

Hungary's Illiberal Polypore State

Pető, Andrea

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level? Will it do more? Certainly, the EU could act more aggressively to defend democracy and the rule of law where these are threatened. First, the EU could bring more regular infringement proceedings for all the illegal activities in which these governments are engaged. The Commission did not act against Hungary's corrupt deal with Russia concerning the Paks II nuclear plant. They could take a harder look at actions like that and corruption of the public procurement process to crack down on kleptocratic autocracies—cutting off the flow of EU funds to them where possible. The Commission could also invoke Article 7. Even if member governments in the council do not agree unanimously and sanctions are ultimately blocked, invoking Article 7 would at least name and shame the government in question and force other governments to take a stand on its behavior. They might even, as Kim Scheppele has suggested, trigger Article 7 against Hungary and Poland simultaneously, arguing that neither should be able to block action against the other. In the end, the most effective moves might involve EU leaders taking more courageous political action. If Merkel and all the leaders of the center-right stood up and said that the behavior of Orbán's government violates their shared norms and expel Fidesz from the European People's Party, I think that could make a difference.

Those are some of the things EU leaders could do. Will they do them? Sadly, probably not. Perhaps the Commission will try to bring more infringements or suspend some EU funding, but I wouldn't expect partisan political actions, because basically the principles and courage of the political leadership on the center-right—as in the US—is inadequate.

To conclude, then, the situation is that Orbán is thumbing his nose at the EU and getting away with it. Kaczyński is facing somewhat more pressure in Poland, but may ultimately get away with it as well. The irony is that these governments are dependent on EU subsidies but denounce it. The election of Trump makes action less likely, because the US was exerting pressure on these regimes directly and certainly would have supported EU moves to censure them. That pressure is gone with the election of Trump, who will instead embrace these right-wing autocratic governments.

Essentially, the situation is bad and not hopeful. Perhaps the only consolation in this period of democratic decline comes if we take a longer term historical perspective. Democracy may be giving way to semi-authoritarian government in some member states, and those governments may seek to control press and the independent judiciary, abuse refugees and religious minorities, and build fences to keep them out. Still, we do not observe in the EU fully totalitarian governments, locking up political opponents or rounding up religious minorities and killing them as they did seventy-five years ago. So, perhaps the EU can't stop states from sliding into soft authoritarianism, but it can restrain them from becoming full dictatorships. One might consider that progress.

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Hungary's Illiberal Polypore State

Andrea Petö

Central European University

I WOULD like to start with a quote from a member of the Lukács School, the philosopher Sándor Radnóti who described the political situation in Hungary by saying that “now Hungary is dancing on the forehead of the world” in his talk at Eötvös Collegium in Budapest on 7 May, 2012. The connotation is that Hungary would basically set an example for the rest of the countries—not only in Central Europe—but globally. This type of dance is a risky activity. This statement

about Hungarian vanguardism actually has two premises. One assumes there is a secret script of governance which is actually developed and copied by other countries, and the second assumes that there is a transfer of knowledge and even a transnational network discussing and working on the future of governance.

In 2010 and in 2014, Fidesz—in coalition with the Christian Democratic Party—won the elections. Present polls indicate that Fidesz continues to be the most popular party in Hungary, and it could win easily if the elections were held today. It would win the elections, possibly without a majority, but definitely with a solid lead. During the past five years Fidesz has been under international pressure to comply with written and unwritten laws, but the party continues to be very popular inside Hungary. And despite taking over all possible policy agencies, state institutions, and funding opportunities—Fidesz has not encountered or invited the formation of any effective political opposition.

This proves that Fidesz in the past five years has set up this particular form of successful governance which is not only producing a possible electoral victory but which, according to Radnóti, shows new ways for obviously successful governance. In the past years, political scientists and political analysts were forced to reconsider not only their analytical toolkit but also their concepts to try to understand this new phenomenon—calling it “democratic authoritarianism”, “illiberal state”, or “mafia state”, just to list few.

With the Polish sociologist Weronika Grzebalska comparing Hungary and Poland we argued in our previous work about a new form of governance stemming from the failures of globalized (neo)liberal democracy which created states that are weak for the strong and strong for the weak.¹ Based on its *modus operandi*, we call this regime an “**illiberal polypore state**” due to the fact that it feeds on the vital resources of the previous system at the same time contributing to its decay. Hungary, indeed, is an example of this.

On the one hand, illiberal “polyporism” involves appropriating institutions, mechanisms, and funding channels of the European liberal democratic project. Contrary to popular belief, Fidesz is interested in leaving the EU. Rather, they wish to exploit its funding and political opportunities while pursuing their own political agenda. On the other hand, “polyporism” involves divesting resources from the already existing civil society sector in order to transfer them to the illiberal base to secure and enlarge it. Moreover, just like the polypore usually attacks already damaged trees, illiberals primarily rise to power in the context of weak state institutions, a crisis of progressive parties, and the impossibility to adapt to liberal standards in the present. In a short time the polypore state took over the judicial system, the media (by buying outlets, threatening and destroying others), appointed loyal professionals to the constitutional court, and changed the electoral system. This polyporism of the state actually explains why the Fidesz government is so popular and also how it is creating this *modus operandi* which is based on the ideas and resources of others: the resources of the European Union, the ideas of the liberal human rights-based democratic system. Its operation is also creating a system which is fundamentally new but built upon previous patterns offering an uncanny feeling of familiarity with previous political practices. It does not demand from voters a new understanding, let alone supporting new ideas or moving out from their confront zone, but it creates opposition without a risk. Fidesz presents itself as a national

¹See Andrea Petö, Weronika Grzebalska, “How Hungary and Poland have silenced women and stifled human rights”, The Huffington Post, 16 October 2016, http://www.huffingtonpost.com/the-conversation-global/how-hungary-and-poland-ha_b_12486148.html accessed 26 January, 2017.

remedy against the power of global elites, the voice of the “losers of globalization” (despite the fact that they themselves are part of the winners).

There are three key tenants of illiberal polyporic governance which need to be understood in order to account for its success and the growing weakness of progressive actors: *parallel civil society*, *securitization*, and *familialism*. These three elements are key as far as the Hungarian “vanguardism” is concerned because on the one hand they prove the existence of a “masterplan” and on the other hand they affirm the existence and successful cooperation of international actors advancing the agenda of illiberal polypore states. The goal of illiberal regimes in Central Europe is the “transformation of the transformation”—a reconfiguration of post-1989 infrastructure in a way that benefits the new ruling elites and their voter bases. The key aspect of this transformation is the replacement of previous civil society actors working within the human rights paradigm with pro-government NGOs supporting the illiberal agenda. While the latter seemingly have the same profile and target group as the previous ones, they operate within a blatantly different framework which is predominantly religious and anti-modernist. This replacement is largely achieved through the ideological distribution of EU and state funding, which leaves progressive NGOs reliant on foreign donors and generally excluded from policy making.

To legitimize this transformation of civil society illiberals use the discourse of securitization. Human rights actors are framed as foreign-steered and potentially dangerous for national sovereignty. Gender equality, open society, and minority rights are portrayed as an existential threat to the survival of the nation. Securitization means that human rights issues become depoliticized. Such issues are presented as the agenda items of existential enemies—rather than political adversaries—with whom there is no need to engage in a meaningful discussion. It also legitimizes the use of extraordinary measures against these perceived threats. Lastly, securitization also mainstreams radical ideas, as was the case with the normalization of anti-genderism when Hungary officially hosted the World Congress of Families in May 2017 in Budapest.

The illiberal counter discourse to the liberal human rights paradigm is nationalist familialism, accentuating the rights and interests of families over those of minorities and individuals. Experts and politicians reading the CEDAW report of Hungary were surprised by the concept of “family mainstreaming” which partially replaced the concept of gender mainstreaming. By now, the shift from the concept of gender or even women to “families” became one of the pillars of the illiberal polypore state.² Besides elevating families in their rhetoric, Fidesz also introduced new redistribution policies based on family mainstreaming. While in UN and EU documents the latter was a tool to strengthen the functions of family, in the hands of illiberal actors it became an alternative policy model to gender mainstreaming, an instrument for promoting traditionalist values. Women’s issues are gradually substituted with family issues, and an apparatus responsible for gender equality becomes replaced with one dealing with family and demography.

The Fidesz government can be interpreted in two ways as far as the legacy of 1989 and vanguardism are concerned. One is that this is one of the last functioning parties which was born from the 1989 political transition. As such, this is the last party which is somehow connected to the push for liberal democracy so they know how to play the game. But there is another interpretation of the Fidesz government, namely that they are dancing ahead towards this second

²Weronika Grzebalska, Eszter Kovats, Andrea Petö, “Gender as symbolic glue: how ‘gender’ became an umbrella term for the rejection of the (neo)liberal order”, *Political Critique*, 13.01.2017, last accessed 26 January, 2017. <http://politicalcritique.org/long-read/2017/gender-as-symbolic-glue-how-gender-became-an-umbrella-term-for-the-rejection-of-the-neoliberal-order/>.

transformation. According to this view, the Fidesz government is basically playing this double role of representing the past but also constructing its own future. The main question is how the 43% of the electorate who are the undecided voters in Hungary today will be responding to this kind of Hungarian vanguardism. More important than the dance will be whether someone can come up with a message that addresses those very real issues which are present contradictions in Hungarian society, including very strong gender inequality. Illiberalism is not a backlash, after which one can go back to business as usual, but a new form of governance; the earlier it is recognized the earlier resistance strategies can be developed. One can only hope that in this context Hungary will be in the vanguard, too.

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Authoritarian Drive in Poland

David Ost
Temple University

WHEN PiS (the Law and Justice party, led by the immovable Jarosław Kaczyński) moved to crack down on the Constitutional Court within weeks of coming to power in Poland in November 2015, many thought it was a politically unwise move. Why provoke opposition at the very moment of coming to power, when even those who voted in opposition usually want to be persuaded that those in power think of them too? And clearly PiS did have gifts it was anxious to share, particularly the 500-zloty (\$125) per month payment for every second child and all children following, and—for the poorest families—for the first child as well.

But while they no doubt could have hidden their intentions a little better and restrained from belligerent talk, PiS clearly felt a need to make sure there was no institution in the country with any legal power to challenge what the new legislative and executive powers were intending to do. The jury is still out over whether it was the wisest policy with which to begin the administration, since it engendered the birth of a new civic opposition movement—the Committee to Defend Democracy—that is still strong over a year later. But there is no question that the attack was successful, in that today there really is no institution in the country with any legal power to challenge what the government is doing. Unlike Fidesz in neighboring Hungary, PiS does not have a two-thirds majority with which to change the Constitution. Like Fidesz, however, it has the same *desire* to change the Constitution, in order to justify its no-holds barred authoritarian takeover of all levers of power. Having eviscerated the Constitutional Court by changing the laws governing its operation and by refusing not only to abide by Court decisions it doesn't like but even recognize such decisions as legal, PiS has already established the principle that it can literally do anything it wishes to do. Anything.

What about opposition? Technically, it exists, but PiS control of parliament makes it difficult for the opposition to do much there. Using a technique first deployed in Hungary, PiS puts forth most of its bills as “individual MP” submissions, not governmental ones. The difference is that the former does not require public consultation, and these bills can sail through parliament from start to finish in a single day. Bills as crucial and controversial as repoliticizing the civil service or establishing direct government control over public media were both passed at this impossible Stakhanovite pace. In these sessions opposition MPs are able to ask a few questions but not to have their questions answered. Instead, the Speaker of the House just says “thank you for your questions” and immediately calls a vote. Neither PiS nor opposition deputies have even been able