do not believe that the EU accession process is a sole impetus for democratic backsliding. Rather than seeing the EU accession process as the main impetus for democratic backsliding, I will argue that we should see the post-Maastricht EU accession process as a stress-test of the candidate countries' state of democracy and that whether the member states experience democratic backsliding later is in fact determined by the member states transitional justice policies before the accession process.

Building on Meyerrose and Dimitrova's findings of the EU accession process' weakening of new democracies' institutions and domestic policy space I have the hypothesis: *That CEE EU member state democracies that underwent high levels of TJ remain stable democracies after the EU*



*accession process*. The expectation of this hypothesis is that a country may seem democratic on all parameters until and throughout the EU accession process, but when the accession process is completed the new member state is in a new situation where; 1) the institutions are weak, the new rules are on the books only, 2) the political landscape is shaken and polarised, and 3) all the EU's bargaining leverage is gone, they are a part of the club and do not have to mimic the *acquis* anymore. When illiberal politicians gain power one, two or three election cycles (4-12 years or more) after the accession we can perceive this as a real test of the democratic resilience that was predetermined in the early stages of democratisation as I will argue that without the breakage of informal networks and former regime elites, their norms and informal rules will be passed down by politicians and bureaucrats for decades to come, as democratic consolidation is a slow and fragile process.

## Research Design

In this thesis I seek to investigate whether transitional justice creates more resilient democracies, by using evidence from the post-Communist EU member in Central and East Europe. I will do this by investigating whether there exists a correlation between the level of transitional justice during the democratisation process after regime change, and the democratic backsliding occurring 20 to 25 years later in post-communist EU member states in Central and East Europe. The analysis will consist of two sections; in the first section I will conduct a qualitative comparative analysis (QCA) to see *whether* transitional justice creates democratic resilience, followed by the second section which will consist of a comparative case study analysis that will seek to explain *how* transitional justice creates democratic resilience. As resilience is determined by the capacity to withstand and recover from difficulty, I will in the methodology section mention democratic resilience by the name of its V-Dem variable *liberal democracy* which will be used as the outcome in the QCA truth table.

## Methodology

### Qualitative Comparative Analysis

I will describe QCA and my use of it in this section but only to the degree that makes sense in this thesis – for more on QCA I will refer you to specialised books and articles on the matter (Rihoux &



Ragin, 2009; Rihoux & Ragin, 2004). The strength of QCA is that the method gives me the possibility to test different variables, in QCA called conditions, on my outcome – liberal democracy. The QCA has the capacity for analysing complex causation, “defined as a situation where a given outcome may follow from several different combinations of causal conditions – different causal paths” (Rihoux & Ragin, 2004, p. 4). It is a systematic comparison. That will help me understand which conditions are necessary for the outcome of liberal democracy which conditions are not.

The key analytical tool of QCA for analysing causal complexity is the truth table. The truth table lists the logical possible combinations of causal conditions, and the outcome associated with each combination (Rihoux & Ragin, 2004). QCA uses the Boolean minimisation; a method where irrelevant conditions are detected to achieve a simpler expression. Meaning that if the absence or presence of one condition in no way affects the outcome then that condition is irrelevant (Roig-Tiernu et al, 2017). Another feature of QCA is its ability to produce “counterfactuals” or combinations of causal conditions that lack cases, or in other words did not occur empirically (Rihoux & Ragin, 2004).

Each QCA truth table analysis delivers three solutions, which are defined as follows: a *complex* solution where no counterfactuals are included, a *parsimonious* solution where all counterfactuals are included without an evaluation of their plausibility, and an *intermediate* solution where only the logical counterfactuals are included (Rihoux & Ragin, 2009). The intermediate solution is generally among QCA methodologists considered superior to both complex and parsimonious solutions (Rihoux & Ragin, 2009) I will therefore only present my intermediate solutions.

To produce the truth table, one must set the conditions that produce an outcome. The two most common variant of QCA are fuzzy-set (fsQCA) and crisp-set (csQCA). The csQCA uses categorical conditions based on a dichotomy assigning the values 1 – full membership, or 0 – full-non-membership. The fsQCA assigns membership values to the conditions on a scale from 0.0 (non-membership) to 1.0 (full membership) (Roig-Tiernu et al, 2017). As I am using a four-value fsQCA, my truth table will be using the values: 1 fully in, 0.67 more in than out, 0.33 more out than in and 0.0 fully out (Rihoux & Ragin, 2009).

To analyse the truth table, I will both be going through the truth table graphically and by using the descriptive measures of the necessary conditions and intermediate solutions, which measures whether a condition e.g. transitional justice is a necessary condition for liberal democracy



by measuring the condition's consistency and coverage scores. The consistency score represents the consistency of evidence for each causal combination arguing that it is a subset of the outcome, the subset relation is important as it signals that there is an explicit connection between a condition and the outcome (Rihoux & Ragin, 2009). The coverage scores express how much of the outcome is covered or explained, by a particular sufficient conjunction (Schneider & Wagemann, 2010). The consistency and coverage scores are calculated using the fsQCA 4.1 software provided by UC Irvine (UC Irvine, 2025).

By using the approach of QCA I avoid being monocausal, as the QCA unfolds the causal mechanisms and gives a clear view of the causal complexity of democratic resilience and backsliding, and how different variables, alone or in conjunction with others create multiple paths to reach the same outcome - equifinality. This way I will be able to firstly find out whether TJ is a necessary condition for liberal democracy, and secondly to only select cases relevant to the research question that can give us insights into the plausibility of the causal mechanisms behind democratic resilience and democratic backsliding. Rather than dedicating the entire analysis to a monocausal explanation of TJ as the only necessary condition for democratic resilience by analysing cases where other conditions, in fact, determine the outcome. This makes the QCA ideal for a midsize case analysis, as it gives me an overview of my nine cases without a time-and-space-consuming in-depth analysis of each case.

I want to investigate the effects of the application of four levels of transitional justice *wide*, *narrow*, *symbolic*, and *none* building on Horne's definition of lustration systems (See Table 1 in the literature review) on the outcome of liberal democracy. I have chosen fsQCA approach, where the values assigned to the conditions can be seen in Table 3. Besides the condition that is the focus of my thesis, namely *transitional justice*, I will present four other conditions to test their causal effect on the outcome of liberal democracy which is my indicator for democratic resilience.

As I expect a high level of TJ leads to a high level of liberal democracy,  $1 = 1$ , the truth table values reflect the positive result of each condition. The outcome of the QCA is based on the V-Dem variable the *liberal democracy component*, this component is the reflection of democracy as more than just elections, for which I would use the *multi polyarchy component*, the liberal component measures constitutionally protected civil liberties, strong rule of law, an independent judiciary, and effective checks and balances that, together, limit the exercise of executive power, as well as electoral democracy (V-Dem, 2025). I have chosen Varieties of Democracy (V-Dem) as my source of data as it is one of the most renowned and elaborate databases on democracy and it has



the key strength of being coded each year by national experts (Coppedge et al, 2024). I have retrieved the V-Dem variables data through the V-Dem's graphing tool on the V-Dem website, where one can select one variable, see its description, and select multiple countries to see the variable's changes over time (V-Dem, 2025). The original V-Dem outcome scores can be seen in *Democracy Report 2024 – Democracy Winning and Losing at the Ballot* (Lindberg, 2024). A full description of each condition's original variable and its condition calibration can be found in the appendix.

Table 3. Explanatory conditions and their values

Condition	Values
<b>Outcome</b>	1 Liberal Democracy 0.67 Flawed Liberal Democracy 0.33 Electoral Democracy 0 Democratic Backsliding/Illiberal Democracy
<b>Transitional Justice</b>	1 Wide 0.67 Narrow 0.33 Symbolic 0 None
<b>Low Corruption</b>	1 Low Corruption 0.67 Moderate Corruption 0.33 Significant Corruption 0 Severe Corruption
<b>Political Tolerance</b>	1 High Tolerance 0.67 Moderate Tolerance 0.33 Significant Political Polarisation 0 Severe Political Polarisation
<b>Equal distribution of resources change</b>	1 No change or Growth 0.67 Moderate Decline 0.33 Significant Decline 0 Severe Decline
<b>Gini coefficient</b>	1 Low Inequality 0.67 Medium Inequality 0.33 High Inequality 0 Unequal

As a variable the liberal democracy score goes from 0-1, where 0 is closed autocratic and 1 is fully democratic. As a fsQCA condition I will adjust the values based on the democratic level in the EU and not the entire world, meaning that my lowest value '0', will be the value for illiberal democracy/democratic backsliding and not the value for an autocratic regime, which will be everything below 0.25 in the V-Dem dataset, therefore '0' begins at 0.5 V-Dem score. Meaning that the remaining fsQCA scores 0.33, 0.67, and 1 will be reflecting different levels of democracy, with '1' being full democracy.

The first condition presented in the truth table is the level of *transitional justice* in CEE countries, the values are based on Cynthia M. Horne's work on lustration, referring to Table 1 in the



literature review. As I am not measuring the width and scope of transitional justice, I rely on Horne's classification of transitional justice; if I should find Horne's classification insufficient, I will challenge this as a part of my analysis.

The second condition presented in the truth table is that of *political tolerance*. This condition is based on the V-Dem variable of political polarisation, this variable is turned upside down, meaning where the variable, which goes from 0-4, is high, signifying a high level of political polarisation the condition value is low, to signify a low level of political tolerance. The variable political polarisation describes to which degree political differences affect social relationships beyond political discussions. Where societies are highly polarised if supporters of opposing political camps are reluctant to engage in friendly interactions, for example, in family functions, civic associations, their free time activities and workplaces (V-Dem, 2025). The political polarisation variable is also the variable within V-Dem that closest to describe what other scholars refer to as elite polarisation.

The third condition presented is *Low Corruption*. This condition is based on the V-Dem variable *political corruption*, a variable that measures corruption on all levels of society from grand corruption involving the head of state, judges, and politicians to petty corruption involving civil servants taking a bribe for a building permit or fixing a pothole (V-Dem, 2025). This condition is again turned upside down, so high political corruption score equals a low *low corruption* score. The cases' condition scores are in this condition based on benchmarking with other "old" EU member states' corruption score, for the condition to reflect *high levels* of corruption in an EU setting and not a World setting. I use this condition as Dimitrova argues that democracies under state capture can be recognised by high levels of corruption (Dimitrova, 2018).

The next condition is *equal distribution of resources change* which is based on the change of equal distribution of resources from the period of becoming an EU member state in 2004 until 2023, meaning a high condition score signifies either a rise or no change in equal distribution and a low score means a decline in equal distribution of resources. I have chosen this approach to be able to detect the economic grievances which according to existing literature can be a cause to polarisation and democratic backsliding. This condition is based on the V-Dem variable of *equal distribution of resources*, which measures to which extent resources both tangible and intangible are distributed in society, the higher the score, the more equal is the society regarding social services, healthcare, education, etc (V-Dem, 2025). Furthermore, only using the gini-coefficient would not give a clear picture of the changes of the standard of living, if the entire society experience, as a



country can have a low Gini-Coefficient and a low living standard at the same time. The reason why I am still using the gini-coefficient is due to its use in existing literature (Rau & Stokes, 2025). GDP is also a way of measuring economic grievances, however, I find the existing data insufficient as I cannot find GDP measuring the same year, as I can with the other conditions, unless I go five to six years back in time. This condition is based on the World Bank's gini-coefficient data, I have based the condition scores on benchmarking of both what is the lowest score possible and benchmarking with other countries (World Bank, 2025).

The truth table will consist of nine cases: Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, and Slovakia. This is based on their similarities regarding their paths of becoming both democracies and EU member states, all nine CEE countries were Warsaw-pact countries and communist dictatorships during the Cold War and became EU member states in the period 2004-2007 (Termansen, 2019). But even more interesting than their similarities are their differences, which makes it possible for me to move between different explanations of democratic resilience and democratic backsliding through the analysis and unfold the causal complexities behind democratic resilience and democratic backsliding. Poland and Hungary are both famous for their democratic backsliding within the past two decades, but even though they share many similarities, they are still very different in terms of wealth, electoral system, and their approach to transitional justice and how and why this was instrumentalised as a political weapon later. Again, the democratic high achievers of the Czech Republic and the Baltics share many similarities, but their societies are composed differently, with the Czech Republic being ethnically homogenous the Baltic countries are heterogenous countries with large Russian minorities (Carpinelli, 2019), and in regard to TJ their approaches and ways to achieve success were very different (Horne, 2024).

The values of the conditions in the truth table are based on the data from 2023. The main reason for this is that 2023 was the low point of Polish democracy. I find this important as Poland's democracy has since Donald Tusk's big tent coalition won the 2023 parliamentary election regained its course on a democratic trajectory (Vock, 2023; V-Dem, 2025). I have chosen to do this as there is a rich literature on both Polish democratisation, transitional justice, and democratic backsliding, and despite her once-again democratic path I find that Poland is an important case to investigate whether there is a correlation between transitional justice and democratic resilience. Poland is, however, not the only case that is affected by this choice of data, had I used the newest data on



liberal democracy from 2024 Bulgaria and Slovakia would only be 0.01 and 0.08 points away from the designation as an illiberal democracy with an outcome value of '0'.

## The Comparative Case Study Analysis

The two QCA-experts Benoit Rihoux and Charles Ragin advise that no researcher should be a "QCA-monomaniac" and that "it is advisable to use QCA in some stages of research, while exploiting other methods at other stages of research" (Rihoux & Ragin, 2004, p. 6). This is why I combine the analysis with a comparative case study analysis of the five cases I select from the truth table. In this section I will conduct an in-depth analysis of the cases' transitional justice measures individually, their width, and what implications these measures had on their later democratic development for later comparison.

The strength of the comparative case study analysis is the advantage that it gives when dealing with the complexity of transitional justice and gives us in-depth knowledge of the individual cases and at the same time we gain a deeper understanding of the causal mechanisms, as we will be able to see why some countries obtain democratic resilience while others do not (Seha & Müller-Rommel, 2016).

Further, a comparative case study gives the possibility to switch between different explanations and investigate why some TJ measures succeeded while others did not, despite using the same approach to consolidate democracy (Seha & Müller-Rommel, 2016).

This section will consist of two parts; in the first part I will analyse three cases that confirm my hypotheses: the Czech Republic, Estonia, and Latvia and the second part will consist of two deviant cases in the form of Hungary and Poland. Regarding the analysis system design – it differs. When comparing the Czech Republic, Estonia, and Latvia with Poland and Hungary, it is a *most similar systems design* as all five cases are very similar in the respect that they all became democracies from 1989-1991, adopted TJ measures, and they had the same EU accession process, but they have a different outcome (Seha & Müller-Rommel, 2016) as Poland and Hungary experienced democratic backsliding, while the others achieved higher democratic resilience. Interestingly, as it will be clear, in the two parts where we compare the cases because of their outcome it is *most different systems designs* as we are comparing how cases with different experiences, TJ, and political landscapes achieved the same outcome (Seha & Müller-Rommel, 2016). As all five cases



underwent the same EU accession process as described by Meyerrose, I will not go into any further in-depth explanation of the EU accession process, but comment on it if relevant.

As aforementioned TJ in a CEE perspective is mainly lustration, which as a term covers both civil servant vetting and purges; in my assessment of the cases' degree of TJ I will rely on Cynthia M. Horne's four definitions of lustration: 1) *Wide and Compulsory Lustration*, 2) *Narrow and Voluntary Institutional Change*, 3) *Public Disclosure and Symbolic Change*, and 4) *No Change, Symbolic or Institutional* (Horne, 2014). In Horne's 2014 article Estonia's and Latvia's citizenship laws are treated as lustration measures, I will do the same in the truth table, but I will, however, challenge the categorisation in my case study analysis. As I look to find a correlation between the two causes of democratic backsliding of *institutional weaknesses* and *political polarisation* and transitional justice, I will investigate whether I can identify measures in the cases' early TJ measures and political culture, that either inhibited or enhanced institutional weaknesses and political polarisation. My empirical evidence will mainly be based existing research literature, and to a lesser extent political transcripts and laws, reports, and news articles, all sources' background and bias was evaluated before use. I will further substantiate my arguments using variables from the Varieties of Democracy database (V-Dem) covering the period 1991-2023 – the entire democratisation, EU accession process, and EU membership, with a main focus on the 2004-2023 EU membership period. The V-Dem variables will be presented in separate tables for each case. Here I will use the variable of *Liberal Democracy* to measure the cases' state of democracy, as I did with the outcome condition, *Rule of Law* to measure the integrity of the judiciary, and the variable of *Rigorous and Impartial Public Administration* (RIPA) to measure lower-level civil servants' adherence to the law. The table will also include all the truth table conditions' V-Dem variables, *political polarisation*, *political corruption*, and *equal distribution of resources*. I will go through the variables in the order they are presented in the table. Through the V-Dem variable I will be able to spot and select periods in the cases' democracy where democracy has been challenged and investigate whether there is correlation between that event and TJ measures. Furthermore, this way I will be able to see if the conditions (variables) that prove to be necessary in the QCA, also can explain democratic resilience or backsliding when we see them unfold over time, and not just at one point in 2023.

The analysis will be followed by a discussion section where alternative explanations will be reviewed, both through findings from the QCA analysis as well as from other explanations encountered during the qualitative case analysis. In this section I will discuss how government



ideology in the early democratisation process and historic legacies enhance the chances of democratic resilience. Afterwards my findings and shortcomings will be summarised in the conclusion where I will attempt to draw generalisations within the field of democratic resilience and backsliding.

## Analysis

This analysis will consist of three sections. In the first section we will look at the QCA and the truth table to see whether transitional justice create more resilient democracies or if there exist other either equally or more plausible causal mechanisms that explain democratic resilience. In the second section, is the comparative case study analysis that is divided in two parts, we will first go through an analysis of the Czech Republic, Estonia, and Latvia, which are the cases that validates my hypotheses. In the second part we will analyse Hungary and Poland, that the deviates in the QCA.

### Section 1. QCA Results and Findings

Table 3. Truth Table

Transitional Justice	Political Tolerance	Low Corruption	Equal Distribution of Resources change	Gini coefficient	Outcome	No. of Cases	Cases
1	0.67	1	1	1	1	1	Estonia
1	0.67	0.67	1	1	1	1	Czech Republic
1	0.67	1	0.33	0.67	0.67	1	Latvia
0.67	0.67	0.67	0.67	0.33	0.67	1	Lithuania
0.67	0	0.67	0.33	1	0	1	Poland
0.67	0	0	0	1	0	1	Hungary
0.33	0.33	0.67	1	1	0.67	1	Slovakia
0.33	0.33	0.33	0.33	0.33	0.33	1	Bulgaria
0.33	0	0.33	0	0.67	0	1	Romania

In this section where the truth table is shown in Table 3 the analysis of necessary conditions is shown in Table 4, and the intermediate solutions are shown in Table 5, we will analyse the results both graphically and by evaluating the condition scores. Schneider and Wagemann recommend that in an analysis of necessary conditions only the score of consistency needs to be very high to be considered a necessary condition, therefore I set my consistency threshold at 0.9 (Schneider & Wagemann, 2010; Schneider & Wagemann, 2007).



Looking at Table 4 we can conclude that three conditions pass the threshold of 0.9; Transitional Justice, equal distribution of resource change, and low corruption, the first two both with a consistency score of 0.921659 and low corruption with a slightly higher consistency at 0.923963. Transitional Justice's coverage is satisfactory but lower than the other necessary conditions' coverage, but looking at Table 3 we can see that while a wide level of transitional justice in general leads to a higher level of democracy, narrow and symbolic transitional justice measures seem to lead to more inconsistent outcomes with especially Poland's and Hungary's outcome catching the eye. Both countries adopted wider transitional justice measures than both Slovakia and Bulgaria, that both have higher outcome scores than Poland and Hungary. This might be an indicator that Poland and Hungary's TJ measures might have been more narrow than symbolic in name only, as we can see that Lithuania's outcome matches perfectly with its TJ condition value. Meaning we can confirm the first hypothesis as we can clearly see *that a high level of transitional justice during the democratisation process leads to stronger and resilient institutions that can sustain democracy*, but only in countries that adopted wide transitional justice measures while other levels of TJ lead to more inconsistent outcomes with only Bulgaria, Lithuania, and Romania having the expected outcome scores.

Table 4. Analysis of necessary conditions for the outcome of liberal democracy

Condition Tested	Consistency	Coverage
Transitional Justice	0.921659	0.666667
Political Tolerance	0.769585	1.000000
Low Corruption	0.923963	0.750936
Equal distribution of resource change	0.921659	0.858369
Gini coefficient	0.845622	0.550225

Equal distribution of resource change (EDRC) has a higher coverage than TJ and looking at the truth table we can conclude that cases with a low outcome value all have experienced a significant to a severe decline in the equal distribution of resource. However, looking at the cases with higher outcome values the consistency of EDRC differs, Latvia, a case with the third highest liberal democracy score, only 0.03 lower than the Czech Republic, has a high level of democracy despite experiencing a significant decline in equal distribution of resource, and Lithuania is also a case experiencing moderate decline still maintaining a relatively high level of democracy. This indicates that EDRC is a necessary condition for democratic backsliding, but the paths of Latvia, Lithuania, and Slovakia signals that the negative values of EDRC can co-exist with a higher level of democracy and that positive values of EDRC as in Slovakia can co-exist with lower levels of



democracy. Meaning that in a CEE experience a negative EDRC is a necessary condition for democratic backsliding but without the institutional weaknesses created by a low level of TJ it cannot dismantle democracy alone. The condition of Low Corruption has the highest consistent and the second highest coverage, and we can clearly see that Estonia and Latvia both have a high outcome score also have a low corruption score, but we can also see that the Czech Republic has moderate corruption, but is still a full liberal democracy while Poland has the same level of corruption, but despite this it is still an illiberal democracy. While other countries with lower outcome scores, Bulgaria, Hungary, and Romania all have high corruption scores. Meaning the level of corruption as Table 4 indicates is a good indicator of whether a democracy is liberal or illiberal. As the literature review bear witness to, not much literature focus on the correlation between corruption and democratic backsliding, but the truth table indicates, that more research on the issue is relevant.

In our truth table we have two conditions that did not pass the threshold but still need a few comments before the comparative case analysis; *Political Tolerance* and *Gini-coefficient*. The gini-coefficient, which has been a reference point in other studies on economic grievances and democratic backsliding has a relatively high, but not satisfactory, consistency and a low coverage, and cannot alone explain democratic resilience. One can clearly see in Table 3 that a case can have a high gini-coefficient but still have experienced a significant to severe decline in EDRC, as is the case for Poland and Hungary, meaning that it is a rather flawed condition that cannot alone explain the outcome. Political Tolerance is the condition with the lowest consistency, this fits well with my theory that political polarisation can exist in a well-functioning democracy, as we can see that all cases experience some level of political polarisation. However, those cases with the outcome value of '0' all have the Political Tolerance condition value '0', this again fits with my theory that for democratic backsliding to occur there must be both political polarisation and institutional weaknesses. Polarisation alone is not enough. Only a wide level of transitional justice is enough to sustain and create democratic resilience and we can clearly see that cases with lower levels of TJ all have lower levels of liberal democracy.

The most severe cases of democratic backsliding, Hungary, Poland, and Romania all have in common that they have experienced a significant to severe decline in equal distribution of resources, but also that they have low political tolerance and lower levels of TJ, however, according to my hypothesis Romania's outcome is as to be expected, as Romania had a low level of TJ, while



Hungary and Poland both should have had higher levels of liberal democracy, at least with an outcome score at 0.67.

Table 5. Intermediate Solutions: Analysis of sufficient conditions

Path	Raw Coverage	Unique Coverage	Consistency	Cases
TJ*PT*EDRC*LC	0.691244	0.0783411	1	Czech Republic, Estonia, Lithuania
TJ*PT*GINI*LC	0.691244	0.0783409	1	Czech Republic, Estonia, Latvia
tj*pt*EDRC*LC*GINI	0.306452	0.078341	0.801205	Slovakia

*Solution Coverage: 0.847926*

*Solution Consistency: 0.917706*

In Table 5 that shows the intermediate solutions presenting different paths to liberal democracy, consisting of different combinations of conditions that can explain the outcome. We can see three paths. The Czech Republic and Estonia both have positive scores in all conditions, hence we will not concentrate on them in this section. The first two paths have our main focus of transitional justice as part of their explanation for liberal democracy, as well as political tolerance, and low corruption. The only difference is that Lithuania, as country with high inequality, does not have the gini-coefficient as a part of its explanation, but a low change of equal distribution of resources as the explanation. And Latvia with a significant decline in equal distribution of resources, have low inequality as part of the explanation. The third path to liberal democracy is of more interest: Slovakia. In the case of Slovakia, we can see that they have a flawed liberal democracy despite a low level of TJ and significant political polarisation. In the case of Slovakia, low corruption and a positive change of EDRC is to explain its level of liberal democracy. However, 2023 is only one moment of time, and if we looked closer at Slovakia, would we see that the country is not a resilient democracy, but a country characterised by a toxic political climate; the last liberal government lasted from 2021 to 2023, after which Slovakia elected Robert Fico as prime minister (Vachudova, 2024). Slovakia has since, as before 2021, experienced significant democratic backsliding (Vachudova, 2024), meaning that despite its positive outcome score in 2023, Slovakia cannot be considered to be as democratic resilient as the Czech Republic, Estonia, Latvia, and Lithuania.

## Section 2. How transitional justice enhance democratic resilience

In the following section I will go into an in-depth analysis of Hungary's and Poland's transitional justice measures to gain thick knowledge on their deviant behaviour. As my cases of validity, I will



look into the Czech Republic, Estonia, and Latvia's TJ measures. I am allowing myself to include Latvia as it was only 0.03 points away from having the same perfect score as the Czech Republic and Estonia, but also as it is of great relevance to investigate why Latvian democracy could sustain through a significant decline in equal distribution of resources while other cases could not.

## Part 1. Democratic resilience through Czech Lustration and Baltic Citizenship Laws

At the top of the truth table, we have the cases with the widest and most compulsory transitional justice measures: The Czech Republic, Estonia, and Latvia. These cases also have the highest levels of liberal democracy out of the nine CEE countries.

The Czech Republic, or Czechoslovakia until 1993, became a democracy after the Velvet Revolution in 1989. Due to the Velvet Revolution the Czech political elite holding power in the early democratisation was dominated by former dissidents and exiles in both left- and right-wing parties, while the former regime faded into political obscurity (Rohac, 2023). Czechoslovakia passed its first transitional justice law in 1991 in the form of the lustration law known as the *Act No. 451/1991 on Conditions for Holding Certain Positions in State Bodies and Organisations*, which was a vetting law categorising which positions and organisations required vetting, and which former positions disqualified individuals from taking new positions in civil service (ÚSTR, 2024). The law outlined that former regime, stretching from 1946-1989 (Horne, 2024), high-ranking officials or civil servants of different state organisations e.g. the secret police were to be either demoted to a lower position or deemed unfit to serve specific government positions within the military, judiciary, parliament, police, public companies, national radio and television, etc. (ÚSTR, 2024). However, individuals running for democratic election did not fall under the scope of lustration, which according to Adam Czarnota meant “that democratic legitimacy took precedence over lustration procedure” (Czarnota, 2009, p. 321). On a practical level the lustration law meant that a person who held, applied, or stood for a position mentioned in the lustration law was required to both submitting a certificate issued by the Ministry of Interior about her work or collaboration with the secret police, and an affidavit that she did not belong to other groups specified by the lustration law. If she had collaborated with the secret police or did belong to a group specified by the lustration law it would produce a *positive* certificate, and the employer was required to dismiss or transfer her (David, 2003).



By March 2001 345,000 lustration certificates had been issued and among these 3 per cent, or 10,350 people, were positive (David, 2003). The body overseeing the lustration process was the Czech Constitutional Court, which from 1993-2003 consisted of former dissident judges who had either been imprisoned, left their jobs voluntarily or exiled, meaning the judges had no conflict of interest in regard to their own involvement in the former regime (Šimáčková, 2015), whether they had a conflict of interest in judging the personnel of the former regime can be perhaps be questioned. The composition of the Constitutional Court was not of no importance as many positive lustration certificates during the 1990s were overturned by former regime judges in lower courts, only to be upheld by the Constitutional Court (Šimáčková, 2015). The Czech lustration law was what Horne defines as Wide and Compulsory which meant that reporting what you had done in the past or taking an oath was not enough, as seen within narrow and voluntary lustration, to continue in central positions in society it was either dismissal or demotion depending on the past-wrong-doings or the importance of your position.

In line with my theory the Czech approach to transitional justice through wide and compulsory lustration meant an immediate top-down breakage of the informal rules and norms beginning at the dawn of Czech democracy in 1991. The top-down dynamic can especially be seen by the work of Constitutional Court, as we can see that the former-regime-judges in lower courts tried to thwart the transitional justice measures. That it was top-down process, can also be seen in Table 6.

Table 6. Czech Republic V-Dem variables.

	1991	2000	2004	2008	2012	2016	2020	2023
<b>Liberal Democracy</b>	0.80	0.80	0.82	0.83	0.82	0.77	0.72	0.80
<b>Rule of Law</b>	0.84	0.86	0.85	0.86	0.87	0.88	0.84	0.91
<b>Political Corruption</b>	0.25	0.26	0.26	0.26	0.24	0.22	0.22	0.13
<b>Rigorous and Impartial Public Administration</b>	1.61	1.61	1.61	1.96	1.96	2	1.27	2.63
<b>Political Polarisation</b>	0.69	0.61	0.55	0.72	0.86	1.01	1.72	1.98
<b>Equal Distribution of Resources</b>	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96

Source: V-Dem, 2025

Where we can see that the Czech Republic at the very beginning had a high level of liberal democracy and rule of law, while the variable *Rigorous and Impartial Public Administration*



(RIPA), which also measures the devotion to the law of lower level civil servants, indicates that the law was weakly respected by public officials for many years, however, these numbers changed for the better after the accession to the EU. The Czech political corruption has been in limbo between moderate and significant for longer periods and have not reached its current low level until 2023, meaning that a liberal democracy, at least in the Czech case, can function with significant corruption without permanently backsliding. Political polarisation has been steadily increasing from the 2008 Financial Crisis and is still increasing, with an increasing speed during the rule of populist Andrej Babis, even without a change in the equal distribution of resources.

The Czech Republic's wide and compulsory lustration led to a change in norms and rules of public institutions making them more susceptible to actually implement the rules of the *acquis* and navigate through the democratic challenges posed the post-Maastricht accession process without weakening public institutions. This can also be seen in Table 5 where we can see that liberal democracy experienced setbacks just before and during the illiberal 2017-2021 Andrej Babis government, who despite control of private media and the intention to change the electoral system, did not succeed in subverting check democracy and its institutions (Buben & Kouba, 2023). This can especially be seen in the Rule of Law variable where we see a small setback between 2016 and 2020, but not on the same scale as liberal democracy and RIPA, but common to them all, they all restored again, with Rule of Law and RIPA reaching higher scores than before. Meaning we see a clear democratic resilience against autocratic behaviour in Czech institutions. In line with my theory this is because of the Czech lustration process which has succeeded in breaking informal rules and networks creating a culture, cultivated top-down, that supports democracy and defends democracy when challenged, the process is slow but steady and there have been setbacks, but these have been minor and restored.

In the Baltics, Estonia and Latvia are considered to have executed wide and compulsory transitional justice; however, Estonia and Latvia did not adopt and implement lustration laws as explicit as the Czech Republic. Instead, the two countries carried out TJ through a combination of overlapping vetting and citizenship laws, and language requirements (Horne, 2014), as both countries contrary to the Czech Republic, Hungary, and Poland who all have very homogenous populations Estonia and Latvia both have large Russian minorities due to in large part the 1940-1991 Soviet occupation of the two countries (Horne, 2024). This resulted in a number of dubious laws that in large part seem to have higher focus on ethnic rather than ethical justice. This is reflected in their "transitional justice" laws as Estonia in their Citizenship Law and Disclosure Act,



both from 1995, set out procedures to identify, publicise, and exclude individuals who collaborated with the KGB or Nazi security services from 1940 to 1991 (Horne, 2024). Likewise, Latvia defined that individuals of other than Latvian heritage only were Latvian citizens if they were descendants of individuals living in Latvia before the 1940 Soviet annexation (Horne, 2024).

As both Estonia and Latvia claimed their statehood to be the continuation of their 1919-1940 pre-Soviet Republics rather than newly established states, they were able to make large parts of their population stateless with the stroke of pen at the time of independence (Carpinelli, 2019). As Latvia reactivated its 1919 Law on Citizenship 29% of Latvia's population were non-citizens in 1995, to become a naturalised citizen an individual had to have at least 16 years of permanent residence, proficiency in Latvian, know the constitution and pledge allegiance to the Latvian State (Carpinelli, 2019). Latvia's strict naturalisation laws led to her exclusion from EU accession talks at the end of 1997, which led to an up-speed of amendments to Latvian citizenship laws out of the desire to become EU member states and by 2015 the number of non-citizens had shrunk to 12% (Carpinelli, 2019).

Estonia reactivated its 1938 Citizenship Act and made 32% of its population stateless in 1992, to become a citizen the naturalisation process required that an applicant had resided legally in Estonia for at least eight years, spoke Estonian, took an examination demonstrating familiarity with the Estonian Constitution, having a permanent legal income and taking an oath of allegiance (Carpinelli, 2019). Estonian citizenship laws were also met with international criticism and pressure, and the Estonian legislature has since amended their laws multiple times and by 2008 only 8% of the Estonian population were non-citizens (Carpinelli, 2019).

Next to their citizenship laws which concerned the entire populations Estonia and Latvia also implemented more traditional TJ measures such as vetting and confessional lustration. As parts of its lustration Latvia began vetting of electoral candidates, high-ranking civil servants, and military personnel for KGB ties, and through several laws in the 1990s Latvia forbade former KGB agents and individuals associated with pro-Soviet organisations from running in national elections and accessing state secrets (Bergmane, 2018; Horne, 2014). Latvia was the only country in the Baltics whose KGB archives had not been completely destroyed and was therefore able to conduct background checks as part of the vetting process (Bergmane, 2018). In Estonia where most of the KGB's archives had been destroyed, the solution for vetting of all elected or appointed officials became that they were to swear an oath declaring that they had not collaborated with Nazi or Soviet security organs (Bergmane, 2018). As a further measure Estonia required former KGB employees



to report themselves on the basis of strict anonymity, and if they did not self-report their names would be published. Between 1997 and 2010 1,153 people self-reported and 647 names were published by the Estonian Internal Security Service for failing to self-report (Bergmane, 2018).

Based on especially the Citizenship Laws of Estonia and Latvia a number of scholars argue that the real goal of the Citizenship Laws and lustration laws have been to consolidate and secure Estonia and Latvia's independence, statehood, and national identity rather than consolidating their democracies (Carpinelli, 2018; Weber, 2006; Horne, 2024). This is supported by the fact that after the first citizenship laws 50% of Estonians administrative elite consisted of former ethnic Estonian members of the Communist Party, while 90% of the economic sector, 97% of the State Administration, and 99% of the Parliament were Estonians, despite 30% of the population being Russians, and of course then non-citizens (Weber, 2006; Carpinelli, 2018). However, scholars and politicians alike in Estonia and Latvia argue that the citizenship laws, excluding Russians from civil society for ten years, were crucial in consolidating their democracies (Carpinelli, 2018; Horne, 2024). In the case of Latvia this can be supported, as there was an anti-democratic movement among Russians living in Latvia even resulting in a coup attempt in August 1991 by the Latvian Communist Party, leading Latvia to extend its period of lustratable offenses until 1991 (Horne, 2024).

When one looks at the transitional justice measures in Estonia and Latvia, one gets the sense that the success of their transitional justice programmes and success in becoming well-functioning democracies is to some degree based on luck, at least if the transitional justice measures are the reason for their well-functioning democracies. While the Czech Republic established a Constitutional Court as part of its democratisation process to oversee a systemic and detailed lustration process, consisting of a vetting process and the possibility of rejected individuals to appeal their lustration certificates, the Baltic States implemented a more narrow and voluntary than wide and compulsory lustration system and combined it with citizenship laws clearly targeting the Russian minorities, but were wide in measure. While especially their Citizenship Laws were dubious and contested internationally and amended, they might have had an effect on the consolidation democracy and breaking down of informal networks. In 1989 27% of Latvian managerial-administrative personnel were non-Latvians and 17.8% of the Estonian managerial-administrative personnel were non-Estonians (Carpinelli, 2018), as the Soviet Union did post ethnic Russians in its KGB offices in the different Soviet Republics (Oksanen, 2024), the sudden expulsion of Russians may have had a positive effect on the consolidation of democracy and



breaking down informal networks, but as there does not exist any thorough official mapping of Russians working in the Soviet Baltic administration I find it difficult to prove this explanation. But looking at the 1990s difficult and unsuccessful democratisation processes in other European post-Soviet republics with large Russian minorities such as Moldova, Ukraine, and Belarus (Boulègue et al, 2018), I do find it plausible that cutting off Russian influence might have had positive effect.

Despite its potential positive effects on democratisation, I will argue that it is challenging to consider the Estonian and Latvian Citizenship Laws as an instrument of Transitional Justice, if we go back to Neil J. Kritz' definition of transitional justice it was "... the political process by which new democratic regimes seek to find a balance between seeking revenge against past rulers and at the same time establishing democratic credibility by adhering to and fostering rule of law". Estonia and Latvia did not credibly adhere to and foster rule of law through their Citizenship Laws, in fact they violated a number of charters and internationally established minority rights including the United Nations' 1965 2106 (XX) resolution on "International Convention on the Elimination of all Forms of Racial Discrimination", 1992 "Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities", and further rules and guidelines developed by the OSCE and the Council of Europe in 1990s (Carpinelli, 2018). If anything in the case of Estonia and Latvia the EU accession process did not weaken their democracies, in fact it strengthened their democracies as the accession process forced them to change their Citizenship Laws and align them with international standards creating more just societies (Streimann, 2007; Horne, 2024, Carpinelli, 2018).

Further, if we isolate Estonia and Latvia's lustration policies from their Citizenship Laws the two countries did not implement wide and compulsory lustration as claimed by Cynthia M. Horne (Horne, 2014), but narrow and voluntary lustration as it was based on confessions and oaths and not thorough vetting as in the Czech Republic. I do recognise that their TJ measures were wide and compulsory, but they were not just.



Table 7: Estonia V-Dem Variables

	1991	2000	2004	2008	2012	2016	2020	2023
<b>Liberal Democracy</b>	0.52	0.81	0.81	0.81	0.83	0.86	0.84	0.85
<b>Rule of Law</b>	0.90	0.97	0.97	0.98	0.98	0.98	0.98	0.98
<b>Political Corruption</b>	0.18	0.06	0.05	0.03	0.03	0.03	0.03	0.03
<b>Rigorous and Impartial Public Administration</b>	1.03	2.04	2.40	2.92	2.92	3.28	3.28	3.28
<b>Political Polarisation</b>	1.82	1.16	1.06	1.40	0.69	0.91	1.87	1.36
<b>Equal Distribution of Resources</b>	0.89	0.91	0.91	0.94	0.96	0.96	0.96	0.96

Source: V-Dem, 2025

Table 8: Latvia V-Dem Variables

	1991	2000	2004	2008	2012	2016	2020	2023
<b>Liberal Democracy</b>	0.49	0.70	0.71	0.68	0.73	0.75	0.74	0.77
<b>Rule of Law</b>	0.84	0.89	0.91	0.92	0.95	0.94	0.96	0.97
<b>Political Corruption</b>	0.36	0.29	0.16	0.15	0.12	0.10	0.10	0.07
<b>Rigorous and Impartial Public Administration</b>	1.00	1.49	1.83	2.07	2.09	2.09	1.91	3.43
<b>Political Polarisation</b>	1.90	0.80	0.60	0.34	0.34	0.34	0.41	1.28
<b>Equal Distribution of Resources</b>	0.87	0.88	0.90	0.90	0.91	0.90	0.93	0.82

Source: V-Dem, 2025

If we look at Table 7 and 8 both countries have had consistently high and increasing numbers in the Rule of Law variable and a long-term increase in Rigorous and Impartial Public Administration indicating that there has been an increasingly well-functioning public administration adhering to democratic norms and formal rules. Regarding liberal democracy we can see that in the case of Estonia there has been a generally high and consistent level of liberal democracy, without any major setbacks, indicating that there have not been any real challenges to democracy, neither economic, as there has been no decline in the equal distribution of resources nor has the level of corruption risen. This either signals that we cannot conclude that TJ has led to any democratic resilience as it has not



been tested or that TJ has led to a very stable and well-functioning democracy. Both countries have experienced a significant rise in political polarisation without affecting other variables.

In the case of Latvia, we can see that Latvia, while following Estonia on all other the parameters, except for the equal change of resources where there has been significant decline from 2020-2023 and liberal democracy that generally has a lower but positively increasing level. There was a minor setback in 2008 in liberal democracy, which was due to the 2008 Financial Crisis where the Latvian economy was in worse state than Greece, with the GDP falling by 25% and unemployment reaching 20% (Dzenovska, 2018), to mend the economy Latvia adopted hardcore austerity measures making 130,000 people leave a country with circa 2 million inhabitants between 2008 and 2013 (Dzenovska, 2018), as of 2024 Latvia has seen 18-20,000 people leaving the country annually since 2008 (Chmielewski, 2024). Yet Latvia's democracy has been able to be restored, and institutions have been able to remain democratic and increase despite literature suggests it should deteriorate, is this because of transitional justice measures? I believe it is difficult to prove that transitional justice has sustained democracy in Latvia, I believe there are three reasons for Latvia's continued democracy: 1) there has been huge exodus of Latvia's population due to the government's austerity policies, meaning the people with the highest sentiment of grudges and grievances has left instead of staying and voting for populist and extremist parties (Dzenovska, 2018) 2) the political divide between Latvia's Latvian and Russian populations makes it difficult for political parties to gain supermajorities as e.g. Latvian liberals vote for Latvian liberal parties and Russian liberals vote for Russian liberal parties, meaning that populist parties cannot gain the majority to subvert democracy 3) the prevalence of *civic nationalism*, first developed in interwar Latvia, nationalism in Latvia is closely connected to the values of freedom and democracy, meaning that despite Latvian nationalists' oppression of ethnic Russians they are still a liberal and pro-democratic force working for and not against democracy (Germane, 2012).

To sum it up, in this part of the analysis we were able to see, that yes, as according to H2 member states that underwent high levels remain stable democracies through and after the democratic stress-test of the post-Maastricht EU accession process. But as we analysed the three positive cases of the Czech Republic, Estonia, and Latvia we deducted that only the Czech Republic can really be said to have executed wide TJ measures, through their wide lustration law, basically purging the top-personnel of the old regime. While Estonia and Latvia did adopt and implement wide measures they cannot be said to have been TJ measures as they specifically target the two countries' large Russian



minorities rather than members of the former Communist elite, in fact we were able to find that if separating the discriminating Citizenship laws from their transitional justice laws, Estonia and Latvia's TJ measure were in fact narrow as they lie closer to Poland's confessional lustration rather than the Czech Republic's dismissal or demotion of the former regimes bureaucracy. But despite this, the Estonian and Latvian democracies are stable and have proven resilient, and why is that if not due to TJ? If the Czech Republic, Estonia, and Latvia has one thing in common it is that their transition process entailed *discontinuity* with the former regime structure. In the Czech Republic discontinuity was achieved through a new constitution and lustration, through vetting, of the bureaucracy to secure a new democratic culture, while in Estonia and Latvia discontinuity was secured through the re-adoption of the constitutions of the pre-World War II and pre-Soviet Occupation constitutions and the declaration of being the continuation of the interwar period states rather than two new states. Lastly, we have also concluded that all three countries have experienced a significant rise in political polarisation, despite their wide TJ measures, signifying that political polarisation is not predetermined by TJ measures. However, the institutional weaknesses seem to be avoided and if they occur under illiberal pressure as in the Czech Republic, it is only to a minor extend and they restore quickly after a change in government.

## Part 2. The Deviant Cases: The Missing Effects of Narrow Transitional Justice

In Poland the transition from an authoritarian communist regime to liberal democracy was negotiated through roundtable talks in early 1989 followed by a semi-democratic election with the Communist party making 35% of the seats of the Polish lower house the Sejm available (David, 2003). During the early democratisation process the former regime's political elite morphed into the newly established democratic political parties, especially being present in the Democratic Left Alliance (SLD), which through its status as 1993-1997 government coalition partner succeeded in delaying a lustration law until new centre-right government passed a lustration law in 1997 it was, however, not implemented before 1999 (David, 2003). In practicality the lustration law applied to people born before May 11, 1971, meaning only people who were adults before the transfer of power in 1989, who either held or were candidates for an executive position or important position in the state administration, including the presidency, parliament, judges, procurators, advocates, and people holding key positions in the public Polish Television, Radio, Press Agency or Information



Agency (Czarnota, 2009). Not unlike the Czech lustration law people had to submit a lustration affidavit which consisted of a Part A and a Part B. Part A was a declaration of whether the person did or did not work or collaborate with state security institutions in the period July 22, 1944, to July 31, 1990 (Horne, 2024; Czarnota, 2009) and Part B was a statement describing the nature of the work or collaboration, in case part A was positive (Czarnota, 2009). In the cases where Part A was positive the name of person was published in the official gazette *Monitor Polski*, and in the case of people running for public office in election proclamations as well, the nature of collaboration described in Part B was not published (Czarnota, 2009). If an individual submitted a false affidavit she would be barred from office for ten years. Three years into the lustration implementation a new SLD government came to power and the scope lustration law was narrowed (Czarnota, 2009), by then 6,689 affidavits out of 25,000 had been verified, 150 affidavits had been published, 18 had been deemed false and 18 people had been barred from office for ten years (David, 2003).

The level of Polish transitional justice was both low and slow. The Polish transitional justice measures in the form of confessional lustration were adopted in 1997, eight years after the regime change, and implemented in 1999. The period between the regime changes and actual measures was ten years, and during these ten years politicians and bureaucrats of the former regime had the possibility to morph into the new political parties, especially the SLD, and stay in their positions in the civil service regardless of their past actions. An example of this can be seen in the fact that in the late 1990s eight percent of the Polish police and two thirds of the employees of the Office for the Protection of the State were former members of the authoritarian regime's secret police (David, 2003). This kind of organisation would disqualify an individual from public office in countries with wide and compulsory transitional justice measures.

Furthermore, the format of the Polish lustration made it possible for all personnel regardless of their past to continue in their positions even after the background check, as the only offense was an untrue affidavit and not the past actions of the civil servant. Politically the old state's continuation into the new state meant that politicians and media could question and harm their opponents' integrity by accusing them of being collaborators with the former regime without any evidence and thus enhanced elite polarisation, which happened to the former presidents Lech Wałęsa and Aleksander Kwaśniewski (Choi & David, 2012). The slow implementation and narrow measures should, according to the theoretical argument, lead to stronger informal rules and informal networks, and a less resilient institutions that easily would break under illiberal pressure.



Furthermore, due to the weakness of its transitional justice, transitional justice should in the case of Poland be a potential political weapon as politicians, wanting to enhance their power, could use the lack of lustration as a reason to change administrative and judicial personnel and discredit political opponents under the guise of belated transitional justice.

Table 9. Poland V-Dem Variables

	1991	2000	2004	2008	2012	2016	2020	2023
<b>Liberal Democracy</b>	0.78	0.80	0.81	0.83	0.83	0.59	0.45	0.45
<b>Rule of Law</b>	0.94	0.95	0.95	0.96	0.96	0.87	0.77	0.76
<b>Political Corruption</b>	0.08	0.08	0.08	0.08	0.08	0.09	0.12	0.13
<b>Rigorous and Impartial Public Administration</b>	1.46	1.73	1.73	2.28	2.22	1.19	0.97	0.67
<b>Political Polarisation</b>	1.90	2.60	2.79	2.95	3.59	3.89	3.95	3.98
<b>Equal Distribution of Resources</b>	0.91	0.91	0.91	0.91	0.92	0.92	0.84	0.85

Source: V-Dem, 2025

Looking at Table 9 we can see that Poland in general has held a high level of both liberal democracy and rule of law. Furthermore, the impartiality of the public administration in general has been increasing from the time of the regime change until 2016, where it yet again deteriorates to a level where the law is weakly respected by public officials. This sudden fall in formal rules among civil servants, despite an apparent strengthening of formal rules, can be explained by Grzegorz Ekiert and Daniel Ziblatt, who explains that “discontinuous changes can produce institutional mimicry: formal institutions inherited from the old regime conceal and preserve their identity and norms, which can then in turn quickly be resurrected in changed conditions” (Ekiert & Ziblatt, 2013, p. 96). This clearly supports that without breaking informal networks in public institutions, potential authoritarian bureaucracy lies latently in the fabric of the new fragile democracy.

Next to Poland's in general positive numbers in terms of democracy, Poland has had a high, and increasing, level of political polarisation since the 1990s, reaching a level where “Supporters of opposing political camps are more likely to interact in a hostile than friendly manner” in 2012. This can very likely be an effect of the political leeway created by narrow transitional justice to discredit political opponents by claiming e.g. that they are collaborators of the former regime. Looking at Table 9 all variables, except EDR and Political Corruption, begin to move in an illiberal direction, with liberal democracy decreasing by -0.24, rule of law by -0.09, RIPA by -1.03, and an 0.30



increase in an already high level of political polarisation. This spike towards illiberal democracy coincides with the 2015-2023 majority Law and Justice (PiS) government.

PiS, the abbreviation of the Polish *Prawo i Sprawiedliwość*, a right-wing, Christian-conservative, and according to Vachudova, ethnopopulist political party. As an ethnopopulist party PiS has defined itself as a defender of Polish values defined as "...tradition, historical consciousness, patriotism, belief in God and a normal family between a man and a woman" (Sata & Karolewski, 2020, p. 73). As an ethnopopulist party PiS has taken advantage of the already poisonous political climate and has claimed to defend Polish norms and values from a set of constructed internal and external enemies. The internal enemies being former communists, left- and centre-right wing parties, infiltrated by Russian networks, among them the largest opposition party the liberal conservative Civic Platform, and the external enemies being the EU as threat to Polish traditions and Russia as an enemy to Poland's national security (Sata & Karolewski, 2023). As reflected in Table 9 PiS were quick to begin their dismantling of democratic institutions, through a series of reforms taking control of the judiciary, the media, the military by changing the top-personnel (Grzymala-Busse, 2019). Among their reforms another instrument used by PiS was belated lustration. PiS's main rationale for a change of the judiciary, implemented through forced retirement of judges, was that post-communist cronies and liberal traitors had hijacked various branches of Polish government, including the courts (Sata & Karolewski, 2023).

As seen in Table 9 PiS' takeover can be seen immediately with a quick deterioration in liberal democracy and rule of law, the institutions were not resilient when hit with illiberal pressures and PiS succeeded in state capture, which can also be seen in the rise of political corruption, an indicator of state capture. Supporting my theory of the importance of transitional justice for institutional democratic resilience, we can see in Table 9, that two out of three necessary conditions for liberal democracy namely low corruption and an equal distribution of resources were present at the time PiS gained power, meaning that the deterioration of political corruption and EDR did not occur before democratic backsliding in Poland but after, meaning that Poland's low level of transitional justice was the only necessary condition for liberal democracy lacking at the dawn of the PiS government. A government that was quick to both expose and use the inherent institutional weaknesses of the Polish democracy to their own advantage.

In Hungary the transition to democracy happened through roundtable talks in 1989 leading to the first democratic government in 1990 consisting of the centre-right to right-wing parties the



Hungarian Democratic Forum (MDF), the Christian Democrats (KNDP), and the Independent Smallholders (FKGP) (Barrett et al, 2007). The former regime's communist party changed its name from the Hungarian Socialist Worker's Party to the Hungarian Socialist Party (MSZP) and became a significant opposition party in the Hungarian parliament (Barrett et al, 2007). While the majority of the Hungarian parliament were not keen on a full disclosure of past collaborators of the former regime, two bills were proposed to punish actions done during the Communist regime, the *Justitia* plan that sought to punish politically motivated voluntary manslaughter and bodily harm leading to death (Barrett et al, 2007). The Constitutional Court struck down the plan as it violated legal security as there should be no punishment without a valid law at the time (Barrett et al, 2007), the post-transitional Constitutional Court did in general adopt the view that the negotiated revolution started the rule of law in Hungary, meaning that the democratic rule of law was a continuation of the former regime's rule of law, and retroactive punishment was therefore seen as unlawful (Czarnota, 2009).

A second bill was proposed in 1990; Draft No. 482 which sought to limit the participation of former State Security agents and collaborators in the public and political life. This bill was voted down by the parliament, but the two bills did lead to the negotiations of a lustration law starting with the preamble Bill No. 2294 that set out "the promotion of the transparency of the democratic state" in May 1991 (Barrett et al, 2007). The bill was debated for more than a half year and more than 250 amendments were made despite it only consisted of eight paragraphs. Due to the number of amendments the bill was being sent back for revision and was not ready for adoption before April 1994 where the law Act XXIII was passed (Barrett et al, 2007).

In its original form Act XIII was a vetting law where parliamentarians, ministers, judges, senior civil servants (department heads), senior media heads (editors, the head of the Hungarian News Agency), university rectors, vice-chancellors and deans, police commanders etc, were to be screened for whether they had been career officers, top-secret officers, or network members of the III/III, the former state security ministry and agency (Barrett et al, 2007; Czarnota, 2009). The screening process did not contain any affidavits or declaration as seen in other lustration laws, but consisted of vetting commissions consisting of three judges each that were to screen whether individuals had collaborated with the former secret service, if they had collaborated the individual would be given the choice either to resign or have their name published but still continue in their position (Barrett et al, 2007). The logic of the law was that it was expected that people would rather resign than have the public knowing their past as collaborators (Czarnota, 2009). Immediately after



the law was passed the Communist successor party MSZP took power and former communist foreign minister Gyula Horn became prime minister, Horn was of the view that a gentlemen's agreement not to lustrate had been broken and send the new law to the Constitutional Court for further postponement (Barrett et al, 2007). The Constitutional Court found different elements of the law unlawful, and an amputated lustration law was not implemented before 1996 (Barrett et al, 2007).

In 1998 the first (then) centre-right Fidesz government was elected headed by Viktor Orban. The Orban government significantly extended who should go through lustration in 2000, including all media representatives who influenced public opinion, without defining what the *influence* entailed (Barrett et al, 2007). By December 2003 7,872 had been vetted and incriminating data had been found on 126 individuals; out of these only 24 resigned, meaning that the original logic of people rather wanting to resign rather than being publicly exposed had failed (Barrett et al, 2007).

An interesting aspect of the Hungarian lustration law was that it only screened individuals for their ties to state security services and nothing else, furthermore the Constitutional Court did not work to uphold the lustration or enhance it, quite the opposite the Constitutional Court worked against it. Moreover, it is clear from the Constitutional Courts rulings that it perceived the rule of law of the new democracy as a continuation of the regime rather than distancing the new democracy from its authoritarian past. The Hungarian lustration did nothing to break the elite of the former regime, rather it legitimised the former elite letting it morph into the new society unhindered, even if individuals had collaborated with the security agencies they were allowed to continue in top positions of society, which can be seen in the 1994-1998 MSZP government and Gyula Horn's premiership. According to my theoretical argument, this meant that informal networks were not broken, and the rules and norms of the former regime continued into the new bureaucracy. Furthermore, it meant that the missing confrontation with the past and blatant continuation of the former regime's henchmen in public office would lead to less trust in government and the possibility of political opponents to accuse each other of being collaborators or members of the former regime.



Table 10. Hungary V-Dem Variables

	1991	2000	2004	2008	2012	2016	2020	2023
<b>Liberal Democracy</b>	0.76	0.75	0.76	0.77	0.62	0.47	0.36	0.32
<b>Rule of Law</b>	0.90	0.88	0.89	0.88	0.74	0.69	0.64	0.58
<b>Political Corruption</b>	0.25	0.28	0.27	0.28	0.41	0.45	0.48	0.51
<b>Rigorous and Impartial Public Administration</b>	2.74	2.74	2.74	2.43	1.92	1.42	0.77	0.27
<b>Political Polarisation</b>	1.61	2.04	2.27	2.96	3.85	3.61	3.85	3.87
<b>Equal Distribution of Resources</b>	0.85	0.83	0.83	0.77	0.75	0.70	0.62	0.63

Source: V-Dem, 2025

Looking at Table 10 we see that Hungary in general, since the 1990s, has had a relatively high level of liberal democracy, being what I define as a flawed liberal democracy, and high level of rule of law. Hungary has, however, for its entire democratic period been plagued by a significant, and increasing, level of political corruption signalling that informal rules prevail in society, letting formal laws stay *rules-on-the-books*, which is further affirmed by the rigorous and impartial public administration variable, showing that civil servants only respected the law modestly before not respecting it at all after 2016. Also, the political polarisation has been increasing, signalling a torn political environment, which supports my claim that lack of transitional justice can amplify a polarised political climate.

Hungary has had a relatively equal distribution of resources until 2008 Financial crises, meaning that inequality has not been the source to the country's political polarisation, which existed before 2008. In Table 10 all numbers take a significant turn in an illiberal direction in 2012, two years into Viktor Orban's second Fidesz majority government. Viktor Orban's Fidesz, a Hungarian abbreviation for *Alliance of Young Democrats*, is a former liberal party that has turned into a Christian-conservative and ethnopopulist party, building its existence of its role as a defender of Hungarian culture and Christian values against the external enemy of the EU, challenging the Christian and cultural values and the internal enemies of civic groups, NGOs and the Hungarian-American billionaire philanthropist George Soros (Sata & Karolewski, 2023). Fidesz won the 2010 parliamentary election with 53% of the vote and over 68% of the seats (Grzymala-Busse, 2019),



with a roadmap for state capture (Sata & Karolewski, 2023). Fidesz adopted a new constitution in 2011, declaring the 1949 communist Constitution invalid (Grzymala-Busse, 2019), thus breaking the Constitutional Court's former interpretation of the law. Further, Fidesz proposed an amendment holding the MSZP responsible for all the crimes of the communist era effectively outlawing its main competitor (Grzymala-Busse, 2019).

Fidesz and Orban instrumentalised lustration and the term “decommunization” as a political weapon in their overtaking of Hungarian institutions, e.g. adopting new media legislation to correct “leftist bias”, or changing the country's lead under the claim of getting rid of the communist elite, only to replace the people removed by Fidesz-loyalists (Sata & Karolewski, 2019). In the case of Hungary, we can clearly see that the lack of transitional justice has left a vacuum of distrust in politicians, institutions and the media, as the elite of the former regime has been allowed to continue into the new democracy. This vacuum was filled out by Orban and Fidesz who were able to use it to their own advantage, using the missing confrontation as an instrument to remove individuals from powerful positions under the guise of belated transitional justice through lustration and decommunization. In Hungary the missing breakage of informal elite networks led to the possibility of a new Fidesz-affiliated elite being able to replace the old informal elite with a certain legitimacy, as the old elite, with a hint of truth, was still publicly associated with the former regime. With a supermajority, however, Fidesz and its associate did not have to create a new informal network, instead they made their norms and values *rule-on-the-books* as they could change the law. Hungary is today in large part an *electoral autocracy* as Fidesz has gerrymandered the Hungarian electorate to such a degree that Fidesz was able to win a two-third majority with only 45% of the vote in 2014 and 50% in 2018 (Sata & Karolewski, 2023).

Fidesz has succeeded in a complete state capture, which is also reflected by the high levels of political corruption in Table 10. Hungary did as a case have all the necessary conditions to become an illiberal democracy: low transitional justice, high corruption, and elite polarisation, were all drivers for the democratic backsliding, but the low transitional justice created the institutional weaknesses that Fidesz abuse to capture the Hungarian state.

In conclusion, in the cases of Poland and Hungary a lack of transitional justice does matter when it comes to the institutional weaknesses that politicians with authoritarian tendencies can abuse to capture the state and consolidate their power by replacing government officials and judges with party loyalists. The lack of transitional justice made it possible for informal rules and norms to



continue into the new democracies, as they inherited the former regimes' bureaucracy, that could then conceal and preserve their old identity and norms while mimicking the new rules of democracy as well as the laws and regulations adopted from the EU's *acquis*. But when illiberal politicians gained power, the illiberal norms returned to the surface. Not through the same personnel as PiS and Fidesz used lustration to insert loyalists on key positions, but the structures needed for state captured had been preserved since the last authoritarian regime and it was just a question of replacement of personnel rather than a full demolition of democratic rules and norms, that simply had yet to prevail.

### Section 3. Discussion: Alternative explanations for democratic resilience

In this section I will explore alternative explanations that can explain why some CEE democracies became more resilient than others, looking at other factors than TJ or the necessary conditions from the analysis. I will look into two alternative explanations 1) the ideology of the government in the early period of democratization, and 2) the historic legacies of past forms of government.

Looking at the five cases in the two sections of the second part of the analysis, we see commonalities between the cases in each section, the Czech Republic, Estonia, and Latvia, have despite of different kinds of lustration and different ways to what can be described as wide transitional justice, the commonality of discontinuation of the former regime. The Czech Republic with its dismissal of the top personnel of the former regime, and Estonia and Latvia's continuation of their former interwar republics. Hungary and Poland have the commonality that their transitional justice process was slow and met a lot of resistance from politicians and the judiciary, while transitional justice in general was met with a relatively high level of enthusiasm in the Czech Republic and the Baltics. A detail that strikes me in second part of the analysis is the ideological base in the governments working against transitional justice and lustration in Hungary and Poland where governments in both countries unsuccessfully tried to pass lustration laws in the early phase of democratisation. In Hungary it was passed in the first parliament but met resistance in the second parliament. In both countries the parties working against transitional justice were centre-left parties with members of the former communist regime's elite, an elite that at the time was already privileged and had no interest in neither punishment nor reforms limiting their power. Below, in Table 11 we have the nine CEE EU member states, in the rows they are ranked by their V-Dem



2023 liberal democracy score presented in the second column, meaning the top rows are the most democratic and the lowest rows are the least democratic. After the second column we have the column “regime change”, which shows whether the member state went through a negotiated or revolutionary change to democracy. The third and fourth column show the years the countries had either “centre-right to rightwing”- and “centre-left to leftwing” government within the first ten years of democracy (with the last governments of the decade's entirety presented). We will return to the last column “pre-communist democracy” in the second part of this discussion.

Table 11. Alternative explanations of democratic resilience in CEE member states

Countries ranked by liberal democracy score	2023 Liberal Democracy	Regime Change*	Centre-right to Right-wing Governments 1990-2000	Centre-left to left-wing Governments 1990-2000	Pre-Communist Democracy (in years)
<b>Estonia</b>	0.85	Revolution	1990-		13
<b>Czech Republic</b>	0.80	Revolution	1990-1998	1998-2006	18
<b>Latvia</b>	0.77	Revolution	1990-		11
<b>Lithuania</b>	0.73	Revolution	1996-2000	1992-1996	5
<b>Slovakia</b>	0.67	Revolution	1990-2000		18
<b>Bulgaria</b>	0.58	Negotiated	1991-1995, 1997-2001	1990-1991, 1995-1997	0
<b>Romania</b>	0.50	Revolution	1996-2000	1990-1996	0
<b>Poland</b>	0.45	Negotiated	1991-1993, 1997-2001	1993-1997	5
<b>Hungary</b>	0.32	Negotiated	1990-1994, 1999-2002	1994-1999	0

Source: V-Dem, 2025, \*Czarnota, 2009.

Looking at Table 11 we can conclude that the countries with resilient democracy were mostly dominated by centre-right governments in the early democratisation process, except Lithuania. We can also see that the five most democratic CEE member states all had a revolutionary transitioning signalling that discontinuity, or the new democracy distancing itself from the former regime plays crucial role in consolidating democracy. It is difficult to say if it is a necessary condition for democratic resilience, but the will and popular mandate to distance the new democracy from the old regime and its elite seems to be a necessary condition for successfully adopting transitional justice measures.

In the bottom of Table 11 we can clearly see, that the possibility of the former regime morphing into the new democracy, through the negotiation process and the legitimacy they receive through a strong public mandate slows the transitional justice process as well as it creates institutions full of former communist civil servants mimicking the new democratic rules, creating institutional weaknesses that are easy to overturn under the right amount of illiberal pressure.



In the analysis and discussion above one of the main commonalities among democratic resilient countries is discontinuity with the former regime, with the period 1989-1991 being seen as moment of rupture changing the political fabric of Central and East European countries. But what if the roots for whether CEE countries become democratic resilient, or experience democratic backsliding is not determined by discontinuity or continuity from 1989 and onwards, but lies within historical legacies? In their 2013 article *Democracy in Central and Eastern Europe One Hundred Years on* Grzegorz Ekiert and Daniel Ziblatt argues that we in today's studies of CEE democracy focus too much on post-1989 without contemplating the importance and potential causes for successful democratisation that lies in historical legacies (Ekiert & Ziblatt, 2013). I will therefore dedicate the last part of the discussion to investigate whether the Czech Republic, Estonia, and Latvia's democratic resilience is rooted in historical legacies and vice versa with Hungary and Poland's democratic backsliding. But first, is this too far-fetched? I will argue that it is not far-fetched but nor shall it be treated as a main cause for democratic resilience, but just like transitional justice measures, historical legacies may be a necessary condition for a *quicker* democratisation process, as the process has been in the Czech Republic, Estonia, and Latvia. In the last column of Table 11 we can see that these three countries are also the countries with the longest periods of pre-Communist Democracy. This is not without importance, Czech political scientist Karl Deutsch argued that "memory, understood as a set of complex practices, contributes to our self-awareness and allows us to assess our potentialities and limit" (Misztal, 2005, p. 1328), further Deutsch argued that without memory institutions and organisations would just drift with their environment as they are unable to reassess and reformulate their rules and aims in the light of experience (Misztal, 2005). Following this logic the historical legacy and the past experience of democracy makes it easier to reestablish democracy after authoritarianism as the state and people already have, if not experience, then a shared memory of what a democratic society should be like.

Another scholar to raise the issue of memory and democracy is British anthropologist Paul Connerton that argues "...narratives of national identity may help legitimate the status quo but 'divergent' memories can be used to channel political aspirations directed at the modification of the balance of power" (Solís, 2003). In other words in the case of the Czech Republic, Estonia, and Latvia there have been 'divergent' memories during communist rule as the population have been aware that their nations could aspire to other forms of governance, evidently in the 1968 Prague Spring, where First Secretary the reformist Alexander Dubcek attempted to give the Czechoslovak



citizens additional rights through partial decentralisation of the economy and democratisation, which resulted in a Soviet lead invasion of Czechoslovakia (Termansen, 2019).

Furthermore, the knowledge of the past democratic identity is evident in the case of Estonia and Latvia, where both countries rather than adopting a new constitution declared that they were the continuation of their pre-Soviet occupation republics. An ideological continuity, as all three countries in the interwar period were dominated by civic centre-right liberal conservative and agrarian parties, which is the exact same case today when looking at the parties dominating political landscape with liberal-conservative Reform Party and conservative Centre Party in Estonia, the liberal conservative parties Unity and New Unity in Latvia, and the liberal conservative Civic Democratic Party in the Czech Republic (Bertelsmann Stiftung, 2020; Bertelsmann Stiftung, 2024; Bertelsmann Stiftung, 2024).

This continuation of pre-Communist rule can also be projected on Hungary and Poland. In the case of Hungary there was no democratic rule, rather the country was dominated by the semi-fascist regent Miklos Horthy and the parliamentary majority was carried by the Unity Party, which was right-wing to far-right Christian-nationalist and social-conservative party, in terms of ideology not far away from Viktor Orban's Fidesz party (Termansen, 2019). In fact, Orban has raised a statue of the former far-right leader Miklos Horthy (Grzymala-Busse, 2019).

Poland can also be said to experience some continuity regarding its pre-Communist political landscape, which in its five years period of democracy was dominated by a number of centre-right Christian-democratic parties (Termansen, 2019). Contrary to Hungary which today is in effect an electoral autocracy the Polish political landscape is more volatile but have in the last twenty years mainly be dominated by liberal conservative centre-right Civic Forum and the Christian Conservative right-wing PiS; this can also be seen as a form of continuity of the former political landscape as we have the centre-right party and the Christian-conservative party, in a country where 93% of the population is religious meaning these are not necessarily far-right or illiberal voters in a Western-sense, but just voters to whom religious values such as anti-abortion trump civic values (Jasiewicz, 2007). In the case of Poland, we also see a continuity of the political variation between liberal and illiberal tendencies, as in the pre-Communist period.

A sixth example of the importance of historic legacies is Slovakia, a country that only implemented symbolic TJ measures, but still succeeded in sustaining a flawed liberal democracy until Robert Fico's government started undermining Slovak democracy from late 2023 and onwards (Vachudova, 2020) potentially based on the continuity of the Slovaks personal and institutional



memory and experience of 18 years of pre-Communist democracy. In this very short section, I have found a correlation between historic legacies and democratic resilience going as far back as before World War II. I will not argue that future research should go back to before WWII to understand democratic backsliding, but it is interesting how much literature on democratic backsliding and democratisation in CEE begins in the year 1989. It would be advantageous for future research to heed Ekiert and Ziblatt and try to understand the importance of historic legacies in today's CEE.

## Conclusion

In this thesis I have sought to investigate “whether transitional justice creates more resilient democracies”. I have done so by using evidence from the post-Communist Central and East European EU member states, through a QCA analysis of all nine CEE member states and a comparative case study analysis of the Czech Republic, Estonia, Hungary, Latvia, and Poland. Based on existing literature on transitional justice and democratic backsliding I made two hypotheses: 1) *That a high level of transitional justice during the democratisation process leads to stronger and resilient institutions that can sustain democracy*, and 2) *That CEE EU member state democracies that underwent high levels of TJ remain stable democracies after the EU accession process*.

Through the QCA I was able to confirm, with a few side notes, hypothesis 1, that yes, a high level of transitional justice during the democratisation process leads to stronger and resilient institutions that can sustain democracy. But I also found that only wide transitional justice leads to stronger and resilient democracies, as lower degrees of transitional justice such as narrow, and symbolic do not lead to an equivalent level of either higher or lower liberal democracy. In fact, I found that Poland and Hungary were under-achievers in their outcome of liberal democracy compared to other cases with either lower or equal levels of transitional justice. In the QCA I found that the path to a democratic resilience is not monocausal, as other conditions as low corruption, and equal distribution of resources proved to be necessary conditions for democratic resilience. However, in the comparative case study analysis I found 1) that higher levels of corruption can exist in liberal democracy that implemented wide TJ measures without leading to backsliding as in the Czech Republic, and 2) that democratic backsliding can occur without a high level of corruption and with a high level of equal distribution of resources in countries that implemented narrow TJ, such as in Poland. Thus, undermining the two conditions of low corruption and equal distribution of



resources, proving that the level of transitional justice was crucial in the case of the Czech Republic and Poland.

In the comparative case study analysis, when looking at the cases of the Czech Republic, Estonia, Hungary, Latvia, and Poland, I was able to confirm Hypothesis 2. In the cases' individual V-Dem variable tables we were able to see that all countries had relatively high levels of both liberal democracy, rule of law, rigorous and impartial public administration, and, except for Hungary and the Czech Republic, they had low corruption before the EU accession. However, two-three election cycles into the EU membership, democracy began to deteriorate in the two cases, Hungary and Poland, that did not implement wide transitional justice, while liberal democracy has continued to increase, despite minor setbacks caused by illiberal governments and poor economy in the Czech Republic, Estonia, and Latvia. Meaning that the three countries passed the institutional stress-test of the *acquis communautaire*. The Czech Republic's democratic resilience can be explained by wide transitional justice, as the country very early in their democratisation process made a point of discontinuity of the former regime, in the Czech case by implementing wide lustration through vetting and dismissal of civil servants of the former regime, who wished to work in the new democracy; as many as 10,000 civil servants were either dismissed or moved to another position. This way the Czech Republic removed the informal rules and the norms of the former regime and created the possibility for democratic institutions where informal rules align with the rules of the new democracy, thus creating a bureaucracy that is democratic and resilient against illiberal pressure, proven under the rule of Andrej Babis.

In the case of Estonia and Latvia I found that when one separates the lustration laws and citizenship laws from each other, the two countries' transitional justice measures were in fact narrow, as it is difficult to categorise the citizenship laws targeting Russian citizens as just. However, I do acknowledge that citizenship laws were wide in measure and excluded a significant number of ethnic Russian civil servants and this might have had a lustration effect, but due to insufficient data, this is difficult to conclude. Further, I found that Estonia and Latvia did not implement the same strict vetting policies as the Czech Republic, and that their institutions and democracies' resilience needs alternative explanations.

In the Discussion I found that centre-right governments are crucial in the early democratisation process, as they distance the new democracy from the former Communist regime based on a popular mandate, further I found the importance of historic legacies, as the most resilient democracies among CEE member states are also the states with the longest periods of pre-



Communist democracies; concluding that the memory and experience of past democracy makes it easier for post-authoritarian states to redevelop democratic norms and institutions. This leads me to conclude that three factors have been crucial for Estonia and Latvia's democratic resilience: 1) the ideological shift to moderate centre-right parties secured discontinuity with the former regime and the new nation was built by parties that treasured democratic values rather than state capture, 2) the continuity of the pre-Communist past made it easier for Estonia and Latvia to return to democracy as the countries already possessed an inherent democratic identity, and the 3) more controversial explanation can be found in the presumption that Estonian and Latvian democracy was a survival mechanism to not only avoid backsliding into authoritarianism but also to avoid sliding back into Russia; this made it crucial for the two countries to gain liberal democracy, which is a requirement for becoming members of NATO and the EU, which can be seen in the fact that both countries were willing to roll back legislation excluding ethnic Russians from gaining citizenship to become EU members. This means that in the Baltics transitional justice, or ethnic "justice", did play a role in consolidating democracy but only to some extent, as government ideologies, historic legacies, and national survival also played a role in consolidating liberal democracy.

Poland and Hungary were slow in both adopting and implementing transitional justice measures, with Hungary beginning the implementation in 1996, and Poland in 1999. In both cases centre-left parties, dominated by politicians from the former regime, played a role in delaying both the adoption and the implementation of lustration. In both cases the lustration laws were so narrow that the bureaucracy of the Communist dictatorship could continue into the new democracy almost unhindered. Leading to the continuation of the informal rules and norms of an authoritarian bureaucracy, and the possibility of rent-seekers to exploit the weak institutions and create informal networks, often consisting of the former regime's elite, through bribes and cronyism. Thus, creating the institutional weaknesses for illiberal governments to exploit when given the opportunity. That the democracy was not properly consolidated at the time of the EU accession led to an institutional mimicry, where the institutions adopted the formal rules required by the EU, while in reality heeding informal rules. After the EU accession we clearly see both Poland and Hungary falling into democratic backsliding. Here again the lack of transitional justice played a major role, as both PiS in Poland and Fidesz in Hungary instrumentalised the lack of transitional justice to conduct their own belated lustration to remove judges and civil servants from key positions in society only to replace them by loyalists. This could be done as the checks and balances of strong democracies did not exist, due to the inherent institutional weaknesses of the missing transitional justice.



Furthermore, they used the missing clear confrontation with the past to smear opponents, both politicians and civil servants, by accusing them of being collaborators of the former regime.

In both Poland and Hungary's case the ideological pull of the centre-left governments played a part in delaying lustration, meaning that government ideology in the early phase of democracy does play a role in democratic consolidation. Government ideology will not necessarily be a necessary condition in obtaining a resilient democracy, but in the case of Central and East Europe centre-right governments seems to play a role in how fast democracies consolidate. Vice versa one could easily imagine that centre-left governments played the catalyst role in democratic consolidation in post-national-conservative-military junta South American democracies. Again, in the case of Poland and Hungary I was able to find a continuation of the pre-Communist political landscape in the countries' current politics, as both the dominating ideologies of Christian-conservatism, and liberal conservatism (only in Poland), were also the dominating ideologies in the interwar period, proving that historic legacies do play a role in their current democratic condition. I will not argue that future researchers should begin in the interwar period to understand democratic resilience or backsliding in Central and East Europe, but it is striking how much literature on transitional justice, democratic resilience, and democratic backsliding that begin in 1989. I believe it would be relevant for future research on democracy in CEE to search for pre-1989 conditions for understanding their democracies today.

I had an expectation that wide transitional justice would lead to less political polarisation while narrow, symbolic, and no transitional justice would lead to more political polarisation. In my analysis I found that political polarisation is increasing in all countries despite wide transitional justice measures, meaning that transitional justice as variable does not have much effect on the hindrance of political polarisation. However, I found that in countries that implemented narrow transitional justice as in Poland and Hungary, it did have an amplifying effect on political polarisation as the lack of transitional justice could be used to accuse political opponents of being agents of the former regime and thus damage their legitimacy.



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## Appendix

Appendix Table 1. Truth Table for the analysis of sufficient conditions and intermediate solutions.

TJ	Low Corrupti on	Equality Change	Gini coefficient	PT	Number	LibDe m	Case s	Raw consist	PRI consist.	SYM Consist .
1	1	1	1	1	2	1	Cz, Ee	1	1	1
1	1	1	0	1	1	1	Lt	1	1	1
1	1	0	1	1	1	1	Lv	1	1	1
0	1	1	1	0	1	1	Svk	0.8012 05	0.5074 63	0.5074 63
0	0	0	0	0	1	0	Bu	0.4962 41	0	0
1	0	0	1	0	1	0	Hu	0.4267 24	0	0
1	1	0	1	0	1	0	Po	0.4267 24	0	0
0	0	0	1	0	1	0	Ro	0.3316 58	0	0

### Justification of the Outcome Values of Liberal Democracy

Appendix Table 2. Truth Table Outcome Value Justification Table.

Case	Condition Score	2023 V-Dem Score	Justification of the case's 2023 condition score (Lindberg, 2024)
<b>Bulgaria</b>	0.33	0.58	Lower-bound electoral democracy
<b>Czech Republic</b>	1	0.80	Full liberal democracy
<b>Estonia</b>	1	0.85	Full liberal democracy
<b>Hungary</b>	0	0.32	Electoral autocracy
<b>Latvia</b>	0.67	0.77	Lower-bound Liberal Democracy
<b>Lithuania</b>	0.67	0.74	Upper-bound electoral democracy
<b>Poland</b>	0	0.44	Lower-bound electoral democracy with autocratic tendencies. The last year of the PiS government
<b>Romania</b>	0	0.50	Lower-bound electoral democracy with autocratic tendencies
<b>Slovakia</b>	0.67	0.74	Waning electoral democracy. Fico was elected in 2023.

(Source: V-Dem's variable graphing tool, 2025; Lindberg, 2024)



Based on the V-Dem liberal democracy index. Which is clarified as “The liberal principle of democracy emphasizes the importance of protecting individual and minority rights against the tyranny of the state and the tyranny of the majority. The liberal model takes a ~negative~ view of political power insofar as it judges the quality of democracy by the limits placed on government. This is achieved by constitutionally protected civil liberties, strong rule of law, an independent judiciary, and effective checks and balances that, together, limit the exercise of executive power. To make this a measure of liberal democracy, the index also takes the level of electoral democracy into account.” The variable goes from 0-1.

As mentioned in the methodology section. The condition values reflect different level of democracy in an EU context.

Appendix Table 3. Calculation of outcome values

fsQCA = (equivalent) to V-Dem score
$1 = 0.80 <$
$0.67 = 0.79 > 0.65$
$0.33 = 0.65 > 0.51$
$0 = 0.50 >$

### Justification of the Condition values or Equal Distribution of Resource Change Condition

Appendix Table 4. Equal Distribution of Resources Change

	2004	2023	Change	Condition Value
<b>Bulgaria</b>	0.8	0.71	-0.09	0.33
<b>Czech Republic</b>	0.96	0.96	0	1
<b>Estonia</b>	0.91	0.96	+0.05	1
<b>Hungary</b>	0.83	0.63	-0.20	0
<b>Latvia</b>	0.90	0.82	-0.08	0.33
<b>Lithuania</b>	0.96	0.91	-0.05	0.67
<b>Poland</b>	0.91	0.85	-0.06	0.33
<b>Romania</b>	0.83	0.63	-0.20	0
<b>Slovakia</b>	0.82	0.84	+0.02	1



---

Condition Value	1	= 0 <
Explanation	0.67	= -1 < -5
	0.33	= -6 < -10
	0	= -11 <

---

(Source: V-Dem's variable graphing tool, 2025)

Based on the V-Dem Variable *Equal distribution of resources* clarified as: This component measures the extent to which resources --- both tangible and intangible --- are distributed in society. An equal distribution of resources supports egalitarian democracy in two ways. First, lower poverty rates and the distribution of goods and services such as food, water, housing, education and healthcare ensure that all individuals are capable of participating in politics and government. In short, basic needs must be met in order for individuals to effectively exercise their rights and freedoms, high levels of resource inequality undermine the ability of poorer populations to participate meaningfully Aristotle, Dahl 2006. Thus, it is necessary to include not only measures of poverty and the distribution of goods and services, but also the levels of inequality in these distributions, and the proportion of the population who are not eligible for social services i.e. means-tests, particularistic distribution, etc.. This principle also implies that social or economic inequalities can translate into political inequalities, an issue addressed most notably by Walzer 1983, who argues that overlapping ~spheres~ of inequality are particularly harmful to society. To address these overlapping ~spheres~, this component also includes measures of the distribution of power in society amongst different socio-economic groups, genders, etc. (V-Dem, 2025).

The condition values are based on personal estimate of how to as transparently as possible convey the gravity of the declining equal distribution of resources. I chose to reflect the changes in -1- -5 instead of -1 - -10. To get as much variety in the condition values as possible.



## Justification of the Condition value of the Political Tolerance Condition

Appendix Table 5. Political Tolerance Justification Table

	<b>2023 V-Dem Political Polarisation Score</b>	<b>Political Tolerance Condition Value</b>	
<b>Bulgaria</b>	2.76	0.33	
<b>Czech Republic</b>	1.98	0.67	
<b>Estonia</b>	1.36	0.67	
<b>Hungary</b>	3.87	0	
<b>Latvia</b>	1.28	0.67	
<b>Lithuania</b>	1.52	0.67	
<b>Poland</b>	3.98	0	
<b>Romania</b>	3.13	0	
<b>Slovakia</b>	2.76	0.33	
	0-1	1	No political polarisation. Supporters of opposing political camps generally interact in a friendly manner.
	1-2	0.67	Mainly no political polarisation. Supporters of opposing political camps are more likely to interact in a friendly than a hostile manner.
	2-3	0.33	Some political polarisation. Supporters of opposing political camps are equally likely to interact in a friendly or hostile manner. 3: Yes, to noticeable extent. Supporters of opposing political camps are more likely to interact in a hostile than friendly manner.
	3-4	0	Political polarisation to a large extent. Supporters of opposing political camps generally interact in a hostile manner.

This condition is based on the V-Dem variable of *Political Polarisation*. The condition values are well-described in the last four rows of Table 5. Where the justification is based on the clarification of the variable (V-Dem, 2025).



### Justification of the Condition value of the Gini-coefficient condition

Appendix Table 6. Gini-coefficient justification table

	2023 Gini-Coefficient	Condition Value	
<b>Bulgaria</b>	39	0.33	
<b>Czech Republic</b>	26	1	
<b>Estonia</b>	32	0.67	
<b>Hungary</b>	29	1	
<b>Latvia</b>	34	0.67	
<b>Lithuania</b>	37	0.33	
<b>Poland</b>	28	1	
<b>Romania</b>	34	0.67	
<b>Slovakia</b>	24	0.33	
	<30	1	Denmark, Norway, Finland at 28
	=30<34	0.67	Germany at 32, South Korea at 33
	=35<40	0.33	China at 36, Israel at 38
	=40<	0	Haiti, United States at 41

(Source: World Bank Gini Co-efficient, 2025)

This condition is based on the World Bank's gini coefficient dataset. The condition values are based on benchmarking with other developed economies, by looking at both cases of thesis but also other countries, known for their level of equality and inequality.



### Justification of the Condition scores for the Political Corruption condition

Appendix Table 7. Justification of Political Corruption Condition value

	2023 Political Corruption	Condition Value	
<b>Bulgaria</b>	0.34	0.33	
<b>Czech Republic</b>	0.13	0.67	
<b>Estonia</b>	0.03	1	
<b>Hungary</b>	0.51	0	
<b>Latvia</b>	0.07	1	
<b>Lithuania</b>	0.12	0.67	
<b>Poland</b>	0.13	0.67	
<b>Romania</b>	0.33	0.33	
<b>Slovakia</b>	0.20	0.67	
	=0 < 0.10	1	France 0.05
	=0.10 < 0.25	0.67	Italy 0.17
	=0.25 < 0.40	0.33	Greece 0.24
	= 0.40 <	0	Lower than Romania's confidence extreme at 0.40

(Source: V-Dem's variable graphing tool, 2025)

This is based on the V-Dem variable *political corruption*. Which is clarified as “The directionality of the V-Dem corruption index runs from less corrupt to more corrupt unlike the other V-Dem variables that generally run from less democratic to more democratic situation. The corruption index includes measures of six distinct types of corruption that cover both different areas and levels of the polity realm, distinguishing between executive, legislative and judicial corruption. Within the executive realm, the measures also distinguish between corruption mostly pertaining to bribery and corruption due to embezzlement. Finally, they differentiate between corruption in the highest echelons of the executive at the level of the rulers/cabinet on the one hand, and in the public sector at large on the other. The measures thus tap into several distinguished types of corruption: both ‘petty’ and ‘grand’; both bribery and theft; both corruption aimed and influencing law making and that affecting implementation.” (V-Dem, 2025).

The condition values are set after benchmarking of other EU member states' corruption scores, with ‘0’ being Romania's lowest confidence rating of the V-Dem variable. As Romania has been known



as one of the most corrupt EU member states, even though it clearly has been surpassed by Hungary (Thomas, 2024).