

**Case study**  
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# **The rise of the far right: Hungary and Poland**

## Introduction

Fidesz came to power in 2010 on the back of a popular backlash against austerity and the disastrous outcomes of the ‘transition’ process. In the decade that has passed since that first election, Orbán has presided over the fundamental transformation of Hungarian society. But although he pledged to overturn neoliberalism and austerity, his regime has in fact deepened it in many ways. For example, Orbán’s tax policies have been purposely designed to benefit the most well off. Only a few short months into his first term, Orbán introduced a series of reforms that replaced Hungary’s progressive income tax system with a regressive 16 per cent flat tax rate. The government’s attitude to corporations has also evolved in a more neoliberal direction. While the state has engaged in partial nationalisation and worked to cultivate a national business class – increasingly synonymous with handing public monies and tenders to loyal politicians and oligarchs – this has been accompanied by the introduction of Europe’s most generous corporate welfare systems for multinationals. Since 2017, Hungary has had a flat corporate rate of 9 per cent, the lowest in the EU.<sup>1</sup> It has also emerged as the highest-spending member state on corporate subsidies, the bulk of which is going to German car manufacturers such as Audi, Mercedes and BMW.<sup>2</sup>

Since 1989, and especially since the 2004 EU accession round, German capital has invested heavily in Visegrád countries (Czech Republic, Hungary, Poland, Slovakia) because of their geographical proximity, low labour costs (one quarter of German levels), labour market ‘flexibility’ and weak trade unions. Trade union density in Hungary is under 10 per cent, spread across five federations, and Orbán has worked closely with business interests to introduce legislation that promotes flexibilisation while diminishing the rights of workers and trade unions. Institutional guarantees to collective bargaining have been weakened, tripartite labour relations bodies abolished and restrictions have been placed on the right to strike, contributing to a steady decline in industrial action.<sup>3</sup>

As of 2019, Hungary had one of the highest scores in the EU in terms of employment flexibility.<sup>4</sup> This came with the adoption of a controversial ‘slave law’ that allows companies to demand 400 hours of overtime per year, for which payment can be delayed for up to three years. The ‘slave law’ was widely understood to be a response to growing labour shortages caused by the absorption of workers into public works programmes, Orbán’s restrictive immigration policies and high levels of emigration to the West. Significantly, many argue that this spike in emigration has been fuelled by the government’s decision to

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<sup>1</sup> Stubbs P and Lendvai-Bainton N (2019). ‘Authoritarian Neoliberalism, Radical Conservatism and Social Policy within the European Union’, p 548.

<sup>2</sup> Ede Z (2019). “Tízmilliókkal tömi ki a kormány a multikat minden új munkahely után”. *Index*, 5 August 2019. Available at: [https://index.hu/gazdasag/2019/08/05/multi\\_penz\\_ekd\\_tamogatas\\_bosch\\_audi\\_bmw/](https://index.hu/gazdasag/2019/08/05/multi_penz_ekd_tamogatas_bosch_audi_bmw/).

<sup>3</sup> Szabó I (2017). *Hungary: inertia of the old actors, constrained innovation from the new*. ETUI. Available at: <https://www.etui.org/sites/default/files/Hungary%20inertia%20of%20the%20old%20actors.pdf>.

<sup>4</sup> Stubbs and Lendvai-Bainton, *op cit*, p 548.

embrace austerity, with significant cuts to health, education and social welfare resulting in falling living standards for the mass of the population.<sup>5</sup>

The radical retrenchment of Hungary's social welfare provisions has also signalled a shift towards a punitive 'workfare state'. 'Family', 'work', 'order', 'nation' – the values written into the new Hungarian Constitution – provide the guiding framework for this 'workfare' system, where the unemployed are forced to carry out hard labour, often under police supervision. In addition, Hungary's system is based on the racialisation of poverty, since the Roma are disproportionately impoverished and excluded from the labour market.<sup>6</sup> Similarly, the decision to enshrine the criminalisation of homelessness in the Constitution is targeted mainly at subordinating those on the margins of society – migrants, refugees and the Roma, who constitute a disproportionate percentage of the homeless population. While clear parallels can be drawn between this system and those introduced in other European states, there is little doubt that Orbán's government is at the forefront of instituting a new carceral order.

## Anti-immigration rhetoric and practices

Orbán's targeting of the Roma population, which includes segregated housing and education, forms part of a broader strategy "to steer popular sentiments of dispossession and disenfranchisement against internal and external 'enemies'".<sup>7</sup> In 2015, amid a worsening 'refugee crisis', Orbán moved to sharply criticise the EU's immigration policy and stoke fears about a largely unknown 'other', presenting himself as the defender of Christian Europe. He warned that those fleeing the Middle East and Syria were not refugees, but economic migrants and terrorists sent by Islamic State to wreak havoc and spread disease. Measures to restrict immigration were presented as necessary to protect the Hungarian "way of life, our culture, our customs and our Christian traditions". This rhetoric had an enormous impact on public opinion, helping to create a permissive environment for measures targeting refugees. These measures included the erection of a large razor wire fence along its borders with Croatia and Serbia, patrolled by soldiers with the authority to use deadly force; laws to make it easier to reject asylum applications and to criminalise illegal entry; and new powers to push migrants back across the border without the need for arrest or due process.<sup>8</sup>

<sup>5</sup> Pogátsa A and Fabry A (2019). "Viktor Orbán is finally under siege". *Jacobin*, 2 February 2019; Stubbs and Lendvai-Bainton, *op cit*, pp 550–1; Finnsdottir MS (2019). "The costs of austerity: labor emigration and the rise of radical right politics in Central and Eastern Europe". *Frontiers in Sociology*, vol 4, article 69.

<sup>6</sup> Fekete L (2019). *Europe's Fault Lines: racism and the rise of the right*. London & New York, p 99; Fabry A (2018). "Neoliberalism, crisis and authoritarian-ethnicist reaction: the ascendancy of the Orbán regime". *Competition and Change*, vol 23, no 2, p 174.

<sup>7</sup> *Ibid.*, p 167.

<sup>8</sup> Livingston L (2020). "Understanding Hungary's authoritarian response to the pandemic". *Lawfare*, 14 April 2020. Available at: <https://www.lawfareblog.com/understanding-hungarys-authoritarian-response-pandemic>; Gyollai D (2018). *Hungary: Country Report: Legal & Policy Framework of Migration Governance*. Working Papers – Global Migration: Consequences and Responses, Paper 2018/05 (May 2018), pp 8, 24–9. Available at: <http://uu.diva-portal.org/smash/get/diva2:1248319/FULLTEXT01.pdf>.

Even after a dramatic reduction in the number of people seeking entry to Hungary, Orbán kept the issue alive in speeches, in the media and through government-sponsored propaganda. The government launched a ‘Stop Soros’ campaign that combined anti-immigration rhetoric with antisemitic tropes, depicting Soros as conspiring with Brussels to ‘flood’ Europe with refugees. Not only did the government force the closure of the Soros-funded Central European University, but in 2018 a Stop Soros law was introduced, criminalising individuals or organisations that help migrants gain status and imposing a 25 per cent tax on all NGOs that portray immigration in a positive light.<sup>9</sup> This has continued to the present day, with Orbán using the pandemic as an opportunity to further scapegoat migrants and indefinitely suspend the right to asylum.<sup>10</sup>

## Radical conservatism and culture wars

In right-wing Hungary and Poland, the ratcheting up of anti-immigrant and anti-refugee politics has been closely linked with a renewal of radical conservatism and escalating culture wars. One mark of Orbán’s success is that he has managed to implant Christian-national ideas in the official state vision for Hungary, a country with historically low levels of religious observance. The Hungarian Constitution, enacted in early 2011, is peppered with references to ‘God’, the ‘Holy Crown of St. Stephen’, the ‘fatherland’ and ‘traditional’ family values, inserting religious rhetoric and practices into all aspects of public life and policy-making.<sup>11</sup> This has brought far-reaching changes in a relatively short space of time: religion has become a foundational aspect of citizenship studies; faith-based organisations now occupy a central role in schools and the provision of care services; and new faith-based universities have been established with generous state funding.<sup>12</sup>

Anti-feminist and anti-LGBT+ framings have also been mainstreamed in public discourse and government policy. Gender studies and feminist studies have been banned in universities, and the government has refused to ratify the 2011 Istanbul Convention to combat violence against women, arguing that it promotes “destructive gender ideologies” and “illegal immigration”.<sup>13</sup> Orbán’s government has increasingly turned to anti-LGBT+ rhetoric in a bid to shore up support. Most recently, the government has banned legal gender recognition for transgender and intersex people, and proposed legislation that would permit only opposite-sex couples to adopt. This is widely seen as part of a strategy to appeal to Orbán’s conservative nationalist base in the midst of a pandemic that has, as of

<sup>9</sup> Livingston, *op cit*.

<sup>10</sup> Monella LM and Palfi R (2020). “Orban uses coronavirus as excuse to suspend asylum rights”. *euronews*, 3 March 2020. Available at: <https://www.euronews.com/2020/03/03/orban-uses-coronavirus-as-excuse-to-suspend-asylum-rights-in-hungary>.

<sup>11</sup> Fabry (2018), *op cit*, p 176.

<sup>12</sup> Stubbs and Lendvai-Bainton, *op cit*, pp 549–50.

<sup>13</sup> Agence France-Presse (2020). “Hungary’s parliament blocks domestic violence treaty”. *Guardian*, 5 May 2020. Available at: <https://www.theguardian.com/world/2020/may/05/hungarys-parliament-blocks-domestic-violence-treaty?fbclid=IwAR2g-YKeEMHgclXQcp6bzSs4Q5nS3AZ72HKzJoCOvfFKWAel1f1HATxdx-0>.

November 2020, left Hungary with the third highest death rate in Europe and facing into a major economic crisis.<sup>14</sup>

Poland has followed a similar path in the short five years that Jarosław Kaczyński's ultraconservative Law and Justice (PiS) party has been in office, first as a single-party government (2015–19) and since 2019 with the support of junior partners. With the backing of the still-powerful Church, the PiS has sought to align government policy with Catholic teaching and (re)assert the link between Polish national identity and Catholicism. In the area of socio-economic policy, for instance, the government's expansionary welfare programmes have been oriented to promote 'family values'.<sup>15</sup> But it is in the sphere of gender politics and social rights that the Polish government has most clearly demonstrated its radical conservatism. A campaign against 'gender ideology' was a key aspect of the 2015 election, leading the PiS to make commitments to restrict sexual and reproductive rights. Since then the intensification of state and church-sponsored anti-LGBT+ rhetoric has created a climate in which violent attacks and 'LGBT-free zones' are more prevalent, with the EU now asking questions as to whether these zones are violating European laws on minority rights. Meanwhile, in a bid to boost the coalition and mobilise the party rank and file, the PiS has recently deployed the constitutional court to introduce an effective ban on abortion, sparking a new wave of protests across the country.<sup>16</sup>

Culture wars are also being played out on the battlefield of historical memory. For the past decade Orbán's government has been steadily rewriting the country's national history to portray Hungary as the victim of Nazi occupation and rehabilitate the antisemitic regime of Miklos Horthy (1919–44), which collaborated with Hitler and participated in the murder of some 500,000 Hungarian Jews. This politicisation of Horthy's reign is part of an effort to connect with Hungary's pre-communist past and construct a particular understanding of the Hungarian nation. Statues have been erected in honour of politicians linked to Horthy, laws have been introduced criminalising the insulting or demeaning of national symbols, and the Veritas Research Institute and Archive has been established to promote a revisionist and right-wing version of Hungarian history.<sup>17</sup> Even the school curriculum has

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<sup>14</sup> Szijarto I and Schwartzburg R (2020). "Viktor Orbán is using the coronavirus emergency to crush minorities". *Jacobin*, 8 April 2020. Available at: <https://jacobinmag.com/2020/04/viktor-orban-coronavirus-pandemic-hungary-authoritarianism/>; Batchelor T (2020). "Hungary proposes ban on same-sex adoption as critics accuse Orban of distracting from pandemic". *Independent*, 11 November 2020. Available at: <https://www.independent.co.uk/news/world/europe/hungary-gay-adoption-same-sex-ban-viktor-orban-b1721039.html>

<sup>15</sup> Konat G (2019). "How Poland's failed transition fed the nationalist right". *Jacobin*, 4 November 2019. Available at: <https://jacobinmag.com/2019/11/poland-law-justice-party-pis-austerity-neoliberalism>.

<sup>16</sup> Wigura K and Kuisz J (2020). "Poland's abortion ban is a cynical attempt to exploit religion by a failing leader". *Guardian*, 28 October 2020. Available at: <https://www.theguardian.com/commentisfree/2020/oct/28/poland-abortion-ban-kaczynski-catholic-church-protests>.

<sup>17</sup> Fekete, op cit, p 100; Schwartzburg R and Szijarto I (2019). "The ghosts of a fascist past". *Jacobin*, 26 January 2019. Available at: <https://jacobinmag.com/2019/01/hungary-fidesz-viktor-orban-memory-history>.

been rewritten to reflect a particular right-wing nationalist narrative, leading teachers to protest with slogans such as 'I will not teach fascism'.<sup>18</sup>

For its part, the PiS has focused principally on the reconstruction and regulation of public memory through the law. The so-called decommunisation law enacted in 2016 provided for the dismantling of communist-era monuments and the renaming of streets, while the 'Holocaust law' of 2018 sought to penalise statements that implied Polish participation or complicity in Nazi crimes. Though it has since been watered down, this "prejudice-mongering" law has had a polarising impact on Polish society, feeding deeply entrenched views of the country's national history.<sup>19</sup>

## Democracy and the rule of law

The authoritarian drift of Hungary and Poland under their respective governments has been most evident where the functioning of democratic institutions and rule of law is concerned. Following his election in 2010, Orbán wasted no time in appointing friends and loyal party apparatchiks to key posts including President of the Republic, the State Audit Office and the Constitutional Court, as well as top positions in cultural and educational institutions. In the first 18 months of its mandate, the Orbán government passed some 363 laws to restructure the state's major public institutions and cement its position, including substantial reforms to the judicial system, central bank and electoral system. The government also established the National Media and Info-communications Authority, whose five-member council is elected by the Fidesz-dominated parliament, with the power to deny media outlets a licence and impose fines on journalists and media outlets for publishing "improper" articles. In addition, the Orbán regime decided to strengthen the repressive apparatus of the state by establishing a new counter-terrorism force, the TEK, which effectively functions as Orbán's private army.<sup>20</sup>

It is clear that conditions in Hungary have deteriorated significantly over the past number of years, not just with regard to Orbán's rhetoric but in different areas relating to democracy, the rule of law and equality. The World Justice Project's annual Rule of Law Index has established that in Hungary respect for the rule of law was worse overall in 2019 than in 2015, especially when it came to constraints on government powers (ie checks and balances) as well as equal treatment and non-discrimination.<sup>21</sup> Observers from the

<sup>18</sup> Dunai M (2020). "Hungarian teachers say new school curriculum pushes nationalist ideology". *Reuters (UK)*, 4 February 2020. Available at: <https://uk.reuters.com/article/us-hungary-politics-teachers-protests/hungarian-teachers-say-new-school-curriculum-pushes-nationalist-ideology-idUSKBN1ZY28Y>.

<sup>19</sup> Bucholc M and Komornik M (2019). "The Polish 'Holocaust Law' revisited: the devastating effects of prejudice-mongering". *Cultures of History Forum*, 19 February 2019. Available at: <https://www.cultures-of-history.uni-jena.de/politics/poland/the-polish-holocaust-law-revisited-the-devastating-effects-of-prejudice-mongering/>.

<sup>20</sup> Fabry (2018), *op cit*, p 175.

<sup>21</sup> Cited by Ian Bond and Agata Gostyńska-Jakubowska, *Democracy and the Rule of Law: failing partnership?*. London/Brussels/Berlin, January 2020, p 4. Available at: [https://www.cer.eu/sites/default/files/pbrief\\_ruleoflaw\\_17.1.20.pdf](https://www.cer.eu/sites/default/files/pbrief_ruleoflaw_17.1.20.pdf).

Organization for Security Co-operation in Europe (OSCE) found that Hungary's 2018 elections "were characterized by a pervasive overlap between state and ruling party resources, undermining contestants' ability to compete on an equal basis", and expressed particular concerns with the level of intimidating and xenophobic rhetoric, media bias and opaque campaign financing.<sup>22</sup>

Media ownership has become highly concentrated and fallen under political direction. Not only does the public media have a clear pro-government bias, but it is estimated that 90 per cent of all media is now directly or indirectly controlled by Fidesz. The Media Pluralism Monitor, a risk assessment tool measuring media pluralism in Europe, has deemed Hungary to be 'high risk' when it comes to media and the democratic electoral process.<sup>23</sup> Hungary has also steadily dropped down the World Press Freedom Index rankings since Orbán returned to power, from 56<sup>th</sup> (out of 180) in 2013 to 89<sup>th</sup> today.<sup>24</sup>

The coronavirus crisis has provided Orbán with the opportunity – and the necessity – to further consolidate his grip on power. Under the cover of the pandemic he has pushed through pet projects, expanded Fidesz's control of the arts and legislated jail terms for those convicted of 'spreading falsehoods' relating to Covid-19. In March, a 'Coronavirus Law' was introduced that declared a state of emergency, allowing Orbán to rule by decree. Although the state of emergency has ended, the government has retained a legislative provision that would enable it to rule by decree in future public health emergencies.<sup>25</sup>

Orbán has spent the past few years battling away the criticisms of human rights organisations and EU bodies, which have censured his government several times to little effect. However, tensions between Budapest and Brussels have now intensified following the launch of the European Commission's inaugural Rule of Law Report, which levies heavy criticisms at the Hungarian government while expressing serious concerns about the erosion of judicial independence in Poland.<sup>26</sup> Crucially, this comes at a time when the European Parliament and European Council are in negotiations to link the distribution of EU funds to respect for the rule of law – something Hungary and Poland have so far managed to resist. How this dispute plays out will not only determine whether the EU budget and

<sup>22</sup> OSCE (2018). *Hungary: parliamentary elections 2018*. ODIHR Limited Election Observation Mission Final Report, Warsaw, 2018, p 1. Cited by Lili Bayer, "How Orbán broke the EU – and got away with it". *Politico*, 24 September 2020. Available at: <https://www.politico.eu/article/how-viktor-orban-broke-the-eu-and-got-away-with-it-hungary-rule-of-law/>.

<sup>23</sup> Bogнар E, Batorfy A and Dragomir M (2018). *Monitoring Media Pluralism in Europe: application of the media pluralism monitor 2017 in the European Union, FYROM, Serbia & Turkey. Country Report: Hungary*. Florence, 2018. Available at: [https://cadmus.eui.eu/bitstream/handle/1814/61143/2018\\_Hungary\\_EN.pdf?sequence=1&isAllowed=y](https://cadmus.eui.eu/bitstream/handle/1814/61143/2018_Hungary_EN.pdf?sequence=1&isAllowed=y).

<sup>24</sup> Reporters Without Borders (RSF) World Press Freedom Index, Hungary. Available at: <https://rsf.org/en/hungary>.

<sup>25</sup> Szijarto and Rosa Schwartzburg (2020), *op cit*. Gall L (2020). "Ending Hungary's state of emergency won't end authoritarianism". *Human Rights Watch*, 29 May 2020. Available at: <https://www.hrw.org/news/2020/05/29/ending-hungarys-state-emergency-wont-end-authoritarianism>.

<sup>26</sup> Didili Z (2020). "European Commission unveils its first-ever EU27 Rule of Law Report". *New Europe*, 1 October 2020. Available at: <https://www.neweurope.eu/article/european-commission-unveils-its-first-ever-eu27-rule-of-law-report/>.



coronavirus recovery package secures approval but will also have a major bearing on the future direction of the EU project.