The Never-ending Story: Czech Governments, Corruption and Populist Anti-Corruption Rhetoric (2010–2018)¹

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Politics in Central Europe (ISSN: 1801-3422) Vol. 14. No. 3

DOI: 10.2478/pce-2018-0017

Abstract: Corruption is a phenomenon with significant effects – economically, politically and culturally. Corruption tends to be viewed negatively by the public. As such, anti-corruption rhetoric may be an ideal election strategy for individual political parties. Nevertheless, anti-corruption rhetoric does not necessarily translate into an actual anti-corruption policy. This study analyses the impact of anti-corruption rhetoric that does not reflect the actual practices of its speaker and has been used strategically to gain favour. My focus is on elections and the subsequent formation and exercise of government in the Czech Republic. I analyse how anti-corruption rhetoric directed at political opponents works as an election success strategy. At the same time, I show how electoral success, transformed into real political power, strengthens the ability of actors to engage in activities that amount to borderline or outright corruption, irrespective of any anti-corruption rhetoric.

Keywords: corruption, Czech politics, anti-corruption, Czech government, populism.

Introduction

The research for this study was completed at the beginning of 2018, a time when the Czech Republic found itself in a unique political situation. Parliamentary elections in the autumn of 2017 had resulted in the clear victory of the ANO

¹ This study has been supported by Institutional Support for Long-term Conceptual Development of a Research Organization 2018 at the Department of Politics and International Relations in the Faculty of Philosophy and Arts at the University of West Bohemia in Pilsen.

movement led by billionaire Andrei Babiš, and before the year's end, he was authorised by President Miloš Zeman to form a government. All other parties refused, however, to participate in or support a Babis minority government, and it therefore failed to gain the confidence of the Chamber of Deputies. Nevertheless, shortly after his own election for a second term in January 2018, Zeman announced that Babiš would be given a second chance to establish a government. The President's repeated nomination of the same prime minister who had already failed to form a government was not a new development in Czech politics. What was entirely novel, however, was the context in which it took place. Babiš is currently being prosecuted by police on extensive charges of grant fraud, and a recent Court of Appeals ruling confirmed that he was an agent of the Communist secret police before 1989. (This decision followed the billionaire's loss of several legal disputes over the legitimacy of his inclusion on a list of Communist police informants.) Finally, Babiš is the first prime minister to hold open negotiations with both the Far Left (the Communist Party of Bohemia and Moravia-KSČM, the direct successor of the totalitarian party that ruled before 1989) and the Far Right (the openly xenophobic Freedom and Direct Democracy Party-SPD) over their support and cooperation.

As things stand, most parties in the Chamber of Deputies are worried about the prospect of a prime minister facing criminal prosecution. These concerns have multiplied due to Babiš's political style, the concentration of political, economic and media power in his hands and his links to a number of corruption cases. The issue of government-connected corruption is, thus, now at the forefront of Czech politics. Clearly, this phenomenon is not peculiar to the Czech Republic; examples of government representatives embroiled in corruption scandals can be found in many countries (in the Eastern European context, see, for example, Eunjung Choi – Jongseok Woo 2011). As in other cases, the current Czech situation is the culmination of a visible long-term trend. On the one hand, we find actors who promote themselves using strong anti-corruption rhetoric – Babiš is a typical example of this, having explained his own entry into politics as an attempt to crack down on corrupt politicians (Kopeček 2016; Naxera 2016). On the other, we see these same actors using their political power to carry out activities that often border on or even cross over into corruption.

The recent escalation of this trend in the Czech Republic may be tied to dramatic changes in the 2010, 2013 and 2017 elections with the appearance of new political parties (Havlík – Voda 2016; Maškarinec 2017; Šárovec 2017) whose rhetoric had a strong anti-corruption message, albeit one not necessarily reflected in their own activities. This is part of a broader pattern of the emergence of new political formations and the rise of populism (clearly connected to anti-corruption and anti-elitist rhetoric) in various countries in Europe. These groups often present themselves as opposed to corruption and party politics in general (Pasquino 2008: 21). In doing so, they draw on the prevailing view

that corruption is a negative phenomenon with a marked effect on the whole political and social system (e.g. Rose-Ackerman 1999). Anti-corruption rhetoric, thus, appeals as a strategy for addressing voters. In this regard, it should be noted that the impacts of corruption may be explored on multiple levels. For my purposes, the effects on how citizens assess a political regime and its actors are of primary importance. If there is a strong perception that political leaders are corrupt, public confidence in the political sphere decreases. Research suggests that the perceived level of corruption is one of the most important factors influencing not only overall dissatisfaction but dissatisfaction with particular institutions and political parties, mistrust of individual politicians and so on (Linek 2010: 135). Political dissatisfaction may lead to a change in voter support for a particular party (Linek 2010: 51–73). As such, we may assume that a high degree of perceived corruption, which is, in turn, a source of political dissatisfaction, will in some cases result in changes in party support. This was evident in the 2010, 2013 and 2017 elections when new political parties, several of which employed clearly populist rhetoric, succeeded on platforms outside the existing party spectrum. These parties put great emphasis on their difference from established political entities. Their programmes highlighted corruption and the general need to replace contemporary politicians (Naxera 2016).

The current work draws on Steven Sampson's (2011) thesis that "anti-corruption rhetoric itself is often not innocent." Sampson supports his claim with the example of anti-corruption NGOs in the Balkans. His conclusions, however, are easily applicable to other contexts, including different actors and strategies. They show that combatting corruption may be a mere rhetorical move that actually hides the problematic activities of the presenter of the anti-corruption rhetoric.

This study analyses the impact of anti-corruption rhetoric that does not reflect the actual practices of its speaker and has been used by them to gain approval. My focus is on selected political actors during elections in the Czech Republic as well as in the subsequent formation and exercise of government. I consider how anti-corruption rhetoric directed at other political entities works as a strategy for achieving election success. At the same time, I show how electoral success, transformed into real political power, strengthens actors' ability to carry out borderline or outright corruption, regardless of their anti-corruption rhetoric. This analysis is placed in the context of a broad range of existing studies. There is extensive research that uses different examples to study the role of anti-corruption rhetoric in elections and the ways perceived corruption is reflected in election results (see, for example, Slomczynski – Shabad 2011). Such work also assesses the abuse of political power for an entity's own corrupt purposes (in the Czech context, see, for example, Kupka - Mochťak 2015). As I have noted, my general framework is based on the research of Sampson (2011), who points out that anti-corruption fighters are themselves sometimes corrupt.

Prelude: Corruption and Czech governments before 2010

Communist Czechoslovakia, like other Communist countries, was known for its widespread corruption, which existed at all levels (see Karklins 2005). Along the same lines, various corrupt activities after the fall of Communism allow us to trace similarities between Czechoslovakia (and later the Czech Republic) and other post-Communist countries. One key example is privatisation, which created an enormous number of opportunities for corruption in the context of the post-Communist economic transformation (Holmes 2003). These opportunities existed in all these countries and often benefited not only individuals but entire political parties that were able to leech off and exploit the state (Grzymala-Busse 2007). Between 1990 when the first free post-Communist elections took place and 2010 (i.e. the date from which this study's deep analysis begins), there were a total of 11 different governments, nine of which were political and two of which were caretaker governments. Examples of government-related corruption can be found throughout this whole period. This includes corruption associated with privatisation, which was quite extensive in Czechoslovakia though it did not receive significant attention from politicians. This was related to a broader philosophy that gave the rapid establishment of private ownership precedence over law and morality (Reed 1999). Most privatisation took place under the centre-right governments of Petr Pithart (1990-1992) and Václav Klaus (1992-1996). A second government led by Klaus for the Civic Democratic Party (ODS) resigned at the end of 1997 due to a split in the governing coalition after secret ODS finances in Switzerland were revealed (see Linek - Outlý 2008; Císař - Petr 2007). Other political parties also had problems with financing. After the fall of the Klaus government, the caretaker government of Josef Tošovský held office for half a year (see Hloušek - Kopeček 2014). Following early elections in 1988, the Social Democrats (ČSSD) took power. Complex coalition negotiations established a ČSSD minority government that was tolerated by ODS in the role of "contractual opposition." The two parties divided up a number of important political and bureaucratic posts in a rather non-transparent fashion. This period from 1998 to 2002 is often associated with a steep increase in corruption connected with the highest political circles (Kopeček 2013).

The next term in office (2002–2006) saw a succession of three centre-left governments led by the Social Democrats. Stanislav Gross, the prime minister under the second of these governments, was forced to resign after a scandal involving his wife's business, which had murky ties with organised crime. After the 2006 elections, the Right returned to power and an ODS government chaired by Mirek Topolánek succeeded on its second attempt at gaining the Chamber's confidence. Even this government was not without corruption scandals. Lobbyist and Topolánek consultant Marek Dalík was, for example, involved in a number of shady deals (Müller 2012) that later led to convictions. At the time,

ODS was also increasingly being connected to the activities of "regional godfathers" (Langr 2014), individuals who had linked their political and economic interests at regional level – ODS had long controlled local governments – and were using that influence to draw non-transparently from public funds. Finally, in the midst of the Czech Presidency of the Council of the European Union in 2009, the Chamber of Deputies expressed its mistrust of the government. The following year, a caretaker government headed by Jan Fischer took over. It held office until the regular elections in 2010 (Hanley 2017).

As we have seen, a number of examples of government-related corruption can be detected before 2010. It is, however, important to observe that the nature of these activities has transformed over time and reflected broader developments. Social perceptions of corruption have similarly changed. During the initial post-Communist period, corruption did not resonate with the public or politicians as a fundamental problem despite a number of outright scandals. However, this view gradually shifted and respondents to various surveys began to highlight concerns about corruption. At the same time, media coverage of the topic increased (Naxera 2016). Over time, corruption emerged as a central issue for political and social debate. This was accompanied by a general conviction that politicians and political parties are corrupt. As we will see, this view of the Czech public, coupled with the well-chosen anti-corruption rhetoric of some political leaders, would be a decisive factor in Czech parliamentary elections.

Scene 1: Petr Nečas's government (2010-2013)

The 2010 election marked a turning point as the newly formed Public Affairs Party entered the Chamber of Deputies for the first time. Public Affairs was a "business-firm party" (see Krouwel 2006; Hopkin - Paolucci 1999) headed by a typical political entrepreneur (see Keman – Krouwel 2006), Vít Bárta, the owner of a private security agency. The party itself had all the signature features of a business-firm party, including a lack of internal institutionalisation and the ultimate authority of its political entrepreneur leader whose goal was to maximise financial profits by gaining political power. For our purposes, it is also important to note how the party succeeded in reaching voters. The campaign took a strong anti-establishment line (see Hanley - Sikk 2016), highlighting the corruption of established parties and calling for the replacement of the current political elite. This was clear both from its slogan "Out with the political dinosaurs" and the launch of its campaign with the symbolic firing of a cannon at Czech government headquarters (Naxera 2016: 67). Public Affairs became the first Czech parliamentary party to follow the basic principles of political populism. As part of its strategy, the party depicted society as ultimately separated into two homogenous and antagonistic groups: the "pure people" and the "corrupt elite," who should be replaced (Mudde 2007: 23).

Despite its strong claims about the corruption of established political parties, Public Affairs became part of the government of Petr Nečas of ODS. As we have seen, ODS had been linked with shady dealings between the political and business worlds, especially in certain Czech regions, i.e. the domain of the regional "godfathers" (Langr 2014: 6). The third governing party was TOP09, a right-wing conservative group that emerged from a split in the right faction of the Christian Democrat Party shortly before the elections. This government was able to rely on a comfortable parliamentary majority of 118 of the 200 seats, an advantage that was unusual in the Czech context. The fight against corruption was one of its key targets. This was reflected in the name it gave itself in its programme: "a coalition for budgetary responsibility, a government for law and order and the fight against corruption."

In spite of this plan and Public Affairs's staunch anti-corruption rhetoric, this stance remained largely limited to words. The government was weakened by a series of corruption scandals and its gradual decline culminated in the resignation of the Prime Minister in the summer of 2013. That resignation was itself the result of revelations of borderline and actual corruption that directly implicated the Prime Minister (Kupka – Mochťak 2015). Both the resignation and the events that soon followed would have a crucial influence on the direction of Czech politics. It is, however, worth pausing to consider the corruption issues that plagued this government during its mandate.

From 2010 to 2013, when the Nečas government held office, its cabinet went through many changes. Several ODS and Public Affairs ministers were forced to leave their posts because of problems related to corruption or the illegal handling of finances. Vít Bárta was himself affected by these problems when he became transport minister at the beginning of the government's mandate. Public Affairs was not only a party with very little institutional structure (Jarmara 2011) but there was a vast difference between what its statutes said and the way it functioned in reality. Although he did not hold the main executive position in the party, Bárta was effectively in control and often relied on practices that were borderline or flagrantly illegal. One key issue was the links between the personnel of ABL, Bárta's personal company and the leadership and deputies of Public Affairs (Just - Charvát 2016). ABL was also important to the party in another way – it was later shown that in its capacities as a large security agency, it had long been wire-tapping a number of Czech politicians and providing Public Affairs with compromising material on political opponents (Klíma 2015: 257-259). Two Public Affairs MPs filed a criminal complaint against Bárta in 2011 alleging that he had bribed prominent party representatives in exchange for their silence on the party's shady financing. Bárta was later convicted on these charges though an appellate court overturned the judgment. A second set of problems surfaced in 2011 when Czech investigative journalists revealed an ABL internal strategy document from some years earlier in which Bárta had

described the individual steps to connect political and economic power and strengthen his company's position. This document had been created as early as autumn 2008, long before Bárta and Public Affairs had even entered into politics in order to carry out the plan. Under pressure from all these scandals, Bárta resigned from his ministerial post in 2011. Public Affairs later dissolved into two parties that both failed altogether in the parliamentary elections. Bárta's case is important, however, for at least two reasons: it confirms Sampson's (2011) thesis that anti-corruption rhetoric is not always innocent and it is the first instance of a political entrepreneur making a strong foray into Czech politics. Later, this scenario would be repeated, albeit on a much larger scale.

As we have seen, Bárta was not the only politician who was forced to step down in this era as a result of corruption charges. Perhaps the most serious issues were those surrounding Prime Minister Petr Nečas, who resigned after his government lost the confidence of the majority of MPs. The central figure in the Nečas affair was Jana Nagyová (now Jana Nečasová), who served as chief director of the Prime Minister's cabinet. At the time, she was also his secret lover and she later became his wife. In mid-June, a massive political scandal broke out when a number of influential individuals – Nagyová, three former ODS MPs, several intelligence officials and other high-ranking bureaucrats and business figures – were arrested during a police raid. This scandal contained at least three different strands that were all connected to Nagyová (Kupka – Mochťak 2015).

The first issue concerned a group of three ODS deputies who had been charged with corruption. According to the prosecutor's office, the three had accepted a bribe in the form of lucrative positions in state-owned companies in exchange for giving up their mandate and not taking part in negotiations of a law on which their opinions differed from those of the party and the entire governing coalition. The Supreme Court later acquitted the three on the grounds that they could not be prosecuted for crimes allegedly committed while still in office – their acts were, thus, protected by parliamentary immunity (Naxera 2015: 40). The whole affair gave rise to a broad political and social debate about whether the deputies' behaviour in fact met the criteria for corruption or law enforcement bodies were attempting to criminalise a standard political agreement. Critics objected above all to the exchange of MPs' votes for economic profit stemming from their role in the management of state-owned companies.

The second thread in the scandal involved the misuse of the intelligence service. It was revealed that Nagyová had misused military intelligence to spy on Nečas's then wife. This problem has several layers – not only had the intelligence service been misused for purely private purposes, but it had received instructions from an individual who had no legal right to assign it any task. The misuse of intelligence services by private interests and the conducting of civilian surveillance via security forces are both hallmarks of undemocratic

regimes (Svolik 2012). These acts were, thus, clear violations of the principles of democratic governance (Kupka – Mochťak 2015).

The third issue related to the links between prominent businessmen or "godfathers," ODS and Nagyová. This was in some ways the latest chapter in a long history of ties between Czech businessmen and political representatives who have allowed them to make lucrative profits from public sector cooperation and contracts. The businessmen involved in the Nagyová case were typical of the actors in this kind of corruption. At the time of writing (late February/early March 2018), the litigation of the cases concerning Jana Nagyová (Nečasová) has yet to be completed. It is clear, however, that these scandals were decisive in the collapse of Petr Nečas's government.

Interlude: Jiří Rusnok's government (2013-2014)

Shortly after the fall of the Nečas government, the third caretaker government in the history of the independent Czech Republic (see Hloušek – Kopeček 2014) took office. Miloš Zeman, who had become the first directly elected Czech president at the beginning of 2013, nominated Jiří Rusnok to head this government. Rusnok, an economist, had been minister of finance in Zeman's own government from 2001 to 2002. His nomination clearly went against the will of the majority of political powers represented in the Chamber of Deputies (Wintr – Antoš – Kysela 2016: 147). Rusnok was a long-time ally of Zeman, a description that also applied to many members of his government. The majority of the Czech public shared the view that this was a government of President Zeman's friends (Česká televize 2013). That idea was reinforced when several of its members ran in the subsequent parliamentary elections as candidates for the fringe Civic Rights Party. Zeman was that party's honorary chairman.

In August, the Chamber of Deputies failed to express confidence in the Rusnok government. Despite this fact, the President allowed the government to continue ruling until the beginning of 2014. The government in resignation adopted a number of important measures. When a government that lacks the confidence of the legislature takes these kinds of steps, the logic behind the parliamentary system is undermined. A government in resignation should always be restricted to only the most essential actions and its office should be limited to the shortest term possible. The President's appointment of a group of his close associates to government and his decision to override standard protocol and allow them to rule in resignation for an extended period came close to the essence of clientelism or patronage (Naxera 2015). The individuals involved stood to benefit considerably from these decisions in the future (e.g. by exploiting information about economic activities which they had obtained as ministers). Aside from these problems, there was another troubling link between this government and corruption. In his speeches, Zeman expressed

great hopes for the cabinet's anti-corruption mission, claiming it was made up of an incorruptible elite that was struggling against party corruption. On appointing the government, he told its ministers: "I believe you will guarantee that affairs won't be swept under the carpet and gangsters won't be made out to be innocent citizens under political pressure." When the cabinet failed to gain confidence, Zeman stressed that though it lacked the faith of parliament, it had the confidence of the people, which was more important (Naxera – Krčál n.d.). This was a very clear use of the rhetoric of populism, which holds that politics should be an expression of the general will of the people (Mudde 2008: 23).

Scene 2: Bohuslav Sobotka's government (2014–2017)

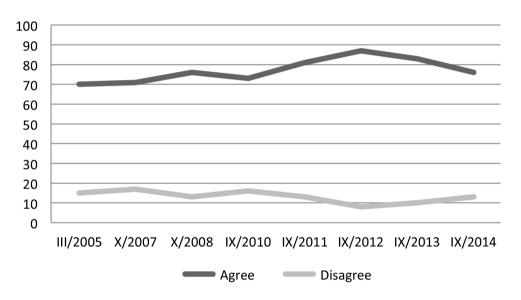
The Rusnok government ruled in resignation until the beginning of 2014 when it was replaced by the government of Social Democrat Bohuslav Sobotka, which had risen to power in the 2013 autumn parliamentary elections. Those elections were absolutely crucial for reinforcing the links between government and corruption in the Czech context, and it is therefore worth considering them briefly. Above all, this period was marked by the constant efforts of different actors to take a stand against political parties that they deemed to be corrupt. The most prominent of these individuals was President Zeman, who repeatedly claimed that political parties were the organisers of corrupt activities and the recipients of resulting profits (Naxera – Krčál n.d.). This rhetoric closely followed the principles of political populism, which insists on the presence of a corrupt political elite. Given the belief during Zeman's own government (1998–2002) in the rise of corrupt transactions and the links between corruption and politics, it is clear that his turn to this rhetoric was purely calculated. Its primary purpose was to justify his support for the Rusnok government.

Another key player in this respect was the billionaire Andrej Babiš, who led the newly formed ANO political movement. That party's success in the 2013 elections was to have a significant impact on the structures of the Czech party system. ANO filled a void in right-wing politics that had been left by the weakening and disintegration of Public Affairs (Linek – Chytilek – Eibl 2016). Its strategy also resembled the one that Public Affairs had used to win in 2010. There were many other similarities between the two parties. The subtext of both campaigns was clear: "We're not like established politicians – we don't steal, we work hard." Babiš's success was enormous: he gained 18% percent of votes, putting him only 2% behind the victorious Social Democrats to the great surprise of pundits.

Babiš's popularity was fostered by an excellent campaign that had the support of many well-known individuals (athletes, artists, etc.). He also benefited from extensive media coverage (in the summer of 2013, the billionaire had bought the Mafra publishing house, which publishes two of the largest national news-

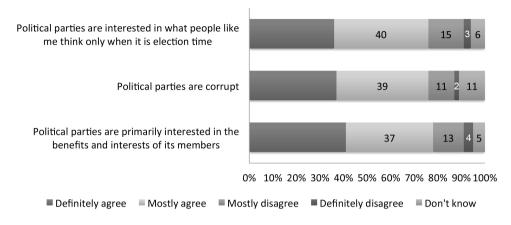
papers) and a general mood that supported distancing from political parties. Combined with a fairly simple campaign slogan ("Yes, things will get better!"), Babiš's messages ("everyone steals" and "we have to de-politicise things") had great success. His focus on corruption also proved to be critical, contrasting sharply with the approach of established parties that had significantly reduced their emphasis on corruption despite a number of high-profile cases. As we have seen, the impact of those cases had been enormous in the case of ODS, with the Nečas government forced to resign because of corruption scandals in the summer of 2013. Nevertheless the party's own programme did not make a single mention of the need to fight corruption (Naxera 2016: 61–62).

Graph 1: Agreement and disagreement with the statement that political parties are corrupt- comparison over time (responses in %) (CVVM 2014: 6)



In fact, confidence in political parties was so shaken by the scandals of the previous ODS government among other things that public opinion about the parties' operations did not improve even after the 2013 elections. Graph 2 depicts the attitudes of the Czech public to political parties less than a year after those elections.

Graph 2: Attitudes to political parties in the Czech Republic (September 2014; responses in %) (CVVM 2014: 6)



For a movement that presented itself as a "non-party" and a force against corruption, the situation was more than favourable. Babiš was able to take advantage of his position outside the party system to claim he was not a member of the elite that was the target of his populist rhetoric.

Before turning to the formation and operation of the new government, it is therefore necessary to deal with the ANO movement along with Babiš's own persona and his past. If Public Affairs can be described as a business-firm party and Vít Bárta as the political entrepreneur at its head, then this characterisation is doubly true of ANO and Andrej Babiš (for more detail, see Kopeček 2016). ANO is a one-man party that has no internal opposition. The tight rule of this party by its chairman and a narrow group of party leaders around him is a natural consequence of the way it was created: from the top (Babiš's management decisions) down. (The billionaire's edicts have led to the development of a party structure, albeit one that is not very institutionalised; Klíma 2015: 313). Babiš's privileged position within the party was made clear before the 2017 parliamentary elections when ANO authorities endorsed his right to make arbitrary changes to party ballots.

Babiš entered Czech politics openly before the 2013 elections but his links to the political scene stretch back further in time. He began as a foreign trade official under the Communist regime, where he gained important contacts and at the same time became a state security agent. After the fall of Communism, Babiš capitalised on these past contacts when doing business. This was a text-book example of the reproduction of Communist elites as post-Communist elites (Szelényi – Szelényi 1995). Elites who had already benefited from a high level of political capital under the Communist regime transformed it into economic

capital using their networks of contacts and opportunities after the regime's collapse (Bourdieu 1986). In this way, they were able to function comfortably even under the new regime where their status derived not from membership the Communist Party but from their economic standing (Tomšič 2011).

Babiš's rise as a businessman was gradual. Based on the work of investigative journalists (Kmenta 2017), however, it is clear that the expansion of his business empire (especially into the areas of chemicals, petrochemicals, agriculture and food) was often borderline illegal and crossed ethical boundaries. This was primarily due to his political connections, especially under the Social Democratic governments from 1998 to 2006. The billionaire also had contacts with ODS politicians. While the rise of regional godfathers linked to ODS meant that Babiš's influence waned in the ensuing years, he was able to maintain some portion of this clout. The 2010 elections were a turning point. They showed a decline in support for both ČSSD and ODS, the two parties with which Babiš was used to cooperating. (In 2006, these parties had together held 155 of the total 200 seats. In 2010, in contrast, they gained only 109 seats.) At the same time, the success of Public Affairs proved it was possible to transform a business entity into a party that could make significant profits through carefully chosen election tactics and rhetoric.

Babiš was one of the richest Czechs in the world in 2011 when he founded the ANO movement, the party whose success would be clear two years later after the fall of the Nečas government. Some have also suggested that thanks to the billionaire's behind-the-scenes influence, he played a role in the police raid that helped topple the government (Kmenta 2017). The post-election negotiations led to a coalition between the Social Democrats, ANO and the Christian Democrats (KDU-ČSL). The new government headed by ČSSD chair Sobotka included Babiš as its first deputy prime minister and finance minister. Here the reproduction of elites and capital came full circle: after the fall of Communism, Babiš had reshaped his political capital into economic capital, and in 2013, that economic capital reverted to political capital only on a more massive scale than had been the case before 1989. As I will show, the political capital thus obtained has also allowed for the further multiplication of Babiš's economic capital.

Babiš's entry into government kicked off a period of even stronger connections between politics and private business, this time directly involving those in government positions. Babiš succeeded in placing his own people in several key ministries. Former personnel of Agrofert holding, which connects Babiš's companies and businesses, were installed not only in ministerial posts but in lower positions inside the ministries and associated offices. An excellent example is Richard Brabec, who served as environment minister under the Sobotka government. Brabec had once been the director of one of Babiš's chemical plants. The appointment of this former chemical plant director as environment minister was in itself striking and naturally raised concerns about the likelihood of Brabec

clearing the way for Babiš's chemical business. At the same time, the extensive party patronage that Babiš pursued was in keeping with longstanding trends within Czech politics. Party patronage (i.e. the appointment of party-affiliated persons to public sector positions; Kopecký – Spirova 2011: 905) generally happens for two reasons. The first is the wish to reward loyal allies and party members with a public position and attached profits and decision-making powers. The second is the effort to control and dominate key positions by installing like-minded individuals who will then direct political processes towards goals set by the party (Kopecký – Scherlis 2008). As several studies show (Kopecký 2012; Naxera 2014; Kopecký – Spirova 2011), in the case of the post-Communist Czech Republic, patronage is mainly linked to efforts to control offices and important positions. This is exactly what we find if we follow the trail of Babiš, who planted individuals from his company throughout key institutions.

ANO should be distinguished from other parties that have been colonised by shady corporate interests: Babiš's party is different since it arose directly from the business plan of a political entrepreneur (Klíma 2015: 313). Since the very beginning, the party's aim has been to maximise the profits of its boss, who previously used his links with other parties for this same purpose. These links clearly have a personal dimension: two members of ANO's upper echelons have a history with other parties – Jaroslav Faltýnek is a long-time municipal politician for ČSSD and the aforementioned Richard Brabec used to be a member of ODS. The goal of maximising profits has been achieved. According to *Forbes* magazine, which publishes an annual list of the world's richest people, Babiš had 40 billion Czech crowns in 2013. In 2017, after four years in government, this figure had increased to 88 billion. Among the sources of the profit were a number of governmental incentives stemming in many cases from the Ministry of Finance, which was directly controlled by Babiš, or from other state offices (tax relief, state subsidies, etc.) (Kmenta 2017).

Self-enrichment has not been the only problematic aspect of Babiš's political operations. Journalists have documented several cases in which government authorities under his control sabotaged other entrepreneurs, some of whom were his commercial competitors. (Leaked wiretaps, for example, include statements from financial authorities along the lines of "our guys [i.e. civil servants managed by Babiš's lackeys] have brought *them* [i.e. the entrepreneurs concerned] to heel.") Other aspects of the businessman's venture into politics have been equally disturbing. Secret recordings leaked to the public show that Babiš directly instructed journalists from his media outlets about which politicians they should mention and in what time frame they should do so. Given his efforts to maximise a combination of political, economic and media power, he has been dubbed the "Czech Berlusconi" by some foreign outlets.

A series of highly publicised crises, including leaked recordings that revealed the essence of Babiš's political and business behaviour, led to the deterioration

of relationships within the Sobotka government and particularly the one between Babiš and the Prime Minister himself. Also significant was the discovery that Babiš had avoided paying millions of crowns in tax on the profits from his businesses by taking advantage of a legal loophole. Ironically, consistent tax auditing had been one of Babiš's main political slogans and a principle that underpinned the Ministry of Finance under his leadership. This rhetoric resulted in one of the most controversial steps taken by Sobotka's government – the introduction of a financial instrument known as the "electronic sales record" to allow tax inspections particularly of smaller-scale business owners. Babiš was the creator of this tool.

Amidst this deteriorating relationship, the government experienced a conflict that threatened to turn into a constitutional crisis. As a result, Prime Minister Sobotka announced his intention to resign. President Zeman responded that under the circumstances, he would understand the resignation to apply merely to the Prime Minister and not to the entire government. Zeman added that he would allow the government to continue to operate with the same members apart from a new chair. According to constitutional experts, this behaviour overstepped Czech presidential powers under all standard interpretations of the Constitution. (Zeman's strategy has, in his own words, been one of "creative interpretation of the Constitution," which, in fact, amounts to an attempt to acquire more power than the president is allowed to exercise under the Constituion; Wintr - Antoš - Kysela 2016.) The whole issue points to a larger debate about the nature of the Czech system, which was generally agreed to be parliamentary (see Brunclík – Kubát 2016 b) until the introduction of direct presidential elections in 2013. Based on these elections and the way Zeman has since performed his role – the above-discussed episode with Jiří Rusnok's government is just one of many controversial steps taken by the President (Wintr - Antoš - Kysela 2016) - a growing number of voices have been asking whether the Czech Republic has taken a step towards semi-presidentialism (Brunclík - Kubát 2016 b).

In response to the President's words, Sobotka chose not to submit his resignation since its main goal, i.e. ending the government's engagement with Babiš, would not have been achieved. A subsequent attempt to remove Babiš faced further obstruction from the President, who after a long delay – and again based on "creative interpretation" of the Constitution – refused to dismiss the minister as the government had requested. Zeman's response can be traced to the fact that he and Babiš had managed to become strong political allies in this period. At the same time, it reflected the President's long-time antipathy to Sobotka and other Social Democrats despite his own history with the party. Zeman argued that based on the coalition agreement among the governing parties, the removal of Babiš was not possible. This was, then, a repeat of the situation in the Rusnok government era – at that time, Zeman had claimed that

when it came to governing, the "wishes of the people" were more important than support from the Chamber of Deputies. As we have seen, this is a typical populist rhetorical strategy (Mudde 2007: 23). The President now insisted that the agreement among the governing coalition should take precedence over the Constitution. In both this and the Rusnok matter, Zeman exceeded the limits of the presidential role as set out in the Constitution and provided for in typical parliamentary systems. Zeman did not, however, confine himself to this obstruction: he also undertook an active defence of Babis, claiming that this was a case of the "less successful envying a successful businessman" and of "corrupt politicians trying to eliminate an anti-corruption warrior." This characterisation was reiterated across the Babiš-dominated media with, for example, the front pages of Babis's newspapers featuring an image of Babis with his mouth taped shut to symbolise the efforts of other politicians to silence the ANO leader and block his fight against corruption. In this way, Babiš shifted into the role of a martyr or dissident against the system. Here we find another great paradox: back in 2013, Babiš had succeeded by playing the part of a dissident taking on a corrupt system. This was, however, the same system that had allowed him to become a billionaire. A few years later, he cast himself in the same role though in an even more unlikely context. He was now a dissident fighting against the political system. Never mind that this was the system under which he had served as finance minister and deputy prime minister and which had allowed him to double his assets within just a few years of holding office.

After a relatively long debate, the conflict ended in Babiš's departure from government. ANO remained in the coalition, however, and the position of finance minister was filled by a replacement. The upshot was that Babiš managed to reinforce his image as a dissident oppressed by the system. At the same time, his loss of office allowed him to focus his efforts on the upcoming elections. Surveys suggest that support for Babiš rose steeply in this period while that for ČSSD and Sobotka sharply declined. The period also saw developments within the Social Democratic Party with Sobotka remaining prime minister but then resigning as party chair and leader in the subsequent elections.

Police charges of subsidy fraud have proven to be a critical issue for Babiš, and this controversy lingers to the present day (i.e. February–March 2018). The matter should, however, have been raised at the time of Babiš's entry into politics. The indictment alleges that in 2008 Babiš intentionally placed a company belonging to Agrofert holding outside that holding's structure. The company was a farm named *Čapí hnízdo* (the "Stork's Nest") and it was placed outside the holding in an attempt to obtain a European subsidy reserved for smaller firms. Čapí hnízdo was, thus, disconnected from Agrofert and awarded a subsidy of CZK 50 million in European funds. Over time, the company was restored to Agrofert. When the scandal was exposed in 2016 while Babiš was still finance minister, he repeatedly claimed he did not know who owned the company at

the time the subsidy was awarded. Later, it was revealed that Babiš's own relatives were the hidden and anonymous shareholders. The police, who maintain that the company had secret links with Agrofert even at the time of the grant, eventually charged Babiš, Jaroslav Faltýnek and several other individuals with two crimes – grant fraud and damaging the financial interests of the European Union. In response, Babiš focused on the message that he was a victim of a campaign against him; the other parties, he suggested, were coming after him as he tried to fight corruption. The billionaire again found support from the President, who – ignoring the ongoing investigation – made the highly symbolic gesture of visiting Čapí hnízdo in an attempt to legitimise Babiš's actions. Shortly before the 2017 elections, the Chamber of Deputies approved the criminal prosecution of the MPs Babiš and Faltýnek after a heated debate.

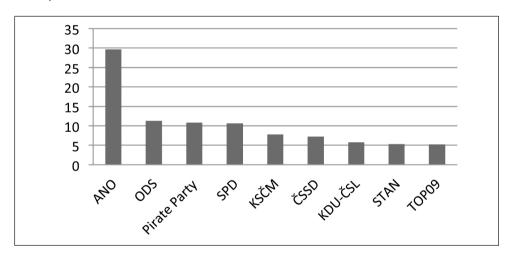
Postscript: Andrej Babiš's government (2017-?)

The 2017 election fundamentally transformed the structure of the Czech party system. Trends seen in previous elections became more marked: there was an increase in new actors and a weakening of "traditional" parties (Havlík – Voda 2016; Maškarinec 2017; Šárovec 2017). In addition, this election was dominated by two open questions: 1) whether individual parties would be willing to cooperate in a government with Babiš and 2) how these parties would address the so-called migration crisis, a problem which did not in fact affect the Czech Republic (the number of foreigners and refugees in the country is negligible) but nonetheless became a major political issue from which many parties benefited. Despite the scandals around Babiš personally and the ongoing police investigation, ANO's victory in the election was overwhelming. Babiš was able to draw on the successes of the previous government (economic growth, low unemployment, etc.) and take credit for them. Despite its achievements in government, ČSSD, the strongest of the former governing parties, suffered an enormous loss of support.

ANO was not only group that was strengthened by anti-corruption rhetoric. Other parties that had adopted anti-corruption and anti-political positions also saw gains (Pasquino 2008: 21). The Pirate Party was the most prominent of these groups. The party is representative of a larger group of pirate parties across Europe (Erlingsson – Persson 2011). Despite its presence for many years on the Czech political scene, the Czech Pirate Party had only had sporadic success in local, regional and Senate elections. Its results in the 2017 parliamentary elections were, thus, unprecedented and reflected a strong turn away from "traditional" political parties and a belief in their corruption. The next greatest beneficiary of the decline of traditional political parties was the Freedom and Direct Democracy Party (SPD) headed by Tomio Okamura. This party was part of the populist extreme Right (Havlík 2015; Krčál – Naxera 2018), whose elec-

tion programme stressed resistance to migration and the EU and demanded direct democracy and the removal of corrupt politicians. This rhetoric drew again on the principles of political populism; the latter maintain that "innocent people" are threatened not only by the "corrupt elite" but also by other enemies. Populists need to construct the image of a political enemy since a permanent need for political enemies is one of the main features of their ideology (Antal 2017: 16). Of the four parties that individually surpassed 10% of votes, three were protest parties that had promoted themselves with anti-political and anti-corruption rhetoric, and two may be considered populist parties. The validity of Samspon's (2011) thesis that anti-corruption rhetoric is not necessarily innocent was confirmed in the cases of Babiš and several others. Okamura, who had entered parliamentary politics as part of the Dawn of Direct Democracy movement in 2013, was eventually forced to step down because of shady dealings with party funds in his own accounts. Signs of similar issues in the new SPD group were already apparent soon after the 2017 elections.

Graph 3: Results of the 2017 Czech parliamentary elections (results in % of votes)



The first negotiations after the 2017 elections yielded a deal. ANO ran up against the reluctance of other parties to be part of a government ruled by a prime minister who was undergoing criminal prosecution. Nonetheless, the party had no intention of stepping aside or suggesting an alternative candidate to Babiš. The prosecutions of Babiš and Faltýnek had been postponed until after the elections since new consents were required from the newly elected members of the Chamber of Deputies. This time the negotiations about the prosecution of the two MPs were even more complicated. The arguments made by some

politicians went beyond the boundaries of absurdity. They included the claim that allowing the prosecution of the prime minister would harm the Czech Republic (Speaker of the Chamber of Deputies Radek Vondráček; aktualne.cz 2017) and a proposal to let Babiš rule for four years and then hand him over (deputy Taťána Malá;info.cz 2018). Ultimately, however, the Chamber agreed to the criminal prosecution.

After President Zeman's re-election, Babiš was put in charge of setting up a government. He was not able, however, to find a coalition partner and therefore introduced a minority cabinet made up of ANO members and non-party representatives. At the beginning of 2018, that government failed to gain the Chamber's confidence and it has ruled in resignation since that time. Nevertheless, it has taken a number of important steps that are linked to Babiš's prosecution. The Minister of Finance has, for example, retroactively withdrawn the EU subsidy that was awarded to Čapí hnízdo. This step has two key consequences: 1) it suggests that the subsidy was actually paid for from the Czech budget and not from European funds and 2) it means that the EU is no longer the injured party in the dispute. In this way, Babiš has dismissed the more serious of the two criminal charges brought against him, i.e. doing damage to the financial interests of the EU. In late February/early March 2018, there was talk of another controversial move by the government in resignation: this was an attempt to dismiss the director of the General Inspectorate of Security Forces (GIBS), an institution meant to investigate offences carried out by police. GIBS has the power to remove individual officers from particular cases. At a time when investigations against the Prime Minister are taking place, this step by the government is highly suspicious. The Babiš government had made a long list of similarly significant political decisions though it lacks the Chamber's confidence.

Even before Andrej Babiš approached the Chamber of Deputies with his request for confidence, President Zeman had assured him that if that motion failed, Babiš would be allowed a second attempt. Since in the event of a third attempt, the speaker of the Chamber who names the prime ministerial candidate will be an ANO delegate, the party's role in the government is all but certain. The situation is exacerbated by the fact that Babiš has the support of President Zeman and the election results do not allow for a coalition without ANO. In fact, ANO and parties from the Far Left (KSČM) and the Far Right (SPD) together hold 115 of the total 120 seats. Moreover, these three parties have cooperated consistently since the 2017 elections. This cooperation has major consequences since these parties and President Zeman share a number of ideas about the future of the Czech Republic including possible institutional adjustments (they all agree, for example, on the redundancy of the Senate). Some of these entities also support the weakening of the country's European orientation and greater openness to Russia.

At the same time, these factors have affected individual political appointments – right-wing leader Tomio Okamura, who made statements in early 2018 appearing to deny the Roma Holocaust during the Second World War, is now the deputy speaker of the Chamber of Deputies. With the help of votes from the three parties, Communist deputy Zdeněk Ondráček was appointed head of the parliamentary commission for monitoring GIBS. Ondráček had been a member of the Communist regime's riot police and participated in a violent crackdown on protesters before the regime's collapse. Despite this history, he was placed in charge of monitoring police officers and ensuring they were not violent to citizens. After several days in office, Ondráček was forced to resign as a result of public protests. Finally, Petr Žantovský, a regular contributor to pro-Russia disinformation campaigns, has been appointed to a position at Czech News Agency (ČTK), one of the three state-funded news agencies together with Czech Radio and Czech Television, ANO, SPD, KSČM and the President have all expressed strong criticisms of state media outlets. These are the same media outlets that tend to highlight scandals about these actors. Despite their common ground (and existing cooperation that goes beyond the Chamber of Deputies), Babiš would prefer to avoid a coalition of the three parties.

Conclusion: Is corruption the main driver of Czech politics?

The problems discussed in this study continue to affect the Czech political scene in late February/early March 2018. Despite a number of controversies, there has been no decrease in support for the ANO movement. According to voter surveys carried out by the Academy of Sciences of the Czech Republic, up to 33.5% of voters would have voted for ANO in February 2018 (CVVM 2018). Similar research suggests that Andrej Babiš, Tomio Okamura and Miloš Zeman are among the most trusted politicians. While the Communist Party's results in the 2017 elections were the worst on record since the party's inception in 1921, it remains as close as it has ever been to participating in executive power in the post-Communist era. The shifts that, as we have seen, are changing the shape of the Czech democratic system should be placed in a wider context of the weakening of liberalism and democracy in other countries in Central and Central-Eastern Europe (Dawson – Hanley 2016; Cabada 2017). The normalising of non-democratic elements is also clear from recent events such as President Zeman's attendance at the far right party SPD's convention at the end of 2017. In late February 2018, just before the 70th anniversary of the Communist coup in 1948, Zeman announced his plan to be the first post-Communist president to attend a KSČM congress.

According to Transparency International's annual rankings of perceived corruption, the Czech Republic compares unfavourably to other European countries. Opinion polls about Czech perceptions of corruption typically high-

light the problem of corruption among political leaders rather than minor corruption among police officers or officials (Naxera 2016). There is a common view that politicians evade the law and only pursue their own interests (Klíma 2015: 313). Even so, parties and politicians have survived multiple corruption scandals and enjoyed repeated election success (Roberts 2016: 33). Recent years have, however, seen a shift with the increasing popularity of actors who emphasise the corruption of ruling political parties. According to these actors, corruption affects not only political parties but all areas of politics. Since the 2010 elections, this anti-corruption and anti-political populism has gradually been celebrated in the Czech environment (Pasquino 2008). Nevertheless, when it comes to the individuals raising the anti-corruption flag, Sampson's (2011) thesis that anti-corruption rhetoric is not necessarily innocent has proven accurate. The scandals surrounding Public Affairs officials, Okamura's tunneling of party funds into his private accounts and, in particular, Babiš's activities show that the success of populist anti-corruption rhetoric in elections may not lead to any real anti-corruption measures. On the contrary, it may help create opportunities for corruption that are then exploited by actors operating behind a veil of anti-corruption rhetoric. The success of these actors may be seen as primarily a consequence of the gradual disintegration of the ties between voters and established political parties. Perceptible corruption has contributed to this disintegration. The distrust of traditional actors has led logically to a change in electoral support (Linek 2010: 194-199). This support has been redirected to those who have sufficiently underscored their differences from standard parties.

Corruption has many negative effects not only on the economy but also on the democratic system (Kupka – Mochťak 2015; Naxera 2017). These impacts have been felt for years, indeed decades, in the Czech environment. Still, the actors who have been brought to power thanks to their anti-corruption rhetoric have in many respects only continued these trends. There has simply been a re-direction of resources away from established parties to these new players. Significantly, these are actors whose ideas about the political system contrast starkly with the ideals of liberal democracy. Paradoxically, the perception that corruption damages Czech democracy has, thus, led to the election of actors who clearly contravene current democratic norms.

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