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Resisting democratic backsliding

Rachel Beatty Riedl

In an era marked by accelerating democratic erosion across both established and emerging democracies, identifying how resistance emerges – and when it succeeds – has become a matter of urgent political relevance. Drawing on data analysis from the Democratic Attacks and Resistance Events (DARE) dataset¹, with Paul Friesen, we have mapped thousands of discrete episodes of attacks on democratic institutions and subsequent resistance responses across 28 cases of backsliding worldwide since 2000.² This analysis provides some lessons concerning who is attacking democracy from within, and by what means, as well as which actors and conditions are able to block or reverse these attacks most effectively.

First, attacks on democratic institutions – the rule of law, the judiciary, legislatures and electoral systems – are less frequent but significantly more severe in scope and magnitude than attacks on social spaces such as civil society, the media or restrictions on public gatherings. Social spaces are usually attacked first, particularly to shift the

media narrative and citizens' ability to formulate and express preferences. They are followed by these institutional site attacks, demonstrating a systemic escalation of democratic erosion and an effort to capture the very sites of democratic accountability that can uphold and protect social rights.

Second, the capacity for resistance depends heavily on the balance of power in the legislature: when the ruling party commands a supermajority, institutional resistance is dramatically weakened or neutralised, while under minority or divided legislatures, bureaucratic and judicial actors retain the strongest capacity to block or reverse attacks. In short, the study reveals a clear pattern: the quality of resistance mirrors the quality of democratic competition itself.

Third, institutional protections do not occur within a vacuum. While the judiciary, the bureaucracy and the legislature are key means of protection against severe demo-

¹ Democratic Attacks and Resistance Events (DARE) Dataset and Research Project: <https://publicpolicy.cornell.edu/cgd/research/dare/>

² Friesen and Riedl (2025): *Effective Strategies to Resist Democratic Backsliding*. APSA paper.

cratic erosion, they are given courage and direction by public pressure. To that end, social mobilisation can better target institutional sites for democratic resistance. Putting pressure explicitly on the judiciary, legislature and bureaucratic agencies of the state to perform their democratic role of horizontal accountability, rather than allow transgressions, is an important and evolving strategy of civil resistance.

Mapping the terrain of democratic backsliding

Given that the contemporary world is marked by backsliding (democratic erosion from within, generally by elected executives and ruling parties³) as the predominant form of contemporary autocratisation, and that unlike classic coups or outright breakdowns, backsliding proceeds through incremental, legalistic strategies (what Scheppele has termed »autocratic legalism«⁴), democratically elected leaders exploit institutional mechanisms to weaken checks and balances and concentrate executive power.⁵ By analysing all countries experiencing different stages of backsliding, we can draw lessons from ongoing backsliders such as Hungary, India, Serbia, Tunisia, Turkey and Venezuela, as well as from partial to full recovery cases such as Brazil, Malawi, Poland and South Korea.

Three features stand out. First, *state institutions are the principal aggressors*: over 80 per cent of attacks originate from the executive, legislature or bureaucratic apparatus. Second, *social democratic spaces* – media, civil society and civil liberties – *constitute the majority of targets*, accounting for roughly two-thirds of all attacks. Third, *institutional attacks, while less numerous, are more systematic and legally mediated*, reflecting the strategy of embedding autocracy within a formal democratic framework. These findings confirm that today's autocrats prefer legal tools to overt repression – they protect autocrats by capturing the very sites that could hold them accountable and create divisions within society with regard to whether democratic backsliding is even happening, hampering the development of a broad opposition coalition response.

Differentiating social and institutional spaces

Both social and institutional democratic spaces are critical to democratic practice, and yet they have different functions. Social spaces – media, civil society, non-violent mobilisation such as protests and rallies, and opposition

parties – serve as the connective tissue of democracy, linking citizens to power and channelling preferences for effective representation. Institutional spaces – judiciaries, legislatures, bureaucracies and electoral authorities – form the structural core of horizontal accountability to hold power to account, to enforce the rule of law and create and implement new laws and policies that represent citizens' preferences and rights.

In this era of democratic backsliding, attacks on social spaces tend to be targeted and extra-legal, including harassment of journalists, restrictions on NGOs, or intimidation of protesters. These are frequent and often designed to signal dominance rather than fundamentally alter institutional architecture. They seek to chill critical voices and urge pre-emptive capitulation to the ruling party's will. By contrast, attacks on institutional spaces are typically *legalistic and wide in scope* (affecting society and politics as a whole), such as constitutional amendments, court-packing or electoral law manipulation. These events, though rarer, represent 'inflection points' after which reversal becomes exceedingly difficult.

The distinction has profound implications for resistance. Social spaces are more visible and mobilise immediate public backlash – mass protest, media campaigns or coalition formation – whereas institutional spaces, once captured, tend to generate only narrow or elite resistance, based on more technical capacity and access. One key takeaway is that the *pace and sequencing of attacks matters*: early capture of legislatures and courts often forecloses the very channels through which organised resistance could later emerge.

Who resists – and how?

Resistance actors range from citizens and civil society organisations to bureaucratic agencies, legislative and judicial institutions. Just as attacks range in scope and magnitude, resistance varies in degrees of mobilisation and pressure, from a statement of disapproval to full legal reversal of an attack.

Judicial resistance is the single most powerful predictor of the blocking of anti-democratic attacks. In the aggregate model, full mobilisation of the judiciary raises the likelihood of blocking an attack by more than 50 percentage points.⁶ Bureaucratic and legislative resistance also has significant effects, albeit less frequent. Civil so-

3 Nancy Bermeo (2016): On Democratic Backsliding, *Journal of Democracy* 27(1): 5–19; Larry Diamond (2015): Facing up to the democratic recession, *Journal of Democracy* 26(1): 141–155; Riedl, R.B., Friesen, P., McCoy, J., & Roberts, K. (2025). Democratic Backsliding, Resilience, and Resistance. *World Politics* 77(1, suppl.), 151–177. <https://dx.doi.org/10.1353/wp.2025.a954440>.

4 Kim Lane Scheppele (2018): Autocratic Legalism, *University of Chicago Law Review* 85(2): 545–584.

5 Riedl, R. B., McCoy, J., Roberts, K., & Somer, M. (2025). Pathways of Democratic Backsliding, Resistance, and (Partial) Recoveries. *The Annals of the American Academy of Political and Social Science*, 712(1), 1–22, <https://journals.sagepub.com/home/ann>.

6 Friesen and Riedl (2025): *Effective Strategies to Resist Democratic Backsliding*. APSA paper.

ciety and citizen protests play complementary roles: while they seldom block attacks directly, they often trigger institutional responses, particularly by bringing legal challenges before the courts. In several African cases – Malawi, Zambia and Benin – civil society's initiation of lawsuits created the opportunity for pro-democratic judicial rulings. These examples highlight the importance of social mobilisation targeting institutional domains, with specific demands for horizontal accountability.

By contrast, the effectiveness of resistance declines sharply when the ruling party holds a parliamentary supermajority. In such contexts, judicial and bureaucratic autonomy erodes, while legislative opposition is structurally marginalised. Under minority or divided government, however, institutional actors display higher rates of mobilisation and success. This pattern is vividly illustrated in Poland's post-2015 backsliding under the Law and Justice (PiS) government: once PiS consolidated parliamentary control, judicial resistance persisted but at diminished capacity, while civil society protests provided mobilizational rather than structural counterweights.⁷

Broader implications for democratic resilience

While the democratic resilience and formal independence of courts and bureaucracies is crucial, we must understand the social roots and legislative balance that shape the decisions such institutions take at any given moment of challenge. Legislative pluralism and societal activation are crucial, playing a catalytic role by connecting social mobilisation to institutional mechanisms. Conversely, when polarisation fractures civil society, as in Indonesia, or when legislative dominance stifles opposition – as in the United States – even strong institutions struggle to resist.

Timing and sequence are also important. Early resistance, particularly judicial, can arrest backsliding before institutional capture becomes irreversible. Delayed or reactive resistance, by contrast, tends to be symbolic. This temporal insight underscores the value of preventive measures, such as safeguarding judicial appointments, protecting bureaucratic tenure and maintaining transparent legislative procedures. Societal pressures on these domains are critical as pre-emptive sites of democratic resilience.

For policymakers and democracy-support organisations, external assistance should prioritise supporting judicial independence and access to justice, in addition to electoral system monitoring and support. Second, interna-

tional actors can bolster domestic civil society's legal capacity to file constitutional or administrative challenges, thereby triggering institutional defence mechanisms. Third, donors and democratic governments can condition cooperation on maintaining parliamentary pluralism and avoiding procedural manipulation that creates de facto supermajorities.

From resistance to recovery

Even in contexts of entrenched backsliding, recovery is possible when resistance networks align across social and institutional domains. In Brazil, Poland and Malawi, mass protest movements combined with judicial interventions and electoral mobilisation to eventually unseat backsliding incumbents. However, blocked attacks do not automatically restore democratic quality; institutions often remain scarred by capture, and citizen distrust of institutional manipulation creates challenges for democratic accountability and integrity in highly polarised societies.⁸ Critically, resistance is not random, but adaptable, conditional on context and attack sequence, as well as learnable.

⁷ Michael Bernhard (2021): Democratic Backsliding in Poland and Hungary, *Slavic Review* 80(3): 585–607.

⁸ Jennifer McCoy and Murat Somer, eds., "Special Issue: Polarization and Democracy: A Janus-Faced Relationship With Pernicious Consequences," *American Behavioural Scientist* 62, no.1 (2018), <https://journals.sagepub.com/toc/abs/62/1>

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