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From agents of the people to agents of authority? How illiberal populism impacts interactions between regulatory agencies and external stakeholders

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Abstract

The decline in democratic quality and the increasing electoral popularity of illiberal populist parties are among the most notable global phenomena in the past 20 years. This article builds a bridge between the growing body of political science literature addressing how democratic backsliding impacts linkages between governments and organized interests and the public administration literature exploring how illiberal populists reshape the bureaucracy. Focusing on regulatory agencies in four post-communist countries that have recently experienced varying degrees of democratizing backsliding, we explore whether and how interactions between bureaucrats and interest groups have changed amid democratic decline. We find that even in the context of backsliding, professionalization (i.e. internal organizational development) and expertise provision are strong positive predictors of interest groups' access to regulators. However, our analysis unequivocally shows that exclusion by illiberal populist incumbent parties has a profound and negative effect on organizations' ability to reach bureaucracies. We draw on a new survey dataset, which grasps relationships between organized interests and political institutions (i.e. governments, parties, regulatory agencies, parliaments) in the region.

Keywords: Central and Eastern Europe, democratic backsliding, organized interests, politicization, populism, regulatory agencies.

1. Introduction

The decline in democratic quality, emergence of (semi-)authoritarian regimes and electoral success of illiberal populist parties are among the most notable phenomena around the globe in the past 20 years (Levitsky & Way, 2020; Mechkova et al., 2017). Countries once considered on track toward liberal democracy such as Hungary and Poland have experienced waves of democratic backsliding, resurgences of national conservatism and “Caesarian” strongman politics (Sata & Karolewski, 2020). This has often been accompanied by the expansion of executive powers, breakdown of consultation procedures and parliamentary control mechanisms as well as the partisan monopolization of public institutions (e.g. state media, enterprises, and bureaucracy). These developments have generated not only a plethora of literature on the causes of backsliding (Bozóki & Simon, 2019; Rockman, 2019), but also the mechanisms and strategies of ‘backsliding’ governments, who have pursued various legal and semi-legal tactics to reshape legislative, executive, and judicial institutions (Scheppele, 2018).

Very recently, democratic backsliding has also inspired two separate strands of new research. Building on pre-existing studies on organized interests in Central and Eastern Europe (e.g. Dobbins & Riedel, 2021; Rozbicka et al., 2021), a growing body of literature explores how democratic backsliding impacts the linkages between governments and civil society, in particular organized interests. For example, Gerő et al. (2023) show that the closing of political opportunity structures has prompted some interest groups to pursue more participatory and

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grassroots activism outside formal political institutions, while others have been subject to “Gongoization,” that is, co-optation by illiberal governments. Along these lines, Labanino and Dobbins (2023a) contend that many Central and Eastern European (CEE) interest organizations shut out from national-level consultations increasingly focus on regional- or European-level lobbying. Public administration scholars have also discovered democratic backsliding and populism as a fruitful area of research (e.g. Peters & Pierre, 2019; Rockman, 2019). Most notably, Bauer et al. (2021) elaborate on how populist governments pursue varying strategies vis-à-vis the public bureaucracy, depending on their context-specific motives and political ambitions.

This article builds a bridge between these two emerging strands of research. Considering that illiberal populism is having tangible effects on both interest groups and bureaucracies, there are reasons to assume that it may also affect relationships between bureaucracies and organized interests. After all, illiberal populist governments often undermine state neutrality (Enyedi, 2016), monopolize public institutions and exercise public power for private gain (Sata & Karolewski, 2020). Against this backdrop, we are interested in how the wave of populism and democratic backsliding in CEE impacts relationships between national regulatory agencies—as a key part of public administrations (Maggetti et al., 2022)—and organized interests.

While regulatory agencies are generally attributed a politically neutral status (Ennsner-Jedenastik, 2016), it is long known that they may be subject to external influence and even regulatory capture (Carpenter & Moss, 2014) by powerful organizations. Along these lines, a growing body of literature on how illiberal and/or populist governments leverage the bureaucracy has emerged (Box, 2021; Peters & Pierre, 2019). However, little is known about how interactions between interest organizations and public administration are affected by such changes. Do relationships between bureaucrats and civil society change when populists rule and democratic quality declines? Is there a “run” on formally independent agencies when access to conventional political channels of influence (e.g. parliaments) decreases or becomes over-particized? Do government-loyal organizations have privileged access to regulatory authorities? Are expertise-sharing organizations still able to consult with bureaucrats? And how contingent are such interactions on the type of populism (e.g. technocratic, authoritarian)?

To address these questions, we draw on a new survey dataset (see Dobbins et al., 2023), which grasps relationships between organized interests and political/administrative institutions (i.e. governments, parties, regulatory agencies, parliaments) in four post-communist countries—Poland, Hungary, Czechia, and Slovenia—which have experienced waves of different kinds of populism and various levels of democratic backsliding. Studying organized interests in CEE offers unique opportunities to researchers. The organizational landscape is not only relatively young, but the transition from communist dictatorship to democracy and market economy is a historically unique experience. As recent democratic backsliding in several of these countries shows, the democratization process is far from being unidirectional in the region. Party systems are also more volatile than in western polities (Enyedi & Casal Bértoa, 2018). These factors highlight the importance of the political context both in interest group and public administration scholarship. We proceed with an overview of the relevant literature, before developing our theoretical approach and deriving a series of complementary hypotheses. We then present our methodology, multivariate statistical analyses and findings, before concluding.

2. State of the art

Mainstream interest group scholarship has recently been enriched by a small but growing body of literature on how and why bureaucrats interact with interest groups (e.g. Binderkrantz et al., 2015; Braun et al., 2020; Braun & Busuioc, 2020). For example, Arras and Braun (2018) argue that, in the name of responsive regulation and horizontal accountability, stakeholder involvement enables bureaucracies to better fulfil their mission of effective and externally legitimate regulation. These interactions are often contextualized as resource exchanges (Bouwen, 2004) to the extent that interest groups are granted access to bureaucrats in exchange for expertise and information on policies and their impact. Despite their formal independence, bureaucratic actors may be driven by reputational concerns (see e.g. Fink & Ruffing, 2020) and therefore deliberately aim to facilitate the flow of expertise and information from the public. This, in turn, may not only boost their legitimacy, but also enable them to expand their turf and clout. Braun (2012) demonstrates that organizational routines become heavily institutionalized over time, as public officials may regularly engage with a selected organized interests based on the “type and quality of the policy information they [...] offer” (p. 810). This stability, however, may not be

motivated exclusively by information exchange, but also bureaucrats' desire for reliable partners during policy implementation (Barkey, 1994).

Scholars of regulation have theorized similar trade-offs between regulatory authorities' formal political insulation and their perceived accountability toward civic groups. Defined as structurally disaggregated and politically independent public sector organizations entrusted with specialized regulatory tasks (Maggetti et al., 2022), regulatory agencies "rule by law rather than edict in conducting the daily affairs of governance" (Green, 2019, p. 1519). According to Maggetti et al. (2013), their existence serves to ensure the long-term predictability of governance irrespective of partisan politics and electoral shifts, long-term commitments for market actors as well as the amassment of scientific, technical and economic expertise to reduce information asymmetries between regulators and regulated actors (Coen & Thatcher, 2005).

Despite their constitutional isolation from political institutions (Maggetti et al., 2013; Majone, 1999), regulatory agencies may also be concerned with issues of responsiveness, effectiveness, and legitimacy (see e.g. Koop & Lodge, 2020). This trade-off between neutrality and political isolation, on the one hand, and reputational concerns, on the other, may be more pronounced in the era of large-scale and heavily politicized crises such as the COVID pandemic, energy shortfalls and international financial crisis (Maggetti et al., 2022). Thus, the desire to design regulations in line with the interests of the public and those regulated has enhanced stakeholder engagement in regulatory governance (Haber & Heims, 2020).

These observations have spawned a series of qualitative (e.g. Fink & Ruffing, 2020) and quantitative (e.g. Joosen, 2020) analyses of how organized interests become involved in "upstream," that is, advisory functions and expertise provision, and "downstream" regulatory governance, that is, monitoring and compliance with regulatory processes (Braun et al., 2020). However, stakeholder involvement also bears the risk of de-legitimation. Simply put, external stakeholder engagement can be biased toward certain groups, opening avenues toward regulatory capture (Carpenter & Moss, 2014; Stigler, 1971; Webb Yackee & Webb Yackee, 2006), as the content and interpretations of regulations may be diverted toward the interests of certain (mainly business) groups (Shughart & Thomas, 2019).

However, to our knowledge, an analysis of how democratic backsliding and illiberal populism affect regulatory governance and public administration's inherent trade-off between independence and stakeholder accountability is still lacking. What happens when populists "shake things up" by closing down dialogue with groups representing (opposing) societal interests, giving precedence to political loyalty over professional expertise or monopolizing public institutions (Scheppele, 2018)? To theoretically conceptualize these potential impacts, we draw on the abovementioned recent scholarship on populism and public administration.

2.1. Public administration and populism

How and why do populists target the bureaucracy? Framed famously by Mudde and Kaltwasser (2017) as "thin ideology," populism aims to mobilize a silent majority against the elite establishment, that is, political parties, state bureaucrats, special interests or large corporations. While leftist populists generally link the elite to economic power, right-wing populists often evoke ethno-nationalist notions and fear of unwarranted influence of global "agents" against the interests of the native people. In either case, populists generally aim to disrupt established governance practices (Peters & Pierre, 2019). Müller (2016) poignantly argues that populists' efforts to rewrite the operation manual of the state do not stop short at the bureaucracy. However, this is not necessarily driven by overzealous authoritarian instincts alone, but also a strong will to leverage the bureaucratic apparatus to deliver on policy promises in view of still competitive elections (Bauer et al., 2021). Hence, the recalibration of the state bureaucracy may reflect both bureaucratic authoritarianism (Collier, 1979) as well as efficiency concerns, as even the most anti-establishment populist rulers rely on the bureaucracy to "get things done" (Bauer & Becker, 2020).

Yet while populism and democratic backsliding are linked (Bakke & Sitte, 2022), the mere election of populist parties does not automatically bring about fully fledged democratic decline. Bauer et al. (2021) lucidly argue that it is ultimately their actions in office—and the brand of populism (see Peters & Pierre, 2019)—that count. Bauer et al. (2021) outline three broader strategies which illiberal populist governments pursue vis-à-vis the bureaucracy. In the most radical scenario, populists systematically instrumentalize the bureaucracy to realize a more authoritarian version of governance and exert control over society. Thus, public administration is essentially

colonized by political loyalists. Even in the “pre-backsliding” phase, Grzymała-Busse (2003) observed that post-communist political parties actively appointed party activists to state administrative positions. Ideologically diverse governing parties were keen to create new regulatory agencies and state commissions headed by partisan loyalists. Even in the most advanced post-communist nations (e.g. Czechia, Poland, Hungary), leading parties—including liberal ones such as the Czech ODS—boundlessly created and staffed positions in the state bureaucracy, often blurring the boundaries between political appointees and professionalized civil servants (Grzymała-Busse, 2003). Meyer-Sahling (2008) poignantly argues that “pre-backsliding” Hungarian governments pursued the “open politicization” of the bureaucracy to the extent that new governments staffed public administration with ideological loyalists from outside the public administration (i.e. business, academia), even in a climate of deregulation and liberalization. And interestingly, the administrative apparatus was most heavily politicized precisely in several countries recently heavily affected by democratic backsliding (i.e. Poland, Hungary, Czechia, Slovakia) (Grzymała-Busse, 2003).

Hence, it is legitimate to assume that illiberal populist governments pursue bureaucratic politicization even more vigorously than their predecessors. Yet there is a caveat here. Various scholars have argued that illiberal populism in CEE emerged precisely due to broader civic discontent with incompetent elites, clientelistic politics, and state capture (e.g. Havlík, 2019). In fact, the Polish PiS party has promoted the idea of “rising from the knees” (*wstawianie z kolan*), that is, a strategy of empowering public administration to better cater to people and not just privileged oligarchic elites:

“One cannot accept a situation in which the state is unable to mobilize forces and resources for the implementation of large social or economic projects needed for the common good” (p. 12) ... “We shall restore the genuine dimension of the idea of professional, apolitical clerical staff.” (PiS, 2014, p. 51, cit. in Mazur, 2021)

Hence, illiberal populism may be a vehicle for re-establishing a professionalized civil service and people-oriented public administration.

Alternatively, Bauer et al. (2021) argue that populists may sideline the bureaucracy by constructing alternative structures more proximate to the executive to complement or substitute the work of the pre-existing public administration (p. 9). Assuming that the public service is already politicized (Grzymała-Busse, 2003), dominated by corrupt elites or nonrepresentative of the public will, populists may surround themselves with their “own” technocratic experts, hence effectively marginalizing bureaucracy (Bauer et al., 2021).

Finally, populists may effectively ignore the bureaucracy. Driven by their frequent self-perception as “the” decisionmaker and voice of common people, populists may prefer not be burdened by external expertise and instead pursue a more ad hoc governing style driven by their “gut feeling” (Rockman, 2019). Hence, they may govern through a small circle of ideologically proximate advisors instead of through cumbersome consultations with independent regulatory agencies and bureaucrats. Moreover, populists may focus on policy domains more distant from the bureaucracy (i.e. classical wedge and “culture war” issues) or flagship issues such as immigration, while letting the bureaucracy do its job (Bauer et al., 2021).

These varying approaches toward the bureaucracy present challenges—and perhaps also opportunities—to organized interests attempting to engage with, share expertise with and influence bureaucrats. Against this background, our fresh dataset (see below) provides a unique opportunity to take the considerations of Bauer et al. (2021) one step further and disentangle the channels of interaction between public administration and interest groups. Specifically, we focus on the factors motivating interest group consultations with regulatory agencies in four varying contexts of illiberal populism (see “Sample, data, and research design” section). Considering the strong link between populism and backsliding (Vachudova, 2021), we refer to both phenomena interchangeably, while also using the term illiberal populism, which in our view best reflects the ideological orientation of the governments under study.

2.2. Hypotheses

Peters and Pierre (2019) find that populist movements have hitherto had relatively little impact on bureaucratic governance. This may be simply due to the steadfastness of bureaucratic structures, or because populists thrive on new parallel decisionmaking structures within the executive (“sidelining the bureaucracy”) or simply leave the

bureaucracy untouched (“ignoring the bureaucracy”) (Bauer et al., 2021). However, there are also manifold justifications for a negative impact. While authors previously portray the emergence of post-communist interest group systems as a genuine reflection of increasing democratization and/or democratic quality (Rozbicka et al., 2021), recent democratic backsliding has instead resulted in a general closure toward interest representation and systematic dismantling of public consultation procedures (e.g. Labanino, 2020; Pospieszna & Vetulani-Cęgiel, 2021). Hence, mechanisms of public accountability and outreach between bureaucrats and organized interests may succumb to an overall “squeezing of the public space” (Buyse, 2018).

Considering that broader discontent with state capture, corruption and clientelism in part gave rise to illiberal populism in CEE (Havlík, 2019), it is also plausible that populist governments attack public administration for its previous openness to special interests. This plays into Meyer-Sahling’s (2008) argument that CEE public administration was openly politicized long before backsliding. Illiberal populists’ purging strategy may be framed around an argument that public administration has failed to act in the public interest—with the effect that populists downgrade its decisionmaking capacity or replace pre-existing staff with subservient government loyalists. Hajnal and Boda (2021) note that the Hungarian bureaucratic apparatus is increasingly tight, command-oriented and “totally instrumental to their political masters’ will” (p. 84). Hence, illiberal populism may turn publically engaged “street-level bureaucrats” (Lipsky, 1980), who reciprocally engage with various interest organizations and civic actors, back into “desk bureaucrats,” who instead shy away from interactions with interest groups. In other words, “agents of the people” become “agents of authority,” as administrative authorities lose autonomy and independence.

Hypothesis 1. Illiberal populism negatively impacts the intensity of interest group consultations with regulatory authorities.

However, the reverse logic may also be at play. Amid a general closure or partisan politicization of the public sphere, the public administration, and specifically regulatory authorities may be increasingly perceived as islands of neutrality. Berkhout et al. (2021) found that populist political parties tend to have less contact with interest groups than non-populist ones, whereby substantive issue priorities are only a weak predictor of contacts between interest groups and populist parties. Hence, bureaucrats operating outside the political “fray” may be a last resort for organized interests to substantively shape policy amid political closure.

In fact, another factor may be decisive here. A key tactic of illiberal populists is the use of fast-track legislative procedures without extensive consultations (Várnagy, 2012). As parliaments become legislative “juggernauts,” organized interests unable to keep pace with law-making may divert their attention to the implementation of laws and hence the public administration. This may, in turn, play into independent agencies’ motivations to maintain and expand their turf (Wilson, 1989).

Hypothesis 2. Illiberal populism facilitates interest group consultations with regulatory authorities.

Yet these general hypotheses do not explain which specific groups most heavily engage with the bureaucracy amid democratic backsliding. Again here, competing logics may be at play. Following the “instrumentalization of the bureaucracy” scenario (Bauer et al., 2021), previously “neutral” positions may be occupied by government-friendly cronies. For example, Mazur (2021) argues that Polish bureaucratic institutions have become weapons in the “political struggle [...] to control and capture the state in the name of its radical reconstruction.” Hajnal and Boda (2021, p. 89) similarly argue that “ideological cleansing of staff by intensifying patronage in recruitment and career progression beyond ‘normal’ spoils behavior” has taken place in Hungary, “while weakening meritocratic and representative factors in personnel policy through excessive exhaustion of available or introduction of new politicization instruments” (Hajnal & Boda, 2021, p. 89).

Here, we follow Hall and Deardorff’s (2006) logic of “lobbying as a legislative subsidy.” They conceive lobbying not so much as an act of persuasion or exchange (i.e. influencing voting), rather providing a “matching grant” of policy information and “legislative labor” to support allied political actors. In sport terms, interest groups provide an “assist” to legislators (or in this case regulatory agencies) to achieve their concordant goals. Instead of persuasion or buying votes, interest groups tend to tell policymakers or regulatory agencies “what they want to

hear,” while essentially functioning as “adjunct” staff (Hall & Deardorff, 2006). We expect such interrelationships to be particularly widespread in backsliding contexts: politicized bureaucracies may cultivate closer ties with politically loyal groups, who—in the language of Hall and Deardorff (2006)—“subsidize” their operations.

Hypothesis 3. Interest groups with greater access to (illiberal-populist) governing parties will engage in more frequent consultations with regulatory authorities amid backsliding.

Yet what happens to the flow of technical expertise between regulators and regulated actors when populists rule? As noted above, expertise is a key exchange good between interest groups, policymakers, and bureaucrats. However, populist governance is often based on erratic instincts, personal loyalty, and sometimes incompetence. Hence, populist politicians may be at least suspicious toward expertise from external stakeholders (Labanino & Dobbins, 2023b). This may apply even more in cases of authoritarian populism, where “strongman” politicians tend to thrive on obedience, loyalty, and grievances toward “corrupt” elites and external threats (Norris & Inglehart, 2019). Critical bureaucratic reflection and action may be suppressed to the extent that obedience “trumps” (no pun intended) expertise. Regarding Hungary, Hajnal and Csengődi (2014) argue that the upper levels of the central government bureaucracy—including most “old school” administrative experts—were almost entirely purged and replaced by Fidesz loyalists after 2010. Yet, centrist anti-establishment parties that often pair anti-elitism with a technocratic, “neither right, nor left” anti-ideology are also a widespread phenomenon in CEE (Engler, 2023). Indeed, Havlík (2019) contends that former Czech Prime Minister Andrej Babiš pursued such an approach, by appealing to non-politicized technical expertise and competence to engage voters. With a promise to run the government like a firm and improve life for ordinary people, technocratic populists such as Babiš purportedly pursue a business-like governance style (Bušíková & Guasti, 2019). This ideally results in the deliberate replacement of partisan ideologues in public administration with nonpolitical, competent “experts.”

Hypothesis 4. Expertise-sharing organizations consult more intensively with regulatory authorities in technocratic populist contexts (e.g. Czechia) than in more authoritarian populist contexts (e.g. Poland and Hungary).

Finally, we explore a standard hypothesis on interactions between public administration/regulatory agencies and organized interests—with a CEE twist. Binderkrantz et al. (2015) find that public administration offers an ideal match with business groups and trade unions, as these groups tend to “possess relevant resources and pursue goals related to affecting the preparation or implementation of specific decisions that lead them towards bureaucrats.” Public interest groups, by contrast, focus more on other venues, in particular the media. Scholars of regulation have also long argued that stakeholder engagement with independent agencies is heavily biased toward financially potent business groups (e.g. Carpenter & Moss, 2014; Stigler, 1971; see Maggetti, 2019 for energy regulators), not least due to their specific expertise on the economic context of those regulated.

By contrast, Joosen et al. (2022) contend that EU-level regulatory agencies may also seek to expand their legitimacy by engaging with nonbusiness civic groups. Granting them access may be a deliberate strategy to thwart off accusations of regulatory capture (Dal Bó, 2006). However, a recent analysis shed light on how a group of politically well-connected Hungarian entrepreneurs enjoy systemic regulatory and procurement advantages (Laki, 2022). Regarding Poland, Mazur (2021) argues that pre-existing regulatory agencies are being turned into or replaced by “quasi-business agencies” operated by private sector representatives.

Hypothesis 5. Business organizations consult more frequently with regulatory authorities in illiberal populist contexts.

3. Sample, data, and research design

Our sample consists of nationally active Czech, Hungarian, Polish, and Slovenian healthcare, higher education and energy policy organizations. To define interest groups, we consistently applied three attributes inherent to them: organization, political interest, and informality (Beyers et al., 2008). That is, interest groups strive to

influence policy outcomes on behalf of constituencies or a general political idea not by seeking public office but through interactions with politicians and bureaucrats (Beyers et al., 2008, p. 5).

Based on data collected from public registries of civil society organizations, we identified 1,345 national-level groups active as late as 2019 and cross-checked the data with internet searches, lists from parliaments and ministries that invited organizations to various consultations. Subsequently, we conducted an online survey targeting the active organizations between March 2019 and May 2020 in the four languages. The survey addressed their interactions with parties, parliaments, regulatory authorities, and policy coordination with the state. We invited a total of 1,264 organizations and received 427 responses (see Dobbins et al., 2023),¹ that is, a 33.7 percent response rate (Slovenia: 51.8 percent, Hungary: 35.3 percent; Czechia: 33.6 percent, Poland: 24.6 percent).

The selected countries are usually treated as similar, as they are post-communist/socialist EU members since 2004 (Vachudova, 2005). Importantly, numerous studies have highlighted their similar public administration traditions (e.g. Kopecký & Mair, 2012; Meyer-Sahling & Veen, 2012), in particular wide-spread politicization and patronage (Thijs et al., 2017). Yet comparing national public administrations is notoriously difficult, as there is a risk of not only underestimating variations within countries and across policy areas, but also of overestimating national differences (Aberbach & Rockman, 1987), not least due to the multitude of ministries, state secretaries, and regulatory bodies.

Nevertheless, the four analyzed countries demonstrate strong politicization of the bureaucracy to the extent that public officials tend to come and go with their political party (Meyer-Sahling, 2008; Thijs et al., 2017). Meyer-Sahling and Veen (2012), for example, derive high politicization scores for Czechia, Poland, Slovenia, and Hungary. Poland was ranked the highest, with politicization trickling deep down into the lower levels of public administration (see also Kopińska, 2018). Even Slovenia scored twice as high as the Baltic countries (Meyer-Sahling & Veen, 2012). This echoes findings from the “first generation” of public administration research on CEE (e.g. Kuhlmann & Wollmann, 2014; Zubek, 2005), which attested CEE frequent political interference into personnel recruitment long before the onset of illiberal populism. More recently, Bach et al. (2015) find evidence of strong politicization of CEE public administrations, with Estonia standing out as a major exception. Kohoutek and Nekola’s (2021) recent study also attests Czech public administration a formidable degree of politicization, albeit primarily at higher levels of the administrative hierarchy.

There are also similarities as well as notable differences regarding their interest group landscapes. First, their historical legacies differ. Though all four countries were communist dictatorships, they differed regarding their adherence to Marxist-Leninist orthodoxy, in other words how political and economically accommodative they were (Kitschelt et al., 1999). These differences along with the level of political mobilization during their democratic transitions had profound consequences not only on the initial density of organized interests at the time of regime change, but also on the relative number of communist-era, transition-era, and post-transition organizations even decades later (Labanino et al., 2021). The post-transition development of their organizational populations is, however, quite similar, with organizational formation rates being conducive to the greater general and policy field-specific changes in the political opportunity structure (e.g., democratic transition, EU accession, the Bologna-process for higher education groups or the 2007 European Energy Strategy for energy groups, etc.) and organizational density dependence (Labanino et al., 2021, Labanino & Dobbins 2023; Rozbicka et al., 2021).

Despite broadly similar administrative traditions and organizational development, the countries vary substantially on several factors of theoretical importance, most importantly democratic backsliding and, as hinted above, current efforts to reengineer public administration. According to the 2021 Nations in Transit Report of Freedom House, Hungary and Poland underwent the steepest decline in democratic quality ever recorded (Csaky, 2021) under Viktor Orbán’s Fidesz government (2010 to present) and the Polish coalition led by the Law and Justice (PiS) party (2015–2023). The Czech Republic and Slovenia remained consolidated democracies, but the quality of Czech democracy significantly regressed under the Babiš government from December 2017 to December 2021 (Guasti & Bustikova, 2023). Democratic quality also declined in Slovenia under the third premiership of Janez Janša (2020–2022) (Novak & Lajh, 2023). However, our data collection mostly preceded Janša’s premiership. Thus, the research design enables us to assess how deeply democratic backsliding penetrates into the operations of regulatory agencies, which historically tend to be less susceptible to politicization than ministries, state secretaries, and the top executive bureaucracy (Kopecký & Mair, 2012).

It is also important to note that regulatory authorities in all three policy areas are traditionally open to external input. Healthcare regulators generally oversee the system's compliance with its contractual obligations and legal requirements (Thomas, 2021). In efforts to protect the public interest, they may heavily engage with patients' and medical associations as well as the insurance industry. Higher education regulators comprise, for example, accreditation, assessment, and quality assurance committees as well as university grants commissions, all of which theoretically enable the engagement with business, student, and professional academic groups. Maggetti (2019) finds energy regulators—that is, authorities generally responsible for access rules, tariffs, the unbundling of energy networks, investment planning, quality standards, and as transnational harmonization—to be particularly reliant on sector-specific knowledge and open to a wide range of actors spanning from business associations and trade unions onto nonprofit organizations and investor groups.

3.1. Operationalization of the dependent variable

We relied on a survey question grasping the frequency of consultations with regulatory authorities. Hence our data unfortunately cannot grasp individual groups' subjective perception of influence over the public administration or regulatory processes. This is notoriously difficult to measure with survey data (Dür & De Bièvre, 2007). Nevertheless, consultations are a key indicator of political influence, as they facilitate the “exchange of policy-relevant information with public officials” (Beyers, 2004, p. 213). Exclusion means a diminished ability of interest groups to defend their interests (Binderkrantz et al., 2015).

After a country- and policy-field specific explanation of what we define as regulatory authorities, we asked survey participants: *Approximately how often does your organization consult with regulatory authorities in your field of activity?* 1—never, 2—annually, 3—bi-annually, 4—monthly, 5—weekly. A total of 341 respondents answered this question, of which 82 percent reported some level of consultations (see Table 1).

Self-critically again, our survey only provides a one-time snapshot of these consultations. Maloney et al. (2018) overcame this difficulty with a panel survey of the same (approx. 52) Slovenian interest organizations 16 years apart. However, due to the constraints essentially all academics face, we are unable to follow the developments of hundreds of interest groups over a lengthy period. The difficulties in repeatedly contacting the same organizations are aggravated by the fact that CEE interest groups are particularly volatile, with both high “birth” and “death” rates and frequent staff turnover (Rozbicka et al., 2021), decreasing the likelihood of reliable responses over time. Therefore, we feel that our data still constitute a robust indicator of stakeholder engagement with regulatory authorities.

3.2. Operationalization of independent variables

First, our models control for country effects on the intensity of consultations. Thus, we can at least partially account for different “flavors of populism,” that is, technocratic populism in Czechia (Havlík, 2019); strong illiberal populism in Hungary (Hajnal & Boda, 2021); moderate illiberal populism in Poland (Mazur, 2021). Slovenia, which declined in democratic quality after our fieldwork (Coppedge et al., 2022), is treated as a (non-backsliding)

Table 1 Descriptive statistics of dependent and independent variables

	(1)				
	Count	Mean	SD	Min	Max
Frequency of consultations with regulatory authorities	341	2.782991	1.175662	1	5
Closer to opposition (dummy)	431	0.1902552	0.3929586	0	1
% government subsidies in budget	431	12.79374	23.95185	0	100
Politically neutral	255	3.988235	1.347153	1	5
Weak access to government and parliament	361	6.260388	2.098626	2	10
Business organization	428	0.1542056	0.3615684	0	1
Composite expertise index	431	3.728538	3.004353	0	8
Human and financial resources	431	9.204176	3.974931	0	20
Professionalization total	431	11.98144	8.007533	0	25

baseline (see Table 2). This also accounts for the fact that interest group interactions with the bureaucracy may be less common in countries such as Slovenia where stakeholder contacts are often organized via centralized corporatist institutions (Braun & Busuioc, 2020).

We also included an organizational-level proxy for backsliding using a survey question on the perceived frequency of governmental meetings in an organization's respective policy area (not between the organization and the government!) on a 5-point scale: 1—*never*, 2—*once a year*, 3—*twice a year*, 4—*monthly*, and 5—*weekly*. Assuming that the absence of consultations reflects democratic backsliding or at least a decline in deliberative democracy, we created a new dichotomous variable, which takes the value 1 for organizations reporting no or only yearly government consultations in their field of activity, and 0 for all other organizations.²

We then took several measures to grasp organizations' proximity to and distance from illiberal populist parties (Poland = the moderately national-conservative PiS government, 2015–2023; Hungary = the strongly national-conservative Fidesz government, 2010 to present; Czech Republic = the technocratic populist Ano/Social Democratic ČSSD government, 2018–2023) and oppositional parties (i.e. non-populist parties at the time in Poland, Czechia, and Hungary). First, we asked directly: *How difficult is it for your organization to access governing/opposition parties?* 1—*extremely difficult*, 2—*difficult*, 3—*sometimes possible*, 4—*easy*, 5—*extremely easy*. We then created a variable for more oppositional organizations based on the difference in access to governing versus oppositional parties, as recorded in the survey. We relied on a dummy variable for groups indicating that it is “extremely difficult” or “difficult” to access governing parties and simultaneously have “extremely easy” or “easy access” to oppositional parties. While party-interest group interactions may indeed be driven by the substantive focus of the group and/or party, we still feel that this indicator at least partially captures individual organizations' ideological proximity to illiberal governments, not least because party-interest group relations tend to be strongly driven by ideological alignment (Chaqués Bonafont et al., 2020). Assuming that illiberal governments may subsidize organizations which they see as critical for reaching their policy objectives (Olejnik, 2020), we also include a variable grasping the share (0/100) of government subsidies in an organization's budget to additionally reflect its proximity to populist governing parties.

For a robustness test (see below), we also created a variable for “politically neutral organizations.” We calculated the difference between each organization's level of access to governing parties versus opposition parties. Even though organizations may have incentives to “reach across the aisle,” they tend to more frequently engage with ideologically aligned political parties (e.g. labor unions and social democrats) (Allern & Bale, 2012). A similar degree of interactions between organizations and parties from opposing camps may reflect their relative ideological nonalignment. Scaled 1–5, higher scores reflect a more equal frequency of consultations with both government and opposition parties, that is, political neutrality.³

We also argued above that organizations may be no longer be able to keep track with the fast pace of law-making without open consultations in illiberal populist contexts. Thus, organizations may instead focus on influencing public administration either due to its still perceived independence or key role in policy implementation. We therefore constructed an indicator to grasp political exclusion based on organizations' assessment of their (in)ability to access parliaments and (illiberal populist) governing parties (scaled 2–10, with 10 reflecting the maximum perceived level of political exclusion).¹

To assess whether expertise-oriented organizations engage more or less intensively with regulatory agencies under illiberal populism, we created an aggregate variable based on four questions regarding the importance of economic, scientific, legal and impact-oriented expertise interest groups provide to policymakers. All were measured on a 3-point scale (recoded to 0—unimportant, 1—somewhat important, 2—very important), for which we calculated row totals for each organization. Thus, our composite expertise index is a continuous 9-point scale ranging from 0 to 8. We also coded all organizations which indicated in the survey that they are business organizations with a dummy variable = 1.

¹The two access scales - parliament and governing parties - were reversed, so that they run from 1 - the highest level of access to 5 - the lowest level of access. Then we added them together resulting in a scale from 2 to 10 (missings were excluded).

3.3. Control variables

We control for two standard organizational-level factors that may affect consultations with policymakers and bureaucrats: resources and professionalization. Binderkrantz et al. (2015) find that financial and personnel resources are particularly important for access across all political arenas, including public administration. We created a human and financial resources variable based on a question on the organization's financial planning horizon, measured on a 5-point scale ranging from less than one year to more than five years, which we recoded into a dichotomous variable (0: less than one to three years/1: more than four to five years). We then derived organization-specific scores based on the number of volunteers, staff, and members. Due to the extreme spread of staff, volunteer, and member numbers, we opted for a categorical variable (1–5) based on quintiles to reflect human resources (i.e. staff, volunteers, members). The aggregate variable for human and financial resources is the simple row total of our measurement for financial planning horizon and the three scores for human resources.

To control for organizational professionalization, we calculated the organization's specific mean score of five variables from the survey reflecting increasing professionalization processes: organizational development, fundraising, strategic planning and evaluation of efficiency and effectiveness. The wording (i.e. "increasing" professionalization) is rooted in our strong assumption that CEE organizations were largely unprofessionalized approximately 15 years ago due to lacking traditions of organized lobbying and the dominant position of national executives in policymaking (Goetz & Wollmann, 2001). We calculated the row total of these variables to derive an aggregate professionalization score (see Table 1).

4. Analysis

Before carrying out our multivariate analysis, let us first explore the intensity of consultations between interest groups and regulatory authorities by country and policy area. Figure 1 essentially shows no notable differences between the three policy areas, and country differences are also relatively small. However, Poland does stand out as the country in which stakeholders report most frequent interactions with regulatory authorities, whereby Hungary can be considered a laggard, at least in healthcare and higher education policy.

The mean score of 2.8 substantiates our argument that regulatory agencies are indeed at least occasional addressees of interest groups in all four countries.

4.1. Multivariate analysis

To hammer our country-specific differences and test our hypotheses, we estimated five linear regression models with robust standard errors grasping the intensity of group consultations with regulatory authorities in four post-communist countries and three policy areas (see Table 2). Model 1 focuses on country effects, while controlling for human and financial resources, professionalization and policy area. Model 2 includes our organization-specific assessment of the frequency of consultations with the government in general (not with their organization), as a proxy for democratic backsliding. Model 3 explores how the ideological orientation of organizations and their relationships toward illiberal populist governments (i.e. closer to the government/opposition, subsidized by the government, political exclusion) impact consultations with regulatory authorities. Model 4 tests the impact of interest groups' expertise on regulatory consultations and whether business organizations enjoy privileged access to regulatory agencies.⁴ Model 5 is a composite model including all variables, which were statistically significant in one of the previous estimations and country dummies.

Model 1 reveals a significantly positive effect for Poland regarding consultations with regulators, which coincides with the finding in Figure 1. The effect for Czechia and Hungary is negative, albeit statistically insignificant. Thus, the Polish case lends little evidence of a wide-spread shutdown of stakeholder engagement with the public administration (H1). Model 2 shows that a general closure of the political space—operationalized as a perceived lack of government consultations in the policy area—negatively and significantly impacts the intensity of consultations with regulators. That is, those organizations that report no or merely a single governmental consultation with interest groups in their field of activity, score on average more than 1 point lower on the 5-point scale measuring the frequency of meetings with regulatory authorities. Nevertheless, organizational professionalization is a robust predictor of regulatory engagement by interest groups shedding doubt on a general effect of illiberal

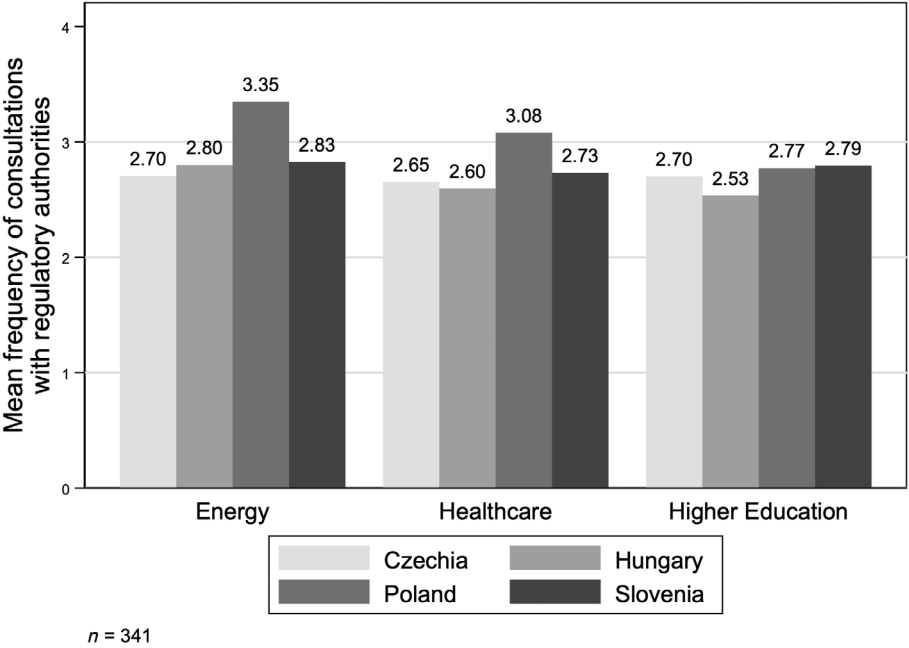


Figure 1 Mean frequencies of regulatory consultations by country and policy field.

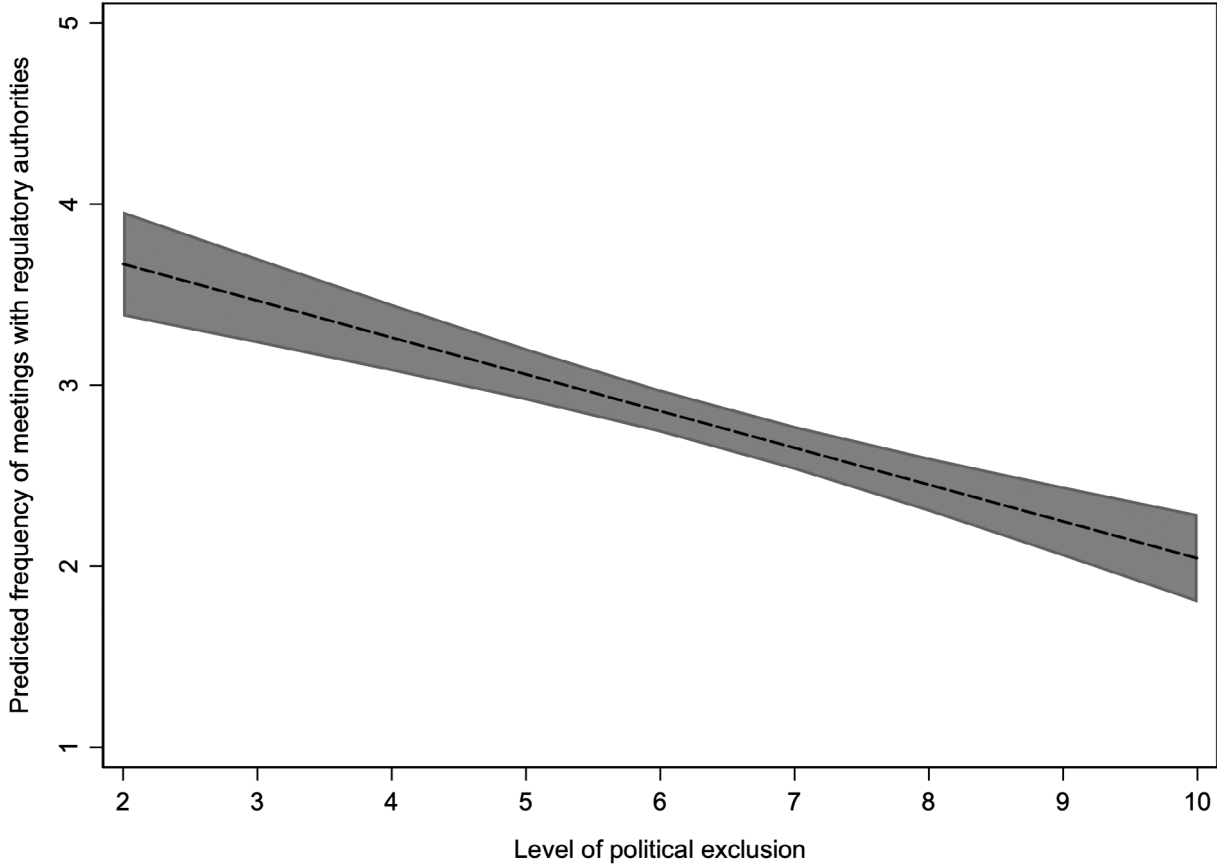


Figure 2 Predictive margins for the effect of political exclusion (level of access to governing parties and parliamentary hearings/committees) on the frequency of meeting with regulatory authorities (95 percent confidence intervals).

Table 2 Determinants of frequency of consultations with regulatory authorities for Czech, Hungarian, Polish, and Slovenian healthcare, higher education, and energy policy interest groups active at the national level.

	(1)	(2)	(3)	(4)	(5)
	Frequency of consultations with regulatory authorities	Frequency of consultations with regulatory authorities	Frequency of consultations with regulatory authorities	Frequency of consultations with regulatory authorities	Frequency of consultations with regulatory authorities
Czechia	−0.0163 [0.175]	−0.0469 [0.176]	−0.0700 [0.175]	0.0377 [0.171]	−0.0554 [0.162]
Hungary	−0.0557 [0.166]	0.160 [0.171]	−0.254 [0.170]	−0.0378 [0.163]	−0.0349 [0.173]
Poland	0.383* [0.166]	0.178 [0.157]	−0.0181 [0.182]	0.468** [0.175]	−0.0991 [0.176]
Slovenia	0 [.]	0 [.]	0 [.]	0 [.]	0 [.]
Energy	0.222 [0.177]	0.0794 [0.159]	0.185 [0.183]	−0.000581 [0.187]	—
Healthcare	0.0164 [0.164]	−0.0729 [0.149]	0.0864 [0.165]	0.0649 [0.164]	—
Higher education	0 [.]	0 [.]	0 [.]	0 [.]	—
Human and financial resources	0.0253 [0.0165]	0.0173 [0.0153]	0.0196 [0.0162]	0.0216 [0.0161]	—
Professionalization total	0.0391*** [0.00966]	0.0220* [0.00934]	0.0392*** [0.00893]	0.0324*** [0.00953]	0.0245** [0.00849]
No or 1 consultation/year in policyfield	—	−1.077*** [0.128]	—	—	−0.910*** [0.128]
Closer to opposition (dummy)	—	—	0.474** [0.159]	—	0.386* [0.158]
% government subsidies in budget	—	—	−0.00227 [0.00308]	—	—
Weak access to government and parliament	—	—	−0.203*** [0.0305]	—	−0.161*** [0.0303]
Business organization	—	—	—	0.684*** [0.197]	0.485** [0.156]
Composite expertise index	—	—	—	0.0903*** [0.0229]	0.0519* [0.0215]
Constant	1.861*** [0.240]	2.815*** [0.246]	3.255*** [0.343]	1.496*** [0.254]	3.596*** [0.296]
R ²	0.100	0.272	0.190	0.167	0.354
Observations	341	306	328	341	297

Standard errors in brackets. Linear regression models, robust standard errors. [.] denotes Slovenia and Higher Education are the reference categories, so they are left out, the rest of the sample is compared to them (per policy field and countries, that is).

* $p < 0.05$; ** $p < 0.01$; *** $p < 0.001$.

populism on interest groups' access to the bureaucracy. In other words, our data reflect neither a large-scale "run" on the bureaucracy (H2) nor a shutdown of bureaucratic consultations (H1) across the four CEE countries. Instead, organization-specific characteristics seem to be stronger predictor of interactions with regulatory authorities. However, these general findings mask the country-specific differences as our sample represents at least two different forms of populism—authoritarian and technocratic—and a non-backsliding case (Slovenia before the Janša-government). Therefore, we further engage with country effects in our post-estimation (Section 4.2).

Model 3 reveals numerous statistically significant variables. First, it sheds doubt on the argument that the political independence of regulatory agencies is being undermined in illiberal populist contexts, at least when it comes to stakeholder engagement (see Hajnal & Boda, 2021; Mazur, 2021). In fact, it shows a positive link between being an oppositional organization and consultations. Model 3 also provides no evidence that government-subsidized organizations have privileged access to regulatory agencies. Based on this, one might assume that the public administration is becoming a refuge for nonpolitical or oppositional organizations struggling to cope with illiberal populist policymakers. However, our variable reflecting political exclusion (i.e. organizations with difficulties accessing governing parties and national parliaments) shows a statistically significant negative effect. This essentially means that organizations with close ties with governing parties in the conventional political arena (i.e. government and parliamentary consultations) are also more likely to consult regulatory agencies. The difference in access to regulators between organizations with very high participation in parliamentary hearings and extremely easy access to governing parties and those excluded from these arenas is 1.83 points on the 5-point scale (Fig. 2) and thus well above one standard deviation (1.17 points, see Table 1). This lends support to the importance of accessing governing parties (H3). The question remains whether this is an overall effect regardless of the national context or it is more pronounced in our three backsliding cases than in non-backsliding Slovenia. We explore this below in the post-estimation section.

As a robustness test, we also estimated Model 3 with our variable for apolitical or politically neutral organizations. The number of observations unfortunately drops to a mere 229. However, the coefficient for political neutrality is also positive, albeit statistically insignificant. All other results stay essentially the same though (see Table A1 in the Appendix). All in all, these findings tentatively point in the direction of the zero hypothesis of no impact of illiberal populism on regulatory stakeholdership.

In Model 4, however, we find a strong effect for business organizations on the frequency of regulatory consultations (H5). We also find that expertise remains a key exchange good between interest groups, policymakers, and bureaucrats, again shedding doubt on the ideological politicization of regulatory agencies in our democratic backsliding countries, which lends partial support to H4 (however, see below on Czech technocratic populism). Thus, altogether, the analysis shows that regulatory agencies remain open to a wide array of organizations, irrespective of ideological color, in particular those which have invested in organizational professionalization and share expertise. This sheds doubt on the argument that CEE populists are deliberately politicizing and undermining the political neutrality of the bureaucracy toward external stakeholders. As shown in Model 5, where we included all previously significant explanatory variables as a robustness test, our findings are independent from model specifications and remain robust.

Nevertheless, numerous questions remain open. As noted above, Hungary constitutes the most severe case of democratic backsliding, while the Czech Republic was characterized by more technocratic populism during our fieldwork. With our post-estimation, we tackle five key questions to provide more in-depth insights on our hypotheses: (1) How is exclusion from government and parliamentary consultations affecting the intensity of consultations between organizations and regulatory authorities on a country-specific basis? (2) To what extent does political neutrality facilitate regulatory consultations in the four countries? (3) To what extent do more oppositional organizations consult with regulatory authorities on a country-specific basis? (4) To what extent does expertise remain an access good for regulatory consultations in the country contexts? (5) And to what extent is there a “business bias” in regulatory consultations in each country?

4.2. Post-estimation

First, we look at whether organizations excluded from consultations with governments and parliaments instead divert their attention to regulatory agencies. Our post-estimation analysis shows that this is most certainly not the case. Figure 3 shows that Czech, Hungarian, and Polish organizations, which are unable to engage with populist governments and national parliaments, are also unable to access regulatory authorities. This effect is almost nonexistent in Slovenia, where politically excluded organizations still engage frequently with regulators. These results demonstrate the exclusionary effect of illiberal populism regardless of its purported ideological leanings.

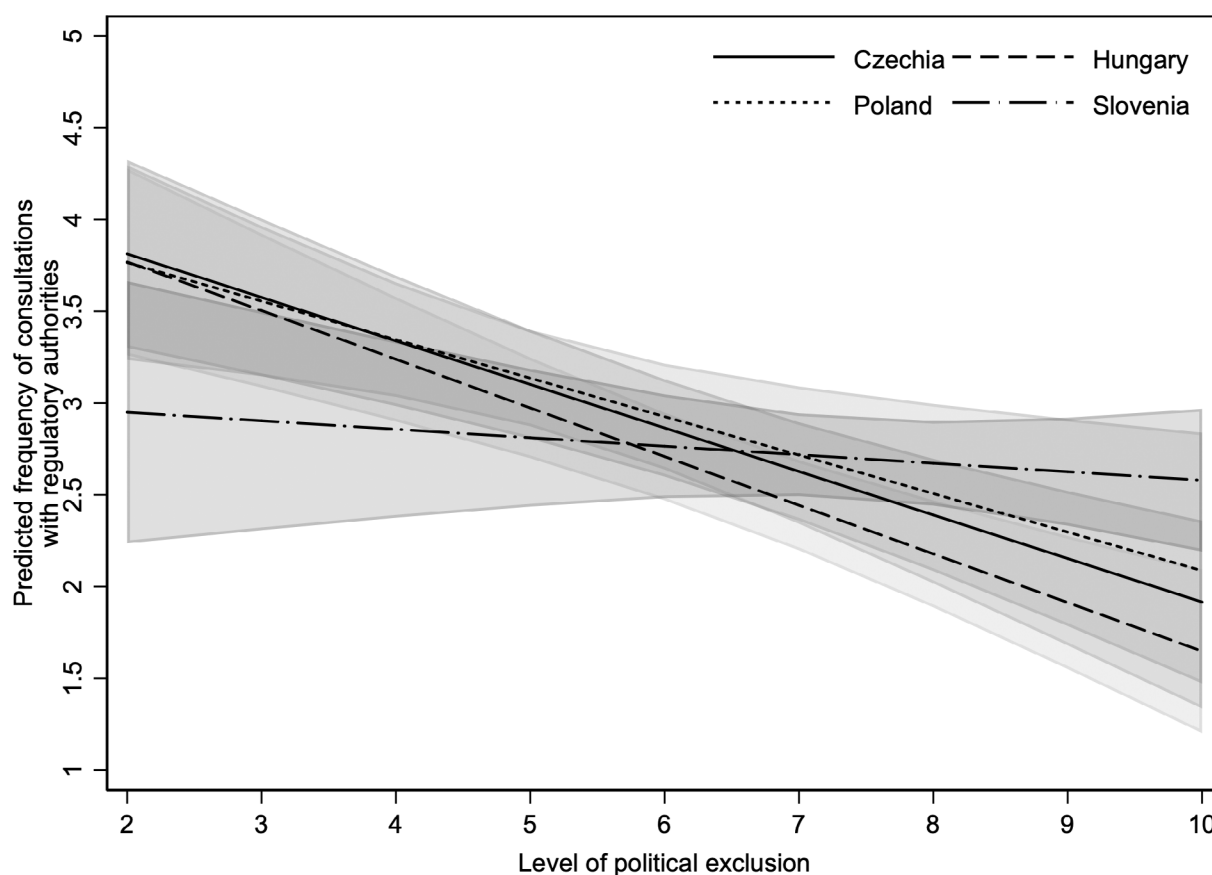


Figure 3 The impact of political exclusion (level of access to governing parties and parliamentary hearings/committees) on the frequency consultations with regulatory authorities per the country of organizations (95 percent confidence intervals).

In all three countries under populist government regulatory agencies do not seem to be a less political and more neutral arena for interest groups. Indeed, access to them runs through the access to illiberal governing parties and the parliament, which they dominate. Note, that the negative effect of exclusion in accessing the bureaucracy is stronger in the purportedly nonideological, technocratic populist Czechia than in national-conservative Poland. Figure 3 also reveals that the high mean frequency of meetings with regulatory agencies (Fig. 1) in the three countries subject to backsliding is driven by politically well-connected organizations.

How do closer ties to the opposition and political neutrality affect access to the bureaucracy? While Figure 4 might lead us to assume that less governmental-friendly Polish organizations direct their attention to the bureaucracy instead of the political arena, Figure 5 sheds doubt on this, as organizations with close ties to both the government and opposition engage equally frequently with regulatory agencies. While we cannot rule out that newly created pro-PiS parallel structures within the state apparatus have taken precedence over regulatory agencies (i.e. sidelining the bureaucracy), we find no evidence of regulatory capture for Poland. The picture in Hungary, however, is again much different to the extent that easier access to the opposition relative to governing parties significantly drives down the frequency of engagement with the bureaucracy.

In all countries except for Hungary, political neutrality—as measured by having relatively balanced ties with both illiberal populist government parties and opposition parties—enhances the frequency of negotiations with regulatory authorities (see Fig. 5). In Hungary, however, politically neutral organizations have lower access to the bureaucracy. This again plays into Hajnal and Boda's (2021) observation that Hungarian public administration has become increasingly ideologically instrumentalized and undermined in terms of its political openness and independence (see also Bach et al., 2015).

Yet to what extent is there a business bias in regulatory consultations on a country-specific basis? While we found no concrete evidence of financial resources facilitating access to regulatory agencies (see Table 2), we do

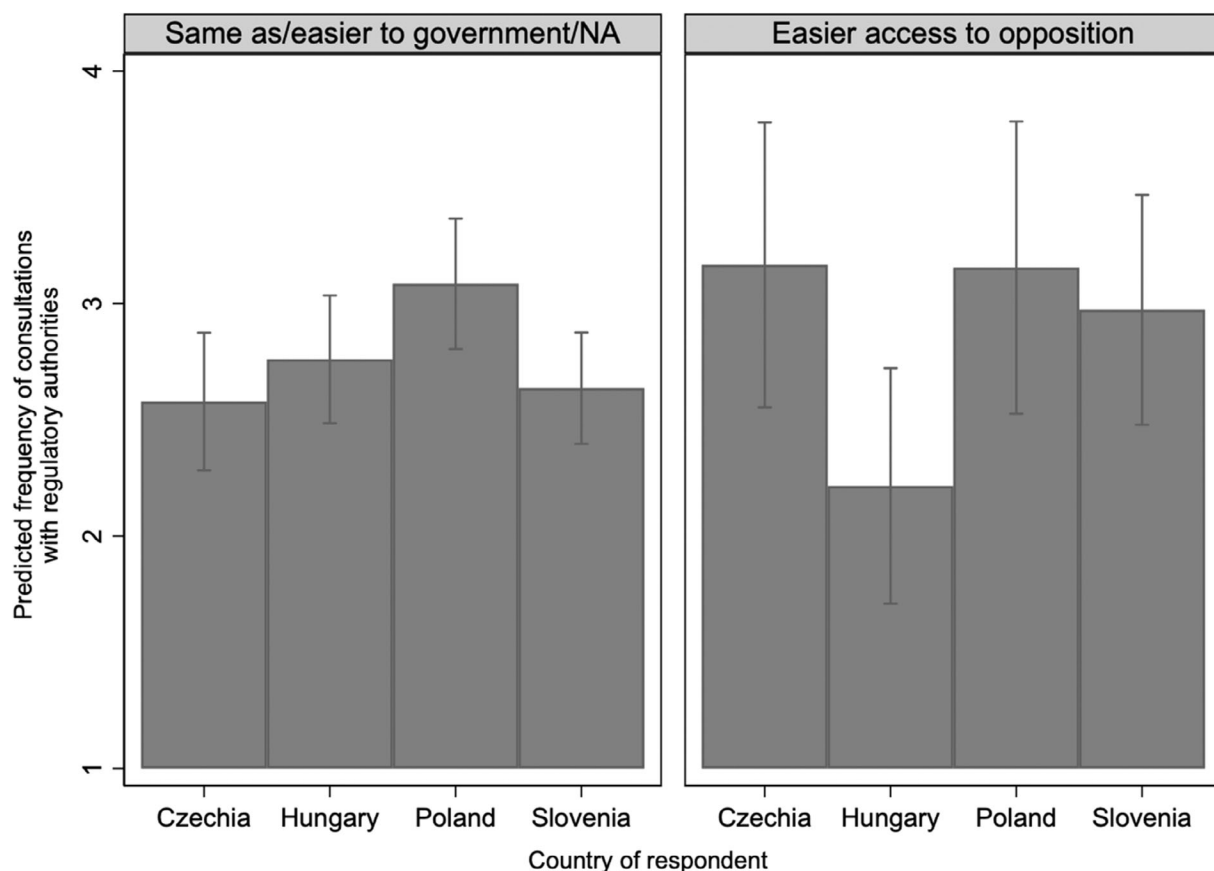


Figure 4 The impact of closer ties to governing parties vs. closer ties to opposition parties on the frequency of consultations with regulatory authorities per the country of organizations (95 percent confidence intervals).

find a relatively strong bias toward business interests, with this effect being particularly strong in Hungary, but also Slovenia (see Fig. 6). In Poland, by contrast, nonbusiness organizations engage with regulatory agencies almost as equally frequently as business organizations, shedding some doubt on the argument by Mazur (2021) that regulatory agencies have largely become subservient to private interests.

Finally and importantly, how does democratic backsliding impact the flow of expertise between organized interests and bureaucrats? While we found a statistically significant relationship between expertise provision and consultations with regulators for all four countries, our country analysis provides much more nuance (see Fig. 7). As shown above, we created a variable reflecting the importance of the provision of legal, economic, technical, and impact-related expertise for each organization when accessing policymakers (see Table 1). Figure 7 shows that Polish organizations, in contrast to their Czech, Hungarian, and Slovenian peers, do not seem to profit further from expertise sharing, as it seems not to have any tangible effect on their already high frequency of meetings with regulatory authorities. Slovenian and Hungarian organizations benefit about equally from expertise provision (see how their slopes run parallel). The relatively low scores and flat slope for Czech organizations also sheds doubt on Hypothesis 4, which presumed that relationships between stakeholders and the bureaucracy would be more heavily driven by expertise in technocratic populist contexts. So altogether, we can nevertheless conclude that democratic backsliding has at best only minimally impacted the flow of expertise between interest groups and regulators.

5. Conclusions

Based on fresh survey data, this analysis provided a novel view of the relationships between interest groups and bureaucracies in CEE amid democratic backsliding. Due to the lack of time-series data, we cannot gauge the

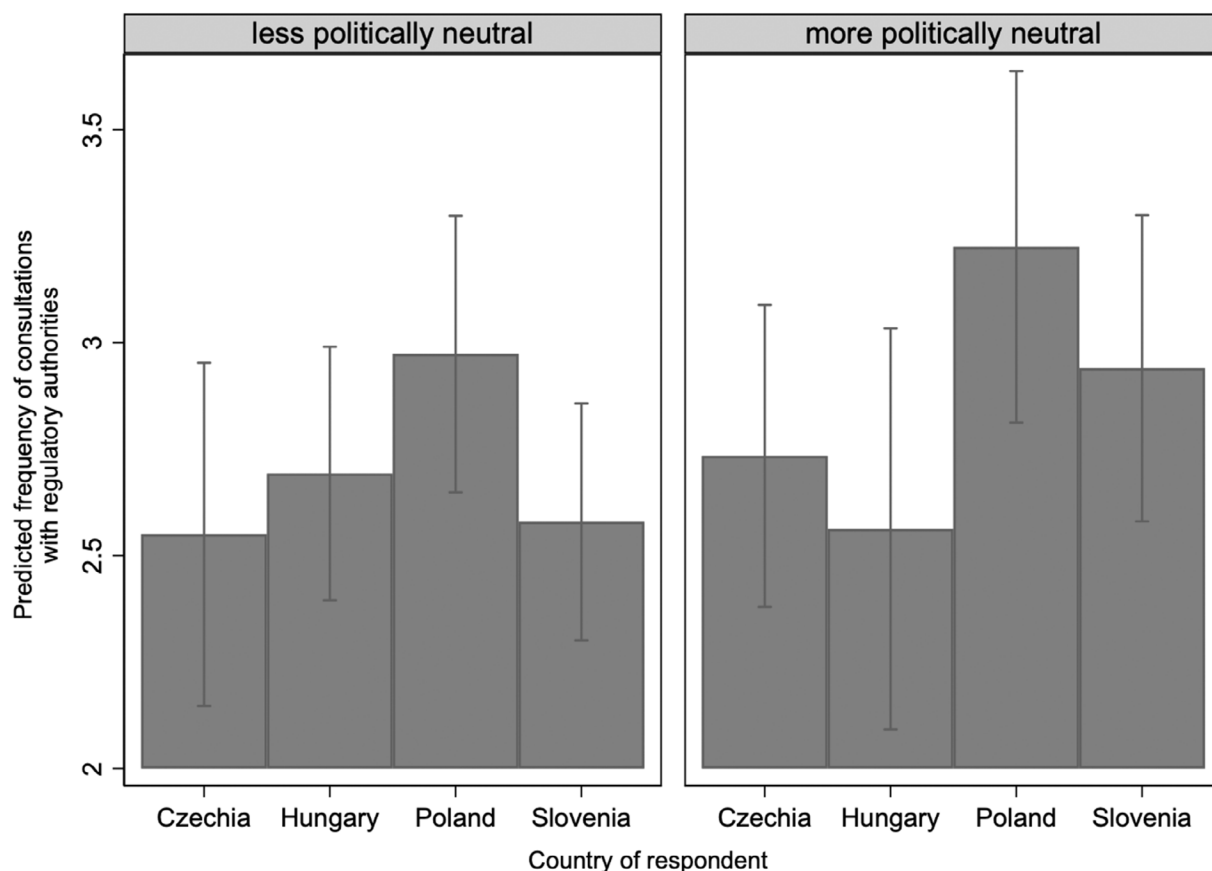


Figure 5 The impact of more or less political neutrality on the frequency of consultations with regulatory authorities per the country of organizations (95 percent confidence intervals).

validity of the causal mechanisms over time. Nevertheless, we feel that our survey-based analysis has contributed numerous meaningful insights.

Focusing on regulatory agencies operating in three policy areas vital to the future of the four studied countries, our main multivariate analysis revealed that stakeholder interactions with regulatory authorities are strongly driven by organizational professionalization, expertise provision, which might suggest that CEE public administrations are perhaps more independent than previously assumed (see Bauer et al., 2021; Meyer-Sahling & Veen, 2012). We also found no evidence of a “run” on the “neutral” public administration by more oppositional organizations out of frustration with lacking access to the political arena (e.g. parties, parliaments). Nevertheless, we also found that politically excluded organizations—defined as having lower access to governing parties and parliaments—have substantially and significantly fewer meetings with regulatory agencies than politically included ones (Fig. 2).

However, when teasing out country-specific variations, we showed that this was not a general pattern. In non-backsliding Slovenia, political exclusion had almost no effect on interest groups’ access to regulatory agencies, whereas in all three cases under the rule of illiberal populists and subject to democratic backsliding—Czechia, Hungary, and Poland—exclusion had a profound and negative effect on organizations’ ability to reach bureaucracies (Fig. 3). This demonstrates the exclusionary effect of illiberal populism regardless of its purported ideological leanings. The negative effect of exclusion on the frequency of meetings with regulators was most pronounced Hungary and, interestingly, it was stronger in the technocratic populist Czechia than in national-conservative Poland.

We found some relatively “positive” results for Poland too, the second most severe case of democratic backsliding in the European Union after Hungary. Interactions between organized interests and the Polish bureaucracy are strongly determined by organizational professionalization and expertise provision. Polish organizations

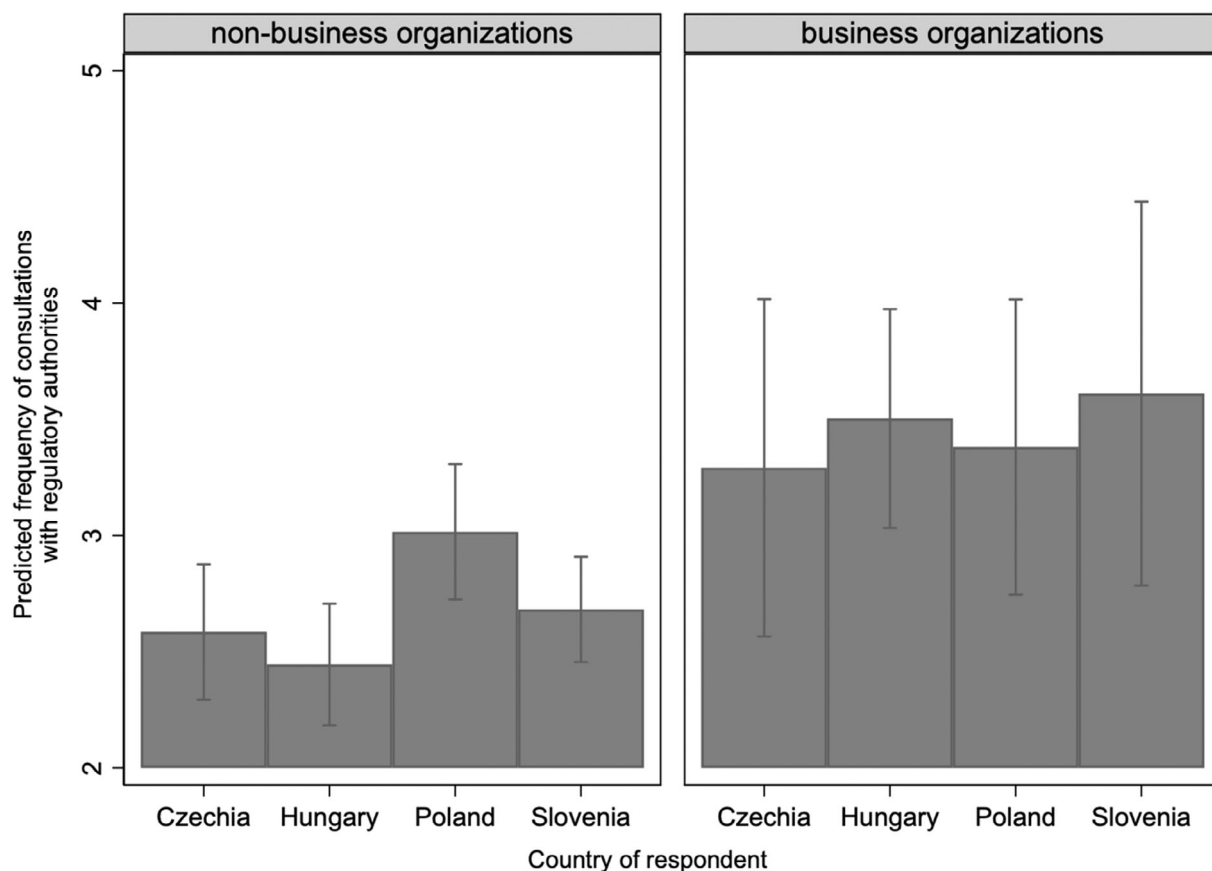


Figure 6 Frequency of consultations with regulatory authorities for business and nonbusiness groups per the country of organizations (95 percent confidence intervals).

with weaker ties to governing parties, politically neutral organizations and those closer to the opposition have a comparatively good shot at consultations with regulatory agencies, whereby the bias toward business interests is less distinct than in the other analyzed countries.

Our results for the country most heavily subject to democratic backsliding—Hungary—are the polar opposite: organizations lacking close ties to the national-conservative governing party Fidesz as well as more politically neutral and more oppositional organizations are largely excluded from consultations. This supports the “instrumentalization of the bureaucracy” hypothesis (Bauer et al., 2021) and Laki’s (2022) argument that political connectedness to Fidesz enables privileged access to and political benefits from regulatory agencies. In other words, the Hungarian case provides the strongest evidence for Hall and Deardorff’s (2006) “legislative subsidy” argument, as regulators seem to be engaging most heavily with government-allied organizations that are telling regulators what the government “wants them to hear.” This also echoes findings by Meyer-Sahling and Toth (2020) that the politicization of public administration has accelerated under democratic backsliding and essentially penetrated beyond the central state bureaucracy into formally politically independent agencies.

The Czech case is the most difficult to decipher, as both oppositional and more politically neutral organizations as well as those heavily engaged in government consultations interact frequently with regulatory agencies. On the one hand, this is reflective of the “world of technocratic populism, in which distinctions between left and right become blurred and outdated” (Bušíková & Guasti, 2019). However, political exclusion - low access to governing parties and the parliament - affects Czech interest groups’ access to the bureaucracy more negatively than for Polish ones (Fig. 3). This together with the weaker status of expertise sharing in stakeholder interactions undermine the very nature and “marketing strategy” of technocratic populism, namely that voters prefer to be governed by experts over partisan actors (Havlík, 2019). This could be interpreted in two ways. Seen positively, technocratic populism may have trickled down to the Czech bureaucracy to the extent that it was staffed with

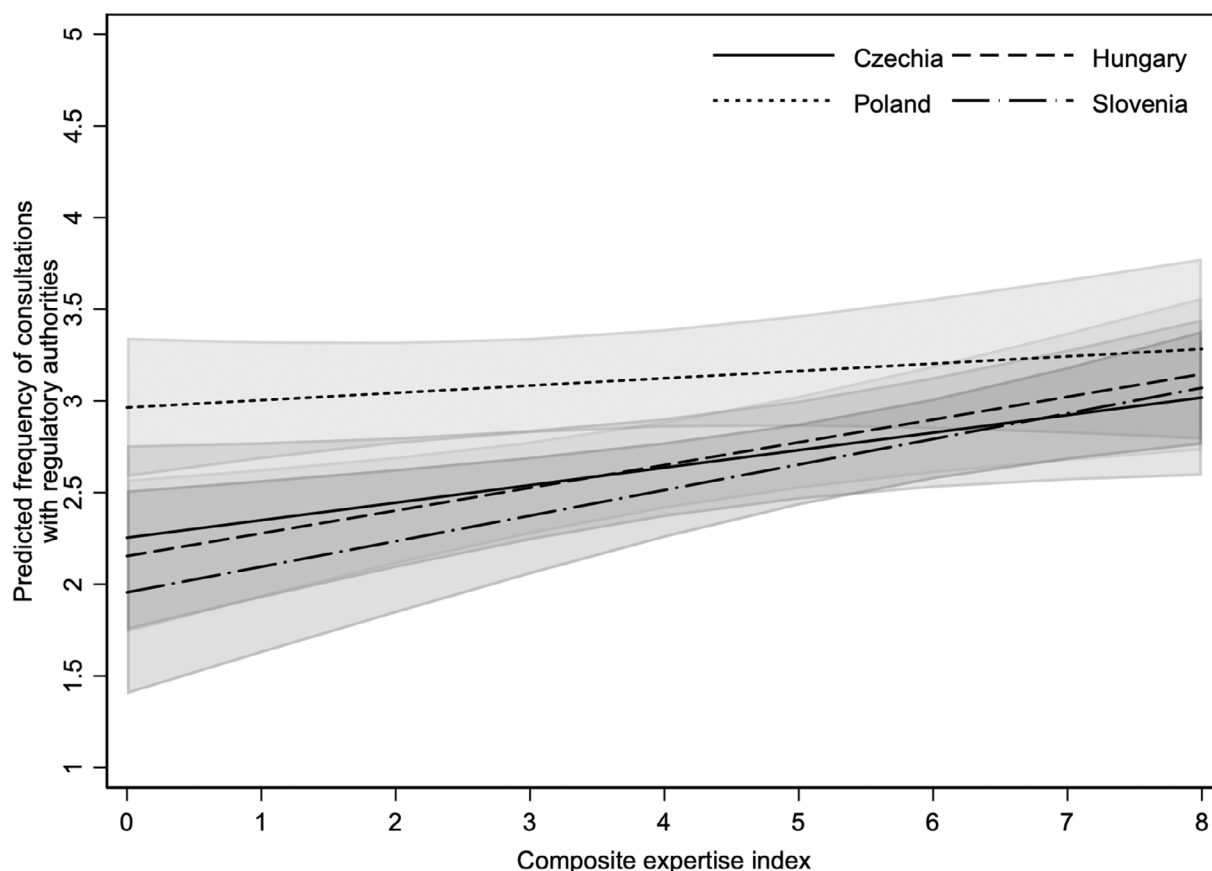


Figure 7 The impact of expertise-sharing on the frequency of consultations with regulatory authorities per the country of organizations (95 percent confidence intervals).

certifiable technocratic experts who see little need for external expertise. Taken negatively, the technocratic label may have disguised an underlying anti-elitist ideology which only thrives on the “pretext of technocratic expertise to rule in the name of the people” (Bušíková & Guasti, 2019, p. 322), whereby illiberal populists merely wear a technocratic expertise-oriented mask to discredit political rivals.

Not only this open question, but also numerous others deserve further attention in future quantitative and qualitative studies. Besides aiming for time-series data and including more countries, scholars should focus more specifically on the staffing practices of “independent” agencies amid backsliding (see Ennser-Jedenastik, 2016 for Western Europe). Moreover, it would be worthwhile to explore how the integration of bureaucrats into EU networks, and in particular comitology structures, impact their degree of independence and engagement with stakeholders. To what extent does the involvement of national agencies in European policymaking processes buffer them off from “illiberal populist” political influence (see Bach et al., 2015)? Finally, we would advise moving beyond concepts of politicization vs. independence to conceptualize public administration in CEE and engaging with more nuanced concepts of bureaucratic action vis-à-vis stakeholders such as “democratic bureaucrat,” “rational manager,” or “citizen-centered bureaucrat” (Železnik & Fink-Hafner, 2023) to more lucidly grasp stakeholder interactions in democratic backsliding and post-backsliding contexts.

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Data availability statement

The data that support the findings of this study are openly available in Interest Groups and Advocacy at <https://link.springer.com/article/10.1057/s41309-022-00172-1>.

Endnotes

- ¹ For a breakdown of the response rates per policy area and populations, see Dobbins et al. (2023).
- ² As noted above, it is legitimate to argue that the frequency of governmental meetings is contingent on the nature of countries' interest group systems (i.e. corporatist or pluralism), thus potentially shedding doubt on the usefulness of this variable. However, previous studies (Dobbins, Horváthová, et al. 2021a; Dobbins, Piotrowska, et al. 2021b; Horvathova et al. 2021) which empirically measured the degree of sectoral corporatism in the policy areas under consideration (energy, healthcare, higher education) attested all four examined countries a moderate and indeed rather similar degree of corporatism (spanning from approx. 48–56 points on a 0–100 scale). Also, the level of corporatism in the three policy areas varied much less by country than in alternative classifications of socio-economic corporatism (Jahn, 2016). While Slovenia received the highest corporatism scores in our classifications for the three policy areas, it was closely followed by the Czech Republic and Poland, with Hungary slightly trailing the other countries. Moreover, lack of consultations with the government in the policy area of a group might signal an exclusive political culture towards societal interests (see Koopmans & Kriesi, 1995), particularly in this specific context of illiberal populism and democratic backsliding. Therefore, we can argue with some confidence that the lack of general government consultations with interest groups (i.e. not individual access!) is more reflective of a decline in democratic quality than the dynamics of national interest group systems themselves.
- ³ Our survey also included an open comment function, whereby approx. 20 organizations specifically emphasized their apolitical, nonideological, or neutral orientation. We assigned the score 5 (i.e., most neutral) to such organizations.
- ⁴ As noted, Slovenia was not meaningfully subjected to backsliding or illiberal populism during the time of our fieldwork. We provide an alternative statistical analysis without Slovenia for Models 3–5 (see Appendix Table A2 in the Appendix).

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APPENDIX

Table A1 Determinants of frequency of consultations with regulatory authorities for Czech, Hungarian, Polish, and Slovenian healthcare, higher education, and energy policy interest groups active at the national level (robustness test with politically neutral organizations, Model 3).

	(1)	(2)	(3)	(4)	(5)
	Frequency of consultations with regulatory authorities	Frequency of consultations with regulatory authorities	Frequency of consultations with regulatory authorities	Frequency of consultations with regulatory authorities	Frequency of consultations with regulatory authorities
Czechia	−0.0163 (−0.09)	—	−0.0966 (−0.51)	0.0377 (0.22)	−0.121 (−0.75)
Hungary	−0.0557 (−0.34)	—	−0.295 (−1.32)	−0.0378 (−0.23)	0.0253 (0.15)
Poland	0.383* (2.31)	—	−0.135 (−0.64)	0.468** (2.67)	0.0140 (0.08)
Slovenia	0 (.)	—	0 (.)	0 (.)	0 (.)
Energy	0.222 (1.25)	0.0750 (0.48)	−0.122 (−0.55)	−0.000581 (−0.00)	—
Healthcare	0.0164 (0.10)	−0.0764 (−0.54)	−0.0118 (−0.06)	0.0649 (0.40)	—
Higher education	0 (.)	0 (.)	0 (.)	0 (.)	—
Human and financial resources	0.0253 (1.54)	0.0155 (1.04)	0.0158 (0.85)	0.0216 (1.35)	—
Professionalization	0.0391*** (4.05)	0.0222* (2.38)	0.0259* (2.37)	0.0324*** (3.39)	0.0245** (2.85)
No or 1 consultation/ year in policy field (dummy)	—	−1.079*** (−8.80)	—	—	−0.957*** (−7.55)
Closer to opposition (dummy)	—	—	0.438* (2.46)	—	0.315* (1.99)
% government subsidies in budget	—	—	−0.00273 (−0.75)	—	—
Politically neutral	—	—	0.00547 (0.10)	—	—
Weak access to government and parliament	—	—	−0.263*** (−6.51)	—	−0.121*** (−4.37)
Composite expertise index	—	—	—	0.0903*** (3.95)	0.0621** (2.94)
Business org.	—	—	—	0.684*** (3.47)	0.452** (2.86)
_cons	1.861*** (7.74)	2.908*** (13.10)	4.146*** (8.70)	1.496*** (5.90)	3.294*** (11.66)
N	341	306	229	341	306

t-statistics in parentheses. (.) Those are *t*-statistics in the brackets, and they are missing as those variables are reference categories.

p* < 0.05; *p* < 0.01; ****p* < 0.001.

Table A2 Determinants of the frequency of consultations with regulatory agencies (excluding non-backsliding Slovenia)

	(1)	(2)	(3)	(4)	(5)
	Frequency of consultations with regulatory authorities	Frequency of consultations with regulatory authorities	Frequency of consultations with regulatory authorities	Frequency of consultations with regulatory authorities	Frequency of consultations with regulatory authorities
Czechia	−0.0163 (−0.09)	—	−0.282 (−1.44)	−0.436* (−2.38)	−0.114 (−0.67)
Hungary	−0.0557 (−0.34)	—	−0.304 (−1.78)	−0.501** (−2.94)	0.0565 (0.34)
Poland	0.383* (2.31)	—	0 (.)	0 (.)	0 (.)
Slovenia	0 (.)	—	0 (.)	0 (.)	0 (.)
Energy	0.222 (1.25)	0.0689 (0.33)	0.329 (1.45)	0.0634 (0.26)	—
Healthcare	0.0164 (0.10)	−0.0482 (−0.26)	0.151 (0.74)	0.171 (0.82)	—
Higher education	0 (.)	0 (.)	0 (.)	0 (.)	—
Human and financial resources	0.0253 (1.54)	0.0131 (0.70)	0.0117 (0.55)	0.0106 (0.51)	—
Professionalization	0.0391*** (4.05)	0.0208* (1.98)	0.0397*** (3.67)	0.0281* (2.44)	0.0234* (2.34)
No or 1 consultation/year in policyfield (dummy)	—	−1.156*** (−8.02)	—	—	−1.026*** (−6.63)
Closer to opposition (dummy)	—	—	0.365 (1.85)	—	0.317 (1.69)
% government subsidies in budget	—	—	0.0000148 (0.00)	—	—
Weak access to government and parliament	—	—	−0.152*** (−4.54)	—	−0.130*** (−4.07)
Composite expertise index	—	—	—	0.0837** (3.17)	0.0519* (2.20)
Business organization	—	—	—	0.652** (2.99)	0.381* (2.29)
_cons	1.861*** (7.74)	3.000*** (10.96)	2.966*** (8.77)	2.081*** (6.69)	3.438*** (14.11)
N	341	221	248	248	221

t-statistics in parentheses.

* $p < 0.05$; ** $p < 0.01$; *** $p < 0.001$.