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How European Populists Contribute to Democratic Backsliding: A Comparative Study of Austria and Hungary

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Master of Science in International Relations

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Declaration

I, Jean-Marc Mwambi Tshona, declare that this thesis is a result of my research investigations and findings. Sources of information other than my own have been acknowledged and a reference list has been appended. This work has not been previously submitted to any other university for award of any type of academic degree.

Signature.....

Date.....

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Mon âme loue l'éternel jusqu'à la fin de mes jours

Any errors are mine alone.

Abstract

There has been a universal trend towards democratic backsliding in weakly consolidated democracies and advanced and long-established democracies. A commitment to its founding principles of democracy and the rule of law in several member states has declined. This thesis investigates how populists contribute to democratic backsliding in Austria and Hungary by analyzing the media, judiciary, and corruption. Populism refers to a mobilization characterized by a politics of personality centered on a charismatic leader who is perceived to embody the people's will and who is said to speak on their behalf. The EU is an easy target and a popular "punch bag" for populist rhetoric because it is perceived as an exogenous political system controlled by a technocratic elite lacking legitimacy. EU has become a crucial battleground between populists and non-populist forces over the future of the constitutional state. Suppose democratic backsliding involves a movement away from democracy, the definition of democracy matters. This thesis understands democratic backsliding as movement away from liberal democracy. Like other governments, populists seek to implement their policies through public administration and government bureaucracies. The thesis finds that in both Austria and Hungary, the media and the judiciary came under attack. In Austria, a political scandal revealed the extent of high-level corruption. Corruption has been a characteristic of the Hungarian government. The thesis also finds that Austrian populists are being held accountable for contributing democratic backsliding through the rule of law, whereas Hungarian populists have successfully contributed to democratic backsliding without being held accountable.

Key words: populism, democratic backsliding, Austria, Hungary, EU, capture, judiciary, media, corruption, Strache, FPÖ, Kurz, Orbán, Fidesz

Table of Contents

Declaration.....	3
Acknowledgments.....	8
Abstract.....	9
Chapter 1.0: Introduction	13
1.1 Rationale for the thesis	15
1.2 Research Question	15
1.3 Outline	15
Chapter 2.0: Theoretical Framework: Populism and Democratic Backsliding.....	16
2.1 Defining Populism	16
2.2 The multifaceted concept of populism.....	19
2.3 Populism and the EU	23
2.4 The current state of populism in the EU.....	25
2.5 Defining Democracy and Democratic Backsliding.....	28
2.5.1 Typologies of Democracy.....	29
2.6 Democratic Backsliding.....	30
2.7 Theorizing Democratic Backsliding.....	32
Chapter 3.0: Linking Populism and Democratic Backsliding	34
3.1 Populist Goals	35
3.2 Populist Strategies.....	36
Chapter 4.0: Research Method	38
4.1 Research Methods.....	39
4.2 Research Design: Comparative Case Study.....	40
4.3 Sampling Strategy: Selection and Comparison of cases	41
4.4 Data Collection and Analysis.....	42
4.4.1 The Judiciary and its Independence	45
4.4.2 The Media	46
4.4.3 Corruption.....	47

4.5 Quality Criteria	48
4.6 Ethical Concerns	50
Chapter 5.0: Empirical Evidence and Discussion	52
5.1 Austrian Populists	52
5.1.1 Austrian Populists and the Media: Strache's IbizaGate	53
5.1.2 Austrian Populists and their Corruption.....	56
5.1.3 Attacks on the judiciary	58
5.2 Hungarian populists	59
5.2.1 Hungarian populists and the media	59
5.2.2 Attacks on the judiciary	63
5.2.3 Orbán and corruption	66
5.3 Comparison and Discussion	69
6.0 Conclusion	82
Bibliography	85

Chapter 1.0: Introduction

In recent years, there has been a universal trend towards democratic backsliding in weakly consolidated democracies and advanced and long-established democracies. At first glimpse, democratic backsliding could be understood as a reverse development to democratic consolidation intensely discussed in the early 1990s when East-Central Europe (ECE) countries were on their road towards democracy, according to Karolewski (2021, p. 303). Some transitologists argued that the democratic consolidation in the transition countries could be measured by the number of democratic elections in the transition country in question (Karolewski, 2021, p. 303). Samuel Huntington argued that two consecutive democratic elections would be a reliable sign of consolidated democracy (Møller and Skaaning, 2011, p. 65-67; Karolewski, 2020, p. 303). Huntington further argued that democratization comes in observable waves throughout history and reflects a macro-historical pattern (Møller and Skaaning, 2011, p. 73; Karolewski, 2020, p. 303). Francis Fukuyama argued that liberal democracy represented the endpoint of humankind's ideological evolution and the final form of human government (Karolewski, 2021, p. 303). However, the debates in the 1990s paid little attention to the possible breakdown of democratization processes (Møller and Skaaning, 2011; Karolewski, 2021, p. 303).

The causes of global democratic backsliding are still being researched, and Karolewski references explanations, including some hypotheses like the growing polarization of Western societies according to Przeworski (2019), defunct political institutions as Inglehart and Norris (2016) suggest, and the failure of the political elites to address representation deficits of their political system as suggested by Albertus and Menaldo (2018) in Karolewski (2021, p. 305-306). Karolewski also references Kaufman and Haggard (2019) when suggesting that populist post-truth rhetoric and disregard for liberal-democratic norms and institutions have gone hand in hand with attacks on checks and balances (2021, p. 306).

The European Union (EU) has witnessed similar trends. A commitment to its founding principles of democracy and the rule of law in several member states has been on the decline (Gora and de Wilde, 2020, p. 1). The consensus is that democracy and the rule of law in the EU are at risk. In many cases, the democratic decline has been fueled by populist politicians entering governments and implementing sweeping institutional reforms (Urbinati, 2014; Urbinati, 2019; Bauer and Becker, 2020, p. 19). In its 2020 report, the V-Dem Institute

categorized Hungary as an electoral authoritarian regime, leaving the EU with its first non-democratic Member State (V-Dem Institute, 2021, p. 13; Karolewski, 2021, p. 304).

Since December 2015, Hungary has been transitioning from democracy to authoritarianism. Scholars of democracy have been convinced that Viktor Orbán abandoned liberal democracy, dismantled checks and balances, and accumulated power in the hands of his party loyalists to exert partisan control over public institutions, according to Sadurski (2018) and Pech and Scheppele 2017, in Karolewski (2021, p. 301). At the same time, Fidesz has generated high electoral support in national and European elections despite the recent authoritarian changes (Karolewski, 2021, p. 301). The systemic changes have been appended by populist discourse that promised to give power back to "the true people" and claiming that liberal democracy is an elite project that amounts to the treachery of the Hungarian people by post-communist elites in league with new liberal aristocracy and international bodies like the EU (Karolewski, 2021, p. 302).

Austria is an interesting case because it is, unlike Hungary, a liberal democracy (Freedom House, 2021; V-Dem, 2021, p. 31). However, just because a state is an established democracy does not mean one can take for granted that it will not be affected by some form of democratic backsliding. Levitsky and Ziblatt's (2018) extensive analysis of the United States of America and Karolewski's (2020) research on democratic backsliding suggests otherwise. In Austria, a political scandal sent shockwaves across Europe at the height of the May 2019 European elections (Oltermann, 2019). The scandal revealed populist actions that could constitute threatening democracy and the rule of law in Austria. Furthermore, the scandal, as we shall see, revealed the degree to which corruption was rampant even in a liberal democracy. As such, this thesis deals with the main factors explaining democratic backsliding in the EU, notably Austria and Hungary, and compares why and how populists contribute to democratic backsliding in their respective countries.

1.1 Rationale for the thesis

This thesis aims to study how populists contribute to democratic backsliding in Austria and Hungary. Since this is a descriptive study, it also focuses on accurately describing the processes of democratic backsliding. The cases of Austria and Hungary are selected because they propose fruitful findings in this matter. When discussing democratic backsliding and populism, the literature suggests that these are features of illiberalism and authoritarianism. Levitsky and Ziblatt (2018) talk about how elected autocrats contribute to democratic backsliding. Norris (2017) suggests that the populist conquest of government authority threatens Western democracies and fuels democratic backsliding.

Therefore, it is imperative to point out that I do not seek to suggest that both Austria and Hungary are turning into autocracies. That is why it is even more intriguing to compare one case where the state is a hybrid regime, whereas the other is a liberal democracy. I am simply looking at how populists, through their actions, contribute to democratic backsliding. Whether or not Austria and Hungary will become autocracies due to democratic backsliding is something that should be further scrutinized and researched in the future by academics and scholars of international relations.

1.2 Research Question

The research question is as follows:

What strategies do populists invoke in Austria and Hungary that contribute to democratic backsliding?

1.3 Outline

This thesis is divided into five main chapters. Chapter 1 is an introductory chapter to the thesis. Chapter 2 discusses the theoretical framework that is populism and democratic backsliding. I start by defining populism and a literary analysis of the concept. I also outline the current state of populism in the EU. Then I discuss democratic backsliding and how it can be theorized, as Waldner and Lust (2020) suggest. Chapter 3 builds on Chapter 2 and aims to link populism and

democratic backsliding and outline the goals and strategies of populists. Chapter 4 explains and justifies the research method, the research design, the sampling strategy, the data collection, the quality criteria, and the ethical concerns of the thesis. Chapter 5 is the central part of the thesis. I will present the cases of Austria and Hungary and discuss and compare them. Chapter 6 concludes the thesis.

Chapter 2.0: Theoretical Framework: Populism and Democratic Backsliding

This chapter concerns the main theoretical framework, and it provides an overview of the main theoretical framework to analyze the study's research question. The chapter aims to anchor its theoretical concepts and discuss how they are established in International Relations (IR). I, therefore, rely on an extensive and diverse body of literature that examines the theoretical concepts. The chapter starts by conducting a literature review on populism, then outlines the current state of populism in the EU. In that section, some empirical evidence will explain how well populists are doing in the EU and how some populists approach the EU. The chapter will then rely on Jørgen Møller and Svend-Erik Skaaning's typologies of democracy as a way of defining democracy before defining democratic backsliding. The chapter then ends by discussing how one can theorize democratic backsliding.

2.1 Defining Populism

As with many other terms in political science and international relations, there is no accepted definition of populism because scholars and researchers have different understandings of the term since it is a contested issue. However, there are some commonalities, and when one googles the term, Cas Mudde (2004) is the recurring author cited the most by critics and followers alike. He defines *populism* as "*an ideology that considers society to be ultimately separated into two homogeneous and antagonistic groups: 'the pure people' versus 'the corrupt elite,' [...] which argues that politics should be an expression of the volonté générale (general will) of the people*" (Mudde, 2004, p. 543; Urbinati, 2019, p. 116).

Mudde further elaborates that populism is a "thin-centered ideology" that exhibits a restricted core attached to a narrower range of political concepts (Mudde, 2004, p. 544). The thin-centeredness of populist ideology (also known as the ideational approach) means that populism addresses only part of the political agenda, and populism in and of itself provides no opinion on what is to be perceived as the best economic or political system (Mudde, 2004, p. 544; Edick, 2019). Preferably, it can be combined with other thin and thick ideologies like communism, nationalism, or socialism (Mudde, 2004, p. 544). By fusing populism with other sets of ideas, Mudde and Kaltwasser argue that populists can politicize grievances relevant in their context (2018, p. 1670).

That is why we can observe the formation of very different populist forces across time and place, who combine populism with ideologies that, as explained, ranging from nationalism to socialism. Even though populists share the moral and Manichean distinction between "the pure people" and "the corrupt elite," Mudde and Kaltwasser argue that a significant level of variance exists in terms of the definition of each term (2018, p. 1670). Ideationally, we must approach the study of populism not in isolation but in combination with different ideologies, which are critical to developing programmatic profiles that can engage large sections of the population in specific societies and time periods (Mudde and Kaltwasser, 2018, p. 1670).

Along the same lines, Gagnon et al. (2018), in their analysis, suggest that the single defining characteristic of populism is that it is the invocation of "the people" who are betrayed, wronged, or otherwise left vulnerable to forces outside their control (Gagnon et al. 2018, p. viii). They elaborate that the corpus of populism is often a reaction to a deep crisis that is either real or perceived in diverse and large democracies (Gagnon et al., 2018, p. viii). The culprit of the crisis and the victimized identity are highly contested and vary from one case to another (Gagnon et al., 2018, p. viii). However, there are some commonalities. The authors build on Benjamin Moffitt's (2016) notion of the global rise of populism between 2008 and 2018 since this period was marked by an economic crisis, sovereignty, and security (Gagnon et al., 2018, p. viii). This is exemplified by the fact that there was a financial crisis, job losses, stagnation of wages, affordable housing, missing corporate taxes, mass migration, terrorism, climate change, dwindling social nets, and democratic decay (Gagnon et al. 2018, p. ix).

Nonetheless, some refute or at least push back against Mudde's definition. Paris Aslanidis scrutinizes and questions the empirical and theoretical value of a "thin-centered ideology." She argues that "*almost any political notion can acquire the status of a thin-centered ideology as long as it contains an alleged 'small' number of core concepts that the claimant perceives as unable to supply a comprehensive package of policy proposals*" (Aslanidis, 2016, p. 91). This means that racism, xenophobia, sexism, anti-immigration, Euroscepticism, multiculturalism and cosmopolitanism, religious fundamentalism, globalization, authoritarianism, neoliberalism, and neoconservatism are all thin-centered ideologies (Aslanidis, 2016, p. 91).

For Carlos De la Torre and Oscar Mazzoleni (2019), Mudde's definition is reductionist, and it does not allow exploring the complexities of populism. His concept works well to explain a specific subtype of populism like small right-wing parties at the margins of European politics, but it does not apply equally to other parts of the world or help explain mass-based European populist parties (De la Torre and Mazzoleni, 2019, p. 2). Secondly, his notion of "purity" among the people can explain European radical right-wingers or Narendra Modi's Hindu national populism. However, it fails to transcend Latin America's racially and ethnically mixed populations because populists have stressed classes over race and included several groups rather than exclude them when politicizing their race (De la Torre and Mazzoleni, 2019, p. 3-4).

Thirdly, the notions of "ideology," "the pure people," and "general will" explain small ideological right-wing parties situated at the margins of Western European political systems (De la Torre and Mazzoleni, 2019, p. 4). These notions do not permit researchers to comprehend how mass-based populist parties appeal to different electorates without adhering to ideologies. Building on Kurt Weyland (2001), they explain that mass populists appeal to small cadres of true believers aiming to win elections and becoming more pragmatic than ideological (De la Torre and Mazzoleni, 2019, p. 4). This is exemplified by the fact that Marine Le Pen's National Rally is not as moralistic and ideological as Jean Marie Le Pen's National Front since she broke with the latter's anti-Semitism, anti-LGBTQ+, and anti-feminist rhetoric to represent the former as the defender of Western civilization against Islam (De la Torre and Mazzoleni, 2019, p. 4). However, the authors credit Mudde when positing that his definition is minimal and generic and can thus facilitate consensus among scholars and academics to accumulate knowledge by avoiding unnecessary conceptual disagreements (De la Torre and Mazzoleni, 2019, p. 2).

2.2 The multifaceted concept of populism

The conceptualization of populism is a matter of contestation, but it is also a matter of confusion in political analysis. Abts and Rummens (2007) argue that populism is a political mobilization strategy using a typical political rhetoric style. In this case, populist parties and leaders appeal to the ordinary people's power to challenge the current political establishment. On the other hand, populism can also be analyzed as a type of organization and political style (Abts and Rummens, 2007, p. 407). Populism here then refers to a mobilization characterized by a politics of personality centered on a charismatic leader who is perceived to embody the people's will and who is said to speak on their behalf. That is why populist mobilization is understood as a particular communication style because populists offer simplistic solutions to complex problems through direct language and appeal to people's common sense by denouncing the established elites' intellectualism (Abts and Rummens, 2007, p. 407).

Although Abt and Rummens recognize that political mobilization, charismatic leadership, and simplistic language are typically essential features, they argue that these features do not define the core of populism (2007, p. 407; Mudde, 2004, p. 544-545). They elaborate that these features should be understood as symptoms or expressions of an underlying populist ideology. (Abts and Rummens, 2007, p. 408). Populist ideology in itself does not provide a comprehensive vision of a society since it only provides a precise meaning and priority to certain key concepts of political discourse, thereby generating a particular ideological picture of the political domain's parts.

In this perspective, *populism* is defined as a discourse that invokes the supremacy of popular sovereignty to claim that corrupt elites are defrauding the "the people" of their rightful political authority (Riedel, 2017, p. 291). This approach considers populism as an "anti-status quo" discourse by symbolically dividing society into "the people" and "the other," thereby validating a "them vs. us" mentality (Moffit and Tomey, 2014; Riedel, 2017, p. 291).

In the academic literature on populism, three elements of populist ideology are recurrently highlighted. The first argument is that populism revolves around a central antagonistic relationship between "the pure people" and "the corrupt elite" (Mudde, 2017; Jones, 2019). Abts and Rummen (2007, p. 408) build on Canovan when they posit that populism appeals to the people against both the established power structures and the dominant ideas and societal values

(See also Gerim, 2018, p. 425). The elites are attacked for their alleged privileges, their corruption, and lack of accountability to the people. The elites are also accused of representing their interests and alienating from real interests, values, and opinions of "the people" (Abts and Rummens; 2007, p. 409; Mudde, 2016). This is why Eatwell and Goodwin suggest that national populists prioritize the nation's culture and interests and promise to give a voice to people who feel neglected, even held in contempt by distant and often corrupt elites (2018, p. ix).

The second argument is that populism tries to give back power to the people and restore popular sovereignty. Populists suppose that politics should be based on the immediate expression of the people's general will (Abts and Rummens 2007, p. 409). Besides, as an ideology, populism favors more direct forms of democracy, such as majority rule or referenda, which should replace the current representative and intermediary institutional arrangements (Abts and Rummens, 2007, p. 408). Therefore, the people will be considered transparent and immediately accessible to those willing to listen to the populist voice.

The third argument suggests that the transparency of the people's will is possible because populism conceptualizes the people as a homogenous unity, according to Canovan and Taggart in Abt and Rummens (2007, p. 408). In populist ideology, "the people" function as a central signifier that receives a fundamentally monolithic interpretation. The people are indivisible and united, fully formed, self-aware, and identifiable by most numbers. Accordingly, "the people" are not regarded as a heterogeneous collection of social groups and individual subjects with diverse values, needs, and opinions (Abts and Rummens, 2007, p. 409).

As observed, populist ideology implies that people constitute a homogeneous body. However, the ideology does not clarify what the substantive identity should be. Therefore, Abt and Rummens argue that all actual populist movements need to supplement their thin-centered populist ideology with additional values and beliefs that provide content to substantive unity (2007, p. 409). This is exemplified because a leftist version of populism identifies the people in socio-economic terms as the elites exploit the working class. In contrast, the right-wing populist movement refers to ethnonational characteristics to identify the people with the ethnic nation (Abts and Rummens, 2007, p. 409). The people's presumed unity implies that populism cultivates antagonistic relationships towards those who do not fit in and therefore threaten homogeneity. Depending on the populist image's specific nature, those who threaten society's

homogeneity might include cultural and economic elites, foreigners, minorities, and welfare recipients (Abts and Rummens, 2007, p. 410; Surel, 2011, p. 4).

Erik Jones problematizes this conception because it does not capture the complete political challenges facing European democracies. He argues that when popular commentators refer to the populist threat to democracy, they usually speak about something more significant and more complicated than the rhetorical turns used by particular political parties that claim to represent the people and criticize the elite (Jones, 2019, p. 9). In his policy brief, Yves Surel operates with three principal dimensions of populism, which form the most widely used and complimentary basis for political science analysis. These are populism as a necessary element of democracy, populism as a recurring ideology, and populism as a rhetorical resource associated with a leader or a party's positions (Surel, 2011, p. 2).

In the first perspective, as a principle for organizing and legitimizing power based on the people's sovereignty, populism is one of democracy's two constitutive processes, along with constitutionalism and the rule of law (Surel, 2011, p. 2). These two elements of democracy; populism, and constitutionalism, Surel argues, are often interrelated. Populism is practiced by respect for procedural constitutional rules such as elections (2011, p. 2). On the other hand, constitutionalism is in constant tension with the people's fundamental legitimacy; for instance, the principle of self-limitation is applied by courts (Surel, 2011, p. 2). This explains why the European governance system is often accused of being 'regulatory' and not democratic because of the weakness of mechanisms that legitimize the people's decisions (Surel, 2011, p. 2). Surel regards the election by universal suffrage of the European Parliament as the only 'populist' component of European governance, in contrast to the role of the Court of Justice, preeminent since the start of European integration (2011, p. 2).

Secondly, Surel argues that populism is a recurring ideology that is attached to other more complex ideologies. Surel suggests that an examination of 'populist' discourse reveals three common denominators. First is the reminder that all power derives necessarily from the people, a group defined by nationalism or other social criteria - meaning "the people against the elite" (Surel, 2011, p. 2). Second is the idea that institutions and politicians have undermined this ideal by diverting the exercise of power from its first mission, respecting a sovereign people, which gives rise to rhetoric focusing on betrayal by various elites (Surel, 2011, p. 2). The third point is the desire to restore a previous or more legitimate order that guarantees the people's

sovereignty and their representatives (Surel, 2011, p. 2). In this sense, populism can be left-wing and right-wing, depending on the relative importance of the people's role, the particular elites criticized, and the type of 'restoration' envisaged (Surel, 2011, p. 2). This flexibility explains populism as an ideological or rhetorical resource accessible to leaders or parties in a political system. For parties on the fringe, populism is often an easy 'marker' that permits them to distinguish themselves from established parties and leaders (Surel, 2011, p. 2). It is also a means of capturing a varied electoral base attracted by the rejection of traditional institutions (Surel, 2011, p. 2). The 'populist' label that is currently attached to political figures like Jean-Luc Mélenchon in France, or Geert Wilders in the Netherlands, can largely be explained by these figures' positioning as alternatives to parties that have been 'compromised by the government (Surel, 2011, p. 2; Dittrich, 2017, p. 5-6, Burmaster, 2017).

Third and finally, circumstantial use of populist rhetoric can also be observed in more 'centrist' parties and politicians, particularly during electoral campaigns (Surel, 2011, p. 3). Its usefulness is in rallying the broadest possible section of the electorate while at the same time promoting the idea that the candidate or party in question is best placed to serve the interests of the people (Surel, 2011, p. 3).

As such, populism is a challenging subject to apprehend and categorize. It is sometimes regarded as a critical dimension of democracy. Other times, populism is considered a collection of simple ideologies that are easily taken up by different political factions and as an arsenal of rhetoric and positioning to be used by political actors (Surel, 2011, p. 3). For Surel, the three dimensions are associated. He believes that if populist rhetoric is persuasive, it is because it is founded explicitly on the idea that all 'democratic' discourse must have a sovereign people at its core (2011, p. 3). Secondly, if parties most closely associated over time with this flexible ideology are criticized, it is partly because an excessive emphasis on the populist pillar tends to delegitimize democracy's other pillar, which is the rule of law (Surel, 2011, p. 3). That is why, beyond any criticism or stigmatization, an analysis of populism must recognize this variable and mixed character (Surel, 2011, p. 3).

2.3 Populism and the EU

As a government system (Nugent, 2017), the EU is perceived as having weak electoral mechanisms and massive law and legal institutions. For this reason, the EU is an easy target and a popular "punch bag" for populist rhetoric, as observed by Surel (2011, p. 4; Buti and Pichelmann, 2017, p. 4). For instance, Surel argues that Geert Wilders' movement towards increasingly extremist positions, mainly those based on Islam's critique, began with a European issue - Turkish EU membership. This was why he left the liberal, conservative party (VVD) in 2004 to create the Freedom Party (PVV). Since then, his positions on Europe have relentlessly focused on the theme of an integration project that has confiscated the people's liberty and which must be reformed and slowed down. As once a Member of the European Parliament, he went as far as arguing for the abolition of this institution because he considered it illegitimate since it did not represent "European people" (Surel, 2011, p. 3).

Surel also observed the idea of "confiscation" in France's National Rally, which perceived the EU to be a dangerous project contrary to the French people's interests (2011, 3). In their party manifesto, their propositions included rejecting European citizenship, refusing to cooperate within certain agencies on security and immigration issues, and a suggested renegotiation of the European treaties to make them more compatible with "sovereign states" (Surel, 2011, p. 4).

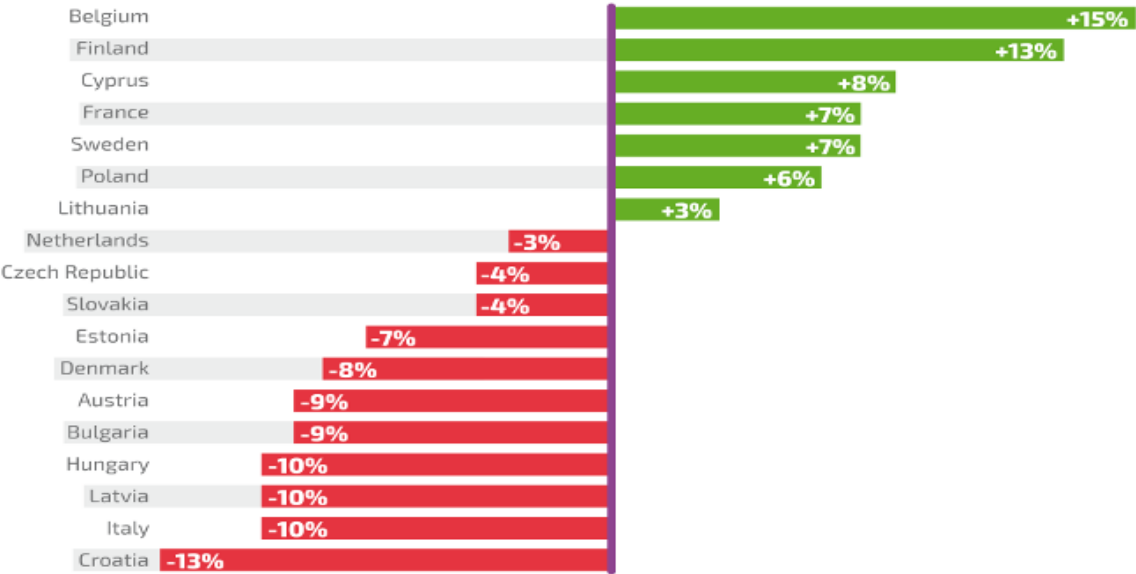
In these instances, the EU is considered an exogenous political system controlled by a technocratic elite and lacks legitimacy conferred by universal suffrage (Surel, 2011, p. 4). Therefore, it represents a dual danger: national sovereignty and the other being the people's interests. Surel further suggests that this type of idea makes populist discourse similar to classical nationalism, which in EU contexts is termed "sovereigntism" (2011, p. 4). The British United Kingdom Independence Party (UKIP) was created due to classical nationalism to reject European integration and the express objective of denouncing the EU's influence over the UK's institutions and policies (Surel, 2011, p. 4).

Surel also believes that nationalism can lead populist parties to advance other themes and demands based on the rejection of certain societal groups and ethnic minorities (2011, p. 4). A common characteristic of current movements and leaders is their sometimes-outspoken rejection of immigrant populations in general and Islam (Surel, 2011, p. 4). National Rally

leader Marine Le Pen has demanded renegotiating the Schengen accords in response to immigration caused by political change in Arab countries (Surel, 2011, p. 4). There have been similar arguments in Scandinavia but in a version coined "welfare populism," meaning the criticism of granting rights and social services to immigrants (Surel, 2011, p. 4; Boros, Laki, and Györi, 2020, p. 7).

Such denunciation of foreigners, immigrants, Islam, and Muslims is imperative since it is often associated with a negative understanding of European integration (Surel, 2011, p. 4). Since the EU was founded on the principles of free movement and because it has established cooperative rules employing the Schengen accords, it is perceived as a factor that explains the increased migration flows (Hix and Høyland, 2011, p. 116; Surel, 2011, p. 4; Nugent 2017, p. 45). By its limits on controls at internal frontiers and its challenge of organizing a collective response, the EU is regarded as incapable of responding to threats that weigh on the nation-states (Surel, 2011, p. 4). Furthermore, by encouraging a rapprochement with Muslim countries, the EU accentuates national identity threats (Surel, 2011, p. 4). This tense worldview is not new, but instead a common feature of most populist movements in Europe for whom European citizenship does not exist and cannot legitimately be added to or substituted for national identity (Surel, 2011, p. 4).

2.4 The current state of populism in the EU



Graph 1: Countries with significant change of support for populist parties in 2019

Source: <https://progressivepost.eu/spotlights/populism-tracker/the-populism-graph>

In their analysis of the current state of populism in the EU in 2020 and the ending half of the decade, Boros, Laki, and Györi found that 2019 was a mixed year for populist parties in the EU from a macro perspective. Boros, Laki, and Györi found that in half of the EU's Member States, the aggregate support for populist parties declined (2020, p. 133). Interestingly in Austria, Bulgaria, Croatia, Denmark, Estonia, Hungary, Italy, and Latvia, the decline was fairly significant, exceeding five points compared to 2018 (Boros, Laki, and Györi, 2020, p. 131). For the sake of this thesis, Graph 1 suggests that populists in Austria and Hungary, even though they are in power, are becoming less prevalent since their decline in support is quite significant. In Austria's case, the decrease in support for populists is attributed to the Ibiza scandal involving high-level politicians in the FPÖ (Boros, Laki, and Györi, 2020, p. 13). However, the FPÖ had been supported by 24 percent of the Austrian electorate before further declining to 15 percent (Boros, Laki, and Györi, 2020, p. 13). The FPÖ had been declining in polls since 2016, when it peaked at 37 percent and 33 percent in 2017, and it was further squeezed in the polls because of Chancellor Kurz's popularity (Boros, Laki, and Györi, 2020, p. 13).

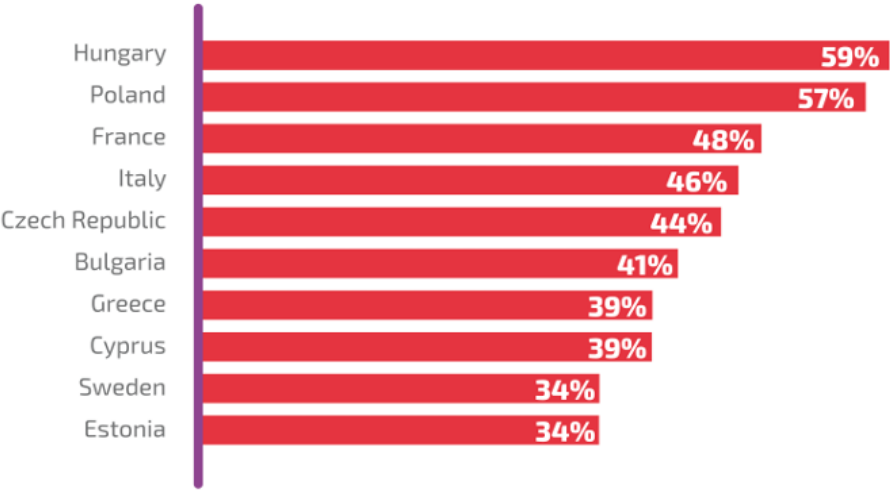
As for Hungary, support for populism decreased by ten percent. Boros, Laki, and Györ argue that it was not a result of shifting popular preferences since Fidesz lost despite its share of the

vote being almost the same in previous elections (Boros, Laki, and Györi, 2020, p. 67). The reason why Fidesz had a setback is thanks to the majoritarian electoral system that gives the largest party a disproportionate advantage over a divided opposition, even if the aggregated vote share of the latter is equal to that of the larger party or even surpasses it (Boros, Laki, and Györi, 2020, p. 67). In October 2019, that changed with the opposition uniting in large parts of the country to accommodate the logic of the electoral system. As such, by combining their electoral clout, they managed to win in many places where their joint strength had exceeded Fidesz for a while now (Boros, Laki, and Györi, 2020, p. 67). Besides, Hungary's former leading far-right party Jobbik made its centrist reorientation more emphatic than ever before (Boros, Laki, and Györi, 2020, p. 67). The once anti-EU, anti-Semitic, and anti-Roma party is among the most vociferous defenders of Hungarian EU membership. Jobbik also aspires to be part of the European People's Party (EPP) in the European Parliament and has brought its manifesto and rhetoric in line with the ambition (Boros, Laki, and Györi, 2020, p. 67).

However, in almost the same number of countries – Belgium, Cyprus, Finland, France, Poland, and Sweden – populist parties saw a surge of over five points in the polls than in 2018 (Boros, Laki, and Györi, 2020, p. 132). Interestingly, Belgium is the Member State that has seen the most increase in support of populists in the EU. Within a year, the Vlaams Belang (VB) more than doubled its support. In early 2019, the party stood at eleven to twelve percent in the polls, and by the end of 2019, they surged to 27 percent (Boros, Laki, and Györi, 2020, p. 15). This made VB the European populist party that experienced the most pronounced growth in 2019. This is because of Vlaams Belang (VB) (Flemish Interest); in addition to campaigning on typical right-wing populist platforms, the party had been effective in appealing to young male voters (Boros, Laki, and Györi, 2020, p. 17). 2019 also proved to be a successful year for the VB since they more than doubled their support, standing at 11 to 12 percent in 2019, surging to 27 percent at the end of the year (Boros, Laki, and Györi, 2020, p. 15). At large, Graph 1, the authors argue, indicates that the aggregate polling of populist parties remained relatively stable in the +/- five-point range (Boros, Laki, and Györi, 2020, p. 132).

Boros, Laki, and Györi believe that mainstream/traditional political parties averted a disaster in the EP election because the populist gains were not as massive as was anticipated. Besides, right-wing populist parties are for now too disparate and internally divided to act united and coordinated, which could make them more potent at the EU level (Boros, Laki, and Györi, 2020, p. 132). However, Boros, Laki, and Györi find that these forces are more influential in the

Council (of Ministers), where the Member States led by populist governments have veto-power in many questions. Therefore, Pro-Europeans are cautioned not to believe that the problem has been contained for the EP's electoral term (Boros, Laki, and Györi, 2020, p.132). Although this analysis is primarily based on polling results before and after the EP election, one should note that the effects of populism on the policies and rhetoric of other parties are not reflected in the polls.



Graph 2: Countries with the highest aggregate support for populist parties at the end of 2019
Source: <https://progressivepost.eu/spotlights/populism-tracker/the-populism-map>

A geographical overview of the strength of populism in Europe continues to reinforce the trend observed in previous years that populism is far more pronounced in the Central and Eastern European Member States than in Western Europe, even if right-wing populism has gained strength in the latter as well, as can be observed in Graph 2 (Boros, Laki, and Györi, 2020, p. 134). The four countries with the highest share of voters supporting populist parties are all Central and Eastern European, and this part of the continent is also where populism is most likely to be the significant governing force and where populism has arguably had the most profound impact on mainstream politics (Boros, Laki, and Györi, 2020, p. 134).

The most emblematic populists continue to be the dominant parties in Hungary and Poland, Fidesz and PiS, which have pursued significant efforts to dismantle and undermine democracy and the rule of law (Boros, Laki, and Györi, 2020, p. 134; Sata and Karolewski, 2020; Dempsey,

2020; Karnitschig, 2020). Compared to Graph 1, it is interesting that even though populists in Hungary declined by 10 percent, populists are still strongly supported by the Hungarian population. Overall, Hungary's high level of support for populists remains broadly unchanged (Boros, Laki, and Györi, 2020, p. 68). Jobbik's centrist reorientation and its concomitant loss of public support have arguably moved a sizeable chunk of voters who used to support populists out of the populist orbit (Boros, Laki, and Györi, 2020, p. 68). The bulk of populist strength in Hungary, in terms of popular support and access to governmental power, is anchored in Orbán and Fidesz (Boros, Laki, and Györi, 2020, p. 68).

Another trend to highlight is that in many European countries, right-wing populists made gains while left-wing populists tend to stagnate or even decline, as this was the case in Greece and Spain (Boros, Laki, and Györi, 2020, p. 134). 2019 marked another year when European politics shifted to the right (Boros, Laki, and Györi, 2020, p. 134). This drift also manifested itself in the European public reaction to the refugee crisis's resurgence in the wake of Turkey's decision to push Syrian refugees towards the EU and the EU's decision to look the other way while Greece essentially barred them from entering Europe (Boros, Laki, and Györi, 2020, p. 135). Besides, we also have the ongoing Covid-19 pandemic, which has hit the EU hard at a time when populism is on the rise (Bergsen, 2020). We are still witnessing its effects, and the social and economic impacts of the Covid-19 crisis will shape European politics for years to come.

2.5 Defining Democracy and Democratic Backsliding

Before we define democratic backsliding, we need to establish a foundation for what democracy is. Like every definition, there are different understandings of the term. A general demarcation line in the literature runs between substantive and procedural definitions of democracy (Møller and Skaaning, 2011, p. 41). Substantive definitions are the most demanding because they emphasize the substance or content of democracy, sometimes even construing democracy as *modus vivendi* (Møller and Skaaning, 2011, p. 41). What characterizes substantive definitions is the emphasis on variables like the economic distribution of resources or the opportunity to participate in rational deliberation. In these cases, power is to be distributed in society so that everyone can participate on an equal footing and that democracy, to some extent, is defined by its results (Møller and Skaaning, 2011, p. 41).

Procedural definitions of democracy instead equate democracy with a political regime or political method. Building on Max Weber, Hans Kelsen, and Joseph Schumpeter, democracy is presented as a *modus procedendi*, meaning a regime defined by the presence of a specific set of procedures (Møller and Skaaning, 2011, p. 41). Essentially, substantive, and procedural definitions differ from each other in the sense that the former entails that democracy is rendered as a "*What?*" whereas the latter entails democracy being construed as a "*How?*" (Møller and Skaaning, 2011, p. 41). The choice between the two definitions depends on the specific issue in question.

Substantive definitions are preferable in studies of analysis of democratic participation or attempts to describe a democratic ideal. Substantive definitions have been criticized for being less realistic and too vague when theoretical reflections are taken into the empirics (Møller and Skaaning, 2011, p. 42). For instance, if all relevant resources have to be equally distributed, where does one draw the line between democracies and non-democracies (Møller and Skaaning, 2011, p. 42)? In other cases, procedural definitions have more to offer. Since procedural definitions are the most realistic, they make it possible to operationalize and measure democracy without excessive vagueness, and it is easier to assess whether a given state is democratic or not (Møller and Skaaning, 2011, p. 42).

2.5.1 Typologies of Democracy

In their attempt to explain democracy, Møller and Skaaning build on the Schumpeterian and procedural formula by constructing a typology of different kinds of democracies (Møller and Skaaning, 2011, p. 44). The first type, *minimalist democracy*, is solely based on Schumpeter and is defined by frequent elections characterized by "ex-ante uncertainty," "ex-post irreversibility," and repeatability (Møller and Skaaning, 2011, p. 44). Generally, if genuine competition exists, the result is a democracy regardless of whether there are restrictions on voting rights, moderate irregularities, or domains where tutelary powers can veto policies. The most decisive requirement is that governments follow the people's choices (Møller and Skaaning, 2011, p. 44). In the absence of these characteristics, then we are dealing with an autocracy.

Next on the ladder rung is an *electoral democracy*. In this case, elections are not merely characterized by competition (Møller and Skaaning, 2011, p. 44). They are also free and inclusive, meaning that there is universal and equal suffrage, no substantial irregularities associated with elections, and no reserved domains where non-elected groups like armed forces have a veto on matters of political significance. Electoral democracies, therefore, are distinguished from minimalist democracies solely based on electoral rights (Møller and Skaaning, 2011, p. 44).

On the next rung is Robert Dahl's notion of *polyarchy*. In polyarchies, free and inclusive elections are supplemented by political and civil liberties like free speech, freedom of assembly, and association (Møller and Skaaning, 2011, p. 44). Finally, *liberal democracy* is the last type on the ladder and is the most demanding type. In this case, free elections and political and civil liberties are supplemented by the rule of law, being understood as the regular and impartial administration of public rules (Møller and Skaaning, 2011, p. 44).

2.6 Democratic Backsliding

As with any theory or theoretical concept, there are different understandings of democratic backsliding. The term's emphasis varies from bad governance, the quality of democracy, human rights, corruption, and state capture or violation of fundamental EU norms and laws (Bakke and Sitter, 2020, p. 3). Nina Bermeo understands democratic backsliding as "the state-led debilitation or elimination of the political institutions sustaining an existing democracy" (2016). Central to Bermeo's definition is that in times where open-ended coups, blatant election day vote fraud are declining, promissory coups, executive aggrandizement, strategic electoral manipulation, harassment, and capture are increasing (Bermeo, 2016; Bauer and Becker, 2020, p. 20). Building on Bermeo (2016) and Waldner and Lust (2019), Bakke and Sitter extend their definition of democratic backsliding on four key factors. They consider (1) movement away from democracy, (2) gradual and incremental change, meaning continuous movement and sliding denotes, not rapidly breakdown democracy, (3) open-ended processes that may or may not lead to regime change; and (4) that backsliding is elite-driven, and involves successful willful acts by elected officials to undermine democracy (Bermeo, 2016; Waldner and Lust, 2019, p. 95; Bakke and Sitter, 2020, p. 3). Therefore, the definitions of Bermeo and Bakke, and Sitter emphasize that democratic backsliding means rolling back liberal democracy (2020, p. 99).

Suppose democratic backsliding involves a movement away from democracy, the definition of democracy matters (Bakke and Sitter, 2020, p. 3). For this reason, Bermeo's specific understanding of democratic backsliding has been criticized on normative and analytical grounds by Bauer and Becker (2020, p. 20). In particular, executive aggrandizement is based on censoring the media, subverting horizontal accountability, and manipulating elections. Bauer and Becker argue that this concept defines *democracy* as liberal (see also Gora and de Wilde, 2020, p. 5). Besides, Waldner and Lust warn researchers of the possibility of overestimating the degree of backsliding when using one-dimensional indicators (2018). They argue that such indexes while failing to distinguish movement on individual components of democracy, attempt to over-interpret small changes (Waldner and Lust, 2018). Furthermore, researchers are also cautioned to observe the implied progress of the term "backsliding" since a case could be made that we are not fully witnessing democratic backsliding, but instead the consequences of instability of democracies that never fully consolidated (Waldner and Lust, 2018).

Bakke and Sitter make the case that certain elements should not count as democratic backsliding. First of all, low voter turn-out, weak links between parties and civil society, electoral volatility, declining party membership, fragile government coalitions, or low trust does not indicate democratic backsliding, although they constitute challenges to democracy (Bakke and Sitter, 2020, p. 3; Gora and de Wilde, 2020, p. 5). Secondly, Bakke and Sitter argue that a backlash against economic and social liberalism or the strength of populism is not democratic backsliding. The reasoning for this argument is that populist parties in government may be more likely to initiate backsliding; that is why populism itself should not be part of the definition (Bakke and Sitter, 2020, p. 3). The authors posit a difference between pursuing illiberal policies and breaking the game rules, of which the latter constitutes democratic backsliding (Bakke and Sitter, 2020, p. 3).

However, many understandings of democracy are more nuanced, as we have observed. While they acknowledge the different types of democracies (minimalist-, electoral-, polyarchy, and liberal democracy), Bauer and Becker restrict themselves for analytical purposes to the liberal interpretation of democracy. Like, Bermeo (2019) and Bakke and Sitter (2020), Bauer and Becker's interpretation of democratic backsliding views negatively the concentration of political power, and it emphasizes the importance of (1) political rights in terms of freedom of assembly, expression, and association (2) civil liberties in terms of the protecting life, liberty

and property, (3) checks and balances, separation of powers between the executive, legislative and judicial branches of government and (4) accountability of elected officials and the rule of law - understood as the regular and impartial administration of public rules (Møller and Skaaning, 2011, p. 44; Bakke and Sitter, 2020, p. 3; Bauer and Becker, 2020, p. 20).

Essentially, democratic backsliding is a gradual process, and states can be rated in different shades of grey. Like Bermeo, Bakke, and Sitter, and Bauer and Backer, in this thesis, I restrict myself to understanding democratic backsliding through the liberal democratic lenses by negating concentration of political power and any effort to capture or reform political institutions in any illiberal manner.

2.7 Theorizing Democratic Backsliding

Waldner and Lust propose six ways of theorizing democratic backsliding; agency-based theories, theories of political culture, theories of political institutions, theories of political economy, theories of social structure and political coalitions, and finally, international actors (2018, p. 97). In this thesis, I focus on the theory of political institutions since the aim is to illuminate how populists contribute to democratic backsliding through capturing or trying to reform democratic institutions. Besides, contemporary forms of backsliding are particularly vexing because they are legitimized by the institutions that promoters of democracy prioritize (Bermeo, 2016).

Waldner and Lust suggest thinking of political institutions as having three broad types of effect. First, different democratic institutions may affect vertical accountability and representativeness, such that governments are responsive to their citizens. Besides, citizens who regard their government as a legitimate source of authority have diminished incentives to support anti-democratic movements (Waldner and Lust, 2020, p. 99). Secondly, different democratic institutions may affect the level of horizontal accountability, such that different government agencies have capacities to impede members of the government from acting increasingly in autocratic ways and subverting democracy from within (Waldner and Lust, 2020, p. 99). Thirdly, different democratic institutions may influence the level of governmental efficaciousness and performance, circumventing political stalemate and crisis that can fit the excuse or the motivation and justification for anti-democratic actions (Waldner and Lust, 2020, p. 99).

Waldner and Lust hypothesize that democratic backsliding is more likely to occur under initial institutional configurations that degrade these three elements of accountability and efficaciousness, even as they acknowledge that citizens and government agencies can possibly share the executive's preference for less democratic accountability (2020, p. 99). Simply put, one can simultaneously look at institutions and partisan preferences; suppose citizens, legislatures, judiciaries, independent agencies, or a combination of these actors prefer less democracy under an incumbent government, then the institutions that empower them will not deter democratic backsliding (Waldner and Lust, 2020, p. 100).

However, Waldner and Lust acknowledge that studies of political institutions face a methodological challenge. Institutions structure political processes and outcomes, and for that very reason, powerful actors have strong incentives to mold institutions to their political actors; institutions are also objects of manipulation by strategic actors specifically because they might make favorable outcomes more likely (O'Neil, 2015, p. 21-22; Waldner and Lust, 2020, p. 100). Methodologically this poses a problem of selection: if the causes of the institution are systematically related to the outcomes, then the institution itself may not exercise any causal influence (Waldner and Lust, 2020, p. 100). Additionally, outcomes might be directly caused by powerful actors who simultaneously influence the nature of political institutions (O'Neil, 2015, p. 21-22; Waldner and Lust, 2020, p. 100).

Given this concern about endogenous institutions, Waldner and Lust are skeptical about the validity of two types of institutional arguments: those who attribute democratic stability to electoral institutions and those who attribute democratic stability to parliamentary systems of executive-legislative relations (2020, p. 100). Waldner and Lust reference Lijphart (1977), who offers a theory of democratic stability and electoral systems, arguing that in plural societies, consociational institutions induce elite moderation that facilitates cooperation and democratic survival (Lijphart, 2012, p. 31-32; Waldner and Lust, 2020, p. 100). Waldner and Lust also reference Reynolds (2011), who posits that power-sharing systems based on proportional representation create incentives to accommodate others and deter democratic breakdown relative to majoritarian political institutions (2020, p. 100, see also Lijphart, 2012, p. 31-32). These theories, however, Waldner and Lust argue, suffer issues of empirical confirmation. Moreover, neither Lijphart nor Reynolds acknowledge or control for the problem of endogeneity and cannot, therefore, dispel the doubt that the balance of political forces

underlying institutional development illustrates the likelihood of breakdown, according to Waldner and Lust (2020, p. 100).

Nonetheless, given these methodological issues, Waldner and Lust perceive democratic backsliding as a consequence of shifting balances of power that favor incumbents, possibly merely temporarily, such that in an environment in which military coups are no longer desirable, incumbents seeking partisan advantage by shredding some aspects of competitiveness, participation and accountability (2020, p. 108).

Chapter 3.0: Linking Populism and Democratic Backsliding

Although Bakke and Sitter suggest that populism does not constitute democratic backsliding, Bauer and Becker argue that populism is at least strongly linked to the debate on democratic backsliding. Norris argues along the same line as Bauer and Becker as she regards the populist conquest of government authority to fuel backsliding and constituting a threat to Western democracies (Norris, 2017, p. 12; Bauer and Becker, 2020, p. 20). However, the relation between populism and democracy is complex, and in some cases, populist movements can rejuvenate and boost democracy (Urbinati, 2019, p. 112; Bauer and Becker, 2020, p. 20). In some authoritarian regimes or systems with representation gaps, populist movements can empower disadvantaged groups. Therefore, populism effectively weakens or strengthens democracy depending on the situation and the precise definition of both terms (Bauer and Becker, 2020, p. 2020). Bauer and Becker concur with Norris positing that while populism may develop positive effects in other settings, it threatens established liberal democracies (Bauer and Becker, 2020, p. 20).

Besides, populism does not only have an anti-elitist component, but populism is also anti-pluralist. Anti-pluralism runs counter to contemporary notions of liberal democracy (Bauer and Becker, 2020, p. 21). Bauer and Becker reference Ernst Fraenkel when arguing that a common will of the people does not exist a priori, but it can only materialize compromises of interests in pluralist settings (2020, p. 21). Democracies must therefore have a controversial and noncontroversial sector. In the latter regard, the political game rules must be fair, legal norms are steadfast, and civility as the principle of human interaction must be sustained (Bauer and Becker, 2020, p. 21). What then becomes democratically problematic with modern populists is

not necessarily their policy stances; instead, it is their attack on the noncontroversial sector to delegitimize pluralism, dissent, and opposition (Bauer and Becker, 2020, p. 21). While some demands may be legitimate grievances, the claim of exclusively representing the people is at odds with the practice of liberal democracy (Bauer and Becker, 2020, p. 21).

Like other governments, populists seek to implement their policies through public administration and government bureaucracies. Modern bureaucracies have, in many contexts, morphed into a vital institution of democratic life (Bauer and Becker, 2020, p. 21). Public administration as a pluralist institution of liberal democracy is at odds with populist ideologies that perceive a single will of the people (Bauer and Becker, 2020, p. 21). Bauer and Becker make the case that if populism is more than an electoral ideology, once in government, it must seek to transform the bureaucracy to realize its agenda effectively (2020, p. 21).

However, it is essential not to confuse populist and authoritarian policies. Nevertheless, strategies to transform the bureaucracy by force would fall into the latter category (Bauer and Becker, 2020, p. 21). The resulting anti-pluralist public administration policies, meaning policies that seek to reform the bureaucratic apparatus to create a more efficient government in line with a specific ideology, would contribute to democratic backsliding (Bauer and Becker, 2020, p. 21). In other words, populists seek to increase the effectiveness and efficiency of their priorities just like other governments (Bauer and Becker, 2020, p. 21). Nonetheless, given their anti-pluralism, their efforts aim at eliminating pluralism in the state bureaucracy (Bauer and Becker, 2020, p. 21). The following section will more specifically discuss the goals and strategies of populists.

3.1 Populist Goals

Before entering governments, most populists will likely rail against the bureaucracy, which almost by definition is part of the opposed establishment (Bauer and Becker, 2020, p. 22). Nevertheless, their general views on the state and its administrative manifestations are likely to differ. The populist positions can be positive or negative, perceiving public administration as either necessary or to further populist ideology or hindrance to be minimized when speaking on behalf of "the people" (Bauer and Becker, 2020, p. 22). However, populists cannot engage in institution-building from scratch. In terms of pluralism, this relates to its safeguards in the political system. If the safeguards are still intact, anti-pluralist reforms are likely to be more

difficult in the administrative sphere as well (Bauer and Becker, 2020, p. 22). The authors acknowledge that these administrative orders can be fragile or robust, meaning their receptiveness for governmentally induced change is high or low (Bauer and Becker, 2020, p. 22).

Bauer and Becker suggest that these factors yield four goals of populist public administration policy (2020, p. 22). They argue that populists with negative regard for the state will preferentially seek to dismantle the bureaucracy (Bauer and Becker, 2020, p. 22). This will only be possible if existing administrative orders are fragile. If they are robust, anti-state populists must first seek to sabotage the bureaucracy to limit the established bureaucracy's capacity to counteract the new populist government (Bauer and Becker, 2020, p. 22). The authors also argue that populists with a positive view of the state will preferentially seek to capture state institutions, including administration, to fully realize their political agenda (Bauer and Becker, 2020, p. 22). Nonetheless, this will only be immediately possible when facing fragile orders. If the administrative orders become robust, pro-state populists must pursue incremental reforms (Bauer and Becker, 2020, p. 22).

These populist goals toward the bureaucracy are, as many other governmental agendas are changeable and not static. Bauer and Becker, therefore, argue that likely scenarios are that even robust administrative orders become ever more fragile, thereby enabling capture or dismantling, or that initially, bureaucracy-skeptical populists come to like a strong state (2020, p. 22). A desire for a strong state in law enforcement could be coupled with a preference for a weak state in economic affairs. Once populist goals are determined, their strategy becomes an element of interest, which the next section will dig into.

3.2 Populist Strategies

Bauer and Becker sum up five anti-pluralism strategies that populists employ to achieve their goals. They relate to organizational structure, resource allocation, personnel policy, bureaucratic ethics, and organizational environment (Bauer and Becker, 2020, p. 23). First, Bauer and Becker argue that incoming governments can centralize administrative structures by reducing autonomy in vertically and horizontally differentiated systems (2020, p. 23). Since even the most powerful authoritarian leaders cannot build new bureaucratic structures from the

ground, this change will be incremental. New leaders may want to weaken the already established organizations by first creating new ones, then plant new units in the traditional bureaucracies, and then transfer power to parts of the administrative system that are more ideologically consolidated and responsive to the wishes of the new leadership (Bauer and Becker, 2020, p. 23).

Second, Bauer and Becker posit that organizational realignment is realized through a massive redistribution of resources among the administrative agencies (2020, p. 23). Budget and personnel allocations reshuffle administrative powers while the formal setup remains intact. Third, new governments seek to influence administrative personnel (Bauer and Becker, 2020, p. 23). A purge of staff and top bureaucrats eventually takes place, although to different degrees. Following large-scale dismissals, the governments often place ideological supporters in positions of strategic importance, and they change the rules and procedures of recruitment and career progression to consolidate their nascent executive power (Bauer and Becker, 2020, p. 23).

Fourth, Bauer and Becker argue that bureaucratic norms might be overhauled to establish an administrative culture that frames critique as disobedience and dissenting opinions are suppressed (2020, p. 23). Bureaucrats are expected to be loyal to the new, charismatic leadership, not institutions and constitutions (Bauer and Becker, 2020, p. 23). Finally, the governments implement anti-pluralism through extensive use of executive decree that sidelines legislative bodies and representative deliberation. The effect is a reconfiguration of power that grants absolute authority over the bureaucracy to the executive and silenced pressures (Bauer and Becker, 2020, p. 23).

Nonetheless, these five change directions resemble many reform trends associated with governments regarded as firmly pluralistic, according to Bauer and Becker (2020, p. 23). What makes them anti-pluralist is not the direction of these reforms but their depth (Bauer and Becker, 2020, p. 23). With anti-pluralism, centralizing structures are aimed only at better control, but also the elimination of internal dissent and reallocating resources is not mere manifestations of priorities but meant the starving out of deviant agencies (Bauer and Becker, 2020, p. 23). At the same time, the authors posit that staff is better led but also completely obedient, while norms of bureaucratic neutrality are not softened but abolished (2020, p. 23). In terms of accountability, it is the norm rather than the exception. Imposing limits is considered legitimate

to safeguard the functioning of the bureaucratic organization; excessive pluralism would result in bureaucratic anarchy (Bauer and Becker, 2020, p. 23). Too much reduction, however, can run counter to the notions of liberal democracy that have taken hold in the administrative sphere. According to Bauer and Becker, there are no clear thresholds for bureaucracies to be considered pluralist, as single democratic institutions are embedded in larger, composite regimes with specific emphases, meaning that evaluating the degree of change is also problematic (2020, p. 23).

On an ending note, we observe that checks and balances do not serve as the bulwarks of democracy without robust institutions. Institutions become political weapons, wielded forcefully by those who control them against those who do not (Levitsky and Ziblatt, 2018, p. 7). This is how elected autocrats subvert and undermine democracy by packing and weaponizing the courts and other neutral agencies or bullying them into silence, rewriting the political rules to level the playing field in their favor and against their opponents (Levitsky and Ziblatt, 2018, p. 7). The tragic paradox of the electoral route to authoritarianism is that democracy's assassins use the very institutions of democracy, gradually, subtly, and even legally, to break down democracy (Levitsky and Ziblatt, 2018, p. 7).

Chapter 4.0: Research Method

In this chapter concerning research methods, I will discuss and justify the research method. The research method in this thesis is a qualitative analysis that aims to explain how populists contribute to democratic backsliding in Austria and Hungary and how the EU has responded in both cases. The research design is a comparative case study of Austria and Hungary. Since this is a descriptive study, it also focuses on accurately describing the processes of democratic backsliding. I will also explain more explicitly the variables that are dealt with in the thesis. The data collection and sampling strategy draw on secondary literature to answer the research question. I make a case for how reliability and validity are reflected in this thesis regarding the quality criteria. I end the chapter by reflecting on the ethical concerns in the thesis.

4.1 Research Methods

This thesis is based on a non-numerical research method commonly known as qualitative method. Bryman defines qualitative research as research that emphasizes words rather than quantification in collecting and analyzing data (2016, p. 694). Qualitative methods aim to identify and comprehend the attributes and traits of the objects of inquiry, and the nature of the method necessarily requires a focus on a small number of countries since we are dealing with a comparative case study in this thesis (Landman, 2008, p. 20). Landman further emphasizes three broad types of qualitative methods; macro-historical comparison, in-depth interviews, and participant observation - where the goal is to provide well-rounded and complete discursive accounts (Landman, 2008, p. 20-21).

This thesis is a macro-political comparison of populists in Austria and Hungary. The macro-political analysis focuses on groups of individuals, power structures, social classes, economic processes, and nation-states' interactions. In this case, we are focusing on institutional power structures to discuss the research question. By centering on a small number of countries, comparative macro-history allows for the parallel demonstration of theory, the contrast of contexts, or the macro-causal (Landman, 2008, p. 21). Parallel demonstrations of the theory test the fruitfulness of theory across various countries (Landman, 2008, p. 21). I am testing the theory of democratic backsliding in Austria and Hungary. The contrast of contexts helps to identify countries' unique features to show their effect on social processes while bringing out the richness of the individual countries and aspiring to descriptive holism (Landman, 2008, p. 21). As shall be thoroughly emphasized in the sections below, this thesis compares two unique countries that share the common feature of being governed by populist parties but are unique because one is liberal democracy. In contrast, the other is considered a hybrid regime, yet as the analysis shows, there are forms of democratic backsliding in both countries thanks to the actions of the populists in government. Macro-analysis aims, therefore, to explain observed political phenomena through the identification and analysis of "master variables" (Landman, 2008, p. 21).

4.2 Research Design: Comparative Case Study

The research design for the thesis is a comparative case study of Austria and Hungary. A case study is understood as an approach capable of examining complex or straightforward phenomena, with varying analysis units from single individuals, to large multinational corporations to world-changing events (Berg and Lune, 2012, p. 325). A case study further entails using various lines of action in its data-gathering segments and can meaningfully use or contribute to the application of theory (Berg and Lune, 2012, p. 325). A comparative case study also involves studying two or more contrasting cases using more or less identical methods. A comparative case design embodies the logic of comparison to understand social phenomena better when compared concerning two or more meaningfully contrasting cases or situations (Bryman, 2016, p. 64-65).

Since the design in this thesis is qualitative, the main argument for using this methodological design is that the researcher is better positioned to establish circumstances wherein a theory might or might not hold (Bryman, 2016, p. 64). The comparison might suggest concepts relevant to an emerging theory and act as a springboard for theoretical reflections about contrasting findings (Bryman, 2016, p. 67-68). Furthermore, qualitative studies seek not to generalize to populations but rather to the theory (Bryman, 2016, p. 398).

The thesis is structured as a comparative case study since it compares two cases against each other, building on and guided by the theory of democratic backsliding. The theory suggests that democratic backsliding is a process of gradual and incremental change and not a sudden or rapid breakdown of democracy. One issue the thesis faces is setting temporal limits that can be regarded as a starting point for democratic backsliding. Qualitative research tends to view social life in terms of processes, one of which is to show how events and patterns unfold over time (Bryman, 2016, p. 395). As such, qualitative evidence often conveys a strong sense of change and flux (Bryman, 2016, p. 395). Besides, processes can vary in length and starting points when we conduct a comparative study.

Therefore, I have chosen Austria's starting point in the late 1990s and early 2000s because this was the first time the Freedom Party of Austria (FPÖ) was first elected into government (Goncharenko, 2017). The main, however, emphasis will be laid on the period following the 2017 elections since that was the second time the FPÖ was part of a government (Mcintosh,

2019), and their period in government was mired by events that will be scrutinized under the guidance of democratic backsliding. In the case of Hungary, the starting point is 2010 because Orbán and his party Fidesz won a sweeping victory in the parliamentary elections, and he went on to become prime minister (Becker, 2010, p. 34; Than and Szakacs, 2010). Furthermore, 2010 has been suggested as the year democracy began declining in Hungary. Both the V-Dem Institute and Freedom House indexes of democracy. In 2010, the V-Dem institute's index regarded Hungary as an electoral democracy (2021, p. 19), whereas Freedom House perceived it as a consolidated democracy (Csaky, 2020, p. 3). A decade later, in 2020, Hungary was defined by the V-Dem Institute as an electoral autocracy (2021, p. 19), whereas Freedom House suggests that Hungary is partly free (2020). Therefore, in this thesis, the timeline for Austria will begin at ca. 1999 and Hungary in 2010 because these are the years where populists came into power.

4.3 Sampling Strategy: Selection and Comparison of cases

Since this is a qualitative study, the sampling strategy that will be used is purposive sampling. Purposive sampling is a non-probability form of sampling (Bryman, 2016, p. 408). However, the researcher does sample the cases on a random basis. The goal of purposive sampling is to sample cases strategically so that those sampled are relevant to the research question(s) that are asked (Bryman, 2016, p. 408). Furthermore, what links various kinds of purposive sampling approaches is that the sampling is conducted concerning the research question so that the units of analysis are selected in terms of criteria that will allow the research question(s) to be answered (Bryman, 2016, p. 410). Besides, since purposive sampling is a non-probability sampling strategy, it does not permit the research to generalize to the larger population (Bryman, 2016, p. 408). Also, since we compare cases, comparing a few countries involves the intentional selection of a few countries for comparison (Landman, 2008, p. 27).

Comparative methods depend on the critical trade-off between the level of abstraction and the scope of countries being studied (Landman, 2008, p. 25). The higher the level of conceptual abstraction, Landman suggests, the more potential for the inclusion of many countries where concepts travel across different contexts (2008, p. 5). Alternatively, focusing on one or few countries means that the researcher can use less abstract concepts that are more grounded in the

particular contexts scrutinized (Landman, 2008, p. 25). The concepts we are dealing with are populism and democratic backsliding.

The cases of Austria and Hungary were chosen on pragmatic and substantive grounds. Pragmatic grounds because both cases have been in the public eye because of the political developments in recent years. The reasoning for substantive grounds is that both cases are informative, meaning cases expected to represent the phenomena under study, which are populism and democratic backsliding. The cases are also representative, meaning that they occupy a modal position putative relevant variable (Swanborn, 2010, p. 52). Besides, one case is a liberal democracy, whereas the other is a hybrid regime or an electoral autocracy.

The literature suggests democratic backsliding as an illiberal phenomenon since it is a process of transitioning from democracy to some form of authoritarianism. As I suggested in the introductory chapter, just because one of the cases is a liberal democracy does not mean we should disregard and take for granted that populists have not made any efforts to contribute to democratic backsliding. A case can be made that Hungary is easier to analyze compared to Austria because it has already been recognized as a hybrid regime in IR. More academic research has been conducted on Hungary compared to Austria when discussing and scrutinizing populism and democratic backsliding. However, the mere fact that Austria is a liberal democracy is why we should be even more curious about the potential for democratic backsliding. Besides, I have to reiterate that I am not suggesting that Austria will transition away from a liberal democracy into a polyarchy or an electoral democracy, nor am I suggesting that Hungary will transition even further to the stricter forms of autocracy. I am simply looking at how populists contribute to democratic backsliding.

4.4 Data Collection and Analysis

There are various ways of collecting data. Bryman distinguishes between primary and secondary data, where the researcher collects primary data, and secondary data is collected by other researchers (2016, p. 309). Swanborn suggests the usual data sources are documents, interviews with informants, and observation (2010, p. 73). Therefore, this thesis relies only on relevant secondary literature and data as its primary sources to answer the research question.

Bryman provides both advantages and disadvantages of utilizing secondary data analysis. First, the secondary analysis offers the prospect of having access to good-quality data for a small fraction of the resources involved in the data-collection exercise (Bryman, 2016, 310). Another advantage is that the researcher has more time to analyze the data, and the researcher is freed from having to collect new data, which can result in the analysis approach being more considered than it otherwise would be, even though secondary entails a lot of data management (Bryman, 2016, p. 312). Besides, reanalysis of secondary data may offer new interpretations and enhance the possibility that fuller use will be made of data (Bryman, 2016, p. 312).

This thesis relies primarily on secondary data and desk research. The data has been collected from books, scientific and academic journals, websites, newspapers. I used the online library bibliographical database Oria to access and collect the secondary data that was not readily available. Oria is a common portal for the overall material found in most Norwegian academic and research libraries. Oria is supplemented with electronic material from open sources, and it provides unified access to research materials such as books, electronic books, journals, documents, articles, music, and movies (UNIT, 2020). The data has also been collected through Google Scholar to access e-books, articles, and various documents. Much like Oria, Google scholar provides a simple way of searching broadly for academic literature. Searches are focused on peer-reviewed papers, theses, books, abstracts, and articles from academic publishers, professional societies, preprint repositories, universities, and other scholarly organizations. In addition, Google Scholar enables the researcher to see how often others have cited an item, and this can be very useful in assessing the importance of an idea or a particular scholarly writer (Bryman, 2016, p. 108).

The internet provides an enormous and richly varied source of freely available information about social research that can quickly be accessed without the need for university agreements to gain access to them (Bryman, 2016, p. 108). However, this is both an advantage and a disadvantage since it can be challenging to differentiate what is valuable and reliable from what is too simplistic, too commercially oriented, too highly opinionated, or just not adequately academic (Bryman, 2016, p. 108). In the worst case, the researcher can quote sources that are misleading, skewed, and incorrect. Therefore, it is crucial to be selective in using the information on the internet and build up a list of favorite websites that can be checked regularly for information (Bryman, 2016, p. 108).

To avoid narrow and skewed interpretations of my research question, I have relied on literature from various sources to provide the thesis with fruitful thoughts, discussions, and answers. Writing about populism and democratic backsliding has required a lot of literature research and reading. Because of time and space constraints, not every researcher that has written on the research topic has been relevant for the thesis. Neither were some of the research on populism, democratic backsliding, and the EU as relevant to the research question. Many researchers and organizations have had a lot to say about these topics. However, I have primarily relied on research by the most cited and referenced authors like Cas Mudde and Cristobal R. Kaltwasser, Benjamin Moffitt, Koen Abts, and Stefan Rummens, Yves Surel, The Foundation for European Progressive Studies, Nina Bermeo, Pippa Norris, Jørgen Møller, and Sven-Erik Skaaning, Steven Levitsky and Daniel Ziblatt, David Waldner and Ellen Lust with the theoretical aspect of the research question. As for the empirical analysis, I have relied on official documents from the various EU institutions (Parliament and the Commission), online newspapers like Balkan Insight, Deutsche Welle, Direkt36, EURACTIV, Euronews, Politico Europe, Reuters, The Guardian, The Financial Times and research papers from organizations that measure democracy, corruption, and different democratic variables in the EU such as Freedom House, the V-Dem Institute, the Council of Europe's GRECO and Transparency International.

In terms of Austria and Hungary, I have relied on research papers and newspapers because of the actuality of the research question and the constant and ongoing current political developments in both Member States. I have also relied on EU experts like Simon Hix and Bjørn Høyland, EU legal scholars such as John Morijn, Mike Dawson, reports, policy responses, and research from various EU institutions and organizations that do or have researched the EU. The authors mentioned above and organizations cover different aspects of the research question broadly. Moreover, some have gained criticism for their understanding of populism, democratic backsliding, and the EU. Nevertheless, they go far and beyond to provide the researcher a clear understanding to interpret them in light of current events and future research.

Chapter 2 informs us that violent takeovers and coups d'état are on the decline; we are witnessing more sophisticated forms of seizure, like state capture or attempts to reform democratic institutions in an illiberal manner. At large, the variables being dealt with are the judiciary, the media, and corruption. Levitsky and Zibblat find that government efforts to undermine democracy are "legal" in the sense that they are approved by the legislature or

allowed by the courts (2018). They can even be portrayed as efforts to improve democracy by making the judiciary more efficient, combat corruption, clean up the electoral process, and newspapers may still publish but be bought off or bullied into self-censorship (Levitsky and Zibblat, 2018).

4.4.1 The Judiciary and its Independence

We are dealing with the judiciary because it is the third major institution that is central to democracy. All states rely on laws that prescribe behavior and layout the rules of the political game. At the core of this body of laws lies a constitution, which is the fundamental expression of the regime and the justification for subsequent legislation and the powers of executives, legislatures, and other political actors (O'Neil, 2015, p. 150). In non-democratic systems, constitutions may count for little because the state acts as it sees fit, and in liberal democracies, on the other hand, constitutional power is central to maintaining the rule of law (O'Neil, 2015, p. 150). As such, judicial institutions are essential components in upholding the law and maintaining its adherence to the constitution, which sometimes entails oversight of government actors, bodies, and processes (Böckenförde, Wahiu, Hedling, 2011, p. 223; O'Neil, 2015, p. 151; Prendergast, 2019, p. 258). For instance, most judiciaries are vested with some form of constitutional and judicial review power, which allows them to review legislative or executive action for compliance with the constitution (Böckenförde, Wahiu, Hedling, 2011, p. 223). Through the constitutional review, judiciaries can place necessary constitutional checks on other branches of government. However, the judiciary is rarely omnipotent: most constitutional systems limit the independence of the judiciary to some extent by affording other branches a degree of influence over its composition and functions (Böckenförde, Wahiu, Hedling, 2011, p. 223). Like other branches of government, the design of the judiciary requires careful reflection on the appropriate balance of power between the branches of government (Böckenförde, Wahiu, Hedling, 2011, p. 223).

Judicial review also has a democratic component to it. It is crucially important in a democracy that judges and the judiciary at large are impartial and independent of all external pressures so those who appear before them and the citizenry at large have confidence that their cases will be decided fairly and under the law (Courts and Tribunals Judiciary, 2021). Constitutional review of democratic processes relies on the value of judicial independence. The courts are well-

positioned to call on where political leaders fail to either repair or maintain democracy or where democratic processes are otherwise degrading or threatened (Prendergast, 2019, p. 258). When carrying out their judicial function, the courts must be free of any improper influence from any number of sources. It could arise from improper pressure by the executive or the legislature, or both, by individual litigants, particular pressure groups, the media, self-interest, or other judges (Courts and Tribunals Judiciary, 2021).

Gibler and Randazzo also examine general theories of judicial independence. They find that an independent judiciary is associated with regime stability and that established judiciaries help prevent all types of regime changes toward authoritarianism (2011, p. 705, 707). On the other hand, newly established independent judiciaries are associated with large-scale reversions in both democracies and non-democracies, and they are unable to stop anti-democratic reversals because courts are placed in challenging political environments, thereby adding additional support to the argument that the power of the courts grows over time (Gibler and Randazzo, 2011, p. 706-707). Chapter 5 will discuss and analyze if this lends credence when comparing Austria and Hungary.

4.4.2 The Media

We are dealing with the media because an unfettered and independent press within each state is essential in the democratization process since media proliferation helps to stave off backsliding by preventing government coups either from happening or succeeding (Norris, 2008, p. 186; Teorell, 2012, p. 69). Moreover, in their watchdog role, journalists can promote government transparency, accountability, and public scrutiny of decision-makers in power by highlighting policy failures, malfeasance, maladministration by public officials, corruption in the judiciary, and scandals in the corporate sectors; as such, the media serves as a check and balance (Norris, 2008, p. 189). In addition, investigative journalism can facilitate the government's record to external investigation and critical evaluation and hold authorities accountable for their actions to the public and scrutinize the record of public sector institutions, nonprofit organizations, or private companies (Norris, 2008, p. 189). By contrast, control of the media is used to reinforce the power of autocratic regimes, deterring critique of the government by independent journalists through state ownership of the leading radio and television channels,

official government censorship, legal restrictions on freedom of expression and publication, outright violence, and intimidation against journalists and broadcasters (Norris, 2008, p. 190).

Furthermore, the media can also act as a civic forum by mediating between citizens and the state, facilitating the debate about significant issues of the day, and informing the public about party leadership, political issues, and government actions (Norris, 2008, p. 190). If communication channels reflect each society's social and cultural pluralism in a fair and impartial balance, multiple interests and voices are then heard in public deliberation (Norris, 2008, p. 190). Otherwise, when the media fails to act as an effective civic forum, this can hinder democratic consolidation. In particular, if the airwaves and press overwhelmingly favor the government, this state of affairs can drown out credible opponents, according to Norris (2008, p. 190). Moreover, the role of the media is decisive during electoral campaigns since balanced and open access to the airwaves by opposition parties, candidates, and groups are critical for competitive and fair multiparty elections (Norris, 2008, p. 190). For these reasons, where the press is effective in these functions, greater media freedom and journalistic independence can be expected to promote and sustain democracy, limit corruption and promote good governance (Norris, 2008, p. 192). Besides, the critical role of the free press, as one of the significant components buttressing democratic transitions and consolidation, means that an independent media acts as another check and balance on the national government.

4.4.3 Corruption

The third variable partly summarizes the illiberal seizures of judicial independence and the media because they are fundamental democratic institutions, and their capture is also a form of corruption. While not trying to solve the dilemma on whether democratic consolidation necessitates control of corruption first or whether control of corruption entails democratic consolidation, past and present examples suggest that corrupt leaders undermine democratic institutions to protect and shield themselves from prosecution and keep stealing state resources (Pring and Vrushi, 2019). In many countries, corruption and populism feed each other since populist leaders use corruption to rally support for their political agenda, and corruption serves as justification for populist rhetoric, as we have seen in Chapter 2 of this thesis (Kossow, 2019, p. 3). Therefore, fighting corruption is often furthered as a policy priority by populist or anti-

establishment parties (Kossow, 2019, p. 6). Müller in Kossow suggests that populist parties by and large fail to counter corruption and often even increase it (2019, p. 7).

Moreover, populists use populist rhetoric to mask acts perpetrated by them or their collaborators, thus weakening the effectiveness of anti-corruption policies (Kossow, 2019, p. 3). Mudde and Kaltwasser further suggest that populism, in many cases, uses corruption as a pretext for dismantling and undermining democratic institutions and values and propagating authoritarian policies (2012; Kossow, 2019, p. 7). By doing so, they advance corruption and replace political figures who reap the spoils of corrupt politics.

In weak democracies, where corruption is widespread, top officials who enrich themselves illicitly have strong incentives to cling to power by any means necessary, avoid prosecution and thereby continue enriching themselves (Pring and Vrushi, 2019). Even in established democracies with robust oversight institutions and observance of the rule of law, when corruption seeps into the upper echelons of the political system, corrupt leaders often try to undermine those democratic institutions (Pring and Vrushi, 2019). To stay in power, corrupt leaders may seek to undermine democratic checks on their power by constraining political competition through electoral fraud, purging the civil service and weakening regulatory agencies, bypassing formal institutions meant to enable and facilitate transparency in government spending, or politicizing and weakening oversight agencies and the judiciary (Pring and Vrushi, 2019). In some cases, state institutions are used as repressive mechanisms to ensure the continuation of the incumbent rule - going from the rule of law to the rule by law (Pring and Vrushi, 2019). These actions undermine democratic consolidation processes and prevent further democratization.

4.5 Quality Criteria

Bryman suggests that the three most prominent criteria for evaluating social research; reliability, replication, and validity (Bryman, 2016, p. 41). I will now discuss their relevance to the thesis. Reliability is concerned with whether the research results are repeatable and the degree of trustworthiness of the data (Bryman, 2016, p. 41; Grønmo, 2016, p. 240). Since the thesis relies on secondary data, one issue is how repeatable and trustworthy the data is. As previously mentioned, I have collected the data from reputable authors in the field of populism,

democratic backsliding, Hungary, Austria, and the EU. Repeatability is reflected in the thesis because I reference authors cited and peer-reviewed on the issues. The research strategy also makes it easy for other researchers to conduct their research on the topic.

Replication or replicability deals with the degree to which the research is replicable to other findings (Bryman, 2016, p. 41). Validity deals with the integrity of the conclusions generated from the research and the relevance of data to the research question (Bryman, 2016, p. 41; Grønmo, 2016, p. 241). For the sake of this thesis, we are focusing on internal and external validity. Internal validity relates to the issue of causality and whether two or more variables have a causal relationship (Bryman, 2016, p. 41; Grønmo, 2016, p. 254). External validity deals with whether the research results can be generalized beyond the specific research context (Bryman, 2016, p. 42; Grønmo, 2016, p. 254). For example, I am looking at how populists capturing the judiciary, the media, and corruption leads to democratic backsliding. In terms of external validity, as previously explained in the sections above, since this study relies on purposive sampling, the findings will not be generalized to the larger population. Since we are dealing with a qualitative study, reliability also appears to be an issue in this instance. Grønmo suggests that it is more or less impossible to measure reliability using standardized methods (2016, p. 248). This is because of the nature of qualitative research and the fact that data collection cannot be viewed as a separate phase in the research process since it is closely linked to the analysis and interpretation (Grønmo, 2016, p. 248).

Alternatively, Bryman also suggests evaluating qualitative research through trustworthiness and authenticity. Trustworthiness is made up out of four criteria: credibility, transferability, dependability, and confirmability. Credibility parallels internal validity and refers to whether the account that the researcher arrives at is both credible and feasible (Bryman, 2016, p. 384). As mentioned in the data collection and analysis section, I am building my accounts on credible authors and sources that have conducted their research thoroughly. The thesis builds primarily on secondary data that has been collected from credible sites and sources despite their limitations and weaknesses; this, I believe, will result in credible and feasible research. Transferability parallels external validity and refers to whether the findings apply to another context without generalizations (Bryman, 2016, p. 384). The researcher is urged to provide thick descriptions or rich accounts of the research because thick descriptions provide other researchers with a database for making judgments about the possible transferability of the findings to other contexts (Bryman, 2016, p. 384). Except for the second research question that

emphasizes the EU's response to populists and their contribution to democratic backsliding, the findings on the idea that populists contribute to democratic backsliding are found in the research of Steven Levitsky and Daniel Ziblatt. They write about how democracies die even when they are established democracies because of democratic backsliding. Otherwise, much research has been conducted on how weak democracies transition away from democracies into other forms of autocracy (See Lürhmann and Lindberg, 2019; Ulfelder and Lustik, 2007; Geddes, Wright, and Frantz; 2014).

Dependability parallels reliability and suggests that researchers should adopt an auditing approach. This means keeping an audit trail that ensures that complete records are kept of phases of the research process in an accessible way (Bryman, 2016, p. 384). Since qualitative research generates massive data, dependability is not the most pervasive form of validation. It fits better when conducting quantitative research and is therefore not relevant to the thesis (Bryman, 2016, p. 386). Confirmability parallels objectivity. It recognizes that complete objectivity is impossible to achieve, and the researcher must show that he or she has acted in good faith and that personal values or theoretical inclinations have not swayed the conduct of the research and its findings (Bryman, 2016, p. 386). I am aware of my positionality while conducting this research. I am a 26-year-old man who lives in Norway (a non-EU member state), and I am pro-EU in my view, and my views differ from those of right-wing populists. Although I focus on right-wing parties, I am well aware of the fact that left-wing populists can also contribute to democratic backsliding. However, because right-wing populism has been on the rise and is currently dominating European and global politics, it is a phenomenon that requires being researched from different aspects. Confirmability will lead us to the last section, which concerns the ethical aspects of the research in this thesis.

4.6 Ethical Concerns

The thesis builds on secondary research, and as such, some ethical aspects have to be considered, some of which have already been mentioned in the sections above. However, Bryman suggests that the researcher should be careful when using secondary accounts of theories or findings since they are sometimes misleadingly represented (2016, p. 115). Furthermore, when relying on secondary data, the researcher must avoid plagiarism at all costs since it is regarded as academic cheating. Taking material in a wholesale and unattributed way

from the sources like essays and articles written by others or from websites is a context within which plagiarism can occur (Bryman, 2016, p. 115). In this thesis, I am actively citing and referencing all my sources to acknowledge that the arguments being made in this thesis are not mine but belong to other researchers and scholars who have conducted the research that I am using to answer the research question.

Referencing, also sometimes described as citing, others' work is an essential academic convention because it emphasizes that the researcher is aware of the historical development of the subject, and it shows that the researcher recognizes that their research builds on the work of others (Bryman, 2016, p. 112). Referencing in one's literature review emphasizes one's understanding and knowledge of the subject, and in other parts of the dissertation, referencing helps show the researcher's understanding of the methodological considerations or reinforce the researcher's argument (Bryman, 2016, 112). By actively referencing, I actively acknowledge and recognize the work of other researchers, and my purpose of referencing builds on Bryman's notion; that referencing reinforces the researcher's argument. The Norwegian University of Life Sciences (NMBU) has provided students with a guideline for referencing styles students should use in their dissertations. In this dissertation, I am using the APA6th edition as my referencing style.

On an endnote, I would like to emphasize that my thesis also builds on intellectual humility - knowing when one is wrong and accepting it (Resnick, 2019). It entails being actively curious about one's blind spots since ignorance can be invisible (Resnick, 2019). Along the same lines, Grønmo suggests humility and honesty as one of the guiding principles of research (2016, 32). Humility here entails the researcher being aware and explicit about their academic limitations and professional competence (Grønmo, 2016, p. 32). Honesty is a moral requirement when researching, and the truth is given decisive importance (Grønmo, 2016, p. 32). The thesis does not seek to distort any of the findings or the readings referenced and cited. I am also aware that I might have forgotten or not taken into account some readings or variables, but the research presented in this thesis has been accessed and referenced rightfully, and I am entirely focused on respecting the ethical considerations of academic research. Any errors are mine alone.

Chapter 5.0: Empirical Evidence and Discussion

I will now analyze and discuss the research question. – *How do populists contribute to democratic backsliding in Austria and Hungary?* – building on the theoretical framework of chapter 2 and the variables outlined in Chapter 4.

5.1 Austrian Populists

We begin with a brief introductory history of the populists in the Austrian Freedom Party (FPÖ). The FPÖ was founded in 1956 as a Germanic national liberal party with close ties to the Nazis. Anton Reinthaller and Friedrich Peter, its first two chairmen, were former officers of the SS. From the beginning, the FPÖ fervently opposed the political hegemony of the Social Democratic Party (SPÖ) and the Christian conservative Austrian People's Party (ÖVP) since this was the status quo following the end of WWII (Hafez, Heinisch, and Miklin, 2019). However, during the first three decades, the FPÖ remained a marginal opposition that politically veered from the extreme-right to the center and back until it adopted a far-right, anti-elite, and populist platform from 1986 onward (Hafez, Heinisch, and Miklin, 2019; McIntosh, 2019). In 1999, the FPÖ scored its most significant political victory when the party won 26.9 percent of the vote in national legislative elections (Heinisch, 2008, p. 44). A year later, the party leader Jörg Haider made a deal with the ÖVP to form a coalition government (McIntosh, 2019).

Since the FPÖ received a bigger share of votes than the ÖVP, Haider was in line to become Austria's Chancellor. However, due to intense international pressure, in large part from the EU, the FPÖ and the ÖVP were convinced to give the chancellorship to the ÖVP (Happold, 2000; Leconte, 2005, p. 621; Heinisch, 2008; McIntosh, 2019). Acting on the principle of preventive action, the EU announced that sanctions would be brought against any Austrian government that included the FPÖ (Leconte, 2005, p. 621). On February 4th, 2000, the sanctions came into effect as the coalition between the FPÖ and the ÖVP was reluctantly sworn in by President Thomas Klestil (Happold, 2000, p. 954; Leconte, 2005, p. 621). Haider stepped down as the leader of the FPÖ in February 2000. Two years later, the FPÖ's share of votes shrunk to ten percent in the parliamentary votes (Heinisch, 2008, p. 44; McIntosh, 2019). Besides, internal party disputes led to a split and the establishment of a new party, the Alliance for the Future of Austria (BZÖ), led by Haider (Heinisch, 2008, p. 42; McIntosh, 2019). Both the FPÖ and the

BZÖ performed well in the 2008 parliamentary elections, with the FPÖ winning 17.5 percent and the BZÖ winning 10.7 percent (McIntosh, 2019).

Following a string of leaders after Haider's departure, Heinz-Christian Strache was elected chairman of the FPÖ in 2005 (Heinisch, 2008, p. 42; McIntosh, 2019). He led the FPÖ further to the right on an anti-immigrant and anti-foreigner campaign platform, and under his leadership, the FPÖ won 26 percent of the votes in the 2017 parliamentary elections, coming in third behind the ÖVP and the center-left Social Democrats (SPÖ) (McIntosh, 2019). With 31 percent of the vote, Sebastian Kurz agreed to form a coalition government with the FPÖ. Unlike in 2000, the EU did not sanction Austria over the FPÖ's entry into government amid strong populist sentiments across Europe and right-wing parties in power in Hungary and Poland (McIntosh, 2019).

Controversies mired the coalition between the ÖVP and the FPÖ from the beginning. Strache's appointment as vice-chancellor, who often used anti-Semitic and racist slurs, made people uneasy. Shortly after the coalition was formed, there were armed police raids on domestic intelligence services (Mekhennet and Witte, 2018; Reuters, 2018; McIntosh, 2019). Material relating to the agency's infiltration of right-wing and neo-nazi organizations was seized, with the FPÖ controlling all three Austrian intelligence services as reported by The Local Austria (2018) and The Financial Times referenced in McIntosh (2019). Besides, the revelations brought forth in the Ibiza scandal brought the coalition government to a breaking point amid tensions between the FPÖ and the ÖVP.

5.1.1 Austrian Populists and the Media: Strache's Ibizagate

The Ibiza scandal lays the ground for the discussion and analysis in this thesis. The scandal covers all three variables that are being analyzed. This was one of the most significant political scandals in contemporary Austria, as it shook Austria's political landscape, of which we are still witnessing the effects. After 14 years as party leader, Strache sent Austrian politics into a tailspin. Through this scandal, we will see how populists in the FPÖ committed actions that would be classified as contributing to democratic backsliding.

Just days before the European elections in May 2019, German magazine *Der Spiegel* and *Süddeutsche Zeitung* newspaper published reports on a secret recording that reportedly showed an inebriated then-Austrian deputy chancellor Strache, and his parliamentary leader Johann Gudenus in a luxury resort in Ibiza, in early 2017, an election in Austria (Al-Serori et al. 2019; Spiegel International, 2019, Eberl, Huba and Plescia, 2020). It was Strache and Gudenus who initiated this meeting. The video was taken without Strache's knowledge in Ibiza (McIntosh, 2019). Featuring in the video was also an unidentified Russian woman. She indicated to be the niece of a Russian oligarch, Igor Makarov, who expressed an interest in gaining control of *Kronen Zeitung*, Austria's largest-circulation tabloid (Al-Serori et al. 2019; Spiegel International, 2019; Shelton 2019). Strache suggested he could offer lucrative public contracts in exchange for campaign support and even went as far as revealing throughout the video that he wanted to transform Austria's media landscape the same way that right-wing Prime Minister Viktor Orban had done in Hungary (Al-Serori et al. 2019; Spiegel International, 2019; Shelton 2019; Kohut, 2019; Oltermann, 2019).

For context, the Austrian media landscape is characterized by two dominating groups: the public service broadcaster ORF, the market leader in television, radio, and online, and on the other hand newspaper *Kronen Zeitung*, the largest newspaper reaching 31 percent of the Austrian population (Trappel, 2021). The significant dominance of the tabloid press and its influence has stayed intact ever since WWII. For decades, the SPÖ kept the tabloid media well-funded by purchasing advertising space (Eurotopics, 2020). The sale of advertising space to political parties and ministries is a critical source of revenue for many Austrian media companies (Eurotopics, 2020). Another characteristic of the Austrian media landscape is the dominance of large and closely interwoven publishing groups, whose principal shareholders include the Raiffeisen Bank, the Dichand family who owns the *Kronen Zeitung* and *Heute*, the Fellner family who owns *Österreich*, as well as several private foundations linked to the Catholic Church (Eurotopics, 2020).

The partial ideological overlaps between *Kronen Zeitung* and Austria's New Right have frequently come under scrutiny. Ruth Wodak in Karner (2021, p. 262) argues that the newspaper already "celebrated" the FPÖ's electoral performance four days before elections in 1999. Pointing to the areas of convergence – anti-immigration, neo-liberal paradigm, the critique of liberal elites – Michael Rittberger in Karner argues that Haider's success would have been hard to imagine without *Kronen Zeitung's* (implicit) endorsements (2021, p. 262). With

the paper's consistent leanings toward a populism skeptical of European integration and dismissive of the benefits of migratory flows or the likelihood of a mutually enriching multi-culture, it is misleading to reduce Kronen Zeitung to an unfaltering or singular ideological position. Its pages, positions, and much-discussed reader's letters also contain occasional shifts of counter-discourse (2021, p. 262).

This raises the question of how Kronen Zeitung, a core focus of Strache's attention in his quest for power, responded to the ideas of a "takeover" (Karner, 2021, p. 262). Arguably, the growing ambivalence of the FPÖ was already discernible on April 24th, 2019, when Klaus Hermann questioned whether the FPÖ was a suitable coalition partner after a xenophobic outburst by an FPÖ deputy mayor from Upper Austria (Karner, 2021, p. 262). The day after the scandal, the headline on Kronen Zeitung declared that the FPÖ was finished, expressing outrage at the stated plans to "buy" the paper and called for the Strache and Gudenus to resign as the editor-in-chief even reflected on how Strache wanted to Orbanize Austria's media (Karner, 2021, p. 262). Kronen Zeitung's unsurprising offense at Strache's idea did not necessarily lead to an enduring ideological realignment on the part of the paper (Karner, 2021, p. 262). Kronen Zeitung has been observed to turn toward environmental issues and satirically claiming to influence the election results.

It has also been doubted whether Kronen Zeitung's claims of not being the kind of tabloid Strache had planned to instrumentalize for electoral success, but an "independent family newspaper," and it has been stressed that shortly before the Ibiza scandal, Kronen Zeitung had still supported the FPÖ's calls to get rid of public broadcasting fees (Karner, 2021, p. 262-263). It has also been emphasized that Strache's view of the newspaper as key to power is worryingly accurate, and it is predicted that reactionary resentments will continue to feature in the newspaper (Karner, 2021, p. 263). After all, Strache suggested in the video that the Kronen Zeitung deal could push the FPÖ from 2017 percent up to 34 percent in the vote while proposing several ways the Russian woman would be repaid (Shelton, 2019).

As with much of the Ibiza scandal, the final word on the scandal's long-term impact on Kronen Zeitung cannot yet be assessed (Karner, 2021, p. 263). While it is too promptly to evaluate the extent or durability of any potential distancing from positions Kronen Zeitung has historically shared with the FPÖ, it is the case that prominent voices in the party have bemoaned what they have presented as a shift in the paper's editorial direction (Karner, 2021, p. 263). The secretary-

general of the FPÖ Christian Hafenecker published an open letter announcing that he had canceled his subscription to the newspaper. Hafenecker argued that this was because of the newspaper's "unparalleled campaign" against the FPÖ despite his party's alleged accomplishments when in government (Karner, 2021, p. 263). The new editorial tone departed from the objectivity, independence, and balance underpinning the paper's success over the preceding 60 years (Karner, 2021, p. 263).

5.1.2 Austrian Populists and their Corruption

As is evident, the Ibiza scandal sent political shockwaves in Austria. Immediately after the video's release, protesters met out of the Vice Chancellor's office, protesting and demanding he step down from his position as vice-chancellor (Deutsche Welle, 2019; Traill and Schocher, 2020). Strache resigned from his post the day after the video's release, and Kurz called for a snap election shortly after that (Schumacher, 2019; Henley and Oltermann, 2019; Eberl, Huba, and Plescia, 2020). A week later, Kurz and his government were ousted by Parliament through a vote of no confidence (Weise, 2019; Eberl, Huba, and Plescia, 2020). He was not out of office for long, Kurz's party made gains a few months later in the snap elections, and he retook his position as Chancellor in early 2020 without the FPÖ, who had sustained heavy losses in the polls (Schultheis, 2021; Dean and Kottasová, 2021). The revelations in the video also laid the foundation for high-level politicians to be investigated for corruption since Strache also revealed that Novomatic, Austria's most prominent private gambling company, and high-profile billionaires had funded political parties through illegal donations to associations (Lachmayer, 2021; The Local Austria, 2021; Global Times, 2021).

Following the snap elections in 2019, opposition parties established a parliamentary committee of inquiry (the Ibiza committee) in early 2020, which was tasked with investigating cronyism and corruption of the Kurz government and sparked a range of investigations (Lachmayer, 2021). Strache recently went on trial in Vienna for helping to change a law that accommodated the owner of a private hospital in return for a donation to the FPÖ (De Bre, 2021; Euronews, 2021; Schultheis, 2021). Prosecutors claimed Strache accepted a 10,000-euro donation from Walter Grubmüller and that Strache and Grubmüller allegedly worked out the bribe on Grubmüller's yacht on the Greek island of Corfu (De Bre, 2021). Allegedly, Grubmüller drafted an amendment that authorized clinics like his to apply for more government funding, and the

law was implemented when Strache took office as vice-chancellor (De Bre, 2021). Both Strache and Grubmüller pleaded not guilty to the accusations. If found guilty, Strache faces up to five years in prison (De Bre, 2021).

The Ibiza committee, on the other hand, focused mainly on the enforcement of the Austrian Gambling Act, the influence used on the Casinos Austria Company, the restructuring of the Financial Market Authority, and the governmental employment of board members in state-affiliated corporations (Lachmayer, 2021). Parallel to the parliamentary committee of inquiry (who is responsible for gathering information on behalf of Parliament and the Austrian public and calls for political accountability), the Public Prosecutor's Office for Combatting Economic Crimes and Corruption looked into the Casinos affair (Lachmayer, 2021). This case concerned the appointment of FPÖ-affiliated local politician Thomas Schmid, as CFO of the 33 percent state-owned Casinos Austria Company, despite him not having relevant experience (Lachmayer, 2021). These investigations led to police searching the house of the CEO of Novomatic, Casinos Austria board members, the former Minister of Finance, and the former head of cabinet in the Finance Ministry, Thomas Schmid, who is the current Austria Holding CEO (Lachmayer, 2021).

In keeping with its mandate, the Ibiza committee investigated the alleged ties and agreements between Novomatic and senior political figures in the FPÖ, ÖVP, and Novomatic that would favor the gambling company and whether appointments to posts at state-owned companies were made correctly (Lachmayer, 2021). Chancellor Kurz denied being involved in the 2019 appointment of conservative loyalist Thomas Schmid as CEO of Austria Holding (ÖBAG) that oversees 11 companies (Lachmayer, 2021). Chancellor Kurz and Minister of Finance Gernot Blümel were questioned about this in June 2020, but they frequently declared during the inquiry that they could not recall what had happened (Lachmayer, 2021). Kurz claimed his involvement in the informal process before the appointment of Schmid as CEO of Austria Holding was negligible (Lachmayer, 2021).

However, the parliamentary committee subsequently obtained information and text messages from the Public Prosecutor's Office detailing Kurz's involvement. The text messages between Kurz and Schmid suggest otherwise, including a message where Kurz promised Schmid he could get everything wanted before his appointment (Deutsche Welle, 2021; Karnitschnig, 2021). As such, his political future is in doubt amid this perjury probe (Karnitschnig, 2021).

Prosecutors are also looking into possible payments made by Novomatic to the ÖVP in return for help with a tax liability that the corporation was facing abroad. Blümel had been in contact with Novomatic since 2017, and Blümel was one of Kurz's closest confidants (The Local Austria, 2021). Both Blümel and Novomatic said they are cooperating with local authorities to clarify the allegations; however, they both deny any wrongdoing (Sleinan, 2021).

Kurz told Austrian media that although he expected charges against him to be raised, he believed he would be cleared in the end (Van Hagen, 2021). However, he faces up to three years in prison (Van Hagen, 2021). Kurz has been called on by opposition figures like Burgenland Governor Hans Peter Doskozil (SPÖ) to resign if he is indicted; Kurz has stated that he has no plans to step down (Van Hagen, 2021).

5.1.3 Attacks on the judiciary

The Ibiza scandal and its consequential investigations have also spurred some attacks on the judiciary from Austrian political figures. High-ranking politicians in the ÖVP have been at odds with the prosecution ever since the prosecutor's office announced its investigations, calling them politically motivated accusations (Noyan, 2021). The attacks came after the prosecutor's office presented new evidence against Chancellor Kurz. August Wöginger, the head of the ÖVP parliamentary group, decried investigations of the Prosecutor's Office for Economic Affairs and Corruption that had targeted several high-level ÖVP politicians such as Kurz and Blümel (Noyan, 2021). Wöginger claimed that the investigations are politically motivated, that the prosecutor's office has intentionally targeted ÖVP politicians by claiming that many comparable cases in other parties have not been investigated (Noyan, 2021). Andreas Hanger, an ÖVP MP, suggested the investigations were grotesque and revealed how biased the prosecutor's office is (Noyan, 2021). However, the most shocking event came when Blümel escalated a standoff with the Constitutional Court by refusing to comply with a court order that he hand over thousands of pages of documents to the parliamentary inquiry probing the alleged corruption (Karnitschnig, 2021, Lachmayer, 2021). The minister backed down only after President Alexander Van der Bellen called his move unprecedented and warned to dispatch the military to execute the order (Lachmayer, 2021).

Figureheads in the Austrian Green Party have attacked the ÖVP over actions it claims sought to undermine the judiciary and ÖVP's lack of respect for institutions, the Constitutional Court, and the parliament (Noyan, 2021). Sigrid Maurer, the head of the Green parliamentary group, has suggested that the ÖVP, through its attacks, is continuously trying to tarnish the trustworthiness of the judiciary, one of the central features of Austrian democracy (Noyan, 2021). The Minister of Justice, Alama Zadić, has also rejected attacks on the judiciary and the chief prosecutor considering the ongoing corruption probe (Noyan, 2021). The attacks were also highlighted in the EU Commission's recently released report on the rule of law in its member states. In the report, the EU Commission is aware of the high-profile political scandals and how subsequent investigations into them have attracted negative public narratives from government representatives, whom President Van der Bellen has criticized, and judicial associations who have noted that such public statements are detrimental to the public's perception of the judiciary's independence (European Commission, 2021, p. 9).

5.2 Hungarian populists

I will now explain how Hungarian populists reflect the variables outlined in Chapter 4. There is a broad scholarly consensus that substantial democratic backsliding has been going on since 2010 in Hungary. The EU member state has been experiencing significant constitutional and institutional changes as Prime Minister Viktor Orbán and his ruling party Fidesz have cemented their political power by capturing the Constitutional Court and other vital institutions (Dragomir, 2017). Parallel to the political capture of democratic institutions, media ownership has become more and more concentrated in the hands of Orbán and his close allies (Dragomir, 2017).

5.2.1 Hungarian populists and the media

Since 2010, the European Federation for Journalists (EFJ) finds that media freedom, independence, and pluralism, have systematically been undermined and subverted (2019; Dragomir, 2021). The media market has been distorted, and the Hungarian government has divided the journalistic community, thus achieving unprecedented media control in an EU

member state (EFJ, 2019). For context, the Hungarian media landscape has undergone frequent changes over the past 100 years. The country has gone through eleven political regimes, and most of the political elites instrumentalized the press and media to cement their positions by promoting their messages (Bojami-Lazar, 2021). As a result, media freedom in Hungary has often been flawed, journalistic autonomy has been lacking, and political intervention has hindered the professionalization of journalism (Bojami-Lazar, 2021).

After the 2008 financial crisis and several corruption scandals involving the ruling Hungarian Socialist Party members, the 2010 legislative elections brought about a major political transformation (Bojami-Lazar, 2021). Having won a supermajority of the seats in parliament, the Fidesz and the Christian Democrats party alliance formed a government. It introduced a new constitution, election law, and media regulation that established new media authorities with new appointment mechanisms (Bojami-Lazar, 2021). The media law was also controversial because journalists could be fined if their coverage was deemed unbalanced or immoral (Bos, 2010). Opaque processes of distributing state advertising revenues based on political allegiances and the vast discretion of the Hungarian Media Council, whose members are all chosen by the ruling Fidesz party, have dismantled the level playing field for the media and curbed freedom of expression in Hungary, according to the Council of Europe (2021).

While avoiding physical violence or jailing journalists, a common practice in autocratic regimes, the Hungarian government has also pursued a transparent approach of silencing the critical press through deliberately manipulating the media market by engineering the forcible closure or effective government takeover of once-independent media through delegitimizing journalists (EFJ, 2021; Kakissis, 2021). A small number of critical, independent media still exists though they are constantly threatened and pressure, and in many cases, suffer from lacking financial resources (EFJ, 2021; Papp, 2021). A dominant pro-government narrative blunts their work, and their reach is mainly limited to the capital Budapest, leaving most Hungarians in the dark (EFJ, 2021). Readers and viewers who do not actively search for alternative news sources receive virtually exclusively government narratives because of the government's level of control over the print, radio, and television markets (EFJ, 2021). At the beginning of March 2021, it was decided that the opposition-leaning Klubrádió would not have its license by the state after a court in Budapest upheld the decision not to renew its license (Cassidy and Kosztolanyi, 2021). The license expired in mid-February 2021, and its possible non-renewal had been in the air for some weeks; the ruling was perceived as a blow against

Hungarian media freedom (Gasparini, 2021; Cassidy and Kosztolanyi, 2021). Klubrádió is Hungary's last independent radio station and has been engaging in legal battles with the government (Verseck, 2021). Since it no longer has space on the radio frequencies, the station only broadcasts online (Gasparini, 2021).

Furthermore, the EFJ reports that the impact of the independent press is minimal as the outcomes of journalistic investigations are ignored by the state apparatus because of informal government control over key institutions such as the prosecutor's office (2019). Since taking office in 2010, Orbán has identified four economically strategic sectors (energy, banking, retail, and the media) where he aimed to have the proportion of Hungarian ownership "by all means exceeding" 50 percent (Tamás, 2021). In February 2021, Orbán's goal had been reached. Hungarian government ownership in the media sector increased from 34 percent in 2010 to 55 percent (Tamás, 2021; Bódis, 2021). The construction of a pro-government media empire has served as a vast propaganda machine for Prime Minister Orbán's government, insulating large parts of the public from access to critical news and information to maintain the Fidesz party's hold on power (EFJ, 2021).

Generally, the independent press often finds itself fact-checking and countering misinformation spread by pro-government media, as such losing the possibility to influence the public discourse (EFJ, 2019). While financial stress, job loss, self-censorship, and bureaucratic harassment have deeply damaged the profession, hindering its ability to perform its much-needed watchdog role (EFJ, 2019). The media control system was deliberately designed to deter scrutiny and provide the government with superficial deniability (EFJ, 2019). For instance, Hungarian journalists posited in March 2021 that the state concealed the impact of what was then the world's deadliest Covid-19 outbreak (Dunai, 2021). The government denied having a capacity crisis, state-run media depicted the situation in hospitals as under control, and government spokesperson Zoltan Kovacs accused the media of being left-wing portals that spread fake news to embarrass the Hungarian health care system (Dunai, 2021). However, speaking on conditions of anonymity, doctors argued that hospitals were being overrun (Dunai, 2021).

In an interview with the EFJ, a government spokesperson denied Hungarian media freedom and media pluralism issues. The spokesperson stated that it was not the media's role to control power and described independent journalists as political activists (EFJ, 2019). This is in line with the

government's efforts to redefine journalism by reducing it to passing the government's preferred information readers (EFJ, 2019).

Prime Minister Orbán and his political associates claim that the country's media landscape is diverse compared to Western Europe and that the proportions of right-wing and left-wing media are roughly balanced at present (Tamás, 2021). However, these calculations are based on linking all media outlets that are not tied to the government and labeling them all as opposition or platforms that support oppositional parties (Tamás, 2021). Moreover, these calculations were made before the resignation of nearly the entire editorial team of Index, Hungary's leading independent media outlet, in July 2020 (Tamás, 2021). Furthermore, pro-government interests have taken over the Index (European Commission, 2021, p. 17).

Furthermore, Hungary is the first EU member state added to the Reporters Without Borders (RSF) annual list of "Enemies of Press Freedom," Hungary ranks 92nd of 180 on the RSF press freedom index ranking 2021 (RSF, 2021; Radio Free Europe, 2021; Sague, 2021). Besides, Orbán's government was implicated in the recently released Pegasus Project scandal (Bayer, 2021). Orbán has intensified his war on the media by using some of the world's most invasive spyware (NSO spyware) against investigative journalists, lawyers, and the circle of one of the country's last remaining independent media owners (Walker, 2021; Bayer, 2021; Manancourt and Scott, 2021). Journalists suggest that some in the Hungarian government believe independent journalists are part of a conspiracy against them by accusing them of "Orbánophobia and Hungarophobia" (Walker, 2021).

As such, the division between pro-government media and independent media has replaced ideological dividing lines. Hungary's remaining left- and right-wing independent media are regularly smeared as political activists, foreign agents, "Hungary-haters," or traitors (EFJ, 2019). They are being pressed into submission through the state's abuse of public resources and harassment of private advertisers, even as the government is shoveling vast sums of taxpayer money into its own media mouthpieces (EFJ, 2019). The government, however, denies interfering with what it calls a free press.

5.2.2 Attacks on the judiciary

It is not only the media that Orbán and his government have attacked. In his over a decade as Hungarian Prime Minister, Orbán and his government have gradually, systematically, and incrementally undermined the constitutional system of checks and balances, and weakened the rule of law in Hungary, and transformed the legal system that was tied securely to European law, undermining its guarantees of legal security and protection of rights.

The Hungarian Constitutional Court faces credible accusations of political capture, having been subject to multiple rounds of Fidesz-led reforms. Before 2010, Hungary was a unicameral parliamentary system where the Constitutional Court served as the primary check on the powers of the parliamentary majority (Scheppele, 2014). After 2010, the Constitutional Court was packed and weakened so that it was no longer able to serve this function (Scheppele, 2014). Orbán and his government changed the system for electing constitutional judges so that the parliamentary minority had no input. The government then expanded the number of judges on the Constitutional Court, so by April 2013, the government had unilaterally named eight of the 15 judges (Scheppele, 2014). As of 2020, eleven of the 15 judges are Fidesz-friendly appointed judges (Sata and Karolewski, 2020, p. 215). Since Fidesz acquired its secure majority, the Constitutional Court has issued no decisions seriously challenging the government. And then, the government removed the mandatory retirement age for constitutional judges, consolidating its control over the Court even further (Scheppele, 2014; Vig, 2020). As the Court was being attacked, it tried standing up to the government by finding several laws unconstitutional (Scheppele, 2014). The Court found unconstitutional a 98 percent retroactive tax, the criminalization of homelessness, restrictive conditions for students whose university fees were paid from public funds, a narrow definition of the family, the criminalization of group libel, and Parliament's requirement to approve every church for tax-free status (Scheppele, 2014).

The government lashed out in revenge, and in response to the decision on the 98 percent tax, it permanently limited the Constitutional Court's power to prevent it from reviewing tax and budget laws passed when the national debt is more than 50 percent of the GDP (Scheppele, 2014). If the tax or budget laws violate the right to property, equal treatment, non-retroactivity, or fair judicial procedure, the Constitutional Court can do nothing (Scheppele, 2014). The Fourth Amendment to the constitution, passed in April 2013, had many of the laws that the Constitutional Court had declared invalid, nullified all decisions of the Court between 1990 and

2011, and prohibited the Court from substantively reviewing constitutional amendments (Scheppele, 2014).

Destroying more than 20 years of case law and using the constitution to put unconstitutional laws beyond the reach of courts, the Orbán government has created a situation in which politics dominates the law (Scheppele, 2014). The ordinary courts have fared little better. First, the government lowered the judicial retirement age from 70 to 62 and disproportionately emptied positions at the Supreme Court and lower court leadership (Scheppele, 2014; Vig, 2020). Although the measure was found illegal by the Constitutional Court and the European Court of Justice (ECJ), few judges returned to their jobs (Scheppele, 2014).

According to Dávid Vig, director of Amnesty International Hungary, four main factors have contributed to the erosion of organizational independence. After the 2012 judicial reform, the judiciary conformed to the National Judiciary Office (NJO), the central administrative body of the Hungarian courts (Vig, 2020). In line with the Act on the Organization and Administration of Courts, the President of the National Office for the judiciary exercises all central administration authorities and partial professional control over the courts (Fleck, 2018). The former President of the NJO has often abused these powers (Vig, 2020). In 2018, the government nominated, and the parliament elected Tünde Handó, the wife of one of the leading figures of Fidesz and a family friend of Orbán (Fleck, 2018). She was responsible for the strategic planning of court administration and can adopt binding guidelines and recommendations for the courts. (Fleck, 2018). Her most crucial competence was appointing the regional and appeal courts and supervising their activity (Fleck, 2018).

From 2012 until the present, the entire administrative staff was replaced by the help of the Act on the status of judges, which adjusted judges' retirement age to align the office's politically elected President's aspects and philosophy (Fleck, 2018). After fierce criticism, Handó's powers were somewhat cut, but the essence did not change (Fleck, 2018; Vig, 2020). She still decided who got to take administrative functions in the judiciary or even become a judge (Fleck, 2018). The Judicial Council has veto power in appointing court leaders, but Handó still had the right to appoint whomever she wanted (Fleck, 2018). She stepped down to become a judge on the Constitutional Court (Fleck, 2018; Vig, 2021).

Secondly, by appointing court leaders, regional court presidents, and regional appeals court presidents loyal to the NJO, the central administration's tight control could be executed at lower court levels, further hindering organizational independence (Vig, 2020). Thirdly, the judges suggested that loyalty became the main requirement to advance careers or achieve other administrative advantages such as bonuses, foreign trips, and attending training courses (Vig, 2020). Finally, institutions of judicial self-governance, such as the National Judicial Council (NJC), the judicial self-administration body, cannot provide adequate checks and balances to the system (Vig, 2020). The NJC was formed to counterbalance the broad powers of the NJO, but its powers are much weaker, and the system allows the NJO to disregard the NJC's supervision (Vig, 2020). The systematic problem was visible during the NJO-NJC conflict in 2018-2019 when the NJO President claimed that the NJC was illegitimate (Vig, 2020).

On December 12th, 2018, the Hungarian parliament tabled legislation to establish a separate administrative justice system according to the International Federation for Human Rights (FIDH) (2019). While nominally situated within the existing judiciary, the composition and functioning of the proposed system of courts, including the Supreme Administrative Court, would be subject to extensive ministerial control under the terms of the legislation, thereby particularly vulnerable to political interference (FIDH, 2019). The law raised a new round of concerns about continued judicial independence in Hungary and drew criticism domestically and abroad, such as the EU and the Council of Europe (FIDH, 2019). The proposed reforms significantly narrow the existing Hungarian judiciary's competence and insulate the new parallel system from review oversight by ordinary courts and independent judicial self-governing bodies (FIDH, 2019).

On November 12th, 2019, the Hungarian government followed through on its commitment to revisit the controversial measures by submitting a 200-page omnibus Bill to Parliament seeking, among other things, an extensive amendment to the structure and operation of the judiciary (FIDH, 2019; Vig, 2020). Although the draft legislation was different from the withdrawn 2018 administrative courts proposal, legal analysis reveals that the law would achieve the same goals that drew widespread criticism in 2018 for violating the European and the international rule of law and fair trial standards (FIDH, 2019). Both the 2018 and 2019 Bills targeted judicial independence, especially judges' professional autonomy, further consolidated government power over public and politically sensitive areas of law and made it more challenging in practice for individuals to enforce their rights against the state, thus fundamentally undermining their

right to an effective remedy before an independent and impartial court (FIDH, 2019; Vig, 2020; Kovács, 2019).

The government also makes its displeasure loudly known whenever the courts rule against its wishes. In January 2020, Orbán announced that his government would block a court decision to compensate Roma victims of decade-long school segregation in Gyöngyöspata (Jovanovic, 2020; Kazai and Kovács, 2020). Orbán argued that Hungarians would never accept giving money for nothing and that the real victims were the town's non-Roma school children (Jovanovic, 2020). As a response to the move, Roma civic leaders mounted a peaceful protest, took to the streets of Budapest, and called on the government to respect the Roma people's rights (Jovanovic, 2020).

Suffices to argue that since 2012, an ongoing institutional reform has centralized court administration in Hungary as the government aimed to weaken checks on the executive power and restrict the established powers of independent institutions (Vig, 2020). While judges feel they can still adjudicate relatively freely, the institutional independence of the judiciary has been undermined and remodeled to make political pressure far more threatening, and judges and the judiciary have been under attack (Vig, 2020).

5.2.3 Orbán and corruption

There are different forms of corruption; for instance, Lucy Papachristou talks about electoral corruption in Hungary with vote-buying and the use and abuse of state resources in Hungary (2019). However, for the nature of the thesis, the focus is on economic corruption or actions and politics that have resulted in personal gains for Orbán and his inner circle. Although corruption in Hungary has been a longstanding and deeply rooted phenomenon extending across centuries and regimes, after 2010, its nature changed significantly, and it has become highly centralized compared to the period between 1990 and 2010 (Martin, 2021). Under Orbán, Hungary has plunged in Transparency International's annual corruption perceptions index and is tied with Bulgaria and Romania as the nations with the biggest graft challenge in the EU (Mikola, 2021; Martin, 2021). In 2020, Hungary was the second most corrupt member state (Fónai, 2020). Cronyism has been a critical feature of Orbán's government, increasingly

resembling models found farther east in ex-Soviet republics where business success is intertwined with political power (Buckley and Byrne, 2017). Critics suggest that the economic structure is becoming a miniature version of Vladimir Putin's Russia, with the difference being that Hungary has built this system within the EU, in part using EU funds (Buckley and Byrne, 2017). Much of the Fidesz-linked business elite has achieved success primarily through state contracts, about 60 percent of which are EU-funded (Buckley and Byrne, 2017). In contrast, Orbán has criticized the EU and has clashed with its values, companies owned by his family, and his inner circle for years (Buckley and Byrne, 2017).

In their research on cronyism in Hungary, János and Hajdu analyze public procurement contracts from 2010 to 2016. They focus on public tenders won by companies related to people related to Orbán and his family members (János and Hajdu, 2018). They compare the corruption risks, the intensity of competition, and the strength of price competition among tenders won by Lőrincz Mészáros, István Garancsi, István Tiborcz, and Lajos Simicska, and won by other ordinary Hungarian firms (János and Hajdu, 2018, p. 4). The results indicate political favoritism in Hungarian public procurement during the examination period (János and Hajdu, 2020, p. 12). The corruption risk was higher, and the intensity of competition was significantly lower in tenders won by the close associates to Orbán (Mészáros, Garancsi, Tiborcz, and Simicska) than other tenders won by ordinary Hungarian companies, lending credence to the claim of a crony system operating in Hungary on the field of the public procurement (János and Hajdu, 2018, p. 12). Tiborcz, who is Orbán's son-in-law, has received millions of euros in loans from state-owned banks in the past years (Barnett, 2016; Vorák, 2016; Szabó, 2021). Since 2019, at least €166 million in loans have been given to Tiborcz and the companies of businessmen close to him (Szabó, 2021).

Pethő and Zöldi obtained financial figures that showed that the companies of Orbán family members had produced spectacular growth in recent years due to participation in EU projects (Petho, 2017; Pethő and Zöldi, 2017). The Orbán family's financial involvement in public works projects has remained hidden mainly because the winning bidders hired them as subcontractors (Dunai, 2018; Szőke, 2021). However, Pethő and Zöldi found that in 2012, Dolomit Ltd., owned by Győző Orbán, Viktor Orbán's father, supplied stones for a major railway refurbishment project (2017). In the summer of 2016, concrete elements manufactured by Dolomit Ltd. were spotted at the site of a sewer construction project on Budapest's Margaret Island (Pethő and Zöldi, 2017). Other details suggest that Orbán companies have had ties to state projects. Pethő

and Zöldi followed trucks loaded at a mine owned by Orbán's father and discovered that they delivered materials to the asphalt mixing plant of France-based Colas, one of the most prominent players in Hungary's state-funded constructions (Pethő and Zöldi, 2017). In 2013, three companies owned by Orbán's father and his two brothers gained a 15 percent profit on their total revenue of 2.7 billion forints, which equals US\$ 9.47 million (Pethő and Zöldi, 2017). Their profits increased in 2015 to 30 percent of 5.2 billion forints, which equals US\$ 18.2 million (Pethő and Zöldi, 2017). Most recently, in 2019, Zöldi found that the mining company of Viktor Orbán's father closed the year with a profit of 18 forints, which equals €5 million, which the owners of the company took out as dividend payments (2020).

Moreover, the government has used EU funds and forints on infrastructure and renovation projects. Since the EU makes it illegal for the Hungarian government to use the money themselves, hoping to avoid parliamentary corruption, Orbán has used third parties for renovation (Kardos, 2020). The reason Orbán has relied on infrastructure is because of its ambiguity. Commenting on corruption in the Hungarian government, Simon Zsolt in Kardos suggests that it is easy to spend 30 to 40 percent of EU funds on infrastructure simply by marking prices paid for materials or inflating worker's salaries compared to their real wages (Kardos, 2020). The Hungarian government asked the EU for 1.5 billion forints to finance Hungary's most recent stadium investment in Csepel (Kardos, 2020). However, after the football club went bankrupt, they asked for 400 million forints when selling the stadium, reflecting its actual worth (Kardos, 2020).

Conveniently, when Orbán has relied on third parties for construction projects, his childhood best friend Lőrinc Mészáros, has constantly been willing to step up (Kardos, 2020). Though Mészáros was a plumber all his life, he opened a construction company a year after Orbán's 2010 election. Mészáros has come to symbolize what Orbán calls "the reinforcement of the national capitalist class," which is a web of newly rich, government-friendly entrepreneurs with close personal and business ties to senior officials in the government (e.g., aforementioned Mészáros, Garansci, Tiborcz, and Simicska) (Panyi, 2020). Despite his inexperience in construction, Orbán gave him and his family the rights to a 486 billion forints' worth of public contracts from 2010 to 2017, with 83 percent of the EU funding the projects (Kardos, 2020). In 2018, he received over 245 billion of EU-sponsored money. Ninety-three percent of his 265 billion forints' worth of contracts were EU-sponsored (Kardos, 2020).

5.3 Comparison and Discussion

Austria	Hungary
Attempted attack on political rights and freedom of expression; i.e. the media	Attack on political rights and freedoms (of expression and media pluralism)
Attack on separation of powers (the judiciary) and attempted executive aggrandizement	Attack on separation of powers (the judiciary) and executive aggrandizement
Accountability of elected officials and the rule of law (Strache, Kurz and other high level politicians are being held accountable for their actions)	No accountability of elected officials (Opposition is too weak to account Orbán and his allies)

Graph 3: Comparison of Austria and Hungary on the actions contributing to backsliding

Starting with the media, populists in Austria and Hungary have understood its importance for their success and have attempted to influence the media to work in their favor. The media is, after all, "the fourth estate." Their strategies lend credence to Norris' argument when she posits that control of the media reinforces the power of autocratic regimes since it deters critique of the government by independent journalists through state ownership of the leading radio and television channels (2008, p. 190). Although they are not fully autocratic regimes, populists in both states have attempted to and succeeded in undermining the media. After all, Orbán and his government have turned public broadcasting into a propaganda organ, and Strache contemplated "Orbánizing" Austria media (RSF, 2021; Karner, 2021, p. 262). Also, Orbán and Strache know the importance of the media during elections. This lends credence to Norris' position when she argues that the media is decisive during electoral campaigns because balanced and open access to the airwaves by the opposition is critical for competitive and fair elections (2008, p. 190). Besides, thanks to Fidesz, the government owns 80 percent of the media, and Strache envisioned that the Kronen Zeitung could lift the FPÖ to 34 percent in the votes, according to Shelton (2019). However, Strache failed because, unlike Hungary, the media is not a purveyor of government narratives. Besides, Austrian media fought and pushed back against the visions that Strache had for the Kronen Zeitung. Ironically, in Strache's case, it is thanks to the media that he and the FPÖ are no longer in power, and several high-level politicians are under investigation for corruption. This underscores Norris' notion that the media promotes government transparency and accountability as a watchdog by highlighting malfeasance, maladministration, and scandals (2008, p. 189).

Orbán, on the other hand, has been brazen and subtle with his methods, but they have been efficient. Thanks to political-economic maneuvers and the purchase of media companies by oligarchs close to Fidesz, the government now controls 80 percent of the country's media landscape (RSF, 2021). As such, this underscores Norris' argument that if airwaves and press overwhelmingly favor the government, this can drown out credible adversaries (2008, 190). Although the Hungarian government denied interfering with the media or ideological debates, public opinion and media pluralism prevail, the evidence suggests that is not the case. This underscores Norris' argument that if communication channels reflect the social and cultural pluralism in a fair and impartial balance, more voices are heard in public deliberation (2008, p. 190). The evidence shows that private media are subjugated or reduced to silence, and the remaining independent media are actively being discriminated against in government advertising and access to official information (RSF, 2021; Serdült, 2019). Independent journalists are systematically denigrated in pro-government media, calling them purveyors of fake news, traitors, Hungary-haters, or foreign agents.

Furthermore, in its reports on the rule of law in 2020 and 2021, the European Commission has criticized media pluralism in Hungary since it has deteriorated (Eder and Klingert, 2021). The Commission observed that media pluralism is at risk in both years. In 2020, the Commission argued that the establishment of the Central European Press and Media Foundation (KESMA) increased risk to media pluralism and that significant amounts of state advertising channeled to pro-government outlets that permitted the Hungarian government to exert indirect political influence over the media (European Commission, 2021). In 2021, the Commission is concerned about the radio station Klubrádió being taken off air as it was one of the leading independent channels (European Commission, 2021, p. 17, 19). The Commission also has observed in 2021 as 2020 that independent media outlets and journalists face various forms of obstruction and intimidation since journalists working for independent media are subject to negative narratives by pro-government media and government representatives (European Commission, 2021, p. 18-19).

At large, the empirical evidence in terms of the media supports the importance of free and independent media in a democratic society. An independent media and media pluralism helps stave off democratic backsliding (Gall, 2019). Moreover, a free press is crucial for reinforcing and supporting democratic transitions and consolidation by acting as an independent check and a balance to the government and other state institutions.

Unlike the media, where populists invoked somewhat similar strategies, the evidence suggests some differences in the judiciary. Austrian populists have mainly relied on verbal attacks of the judiciary. However, the incident with minister Blümel refusing to comply with the court order until President Van der Bellen warned of dispatching the military proves that populists, even in liberal democracies, can still attack the judiciary through their actions. The attacks, however, have not affected the Austrian judiciary and its independence. The corruption probes into government officials and politicians are still ongoing, and the courts have not been hindered in performing their duties. The Commission, in its rule the law report, finds that the independence of the courts and judges is perceived as fairly or very good by 83 percent of the public and 78 percent of companies in 2021, and the quality of the judiciary as a whole continues to be efficient with improvements regarding administrative cases (European Commission, 2021, p. 2). Moreover, overall, over the past five years, the level of perceived independence by the public and companies shows a consistent increase except for 2021 (86 percent in 2020), where it has slightly decreased for the public (European Commission, 2020; European Commission, 2021, p. 2).

On the other hand, there has been an outright attack on the judiciary in Hungary in the decade or so that Orbán has been in power. Orbán's strategies reflect the five strategies that Bauer and Becker speak about in Chapter 3.2. Since 2010, Bauer and Becker suggest that Orbán and his party have effectively captured the state (2020, p. 6). The government has pursued policies that build toward an illiberal state where the independence of the constitutional court is curbed, media supervision is centralized and controlled, and the government has interfered with nongovernmental organization activities (Bauer and Becker, 2020, p. 6). Although I do not focus on the administrative bureaucracy of the Hungarian state, the strategies are still reflected with the attack on the judiciary as the empirical evidence. Orbán has centralized the administrative structures of the judiciary to reduce their autonomy gradually. By establishing the NJO, the empirical evidence suggests that it has reduced or hindered the autonomy of judges since the office exercises full and partial professional control over the courts (Vig, 2020). These

were powers that the former president of the NJO often abused before the eventual nomination as a judge to the constitutional court since she was criticized for using her authority as head of the NJO to transfer certain cases to courts of her choice (Vig, 2020; Freedom House, 2021).

Furthermore, the government sought to influence the administrative personnel by reducing the retirement age of judges and by granting the NJO the power to appoint court leaders, regional court presidents, and regional court presidents (Vig, 2020). As such, this reflects Bauer and Beckers' argument that following dismissals, governments place ideological supporters in strategically important positions, and they change the rules and procedures of recruitment and career progression to consolidate their nascent executive power (2020, p. 23). After all, the empirical evidence proves that judges have suggested that loyalty has become a central requirement to advance careers or achieving administrative advantages like bonuses, foreign trips, or training courses (Vig, 2020).

Moreover, according to the EU's 2021 rule of law report, judicial independence continues averaging among the general public and low among companies. The public's perceived independence of courts and judges continues to be average, dropping from 48 percent in 2020 to 40 percent in 2021 (European Commission, 2020; European Commission, 2021, p. 2). There has been a negative trend in perceptions in the last five years. Concerning the efficiency and quality of the Hungarian justice system performs with regards to the length of proceedings and there is a high level of digitalization (European Commission, 2021, p. 2). Also, the Commission is concerned about the developments that allow for appointing members of the Constitutional Court to the Supreme Court (Kúria) outside the standard procedure (European Commission, 2021, p. 2). The Commission's request that judicial independence be strengthened remains unanswered, including the need to reinforce the powers of the NJC to enable it to counterbalance the powers of the NJO (European Commission, 2021, p. 2). This reflects Bauer and Becker's notion that governments seek to weaken already established organizations by creating new ones and transferring power to the parts of the administrative system that are ideologically consolidated and responding to the leadership (2020, p. 23). Finally, for a brief period (March 2020 to June 2020), Orbán ruled by decree as an emergency law was passed during the outbreak of the Covid-19 pandemic (Bayer, 2020). A move that sparked international outrage since it, as Bauer and Becker suggest, lays the lines for the government through executive decrees to sideline legislative bodies, representative deliberation and suspend oversight and accountability (2020, p. 23; Bayer, 2020; Duri et al. 2020).

Concerning corruption, the Ibiza scandal was a factor that set in motion several investigations of public officials. Public-sector corruption is problematic, and the political class is regarded as corrupt. The Council of Europe's Group of States against Corruption (GRECO) has criticized Austria for weak party finance legislation and failing to adequately regulate lobbying and prevent corruption among parliamentarians (Freedom House, 2021). Austria also has a legal and institutional framework to prevent and prosecute corruption (European Commission, 2021, p. 8). Austria has also seen an increase in indictments for corruption recently and the Prosecutor's Office for Combatting Economic Crimes and Corruption has, as the evidence has shown, intensified its investigations into high-level corruption following the Ibiza scandal (European Commission, 2021, p. 8; Freedom House, 2021). No one has yet to be found guilty or imprisoned due to the probes since they are still ongoing. However, the Ibiza scandal shed light on the Austrian government's level and degree of corruption and how populists were using corruption to favor themselves. Otherwise, Austria scores 76 out of 100, ranks 5th in the EU on Transparency International's Corruption Perceptions Index (CPI). Austria ranks 15th of 180 globally and has improved the most on the CPI (European Commission, 2021, p. 8; Transparency International, 2021).

In Hungary's case, corruption remains a problem, and the instances of high-level government corruption have not been adequately investigated. Prosecutors have also hesitated to investigate long-standing allegations of public misuse of EU funds (Freedom House, 2021). The 2020 report of the European Anti-Fraud Office (OLAF) has warned that Hungary is the worst-performing EU member state concerning the misappropriation of EU funds, with close to 4 percent of EU funds being misused between 2015 and 2019 (Freedom House, 2021). The latest GRECO report posited that Hungary performed poorly in complying with its recommendations on implementing anti-corruption measures concerning ministers, judges, and prosecutors (Council of Europe, 2020, p. 2; Freedom House, 2021). Despite more than two-thirds of the Hungarians perceiving corruption as a significant problem, society remains polarized on whether the government is culpable for the country's worsening corruption level (Mikola, 2021).

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administration European Commission, 2020, p. 8. As such, risks related to clientelism, favoritism, and nepotism in high-level public administration or those resulting from linking businesses and political actors remain unaddressed (European Commission, 2021, p. 8; Eder and Klingert, 2021). Like in 2020, the Commission observed that deficient independent control mechanisms and close interconnections between politics and certain national businesses are conducive for corruption (European Commission, 2020, p. 8). According to the data from the prosecution service, the indictment rate for corruption cases investigated by the prosecution is over high with an 86.5 percent rate as the Commission reports (2020, p. 8). Although there were new high-level cases involving politicians in 2020, the track record of investigations of allegations concerning high-level officials and their immediate inner circle remains limited (European Commission, 2020, p. 8). As a result, Orbán nor his inner circle have faced any investigations into their corrupt practices.

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businesses and political actors remain unaddressed (European Commission, 2021, p. 8; Eder and Klingert, 2021). Like in 2020, the Commission observed that deficient independent control mechanisms and close interconnections between politics and certain national businesses are conducive for corruption (European Commission, 2020, p. 8). According to the data from the prosecution service, the indictment rate for corruption cases investigated by the prosecution is over high with an 86.5 percent rate as the Commission reports (2020, p. 8). Although there were new high-level cases involving politicians in 2020, the track record of investigations of allegations concerning high-level officials and their immediate inner circle remains limited (European Commission, 2020, p. 8). As a result, Orbán nor his inner circle have faced any investigations into their corrupt practices.

The Commission also suggests that full implementation of the GRECO recommendations regarding the effective functioning of the prosecution would further strengthen the anti-corruption framework (European Commission, 2021, p. 8). GRECO finds that Hungary's implementation of its recommendations is globally unsatisfactory since only five of the 18 recommendations have been fully implemented (Council of Europe, 2020, p. 2; Makszimov, 2020). GRECO called for more transparency and consultation in the legislative process, the adoption of a code of conduct for members of parliament, better disclosure of conflicts of interests, enhanced uniformity of asset declaration, and a review of lawmaker's immunity (Makszimov, 2020).

Austria	Hungary
No movement away from democracy	Movement away from democracy
No gradual or incremental change	Gradual and incremental change
Attempted elite-driven backsliding	Elite-driven backsliding

Graph 4: Comparison of Austria and Hungary based on Bakke and Sitter’s definition of democratic backsliding

In terms of the actual consequences of populists' actions, the evidence as summarized in Graphs 3 and 4 suggests that in Austria's case, due to the actions of populists in the FPÖ, there has not been a movement away from democracy. The rule of law and democratic principles prevail in the Austrian state. Neither has there been any gradual or incremental change due to the actions of populists. After all, Austria is still regarded as liberal democracy by Freedom House or the

V-Dem Institute. Besides, the reason why populists have failed is that they are being held accountable for their actions. Both because the people demanded that Strache leave his position after the video's publication and because he and other fellow politicians have been under investigation for their actions. Kurz has a pending probe, and Blümel had his home raided by Austrian authorities (Jones, 2021; Murphy, 2021; Sleinan, 2021). Furthermore, the FPÖ had suffered severe losses in the 2019 snap elections, polling at 16.2 percent, and were unpopular since there was a decrease in support for populists, as Boros, Laki, and Györi provide (2020, p. 13; Politico Europe, 2021).

As a result of populists being held accountable, the judiciary was attacked in the media. Heinz Mayer, an Austrian constitutional expert, cautioned danger when the Chancellor and other senior officials attacked the judiciary (Karnitschnig, 2021). He compared it to Orbán or Morawiecki of Poland since they have systematically neutered their country's judiciaries over the years. While Austria's judiciary is still intact, critics warn that the Kurz government launched an assault on it, and constitutional scholars argue that Austria's rule of law is really at stake (Karnitschnig, 2021). The fact that the judiciary is intact underscores Gibler and Randazzo's (2011, p. 705-707) notion that an independent and established judiciary will prevent all types of regime changes toward backsliding. Moreover, as Bakke and Sitter suggest, what is evident is that the attempted democratic backsliding has been elite-driven since high-level elected politicians, through willful acts, initiated the attempts at undermining democracy (2020, p. 99).

In Orbán's case, there has been a gradual and incremental movement away from democracy in his over a decade as Hungarian Prime Minister. Like Austria and Strache, the backsliding and undermining of democracy have been elite-driven. Unlike Strache, however, Orbán and his government have been successful with their willful acts to undermine democracy. The rule of law has been at risk in Hungary per the European Commission, Council of Europe, Freedom House, and the V-Dem Institute. Furthermore, Hungary is perceived as partly free by Freedom House and an electoral authoritarian. The developments in Hungary also underscore Böckenförde, Wahi, and Hedling's notion that the judiciary is rarely omnipotent since most constitutional systems limit judicial independence to some degree by affording other branches of government influence over its composition and functions (Böckenförde, Wahi, Hedling, 2011, p. 223). Orbán and his government have outright attacked the judiciary, its composition, and its independence. Administrative court systems exist in other EU member states like

France, Germany, or Sweden. The issue in Hungary is that the courts have seen significant political interference by the executive (Gall, 2018; Than, 2018). The claim of the capture of the Constitutional Court suggests so at least.

Regarding the capture of the Constitutional Court, Orbán's strategy underscores Gibler and Randazzo (2011). The Constitutional Court was established in 1989 through a resolution passed in the Hungarian Parliament (Constitutional Court of Hungary, 2017). It has not been as established as Austria's Constitutional Court, which was established in 1920 (Verfassungsgerichtshof, 2021). Therefore, this lends credence to the notion that newly established independent judiciaries are associated with reversions and unable to stop anti-democratic reversals since they are placed in demanding political environments in democracies and non-democracies alike (Gibler and Randazzo, 2011, p. 706-707).

Orbán managed to bend the institutions to his will, and his notion of turning Hungary into an illiberal democracy has gained traction. Waldner and Lust supposed that if a combination of the judiciaries, legislatures, independent agencies, and citizens preferred less democracy under the incumbent government, then the institutions that empower the government will not deter democratic backsliding (Waldner and Lust, 2020, p. 100). According to Politico Europe's (2021) polling, Orbán and Fidesz are currently polling at 48 percent, whereas the united opposition is polling at 46 percent as of July 2021. As such, there is some credence to Waldner and Lust's position. This also underscores Boros, Laki, and Györi's assessment of the situation in Hungary, since they argued that although support for Orbán had decreased, Fidesz still had the highest aggregate support (2020, p. 68). The Hungarian citizenry is polarized along partisan lines. For instance, in dealing with corruption, Hungarians are mainly apathetic and skeptical about the capacity of state institutions to address corruption, with 53 percent of Hungarians saying that the government is addressing corruption badly (Mikola, 2021). Evaluations of systemic corruption have been found to correlate with party sympathy and affiliation. Considering the increasing political polarization, coupled with the fact that high-level politicians are perceived as the most likely to be implicated in corruption, it makes Hungary the ideal setting for populist mobilization and a challenging place for liberal democracy, according to Mikola (2021).

6.0 Conclusion

The EU and its institutions are a crucial battleground in which the conflict between populists and non-populist forces over the future of the constitutional state is being played out (Dawson, 2020, p. 187). As the empirical evidence suggests, the rule of law and the EU's values and principles have come under deep pressure by the member states. Most importantly, liberal democracy is under constant threat even in liberal democracies because of the fragility of liberal democracy (Karolewski, 2020). In Chapter 2.6, Waldner and Lust caution researchers and scholars of possibly overestimating the degree of backsliding when using one-dimensional indicators because one might over-interpret small changes (2018). They also cautioned researchers to observe that we are not necessarily witnessing democratic backsliding, but rather consequences of instability of democracies that never fully consolidated (Waldner and Lust, 2018). Using liberal democracy to measure democratic backsliding might provide a challenge because it depends on which definition of democracy is being used. Comparing both Austria and Hungary gives researchers an idea of how populists can contribute to democratic backsliding.

In terms of Austria, I argue that a case could be made that the Ibiza scandal was not a small change but rather a failed attempt at democratic backsliding. The Ibiza scandal shows the importance of liberal democracy and its components, as outlined in Chapter 2.5.1, because it is the most demanding type of democracy. Contemplating a populist takeover over a national newspaper and seeking to transform a country's media landscape for abusive political purposes constitutes a significant threat to democracy. As such, the Austrian case also underscores the importance of accountability of elected officials. When an assault is launched against democracy, it warrants an accountable reaction. I argue that accountability can also deter other elected officials who are willfully contemplating undermining democracy.

Furthermore, the mere fact that President Van Der Bellen had to warn Finance Minister Blümel that the military would be dispatched if he had not complied with the court order shows that elected officials there were looking to break the rules of the game, as Bakke and Sitter put it (2020, p. 3). Besides, it thanks to an effective media that played its role as the watchdog that populists are held accountable. It is also thanks to the rule of law that populists in Austria have failed at their attempts. We have yet to know the effects of the ongoing investigations against

high-level politicians. What we do know is that the rule of law, the judiciary, and the media are intact for now.

In Hungary's case, the methods have been more successful compared to Austria. The process of backsliding has been gradual and incremental, as the empirical evidence in Chapter 5 suggests. In addition, unlike Austrian populists, Orbán has successfully pursued illiberal policies and changed the rules of the game by a partisan takeover in state institutions and civil society. He has successfully attacked the most vital institutions of democracy, and he has enjoyed electoral success. Judicial independence, the media, and the rule of law are under attack. Orbán has not been held accountable, and as such, he has had free range to propose policies and legislation that further undermine democracy in Hungary. Had the institutions been as strong as those in Austria, the outcome would have been differently. The extent to which Orbán and his government have gone to consolidate their power is unprecedented by an EU member state.

A case could be made that democratic backsliding is successful because Hungary never fully consolidated as a liberal democracy (Karolewski, 2020). To some extent, this might be true. The establishment of the Constitutional Court as outlined in Chapter 5 lends credence to this notion. Hungary also has a history of being a post-Soviet state. However, there is still room for staving off backsliding. In 2022, there will be an election in Hungary, and it remains to be seen how Orbán will fare off against a united opposition polling at the same level as Hungary. The election will for sure be anticipated and will be one of the most critical elections at the EU level. Certainly, the focus should be on staving off democratic backsliding and strengthening the institutions that populists have manipulated in their favor. What is evident is that the rule of law and the democratic institutions are at risk.

On an end note, democracy does not exclusively die through a military coup or a violent seizure of the state. In today's world, democracy also dies first at the ballot box and then through the «legal,» partisan capture and hijacking of legislative and judicial institutions and the media. Citizens living in liberal democracies and hybrid regimes should not take for granted simply because society is liberal, it will remain so, and in hybrid regimes, citizens must fairly give their opinion so that they also may stave off backsliding. Illiberal forces are always looking for a reason to challenge democracy, human rights, and the rule of law. The empirical evidence

suggests that sometimes, homegrown demagogues pose a more significant threat to democracy than external actors. Democracy does not fulfill itself, neither is it a self-sustaining machine. We must elect the people who will preserve, respect, and adhere to democratic principles, human rights, and the rule of law at all costs, even when it seems too hard and inconvenient.

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