

Silent Struggles: Exploring Apathy and Civic Passivity among Czech Citizens in Debt Enforcement

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Abstract: *This research paper presents a novel contribution to the field by addressing an important and previously neglected issue: the impact of debt enforcement actions on the political views of Czech citizens. The study employs a qualitative research design and draws on data collected through interviews with individuals who have experienced debt enforcement. Specifically, the study focuses on how these individuals perceive state power and politics, revealing a concerning pattern of alienation from the state. Notably, most participants did not seek assistance or advice from state institutions when facing debt enforcement, exhibiting apathy, critical attitudes and civic passivity. These results are significant, as they introduce a potentially important explanatory variable in citizens' political attitudes, with potential implications extending beyond the Czech Republic to other former Eastern Bloc countries.*

Keywords: *debt enforcement, civic disengagement, political apathy, political attitudes*

Introduction

Many circumstances influence people's political views, some well-explored, others substantially less so. Among the latter is the experience of overindebtedness and, eventually, of facing debt enforcement action (Grossmann & Jurajda 2023). It means a situation when a person can no longer pay a debt, and a bailiff can confiscate property that the debtor does not need for dignified survival.

In the Czech Republic, this is a large group of people, as almost four million debt enforcement actions are ongoing against around 631,554 defaulters (Exekutorská komora 2021). Considering that these actions affect the families of defaulters, the number of Czechs affected by this issue is much greater than it might seem at first glance.¹ Considering the economic difficulties – and the social and health problems that stem from them – faced by people who undergo debt enforcement action, this is a significant society-wide problem (Szénássy et al. 2017). This argument is supported by the fact that many people who are or were facing enforcement have experience with moving into the grey economy (Trlifajová & Hurrle 2018; Trlifajová et al. 2018; Median 2018).

This paper examines the assessment of the rule of law by individuals experiencing debt enforcement action. It also explores how such people relate to their fundamental democratic right of choosing their elected representatives, and their attitudes towards other political rights, such as assembly, association and petition. The study also delves into their perspectives on engaging with institutions and their sense of connection or detachment from elected representatives.

The paper describes the outcomes of a qualitative analysis of data obtained from semi-structured interviews and answers the following research question: What views do Czechs facing debt enforcement action have on the rule of law, elections, the political system, political rights and other dimensions of the political process?

What do we know so far about these people's views?² Only 41 percent of people in the lower income groups with experience of enforcement action thought that the social system change after 1989 was meaningful. A substantial number (46 percent) took a negative position on the post-1989 social and economic transformation. Only 27 percent described democracy as the best form of government, and nearly half (49 percent) indicated that for people like them, it did not matter much whether the regime was democratic or non-democratic. Comparing this with the overall support for democracy in Czech society (56 percent), we see that the support for democracy among low-income people with experience of enforcement action was less than half. However, the quantitative data so far do not indicate that people facing enforcement action radicalise themselves politically and vote for extremist parties (Median 2018).

Corresponding to this are the results of the only research done so far on the voting behaviour of people facing debt enforcement (conducted for the 2017

1 Regrettably, aside from Slovakia, there is a dearth of data regarding the prevalence of debt enforcement actions among the population in other countries within the former Eastern Bloc.

2 There are two sources of data for this. The first is a survey conducted by Median in 2018 and the second by NMS the following year. It needs noting that the survey samples included people who faced enforcement action in the previous five or ten years respectively. This means that the samples also included people who no longer faced action, and these can be expected to be less critical of the system than those who continued to face enforcement action.

parliamentary elections), which found that they have lower turnout and tend to vote more for populist parties (Grossmann & Jurajda 2023). Concerning support for democracy, let us recall S. M. Lipset's argument, which says that if people are doing well economically, they will also likely be mostly satisfied with democracy (Lipset 1981). The Czech case empirically supports this. Support for democracy strongly correlates with respondents' economic satisfaction (CVVM 2021b).

Looking at the other available data, we see that people facing enforcement action felt that citizens could not much influence how society works. Only 25 percent believed they could influence issues in their municipality or town, and only 23 percent thought legitimate demands would be met in Czech society. Less than half (49 percent) thought they could openly talk about these problems in society (Median 2018). Two-thirds noted that their interest in politics and public affairs had decreased since they faced enforcement action (NMS 2019). It must also be noted that these people exhibited substantially lower levels of general social trust. Asked whether other people could be trusted, only 25 percent of them answered in the positive (Median 2018). They also trusted public authorities less overall than the general population. Only 37 percent trusted the judiciary, 18 percent the government and 25 percent the European Union. We know that their mistrust of democracy is linked with their mistrust of the enforceability of the law. Only 18 percent thought that victims of fraud could obtain legal redress in the Czech Republic (Median 2018).

These data demonstrate that people facing debt enforcement are highly critical. In this paper, we follow up on these questionnaire-based surveys and investigate their findings with qualitative research. We examine how these people interpret their experiences, what conclusions they draw and how they form a perspective on these problems (Braun & Clarke 2013; Disman 2011; Merriam & Tisdell 2016). While the data so far on the views of people facing enforcement action have been expressed numerically, the qualitative study examines the issue through the respondents' words, aiming to gain a deeper understanding of their positions.

The theoretical framework for the issue of debt enforcement action in the Czech Republic

The phenomenon of indebtedness is directly linked with that of debt enforcement action. There are two categories of indebtedness. The first is a normal indebtedness, which is not worrying in itself and can even be considered a part of our culture. A certain measure of indebtedness, whether due to loans or other financial instruments, is a normal part of contemporary life. Living on credit is taken as natural in our society, and there is nothing startling about it. However, when people fail to manage their debts, their situation is framed as immoral

indebtedness. This concept is often invoked in connection with debt enforcement action. The situation of the debtors is in most cases seen as their failure alone. Thus, the debtors are negatively affected not just by the debt itself but also by the stigma attached to the debt (Ošťádalová 2017; Szénássy et al. 2017; Hoření Samec 2021).

Let us stop for a moment to consider this perception of overindebtedness and debt enforcement action as a stigma. This is an important dimension of the investigated issue, influencing it from multiple sides. Where does this stigmatisation of excessive debt come from? Simply put, from culture and the prevailing public opinion. Over the past decades, this dominant social discourse has been influenced by two schools of thought that substantially overlap. These are privatism (Hirt 2012; Pospěch 2021; Ronald 2008) and neoliberalism (Bloom 2017; Dale & Fabry 2018).

Privatism is characterised by a notional withdrawal of citizens into the private sphere and a corresponding lack of interest in public affairs. People become privatists when their values and efforts are almost exclusively concerned with achieving objectives in the private sphere. People's identities under privatism are not so much linked with their belonging to a particular social group as with their economic status (Hirt 2012).

Although this trend can be identified in countries west of the Czech Republic, it largely concerns those of the former so-called Eastern Bloc, where it is more observable. Some scholars have described the post-communist region as privatism on steroids (Pospěch 2021). This has been explained by reference to the legacy of communism, which left people suspicious of all things public. In other words, the communist regimes very seriously damaged citizens' trust in the public sphere. Here it needs noting that the barrier that emerged under the communist regime in people's relating to the state remains standing to some extent today (Bernhagen & Marsh 2007; Linek et al. 2017; Sedláčková 2012, Sztompka 1999).

If people realise their potential almost exclusively in the private sphere, it is evident that life will not flourish in associations or fellowships, yet we have known since Tocqueville that these organisations are the imaginary schools of democracy (de Tocqueville & Jochmann 2000; Sedláčková 2012). For instance, politics is an important part of life for only 26 percent of Czechs, while the European average is 42 percent (European Values Study 2017).

How is privatism related to debt enforcement action? What matters is that if, under privatism, people are not particularly interested in public affairs, they are interested even less in complex problems such as enforcement action. As the problem of substantial numbers of Czech people facing enforcement action has been long ignored, it has simply become worse. But most importantly, since privatism extols the value of personal consumption, anyone who fails in this domain is stigmatised, plain and simple. The other connection between

privatism and enforcement action is that people are insufficiently socially connected. As they are not active in the Tocquevillian schools of democracy, they are lacking substantial social capital (Tocqueville & Jochman 2000; Sedláčková 2012). When they get into financial difficulties, they have nowhere to turn for help or advice, and hence they are more likely to face enforcement action.

Now, let us examine neoliberalism, which is characterised by the dominant role of the free market and market mechanisms in society (Bloom 2017; Dale & Fabry 2018; Lupták 2013). It could also be described by the words of Michael Sandel, who, in his book *What Money (Can't) Buy*, talks about the transition from a market economy to a market society (Sandel 2012). Additionally, neoliberalism elevates consumerism to the core of human purpose (Lupták 2013), a trait it shares with privatism (Pospěch 2021). Wacquant argues that neoliberalism leads to the expansion of the state's repressive functions. He draws on Bourdieu's division of the state's roles into the left and right hands, where the left hand symbolises social security, education and healthcare, while the right hand represents economic discipline and the state's repressive power. Under neoliberalism, Wacquant asserts, the state increasingly relies on its right hand when dealing with the lower social classes (Wacquant 2004).

Neoliberalism has undoubtedly shaped and continues to shape debt enforcement in the Czech Republic. The current legislative framework for debt enforcement has emerged from a social discourse that emphasised free market values alongside Bourdieu's concept of the right hand, which will be further discussed in the subsequent section.

The empirical context of debt enforcement action in the Czech Republic

In order to understand the positions of people facing debt enforcement action, we also need to understand the broader context of debt enforcement in the Czech Republic. For more than two decades, the system that has been in place in the country is based on private debt enforcement officers or agents (or bailiffs). In contrast to earlier times, these officers are not directly subject to state power. As a result of this systemic set-up, the relationship between the bailiff and the creditor has gained in importance. The introduction of a market – influenced by the doctrine of neoliberalism – in debt enforcement has inevitably led to competition for custom among officers. Officers are dependent on custom from creditors, and this has many negative consequences for debtors (Hábl et al. 2021; Návrh zákona o exekucích – Důvodová zpráva 2011).

In other words, many enforcement officers, not least due to competitive pressures and hoping for greater profits, have been acting unscrupulously. They often exert pressure on debtors, who are frequently not fully aware of their rights. Nearly half (45 percent) of people who had experience of debt

enforcement said that the officer had behaved incorrectly. Further, 82 percent of these people said that they believed that the officer represented the interests of the creditor, while only eight percent (!) believed they represented the state in a dispute between the creditor and the debtor (NMS 2019), as indeed the position should be according to the law.

Why is it important to examine here the relationship between debtors, enforcement officers and other important institutions that directly influence the situation of people who find themselves facing debt enforcement action? Simply because, for debtors, these are important experiences of the way the law is exercised, and ultimately of the functioning of the rule of law in the Czech Republic. Direct personal experience of the legislative set-up and the exercise of state power influences a citizen's relationship with the institutions of the state and the state itself. Here the concept of access points, proposed by Anthony Giddens who examined trust in abstract systems, is noteworthy. One of the abstract systems in Giddens's approach is the state. In this understanding, people develop trust or mistrust in the abstract system precisely through its access points (Giddens 2003). The question then is, do debtors perceive bailiffs as these Giddensian access points to the abstract system that is the state?

Let us move on to other parameters of the Czech debt enforcement system, which are also important for how the people caught in it experience the character of the rule of law and ultimately the exercise of state power. For a long time, the legislative framework was set up in a way that guaranteed attractive remuneration to enforcement agents and lawyers (Hábl et al. 2021; Hůle 2021; Gajdoš & Novák 2020). This needs to be considered in the context of the competitive system of enforcement agents described above and the other instruments, adopted under the influence of neoliberalism, that negatively impact debtors.

The first among these are arbitration clauses. Essentially, when someone wanted to take a loan from a non-bank lender, the contract commonly included a clause saying that, should there be a dispute between debtor and creditor, this would be decided by an arbitrator, who was to be chosen by the creditor (!) and derived his business profits from work provided by creditors. This meant that these arbitrators were not motivated to decide against the creditors. Ultimately, many disputes between creditors and debtors were not decided by independent judges but by arbitrators linked with the creditors (Hábl et al. 2021, Prokop 2019). Thus, some of the judiciary power was transferred to private parties, and what is more, this privatisation of state power was conducted in such a way that systemically harmed the weaker party, i.e. the debtor.

Another instrument that negatively affected debtors was that there was no cap on late-payment penalties on consumer loans. This simply meant that when people borrowed from a non-bank provider and did not pay an instalment on time, their debt increased substantially. It was common practice for a debt to grow to a multiple of the original borrowed sum. The business model of many companies

was simply based on this predatory interest on late payment (Hábl et al. 2021; Hůle 2021; Prokop 2019). To show how widespread this practice was: after the legislation rationally regulated this area by Act No. 257/2016 Coll., the number of providers of this type of loan decreased from several tens of thousands (!) to less than a hundred (Ministerstvo financí 2020).

Although interest on late payment, arbitration clauses and remuneration to enforcement officers and lawyers have been limited by law in recent years (Hábl et al. 2021; Hůle 2021; Prokop 2019; Zákon č. 257/2016), we need to bear in mind that many people who face enforcement action today have had direct experience of these neoliberal instruments. Seventy-five percent of them had experienced a substantial increase to the amount originally owed due to high enforcement officer and lawyer fees. More than half (55 percent) said that their original debt increased substantially due to immoral interest rates and penalties charged (Hábl et al. 2021; Hůle 2021; Prokop 2019; Zákon č. 257/2016 Sb.).

Experience based on legislation in force in the past continues to co-inform people's positions towards the state today. The Czech statute book contained, and to some extent continues to contain, instruments that forced many people to face enforcement action; the system as it was set up failed to help them out of the debt trap.

And then, there is the instrument of insolvency (debt relief). With so many people facing debt enforcement action, why do so few apply for debt relief? One of the reasons is that, under the insolvency regime, a greater proportion of their salary is taken each month than during enforcement action. But the most important reason is that to successfully complete the insolvency process and be debt-free at its end, people must repay for five years, during which they must make 'every possible effort' that is justifiably asked of them (Hábl et al. 2021; Hůle 2021; Prokop 2019; Zákon č. 31/2019 Sb.).

The definition of this 'every possible effort' is uncertain because it is only at the end of the entire process of debt relief (i.e. after five years) that a judge decides whether a debtor tried hard enough to pay their debts – so it's entirely up to the judge's interpretation whether in the end someone will really be rid of their debt or not (Hábl et al. 2021; Hůle 2021; Prokop 2019; Zákon č. 31/2019 Sb.).³

Analysis of the views of people facing debt enforcement action

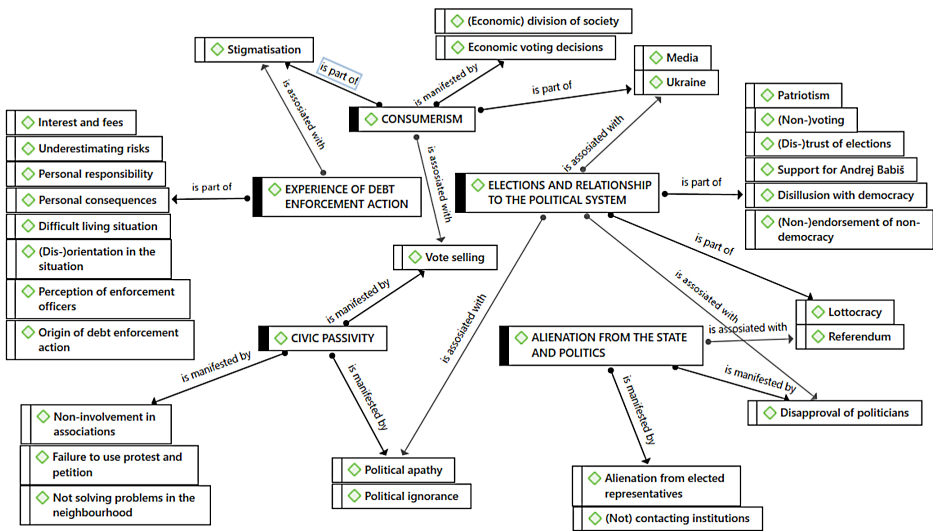
This key part of our paper describes the results and findings of our qualitative study. The source of our data is semi-structured, anonymised interviews with Czech citizens facing enforcement action. It is a non-random and purposive selection, or a criterion-based one (Merriam & Tisdell 2016; Patton 2015).

3 There is currently an amendment in the legislative process that would make debt relief in the Czech Republic easier to access so that more citizens could start entering it.

The study sample consisted of nine respondents, across age groups, genders and municipality size. The number of respondents is lower than is typical in qualitative research⁴ because it is difficult to find citizens facing debt enforcement willing to talk about the issue due to the above-discussed stigma. Additionally, resource constraints limited our ability to engage a larger sample. Future studies could benefit from a broader sample size to expand on our findings. Despite these limitations, it is essential to note that saturation was achieved using the ‘saturation +1’ model, ensuring the robustness of our findings.

During the data analysis, we created 30 codes, which were then merged into five categories. The analysis was conducted in part manually and in part using the Atlas.ti software. The following visualisation captures the relations among the codes.

Figure 1. Concept map reflecting relationships between codes and categories



Source: Authors

As the scheme shows: 30 codes were used in the data analysis,⁵ which were merged into five categories.⁶ The category ‘Experience of debt enforcement action’ was based directly on the first group of questions asked. Three more categories, ‘Alienation from the state and politics’, ‘Civic passivity’ and ‘Elections

4 Nevertheless, there are notable examples of studies with the same or similar number of respondents (Hennink et al. 2017).

5 See <https://zenodo.org/record/8080714> for the questions asked.

6 Coder agreement was 91.7 percent.

and relationship to the political system', were partly based on the questions asked and partially inferred inductively. The remaining category, 'Consumerism', was purely inductively derived. As the visualisation shows, this category has the largest share of the codes related to the other categories as well.⁷

Experience of debt enforcement action

Respondents found themselves facing debt enforcement action in various ways. Some incurred debts in their business, others failed to pay gas bills or health insurance premiums. People took loans to buy TVs, and some lived outside the system for a long time, paying virtually none of their commitments. The unpaid debt quickly mushroomed and resulted in enforcement action. Many people failed to respond to their deteriorating financial situation in time or underestimated the consequences of defaulting. *En bloc*, the respondents indicated that once one faces enforcement action, it is very difficult to extricate oneself and get rid of the debts. Some respondents said they were at a loss as to what to do. Sometimes they did not even know how many debt enforcement actions were pursued against them or how much they owed.

'To tell you the truth, I don't even dare to get a statement from the post office telling me how much I owe, as that would hurt me' (Romana).

However, the interviews showed that most of the respondents were aware of their own failures that allowed the debt enforcement action to originate. Nonetheless, many emphasised that the system was set up unjustly and made their situation worse.

'Yeah, it's my own fault that I was lax and did not resolve this straight away, or that I did not face it head-on. I am not running away from it. I will not pity myself. But you know, the fact that the state allowed the accumulated debt to be sold to the private sector, and that they charge such a huge percentage for every day of late payment, that really annoys me very much' (Romana).

Respondents typically did not deny their own responsibility for incurring their initial debts. They did, however, emphasise that the set-up of the system was nonsensical, as in their perception it set them often inappropriately draconian penalties. In other words, respondents tended to admit that their own laxness was the cause of the enforcement action against them, but they did not foresee their debts mushrooming as dramatically as they did.

Respondents were also critical of the fact that the payments deducted from their wages were not used to pay off the principal but the interest and charges. In other words, they were unhappy that the legal regulation of debt enforcement allowed their payments to be used for interest and penalties (accessories) and not

7 The issue of consumerism will not be discussed separately in this paper, as this field is not directly related to our research question.

on the debt itself (the principal), as the overall debt continued to increase as interest continued to be charged. Often the debts decreased only very slowly, or even increased faster than they were amortised. It should be added that this was not exceptional; indeed, as noted above, it was a fairly regular practice arising from free-market neoliberal and consumerist privatist discourse (Hábl et al. 2021).

In terms of their perception of the system as unjust, respondents most often mentioned two aspects: the methods of private enforcement officers (bailiffs) and substantial increases made to their debts. Many respondents were deeply dissatisfied with the present system, in which the officers enforcing the debt are not directly controlled by the state. Some described their unscrupulous practices.

‘How they behaved and collected it and what sums they could make out of nothing, it was carnage. Totally Mafioso practices... They call themselves judicial officers, but it has nothing to do with the judiciary, nothing to do with law’ (Marek).

In view of the fact that, according to the law, officers represent the state in the dispute between creditor and debtor, their actions as described by respondents seem inappropriate. Considering that these *de facto* private, but *de jure* judicial bailiffs have a certain amount of state power at their disposal and discharge this power in such a way (which corresponds to an enlargement of abovementioned Bourdieu’s right hand), one can expect that people’s experience of debt enforcement will be projected into their perceptions of state power.

Asked about the consequences of having to face debt enforcement action, respondents answered with such words as:

‘I can’t do anything, I can’t afford anything, I can’t even afford to live. Of the salary I make, when I receive CZK 10,000, I pay the rent and end up with 4,500 a month. I can’t even afford a proper lodging house, I don’t have the money. What good is it that I work as a garbage collector, I now make over 20,000 and they leave me with 10. I can’t even afford a flat, I don’t have the means. It’s a total crisis for me’ (Petr).

Another respondent said that debt enforcement action made him join the grey economy and he certainly was not alone.

‘The system simply forced me into the grey economy... I am no longer the classic debtor who lives hand to mouth. I envisaged this; everything [I had] is owned by my girlfriend... I still have multiple enforcement actions pursued against me which I do not intend to pay’ (Marek).

It is, therefore, clear that the fact that they face enforcement action has considerable adverse consequences for these persons. Last but not least, it should also be mentioned that enforcement action impacts people directly and indirectly, mainly because of the stigma (arising from the discourse of privatism and neoliberalism) attached to it. This is linked with the importance of the value of money in contemporary society, related to the phenomenon of consumerism uncovered by the analysis.

Alienation from the state and politics

What positions do people facing enforcement action take on the current political and social arrangements? Fundamental in answering this question is to what extent they blame the system of debt enforcement as set by the state for their difficult life situation. As noted above, respondents did not absolve themselves of blame, but also frequently mentioned the unjust legislative framework. The assessments of the degree to which the state was at fault varied across the respondents, but nearly all were convinced that the state shouldered some of the blame. If people think that the system set up by the state is unjust and that this has very negative consequences for them, one – according to the ideal vision of the democratic citizen – might expect them to approach a state institution asking for redress. Yet asked whether they called on some state institution in connection with debt enforcement, respondents answered in the negative.

‘It occurred to me many times. I wanted to write a complaint to the Ministry of Justice, but when I cooled down, I didn’t bother’ (Marek).

‘Not at all, certainly not. Because I was the guy who screwed the system somewhat... for instance, I was off sick and registered at the job office while working cash in hand without declaring it. And now I alone pay for this mess and inconsistency’ (Pavel).

Interviewer: ‘And throughout that time did it ever occur to you that you could approach some public institution?’

Respondent: ‘No, not at all, I don’t even know which one I could approach.’

I: ‘Not even, let’s say, a politician?’

R: ‘No, no, I wouldn’t dare to do that at all.’

I: ‘And why not?’

R: ‘Well, the politician will say, “must go, have much to do!” And none of the people above will deal with this.’

I: ‘Why not?’

R: ‘Because they are such people. He’s got plenty on his plate, stealing money from the state coffers; who is pure in the government? No one!’ (Tomáš).

Most respondents did not approach any state institution either to ask for help in their particular case or to plead that the system was unjust in general. Asked whether they feel supported by any public institution throughout the time debt enforcement action was pursued against them, they mostly answered in the negative.

As the last quotation shows, after being asked whether they had somehow approached a state institution, respondents were asked whether they had called upon a politician. Simplifying matters somewhat, a representative democracy system is based on the idea that elected representatives act according to the will and wishes of the citizens (Pitkin 1972; Rehfeld 2005; Shapiro et al. 2009). Thus, if some social group feels that the law affecting them is unjust, they have

the right to communicate this to their elected representatives, who collectively have the power to amend the relevant legislation. Yet when asked whether they approached a politician, the overwhelming majority of our respondents answered in the negative, for example:

‘No, that did not occur to me at all’ (Claudie).

If politicians are ignorant of the problems and wishes of their voters, and if people do not anyhow exert pressure on their politicians by airing their grievances, it is obvious that the correspondent legislative changes occur later and are limited, if they occur at all. From this point of view, people facing debt enforcement action bear much responsibility for their own situation.⁸ But looking at it again from our respondents’ perspective, we see that they did not approach the politicians simply because they did not trust them and were convinced that they would do nothing anyway. Certainly, the stigma attached to financial failure in the social discourse influenced by the doctrines of neoliberalism and privatism forms a significant part of the problem.

As the last cited statements show, people facing debt enforcement action exhibit significant mistrust of politicians, though it needs to be added that criticality and mistrust of politics are present to some degree in all layers of Czech society (Buchtík et al. 2021). For our respondents, these positions were often substantially bolstered by their poor experiences of the exercise of state power.

Civic passivity

The analysis of the interviews with respondents who faced enforcement action reveals the phenomenon of civic passivity (see more in Campbell 1962; Amnå & Ekman 2014: 261–281; Pietrzyk-Reeves & McMahon 2022: 1315–1334). One of its forms, mentioned above, is that, although these people felt that the system was unjust, they had not approached any state institution or politician to ask for redress. Another is that many respondents did not vote, thus failing to exercise their fundamental right to co-decide the fate of their democratic society. Those respondents who did vote said that they made their decisions not according to ideology or how they thought society should be, but purely based on personal profit.

‘Babiš paid and gave to these people’ (Radka).

A supreme manifestation of civic passivity, or more precisely, resignation, was that some respondents were willing to sell their votes.

I: ‘If you heard that someone exchanged their vote for money, what would you think of that?’

R: ‘I’d ask: where? Pretty simple.’

⁸ However, it should be noted that even individuals not affected by debt enforcement rarely contact politicians or state institutions. But on the other hand, those experiencing severe socio-economic challenges, such as debt enforcement, have a stronger motivation to push for legislative change.

I: 'So you'd ask where so that you could exchange yours too?'

R: 'Yes' (Pavel).

It must be noted that those respondents who said they'd be willing to sell their vote were a minority. Yet all of the respondents thought that many of their fellow citizens would sell their votes. By saying so, respondents indicated that the value of money was the fundamental value for many in Czech society, and this was linked with the value positions that stemmed from the analysis conducted, and coded as consumerism.⁹ Their saying that people might sell their votes is also a distinct manifestation of the aforementioned low measure of social trust among people facing debt enforcement action (Median 2018). Connected with this poor trust in other people is that most respondents said they did not participate in associations. Their unwillingness to exercise freedom of association is another form of civic passivity. Admittedly, people's poor engagement in civic associations of various kinds is a feature of Czech society as a whole (CVVM 2020; Linek et al. 2017; Sedláčková 2012), yet the absence of social capital this implies has greater repercussions for people facing enforcement action.

If people do not participate in associations or other civil society organisations, whose membership tends to be composed of people from various social layers, their chances decrease of having acquaintances who could help them with their problems, such as facing debt enforcement action. Their absence from civil society activities contributes to their social isolation, further exacerbating their civic passivity. It is almost redundant to add that the just-stated is entirely in line with the described doctrine of privatism.

In associations, individuals learn that many tasks can only be accomplished collectively. Through their involvement, citizens develop the ability to collaborate with others to address various issues, making these organisations crucial for fostering democracy and active citizenship (Sedláčková 2012). This is evident when respondents, when asked about 'solving problems in their surroundings', often cannot recall any such activities. Another form of civic passivity is a lack of interest in politics and public affairs. When those respondents who did not vote were asked what they thought of people who considered elections a feast of democracy, they answered in words such as the following:

'I live simply, as life has taught me and do not take any interest in these things at all. Some trust it too much. I have my own opinions, my own life, I'm not even interested; I don't go there' (Petr).

Answers such as this reveal apathy towards the fundamental democratic right – to vote – and ultimately to democracy itself. However, such ambivalence about democracy rarely shifted among our respondents into an open rejection

9 It needs adding that these positions are likely to some extent to be linked with a feeling of an urgent shortage of money among people in this social stratum.

of the democratic system, for example, by calling for political parties and parliament to be disbanded.

We note that even those respondents who said they were following politics and thought themselves quite well-informed confidently made untrue statements. For instance, here is a respondent misrepresenting the policy of one of the parties in government:

‘Of course, to some extent, the Pirate Party is close to me, but there are things with which I disagree. I understand why they’re doing it. On paper, it’s interesting, let’s say, the business of the size of flats. Let’s say you live in Vinohrady (in Prague) in a 150-square-metre flat you inherited from your grandma, and what do you care that it’s 150 square metres? I am paying for it and they want to divide it up and put other people in there. I simply do not want anyone there’ (Aleš).

When people do not know the major public figures involved in the issue of debt enforcement action, including those respondents who said they followed politics, it is also an important manifestation of political ignorance. All were asked whether they were familiar with the following names: Marek Výborný, Patrik Nacher and Daniel Hůle.¹⁰ But only one respondent was familiar with these names, and for only one was able to say that the person had something to do with the issue of enforcement action. Another respondent had some notion who Daniel Hůle was. Considering that our respondents in their difficult life situations would be helped by change to the corresponding legislation, one might expect them to follow the changes in legislation concerning this area and to know the crucial actors and important changes that had recently occurred regarding debt enforcement. But they knew virtually none of these actors. The situation was a bit better concerning their awareness of amendments to legislation, but still their knowledge of this area – so important for them – was quite weak.

Our respondents were also almost entirely politically passive outside the electoral cycle; for instance, they hardly ever used the right to petition.

‘I only ever signed one petition in my life’ (Pavel).

Nor did they exercise the right to protest. Considering that these people often talked about their experience of injustice from the state, it is interesting that, when asked whether it ever occurred to them to protest against how the system is set up, in the overwhelming majority of cases they answered in the negative.

10 The first two were the authors of the biggest change of legislation in this area in two decades, adopted in 2021 (Institut prevence a řešení předlužení 2022b. Daniel Hůle, a representative of the non-profit sector (Člověk v tísni/People in Need) is a prominent public supporter of people facing enforcement action.

Elections and relationship to the political system

In terms of participation in elections, we can divide our respondents into two none too surprising categories: those who said they voted and those who said they didn't. The latter category can then be divided as to why.

The first reason given by some for electoral non-participation was that they questioned whether elections were free and fair. One respondent remarked:

'Certainly not... I believe that they are manipulated, that they are never clean, whether they buy them [voters] beers to do this and that, or directly throw the votes away. I am definitely convinced about this' (Pavel).

Obviously, if some have doubts that elections or vote counting are done properly, or, as in this case, are steadfastly convinced that the opposite is true, then understandably, their willingness to exercise their voting right, or see it as meaningful, decreases.

Another reason for non-participation that was given by some respondents was dissatisfaction with the present structural character of the representative democracy.

'Consider whom you vote for; you vote for a person who presents himself and you've never seen him in your life. I'd rather have a system according to Foglar, the election of the Great Vont [the head of a boys' organisation in a Foglar novel]. The street would have its structure [linked to] the borough, then the city etc. You know what I mean? These people know each other and are able to understand. Look, in Karlín [a Prague neighbourhood] this and that needs fixing, because it's breaking down. And overall we need to get to this, and others meanwhile will say, we need that thing over there' (Aleš).

The third and the most often cited reason was that people had essentially given up on politics and claimed that their vote would not change anything; that elections themselves even if they replaced the ruling set would not bring an improvement to their living conditions.

'Because it's meaningless.... Well, I think there'd be no change.... It hardly matters at all who sits in the government' (Claudie).

Let us now move to the second group of respondents who said they did vote, at least in first-order elections (see more in Reif & Hermann 1980; Norris 1997; Šaradín 2008). Many voted for ANO 2011, but the party name was never mentioned. Respondents talked only about its leader, which testifies to the substantial personalisation of politics (Angelovská et al. 2009; Yovcheva 2022).

'I am totally out of it here, when I look at Fiala's government. It goes from bad to worse. I didn't expect it to be like this. I voted for Babiš,¹¹ because during his electoral term I was doing relatively well' (Romana).

11 The interviews were conducted in 2022, so the respondent means the 2021 parliamentary election in which she voted for ANO 2011.

This is one of the quotes showing that respondents assessed ANO 2011 or more precisely Andrej Babiš positively. From their point of view, these positive assessments were based on sufficient aid from the state during his term in government, often taking the form of direct financial transfers (pensions, welfare, Covid bonus). These respondents were strongly critical of the current government for what they saw as poor policy, which they considered inappropriately fiscally restrictive, asocial to Czech citizens and too accommodating of refugees from Ukraine.

In the context of our study, it is an interesting finding that most respondents did not mention the issue of debt enforcement as a factor that would play an important role in their deciding who to cast their votes for. Respondents were strongly critical of political leaders, emphasising how remote politicians were from the living conditions and the material level of common people.

‘I think that being a politician is a very big commitment and I do not think that when someone with a degree sits there, that it is necessarily for the good. But if people sat there who, for instance, had an experience of debt enforcement action against them, who experienced something bad in their lives, then they would perhaps decide and evaluate the laws well... They’d have to get to the level of the people, they’d have to get to know this. Also, we have the Chamber and the government, then the Senate. We are supporting all these people. So add up how much money that is. If these things weren’t there, how much more money would be in the state coffers. Yeah, sure, democracy, now we want to have multiple parties there; I understand all that. But then when you see how they squabble...’ (Radka).

These respondents argued that political leaders did not – and in their view, even could not – understand the needs of lower-income people or rather themselves who were facing debt enforcement action. These respondents emphasised that politicians could not understand them, as their financial situation was orders of magnitude better. And yet they voted for one of the richest people in the country; and they claimed to vote for him, not his party.

The last quotation from an interview shows that most of even the most critical respondents did not reject democracy itself. As noted above, our respondents would not have been in favour of disbanding political parties or parliament. Some, however, were dissatisfied with what they saw as an excessive number of actors in the political process. Further, some compared the present political arrangements with the non-democratic regime before November 1989.

‘Nothing has changed, and it’s gone worse. Because, no matter what anyone says, under communism, everyone had to work, and when you got married young, you received a flat, you received a CZK 30,000 non-repayable [*sic*] loan for furnishing the flat; it was a loan for the newlyweds. So people arranged this and when they wanted to build themselves a little house, they took loans, they built the house and knew they’d pay it back, that they’d be able to repay, to make

enough money to do it and held down two jobs sometimes and they paid it off. Today you've no certainty. Where's the certainty that they won't take away what you've bought?' (Tomáš).

These statements show that, in connection with the present political arrangements, some respondents accentuate unfulfilled hopes, disillusion with some of the expressions of freedom that the democratic regime has brought and the absence of social security that, in their words, the communist regime guaranteed.

Criticism of the current political system was also apparent in support for referendums. Asked what they thought about some political issues being decided directly by plebiscite, our respondents said things such as the following:

'Yet, that'd be good. The nation would be heard, or the social layer of the have-nots, and even the middle class' (Romana).

Some respondents agreed that there would be no detriment if the 200 elected politicians in the Chamber of Deputies were replaced by 200 Czech citizens randomly selected by drawing lots.

Interestingly, respondents were less critical of the media, though some were, such as the following respondent who had this to say:

'Any television is rubbish, I don't trust anything. Everything is owned by this guy or that; certainly, it's all linked' (Pavel).

Most respondents, however, were not negative or critical of the media, including public service broadcasters; for instance:

'For me, Czech Television and Czech Radio are as reputable as can be' (Aleš).

However, a consumerist approach to the media was apparent. Although respondents fairly often said that they followed politics as reported in the media, their knowledge of the legislation concerning debt enforcement action, which directly influenced them and was important for their life situation, was fairly weak. Their criticisms of public affairs did not translate into a critical position on the Czech nation. Asked whether their experience of debt enforcement action changed their thinking about their nation in some way, they tended to give answers such as following:

'No, that's about politicians, and about politicians don't understand how people end up in this. But that one is a patriot, that's a different matter. I am a proud Czech. But this is about something else, about the top which directs things' (Radka).

Discussion and conclusion

Respondents scorned how justice and politics work in the Czech Republic. But importantly, they mostly did not see their experience with enforcement agents as a notional encounter with the state. In other words, our respondents tended not to think of private bailiffs as Giddensian access points to the abstract and comprehensive system of the state (Giddens 2003). Rather, they pointed to

injustices stemming from the legislative framework of debt enforcement. Their responses could be described as a somewhat Kafkaesque experience of justice.

Debt enforcement influenced respondents' views on democracy on multiple levels. The two most important were the just-noted negative experience of legislation (adopted under the influence of neoliberalism) that they perceived as unjust and the fact that having debt enforcement action pursued against them meant that they were short of money. This is important, because support for democracy in the Czech Republic strongly correlates with people's economic standing (CVVM 2021b).

The reality of life under the shadow of debt enforcement resulted in respondents' civic passivity, as analysed above. This is in line with the findings of other studies (NMS 2019). Respondents, in line with privatism, engaged little in associations and similar organisations, thus failing to exercise their freedom to associate, and they also tended not to use their assembly and petition rights.

Respondents were critical, and sometimes even frustrated, with elections and politicians. Their overwhelming response was apathy rather than radicalisation, which corresponds to earlier findings about the political positions of people facing debt enforcement action (Median 2018).

Here it is important to note that the finding contradicts the general assumption of theory of representative democracy (Pitkin 1972; Rehfeld 2005; Shapiro et al. 2009) that, when people feel an injustice, they communicate this in some way to their political representatives, who have the power to change the relevant legislation. This is one of the manifestations of the described abandonment of the public sphere that privatism brings.

Paraphrasing de Saint-Exupéry's *The Little Prince*, we might say that what is essential to people facing debt enforcement action has long been invisible to legislators. This has been so for quite a while – and to a certain extent, it remains true today. The reasons are multiple. The stigmatisation of financial failure is one. Our research shows that people could not sufficiently orient themselves on debt enforcement to formulate one or two concrete demands, which they would then pursue with politicians to implement. Given how complex the issue is, the fact that people do not orient themselves in debt enforcement legislation is understandable. Putting together the stigma of debt enforcement, causing people to be reticent about their problem, with the overwhelming complexity of the issue and people's negative and distrustful positions on politics in general, we can see why no strong civic initiative demanding change arose.

Our study uncovered a generally low measure of trust in the state and other people, which manifested itself in various ways. Respondents' unfavourable relationships to the state and politics (which could be described as alienation from the state) can be demonstrated variously, but perhaps most telling were their answers to the question of whether they had felt at least some support from a public institution or politician throughout the time they faced enforce-

ment action. The absolute majority responded in the negative. Their mistrust of their fellow citizens is clearly shown by their answers to the question asking about the proportion of Czech citizens willing to sell their votes.

The measures of trust people have in the various dimensions of the public sphere influence each other. In other words, if people show a low measure of trust in state institutions, they will also most likely mistrust democracy and their fellow citizens (CVVM 2021a; CVVM 2021b; Sedláčková 2012). Obviously, trust in general and in particular institutions is very important for maintaining social peace and ultimately a free society.

An important and noteworthy finding is that respondents saw Czech society as primarily divided in economic terms. Asked what segments Czech society consisted of, respondents overwhelmingly answered using an economic division of some sort. This is in line with the influence of privatism and neoliberalism.

Here it needs noting that this is the first study of its kind of the effects debt enforcement action has, as no such qualitative study of these issues has previously been undertaken. It investigated in detail the views of people facing debt enforcement action on politics and the rule of law. However, the outcomes of this or any other particular qualitative study cannot be generalised. Any potential generalisation would need to be underpinned by further robust qualitative research.

At this juncture, it is crucial to note that the results of our qualitative study are in line with the recent research on the subject (see above), which found that people who face debt enforcement action exhibit lower turnout rates and tend to vote more for populist parties (Grossmann & Juraida 2003). However, to obtain a more comprehensive understanding of the researched area, it would be imperative to undertake a rigorous quantitative study focusing on the Czech Republic's most recent parliamentary and presidential elections, which are also considered first-order elections.

Essential areas of further study also include the character and the measure of criticism of political representation, trust that elections are fair, the possibility of vote selling and the extent to which assembly, association and petition rights tend to be exercised.

The subject of further research on the impact of debt enforcement actions should also certainly be whether this issue is present in other former Eastern Bloc countries. Given the aforementioned form of privatism common in the former Eastern Bloc (Hirt 2012) the post-communist legacy of disconnection from the public sphere (Bernhagen & Marsh 2007; Linek et al. 2017; Sedláčková 2012; Sztompka 1999) and the manifestations of the doctrine of neoliberalism in the region (Dale & Fabry 2018; Lupták 2013), this is to be expected. However, as noted above, the data is not available.

Though more, mostly quantitative, study needs to be done on the views of people facing enforcement action, the findings of the present research suggest

that respondents relate to the state and politics in a generally apathetic and critical manner. This is not particularly positive in itself. But what is worse, it could be an important negative factor in the (perhaps not so distant) future, should really serious crises occur. In that case, the people facing enforcement action could constitute the metaphorical sensitive underbelly of the democratic system of government.

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