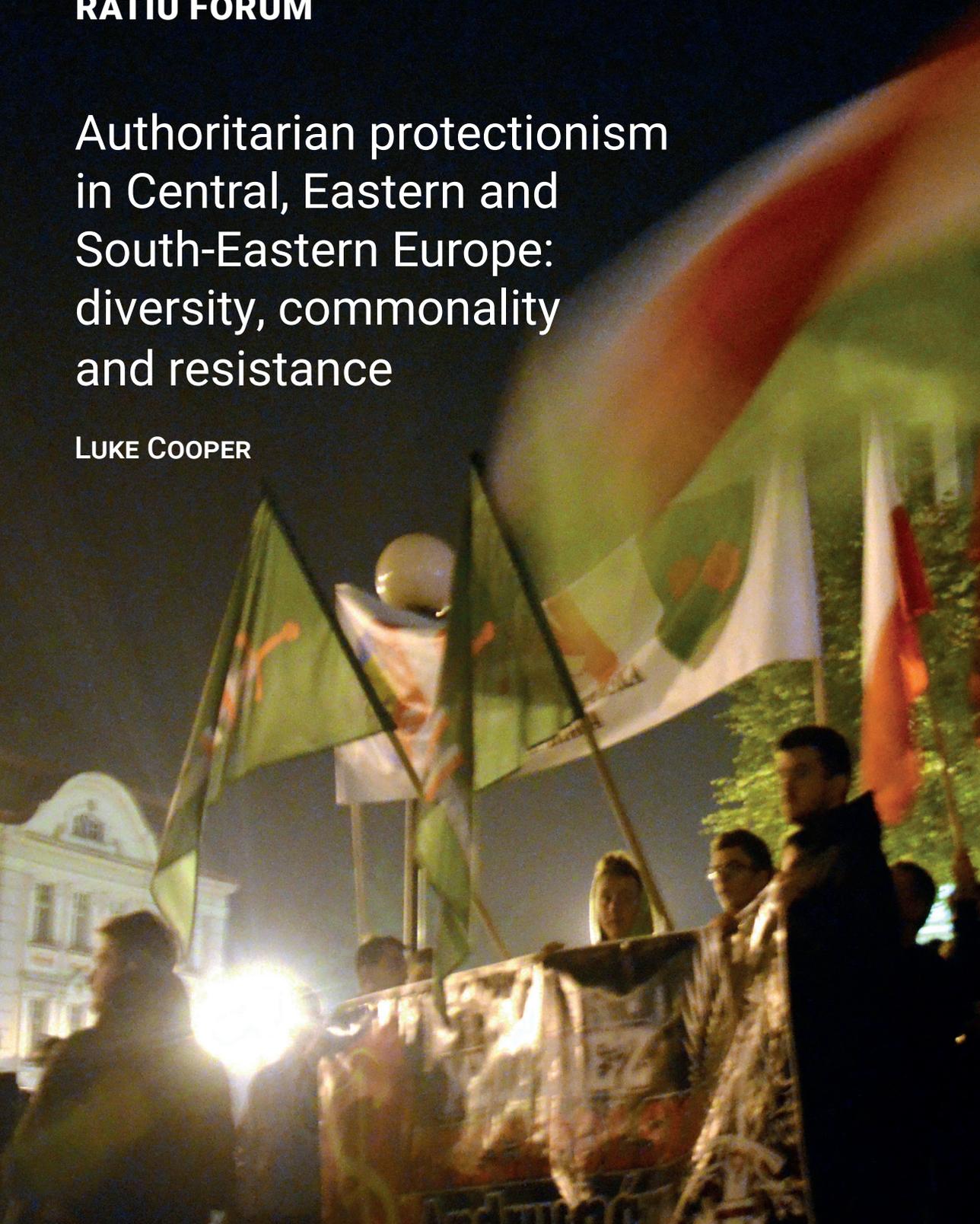


Authoritarian protectionism in Central, Eastern and South-Eastern Europe: diversity, commonality and resistance

LUKE COOPER





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The Author

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Introduction

The last decade has seen growing public attention on the rise of authoritarianism globally. This has often tended to focus on major world powers: the rise of the Trump movement in the United States and the shocking spectacle of his time in office; the Hindu nationalism of the Modi regime in India; Jair Bolsonaro's attempt to construct a new militarised Bonapartism in Brazil; and the centralisation of power seen under Xi Jinping in China, including severe levels of repression in Hong Kong and Xinjiang. In Europe, policy-makers and the media have similarly concentrated on 'headline catching' cases: notably, the nationalistic sentiments that motivated Britain's decision to leave the European Union (EU) and the sweeping moves against the rule of law in Hungary and Poland justified with far right rhetoric.

The governments of Viktor Orbán (Hungary) and Jarosław Kaczyński (Poland) do certainly pose a specific challenge to the European project as a democratic community of states. They have both assumed a high level of autocratic control in a context marked by considerable partisan divisions between their supporters and oppositionists. But these changes should be placed in a broader regional and international context that shows a general tendency to the strengthening of authoritarian politics.

This paper seeks to provide such a wider regional contextualisation through the examination of Hungary and Poland in tandem with four other case studies in Central, Eastern and South-Eastern Europe: Bulgaria, Czech Republic, Romania and Slovakia. Together these states represent a fifth of the EU's population and not far short of a quarter of its 27 members. While their weight in the EU is considerable, these are by no means the only European examples of the new authoritarianism (and civil society resistance). Although these states share a common post-communist experience, they can still provide a vantage point from which to view some of the general tendencies driving the democratic crisis.

The snapshot analysis of these states is undertaken through the frame of what I have referred to as *authoritarian protectionism*.¹ This conception sees this new challenge

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to democratic societies as a form of autocratic political mobilisation based on an ethnonational partisanship, which has found a wide appeal as the global order has fractured. In the cases examined here, authoritarian protectionism allows us to draw particular attention to the ideological coherence that exists amongst these actors and parties—despite the fact these examples are drawn from the left, centre and right of the political spectrum.

'Authoritarian protectionism' as a hegemony-seeking politics

Hegemony refers to the ideas and values that justify how power is exercised in society.² A hegemonic analysis starts from the assumption that economic and other social structures of power have to be legitimised culturally through the construction of moral claims, behaviours and codes that concern how society should be organised. Today we are living through a period characterised by hegemonic change, in which one, previously dominant, set of ideas is displaced by 'something else', a rival set of ideological frameworks which employ distinctive moral and cultural claims about the nature of society.

This sees the new authoritarian politics emerge as an alternative to what Nancy Fraser refers to as 'progressive neoliberalism'.³ The latter combined support for free market globalisation, based on a multilateral world order and the rule of law, with socially liberal domestic politics. It was, broadly speaking, hegemonic, enjoying a cultural and political pre-eminence, internationally from the fall of the Soviet Union to the 2008 financial crisis. But it was never universally

supported or uncontradictory in its nature. Some states, notably China, continued to reject the liberal democratic politics on which it was based. Nationalist and racist sentiment, and inter-ethnic conflict, have also been a longstanding feature of post-Cold War politics in countries across the world. In addition, the neo-conservative era in American politics significantly undermined the multilateral order and normalised many authoritarian practices, such as torture and extraordinary rendition. These factors seeded today's hegemonic shift.⁴

Authoritarian protectionism departs, however, significantly from the central assumptions of progressive neoliberalism. The latter starts from the building bloc of the individual, believing that the market allocates resources on the basis of merit and that discrimination on grounds of difference should not, at least in principle, be permitted. In contrast, authoritarian protectionists start from the ethno-nation and advocate measures to either defend or extend the advantages of the group, at the expense of others if necessary. As a set of claims for **political mobilisation** (aimed at achieving hegemony) it thus involves a three step logic: first, define the national community on ethnic lines, in sharp distinction to groups deemed 'foreign' outsiders and their cosmopolitan supporters (often involving masculine imagery and rejecting, to different degrees, the social liberal agenda); second, maintain this insider group—that represent the truly patriotic, legitimate members of the national community—have partisan interests counterposed to the outsider group(s); and, third, argue there is a some

form of emergency, or civilisational risk, that requires immediate and far-reaching action to defend 'the people'. These logics challenge the norms and rules of democratic politics by rejecting the need for any form of pluralism. If members of the insider-group believe that their partisan interests have a primacy above and beyond all other considerations, political leaders can persuade them of the need to attack democratic institutions.⁵

Accordingly, this feeds into a distinct set of **governing practices**. These logics serve to justify the wielding of power autocratically without respect for the rule of law and fair political competition. The monitoring and regulatory functions of public institutions⁶ are also challenged in favour of patronage, clientelism and the centralisation of power. Media may be coerced or subject to state interference and oligarchic patronage. Against a background of high capital mobility (specifically the ease with which money can be hidden in global financial markets) and increased dependency of markets on state intervention,⁷ authoritarian protectionism has also entailed crony capitalism. This sees the distinction between public and private spheres blurred as political elites capture markets or private interests capture states. Relatedly, authoritarian international policy usually implies an accommodation with globalisation as it fractures and mutates, rather than the creation of national political-economies. Although authoritarian protectionists view international politics, like the domestic, in zero-sum terms, and this may lead to beggar-thy-neighbour policies, the stronger trend is towards a

transactional conception, which prioritises the capturing rents, rather than radically changing the terms of trade.⁸ In domestic policy, authoritarian protectionists have proven flexible, moving away from a strong ideological attachment to the free market and thus anticipating and hastening the broader shift globally.

Finally, the **social constituency** for this politics has proven to be broad—a key source of its hegemonic power. Although authoritarian protectionism represents a movement away from progressive neoliberalism, it is not primarily a class-based revolt, but usually comprises a cross-class coalition of supporters. Regional inequality ('geographies of discontent') is, however, often an important factor. Different social classes in small towns and rural areas with low development potential have responded to the call of authoritarian protectionism; in Europe, overall, this has been found to be more important than either individual inequality or age as a factor explaining the rise of authoritarian voting patterns.⁹

Taking a snapshot of six cases to reveal the extent of the challenge

Reviewing developments in the six case study countries following the 2008 financial crisis reveals that they all have experienced governments which can be described as authoritarian protectionist. This does not mean competitive electoral democracy has been abolished (even Orbán, for example, suffered a reversal at the 2019 Budapest mayoral election). Rather, it refers to how ruling governments have mobilised support through ethno-national partisanship and engaged in

governing practices that undermine the rule of law and public accountability.

Indeed, perhaps paradoxically, the six cases reveal how authoritarian protectionism is both ideologically coherent and can sit easily with forces that are formally on the left, right and centre of European politics (see Table 1).

Social democratic governments in Romania (including figures such as Liviu Dragnea and Viktor Ponta) and Slovakia (under the leadership of Robert Fico) meet, at least some, of the definitional criteria laid out above. Similarly, Czech PM Andrej Babiš and his ally president Miloš Zeman have cast themselves as

on the centre ground (Zeman is also a former social democrat), but have followed the logics of authoritarian protectionism closely. In Bulgaria, PM Boyko Borisov casts himself as a centrist but has been accused of corrupt and authoritarian practices. He also governed in coalition with far right parties from 2017 to 2021, a clear case of the centre-right and radical convergence¹⁰ that has changed EU politics and normalised ethnonationalist policies. In a further illustration of how European politics has altered significantly over the last fifteen years, when Robert Fico's SMER-SD first went into coalition with the Slovak

Table 1. Authoritarian protectionists in power in Central, Eastern and South-Eastern Europe

	PARTIES AND KEY LEADER	POLITICAL COMPLEXION
Bulgaria	Boyko Borisov and GERB (2009–2013, 2014–present) in alliance with far right party, IMRO-BNM since 2017	Convergence of centre-right with radical right
Czech Republic	Andrej Babiš and ANO (2013–2017, junior partner; 2017–2021, as PM)	Illiberal nationalist-populist of the centre (in coalition governments)
Hungary	Viktor Orbán and Fidesz (2010–present)	Far right nationalist (single dominant party)
Poland	Jarosław Kaczyński and Law and Justice (2015–present)	Far right nationalist (dominant party in informal alliance)
Romania	Liviu Dragnea PSD (2008–2009, as coalition; 2012–2020 in different forms)	Centre-left authoritarian conservative
Slovakia	Robert Fico and SMER-SD (2012–2016) and in alliance with Slovak National Party and others (2016–2018, 2006–2010)	Centre-left authoritarian nationalist (in episodic alliance with right wing nationalists)

National Party in 2006 they were suspended from the centre-left, Party of European Socialists (PES), only to be readmitted two years later—an event that arguably foreshadowed the ‘tolerant atmosphere’ of the 2010s as authoritarian parties and figures were normalised into the European mainstream.¹¹ The considerable attention that the European People’s Party (EPP) have received over the membership of Orbán’s Fidesz (which finally resigned its membership on the 18th March 2021¹²) has perhaps distracted from the attitude to these practices on the centre-left.

These cases also illustrate how authoritarian protectionist politics can sit alongside low (Hungary, Bulgaria, Slovakia) and very low (Romania, Poland) overall

levels of euroscepticism (see Table 2). Although ethnonationalist sentiment has historically been very strongly related to euroscepticism (unsurprising, of course, given the ‘sovereignty pooling’ nature of European integration),¹³ the current rise of authoritarian protectionism demonstrates that a high degree of euroscepticism among the general public is not a necessary condition for its ascent.

Developing this analysis, we review these cases against a series of factors associated with authoritarian protectionism: ethnonational partisanship; civilisational crisis and conspiracy; rule of law issues, executive aggrandisement and judicial independence; and crony capitalism and corruption.

Table 2: Euroscepticism has reached its lowest level since 2009 EU-wide. The six case studies follow this trend: “In general, does the EU conjure up for you a very positive, fairly positive, neutral, fairly negative or very negative image?”

	TOTAL POSITIVE (CHANGE SINCE SUMMER 2020)	NEUTRAL (CHANGE SINCE SUMMER 2020)	TOTAL NEGATIVE (CHANGE SINCE SUMMER 2020)
Bulgaria	59 (Ú 6)	25 (Ú 2)	14 (Ú 6)
Czech Republic	49 (Ú 19)	28 (Ú 13)	23 (Ú 6)
Hungary	48 (Ú 1)	42 (Ú 3)	10 (Ú 2)
Poland	53 (Ú 2)	39 (Ú 2)	8 (no change)
Romania	47 (Ú 4)	46 (Ú 9)	7 (Ú 4)
Slovakia	43 (Ú 7)	41 (Ú 1)	15 (Ú 7)

Source: Eurobarometer Winter 2020-2021

Hegemony-seeking political mobilisation: ethnonational partisan politics

Twenty-first century geopolitical developments have contributed to a rise in Islamophobic sentiment across the world, particularly after the 9/11 terrorist attacks and continuing with the refugee crises over the last decade. In this period, opposition to Islam and the 'defence' of a 'Christian' Europe became a prominent theme of radical right street mobilisations and parties. Five of the six countries in our analysis (Poland being the exception) also have significant Roma populations that experience multiple layers of racism and discrimination in society and from public authorities. A 2018 European Union report, which included these five countries and four others, found that Roma faced severe hardship with an 80 percent poverty rate, high unemployment and poor access to education—with 41 percent reporting experiences of racial discrimination due to their ethnic status.¹⁴ While anti-immigration sentiment—especially during the peak of the 2015 refugee crisis—has also been very high, the number of foreign nationals living in these six states is predictably low (Bulgaria, 1.5 percent; Czech Republic, 5.5 percent; Hungary, 2 percent; Poland 0.9 percent; Romania 0.7 percent; and Slovakia, 1.4 percent¹⁵).

Authoritarian protectionism capitalises on the latent fears formed in these conditions. Nations are protected from a hypothetical 'threat' of new immigration and existing racial status hierarchies (e.g. the position of the Roma) are maintained to uphold the interests of the 'morally' deserving citizenry.¹⁶

In Bulgaria, the entry of the far right into government has seen a normalisation of hardline anti-Roma racism. In 2019, Krasimir Karakachanov, the leader of the IMRO, Bulgarian National Movement, brought forward proposals for an 'integration' strategy, which was replete with uncoded racist and fascistic statements. It claimed the Roma people are not European but part of 'Eastern civilisation', a relic of 'the heritage of the Ottoman Empire' and accused the community of criminal and 'asocial' (a term taken from the Nazi era) behaviour. Karakachanov justified new discriminatory measures with violent rhetoric, calling for 'a solution to the Gypsy problem'.¹⁷ Reflecting this context, during the Coronavirus pandemic the Bulgarian government introduced sweeping military and police checkpoints to forcibly quarantine Roma areas. The justification that there were higher rates of cases amongst Roma has been accused of lacking a scientific basis and indicative of traditional prejudice.¹⁸

Borisov and his GERB party identify as centrists and deal-makers within a political context characterised by a strong hostility to migration. But they fundamentally share and draw on a strong ethnonational conception of 'the people' and their interests. Indeed, in a revealing statement, Borisov responded to Bulgarian Socialist Party attacks on the alleged softness of his migration policy by arguing that he sought to encourage only 'Ukrainians, Belarusians, Moldovans, Bessarabian Bulgarians, Macedonians and Serbs' to come to work in Bulgaria, in other words, those he considered ethnic white Europeans.¹⁹ Ivo Hristov, an MP for the Bulgarian Socialist

Party, underlined the often 'beyond left and right' character of these perspectives in the same parliamentary debate when he endorsed the outlook of the French fascist movement, arguing on this question 'my preferences naturally lie with Marine Le Pen'.²⁰

In the Czech Republic, we similarly find ethnonationalism to be a common thread in the arguments of the nominally centrist, Babiš. In 2018, he said 'illegal migration' was 'a threat to the European civilization', adding that 'we don't want to live like people live in Africa or the Middle East'.²¹ His ally President Zeman, who has a reputation for radical right rhetoric, tends to go further. In 2016, he described Islam as a 'religion of death' and compared Muslim immigrants to the Nazi regime in Germany, arguing that today's 'moderate Muslim population' would be tomorrow's 'fanatic Nazis'.²² Both have also engaged in anti-Roma racism; e.g., Babiš has denied the existence of Roma concentration camps in the second World War²³ and Zeman has falsely claimed 90 percent of Roma refuse to work.²⁴

In Slovakia, Robert Fico framed his Islamophobia around a religious cleavage, claiming during his successful 2016 election campaign that Muslims were 'impossible to integrate', as the country agreed to resettle a mere 180 *Christian* refugees from Syria.²⁵ Anti-Roma racism also features prominently in the country's shifting authoritarian alliances. Slovakian politics has seen the rise of the extreme right, ĽSNS party, which won 17 seats and 8 percent of the vote at the 2020 election—and, along with the populist-conservative, Sme Rodina, they took the place of the Slovak National Party. In

2016, ĽSNS politician, Milan Mazurek, lost his parliamentary seat when he received a criminal conviction for anti-Roma racism. In a move that underlined the fraternity between the left and extreme right, Fico condemned the conviction, claiming he 'only said what nearly a whole nation thinks'.²⁶

The discourses found in these cases underline the limitations of focusing narrowly on the Orbán and Kaczyński governments, even though they have become the totemic symbols of Europe's authoritarian advance. Both have defined the nation in ethnonationalist terms, invoking a 'blood and soil'-style defence of the people against the Islamist invasion of Europe—and some of their most hardline rhetoric has come during election campaigns. Kaczyński referred to Muslim immigrants as 'parasites' and 'cholera' in his 2015 election campaign;²⁷ and Orbán's closing 2018 election speech was full of Islamophobic themes and rhetoric, linking the country's seventeenth century independence from the Ottoman Empire to today's supposedly life and death struggle to resist the immigrant invasion.²⁸

The Romanian case is often held up as an exception to the broader trend of authoritarian drift through national-racialisation.²⁹ Sevil Shhaideh, of the Social Democratic Party, a Muslim of Tartar descent, even came close to becoming prime minister in 2016, but was blocked by centre-right president, Klaus Iohannis—and the case raises some important questions for democrats across Europe. The arguments used against Shhaideh were racist (she was considered a 'security risk' due to her Syrian husband).³⁰ However, they

would very likely be heard in every other European country facing a similar proposal—and may therefore be reflective of how it can sometimes be difficult to separate radical right from ‘normal’ rhetoric.³¹ But if this is an example of a ubiquitous ‘everyday racism’ that crosses into progressive politics all over Europe,³² Romania has also not escaped the outright far-right ascent seen elsewhere. The surprise breakthrough for the far right, Alliance for the Unity of Romanians, at the December 2020 elections has broken the idea that the country had managed to withstand the authoritarian march. The party won 9 percent of the vote and a striking 1 in 4 of the overseas electorate. They appealed directly to the working class, superexploited diaspora voters, increasing their turnout.³³ And their domestic anti-immigration, socially conservative and ethnonationalism agenda was combined with a leftist social policy³⁴—an approach in keeping with broader authoritarian protectionist dynamics.

Nation, faith and family: the ‘gender scare’ over the Istanbul Convention

Authoritarian protectionists tend to imagine the nation as based on a highly conservative and heteronormative conception of the family and the status hierarchies between men and women. Although initially seen as uncontroversial, the *2011 Istanbul Convention on preventing and combating violence against women and domestic violence*³⁵ has become a target of alt-right culture wars across Europe due to its recognition that gender is socially constructed. In Slovakia, Fico withdrew from the treaty, claiming it ‘needlessly questions natural differences between men and women’.³⁶ He also passed a constitutional amendment banning gay marriage in 2014. A similar ‘gender’ scare has been whipped up in Bulgaria with Karakachanov accusing pro-convention civil society of wanting to ‘destroy the country’ by introducing ‘gay marriage and a gender republic’.³⁷ In Romania, the Social Democratic Party attempted to ban gay marriage in a referendum—which won 90 percent support but failed to meet the 30 percent turnout threshold.³⁸ In 2020, the party and other allies, have also added their voices to the anti-transgender hysteria. They sought to abolish gender studies from universities and end compulsory sex education in schools,³⁹ though the move was not signed into law by the president and later found to be

unconstitutional.⁴⁰ In Hungary, Orbán forbid same-sex couples from adopting children in 2020⁴¹ and also banned gender studies at university in 2018.⁴² Recently asked by a journalist what he would do if a child of his decided they were gay, he remarked, 'it would be a major test, but so far the Good Lord has spared us'. In the same interview, he described sex education as 'sexual propaganda'.⁴³

Poland has often been treated as the highest profile exemplar of these hyper-conservative trends—perhaps due, in part, to the mass movement that broke out challenging Law and Justice's total ban on abortion in 2020.⁴⁴ The party have also consistently used intensely homophobic ('the rainbow plague'⁴⁵) and patriarchal language. Its favoured presidential candidate, Andrzej Duda, described LGBT rights as 'worse than communism' in his successful 2020 campaign.⁴⁶ But despite these discourses, it has been slow to follow through on measures pursued by their international co-thinkers. The abolition of gender studies in schools and universities is only now being discussed by the government,⁴⁷ as are laws totally banning the access of same sex couples to adoption rights.⁴⁸

The relatively tolerant atmosphere in the Czech Republic is the partial outlier of the six case studies. The country is currently inching closer to legislating for gay marriage. Although president Zeman has vowed to veto the move, this can be overruled by a simple parliamentary majority. A counterproposal, which seeks a total ban on gay marriage rights, has only been backed by a minority of law-makers.⁴⁹ However, the government has joined the bloc that are refusing to ratify the Istanbul treaty.⁵⁰ Czech domestic politics therefore reveals a mixed picture with some counter-veiling factors.

Hegemony-seeking political mobilisation: civilisational crisis and conspiracy

A sense of civilisational emergency, existential threat and the notion of a grand conspiracy against the people, has formed an important aspect of the authoritarian protectionist revolt in many states. This has been a frequent theme of Orbán's ideological posture, which centres, in particular, on the position of Hungary as a frontier territory protecting the 'West' from the alien civilisations of the 'East'. In 2019, he opened an institute for Middle Eastern studies by giving a highly Orientalist speech, arguing in coded

Civilisational emergency, existential threat and the notion of a grand conspiracy against the people, has formed an important aspect of the authoritarian protectionist revolt

but nonetheless rather clear terms that European societies faced a 'civilisational crisis', as non-white, non-Christian immigration meant the 'East had come to the West'. He accused 'Western Europe's modern-day warriors for integration' of being 'deluded' for believing migrants from the 'Islamic world' do 'not bring with them the laws, customs and conflicts that have existed in their culture for centuries'.⁵¹

Ethnonationalism still therefore drives this sense of crisis and paradise lost; the people, Orbán suggests, must flock to his party or forever lose their way of life. He has also invoked the classic anti-semitic conspiracy, in which a metropolitan Jewish elite conspires to flood Europe and Hungary with non-white immigrants. His government has waged a high profile, bitter campaign against the billionaire philanthropist, George Soros, often using quite explicit anti-semitic rhetoric. They have referred, for example, to plans concocted in Soros' 'alchemical workshop'. Hungarians are locked, Orbán argues, in an existential battle with this destructive global elite to protect the 'homeland... We must defend it and we must preserve it; because without it we will be homeless orphans, drifters in the wide world'.⁵²

In Poland, Kaczyński talks in similarly sweeping and self-aggrandising terms, declaring that Poland's 'historical mission' is to defend and uphold 'everything that is the foundation of Christian civilisation'. Upon becoming Prime Minister in 2017, Law and Justice's Mateusz Morawiecki invoked similar but altogether more ominous themes, stating their goal is to 're-Christianise' the European continent.⁵³

Conspiracy theory plays an important role in these authoritarian protectionist narratives. They allow alternate realities to be discursively constructed, in which civic political dialogue, based on the exchange of reasoned arguments, is no longer possible. Indeed, we might argue that if agreement on certain facts makes possible disagreement on their interpretation, the opposite also follows, i.e., where fabricated claims are aggressively posited without evidence then theatre displaces public debate.

Consequently, unfounded conspiracy theories deepen the sense of partisanship between rival camps.⁵⁴ Law and Justice refer, in this vein, to their opponents as a 'total opposition', standing against everything that they and the *true Poles* believe in. Their favoured conspiracy concerns the Smoleńsk air disaster that killed Polish President and Law and Justice co-founder, Lech Kaczyński. The conspiracy theory alleges he was the victim of a targeted assassination carried out by the Russian state, which was then covered up by the Polish government, specifically then Prime Minister, Donald Tusk. Regular demonstrations demanding 'the truth' of the incident were a feature of Polish politics across the 2010s, playing an important role in the rise of Law and Justice to power. Although the party have on occasion openly backed the idea of a Russian state attack,⁵⁵ they for the most part simply allowed the idea to circulate in society. This served to dehumanise their political opponents, the 'total opposition'. For once accused of such a conspiracy, they were no longer 'regular' democratic

parties to be critiqued by force of argument, but a dangerous, indeed murderous, bloc that must be totally crushed.

Law and Justice also justify their general offensive on the rule of law and judicial independence (see below) with the argument that a deep state exists, which, they allege, has never been reformed since the communist era. In Romania, analogous arguments have been made by the Social Democratic Party in response to corruption charges. Liviu Dragnea served as the party's president between 2015 and 2019 before receiving a three and a half year prison sentence. He argued a 'shadow state' was responsible for a campaign against democratically elected politicians and accused public prosecutors of using communist-era techniques.⁵⁶ He has also made extensive use of the Soros conspiracy theory. In January 2017, a government proposal to decriminalise official misconduct office (effectively 'green lighting' corruption) sparked mass protests, leading the Social Democratic Party to back down. Dragnea responded, however, by claiming that the anti-government protestors were part of a Soros conspiracy against the people.⁵⁷ In one interview, he even, bizarrely, suggested that Soros was plotting to kill him.⁵⁸

This notion of the 'Soros system' has become rather popular, allowing leaders to avoid accountability for their actions, abandon reasoned argument and mobilise the people against the foreign, cosmopolitan and (usually implicitly) Jewish threats supposedly railed against them. In Slovakia, Fico blamed Soros for the instability that led to his fall from power

in 2018—after his government was shown to have connections to the organised crime groups that murdered journalist, Jan Kuciak.⁵⁹ In the Czech Republic, Babiš deployed the same conspiracy when facing mass demonstrations calling on him to quit in 2019.⁶⁰ In Bulgaria, too, the government has used this argument. Karakachanov described the largescale anti-corruption mobilisations across 2020 and 2021 as the work of 'Sorosoid NGOs'.⁶¹ Similarly, in Poland, the 2020 presidential election saw Law and Justice figures claim that opposition candidate, Rafal Trzaskowski, was in hock to a 'powerful foreign lobby' that would 'fulfil Jewish demands'.⁶²

So, while there is a spectrum in which Poland and Hungary remain notable for the extreme nature of their discourse, these political arguments have been on display in all six of the cases reviewed.

How do authoritarian protectionists rule? On crony capitalism and rule of law crises

The rule of law and judicial independence has emerged as a key issue in Europe's new democratic crises. Attacks on 'monitory democracy'⁶³ (the independent regulatory systems that have become an important feature of liberal democratic societies) and attempts to expand political control of the judiciary, public prosecutors and other elements of the civil state, connect organically with the mobilising discourses we have discussed. On the one hand, ethnonational partisan politics and conspiracy theories serve to radically delegitimise opponents and undermine the pluralism necessary for fair political

Partisan coverage consolidates supporters in their views, platforms can be denied to critical voices, and disinformation may be actively disseminated

competition. On the other, members of the favoured insider group may support attacks on democratic institutions if they believe they are ranged against their interests,⁶⁴ for example by being a vehicle for a secret conspiracy. Control of the media gives added force to these efforts: partisan coverage consolidates supporters in their views, platforms can be denied to critical voices, and disinformation may be actively disseminated. This can include the direct, political use of state-run media or patronage of private outlets.

Authoritarian protectionism thus implies a close interrelationship exists between the discourses used to mobilise and the governing practices aimed at greater autocratic control. They also create a strong tendency towards corruption and crony capitalism.⁶⁵ Several steps unravel this logic. First, the capacity of the state to independently regulate the public and private sphere is radically undermined as monitory functions are subject to partisan political control. Second, the structural environment of the global economy combines a high level of financialization (allowing corrupt rents to be easily hidden) with a challenging environment for productive economic growth (increasing the incentive to focus on rent extraction, over investment⁶⁶). Lastly, this mixes with an ideology that rejects, either in an open or coded fashion, the principle that laws should apply equally to all citizens (including state actors) and be independently adjudicated, the rule of law. As a result, accountability for public office holders becomes very weak, or is consciously broken, and corruption flourishes, either by accident or design.⁶⁷

Analysing governing practices in Bulgaria, Romania, Czech Republic and Slovakia

Hungary and Poland (see below) form paradigmatic cases, but these trends are present across all six countries. In Bulgaria, the Borisov-led coalition government with the far right has presided over a major collapse in the rule of law system, culminating in huge public protests against his government in 2020–2021. Last year over 50 MEPs challenged the European Commission to take action, warning of an ‘imminent threat’ amidst violent state attacks and detention of protestors and journalists.⁶⁸ At the centre of the political crisis is the alleged capture of the

public prosecutor's office and judiciary⁶⁹ by the Bulgarian mafia, alongside an associated claim of their close links to the GERB-led government.⁷⁰

The Movement for Rights and Freedom (DPS) is an opposition party representing the country's Turkish and other ethnic minorities. They have been credited for ending the assimilationist policies of the old communist regime and restoring democratic and cultural rights during the transition in the 1990s.⁷¹ However, revealing some of the complexity of the country's authoritarian protectionism (given the role of the far right in power), key figures in the party, notably Ahmed Dogan and Delyan Peevski, are accused of being central to organised crime's hold on the state and media. In a 2014 interview, Borisov even admitted that 'Dogan was the first to realise that if he had a media empire and control over the judiciary, he could rule'.⁷² Borisov's GERB party has since been accused of being in a 'hidden alliance' with these forces.⁷³ Until recently, Peevski owned over 80 percent of the country's media.⁷⁴ Journalistic liberties have been described as in a crisis with Reporters Without Borders placing Bulgaria at 112 on its Freedom Index (see Table) and reporting investigative journalists are subject to persistent intimidation by the state and mafia.⁷⁵ Public anger at links between the economic elite, organised crime and the state has often sparked protest. In 2013, these were ignited by a move to make Peevski head of the country's secret services.⁷⁶ The predatory state and market dynamic, including the failure to ensure the rule of law, has also hurt the economy. According to a

2019 report by the Centre for the Study of Democracy in Sofia, local businesses estimate that at least 35 percent of public procurement contracts involve corruption.⁷⁷ This provided the overall background to the protests in 2020 that had several proximate sparks: photographs emerged of Borisov's bedroom, appearing to show him asleep alongside a gun sitting on top of a cabinet draw stuffed with 500 euro notes;⁷⁸ activists from the Yes! Bulgaria party exposed the fact the DPS party had state security protection, which is usually only given to members of the government⁷⁹; serious allegations of extortion were levelled at prosecutors⁸⁰; and the office of the president was raided after he condemned corruption, leading to the arrests of two aides.⁸¹

Complex dynamics have therefore emerged in Bulgaria: a heterogenous protest movement finds itself condemned by the far right IMRO-BNP as 'Sorosoids' but confronts a corrupt system that implicates a party representing the country's ethnic minorities, the DPS, who are alleged to be in a hidden alliance with the GERB-led government. This contradictory scenario has some resemblances to the mix of elite corruption, patronage and exclusionary identity politics that has been observed in conflict and post-conflict societies,⁸² and shares with these contexts the role played by global finance, as both a source of funds and means to hide stolen wealth. In both settings, institutional capacity is weak, or deliberately eroded, public/private distinctions blur, and the state becomes a vehicle for rent-seeking.

The Bulgarian case forms part of a wider pattern of rule of law problems.

Romania, in particular, has some close parallels with its neighbouring state. Corruption crises dogged the Social Democratic Party administrations of the 2010s, leading to mass protests against the government in 2017 and 2018. Media ownership is concentrated into five large media trusts owned by members of economic elite—several of which have either been jailed (Dan Voiculescu, Sorin Ovidiu Vântu) or charged (Dinu Patriciu).⁸³ Corruption has also embroiled Social Democratic Party politicians with Viktor Ponta facing criminal charges in 2015⁸⁴ (though they were dropped in 2018⁸⁵) and Dragna jailed twice, once in 2015 for electoral fraud and again in 2019 for abuse of public office. The 2017 protests were sparked by a proposal of the Social Democracy to decriminalise and pardon a number of corruption crimes.⁸⁶ The party's response was illiberal, attempting to increase its control over the judiciary with two appointments to the Constitutional Court in 2019.⁸⁷ The court overturned a referendum ban on pardons for corrupt politicians in the same year.⁸⁸ But the positive story in Romanian is the role played by public prosecutors, notably Laura Codruța Kövesi who has since become the first head of the new European Public Prosecutions Office.⁸⁹ Meanwhile, the Social Democracy fell from power in October 2019 after a no confidence vote—and went on to lose the 2020 elections, though remained the largest party.

In Slovakia, Fico's government was also marred by accusations of links between politicians, the economic elite and mafia groups. Marian Kocner, an oligarch and criminal, is now serving a 21 year jail

sentence, but was once seen as a close ally of the SMER-SD government.⁹⁰ He has also been shown to have links to SMER-SD allies in the public prosecutors' office.⁹¹ Ladislav Basternak, a businessman with links to Kocner, is also now in prison for tax fraud.⁹² Fico lived in a property owned by Basternak—and the murdered journalist Kuciak had been working on articles that were exposing these links.⁹³ The protests⁹⁴ that prompted Fico's fall from power were the largest Slovakia had seen since 1989.

A high level of public interest and concern over corruption has also animated politics in the Czech Republic. However, this was initially a campaign priority of Babiš and his ANO party—somewhat paradoxically. Indeed, his rise to power as a businessman rejecting state corruption has strong parallels to Europe's 'original populist', Silvio Berlusconi, in the 1990s—who benefited from the anti-corruption backlash engulfing the traditional centre-right and centre-left parties, but has sometimes been seen as continuing this system in a new form. Although constrained by working in an electoral system based on proportional representation, it is also notable that Babiš' political vision of 'government as a business' involves a highly centralised view of how the state should operate. This includes rejecting proportional representation in favour of the un-proportional 'first past the post' model used in the UK.⁹⁵

Babiš has the classic backstory of post-communist oligarchy, using bureaucratic networks established under communism to secure control of assets during the transition in the 1990s. He also owns a large part of the Czech media,

guaranteeing favourable coverage, and he been accused of surrounding himself with ex-communist security agents.⁹⁶ Like the other cases, Babiš has also faced corruption, fraud and conflict of interest allegations, which ignited civil society opposition to his government. He put his agrochemical conglomerate, Agrofert, into trust upon becoming prime minister in 2017 but remains in control of the company—which is now a major recipient of EU funds.⁹⁷ As in neighbouring Slovakia a year earlier, the 250,000 strong demonstration calling for Babiš to resign in June 2019 was reported to be the largest protest in the country since the Velvet Revolution of 1989.⁹⁸

Hungary and Poland: distinctive for the scale of the authoritarian threat?

The evidence from the Czech Republic, Slovakia, Romania and Bulgaria underlines how the rise of authoritarian protectionism, along with civic and democratic resistance to it, is occurring across Europe. It therefore serves to ‘de-exceptionalize’ the Hungarian and Polish cases that are typically given the most attention. It also illustrates how this politics is not restricted to the right, but can, at least formally, sit on the left and centre, too. Nonetheless, what makes Poland and Hungary distinctive is the scale of power both governments have assumed over society. In Hungary, this has involved using the mandate Fidesz won in 2010 to change the electoral system in 2012, switching to a British ‘first past the post’ model that tends to give parties with a large minority of votes, a large majority of seats. Indeed, a notable commonality in the five other cases is the use of proportional representation. This has created a counter-veiling tendency to attempts at centralisation, giving politics a more fragmented and democratic character. The recent inconclusive elections in Bulgaria, triggering new elections scheduled for July, illustrates this. In Poland, Law and Justice have also won mass support but unlike Orbán they do not have the ‘super majority’ (two thirds in the main legislature, the Sejm) needed to change the constitution.

Both Hungary and Poland have seen attacks on the rule of law, as the ruling party has sought to close down avenues for independent legal adjudication on its actions. In Hungary, Orbán forced the retirement of Supreme Court President, András Baka, in 2012, leading to a conflict with the European Court of Human Rights (ECHR).⁹⁹ Rather than re-establish the basis for judicial

This politics is not restricted to the right, but can, at least formally, sit on the left and centre, too

independence, as demanded by the ECHR, he appointed supporter András Varga to the post in January, 2021.¹⁰⁰ Orbán now enjoys total effective control of the public prosecutor's office (a crucial role to avoid criminal investigation for corruption), the Supreme Court and the Constitutional Court.¹⁰¹ Poland has been a more high profile example of the rule of law crisis—due to the proactiveness of the EU in this case. Law and Justice Party has sought to replace the majority of judges with government appointees, a move which has been described as an attempt to 'create a Soviet-style justice system, where the control of courts, prosecutors and judges lies with the executive and a single party'.¹⁰² This led to historic legal action by the European Commission¹⁰³, but the core of the reforms have survived with 92 percent of members (previously, 32 percent) of the National Council of the Judiciary now political appointees.¹⁰⁴

Poland and Hungary are distinctive in the power dynamic that they have created between the public and private spheres. Whereas the four other cases appear to be best described as states 'captured' by rentier, private interests, Law and Justice and Fidesz seek to construct systems of patronage in which the market is dominated by a nationalist party-state. Here Orbán provides the more developed tendency, which Kaczyński seeks to follow. However, he has not yet achieved the same degree of 'success' in restructuring the nation's political-economy. This approach is reflected in their ideological arguments for the deliberate construction of a Polish/Hungarian economic elite, which

they contrast to the dominance of their respective countries' economy by foreign, globalist forces. In Hungary, Orbán has sought to cohere society at large around his kleptocratic power, maintaining control not only over the political branches of government but 'virtually all spheres of social life, including commerce, education, the arts, churches, and even sports'.¹⁰⁵ He has made extensive use of European funds to enrich a small coterie of elite supporters. Lorinc Meszaros, a personal friend of Orbán and gas fitter from his hometown, has become Hungary's richest man as a result of government procurement contracts.¹⁰⁶ Oppositionists believe him to be the front person for Orbán's personal wealth, whose own father and son-in-law have also personally profited from the tendering of government contracts.¹⁰⁷ Orbán has also transferred assets worth €2.8 billion to private foundations that he personally controls, and has protected this from future challenge as a two third parliamentary majority is required to return them to the state.¹⁰⁸ Pro-Fidesz media outlets are also showered with state and private financing, while opposition media is marginalised; the government proudly state that 50 percent of the Hungarian media recite its position.¹⁰⁹

In Poland, the trends are less developed, but the direction nonetheless remains analogous. Upon taking power Law and Justice amended the rules on civil service recruitment, establishing a 'party recommendation' in place of a competitive recruitment process and lowering the competency requirements. As a consequence by 2016 it is estimated that

around a third of senior civil servants had left or were demoted.¹¹⁰ They also seized control of the public prosecutor's office almost immediately upon taking power.¹¹¹ Although, like Babiš, Law and Justice have predictably faced scandals in office, as the rule of law situation has deteriorated.¹¹² These have included allegations of criminal links and unexplained wealth against the head of the Supreme Audit Office, Marian Banaś.¹¹³ Ethnonationalism has also served to justify their assault on media independence. Under the banner of 'repolonization' the state oil company, PKN Orlen, now overseas a media empire comprised of '20 regional dailies, 120 weeklies and 500 websites used by over 17 million Poles monthly'.¹¹⁴ The party has also taken over the state broadcaster and used it as a vehicle for partisan political coverage.¹¹⁵ Critics of the party have also faced outright state repression for exercising freedom of expression. Law and Justice have made active use of reactionary elements of the criminal code introduced in the 1990s. They have brought criminal prosecutions for defamation in the media with 137 convictions in 2017 and 118 in 2019. Similar prosecutions have also been brought for 'insulting the president' and 'insulting a monument'. The highest profile example is that of writer Jakub Żulczyk who called president Duda a 'moron'—and could face up to three and a half years in prison if found guilty.¹¹⁶

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Conclusion

The snapshot analysis presented here has focused on six states in Central, Eastern and South-Eastern Europe. This should not lead to the mistaken conclusion that this is an 'East European problem' or a 'post-communist' one. On the contrary, the growing contest between authoritarian and democratic parties and movements is a global phenomenon. The authoritarian drift reflects, at least in part, the changing political economy of globalisation. New demands amongst elites have emerged as markets become more dependent on states, rents are prioritised, and beggar-thy-neighbour tensions set in at the level of the international economy. High regional and individual economic inequality has also fostered disenchantment with the status quo. These material factors combine with a cultural backlash¹¹⁷ against social liberalism—from the LGBT+ rights agenda to the advancement of women and racial minorities—amongst parts

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of the population. Taken together they create an impetus to authoritarian protectionism.

The snapshot analysis presented here has established several key findings:

- **Ideological coherence amidst diversity.** Authoritarian protectionism is a coherent ideological response to the pressures and incentives of the global order. Ethnonational partisan politics, use of conspiracy and governing practices based on autocratic centralisation and crony capitalism create a cohesive set of governing practices. However, these can, perhaps paradoxically, sit easily with actors and parties on the right, left or centre.
- **Mass civic resistance to authoritarian protectionism is occurring.** Five of the six cases reviewed in this report (Bulgaria, Czech Republic, Poland, Romania and Slovakia) have all seen mass movements of a historical scale in the last few years—which in most cases have been described as the biggest mobilisations the country has seen since 1989. Notably, following the Bulgarian street protests of 2020, Karakachanov’s far right bloc lost all their seats in the April 2021 elections. While Hungary has not seen this scale of street mobilisation, the push for unity amongst opposition parties and their success in the 2019 Budapest mayoral election also demonstrates that democrats are responding to the scale of the challenge Fidesz poses.
- **Proportional representation has, to a degree, counter-acted the rise of authoritarian protectionism.** The landscape of cases surveyed here underline the potential importance of anti-majoritarian electoral systems as having a counter-veiling effect on attempts at radical power-centralisation. Orbán’s move away from such a system provides a compelling illustration of this, which has implications for the pressures democracy is facing elsewhere in Europe and globally. In the UK context, for example, where the government is proposing to severely curtail the power of judicial review, and has put forward an asylum policy in breach of international humanitarian law, the system lacks the protection of proportionality that can partially offset and mitigate authoritarian tendencies amongst the executive.

- **The EU, Euro-parties and European governments have cultivated a tolerant atmosphere for authoritarian protectionism.** Action at the EU level to confront the democratic crisis has been lacking. The campaigning activity of small groups of MEPs has often had to make up for inertia in the institutions. With the partial exceptions of the intervention in the Polish crisis over judicial independence, and the recent push to link 'Next Generation EU' funding to rule of law compliance, there has been little sustained resistance to the rise of authoritarianism at an EU level. The 'tolerant atmosphere' is reflected in the composition of Euro-parties with the EPP, PES and ALDE (Bulgaria's DPS party) all having links to forces that we have discussed in this report. This also expresses how the new authoritarianism has become a normal part of domestic politics in many states.
- **How to break the coalition?** The importance of the social dimension. When facing hyper partisan ethnonationalist parties, which radically seek to change the rules of the game and distort fair competition, democratic parties and movements need to unite the part of society opposed to this authoritarian protectionism in a campaign of active resistance. 'Polarisation' should not therefore be lamented as a problem. When facing an attack on the democratic system, polarisation is desirable if the alternative is passive acceptance. Breaking up the authoritarian coalition requires understanding the source of their power. If the democratic alternative offers simply a return to 'progressive neoliberalism', it will not be able to address the social inequalities that have often underpinned the authoritarian ascent. ■

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