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### Kacyński's Poland and Orbán's Hungary

# Different Forms of Autocracy with Common Right-Wing Frames in the EU

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Abstract: This paper discusses the regimes of Jarosław Kaczyński in Poland (2015–) and Viktor Orbán in Hungary (2010–) from the perspective of a curious paradox: they are very different in functioning but adhere to right-wing ideological frames that are very similar. First, we argue for a dual-level approach to understanding the formal and informal nature of these regimes, and we identify Poland as a conservative autocratic attempt and Hungary as an established patronal autocracy. After a comparative analysis of the two systems, we analyze the regimes' common ideological frames and explain how legitimacy panels fit the purposes of an ideology-driven regime (Poland) and an ideology-applying one (Hungary). Finally, the analysis is used to explain the divergent responses of the Polish and the Hungarian regimes to the 2022 Russian invasion of Ukraine, which also brought the mutual relations of the two de-democratizing countries in the European Union to a breaking point.

Keywords: Poland, Hungary, European Union, de-democratization, conservatism, patronalism

#### Introduction

Since the collapse of their respective communist regimes, Poland and Hungary have been going with the stream of history in the eyes of political scientists. In the 1990s, when "transitology" assumed a linear movement from dictatorship to liberal democracy, the consolidation of democratic institutions and swift transition to market economy in the two countries indicated that they were indeed fulfilling the teleological goal of Western development (Kopecký and Mudde 2000). In the 2010s, as "hybridology," or the study of hybrid regimes, observed the surge of illiberal forces around the globe, the regimes instituted by Jarosław Kaczyński in Poland and Viktor Orbán in Hungary became widely cited as examples of illiberalism and democratic backsliding (Bernhard 2021; Grzymala-Busse 2019). Poland and Hungary are also discussed together as the two "black sheep" of the European Union (Sedelmeier 2017). While the two countries joined the EU together on May 1, 2004, their current political leaderships—until the 2022 Russian invasion of Ukraine—coalesced on the international political scene to

advance their respective projects of violating the rule of law (Holesch and Kyriazi 2022). Both Orbán and Kaczyński adhere to right-wing nationalism (Csehi and Zgut 2021) and speak about protecting Christian conservative values such as religion and the traditional family (Grzebalska and Pető 2018).

Being part of the inaugural issue of the *Journal of Right-Wing Studies*, this paper will place the emphasis on a curious paradox: common right-wing ideological frames can be used by regimes that are, indeed, highly dissimilar. On the one hand, there are autocratic developments in the two countries. Interpreting the events on a simple democracy-dictatorship axis, it can be said that both regimes have moved from the liberal democratic pole in the direction of more oppressive systems, characterized by a tendency to eliminate autonomous social forces and to use control mechanisms under right-wing ideological frames. On the other hand, a more complex view that expands the scope of inquiry from the formal institutional setting to that of informal political-economic structures reveals that beneath the similarities on the surface these are attempts at establishing different types of autocratic regimes. Orbán's regime, which we define as a *patronal autocracy*, is built on the twin motivations of power centralization and accumulation of personal wealth, and the subject of its power is not Orbán's party, Fidesz, but an informal patronal network freed of the limitations posed by formal institutions. Kaczyński's regime is better described as a conservative autocratic attempt driven by ambitions for power and ideological inclinations, where the active subject of the Polish autocratic attempt is the ruling right-wing party, the PiS (Law and Justice). While the Hungarian regime uses ideology as a cover, the Polish one is more ideology driven.

In section 1, we give an overview of the ascension to power of Kaczyński and Orbán, and we use the conceptual triad of autocratic attempt, breakthrough, and consolidation to explain the different extent of de-democratization in Poland and Hungary. This is expanded in section 2 into a dual-level approach that leads us to analyze a series of differences between the Kaczyński and Orbán regimes.¹ Section 3 is devoted to the issue of common ideological frames of different forms of autocracy, as well as to an international event that put the two regimes at a crossroads both ideologically and functionally: the 2022 Russian invasion of Ukraine. The wedge driven between the Kaczyński and Orbán leaderships reflects the deeper character of their regimes, which was forced to the surface by the war. Understanding that character, as well as the context of the emergence and functioning of the Polish and Hungarian autocracies, reveals key forces behind democratic backsliding in Central Eastern Europe, and it contributes to a more realistic analytical framework for these processes.

<sup>1</sup> The comparative framework of regimes used here is developed in our book, *The Anatomy of Post–Communist Regimes* (Central European University Press, 2020). The book is open access and can be downloaded from our website: https://www.postcommunistregimes.com.

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# Antecedents: The Defeat of the Polish Government Parties and the Collapse of the Third Hungarian Republic

In Hungary, the left-liberal coalition of MSZP (Hungarian Socialist Party) and SZDSZ (Alliance of Free Democrats) came to power in 2002. The electoral program of "welfare regime change" involved a spending spree that increasing indebtedness made unsustainable, leading to policies of halfheartedly accepted austerity (Bokros 2014). In contrast to the logic of János Kádár's communist regime before 1989—in which harsh reprisals and sanctions applied a single time were followed by the politics of continual, incrementally introduced little "rewards," concessions, and improvements in living standards—in this case a one-time allowance, which could be forgotten in a few months, was followed by a constant policy of austerity. This undermined faith in the future of the government and its credibility.

The concept of "welfare regime change," used in Hungary, is unknown in Poland. There, essentially three right-wing or center-right governments carried out shock therapy reforms: the Mazowiecki government in 1990, with Leszek Balcerowicz as finance minister; the Buzek government (1997–2001), in which Balcerowicz was deputy prime minister and finance minister; and finally, the first government formed by the PiS (2005–2007), when new radical changes were introduced in the battle against corruption, for lustration, and to "clean up" the secret services (Balcerowicz 2014). The leading politicians and intellectuals/experts of the PiS, in government between 2005 and 2007, and the Civil Platform (PO), in government from 2007 to 2015, were all the legacy of the Mazowiecki and Buzek governments. The Polish right wing has believed in the free market and capitalism right from the start.

Following the failure of the first PiS government, the coalition of the center-right Civil Platform and the agrarian Polish People's Party (PSL)—ideologically nationalistic, economically slightly left leaning—formed a government in 2007. The following calm and predictable world of Polish politics (Szczerbiak 2013) was in sharp contrast to Hungary, which then saw a great deal of political turmoil. A few months after the reelection of the MSZP-SZDSZ coalition in 2006, a speech given by Hungarian Prime Minister Ferenc Gyurcsány to the MSZP faction was leaked. In this infamous "Őszöd speech," Gyurcsány admitted the manipulation of budget deficit figures, causing an irreparable breach of confidence. The violent antigovernment protests that erupted in the aftermath, and the police reaction to them, were merely the prelude to a period of cold civil war, which composed the essence of Fidesz's politics in opposition (Pappas 2014).

Fidesz's strategy of cold civil war in opposition replaced the necessary consensus that had been built into the constitutional order with a politics of bribery and liquidation. On the one hand, Fidesz did not support systemic reforms requiring a two-thirds

<sup>2</sup> This section is partly based on Magyar (2019).

majority in the parliament, regardless of whatever compromise they may have included; on the other hand, when it came to the election of heads or members of the institutional control mechanisms of liberal democracy, they either approved the appointment of their own nominee or paralyzed the operation of the institution by denying their cooperation. Going beyond the—at times, justly critical—tenor and norms of political battles until then, Fidesz used communications tools of character assassination and the prosecutor's office (led by an Orbán loyalist) to conduct campaigns to demonize government politicians.

In Poland, the defeat of the PO-PSL government in 2015 was a surprise to everyone, and it was due to the fact that significant social groups were left out of economic growth in small cities, villages, and the eastern regions. But the government left a prosperous economy and an internationally respected Poland. In Hungary, the erosion of the ability to govern, followed by the loss of credibility and paralysis of the governing parties, the revelation of cases of corruption, the economic crisis of 2008, and the political climate of cold civil war, finally brought about the collapse of the third republic (Magyar 2016)

#### Autocratic Change: Stages and Factors in the Breakdown of Democracy

Both Kaczyński and Orbán came to power with regime-changing ambitions. This was reflected in their rhetoric just as much as in their deeds, already during their first premierships. When Orbán came to power in 1998, he summed up his goals in the campaign slogan "more than change of government, less than change of regimes," and in the expression "all-out attack" (Sárközy 2019, 62–65). From 2005, the PiS, led by Jarosław Kaczyński and his brother Lech Kaczyński, were speaking about the need to build a "fourth republic" by placing the country on new moral foundations (Millard 2006).

In a consolidated democracy, a change in government means a change in the direction of state policies while keeping democratic institutions intact. The party system may be divided by deep cleavages, and the parties may conduct fiery debates on policy issues in which they hold opposing ideological (right-wing or left-wing) positions. But they do so within the framework of liberal democracy: they question each other's policies, not their opponents' legitimacy; and they accept the legitimacy of the system as well, adhering to the constitutional rules of the political arena. Regime-changing rhetoric, however, indicates the objective of changing the "rules of the game" and therefore is a sign of democratic deconsolidation (Morlino 2019). In the cases of Poland and Hungary, the electoral victories of Jarosław Kaczyński and Viktor Orbán were followed by a breakdown of democracy, albeit to different degrees.

The erosion of liberal democracy can be divided into three stages: autocratic attempt, autocratic breakthrough, and autocratic consolidation (see table 1). First, an *autocratic attempt* involves a series of formal institutional changes aiming at the systemic transformation of a democracy to an autocracy. Using their democratic mandate, the autocrat attempts to connect the branches of power by (a) strengthening the power of

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the executive, (b) narrowing the competences of other branches and local governments, and/or (c) replacing their members with party loyalists (in more bureaucratic systems) or personal clients (in more personalist, patronal systems). Changes in this direction can be listed as follows (Kis 2019; Scheppele 2018):

- court packing, especially of the constitutional court (to ensure that no major public decisions are declared unconstitutional and nullified);
- replacing the heads of civil courts, weakening the judiciary, and transferring a significant part of their powers to a subordinate office of the government (to decrease the chances of citizens seeking redress for their violations of power);
- taking over legal prosecution with loyalists (to ensure politically selective law enforcement);
- changing the rules on the appointment, promotion, and possible replacement of civil servants (to be able to institutionalize a nepotistic system of rewards and punishments);
- weakening of local governments (to centralize their competences in an effort to further weaken the separation of powers);
- rewriting electoral rules one-sidedly, including gerrymandering and making the electoral rules more majoritarian (to facilitate future electoral victory);
- changing the constitution to expand the competences of the executive, president, or prime minister (to strengthen the autocrat's position).

The success of an autocratic attempt depends on mainly one factor: whether the autocrat succeeds in attaining a monopoly of political power, typically by winning the elections with a supermajority. Such power is required for changing "the rules of the game," that is, the constitution or so-called organic laws that define how the formal institutional setting will work. Acquiring such political power allows the autocrat to carry out a constitutional coup (Vörös 2017). Unlike a military coup, a constitutional coup maintains legal continuity, and the autocrat does not de jure eliminate the separation of powers. But they connect the branches through their appointments in a single vertical of vassalage, gaining neopatrimonial control over the state (Fisun 2019). This is the point, after an autocratic attempt, where we can speak about an *autocratic breakthrough*.

The third and final step is *autocratic consolidation*. This may happen only if the autocrat can disable what is described in Magyar and Madlovics (2020) as the second defensive mechanism of democracy: the autonomy of civil society, defined broadly as the autonomy of media, entrepreneurs, NGOs, and citizens, which is subjugated through the power of the state.<sup>3</sup> The autonomy of these groups is a sociological guarantee against autocracy because they represent alternative resources that can be the basis for the emergence of alternative centers of power. Autocratic consolidation means breaking these autonomies, and therefore cutting the social foundations for an effective opposition to arise.

The autocrat successfully disables				
	First defensive mechanism of democracy (separation of branches of power)	Second defensive mechanism of democracy (autonomy of civil society)		
Autocratic attempt	-	-		
Autocratic breakthrough	x	-		
Autocratic consolidation	x	x		

**Table 1.** Different levels of autocratic change. Source: authors' construction.

The difference between the Polish and the Hungarian autocratic developments is that of autocratic attempt versus autocratic breakthrough, respectively. The difference can be captured quantitatively by indicators such as the V-Dem Institute's rule of law index and the World Justice Project's measure of constraints on government powers.

<sup>3</sup> See https://www.postcommunistregimes.com/seminar/lecture6/.

Both measures range from 0 to 1, with higher scores indicating stronger rule of law and stronger constraints on power, respectively. Looking at the periods of rule of Kaczyński and Orbán, the rule of law index shows a decrease from 0.94 to 0.76 in 2015–2021 in Poland, and a decrease from 0.88 to 0.64 in 2010–2021 in Hungary. This means a decrease of 19.1% and 27.3%, respectively. The difference in the extent of de-democratization in the two countries is even more striking in the constraints on government powers. In 2019, Poland's score was 0.58, making it 50th among 121 countries (close to Romania and Georgia), while the same number in Hungary was 0.41, putting it in 103rd place (close to Russia and Kazakhstan) (Kaiser 2021; WJP 2019).

On the institutional level, the difference is explained by two crucial factors: the presence, in Poland, of divided executive power and a proportional electoral system. Established during the regime change, Hungary's political institutions were largely based on Germany's chancellor democracy (*Kanzlerdemokratie*), with a unicameral parliament, constructive vote of no confidence, a relatively extensive system of organic laws, and the prominent role of prime minister (Körösényi, Tóth, and Török 2007). In contrast to this setup with the undivided power of the executive, a system with divided executive power like the Polish one can offer more institutional possibilities for competing networks to keep each other in check, establishing more democratic conditions as they settle around the positions of president and prime minister as key seats of executive power. Similarly, a proportional electoral system is normally able to make sure that no single political actor acquires a supermajority or the exclusive opportunity to decide who staffs the key institutions of the system of checks and balances.

In Poland, the regional list electoral system resulted in a relatively proportional distribution of mandates in 2015. PiS won the elections with 37.6%, gaining a 51% majority in the Sejm. The results were distorted in favor of PiS by the fact that the United Left did not win mandates in spite of achieving 7.6%; if the Democratic Left Alliance (SLD) had alone been on the ballot, PiS would not even have got a majority in the Sejm. Nevertheless, even with this distorted distribution of the mandates, PiS was made capable of a change of government, but it was not able to completely appropriate political power. A change of constitution (requiring, unlike in the Hungarian system, the support not of two-thirds of all the members of parliament but only of those present) would have required some extreme manipulation. Appointments in the institutions of political control, however, do not require a two-thirds consensus, and the limits for changes are set rather by the fixed terms of their appointment. At the same time, as the Polish political system has no organic laws, it has more leeway in broader changes to the system, though all such changes can be just as easily undone by a new government.

In Hungary, the mixed electoral system effective until 2011 (a single-chamber parliament of 386 seats could be filled by 176 representatives elected from single-member constituencies, a minimum of 58 mandates from the national list, and a maximum of 152 seats from the regional lists) made it possible for Fidesz to secure a two-thirds majority in parliament with only 53% of the votes in 2010, providing it with practically unlimited political power. On the one hand, it could alone rewrite

the constitution (which it did in 2011, amending it eleven times since as its political needs dictated), and could pass any legislation as well. On the other hand, it was able to appoint the heads and other officials of the institutions meant to serve as balances of power in a liberal democracy (Constitutional Court, media authority, national council for control over courts, election oversight bodies, etc.) without any need for consensus with the opposition. The terms in office for numerous positions were also extended: the chief prosecutor and the president and members of the Media Council have terms of nine years, the president and vice president of the State Audit Office of Hungary are appointed for terms of twelve years each (Helsinki Committee 2021). Therefore, the systemic changes wrought by the Fidesz government are virtually irrevocable even if the government might be defeated, since the currently scattered opposition would be unable to gain a supermajority, and the people appointed by Fidesz will remain in their positions even after a change of government.

The Orbán regime changed electoral law as well, increasing the disproportionality of the system by redrawing the single-member constituencies, imposing shorter time periods for the collection of signatures required to stand for elections, introducing the one-round election system, forcing opposition forces to form a coalition prior to elections, extending the right to vote to ethnic Hungarians across the border, and so forth. These changes were crucial for Fidesz to secure its two-thirds majority in parliament in three subsequent elections (2014, 2018, and 2022), in the first case with only 44% of the vote (Magyar and Madlovics 2022b).

Changes to the Polish electoral law along the lines of the Hungarian changes are not allowed by the constitution, which demands proportionality. As a result, power machinations are limited mainly to the state-owned public media, which has been under increasing institutional and ideological control of the government (Kerpel 2017). Since the legal system forestalls the overthrow of the institutions of democracy and ensures a lack of the majority required to introduce a new constitution, the new regime turns to open violation of the constitution, or it modifies the old institutions in such a way as to be able to give positions to its own party loyalists (examples of this are alteration of the court system and the media) (Sadurski 2019). Yet these laws cannot be enshrined across terms of government.

#### Kaczyński's Conservative Autocracy and Orbán's Patronal Autocracy

# The Necessity of a Dual-Level Approach to Understanding Autocratic Change in Postcommunist Regimes

The presence or absence of monopolizing political power explains the difference in the extent of autocratic developments in Poland and Hungary. However, it does not explain the differences in their nature. Mainstream hybridology, which places Poland and Hungary in the same group of "illiberal" countries, rests on a hidden axiom, that of the coincidence of de jure and de facto positions (Magyar and Madlovics 2022a). This

already appears in the applied language, used for describing the regimes' phenomena. When an actor like Orbán is recognized as "prime minister," or Fidesz as a "ruling party," it is implicitly presumed that they can be described by their legal titles, and that the powers they have and the function they fulfill in the regime are those assigned to their de jure formal position in the constitution. In the case of regimes with a dominant presence of informal institutions (Hale 2015; Ledeneva 2013), these presumptions may be unjustified as the actors' formal position does not coincide with sociological reality. In mainstream hybridology, interpretation through the lens of impersonal institutions means that actors are recognized by their formal titles and competences granted to them by the institutional framework, whereas the effects of informal, personal, strongtie networks are seen as deviances, "bribery," "corruption," and so on. The regime's fundamental character is established by the impersonal institutional framework, and its deviations are recognized only to the extent they affect these institutions.

Dissolving the axiom of coincidence of de jure and de facto positions, we can replace such a single-level approach with a dual-level one necessary for the examination of postcommunist regimes. That is, we must consider both (1) the level of impersonal institutions, where we can talk about *democratic* or *antidemocratic transformation* in terms of de jure guarantees of rule of law and the separation of powers; and (2) the level of personal networks, where we can speak of a *patronal* or *antipatronal* transformation. Patronalism can be defined, as it appears in the postcommunist context, as "the personalized exchange of concrete rewards and punishments through chains of actual acquaintance," as opposed to "abstract, impersonal principles such as ideological belief or categorization like economic class" (Hale 2015, 9). Patronalism is also a vertical relation that involves inequality of power and a high degree of unconditionality between the participants involved, i.e., the patron and his client (Eisenstadt and Roniger 1980).

Table 2 summarizes the key dimensions by which postcommunist patronal relations can be distinguished from Western-type nonpatronal relations. First, postcommunist patronal relations are dominantly informal: they exist not by virtue of bureaucratic, legally defined dependence but the de facto power a patron disposes over and can use to extort their client. Second, nonpatronal relations involve normative rules and impersonally provided benefits or punishments to certain groups, while patrons in patronal relations select among actors on a personal and discretional basis. Rewards as well as punishments are meted out with the exclusive, personal authorization of the patron and by targeting the client directly.

	Nonpatronal	Patronal
Institutions	formal	informal
Regulations	normative	discretional
Authorization	collective	personal
Command	bureaucratic/ institutional chains	clientlist / personal chains

Table 2. Contrasting nonpatronal and patronal relations. Source: authors' construction.

Third, patronal systems place decision-making power into the hands of a single actor, the patron, and therefore authorization held or given in these systems is personal. This is in contrast to Western-type liberal democracies, which are characterized by collective authorization and decision-making (i.e., bodies decide instead of particular people) precisely to uphold impersonality and avoid arbitrary decision-making. Finally, in liberal democracies private or public organizations develop through bureaucratic, institutional chains with several levels of formally defined actors and corresponding procedures. In contrast, in patronal regimes the organizations characterized by informal patronal relations depend on clientelist, personal chains.

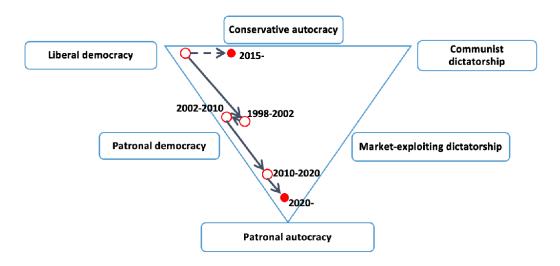
As a result of informal patronalism, actors who are de jure confined to the political sphere can act beyond their formal competences and exercise power in the other spheres where their clients are located. De facto, such actors act as members of an informal network that coexists with formal institutions, and they follow the unwritten norms and interests of the network rather than the expectations of the formal, constitutional order.

Going back to the two levels of transformation, we can say that, on the level of impersonal institutions, both Poland and Hungary have experienced antidemocratic transformation, although it has been fully realized only in the Hungarian case. This may be illustrated on the mainstream democracy-dictatorship axis (figure 1).



**Figure 1.** Kaczyński's Poland and Orbán's Hungary on the democracy-dictatorship axis. The Polish trajectory is a dashed line, the Hungarian a continuous line. Source: authors' construction.

This presentation implies that Poland and Hungary are walking the same path—as if the same process is taking place in both countries, and the de-democratizing difference between them is only quantitative. But going from a single-level to a dual-level approach, and considering the presence or lack of patronal transformation, it can be seen that democratic backsliding in the two regimes indeed follows qualitatively different trajectories (figure 2).



**Figure 2.** Modeled trajectory of the democratic backsliding of Poland and Hungary (1990–2022). The Polish trajectory is a dashed line, the Hungarian a continuous line. Source: authors' construction.

Mainstream concepts like "defective" and "illiberal democracy" recognize that the Hungarian and Polish regimes are no longer liberal democracies, but they fail to specify their nature on the level of personal networks. To embrace that level, we designed a triangular framework that keeps the democracy-dictatorship axis as its top side but expands it into a novel regime typology (Magyar and Madlovics 2020). First, we used Kornai's (2019) basic regime ideal types: *democracy*, where the government can be

removed through a peaceful and civilized procedure, and the institutions that guarantee accountability are well established; *autocracy*, where institutions that could guarantee accountability are weak; and *dictatorship*, where no legal parliamentary opposition exists (only one party runs for elections). These categories reflect the level of impersonal institutions. To capture personal networks as well, we doubled Kornai's triad into a six-regime typology: Western-type *liberal democracy*, based on pluralist power and the dominance of formal institutions (e.g., Estonia); *patronal democracy*, based on pluralistic competition but of patronal networks (e.g., Romania, Ukraine); *patronal autocracy*, dominated by a single-pyramid patronal network that breaks pluralism and embodies the unconstrained informal power of a chief patron in the political and economic spheres (e.g., Hungary, Russia); *conservative autocracy*, where the political sphere is patronalized but the economic sphere is not (e.g., Poland); *communist dictatorship*, which merged politics and the economy through the classical bureaucratic patronal network (e.g., the Soviet Union before 1989); and finally, *market-exploiting dictatorship*, which maintains a one-party system but operates the private economy in various forms (e.g., China).<sup>4</sup>

With these concepts, it can be said that Kaczyński's Poland represents a *conservative autocratic* attempt, while Orbán's Hungary, an established *patronal autocracy*. Conservative autocracy follows openly admitted conservative ideology, and formal, bureaucratic chains of dependence are built to subordinate the branches of power to the unrestricted implementation of this ideology. In contrast, a patronal autocracy follows its informal agenda of power monopolization and personal-wealth accumulation based on personal subordination and loyalty-based selection among political and economic actors.

While the Polish and the Hungarian trajectories move along the same horizontal axis in figure 1, adding the vertical dimension to their trajectories in figure 2 reveals the enormous qualitative difference between the two regimes. The triad of of phases of de-democratization explained above—autocratic attempt, breakthrough, and consolidation—can be seen on the democracy-dictatorship axis of figure 1: Hungary went further and experienced a higher *degree* of de-democratization than Poland. But the *nature* of this process was different in the two countries as well. The dual-level approach in figure 2 reveals that even if PiS managed to go beyond autocratic attempt, it would have resulted in antidemocratic transformation but not patronal transformation. Hungary's going beyond the autocratic attempt was different not only in degree but

<sup>4</sup> For an analysis of the countries in parentheses by this regime typology, see Magyar and Madlovics 2022a (193–251).

<sup>5</sup> The trajectories are created, and the direction and size of the arrows is defined, by the analysis of eleven dimensions. The process of pinpointing is explained on our website: https://www.postcommunistregimes.com/appendix/. An interactive model of the complete trajectories of Hungary, Poland, and ten other countries can be found here: https://www.postcommunistregimes.com/trajectories/.

in its nature as well, as its antidemocratic transformation was carried out by a patronal actor.<sup>6</sup>

Figure 2 also reveals that democratic backsliding started earlier in Hungary, during the first government of Viktor Orbán (1998–2002). His rule back then already showed signs of an autocratic attempt as well as patronal transformation, breaking the autonomy of formal institutions (Sárközy 2012) and building an informal patronal network in the economy with powerful inner-circle oligarch Lajos Simicska, who was also made head of the tax office in 1998–1999 (Magyar 2001). Orbán would have succeeded had he had a two-thirds majority, that is, monopoly of political power. Thus, the democratic institutional system in this period was eroded, but it was nevertheless upheld—more or less—by the country's constitution and so-called "basic laws" that require a supermajority.

In 2002–2010, Hungary did not go back to liberal democracy but maintained a fragile equilibrium of patronal democracy. Fidesz retained informal dominance in the Prosecutor's Office, State Audit Office, and the Constitutional Court. President László Sólyom—who had weak formal powers—was also closer to Fidesz on an ideological basis than to the governing coalition. Orbán's network collaborated with the rival government forces, evoking a friendly sense of "trench truce." This has been widely recognized by the term "70/30," which meant that the illegitimate resources acquired (or simply acknowledged) in common would be divided, with 70% going to the governing party and 30% to the opposition (Mong 2003). Yet until 2010 neither access to resources nor means of sanctioning could be wholly monopolized by either political side. The parliamentary majority was normally surrounded by a colorful composition of parties in local government, and within the system a number of joint, or at least multiparty, committees had a say in the distribution of resources under state control.

When Fidesz secured a two-thirds supermajority in parliament in the 2010 elections, the autocratic breakthrough could finally happen. Unlike the Polish case, the long antidemocratic transformation of Hungary involved a steady patronal transformation, culminating in the establishment of a single-pyramid patronal network during the second Orbán government (2010–2014). The following years saw attempts at autocratic consolidation, eliminating the four autonomies of civil society, and it was further intensified with the expansion of government powers during the pandemic in 2020 (Madlovics 2020).

<sup>6</sup> This also distinguishes the two-thirds majority after 2010 from that of the socialist-liberal government in 1994–1998, which was neither patronal nor organized into a single-pyramid network.

# Comparative Analysis of a Conservative Autocratic Attempt and an Established Patronal Autocracy

After 1989, the trajectory of Poland and Hungary led to the same point: from a single-pyramid bureaucratic patronal system (communist dictatorship) to a multipyramid nonpatronal system (liberal democracy). However, their democratic backsliding had different directions. Poland went from the multipyramid nonpatronal system toward a single-pyramid nonpatronal system (conservative autocracy); whereas Hungary moved from the multipyramid nonpatronal system to a single-pyramid patronal system (patronal autocracy). Some key aspects by which Kaczyński's conservative autocratic attempt and Orbán's established patronal autocracy can be distinguished are summarized in table 3.

	Conservative autocratic attempt: Poland	Established patronal autocracy: Hungary
The state	A bureaucratic authoritarian state: an incomplete attempt to establish conservative authoritarian rule through the capture of political institutions	A mafia state: a business venture managed through the monopoly of instruments of public authority
Motives of the rulers	Power and ideology: accumulation of power and implementing ideology	Power and personal wealth: accumulation of power for wealth and vice versa
Actual decision- makers	The head of executive and the governing party: a formal body of leadership	The chief patron and his court: an informal body of leadership
The ruling party	Centralized party: decision- making centered in the leading bodies of the party, led by its president (a politician)	Transmission belt party: no decision-making in the party, just mediating and formalizing the wishes of the chief patron and his network
Ruling elite	Party elite: a political party determined by formal structure and legitimacy	Adopted political family: a patronal network (extended patriarchal family/clan) lacking formal structure and legitimacy

Dominance structure	Nonpatronal network: a chain of command in the political sphere built around the formal structure of party loyalthy	Single-pyramid patronal network: a centralized chain of command extending from the political sphere to every other sphere of social action, built on an informal patron- client network of vassalage and personal loyalty
Economic activity of the state	Expanding state economy: but still respecting free-market competition and freedom of enterprise (the loyal elite is mainly rewarded with offices and not wealth)	Rent-seeking and centrally led corporate raiding: wealth accumulation and patronalization of private property through the bloodless instruments of state coercion
Corruption	State combating corruption: sporadic cases of private actors corrupting public administration, against the will of the state authorities	Criminal state: top-down system constituting centralized and monopolized corruption, committing criminal acts according to current criminal code
The role of ideology	Ideology-driven regime:  "fanatical," willing to represent ideological issues against political rationality (acts follow the ideology, value coherence)	Ideology-applying regime:  "cynical," acting by political and economic rationality in the principle of elite interest (ideology follows the acts, functionality coherence)

**Table 3.** Comparative summary of Poland and Hungary (in 2022). Source: authors' construction.

The State and the Motives of the Rulers: Bureaucratic Authoritarian State vs. Mafia State

The lack of patronalism in the case of Poland means that the mainstream tools of hybridology are applicable to Kaczyński's regime. Thus we can state in line with the analysis of other scholars (Sadurski 2019; Grzymala-Busse 2019; Sata and Karolewski 2019) that since 2015 Kaczyński has enacted a series of reforms to establish autocratic rule through the capture of political institutions. Attempts to weaken the system of checks and balances and violate the rule of law, as discussed above, constitute the core of Poland's democratic backsliding, and therefore the process is mainly confined to the

political sphere and the political institutional setting. Kaczyński is motivated by power and ideology: the concentration of power goes hand in hand with the goal of achieving a hegemony of the "Christian-nationalist" value system.

Orbán's politics, on the other hand, are motivated by power and wealth: the concentration of power and the accumulation of wealth for the informal patronal network. In line with these twin motives, autocratic developments in Hungary are not confined to the formal political institutions. While Kaczyński's state can be identified as a bureaucratic authoritarian state, Orbán's state is a mafia state (Magyar 2016). As Hobsbawm (1965, 55) writes, a mafia is an adopted family, "the form of artificial kinship, which implied the greatest and most solemn obligations of mutual help on the contracting parties." At the same time, the mafia he describes is the classical mafia—we may say, a form of organized underworld—which exists in a society established along the lines of modern equality of rights. The patriarchal family in this context is a challenger to the state's monopoly of violence, while the attempt to give sanctions to the powers vested in the family head is being thwarted, as far as possible, by the state organs of public authority.

The mafia state—we may say, the organized upperworld—is a project to sanction the authority of the patriarchal head of the family on the level of a country, throughout the bodies of the democratic institutional system, with an invasion of the powers of state and its set of tools. Compared to the classical mafia, the mafia state realizes the same definitive sociological feature in a different context, making the patriarchal family not a challenger of state sovereignty but the possessor of it. What is achieved by the classical mafia by means of threats, blackmail, and—if necessary—violent bloodshed, in the mafia state is achieved through the bloodless coercion of the state, ruled by the adopted political family (see below).

In essence, the mafia state is the business venture of the adopted political family managed through the instruments of public authority: the privatized form of a parasite state. However, a mafia state also means that the patronal network is informal, and it works by the constant circumvention of formal legal rules and disabling the control mechanisms, such as checks and balances and prosecution, that would counteract the mafia's use of public authority. The mafia state is a state ruled by an adopted political family that treats democratic public institutions as private domain, routinely stepping over formal laws and operating the state as a criminal organization.

### Actual Decision-Makers and the Ruling Party: Formal and Informal Institutions

A key difference between the Polish bureaucratic authoritarian state and the Hungarian mafia state lies in the informal exercise of power as opposed to formal bureaucratic chains of command. Kaczyński's regime is not completely devoid of informality (Zgut 2022) but the extent and nature of it is completely different from that of the Orbán regime. The actual decision-making remains centered within the framework of formal institutions in Poland. The PiS is a centralized party serving as a center of power.

Kaczyński occupies the peak of the power pyramid as the president of the PiS; the prime minister and the ministers of defense and the secret services have been the vice presidents of the party; and the leaders of the Sejm and the senate, as well as other ministers, have also been members of the party leadership.

Anyone with real power in the Polish regime occupies an appropriate position in the party hierarchy and fills a function in public office through this position (unless there is a constitutional prohibition on holding party and state functions together). This form of organization is focused on the concentration of power with the application of the formal, classical instruments of authoritarian systems (Linz 2000). In contrast, Fidesz looks from the outside like the "ruling" party of Hungary but in reality it is hollowed out in terms of de facto power. By 2010, encoding the personal decision–making capacities of the president in the Fidesz constitution relativized the power of the party's decision–making bodies and established a culture of centralized, one–person control (Körösényi, Illés, and Gyulai 2020).

The party, if we look at its members, is a vassal party; and if we look at its function, it is a transmission-belt party that legalizes decisions made outside of the parliament. For, as has been observed in other patronal autocracies like Russia (Kryshtanovskaya and White 2005), the actual decisions are taken away from the—nevertheless strictly controlled—bodies of the party, and through the chief patron they are transferred to the decision-making pool of the inner circle, which can be called the chief patron's court. The political insignificance of the formal leadership of Fidesz is illustrated by the list of its vice presidents, none of whom show any signs of autonomous action. However, oligarchs of the inner circle without any de jure political position (as well as the confidant of the prime minister, the communications and campaign guru Árpád Habony, who holds no position or office in formal public authority, and receives no remuneration) have real power and play a determining role in the decisions of the informal patronal network (Körösényi, Illés, and Gyulai 2020, 93).

### Ruling Elite and Dominance Structure: Party Elite vs. Adopted Political Family

The ruling elite of Orbán's regime is not an order or a class but an adopted political family. This informal, clan-like organization (Collins 2006; Wedel 2003) is built along personal chains of dependence. In a pyramid-like configuration it is dominated by the patriarchal head, and it is not joined through a formal procedure but by adoption into the family. The chief patron does not govern within institutional boundaries but, on his own, disposes over positions, destinies, incomes, and wealth, whether public or private.

In Poland, an oddity of Kaczyński's rule is that he chooses to be a simple MP, not a prime minister (Sata and Karolewski 2019). He still acts within the formal institutional setting of the party and does not decide on matters like personal wealth accumulation that would reach beyond his formal office. Unlike in the clan-like mafia state, with its ruling structure stretched beyond the formal offices of public authority, relationships in Poland's power structure are not consecrated as family or kinship ties. Orbán's adopted

political family organizes different networks of extended personal acquaintance into a single-pyramid patronal network, into which not only individuals but families are incorporated. It has no formal membership, and it is based on personal loyalty rather than organizational loyalty. The classic bon mot of historian Miklós Szabó (2013), "the good communist firmly fluctuates with the party," characterizes the conservative autocratic setting. In the adopted political family, where one's de facto power position does not coincide necessarily with their formal administrative position, it is personal loyalty to the patron that matters rather than loyalty to a formal organization like the (transmission-belt) party.

Economy and Corruption: Market Economy with State Activism vs. Relational Economy with Predation

The party elite and the adopted political family differ in the distribution of favors among members. Party political nepotism in Poland means the distribution of state-political positions, state-commercial positions, media positions, and sinecures among PiS cadres. In order to make this easier, they have lowered the professional requirements to fill certain positions. Loyal members of the power pyramid are rewarded with office and not wealth. This is underlined by the work of Polish investigative journalists, who found in public data at least nine hundred people from the PiS community with employment in state-owned energy companies like KGHM and PKN Orlen (Mikołajewska 2021).

In the economy, the Kaczyński regime prefers centralized regulation and state investment as the main vehicles of development instead of foreign direct investment, accompanied by economic xenophobia and gradually extending state control over some parts of the economy via "crawling renationalization" (Kozarzewski and Bałtowski 2019; Rohac 2018). On the other hand, there is no evidence to date that the PiS would seek to replace the economic elite, to expropriate, redistribute, and channel private property into its own fields of interest. No new layer of owners has been brought up; there are no inner-circle "Kaczyński oligarchs," nor ones that are systematically built through discretional state support. Centralized top-down corruption is not present in the Polish regime (Zgut 2022).

Orbán's patronal autocracy features top-down, monopolized, and centralized corruption. The techniques of predation and centrally led corporate raiding (Madlovics and Magyar 2021b; Sallai and Schnyder 2020) involve the concerted operation of parliament, government, the tax authorities, the Governmental Control Office, the Prosecutor's Office, and the police. Traditional corruption is suppressed: it is not state officials who are offered bribes, but the state criminal organization that collects protection monies. The fortunes of the political family are piled up by the front men, the oligarchs belonging to the inner circle, laundering it through means supported by the state and the introduction of offshore companies and private equity funds (Szopkó 2022; Bódis 2021).

Corruption in the Polish autocratic regime is a deviance from the norm, and an act prosecuted by the authorities. Corruption in Hungary is a state function. In 2011–2021, over one-fifth of the EU funds distributed in public procurements were won by the same circle of twelve people (Tóth and Hajdu 2022). Lőrinc Mészáros, Viktor Orbán's childhood friend and the former mayor of his home village, was turned from a gas fitter, who in twenty years had amassed modest wealth, into Hungary's richest man, with approximately 479 billion forints (1.5 billion Euro) in 2021, which he won through EU tenders while he produced virtually nothing for export or the open market (Tóth 2019). The odds of winning, a metric proposed by István János Tóth and Miklós Hajdu, clearly indicate the presence of guided bids: in the 2011–2020 period, Mészáros won eight out of nine EU-funded tenders he applied for, while the industrial average was one out of three.<sup>7</sup>

For the time being, PiS's autocratic attempt in Poland respects market competition, the private economy, and private property. While the regime may have moved further from the ideal type of an open-access order, to use the category of North, Wallis, and Weingast (2009), it is still true of the Polish economy that entrepreneurs, as the authors write, "do not need to participate in politics to maintain their rights, to enforce contracts, or to ensure their survival from expropriation; their right to exist and compete does not depend on maintaining privileges." In the case of Hungary, the market economy is replaced by a relational economy, where property has a conditional character. Any actor's property may be taken over on a discretional basis if they challenge the interests of the chief patron.

#### The Role of Ideology: Ideology-Driven vs. Ideology-Applying Regime

Finally, Kaczyński is more ideology driven than Orbán, acting on the basis of a coherent set of values. Occasional "inconsistencies" in his case do not mean a multitude of 180-degree turns, as in the case of Orbán. As conceived by Jarosław Kaczyński, the state and the Catholic Church operate closely entwined. "The Church is an organic component of being Polish," as he put it. It follows from this that the liberal value system built on the autonomy of the individual is viewed as an enemy, since the nation considers the interests of the Polish collective as higher than the interests of the individual. At the same time, this church-state ideology essentially accepts free-market competition and respects freedom of enterprise because it considers the collectivist economy a greater enemy, a "communist invention" that destroyed Poland. It should be noted here that a majority of Polish society also rejects collectivism (Inglehart 2007).

Orbán's patronal autocracy is not ideology driven but ideology applying. Its ideological "coherence" is not achieved by the representation of a definite value system. Rather, it features "functionality coherence," meaning it uses ideological frames that fit

<sup>7</sup> We are grateful to István János Tóth for making these data available to us.

with the patterns of enacted power tied to the patriarchal head of the family. It follows that it deals with the liberal value system built on the autonomy of the individual as an enemy. But it only chooses from leftist or collectivist values with caution. When necessary, it relies on the frames of social demagogy (Bozóki 2015). It pragmatically uses those conservative-collectivist values (religion, nation, and family) that can be attached to a centralized chain of command built on a patron-client network of vassalage.

# Different Regimes, Common Ideological Frames: The Applicability of Right-Wing Nationalist Panels to Conservative and Patronal Regimes

#### Legitimacy Frames and the Divergent Policies Attached to Them

The divergent approaches of the two autocratic tendencies to ideology do not in the meantime exclude the possibility of common ideological frames. The main ideological panels used by Kaczyński and Orbán, as well as the media, journalists, and opinion makers on their side, can be summed up as follows:

- They define their governance not as changes of government, but as changes of regime. Already during his first administration, Kaczyński spoke about the need to build a "fourth republic." Since 2015, he has often described his governance as "cultural counterrevolution" (Hoppe and Puhl 2016) and stated that "the present Constitution of the Republic of Poland can be safely called postcommunist," using the adjective in a negative rather than a descriptive sense (Do Rzeczy 2017). In 2010, Orbán spoke of his victory as a "revolution at the ballot box," and he argued that it was one of "such moments in Hungarian history" like "the revolution in 1948 or the revolution in 1956, and . . . the regime change in 1990" (cited in Szilágyi and Bozóki 2015). At the same time, the period since the 1990 regime change was described as the "two turbulent decades" in the official Declaration of National Cooperation (Hungarian National Assembly 2010).
- They distance themselves from the postcommunist regime change of thirty years ago, and interpret the history of that peaceful, negotiated process as a deal between elites concluded over the heads of society. Kaczyński described the negotiations preceding the Polish regime change as having "proceeded in an atmosphere of moral ambiguity." He added that "the old and new times, the Polish People's Republic and independent Poland, were not separated. The inauguration element was missing. The Bastille had not been torn down. The Round Table was definitely not that, and neither was June 4, 1989. . . . . It is not known where the PRL ends and the free republic begins" (Kaczyński 2014). Orbán contrasted the regime changes

of 1990 and 2010 as the "liberal" and the "national transformation," respectively, and added that "our task [in 1990–2010] was to defeat the returning successor groups of the socialist system in a political battle" (Orbán 2019). The Declaration of National Cooperation also speaks about "pacts" in the 1990 regime change, unambiguously referring to the nation-wide discourse of the "stolen regime change" that was an elite deal to the detriment of the people (Szűcs 2015).

- They share a particular form of Euroskepticism and continue a "national" freedom struggle against the dictatorship of Brussels" on the basis of a historicized grievance politics. When asked about the EU's criticisms regarding the state of the rule of law in Poland, Kaczyński said: "We will not succumb to any blackmail. We fight hard, we will not give way in matters of fundamental importance to the state and Poles. . . . We defend Polish sovereignty; we also defend Polish rights in the EU, because they are now undermined brazenly, illegitimately, and in contradiction to treaties" (dziennik.pl 2021). Orbán argues that only "we Hungarians" have the right to decide in the cases of national interest. As he declared on March 15, 2012, on the national holiday commemorating the Hungarian revolution of 1848, Hungary "will not be a colony" of the EU. "For us," he added, "freedom means that we are not ranked lower than others. It means that we also deserve respect. . . . We need no guidelines and we want none of the unasked-for help of the foreign who want to lead our hand. We know the nature of unasked-for comradely help and we are able to note it also in the case when it is dressed not in a uniform with epaulets but in a well-cut suit" (Orbán 2012).
- They refer to Christianity as the basic core value of the nation that has to be protected against attacks from Western progressivism. Christianity has been always the moral basis for Kaczyński's abovementioned "counterrevolution," and for the conservatism of PiS in general. Recently, he talked about the church being under "brutal attack," and that "he who raises his hand against the [Catholic] Church and wants to destroy it, he raises his hand against Poland" (TVP 2019). Elsewhere, he explained that if the Poles do not defend their values they will end up like Ireland, which has become "a Catholic desert with LGBT ideology totally out of control" (TVP 2020). Orbán, a few years after his declaration of the "illiberal state" in 2014, argued that "I can't give a better definition of the meaning of illiberal politics than Christian liberty. Christian freedom and protecting Christian freedom. Illiberal politics working for Christian freedom seeks to preserve everything

that liberals neglect, forget, and despise." He added that "today there are two attacks on Christian freedom. The first comes from within, and comes from liberals: the abandonment of Europe's Christian culture. And there is an attack from outside, which is embodied in migration, with the result of this—if not its goal—being the destruction of the Europe that we knew as Europe" (Orbán 2019). Both the Polish and the Hungarian leaderships and government-aligned media find the model of the traditional family as one of the key Christian values under attack from the liberal progressive movements of the West (Grzebalska and Pető 2018).

They organize government campaigns to transform existing fears and suspicions of refugees, migrants, and aliens into active xenophobia. The refugee crisis of 2015–2016 underwent politicization and mediatization in both Poland and Hungary, with both governments responding in a dismissive, xenophobic tone. In a speech in the parliament, Kaczyński talked about "the danger that . . . [when] the number of foreigners suddenly increases, then they do not obey—do not want to obey, they declare they do not want to obey—our customs . . . and then or even simultaneously they impose their sensitivity and their claims in the public space in different spheres of life, and they do so in a very aggressive and violent way." He added "we have to divide firmly between refugees, who really are fleeing the war, [and] economic migrants. . . . And who created . . . the magnet of inducing all economic migrants? Germany. . . . Orbán was right here, it is their problem, not ours" (cited in Krzyżanowski 2018). In 2015, Orbán exploited the tension between the anxiety of citizens and the inadequacy of European institutions to handle the European migrant crisis by organizing a "national consultation," an anti-immigrant billboard campaign, and the 2016 referendum on alleged migrant quotas to be defined by the EU (Madlovics 2017). The result of the campaign was striking: in 2014–2018, the ratio of people with positive sentiment towards non-EU migrants decreased in Poland and Hungary by 20% and 43%, respectively, while the EU average increased by 17% in the same period (Economist 2018). In 2016, 82% of Hungarians and 75% of Poles opined that refugees were a burden on their country, while the EU median was 50% (Wike, Stokes, and Simmons 2016). In Hungary, the level of xenophobia increased from 41% to 53% in 2015-2016, and 82% of all Hungarians in 2016 claimed that accepting refugees would have no positive effects at all (Sik 2016; Madlovics 2017).

The question arises: how can the ideological frames of two different forms of autocracy be so similar? Or, to put it differently: how can right-wing nationalist and

conservative panels, the arguments for national sovereignty and Christian values, be equally adaptable to the needs of a conservative and a patronal autocracy?

The answer is twofold. First, three of the five frames listed above center not on policy issues but issues of legitimacy. They are designed to legitimize the government and in parallel delegitimize any alternative position or criticism. Being unrelated to the actual functioning of the regime, these ideological panels can be used in relation to either conservative or patronal goals, which are presented as the only legitimate position.<sup>8</sup>

The general argumentative pattern is as follows: the government can label any position as "common good" or "national interest," and therefore make opposition to it illegitimate and anti-nation; and when it comes to justifying concrete acts of dedemocratization, the autocrats criticize the status quo they want to change (they give a "diagnosis") and present their action as the solution (the "therapy"). But the diagnosis and the therapy are logically detached. The function of the former is only to legitimize changing the status quo, and to delegitimize any criticism of the change as a defense of the status quo. This is the key of the narrative of "actual regime change." Talking about the "turbulent decades" to be replaced, and the new "moral foundations" of the new era, the government grants itself the right to decide on the actual contents of the regime change—whereas everyone who criticizes them is framed as an opponent of change and, therefore, a supporter of the lack of change, i.e., of the illegitimate past. This is underpinned by symbolic legislation as well as the exclusion of opposition actors from the nation, which is redefined as a community of people committed to the government's ideology.

The narrative of "national freedom fight" is designed for the international arena, but it moves once again the question of the debate from what the government does to who has the right to decide on what to do—in other words, to legitimacy. On this basis, it is argued that foreign actors (from the EU to multinational NGOs and even influential individuals like George Soros) interfere with the actions of the elected government and therefore exert illegitimate influence against the legitimate holder of popular (national) sovereignty. At the same time, domestic opposition is presented as an agent of the foreign interferers, putting "the real sovereign who dares to follow his interests" in "a 'political vise' constituted by the allied local and Euro-Atlantic opponents," in the words of one of Orbán's longtime advisers (Tellér 2014).

Unlike traditional nationalism, the nationalism of these regimes is not directed against other nations but against those within the nation who are not part of the ruling elite, those who are not subordinated to the regime as clients, and those who oppose the regime. Kaczyński once stated that "our political opponents are ready to treat Poland as

<sup>8</sup> The rhetorical stance of only one legitimate position and the resultant antipluralism are key components of populism (Pappas 2019; Müller 2016). At the same time, we do not label Kaczyński populist, only Orbán, because we associate further components with populism that Kaczynski does not have (see Madlovics and Magyar 2021a).

an addition to Germany. We want to be a great European nation—our opponents do not want to, because they know that when Poland is a great European nation, this 'elite' will have nothing to say in Poland" (rp.pl 2020). In 2013, Orbán stated:

[W]e know that Hungarian freedom had not only heroes but it had traitors as well. We know that all of our revolutions were crushed from foreign lands. We know that, too, that there always were ones who helped the foreign enemy. . . . We know that they were and they always are those who are ready to give Hungary to colonizers again. . . . [They want to take] away the chance that indeed we, the Hungarians, could decide about our own life. Not about politics and not about political parties—about our own life. (Orbán 2013)

However, the Polish and Hungarian leaderships differ in what they use these arguments for, that is, in the actual content of the "revolutionary" politics they carry out. Kaczyński does not use the legitimacy frames to protect an ideologically eclectic assortment of policy positions. An ideology-driven actor, he defines his opponents on an ideological basis, not on a family or clan basis. The acts Kaczyński undertakes in the name of "cultural counterrevolution" and reverting Poland back to its conservative Roman Catholic roots reflect a value-coherent right-wing conservative program. In contrast, Orbán seeks to create a basis of legitimacy and an argument for excluding citizens critical of his regime from the nation, painting them as representatives of alien interests in order to defend the realization of rent-seeking and predatory policies on a national scale. Orbán's "sovereignism" or populism does not "drive" the system; the system's corrupt and autocratic functioning does not follow from these panels but it is the other way around. The panels follow from the functioning, which demands at least a vague legitimizing instrument.9

The last two of the ideological frames listed above are used in a different manner, and with different policy consequences, by ideology-driven and ideology-applying actors. They are similar in words, but not in deeds. With respect to the Christian basis of the regime, and to opposition to immigration, Kaczyński undertakes action while Orbán does not; Kaczyński pays the political price for insisting on policies that are ideologically important but bring no other (e.g., personal or economic) benefit. In Poland, the Kaczyński regime insists on a strict abortion law, even though such a policy is opposed by more than two-thirds of Poles (Roache 2019). Orbán would never undertake such politically harmful action that carries no private material gains for the

<sup>9</sup> Ideological panels are attached to wealth accumulation in Hungary, too; however, they cannot be seen as regime drivers—either because the regime metes out rewards and punishments not on the basis of being "national" or "Hungarian," as it is claimed (cf. Lánczi 2015) but on the basis of being loyal. For further discussion, see Madlovics and Magyar (2021b); Magyar and Madlovics (2020, 582–87); Madlovics (2015).

adopted political family. Changes that were met with popular discontent have been introduced in Hungary, like the reform of education, but that also contributed to the goals of establishing structures of patronal dependence in the society, as well as wealth accumulation (Andor 2017). When such goals were not involved, the Orbán regime was willing to renounce its policies in the face of social resistance, such as in the case of the internet tax (Magyar 2016).

# The Russian Invasion of Ukraine: Divergent Foreign Policy on Ideology-Driven and Ideology-Applying Bases

One further example of divergent policies attached to common ideological frames is foreign policy. For a long time, the Polish and the Hungarian leaderships supported each other in disputes with the EU, and both claim to be in a "national freedom fight" against the EU. But Orbán's reaction to rule-of-law criticisms from European institutions was more pragmatic. When the European Commission found that a new Hungarian law violated some EU provision, the government usually backed down and initiated cosmetic changes, just enough to be necessary to appease the critics. Orbán himself described this strategy as a "peacock dance" (Kingsley 2018). This strategy was alien to Kaczyński, and until recently, for example, the Polish government seemed unwavering in changing the laws that undermined the independence of the judiciary, despite EU criticism.

The real breaking point between the Kaczyński and the Orbán regimes on the international scene was reached after Russia invaded Ukraine, a neighbor of both Poland and Hungary, in 2022. Already before the war one of the cornerstones of Polish foreign policy was that Russia is a threat to Poland at all times. The PiS government has taken up the cause of the independence of any country or people fighting against Russia (Ukraine, Chechnya, Georgia), and supported the maintenance of the sovereignty of the Baltic states by every means it has at its disposal. Accordingly, Warsaw has usually criticized the West for not fully backing these causes.

In Hungary, the foreign policy of "Eastern Opening" aims to secure socially unchecked, freely expendable resources for the adopted political family through its connections to Putin and other autocrats. This is not traditional international commerce, as the primary good Hungary offers is its disloyalty to the EU, for which the adopted political family gains financial favors. Russian gas diplomacy, the renovation of the Paks II Nuclear Power Plant, and other similar deals put Hungary in an indebted, dependent position in exchange for private benefit (Pethő and Szabó 2018; Ara-Kovács 2017).

The Russian invasion of Ukraine coincided with the campaign period of the 2022 Hungarian national elections. Orbán found himself in a situation where the victim was supported by his formal ally he had previously attacked, the EU (and with it the US), while on the other hand he was tied to the aggressor, Russia, in a patron-client relationship. From the point of view of purely domestic power politics focused on winning the election, the obvious position would have been the support of Ukraine. This

was the position taken by most Western actors, governments, and opposition parties, as well as by all postcommunist members of NATO except Hungary.

Instead of such a *value-coherent* position, Orbán had to find a *functionally coherent* frame—one that was in line with his geopolitical path dependence. He had to reverse the emerging sympathy toward Ukrainians in the Hungarian population while balancing his international position between formal obligations to the EU and NATO and informal, corrupt obligations to Putin. Accordingly, Fidesz voters were absolved from showing solidarity with the victim and allowed to indulge themselves in openly asserted egoism. "Hungary must stay out of war" and "Hungarians should not pay the price of war" became the slogans of the government, legitimizing the rejection of solidarity in the name of collective national selfishness. The moral obligation to support Ukraine was further undermined by the public media spreading Kremlin propaganda (PC 2022) and the denunciation of Volodymyr Zelensky, who was called by Orbán an adversary in his victory speech (BBC 2022b). Already at the beginning of March 2022, a quarter of Fidesz voters blamed the Ukrainians for the conflict; by the end of the month, 43% of them opined that Russia's aggression was justified (HVG 2022).

Orbán is a corrupt client, whereas Kaczyński is a strategic opponent, of Putin. This explains the opposite reaction of the Polish government. Although it was not prepared for such a crisis, the Polish state took a leading role in the admission of Ukrainian refugees and delivering Western weapon supplies to Ukraine, strengthening its political position in NATO as well as the EU (Csurgó 2022). In March 2022, Kaczyński was among the first European leaders to visit Kyiv, and he called for a NATO peacekeeping mission to Ukraine and the recognition of Russia as a sponsor of terrorism (Higgins 2022; BBC 2022a). Mateusz Morawiecki, the prime minister of Poland, expressed sympathy for those "killed by Putin" in a war where "freedom fights against the world of tyranny," and he said that "Ukraine is the guardian of European values," which Europe must not lose (Visegrád Post 2022).

It was not long before the Polish and Hungarian positions clashed. When Orbán refused to explicitly condemn Russia over the events in Bucha, saying that an investigation should come first since "we live in a time of mass manipulation," Kaczyński said: "When Orbán says that he cannot see what happened in Bucha, he must be advised to see an eye doctor." He added that he had an "unequivocally negative" opinion of Orbán's attitude, which was "very sad" and a "disappointment" (Politico 2022), and that he had "no intention of underestimating" the "very serious problem with Hungary" (WPROST.pl 2022). In a speech in July, Orbán admitted that the war had "shaken Polish-Hungarian cooperation, which was [previously] the axis of cooperation in the Visegrád Group," an assessment echoed by Morawiecki as well (Tilles 2022).

In spite of similar ideological frames, the alliance of Poland and Hungary in the Visegrád Four (V4) was more of a tactical cooperation of regimes with different strategic visions. Orbán wanted to strengthen his position against Brussels in the framework of the V4 as a "blackmailing alliance," while Kaczyński wanted to have Poland's status as a regional middle power within the EU recognized. The two autocracies cooperated

and defended each other in EU forums only as long as Orbán's patronal-pragmatic and Kaczyński's conservative-ideological goals did not contradict each other.

In short, the international crisis forced the Polish and the Hungarian regimes to show their actual nature. The Kaczyński regime followed its ideological position, being an ideology-driven conservative autocratic attempt, whereas the Orbán regime created a suitable ideology for its patronal preferences, being an ideology-applying patronal autocracy.

#### Conclusion

The different nature of autocracy that emerged in Poland and Hungary was obscured in part by their common right-wing ideological frames, and their cooperation against the EU's criticisms of the state of the rule of law in the two countries. Now the two regimes' divergent reactions to the Russian invasion of Ukraine have led observers to recognize the divergent paths of de-democratization taken by Kaczyński and Orbán.

Kaczyński and Orbán both came to power with regime-changing ambitions and moved their countries from liberal democracy, but their actions cannot be properly interpreted along a linear democracy-dictatorship axis. Instead, we argue for a dual-level approach, represented here by a triangular framework of six ideal-type regimes. Focusing only on formal political institutions, the difference between Poland and Hungary is that of an autocratic attempt and an autocratic breakthrough; taking into account the sociological background, and the informal personal networks as well, we can observe the distance between a conservative and a patronal autocracy.<sup>10</sup>

Kaczyński's right-wing conservative regime is ideology driven, and its positions show value coherence; Orbán's mafia state is ideology applying, and its positions show functionality coherence. The Orbán regime uses ideology with value-free pragmatism. It assembles the ideological garb suitable to the anatomy of its autocratic nature from an eclectic assortment of ideological frames. It is not the ideology that shapes the system by which it rules, but the system that shapes the ideology—with a huge degree of freedom and variability. Analyzing the policies of Kaczyński and the PiS, one can find at their core a conservative, "Christian-nationalist" value system; but attempting to explain the driving forces underlying the power machinery of the Orbán regime from nationalism or religious values is as futile an experiment as trying to deduce the nature and operations of the Sicilian mafia from local patriotism, family centeredness, and Christian devotion.

While Kaczyński's PiS has been reelected in Poland, there are still strong chances of defeating the Polish conservative autocratic attempt. This is ensured by a proportional electoral system, social traditions of resistance to authority, the existence of moderate

<sup>10</sup> For the interactive, visual presentation of the Polish and the Hungarian trajectories, see https://www.postcommunistregimes.com/trajectories/?countries=pl+hu.

right and liberal parties, and their access to firm media platforms for freedom of expression. The four autonomies of civil society, given that there has been no autocratic breakthrough or consolidation, are curtailed to a much lesser degree than in Hungary. At the same time, the possibility of a Hungarian scenario unfolding in Poland is also prevented by the very character of the PiS, its personal composition, principles, and program, as well as by the tradition and present composition of the Polish right. The chances of the opposition surmounting Hungary's patronal autocracy within the framework of the current institutional system are far more limited, especially considering that Fidesz has been reelected three times with a supermajority. The disproportional and manipulative electoral system, the lack of social traditions of resistance, the lack of a moderate right-wing or liberal party for any voters decamping from Fidesz, and the elimination and/or neutralization of spaces for freedom of expression forecast a continued path toward autocratic consolidation.

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