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Authoritarianism and its Impact on Human Rights

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In Ronald Burke's *Decolonization and the Evolution of Human Rights*, he argues that the recent rise in authoritarianism is a compliment to the idea that Western styles of democracy should not be universal—instead, styles of government should be relative to the setting[1]. This idea is driven from inspecting the recent rise in populist and authoritarian governments worldwide, specifically in decolonized states in Africa and Asia. However, this idea also extends to Europe— specifically Eastern Europe, where thirty years ago democracies were founded in the aftermath of the collapse of the Eastern Bloc. In specific, the Polish and Hungarian governments have been controlled by authoritarian conservatives since 2015 and 2010, respectively. These governments in Poland and Hungary have contributed to a decrease in overall freedoms and human rights in their respective countries, which can be attributed to the characteristics of both parties as well as to how they obtained power.

Both Poland and Hungary's ruling parties gained power using populist language and thought. Simply put, populism is a direct approach to the people. To gain power, populists link an "initial failure" with a group they want to target, which they can then set against the people to gain power; in addition, they view situations in a two-sided manner so they can set the population against the group they want to target[2]. So, populism is a way of appealing to people, for it aims to use people's instinctive two-sidedness to become popular—but it is not inherently anti-democratic. Instead, populist leaders want to gain popularity for their agenda. As Benjamin

[1] Ronald Burke, *Decolonization and the Evolution of International Human Rights* (Philadelphia, Pennsylvania: University of Pennsylvania Press, 2010), 138.
[2] Benjamin Moffitt, *The Global Rise of Populism* (Stanford, California: Stanford University Press, 2016), 124, 145.

Moffitt puts it, "While populist leaders can certainly act as a voice for a group of heterogeneous demands, the flipside is that they can use their role as the voice of 'the people' to present themselves as infallible and unchallengeable"[3]. Moffitt argues that because of populist's tactics to gain power, they use it to show that they are of and for the people, so that they have a basis for passing their agenda. If they did not have this basis, they would not have any power, so it is vital for them to ensure that people are riled up against the other side, whatever that may be.

Alongside this rise in populism, human rights in nations with populist leaders have seemed to decline, for the argument that everyone is equal and should be treated fairly does not coincide with the clean two sides of populist tactics. Due to this, human rights have been attacked with ideas of security, nationalism, dehumanization, and deinstitutionalization[4]. In populism, it is most effective to paint the other side as barely even human, so maintaining a strong adherence to human rights codes would only hinder their ability to gain and maintain power. Additionally, this decrease in the adherence to human rights is coupled with the ideological stance of more authoritarian populist parties, which generally do not support greater freedoms as another tactic to hold onto power.

One example of this move towards authoritarianism through populism is Poland. In 2015, the Law and Justice party (abbreviated as PiS) won an outright majority in the Polish parliamentary elections, allowing them to do as they please[5]. They used populist tactics to gain this majority and work to gain power by disenfranchising voters. The primary tactic the PiS used was to argue that they were the sole party that represented the people and that the other parties

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[3] Moffitt, *The Global Rise of Populism*, 138.
[4] Alison Brysk, *The Future of Human Rights* (Cambridge, UK: Polity Press, 2018), 69.
[5] Radoslaw Markowski, "Creating Authoritarian Clientelism: Poland After 2015," *Hague Journal on the Rule of Law* 11, no. 1 (April 2019): 111–32, http://dx.doi.org/10.1007/s40803-018-0082-5, 111-2.

were part of a corrupt elite[6]. This, in turn, demobilized part of the electorate of the governing coalition, allowing the PiS to gain a larger vote share. This tactic is incredibly reminiscent of general populist tactics, as the PiS were making Polish politics into a two-sided fight, with them on one side and the so-called corrupt elite on the other. Moreover, this capitalized on existing distrust for the current government, furthering the party's popularity. In addition, the PiS furthered their populist arguments by declaring that Poland "is in ruins," creating a sense of urgency for action[7]. In order to mobilize their electorate, the PiS made sure to catastrophize the current situation in a way they could take advantage of. Moreover, they then used their primary opposition as someone to blame, dividing the public in a way they could take advantage of. In turn, they received a majority as well as the presidency, and were able to rule as they wished.

Much like Poland, Hungary also went authoritarian through populist measures, but Fidesz, the party that gained power over Hungary, had an even greater ability to do so. After changing its government from communist to democratic in the early 1990s, Hungary sought to gain a place alongside NATO and the European Union, and thus worked to westernize and modernize[8]. However, there were issues with implementing the system that Western Europe did—mainly, that Hungary was not Western Europe. Culturally, Hungary differs from Germany or Austria, so attempting to copy their system caused instability[9]. It was difficult for Hungary to find a system that works for itself due to the lack of comparable democratic governments at the time. All of its neighbors besides Austria had also been a part of the Eastern Bloc, and trying to

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[6] Markowski, "Creating Authoritarian Clientelism," 113.
[7] Markowski, "Creating Authoritarian Clientelism," 114.
[8] Eszter Kováts, "Post-Socialist Conditions and the Orbán Government's Gender Politics between 2010 and 2019 in Hungary," in *Right-Wing Populism and Gender*, 1st ed., 2020, 83.
[9] Bálint Magyar, *Post-Communist Mafia State*, 1st ed. (Central European University Press, 2016), https://ebookcentral.proquest.com/lib/brandeis-ebooks/detail.action?pq-origsite=primo&docID=4443133, 16-7.

copy Austria's way to democracy caused issues. János Kis, the early leader of Hungary's anticommunist movement, describes it quite simply:

> "[In the] twenty years following the regime change two anachronisms battled it out and at the same time kept each other alive: the rightwing approach yearning for the Horthy period [between the two World Wars] and the leftist approach unable to wean itself from the Kádár period [following 1956]"[10]

Hungary was split between two ideological extremes, and it could not develop as well due to this conflict. This split allowed people to be split along two sides, allowing for populists to take advantage of the situation. Moreover, the ruling socialist and democratic coalition was never able to find a similar path in promoting themselves, causing a division between the two[11]. This instability and weakness of the ruling parties, as well as Hungary's stark division between the left and the right, allowed Fidesz, a populist conservative party, to take advantage of the situation. Fidesz was a movement that had originated in social organizations and turning into a mass centralized party, and it also was able to fill the gap of failed alt-right parties while also gaining support from younger people[12]. Fidesz was extremely effective at mobilizing and energizing its base, allowing it to take control.

Moreover, Fidesz effectively used populist tactics to maintain power, turning to the "other" and allowing people to act hateful towards each other[13]. For instance, they regard anti-Semites as a political target audience, and thus used the hate of Jews to gain support. Finding a group to target is vital for any populist movement, and Fidesz effectively chose people to target—essentially, they argued that Hungary was in danger because of the group they wanted to demonize. Another example of this is arguing the "traditional family" is being threatened,

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[10] Magyar, *Post-Communist Mafia State*, 18.
[11] Magyar, *Post-Communist Mafia State*, 27-31.
[12] Magyar, *Post-Communist Mafia State*, 40-45.
[13] Magyar, *Post-Communist Mafia State*, 235-237.

working to target gay marriage and anger people through the standpoint that their values are being stripped away[14]. This measure, along with many others, effectively divided the people and appealed to them directly for Fidesz's advantage. It allowed for the people to feel as if they were in danger and that only by voting for Fidesz could they return to the greatness they had been previously. In the end, Fidesz and its parliamentary ally, the KDNP, gained a two-thirds majority in the Hungarian parliament, allowing them the ability to reshape the constitution itself to shape their needs[15].

In both of these nations, there have been sweeping changes to how the country is run and what people are allowed to do, infringing on human rights by cracking down on freedoms. Because these parties had majority rule, they were allowed to use their perceived mandate of the people to do as they pleased. This began with ensuring that they were able to retain power. One such way was swaying the constitutional courts to their liking—In Hungary, this was through changing the appointment process, and in Poland, this was through the decision-making process, as well as packing the courts with favorable judges in both countries[16]. This, simply put, is a tactic to ensure their power, for these courts were able to be the final arbiters in lawmaking; control was essential for the parties' agendas. Moreover, due to Fidesz and the KDNP's two-thirds majority, they were able to completely rewrite the Hungarian constitution itself, prohibiting gay marriage and abortion in the constitution itself[17]. This restriction, however much it is against the idea of human rights, was nonetheless enshrined in the fundamental law of

[14] Kováts, "Post-Socialist Conditions," 76.
[15] Kováts, "Post-Socialist Conditions," 75.
[16] Tímea Drinóczi and Agnieszka Bień-Kacała, "Illiberal Constitutionalism: The Case of Hungary and Poland," *German Law Journal* 20, no. 8 (December 2019): 1140–66, http://dx.doi.org/10.1017/glj.2019.83, 1146.
[17] Kováts, "Post-Socialist Conditions," 85.

Hungary. Fidesz used its populist tactics to get elected, and once it was elected, its authoritarian tendencies were able to take effect and limit human rights.

Restrictions on right did not simply stop at blocking gay marriage and abortion, though. With majorities, parties in Hungary and Poland also moved to restricting freedoms more directly. Both states have restricted freedom of assembly, expression, the press, and other means of social communication to their liking[18]. In Poland, for instance, the PiS used government funds to spread propaganda and muffle journalists, and it made sweeping changes to the TVP, the dominant state-owned television network, to make it a propaganda outlet[19]. This is a basic restriction of freedoms, and Poland and Hungary cracked down on the media to quiet any opposition to their rule. Instead of respecting the rights of their people, the PiS and Fidesz worked to keep power and use it to accomplish their ideals. In addition, Hungary specifically has taken a harsh tone towards the general migrant crisis, criminalizing any assistance to migrants who cross Hungary's border illegally[20]. While this is in line with their platform, it also restricts the rights of migrants who may be escaping war. Essentially, as Tímea Drinóczi and Agnieszka Bień-Kacała put it:

> "The measures used for such demonization and victimization, save for the street violence, are formally legal. This legal fight against migrants and foreigners, or against those who hold opposing views, is presented as a legitimate counteraction against the chaos caused by these individuals and the threat they allegedly pose to security and stability"[21]

These measures are put into law, and they are used to depict the government's fight against the supposed enemy, reflecting populist ideas and ensuring the public does not forget about this issue. Moreover, they act as a threat to those who may oppose them, depicting that these

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[18] Drinóczi and Bień-Kacała, "Illiberal Constitutionalism," 1146.
[19] Yascha Mounk, *The People vs. Democracy* (Cambridge, Massachusetts: Harvard University Press, 2018), 126-7.
[20] Drinóczi and Bień-Kacała, "Illiberal Constitutionalism," 1158.
[21] Drinóczi and Bień-Kacała, "Illiberal Constitutionalism," 1158.

governments could impose these restrictions, so they could do the same for dissenters. Thus, by restricting human rights and inserting authoritarian measures, these governments take advantage of the popular mandate they have been given to maintain power.

The PiS government and the Fidesz/KDNP alliance in Poland and Hungary, respectively, have decreased the overall freedom and general human rights of their states. This can, simply put, be directly attributed to the parties' ideologies, and the populist tactics they used to obtain power further foreshadowed the tendencies to set people against each other. In fact, setting a group as a target is one of the main ways populists gain power, as having someone to blame for a crisis attracts support. In Poland, this allowed the PiS to declare the country was in a state of turmoil, catastrophizing the current situation and giving a solution: voting for them. In Hungary, Fidesz worked with the existing divisions to capitalize and gain power. While in power, both governments worked to further secure their power and change the system to their liking, breaking any human rights doctrines in their way. Through this, these governments have successfully obtained and maintained power using these tactics to the detriment of the rights of their people.

NOTES

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