

Jakhongir Rakhimov

The Disregarding of The Rule of Law & Democratic Backsliding in the European Union

A comparative analysis of how and to what
extent did democratic backsliding emerge in
Poland and Hungary

Bachelor's thesis in European Studies w/ Political Science
Supervisor: Tobias Schumacher
May 2024



Norwegian University of
Science and Technology

Jakhongir Rakhimov

The Disregarding of The Rule of Law & Democratic Backsliding in the European Union

A comparative analysis of how and to what extent did democratic backsliding emerge in Poland and Hungary

Bachelor's thesis in European Studies w/ Political Science
Supervisor: Tobias Schumacher
May 2024

Norwegian University of Science and Technology
Faculty of Humanities
Department of Historical and Classical Studies



Abstract

Although the European Union operates on principles of democracy, equality, and the rule of law, recent years have witnessed challenges to these values within its borders. In particular, Poland and Hungary have come under inquiry for their perceived undermining of democratic norms.

Once seen as forerunners of post-communist democratization, Poland and Hungary have raised concerns about introducing controversial judicial reforms, viewed by many as illiberal. The ignoring of the signals from the European Union to address the issue of unfair treatment of minorities, unfair elections, and other anti-democratic measures has raised concerns. Scholars and political spectators argue that democratic backsliding threatens the stability of the European Union.

This thesis aims to investigate the democratic backsliding in Poland and Hungary. This analysis will explore the factors contributing to the emergence of democratic backsliding and its implications for democratic governance in Poland and Hungary. The analysis will take upon the historical context, political dynamics, and institutional reforms to provide insights into the nature of democratic backsliding in these countries. The method that will be applied is the analysis of the comparative method, which will offer a valuable perspective for understanding the democratic challenges in Poland and Hungary.

The findings of the comparative analysis suggest both similarities and differences in democratic backsliding. In both nations, the decline of democracy proved to be gradual rather than sudden. By implementing controversial and illiberal measures, political elites in both countries drove the erosion of democratic norms in pursuit of power and influence. This thesis concludes that the lessons learned from democratic backsliding in Poland and Hungary could assist scholars and policymakers in developing measures and policies that could prevent the further spread of democratic backsliding in the EU.

Sammendrag

Selv om Den europeiske unionen er bygget på prinsipper som demokrati, likestilling og rettsstat, har de siste årene sett utfordringer for disse verdiene innenfor unionens grenser. Spesielt Polen og Ungarn har blitt undersøkt for sin oppfattende angivelige svekkelse av demokratiske normer.

En gang betraktet som foregangsland for postkommunistisk demokratisering, har Polen og Ungarn nå vekket bekymring ved å introdusere kontroversielle juridiske reformer, som mange ser på som illiberale. Ignorering av signaler fra Den europeiske unionen om å adressere problemet med urettferdig behandling av minoriteter, urettferdige politiske valg og andre antidemokratiske tiltak, har skapt bekymring Den europeiske unionen og regionen. Forskere og politiske observatører argumenterer for at tilbakegang i demokratiet truer stabiliteten i Den europeiske union.

Denne analysen har som mål å undersøke demokratisk tilbakegang i Polen og Ungarn. Denne teksten vil utforske faktorene som bidrar til forekomsten av demokratisk tilbakegang og konsekvensene for demokratisk styring i Polen og Ungarn. Gjennom undersøkelse av den historiske konteksten, politisk dynamikk og institusjonelle endringer, søker denne studien å gi innsikt i naturen og virkningen av demokratisk tilbakegang i disse landene. Avhandlingen vil anvende metoden for komparativ analyse som vil tilby en verdifull perspektiv for å forstå de demokratiske utfordringene i Polen og Ungarn.

Funnene fra den gjennomførte komparative analysen antyder både likheter og forskjeller i demokratisk tilbakegang. I begge nasjoner viste nedgangen av demokratiet seg å være gradvis heller enn brå. Ved å implementere kontroversielle og illeberale tiltak, drev politiske eliter i begge landene nedbrytingen av demokratiske normer i jakten på makt og innflytelse. Denne analysen konkluderer med at erfaringene fra demokratisk tilbakegang i Polen og Ungarn kunne bistå forskere i å videreutviklingen av tiltak og politikk som kunne hindre ytterligere spredning av demokratisk tilbakegang i EU.

Table of Contents

List of Abbreviations.....	viii
1 Introduction	9
2 Literature Review	10
3 Conceptual Framework	13
3.1 Democratic Backsliding	13
3.2 Methodology	15
3.3 The Method of Difference & The Method of Agreement	16
4 Setting the scene: Democracy and authoritarianism in Hungary and Poland	19
Events and transitions leading to the analysis.....	20
5 Empirical evidence of democratic backsliding	21
5.1 Democratic Backsliding in Hungary	21
5.2 Democratic Backsliding in Poland	22
6 EU on the rule of law	24
6.1 The Rule of Law Report	25
6.2 EU Membership Criteria and Rule of Law Requirements	25
7 Analysis	26
8 Conclusion	28
9 References	30

List of Abbreviations

PiS - Law and Justice (political party in Poland.)

Fidesz – Hungarian Civic Alliance (political party in Hungary.)

EU – European Union

ECJ – European Court of Justice

CEAS – Common European Asylum System

EP – European Parliament

CEC – Central European Countries

ECE – Eastern and Central European states

1 Introduction

The European Union operates on democratic principles, prioritizing peace and the welfare of its citizens. It strives to ensure freedom, security, and social inclusion while combating discrimination and promoting social justice. Central to its functioning is the adherence to the rule of law, with all actions grounded in treaties democratically approved by member states. An independent judiciary upholds law and justice, underscoring the significance of the rule of law principles and the system of checks and balances within the EU (European Union, 2024).

However, some EU members have chosen to reject many of these values and have chosen to establish national-level autocracies. Across Europe, scholars witnessed rising support for populist parties. Post-communist regions stand out in this matter. These countries are often involved in discussions about democratic backsliding. The leaders of Hungary and Poland, who eroded liberal democracy and undermined the rule of law, are frequently used as examples of democratic backsliding (Vachudova, 2020).

Constitutional reforms have characterized the democratic backsliding in Poland and Hungary. These reforms changed the court systems in both nations, have been viewed as radical, and have drawn the attention of international critics. The undermining of democracy and the principles of the rule of law got Viktor Orban and Jaroslaw Kaczynski criticized by the EU. These reforms were justified through populist rhetoric, promising to return power to the "true people." Some scholars suggest that the experiences of Hungary and Poland may reflect broader trends rather than isolated cases of democratic backsliding (Korolewski, 2021).

This thesis explores the appearance and consequences of democratic backsliding in Poland and Hungary. It seeks to understand the methods and scope of democratic backsliding in these nations. At the same time, it assesses how it impacts their relationship with the EU, particularly regarding upholding EU Rule of Law standards and examining the patterns of democratic backsliding and its effect within the framework of EU membership. This research offers insight into the challenges confronting democratic governance in Poland and Hungary and its implications for the EU.

Most existing literature on the democratic backsliding in Poland and Hungary focuses on the contributing factors separately. That is why it is crucial to recognize the absence of comparative studies that examine similarities and differences in both cases.

Such analyses could explore factors contributing to democratic backsliding, such as historical background and institutional dynamics in each nation. This thesis will employ a comparative method—the Method of Concomitant Variation by John Stuart Mill.

The first part of the thesis will start with a literature review followed by a conceptual framework. The literature on democratic backsliding found through various articles and research papers serves as building stones for the conceptual framework of this thesis. Afterward, the thesis sets the scene for democracy and authoritarianism in Poland and Hungary by presenting a short historical background. The second section will delve into empirical evidence, examining instances of democratic backsliding in both nations. Subsequently, the implications for their EU membership will be assessed, especially concerning adherence to Rule of Law criteria. Lastly, this thesis will conclude by summarizing the essential findings and conclusions derived from the analysis.

2 Literature Review

Unlike historical instances marked by dramatic events such as coups or civil wars, modern democratic backsliding has been primarily attributed to the actions of elected leaders. Upon attaining executive power and being encouraged by parliamentary majorities, these leaders have systematically sought to undermine horizontal checks and balances, diminishing judicial oversight (Bernhard, 2021).

Michael Bernhard (2021) suggests that democratic backsliding does not always result in a complete regime change. In the cases of Poland and Hungary, for instance, authoritarian regimes still conduct elections but tilt the odds in their favor. Bernhard further explains that democratic backsliding does not necessarily lead to a complete transition to electoral authoritarianism. Instead, it involves a decrease in the quality of democracy by undermining democratic rules and institutions (Bernhard, 2021).

The democratic backsliding in Poland and Hungary is troubling to some scholars. This issue is particularly alarming because both nations emerged from the democratic opposition during the communist era. Initially, they were viewed as advocates for democracy and worked to dismantle communism within their borders.

Bernhard delves into the factors contributing to democratic backsliding in Poland and Hungary, which is the question that has intrigued many scholars. The ascension process into the EU, the Great Recession of 2007, and the European refugee crisis of 2015 have disrupted these nations' stability. Bernhard argues that the global financial crisis significantly impacted Hungary, leading to the inevitable loss of the opposition party in 2010 due to the deep economic recession. On the other hand, Poland was on a growth trajectory, although slowed by the recession. However, this economic slowdown helped PiS advance its agenda during elections. Furthermore, the European refugee crisis in 2015 played into the hands of both PiS and Fidesz, helping them secure electoral victories. Leaders in both countries capitalized on xenophobia and the narrative of protecting citizens

from external threats and economic challenges to pursue their illiberal agendas (Bernhard, 2021).

In the article "Rethinking democratic backsliding in Central and Eastern Europe" by Licia Cianetti, James Dawson, and Sean Hanley (2018), the authors present a distinct approach to understanding democratic backsliding. They aim to expand the scope of the analysis of this phenomenon beyond Hungary and Poland by reviewing various contributions and identifying three key research directions. Firstly, they advocate analyzing democratic backsliding as a term and a broader regional trend. Secondly, they emphasize the importance of incorporating the influence of illiberal socioeconomic structures such as oligarchies and corrupt networks. Lastly, the authors highlight the need to explore the trade-offs between democratic stability and quality. Additionally, they suggest drawing insights from research on other post-communist regions like the Western Balkans or the post-Soviet space (Cianetti et al., 2018).

One of the insights from this research emerges from a comparative analysis of Serbia and Bulgaria. Dawson contends that neither of these states has made significant improvements towards achieving democratic consolidation, particularly in promoting democratic culture among citizens.

According to the author, the main focus of the discussion of democratic backsliding is the stability of democratic systems. Given the undermining of the democratic institutions by the Polish and Hungarian governments, the resilience of the institutions and the broader democratic framework received significant attention. Consequently, the authors support broadening the scope beyond Hungary and Poland, suggesting that alternative approaches may offer new ways of sustaining institutional stability (Cianetti et al., 2018).

Anna M. Meyerrose (2023) takes an entirely different approach to explaining democratic backsliding in Eastern Europe. Meyerrose argues that given the EU's extensive role in promoting democracy in its member states, it is critical to consider the EU as an initial source of backsliding. Meyerrose further argues that the EU's post-Maastricht policy structure, membership requirements, and accession process raised the chances of democratic backsliding in new democracies. Institutional development was slowed by increasing executive power and limiting the state's domestic policy space. Meyerrose suggests that the combinations of these factors create opportunities for executives to manipulate weak institutions to increase their power (Meyerrose, 2023).

Emerging democracies typically exist on a spectrum ranging from closed autocracy to fully consolidated democracy. Meyerrose argues that states transitioning from authoritarianism to democratic consolidation frequently experience setbacks that hinder consolidation. One argument regarding the EU's potential contribution to backsliding revolves around the

extent to which the EU restricts the policymaking autonomy of member states. This restriction may lead to citizen frustration, potentially fueling the rise of populism within the state (Meyerrose, 2023).

The traditional proposal of democratization recommends prioritizing establishing a solid and efficient state with centralized executive authority. Only after establishing such authority can the government start efforts toward cultivating a vibrant civil society. These efforts might result in a society where institutional checks and balances are respected. However, democratic theories highlight the significance of mechanisms that facilitate mass participation. These mechanisms ensure horizontal accountability for the sustainability of democracy in the long run. EU's democracy promotion aligns with this conventional state-centric perspective on democracy-building. Thus, some argue that the EU has emphasized fostering economic transformation and stability rather than strengthening support for democratic institutions among citizens in post-communist Europe (Meyerrose, 2023).

Another aspect where the EU's democracy promotion and pre-accession requirements contribute to increasing executive power is their insufficient promotion of establishing a robust and independent judiciary. The communist judiciary system heavily influences the independence of the judiciary in many central and eastern European states. Meyerrose argues that EU efforts at democracy promotion failed to promote judicial independence in these countries. Meyerrose claims that, during the pre-accession phase, the EU unintentionally strengthened specific individuals and their roles. That occurred because the EU's conditions required a specific "Judicial Council" model of court management that treated all countries similarly. Making it seem like it supported judicial independence, it did not do much to ensure that individual judges were truly independent (Meyerrose, 2023).

David Samuels (2023) argues that the EU does not play the same role in supporting democracy as it did before. In the case of Hungary and Poland, where these countries broke various EU rules, Samuels argues that the EU has taken insufficient actions. Samuels further explains that the reason lies in international political change within the EU.

The end of the Cold War changed the terms of debate about democracy in Europe by creating new questions about the tension between liberal norms and criteria for membership in supranational communities. Without a solid external existential threat, reasons to defend the multiculturalism of liberal democracy collided with immigration restrictions and security. Once nationalism spread across Europe, the EU's structure has ironically fostered illiberal movements and contributed to democratic backsliding. Samuel argues that the limitations of the EU's capability to protect democracy lie within its supranational governance model, which implies a norm of noninterference in the domestic politics of its members (Samuels, 2023).

3 Conceptual Framework

3.1 Democratic Backsliding

Francis Fukuyama (1989), in his essay "The End of History?", states: "*The end of history as such: that is the universalization of Western liberal democracy as the final form of human government.*" (Bakke & Sitter, 2022). The collapse of communist regimes marked the conclusion of Samuel Huntington's (1991) third wave of democratization, as observed by many. Michael McFlau (2002) identified the post-communist transitions as constituting a fourth wave of democratic transformations. Since then, scholars have debated the concept of "democratic backsliding," introducing various terms and theories to understand this phenomenon. Scholars often consider a deliberate departure from democratic principles and the rule of law as democratic backsliding. Nancy Bermeo (2016) characterizes it as "the state-led elimination of any of the political institutions that sustain an existing democracy." (Bakke & Sitter, 2022).

A historical examination of democratic backsliding reveals a shift from traditional coups d'etat, as Nancy Bermeo (2016) described as "promissory coups." Rather than dramatic executive takeovers, modern democratic backsliding is characterized by a process known as executive aggrandizement. Instead of election-day fraud, tactics now involve long-term strategic harassment and manipulation. Bermeo suggests that the outcomes of democratic backsliding vary between the two cases. The first is where radical change across multiple institutions results in a complete democratic breakdown. The second is that democratic backsliding occurs gradually and targets a limited set of institutions. It is less likely to lead to total regime change and may result in hybrid political systems. Bermeo further argues that addressing democratic backsliding becomes challenging when it produces complex situations. Despite the damaging effect of democratic backsliding, Bermeo also highlights some positive consequences. The declines in traditional coup attempts contribute to long-lasting peace and fewer human casualties (Bermeo, 2016).

Elisabeth Bakke's and Nick Sitter's (2022) definition of democratic backsliding resolves across four key points. First, they perceive democratic backsliding as a departure from democratic principles. Secondly, they view it as a gradual and continuous process, distinct from sudden democratic collapse. Thirdly, they consider democratization and democratic backsliding as ongoing processes with uncertain outcomes regarding regime change. Lastly, democratic backsliding is driven by elites, imposing deliberate actions by elected officials (Bakke & Sitter, 2022).

Rafael Labanino and Michael Dobbins (2023) also propose that modern democratic backsliding does not always result in a dictatorship. Instead, repressive regimes maintain the impression of electoral democracy while gradually eroding its core principles. They term this approach "autocratic legalism." This term indicates that leaders manipulate constitutional and legal mechanisms to achieve authoritarian purposes. Labanino and Dobbins contend that democratic backsliding entails a broader trend of limiting interest representation and systematically demolishing consultation processes across various levels of governance. For instance, in Hungary, Viktor Orbán's initial actions in 2010 included restricting the right to strike. The analysis reveals a policymaking landscape in Hungary characterized by selective cooperation with particular interest groups and the apparent exclusion of others (Lebanino & Dobbins, 2023).

Fabio Wolkenstein (2022) argued that democratic backsliding frequently occurs "through a discontinuous series of incremental actions, not a one-time" (Wolkenstein, 2022). It is actions and events that the government does that transform democratic regimes into less democratic or non-democratic. In Wolkenstein's article, the author describes two distinct stages of democratic backsliding. The initial stage, termed "right-suspending democratic backsliding," entails suspending certain or all fundamental constitutional rights of the public. Right-suspending democratic backsliding occurs under crisis management processes when, to solve a social or political problem, the government deprives certain groups or individuals of fundamental rights. The rational explanation tends to be that solving complex circumstances requires such drastic measures as suspending or limiting the rights of the people. Most constitutions permit and justify exercising such emergency powers to solve significant problems. These problems range from extreme political instability to the threat of terror (Wolkenstein, 2022). Democratic institutions typically allow for the "conservative" application of emergency powers, restricting their use to restore normal functioning within institutions (Wolkenstein, 2022).

The subsequent stage, labeled "right-obstructing democratic backsliding," arises when the results of political problem-solving procedures hinder or make it impossible for individuals to exercise their rights effectively. The typical characteristic of rights-obstructing backsliding is the successive introduction of new constitutional norms, which limits the degree to which the people can exercise fundamental rights. Right-obstructing backsliding can be an unintended consequence of bad constitutional design, or it can also be the result of an intentional effort to gain more control over the people. When an excessive number of comprehensive commitments become constitutionalized, this can negatively impact citizens' ability to exercise their fundamental rights or equal opportunities to participate in political law-giving (Wolkenstein, 2022).

An example of right-obstructing backsliding is what happened in Hungary when Viktor Orbán used "cardinal laws." These laws regulate in detail the most central state and societal matters. The Constitution does not explain the specifics of the cardinal laws, but it is indicated in the Hungarian Constitution that certain political domains are to be regulated by these laws. Orbán's Fidesz party expanded the number of policy areas that became the subject to cardinal laws, including "rules for the operation and financial management of political parties" and rules for the freedom of the press and the organ supervising media services, press conducts, and the info-communications market" (Wolfenstein, 2022).

This thesis aims to shed light on the complex dynamics shaping the political landscape of Hungary and Poland. By exploring the mechanisms and consequences of democratic backsliding within the context of these Central European nations, this study could contribute to a deeper understanding of the broader challenges to democracy in the region. The conceptual framework presented above provides pinpoints for analyzing the complex interactions between history, institutional structures, and political forces influencing democratic governance in Poland and Hungary.

3.2 Methodology

The method employed in this thesis is the method of comparative analysis, which is an old mode of research. In many fields of scientific inquiry, the comparative method plays an essential part in the diverse branches of social science. The results from contemporary comparative research can be found in nearly all disciplines and applied to studying different topics. Comparative research can range from the comparative study of policies within a singular country to analyzing multiple cases simultaneously (Azarian, 2011).

This method involves comparing specific events or dimensions within each case to uncover parallels and differences, thereby facilitating a deeper exploration of the dynamics causing democratic backsliding (Azarian, 2011).

Comparing is an inherent cognitive process fundamental to human reasoning, serving as a foundation of our perceptual abilities. It is so ingrained in our thinking that functioning without comparison becomes nearly inconceivable. However, while comparisons are common in our lives, they often lack the rigor required for scientific validity. Comparative research should embody reflectivity, meaning it must clearly articulate the reasons for comparison, the specific aspects evaluated, and the objectives of the comparison. (Azarian, 2011).

The method of comparison is an approach that often involves comparing two or more cases. The analyzed cases often share a specific trend, like political policies, types of organizations, or revolutions. The goal is to determine a typology based on the explored case differences or similarities (Azarian, 2011).

The main reason for applying the comparative method in this thesis is its ability to provide a comprehensive understanding of democratic backsliding by systematically comparing the cases.

Using statistical methods, the comparative method tests hypothesized empirical relationships among variables. This method parallels experimental and statistical approaches, as they all analyze variables and aim to establish general empirical relationships between at least two variables through control. However, there are distinctions. Comparative case studies allow us to observe proposed causal mechanisms within their natural contexts. Additionally, the method differs in case selection; it does not choose cases randomly but instead selects them based on the dependent variable. For example, in the context of studying democratic backsliding in Poland and Hungary, these countries are chosen because they exhibit variations in the extent or nature of democratic backsliding. In other words, the choice of Poland and Hungary as cases are deliberate and strategic, allowing for a focused analysis of the phenomenon of interests within the comparative framework (Moses & Knutsen, 2019).

Even though some could argue that these countries have a common historical background, they differ in democratic performance. Case selection is one of the strengths of the comparative method (Moses & Knutsen, 2019). At the same time, the same strength introduces weaknesses. This weakness is the problem of selection bias. Another weak spot lies within another characteristic feature: a small number of cases. One should be aware of the limitations and weaknesses of the comparative method (Moses & Knutsen, 2019).

3.3 The Method of Difference & The Method of Agreement

John Stuart Mill was among the first scholars to employ systematic formulators of modern comparative methods. Mill presented four methods of systematic comparison, two of which are the "Method of Difference" and the "Method of Agreement."

The Method of Difference involves comparing political and social systems with certain standard features, aiming to diminish some differences while highlighting others. In essence, case selection controls for causal effects. While all cases have fundamental similarities, they differ regarding vital explanatory factors. These factors, whether present or absent, explain variations in outcomes. Mill proposes various applications of this method, with two particularly relevant to the cases of Poland and Hungary. The first involves selecting states or policies that share similarities in wealth, regime type, culture, and other variables. The second application is counterfactual. Mill contends that finding cases similar in all aspects except one explanatory factor may be challenging. It is feasible to envision an identical case (Moses & Knutsen, 2019).

The Method of Agreement entails examining instances where multiple occurrences share only one common factor. This shared factor is the cause or the effect of the phenomenon of study. This method is considered one of the most straightforward of Mill's methods. This method controls for variation based on case selection. The researcher collects cases of a particular phenomenon to find common explanatory factors in otherwise different cases. The familiar presence of that factor later explains the phenomenon. It has, however, some downsides. This method leads to faulty empirical generalizations (Moses & Knutsen, 2019).

Another method of Mill is the "Method of Concomitant Variation." This method is not limited to binary cases. It observes and measures the quantitative variations of the operative variables. In simpler terms, another factor changes correspondingly when the first factor changes. This method establishes a correlation between the presence or absence of a particular condition and the occurrence or intensity of a phenomenon. By observing variations in the phenomenon, researchers aim to identify potential causal relationships (Moses & Knutsen, 2019).

It also shares similarities with the Method of Agreement and the Method of Difference. This method can be suitable for this research, which explores democratic backsliding in Poland. One of the reasons this method is ideal for the research is that the concomitant variation method helps identify correlations. This method allows us to observe how variations in factors such as political institutions, socioeconomic conditions, or level of EU integration correlate with changes in the extent or nature of democratic backsliding. By applying this method, this research can gain insights into potential causal relationships between these factors and democratic outcomes. It can also assist this research to delve deeper into underlying mechanisms driving democratic backsliding in Poland and Hungary. One can investigate whether changes in government policies or external pressures from the EU influence the resilience of democratic institutions (Moses & Knutsen, 2019).

Overall, the Method of Concomitant variation provides a systematic framework for analyzing the complex interactions between different variables and their impact on democratic backsliding in Poland and Hungary (Moses & Knutsen, 2019).

The analysis period for this research is from 2010 to 2023, and there are several reasons for that. One is that this period captures a significant timeframe during which essential developments in the political scenery of Hungary and Poland have unfolded. In this period, we saw the rise of Viktor Orban's Fidesz party in Hungary and the Law and Justice party in Poland. Both parties are associated with democratic backsliding. Another reason is that it includes a range of critical events and policy shifts that have had implications for democracy. Lastly, focusing on this timeframe allows for a comprehensive analysis of the

driving mechanisms and consequences of democratic backsliding within a contemporary context.

4 Setting the scene: Democracy and authoritarianism in Hungary and Poland

Numerous scholars and politicians argue that liberal democracies globally are confronting a crisis. The emergence of populist political movements has resulted in the concept of democratic backsliding. Within Europe, Poland and Hungary emerge as notable examples of nations grappling with substantial challenges associated with democratic backsliding. The dominance of Poland's right-wing Law and Justice (PiS) party to power and Hungary's Hungarian Civic Alliance (Fidesz) exemplify this trend (Moder, 2019).

In 1990, Poland and Hungary outlined their primary foreign policy objective to join the EU. This aspiration saw significant progress when, in December 1991, both nations signed European Agreements. Subsequently, at the 1993 Copenhagen Summit, the EU recognized the prospect of future eastern enlargement. In 1994, these agreements had been ratified, and Hungary and Poland were set to become the first post-communist countries to apply for EU membership formally. The preparatory phase for EU accession predominantly involved executive-driven initiatives to facilitate a seamless transition. However, a drawback of this approach was the limited presence of EU experts within the executive branches of Poland and Hungary. Simultaneously, citizens of both nations received inadequate information necessary for forming informed opinions about EU membership (Meyerrose, 2023).

The legislative branch in Hungary experienced a decrease in its authority, with minimal emphasis placed on public oversight and governmental accountability. While Hungary demonstrated proficiency in enacting legislation, it encountered challenges in effectively implementing these laws and garnering societal endorsement. The legislature in Hungary was rendered weak, and the leaders placed little emphasis on government accountability. Hungary was effective at adopting legislation but less successful in terms of implementing this legislation and garnering societal support (Meyerrose, 2023).

In October 2015, the PiS party won the absolute majority of seats in the Polish parliament with only 38% of the votes. This victory brought the first single-party rule in Poland since 1989. Since then, the PiS government has started to make controversial political moves that have led to international interest and significant media coverage of the crisis of Polish democracy (Moder, 2019).

Together with Poland, Hungary was at the lead of the transition to democracy in Central Europe following the departure of the Soviet regime. However, the current government led by the Fidesz party is a prominent case of democratic backsliding. However, before that, Fidesz was an Alliance of Young Democrats, whose primary purpose was to serve as a

democratic opposition. In June 1989, Viktor Orbán was one of the front figures who openly demanded the withdrawal of Soviet troops from Hungarian territory. However, some years later, poor performance in the elections led to the decision to turn the liberal youth movement into a conservative party (Batory, 2015).

Events and transitions leading to the analysis

Morder (2019) outlined that democratic backsliding in Poland involved restricting the courts' independence by changing the judicial appointment process and favoring pro-government gatherings through changes in assembly laws. The government's interference in judicial independence is one of the prominent indicators of democratic backsliding. This notion often signifies a rejection of the post-1989 order established with the assistance of foreign institutions. On the other hand, PiS's government sought to reshape Polish democracy and society according to national ideals and norms (Moder, 2019).

By the end of 2015, the PiS government had passed reforms that slowed down the work of the Constitutional Tribunal and increased government control over its judges. The new government also aimed to gain influence over the National Council of the Judiciary, which appoints judges. These anti-democratic actions led to large-scale protests all over the country. These findings could mean democratic backsliding is not a bottom-up process resulting from Euroscepticism. Some could argue that it is a top-down process driven by the ruling party (Moder, 2019).

Before the rise of Fidesz and PiS to power, Hungary and Poland were often considered countries with the potential to establish liberal democracies. However, following the ascent of these political parties, both countries experienced a significant decline in democratic standards. Freedom House has documented a consistent decrease in democratic indicators in Hungary since 2010 and Poland since 2015. By 2020, these regimes became "transitional or hybrid regimes" and were labeled "semi-consolidated democracies." Some scholars have even suggested that Hungary and Poland are adopting authoritarianism (Holesch & Kyriazi, 2022). Most scholars identify the probable cause of democratic backsliding in Poland and Hungary as the attempt by the national conservative parties to maintain power.

5 Empirical evidence of democratic backsliding

5.1 Democratic Backsliding in Hungary

In the 2010 Hungarian elections, Fidesz, led by Viktor Orbán, achieved a resounding victory. Subsequently, in both the 2014 and 2018 elections, Fidesz secured a parliamentary supermajority, which was a significant factor contributing to democratic backsliding. The parliamentary supermajority allowed Fidesz to pass legislation, including constitutional amendments. Consequently, Hungary's checks and balances and the rule of law were weakened (Holesch & Kyriazi, 2020).

The democratic backsliding in Hungary has taken place in both aspects of democracy, in the formal democratic institutions and their public performance. According to the Freedom Houses website, Hungary has experienced significant changes since the 2010 elections. Prime Minister Orbán Fidesz's party implemented constitutional and legal modifications to strengthen its control over independent institutions. As of 2024, Freedom House rates Hungary as "partly free," scoring 65 out of 100 in its annual assessment of democracy and human rights (Freedom House, 2024).

In their evaluation, Freedom House examines various categories, including the electoral process. Hungary received 2 out of 4 points in this category, raising concerns about the fairness of parliamentary elections. Another category assessed is political pluralism and participation. Here, Hungary scored 3 out of 4 possible points. According to Freedom House's report, political parties are legally allowed to organize but face challenges in gaining popularity due to obstacles such as the politicized distortion of the advertising market, particularly in billboard advertising, which disadvantages opposition parties (Freedom House, 2024).

Freedom of expression and belief is another category considered in the Freedom House's ranking. Although the Constitution protects freedom of the press in Hungary, Fidesz has undermined this guarantee. The national, regional, and local media are dominated mainly by pro-government actors. Fidesz often uses this to smear political opponents and spread misinformation about the opposition (Freedom House, 2024).

Since 2010, Fidesz and its allies have gradually gained control over cultural and publishing institutions in Hungary. They have implemented restrictions on government funding, restricting financial support to projects and artworks that align with nationalistic and Christian values. In July, a bookseller was fined 12 million forints (Hungarian currency) for selling a graphic novel about young adults containing LGBT+ content, which violated a 2021 law prohibiting the "display or promotion" of LGBT+ content to minors. Additionally,

in 2021, an investigation conducted by an international team of independent journalists, including Hungarian media outlets, uncovered government surveillance of journalists critical of the Hungarian government (Freedom House, 2024).

Hungary received a score of 2 out of 4 in the rule of law category, which assesses the independence of the judiciary. According to Freedom House, recent judicial rulings on political cases have tended to favor the interests of Fidesz. In July 2023, four new justices were appointed to the Constitutional Court, all nominated by the ruling coalition in parliament. The only opposition candidate failed to gain sufficient support to be nominated. Furthermore, high-ranking government officials and pro-government media outlets frequently criticize judges who openly voice dissent against the ruling government (Freedom House, 2024).

Hungary also violated the rights of refugees and asylum seekers. The government has constructed barriers along the southern border, resulting in the detention of refugees who attempted to cross into Hungary. Despite EU's rulings and violations of EU law, Hungary has consistently denied asylum to most refugees. In 2023, the Council of Europe Committee of Ministers called on the Hungarian government to align its asylum system with European standards. In response, Hungary has opened its eastern borders to refugees fleeing Ukraine, granting temporary protection status to Ukrainian citizens. This protection did not extend to non-Ukrainians legally residing in Ukraine (Freedom House, 2024).

In the case of Hungary, most scholars identify the proximate cause of democratic backsliding as the grip on power by the national conservative parties such as Fidesz. Some scholars have pointed out the possible negative influence of the EU.

5.2 Democratic Backsliding in Poland

Numerous instances demonstrate the phenomenon of democratic backsliding in Poland that sets it apart from its Western European counterparts within the EU. Despite claims of legal equality for Polish women and ethnic minorities, inequalities persist in existing experiences. While there has been a noticeable increase in public support for LGBT+ rights, the PiS administration has characterized LGBT+ advocacy as an "imported ideology." By the end of 2020, a hundred local governments had formally declared themselves as "LGBT-free zones" (Freedom House, 2024).

The European Union sees itself as a sanctuary for individuals fleeing persecution or danger in their home countries. Protected in the 1951 Geneva Convention, asylum is a fundamental human right and an international duty binding upon nations. "EU member states are collectively responsible for extending a dignified welcome to asylum seekers." In line with this commitment, the EU has implemented the Common European Asylum System (CEAS) since 1999. This framework establishes uniform standards and fosters

collaboration to ensure equitable treatment for asylum seekers (European Commission, 2024).

In 2021, the Polish Parliament granted border guards the authority to remove migrants who entered Poland unlawfully forcibly. This decision reflects Poland's longstanding resistance to the European Union's calls for increased refugee intake. During a summit of home affairs ministers in Luxembourg, Polish Deputy State Secretary of Interior Bartosz Grodecki announced Warsaw's refusal to pay fines. The EU proposed these fines for non-compliance with refugee acceptance quotas. This stance responded to the EU's suggestion of imposing a 19,000 euro fine per person on member states unable to accommodate refugees (O'Carroll, 2023).

PiS rose to power during a period of rapid economic growth in Poland. Upon securing a majority in 2015, the party swiftly moved to consolidate its power, implementing various measures that undermined democratic standards. Despite losing the Senate's majority, PiS emerged victorious in the subsequent 2019 parliamentary elections. The highest vote share was received in Poland's history during these elections. Like Fidesz, PiS is a conservative political party preserving traditional Christian values. The party asserts itself as the sole legitimate representative of the Polish people's interests. It also positions itself as the champion against a perceived adversarial system. Jaroslaw Kaczynski, the leader of PiS, has criticized what he termed as legal "impossibilism," arguing that the constraints imposed by the Polish Constitution hinder the government's ability to enact the will of the people (Davies, 2023).

Securing control over the Constitutional Tribunal was one of PiS's objectives to dominate the country's judicial institutions. PiS and its allies executed this plan through a series of strategic maneuvers. Initially, they barred all judges appointed by opposition parties from assuming their roles on the tribunal. Subsequently, they enacted legislation intended to hamper the tribunal's ability to operate efficiently. Finally, PiS ensured the appointment of tribunal judges loyal to their cause, cementing their influence over this crucial judicial body (Davies, 2023).

In 2017, Poland witnessed the implementation of three significant judicial reforms. The initial reform granted the justice minister the authority to appoint and dismiss presidents and deputy presidents of Polish courts. Subsequently, a second reform mandated that the ruling government assign 15 out of 25 members responsible for nominating judges. In 2018, the ruling government further lowered retirement ages for Supreme Court Judges, resulting in the retirement of 27 out of 73 judges. This constitutional amendment drew the attention of the European Commission and subsequently led to the reinstatement of the

retired judges by the European Court of Justice (ECJ) ruling. The ECJ later affirmed that this action violated European law (Freedom House, 2024).

In 2019 and 2020, the European Commission initiated proceedings alleging that the Disciplinary Chamber threatened the independence of judges. Afterward, in 2021, ECJ issued an order to suspend the activities of the Disciplinary Chamber, citing its lack of independence from the legislative and executive branches. In response, the Constitutional Tribunal in Poland ruled that the measures imposed by the ECJ were incompatible with Poland's Constitution. Despite the ECJ rulings regarding the Disciplinary Chamber, Poland ignored them. As a reaction to ignoring the ruling of ECJ, the EU imposed daily fines of one million euros.

Additionally, in reaction to these developments, Poland's prime minister declared certain parts of EU law incompatible with the Polish Constitution. Since 2018, several European courts have rejected Polish arrest warrants and extradition requests due to concerns about the independence of Polish courts. In September 2020, a Dutch court ruled to suspend all extraditions to Poland, citing concerns about the fairness of trials for defendants in Poland (Freedom House, 2024).

6 EU on the rule of law

Many political analysts and academics assert that the EU bears a responsibility to safeguard the democratic principles upheld by its member states and address instances of democratic regression within its borders. The EU possesses formal mechanisms to address such challenges, one of which is also known as the "nuclear option." Article 7 of the Treaty on the European Union empowers member states to impose significant sanctions in response to breaches of fundamental democratic values. However, the activation of Article 7 has yet to occur, primarily due to the stringent requirements for unanimity in the Council and a substantial majority in the European Parliament. Additionally, the potential for obstruction from other "backsliding" states further complicates this process, as Poland and Hungary could veto sanctions imposed on each other. So, some could say that the Article 7 process is a symbolic move (Meijers & Van der Veer, 2019).

Without the activation of Article 7, the EU has devised alternative strategies. Establishing the Commission's Rule of Law Framework and the Council's Rule of Law Dialogue aimed to tackle issues related to the rule of law within member states. The formation of The Rule of Law Framework and the Council's Rule of Law Dialogues complemented infringement procedures. This framework can be activated when there is a systematic breach of laws, which affects institutions' stability and proper functioning nationally to secure the rule of law (Agh, 2018).

Nevertheless, many see these efforts as "soft policy" or "ineffective responses," terms used to describe policies that lack enforceability. The new tools function as early warning systems, facilitating dialogue between the Council and the concerned Member States. Critics contend that this framework suffers from significant shortcomings. Firstly, it raises doubts about the willingness of the suspected Member State to participate in the dialogue. In many cases, the ruling elites in these nations have deliberately chosen not to comply with EU regulations, making dialogue likely unproductive (Agh, 2018).

The European Parliament (EP) introduced a new initiative on October 23, 2016, in response to the perceived ineffectiveness of existing measures. This initiative, the "European Pact on Democracy, the Rule of Law and Fundamental Rights," represents a significant development in EU history, aiming to enhance the Rule of Law Framework. This proposal addresses various rule-breaking instances by member states and monitors their compliance with EU values. The pact proposes clear criteria to evaluate adherence and consolidate all relevant regulations into a unified legal framework for the union. Notably, the EP advocated for the involvement of representatives from all EU institutions and national parliaments in preparing the annual Rule of Law Report, which is a crucial tool for transparency and accountability (Agh, 2018).

6.1 The Rule of Law Report

The European Commission's authoritative report on the Rule of Law has also highlighted concerns regarding the independence of the judiciary. In their comprehensive report from 2020, many aspects of the justice system raised concerns regarding the rule of law and judicial independence together with the functioning of the Constitutional Tribunal (European Commission, 2020).

The report expresses apprehension regarding several new obligations imposed on Polish judges. Effective December 20, 2019, a new mandate is in place that all judges in Poland disclose personal details, including their affiliations with non-profit organizations or political parties, as well as their positions within such entities. Additionally, the report sheds light on various challenges, such as the appointment procedures for judges, disciplinary actions against them, and the consequences of legislative amendments on the judiciary's autonomy. These observations underscore persistent tensions between Poland and the EU concerning upholding democratic values and the rule of law (European Commission, 2020).

6.2 EU Membership Criteria and Rule of Law Requirements

Each prospective member state seeking accession to the European Union undergoes a rigorous evaluation process. This comprehensive procedure entails meeting many criteria to attain EU member status. Among these criteria, the principle of the rule of law holds particular significance. Crucial requirements for accession to the European Union, such as

adherence to the rule of law, are preserved in the Copenhagen criteria. Within this framework, Chapters 23 and 24, focusing on the judiciary and fundamental rights and justice, freedom, and security, play essential roles in guiding new member states toward establishing robust legal systems. Chapter 23 underscores the imperative of establishing an independent and efficient judiciary. All EU candidates must comply with three fundamental obligations (European Commission, 2024).

Firstly, ensuring the independence and impartiality of their judiciary, encompassing provisions for access to justice, fair trial proceedings, and professional development of opportunities for legal practitioners. Secondly, to hold government officials and agents accountable under the law. Finally, they foster transparency and equity in formulating, enacting, and enforcing legislation (European Commission, 2024).

Disregarding the rule of law has significant implications for the core European values. Therefore, the EU must have the capacity to uphold it.

7 Analysis

Numerous factors can explain the phenomenon of democratic backsliding observed in both Poland and Hungary. Some scholars posit that it is imperative to acknowledge the historical context of Eastern and Central European states (ECE), which were excluded from Western development by the Yalta Agreement. These states encountered significant socioeconomic, cultural, and institutional deficits as democratization commenced. These challenges, compounded by the complexities of EU membership, have profoundly influenced the historical trajectory of ECE over recent decades. Consequently, there is a dispute that the EU should have applied more outstanding care and precision during the transfer of Western formal legal institutions (Agh, 2018).

The debate on the contradiction of external and internal Europeanization also highlights its limitations. Advocates of this perspective argue that illiberal leaders have predominantly undermined the EU's integration process through the flaws in the EU's system. The EU's transformational influence has been limited by the formal-legal nature of Europeanization and democratization, which has overlooked crucial economic, social, and political contexts. This "flaw" has resulted in external Europeanization efforts having only superficially impacted the ECE states, highlighting the limitations of this approach (Agh, 2018).

It is crucial to note that, throughout the accession process, the EU, as a critical player, failed to devise a comprehensive roadmap for the Europeanization of the ECE state. While the Copenhagen criteria outlined general entry requirements, there was a notable absence of efforts to formulate mechanisms facilitating Europeanization and democratization. This aspect needed to be adequately addressed during the accession process. That resulted in the emergence of the "Copenhagen Dilemma." This dilemma signifies the loss of capacity to influence developments in ECE states post-accession while paradoxically appearing to support populist regimes despite their numerous violations of the rule of law system (Agh, 2018).

The crisis of violations of EU rules and values in the ECE turned into, as Attila Agh (2018) describes it, a "frozen conflict." During the tenure of Jean-Claude Juncker, President of the European Commission, from 2014 to 2019, the EU's approach to the ECE was marked by one thing. That was a desire to avoid using time to manage conflict in the East. However, the lack of EU reactions to violations of EU rules and inaction and avoidance of adequately addressing the problem in the ECE led to the deepening of rule-of-law conflicts. The Juncker's Commission did not recognize that events like the global refugee crisis have deeply affected ECE populations. Slowly, the high expectations of the convergence dream vanished, and resentment ran high in the region. However, there has been a notable development in GDP terms. Nevertheless, the lack of education and unique "catching up" programs in Copenhagen criteria expanded the gap (Agh, 2018).

The findings also reveal the EU's limitations in protecting the rule of law. These limitations are evident in the legal definitions of these principles and the theoretical justification for their violation, despite the consensus established during the states' accession process regarding respect for the rule of law and democracy. The possibility of disregarding the principles of democracy and the rule of law is a deep concern. However, the Polish and Hungarian governments demonstrated that through numerous violations and breaches. Equally concerning is the lack of practical measures to address such offenses.

While some may draw parallels between Poland and Hungary, they have distinct historical paths shaping their political trajectories. Hungary transitioned out of communist rule later than Poland. Hungary also experienced an economic crisis after its post-accession to the EU, worsened by the global financial crisis of 2007-2008. On the other hand, Poland's economy performed comparatively better during and after its accession to the EU.

The comparative analysis of democratic backsliding in Poland and Hungary underscores the gradual nature of this phenomenon. Both countries have experienced a steady increase in the executive branch's power. Consequently, this raised concerns regarding the erosion of checks and balances. The driving factors behind this trend in both nations share significant similarities. In each case, there is a gradual shift away from democratic standards rather than a sudden collapse of democratic principles. Some scholars argue that Hungary and Poland are experiencing a "milder" form of democratic backsliding.

This gradual erosion of democracy is less likely to result in complete regime change. Instead, this resulted in a hybrid system in both countries. While some assert that Orban has adopted a more assertive governance style, Kaczynski's PiS has employed a relatively more gradual approach in implementing changes within the legal and judicial framework.

Hungary and Poland have introduced contentious judicial reforms that have significantly impacted the independence of their judiciaries. These reforms have strained their relationships with other European nations, leading to reluctance to cooperate. Several European countries have refused to extradite individuals to Poland and Hungary due to impartial trials and persecution concerns. In both cases, political decisions have consistently favored the ruling parties. There are also concerns regarding the fairness of elections in both countries. While opposition parties can organize, they face challenges in gaining support, partly due to the dominance of state-controlled advertising.

Furthermore, the erosion of democratic principles in both states was driven by political elites through deliberate efforts to consolidate power. It is crucial to highlight that neither country has transitioned into outright dictatorship. Instead, repressive regimes upheld the impression of democratic procedures while gradually weakening democratic values. In both cases, the process of democratic backsliding unfolded gradually, aligning with the patterns outlined in the conceptual framework of the thesis. Both nations grapple with global and domestic crises, such as economic and refugee crises. This period of weakness was used by leaders to limit citizens' rights, rationalizing such actions as essential crisis-management measures. These crises have also provided a fertile ground for eroding democratic principles.

8 Conclusion

In conclusion, the finding of the comparative analysis of democratic backsliding in Poland and Hungary showcases both similarities and differences in the mechanisms and consequences of this phenomenon. Despite each country's historical and institutional context, common threads emerge in their courses toward undermining democratic principles. Both Poland and Hungary have witnessed a gradual erosion of democratic norms, driven by deliberate actions of their respective ruling parties.

In Poland and Hungary, the independence of the judiciary has been a significant concern in discussions about democratic backsliding. In Poland, the PiS's actions resulted in concerns about judicial independence. Their controversial measures included the enforced retirement of Supreme Court judges, politicized judicial appointments, and the establishment of a Disciplinary Chamber within the Supreme Court. These actions have faced criticism domestically and internationally for undermining the principles of checks and balances and the rule of law.

Similarly, in Hungary, Prime Minister Viktor Orbán's Fidesz party has pursued legislative changes that undermine democratic norms. Through reforms concentrating power within the executive, the government has tightened its grip on the judiciary despite condemnation from the EU. Orbán's administration has extended its influence over cultural and publishing institutions. Reports from Freedom House indicate a bias in judicial rulings favoring Fidesz in political cases.

This analysis sought to understand the factors contributing to democratic backsliding in Poland and Hungary. Through a comparative analysis, this study identified common trends and distinct characteristics in their experiences of democratic backsliding. Ultimately, this research aimed to shed light on the mechanisms driving democratic backsliding and its implications for the future of democracy in Central Europe.

Addressing democratic backsliding in Poland and Hungary requires a comprehensive approach. Domestic actors, civil society, and international institutions must continue to advocate for protecting democratic norms and the rule of law. Strengthening the independence of institutions, fostering political accountability, and promoting civic engagement are essential steps toward safeguarding democracy in both countries. Furthermore, Poland and Hungary's experience can broaden efforts to address democratic backsliding in other EU member states. As an intergovernmental organization, the EU depends on good cooperation and ensuring that all member states pursue the same goals and strictly adhere to the values enshrined in the Lisbon Treaty. In this sense, the findings of this thesis may serve as a future uptake by policymakers and scholars alike to develop effective strategies and instruments to prevent further democratic backsliding across the EU.

9 References

Azarian, R. (2011). Potentials and limitations of comparative method in social science. *International Journal of Humanities and Social Science*, 1(4), 113-125.

Ágh, A. (2018). Decline of Democracy in the ECE and the Core-Periphery Divide: Rule of Law Conflicts of Poland and Hungary with the EU. *Journal of Comparative Politics*, 11(2), 30-48.

Bermeo, N. (2016). On Democratic Backsliding. *Journal of Democracy*, 27(1), 5-19. <https://doi.org/10.1353/jod.2016.0012>

Batory, A. (2016). Populists in government? Hungary's "system of national cooperation." *Democratization*, 23(2), 283-303.

Bernhard, M. (2021). Democratic Backsliding in Poland and Hungary. *Slavic Review*, 80(3), 585-607. <https://doi.org/10.1017/slr.2021.145>

Bakke, E., & Sitter, N. (2022). The EU's Enfants Terribles: Democratic Backsliding in Central Europe since 2010. *Perspectives on Politics*, 20(1), 22-37. <https://doi.org/10.1017/S1537592720001292>

Davies, C. (2023). Hostile Takeover: How Law and Justice Captured Poland's Courts. *Freedom House*. <https://freedomhouse.org/report/analytical-brief/2018/hostile-takeover-how-law-and-justice-captured-polands-courts>

European Commission, (2020). Rule of Law Report on Poland. *European Commission*.

European Commission. (2024). Rule of Law. https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/policy-highlights/rule-law_en

European Commission. (2024). Chapters of the acquis. https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/conditions-membership/chapters-acquis_en

Freedom House, (2024). Poland. *Freedom House*. <https://freedomhouse.org/country/poland/freedom-world/2022>

Freedom House, (2024). Hungary, *Freedom House*. <https://freedomhouse.org/country/hungary/freedom-world/2024>

Holesch, A., & Kyriazi, A. (2022). Democratic backsliding in the European Union: the role of the Hungarian-Polish coalition. *East European Politics*, 38(1), 1-20.

Karolewski, I. P. (2021). Towards a political theory of democratic backsliding? Generalising the East Central European experience. *Illiberal Trends and Anti-EU Politics in East Central Europe*, 301-321.

Labanino, R., & Dobbins, M. (2023). "Post-truth post-communism?" - Information-oriented lobbying in the context of democratic backsliding in Central and Eastern Europe. *Democratization*, 30(7),1264-1290.
<https://doi.org/10.1080/13510347.2023.2221186>

Meijers, M. J., & Van der Veer, H. (2019). MEP responses to democratic backsliding in Hungary and Poland. An analysis of agenda-setting and voting behaviour. *JCMS: Journal of Common Market Studies*, 57(4), 838-856.

Moses, J. W., & Knutsen, T. L. (2019). Ways of knowing: competing methodologies in social and political research (Third edition.). *Red Globe Press*

Moder, C. M. (2019). What Happened to Poland? On the Ongoing Crisis of Democracy. *Old and New Cleavages in Polish Society*, 13-26.

O'Carroll, L. (2023). Poland criticizes EU's "unacceptable" proposed charge for refusing migrants. *The Guardian*.

Samuels, D. J. (2023). The International Context of Democratic Backsliding: Rethinking the Role of Third Wave "Prodemocracy" Global Actors. *Perspectives on Politics*, 21(3), 1001-1012. <https://doi.org/10.1017/S1537592722003334>

Vachudova, A.M. (2020). Ethnopolitism and democratic backsliding in Central Europe. *EastEuropeanPolitics*, 36(3),318-340.
<https://doi.org/10.1080/21599165.2020.1787163>

Wolkenstein, F. (2022). What is democratic backsliding? *Constellations*, 30(3), 261-75.

