

Beszámoló a Magyar Állami Eötvös Ösztöndíjjal megvalósult féléves munkáról.

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1. Szakmai háttér és a kutatási terület rövid összefoglalása

A kutatásomban a demokrácia fejlődéstörténetét a nemzetközi kapcsolatok területén kidolgozott neomedievalizmus keretébe ágyazva vizsgáltam. Ehhez a megközelítéshez a nemzetközi kapcsolatok, a politikatudomány és a történettudomány eszköztárára együttesen volt szükség. Gyakran elhangzó állítás, hogy Európában a demokratikus értékek alatt nem pusztán az általános választójogot értjük, hanem a joguralmat, a hatalmi ágak elválasztását, a kisebbségvédelmet etc.¹ Éppen ezért problematikus, ha a fenti hatalommegosztási technikák vizsgálatát redukáljuk az antik görög demokráciára és annak felvilágosodást követő újrafelfedezésére Rousseau nyomán. A középkori nemzetközi rendszer eróziója és a politikai szintér korai újkori átrendeződése kulcsfontosságú a hatalommegosztás modern irányzatainak megértéséhez. E folyamatok hatását elemeztem a nemzetközi kapcsolatok középkoriasodásának elméleti keretét alkalmazva.² A kutatásom során három hipotézisre támaszkodtam, amelyek közül az első általános természetű, míg a másik kettő specifikusabb. Az első a nemzetközi rendszer átalakulásával függ össze, míg a második és a harmadik az átalakulásnak az Európai Unióra és a kelet-közép-európai demokráciákra gyakorolt hatására vonatkozik. Érvelésem lényeg, hogy a 21. századra a hatalmi korlátok internalizálásának korszaka véget ért, ami egyrészt magyarázza az Európai Unió belüli hatalommegosztási megoldásokat, másrészt a liberális demokráciát érő kelet-közép-európai kihívásokat. (Ld. angol nyelvű kutatási beszámoló a függelékben.)

2. A mobilitás célja

A mobilitás célja az volt, hogy egy már megkezdett kutatásomból tudományos publikációk szülessenek. Ebben nagy segítséget jelentett, hogy Németország egyik vezető egyetemének politikatudományi tanszékén tölthettem egy kutatásfókuszú félévet. A müncheni Ludwig-Maximilians-Universitätén való tartózkodás nagy mértékben segítette, hogy a doktori disszertációm alapján könyvet írhattam a kutatásból. Az ottani kutatókkal és oktatókkal közös műhelymunka jelentősen növelte a munkám minőségét és disszeminációjának eredményességét. A Budapesti Corvinus Egyetem oktatójaként tudom, hogy a magyar oktatási terhelés mellett nehéz igazán produktív publikációs tevékenységet is folytatni. Éppen ezért nagy ugrást jelentett, ahogy egy félévet eltölthettem Németország egyik legjobb egyetemén kizárólag a kutatásomra fókuszálva. Mivel a projekt Európára összpontosít, a Ludwig-Maximilians-Universität régiós beágyazottsága és az ott felhalmozott szakértelem nagymértékben szolgálta a munkám eredményességét.

3. A munkaterv tartalma

A munkaterv korábban leadott tartalmának megfelelően folytattam kutatómunkát a Ludwig-Maximilians Egyetemen, amint a függelékben megosztott angol nyelvű kutatási beszámoló is

¹ Zakaria, Fareed (1997): The Rise of Illiberal Democracy. in: Foreign Affairs. Vol. 76 No. 6 pp. 22-43

² Ld. Bull, Hedley (1977): The Anarchical Society: A Study of Order in World Politics. Macmillan, London; Holsinger, Bruce (2016): Neomedievalism and International Relations. in: D’Arcens, Louise (ed.): The Cambridge Companion to Medievalism. Cambridge University Press, Cambridge; Friedrichs, Jörg (2007): The Meaning of New Medievalism. in: Friedrichs, Jörg: European Approaches to International Relations Theory – A House with many Mansions. Routledge, London and New York pp. 127-145

mutatja. A munkatervben szereplő mindhárom hipotézist vizsgáltam, és közülük a harmadik történettudományi kidolgozásának és nemzetközi kapcsolatok elméletébe való beágyazásának feladatát végeztem el az ösztöndíjas időszakban.

4. Kapcsolat a fogadó intézménnyel, fogadókészség, együttműködés ideje és tartalma

Bár az ösztöndíjas időszak előtt minimális kapcsolatom volt a fogadóintézménnyel, a félév során a remélnél is mélyebb és szerteágazóbb együttműködés bontakozott ki. Amint a munkatervben is írtam, a Project House Europe-ot vezető Kiran Klaus Patel professzor szakmai életútjának köszönhetően kiváló kapcsolati hálóval rendelkezik a Maastrichti Egyetemen, a Humboldt Egyetemen és a firenzei European University Institute-nál, amely jelentős segítséget jelenthet a témám szempontjából releváns kutatókkal való kapcsolatfelvételben. Ennek köszönhetően olyan irodában dolgoztam az egyetemen, ahol Harold James, a Princeton Egyetem European Studies professzora, Robert Falkner, az LSE oktatója és Jennifer Allen, a Yale Egyetem történésze voltak a társaim. Felbecsülhetetlen szakmai kapcsolatokkal gazdagított emellett a Ludwig-Maximilians Egyetem saját oktatói csapata, hiszen Berthold Rittberger, Thomas Süsler-Rohringer és Lisbeth Matzer személyében a munkám javítása mellett elkötelezett kollégákat ismertem meg. A közös munka 2023. február 15. és augusztus 15. között valósult meg.

5. Az igényelt ösztöndíj mennyiben járul hozzá a szakmai tevékenységének fejlesztéséhez?

Az előző pontban említett kollégákkal való folyamatos együttműködésnek köszönhetően jelentősen bővült a kapcsolati hálóm és új tudományos módszerekkel ismerkedtem meg. Robert Falknernek köszönhetően az utóbbi hónapokban a nemzetközi kapcsolatok ún. angol iskolájának munkásságát tanulmányoztam, ő hívta fel ugyanis a figyelmem arra, hogy a kutatásom könnyen beágyazható az iskola diskurzusába. Az ösztöndíj keretében más német intézményekben is együttműködhettem, így például a Bayerische Staatsbibliothekkel, illetve az Augsburgi Egyetemmel. Az ezekkel az intézményekkel felépült szerves kapcsolatokat mindenképpen igyekszem személyesből intézményközi kapcsolatokká alakítani a Budapesti Corvinus Egyetemmel.

6. Mi volt a hozzáadott értéke az ösztöndíjnak?

Az ösztöndíj tette lehetővé az utazást és a müncheni tartózkodást, valamint biztosította számomra, hogy fél éven át Németország egyik legjobb egyetemén építhessem a szakmai kapcsolati hálóm. Az ösztöndíj fedezte a kinti megélhetésemet, és minőségi ugrást biztosított a karrieremben, hiszen ez volt az első alkalom, hogy fél évet tölthettem külföldön kizárólag kutatási célból. Összességében tehát minden eddiginél jelentősebb előrelépést jelentett ez a lehetőség szakmailag és a személyes tapasztalatok szintjén is.

7. Eredmények és hasznosulás

Az ösztöndíjas félév a kutatói és az oktatói pályámon is hasznosulni fog. Kutatóként egyrészt nagy lépéseket tettem a disszertációm monográfiává fejlesztése irányában, másrészt olyan szakmai kapcsolatrendszerem épült, ami akár évtizedes távlatokban is jelentősen alakíthatja a munkásságomat. Emellett igyekeztem angol és német nyelvű kurzusokat látogatva (alkalmam volt többek között meghallgatni Kiran Klaus Patel inaugural lecture-jét) olyan oktatói jó gyakorlatokat gyűjteni, amit a Corvinus Egyetemen kamatoztathatok a későbbiekben.

Függelék

IR neomedievalism and democratic backsliding – A *longue durée* explanation of the sovereignty in east central Europe

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Academic scholars writing about the sovereignty of east central Europe have used different labels and explanations for the region's political transformation in the last decade. The concepts of democratic backsliding,³ illiberal democracy,⁴ hybrid regime⁵ and spin dictatorship⁶ have all been applied to make sense of this tendency. The explanations for the authoritarian turn included globalization, regional reluctance to give up freshly gained sovereignty to supranational organizations after 1989, the financial crisis of 2008, the consequent dwindling of the middle classes and old authoritarian reflexes from the interwar and the Cold War era. A common theme is that they all focus exclusively on 20th and 21st century developments. In this research, I aim to uncover some of the longer-term shifts underlying this transformation by using a systemic *longue durée* approach. To achieve this, I will rely on the theory of neomedievalism in International Relations (IR) and the mixed constitutional understanding of the European Union. This research revolves around three hypotheses. The first concerns the transformation of the international system while the other two relate to its consequences for the European Union and democracies in east central Europe. I will argue that the modern period of internalizing the limits of political power has come to an end which can explain both the power sharing mechanisms of the European Union and the challenges of liberal democracy in its member states. During my stay at LMU, I am focusing on the third hypothesis, but I will briefly summarize the first two to provide some context.

Context

Hypothesis 1: The rise of modern liberal democracy was a consequence of the gradual internalization of the limits of power after the collapse of the medieval international system

³ Krastev, Ivan (2007): Is East-Central Europe Backsliding? The Strange Death of the Liberal Consensus. *Journal of Democracy*. Vol. 18, No. 4, pp. 56-63; Hanely, Seán & James Dawson (2016): What's Wrong with East-Central Europe? The Fading Mirage of the "Liberal Consensus". *Journal of Democracy*. Vol. 27, No. 1, pp. 20-34; Krastev, Ivan (2016): Liberalism's Failure to Deliver. *Journal of Democracy*. Vol. 27, No. 1, pp. 35-38; Hanley, Seán & Lucia Cianetti (2021): The End of the Backsliding Paradigm. *Journal of Democracy*. Vol. 32, No. 1, pp. 66-80

⁴ Bíró-Nagy, András (2017): *Illiberal Democracy in Hungary: The Social Background and Practical Steps of Building an Illiberal State*. CIDOB Collection of Monographs 2017; Plattner, Mark F. (2021): Illiberal Democracy and the Struggle on the Right. *Journal of Democracy*. Vol. 20, No. 1, pp. 5-19; Viktor Orbán used the same phrase to describe his regime in Hungary: Tóth, Csaba (2014): Full text of Viktor Orbán's speech at Băile Tuşnad (Tusnádfürdő) of 26 July 2014. in: Budapest Beacon. Available: <https://budapestbeacon.com/full-text-of-viktor-orbans-speech-at-baile-tusnad-tusnadfurdo-of-26-july-2014/> (accessed: 3 June 2023)

⁵ Knott, Eleanor (2018): Perpetually "partly free": lessons from post-soviet hybrid regimes on backsliding in Central and Eastern Europe. *East European Politics*. Vol. 34, No. 3, pp. 355-376; Grajczjár, István & Zsófia Nagy & Antal Örkény (2021): Types of Solidarity in a Hybrid Regime: The Hungarian Case. *Government and Opposition*. Vol. 57, No. 4, pp. 610-629

⁶ Guriev, Sergei & Daniel Treisman (2022): *Spin Dictators. The Changing Face of Tyranny in the 21st Century*. Princeton University Press, Princeton

I first hypothesize that the rise of liberal democracy can be attributed to the internalization of the limits of power in the early modern era while its crisis in the early-21st century was largely caused by a reverse tendency. By internalization I mean building these limits into the constitution following the demise of external ones. In the Middle Ages external constraints of power had kept rulers at bay. These constraints operated above and below the level of medieval kingdoms. Principalities, margraviates and city-states limited royal authority from below and the competing universalisms of the Papacy and the Holy Roman Empire limited it from above. With the collapse of Papal and Imperial constraints of royal authority in the early modern period, unprecedented power could be accumulated in the hands of kings and consequently the modern absolutist state was born. Jean Bodin labelled the central category of this new scenario sovereignty and it manifested itself most vividly in the form of absolutism. The disappearance of the former external constraints of political authority was identified as one of the causes of the hitherto unimaginable concentration of power during absolutism.⁷ The collapse of these external limits and the rise of absolutism justified the enlightened idea of representative government, constitutional checks and balances and the separation of powers. This is what we could call the internalization of the limits of power. Thus, a deeper cause behind the birth of modern liberal democracy was a major systemic transformation around the end of the Middle Ages.

In the present project, I will focus on the potential consequences of another major shift of the international order, the one from the Westphalian to the post-Westphalian system. The theoretical approach of my work will be neomedievalism which is related to International Relations. Today, IR neomedievalism suggests that a reverse tendency is taking place as external limits of power have reappeared in the form of international organizations, multinational companies, and NGOs since the mid-20th century.⁸ In my project, I will argue that this shift has resulted pre-modern constitutional solutions both at the level of the European Union and in its Member States.

Hypothesis 2: The power-sharing mechanism (mixed constitution) of the European Union resembles pre-modern solutions instead of internalized Westphalian constitutional checks

Majone argues that because of the lack of a European demos (common language and political backdrop culture), the ‘European society’ is at a primitive stage of development compared to the national ones.⁹ Besides the remedievalization of the international system, this is another reason why the EU has a pre-modern mixed constitution. Medieval scholarship argued that the ideal regime mixed the representation of the one (monarchy), the few (aristocracy), and the many (democracy). Instead of the separation of powers based on the function of power (legislation, execution and jurisdiction) this pre-modern power-sharing solution focused on the representation of various interest groups by different bodies. Telò went as far as identifying the Council with monarchic rule since it represented the national governments, the Commission with aristocratic rule since it relied on expertise, and the Parliament with democratic rule since

⁷ Anderson, Perry (1974): *Lineages of the Absolutist State*. New Left Books, London pp. 27-28 and Skinner, Quentin (2004): *The Foundations of Modern Political Thought*. Cambridge University Press, Cambridge Vol. II: The Age of Reformation. p. 290

⁸ Bull, Hedley (1977): *The Anarchical Society: A Study of Order in World Politics*. Macmillan, London; Friedrichs, Jörg (2007): The Meaning of New Medievalism. in: Friedrichs, Jörg: *European Approaches to International Relations Theory – A House with many Mansions*. Routledge, London and New York pp. 127-145

⁹ Majone, Giandomenico (2005): *Dilemmas of European Integration – The Ambiguities and Pitfalls of Integration by Stealth*. Oxford University Press, Oxford p. 51

it represented the citizens.¹⁰ Contrary to this, I will argue that the logic of the mixed constitution would be applied more consistently if we classified the Commission as representing the whole of the community (one) and therefore monarchic (or bureaucratic), the Council as representing 27 Member States (the few) and therefore aristocratic (or diplomatic) and the Parliament as representing the citizens (the many) and therefore democratic. Since scholars writing about the EU's mixed constitution seem to be unaware of each others' works and of IR neomedievalism, the added value of this part of my research will be to make these sources communicate, reflect on each other and thus contribute to the broader framework of neomedievalism.

Hypothesis 3: The rise of the post-Westphalian external constraints on sovereignty undermines the justification of the modern system of checks and balances.

This is the part of the research I am developing at LMU. For my doctoral thesis, I revised the neomedieval model developed by IR scholars. Most of them were not historians and therefore they based their model on a vision of the Middle Ages that was not in line with state-of-the-art medieval scholarship. In doing so, I relied on actual medieval political philosophy (mostly the works of Giles of Rome and Ptolemy of Lucca) and today's medieval historiography. I then applied the revised model to the European Union. Most of the reviewers suggested to try to analyse the countries of east central Europe through a neomedieval lens. This seemed reasonable given the increasing amount of scholarship labelling countries in the region, like Hungary and Poland, neo-feudal.¹¹ This is also the part of the research which is still in progress. I am planning to use discourse analysis to compare early modern and contemporary narratives about the early modern internalization of the limits of power and the reverse tendency today. In case you have a suggestion for a (more) feasible methodology that is more than welcome.

Abstract

My third hypothesis suggests that the rise of the neomedieval external constraints on sovereignty undermine the justification of the modern system of checks and balances. Illiberal leaders could domestically justify dismantling the internal limits on their power by arguing that their nations have come under siege by external limits of sovereignty like supranational organizations, multinational companies and NGOs¹² – the very elements neomedievalists place in the core of their theoretical models. The illiberal narrative prefers to portray the present as a fundamentally different era from the 1990s to which, consequently, different rules apply: since states' sovereignty is being eroded by multiple actors from above, below and within, the institutionalization of internal limits of power makes no sense anymore. It is argued instead that the accumulation of all remaining fragments of state sovereignty is needed, preferably in one hand. According to the illiberal discourse, this process is supposed to safeguard the state's capacity of action. This process will be interpreted as the reverse of the early modern

¹⁰ Telò, Mario (2016): The EU from a constitutional project to a process of constitutionalization. in: *European Politics and Society* DOI: 10.1080/23745118.2016.1231449

¹¹ Benczes, István & Kollai István & Vígvári Gábor & Zdzisław Mach (2020): Conceptualisation of neo-traditionalism and neo-feudalism. POPREBEL Working Paper (eds. Jan Kubik, Richard Mole); Sajó, András (2019): The Constitution of Illiberal Democracy as a Theory About Society. in: *Polish Sociological Review*. Vol. 208, No. 4, pp. 396-412. For a general work on neo-feudalism:

¹² Tóth & Orbán (2014); Scruton, Roger (2013): The Need for Nations. A lecture delivered at the Hungarian Academy of Sciences. Available: <https://www.roger-scruton.com/articles/276-the-need-for-nations> (accessed 3 June 2023)

internalization of the limits of power. I will attempt to show the opposition between the contemporary illiberal and the early modern enlightened narratives by applying discourse analysis.

Sovereignism

I am planning to approach the challenges of liberal democracy in east central Europe from the perspective of sovereignty. Having considered the approaches mentioned above (democratic backsliding, illiberal democracy etc.), it seems convincing that the central concern of the region's increasingly authoritarian leaders is sovereignty. Most actions of authoritarian leaders in Europe are carried out in the name of sovereignty. During the 2015 refugee crisis, the Hungarian government erected a fence on the southern borders to protect the country's sovereignty. The Visegrad Four jointly criticised the EU for proposing a relocation quota of refugees since they interpreted it as a breach of their sovereignty.¹³ A near-constant freedom fight against Brussels is justified in Hungary by the government's revolt against pooling and sharing sovereignty in the EU. Keeping sovereignty intact is also portrayed as the cause for engaging in battles with the IMF, the UN, multinational companies, banks and billionaire bogeyman, George Soros. The PiS-led Polish government has used a very similar narrative to justify its constitutional changes incongruent with the values of the European Union. For instance, Jaroslaw Kaczynski argued in 2021 that the problem with the primacy of EU law is that it undermines Polish sovereignty.¹⁴ In consequence, the Polish constitutional court ruled EU laws incompatible with the Polish Constitution.¹⁵ The appeal to sovereignty in Poland has become even more frequent since the Russian invasion of Ukraine. The Polish government named sovereignty as the rationale behind reaching energy independence,¹⁶ and also when an astronomical military budget was accepted in 2022.¹⁷ The salience of sovereignty in Poland is highlighted by a prominent far-right coalition partner of PiS renaming itself from United Poland (Solidarna Polska) to Sovereign Poland (Suwerenna Polska) in 2023 to "say a strong 'No' to those who aim to take away our sovereignty, and thus – our independence."¹⁸ Even if we zoom out of the Visegrad Four, it is noticeable that sovereignty has become a reference point of central importance for the right wing. It influenced Brexit¹⁹, Trump's motto of "America first" and

¹³ Végh, Zsuzsanna (2018). From Pro-European Alliance to Eurosceptic Protest Group? The case of the Visegrád Group. *European Policy Analysis*, 7, 1-12 https://www.sieps.se/globalassets/publikationer/2018/2018_7epa.pdf (accessed 6 June 2023)

¹⁴ Reuters (2021): *Poland's Kaczynski says primacy of EU law undermines sovereignty* (September 18, 2021) <https://www.reuters.com/world/europe/polands-kaczynski-says-primacy-eu-law-undermines-sovereignty-2021-09-18/> (accessed 6 June 2023)

¹⁵ Henley, Jon & Jennifer Rankin (2021): Polish court rules EU laws incompatible with its constitution. *The Guardian* (7 October, 2021) <https://www.theguardian.com/world/2021/oct/07/polish-court-rules-that-eu-laws-incompatible-with-its-constitution> (accessed 6 June 2023)

¹⁶ See, for instance, the Mateusz Morawiecki's Facebook post about ending Russian gas imperialism: https://www.facebook.com/MorawieckiPL/posts/535581354599593/?_rdr (accessed 3 June, 2023)

¹⁷ Tilles, Daniel (2022): Poland to raise defence spending to 5% of GDP, highest level in NATO, says ruling party chief. *Notes from Poland* (July 18, 2022) <https://notesfrompoland.com/2022/07/18/poland-to-raise-defence-spending-to-5-of-gdp-highest-level-in-nato-says-ruling-party-chief/> (accessed 6 June, 2023)

¹⁸ The First News (2023): *Solidary Poland changes name amid sovereignty concerns says leader*. <https://www.thefirstnews.com/article/solidary-poland-changes-name-amid-sovereignty-concerns-says-leader-38194> (accessed 6 June, 2023)

¹⁹ Baldini, Gianfranco & Edoardo Bressanelli & Stella Gianfreda (2020): Take back control? Brexit, sovereignty and populism in Westminster (2015-2017). *European Politics and Society*. Vol. 21, No. 2, DOI: 10.1080/23745118.2019.1632584; Laffan, Brigid (2021): *Brexit has enabled the EU to show its essential essence*. *The Irish Times* (January 12, 2021) <https://www.irishtimes.com/opinion/brexit-has-enabled-the-eu-to-reveal-its-essential-essence-1.4455620> (accessed 10 June, 2023)

Putin's essay "On the historical unity of Russians and Ukrainians" in which he claimed that "the sovereignty of Ukraine is possible only in partnership with Russia."²⁰

Existing explanations of sovereigntism in east central Europe

There are competing explanations to account for the region's sovereigntism. One of them goes back to the regime changes between 1989 and 1991 and is sometimes referred to as the sovereignty paradox. Florian Bieber summarised it as follows. "*Most of the democracy movements of 1989–91 focused on regaining sovereignty from the Soviet Union and from small unrepresentative ruling elites. However, once this was accomplished, the multiple challenges of transition seemed to require, the uncritical importing of models from the West. Europeanization also meant that laws and institutions had to be adopted to fulfil EU requirements, without taking the time to figure out how suitable or appropriate they were. Sovereignty was therefore limited, but the only way to restore independence still was as a member of the EU, as the restrictions imposed by the conditionality of accession would then be lifted.*"²¹ Giving up a part of sovereignty despite the general reluctance in the region backfired and fuelled what Holmes and Krastev considered an illiberal revolt against the imitation imperative.²²

Others emphasise that 9/11 and the United States' pivot to Asia provided space for aspiring autocrats to do whatever they wanted in the European backyards. This argument could be supported by the fact that a sovereigntist PiS first took power in 2007, i. e. before the financial crisis hit Europe. This is often interpreted as a reaction to the events around the turn of the millennium. The United States' invasion of Iraq and Afghanistan already signalled their turning away from Europe, and also strained the transatlantic relations by dividing what Donald Rumsfeld called old and new Europe – the countries opposing and those supporting these operations. With the Obama administration's pivot to Asia policy, almost every part of the globe seemed more important to the US than east central Europe. It is indicative that Obama was the first US president never to have visited Hungary since Bush the Elder first went there in 1989. The radical shift from being the superstars of the 1989 transition to almost total irrelevance by the end of the 2000s could convince regional leaders to leave behind liberal political practices and make a U-turn.²³ The image of a US retaliating attacks against its territory by ignoring the international legal system it helped to create half a century earlier could push other leaders in the direction of sovereigntism.²⁴

There are explanations which go back to the 2008 financial crisis. This is the one Viktor Orbán subscribed to in his 2014 speech about building an illiberal democracy in Hungary.²⁵ Holly Case interpreted Orbán's narrative decision as part of what she called "the great substitution." According to Case, Orbán substituted 'Yugoslav' territorial nationalism with Western ethnic nationalism, liberal democracy with neoliberal statecraft and 1989 with 2008. By substituting 1989 with 2008, Orbán could argue that the era of liberal democracies is over and that,

²⁰ Putin, Vladimir (2021): *On the historical unity of Russians and Ukrainians*. <https://www.prlib.ru/en/article-vladimir-putin-historical-unity-russians-and-ukrainians> (accessed 6 June, 2023)

²¹ Bieber, Florian (2020): *Anxious Europe*. in: Laczó, Ferenc & Luka Lisjak Gabrijelčič (eds.): *The Legacy of Division. East and West after 1989*. CEU Press, Budapest–New York pp. 76-83

²² Krastev, Ivan & Stephen Holmes (2019): *The Light that Failed – A Reckoning*. Allen Lane, London

²³ Kornai, János (2015): *Hungary's U-Turn: Retreating from Democracy*. in: *Journal of Democracy*. Vol. 26, No. 3, pp. 34-48

²⁴ Krastev & Holmes (2019) pp. 1-18

²⁵ Tóth & Orbán (2014)

consequently, to the post-2008 period different rules apply. Therefore, this is the great substitution which lay the ground for the other ideological ones.²⁶ Others have argued from an economic perspective, that 2008 brought about an era in which the households of the most developed countries had to face flat or decreasing incomes for the first time since 1945. This benefited political polarisation and served as a leverage for parties on the extreme left and right in the 2010s.²⁷

In a more historical perspective, sovereignist regimes of the region have mostly been compared to or derived from interwar ones and other 20th century totalitarian attempts. It has been argued that these countries are similar to early European mass democracies and do not denounce this phase of democratic development because they did not have the chance during the socialist era to process the historical crimes committed by such regimes.²⁸ In western Europe, this work was (mostly) done, and some lessons were drawn which served as the common denominator in the region's post-1945 democracy building. The early mass democratic tendencies peaked by the first half of the 20th century and resulted in what Jan-Werner Müller called 'parliamentary absolutism' which enabled the soaring popularity of fascist and nazi regimes around Europe. Therefore 'parliamentary absolutism' lost its appeal in the wake of World War II. In Müller's understanding "*the whole direction of political development in post-war Europe has been towards delegating power to unelected institutions, such as constitutional courts. And that development was based on specific lessons that Europeans—rightly or wrongly—drew from the political catastrophes of midcentury...*"²⁹ Thus, post-1945 political evolution counterbalanced popular democracy with unelected institutions which themselves were subject to checks and balances. It was this version of liberal democracy which was presented to the members of the former Eastern bloc as the triumphant regime worth copying after 1989.³⁰ However, since this was not a consequence of organic political development in their case, its adoption was not a long-term success and some of these countries returned to interwar political recipes.

Attempt at a longue durée explanation

The idea for a longue durée approach was inspired by the paper "An externally constrained hybrid regime: Hungary in the European Union" co-authored by András Bozóki and Dániel Hegedűs.³¹ The paper argues that in lack of domestic checks on the power of Fidesz, the European Union serves as an external constraint, especially when it comes to maintaining relatively high levels of personal freedoms in the country. However, on the other hand, the EU also helps sustain and legitimize the Hungarian regime which could not have even been created

²⁶ Case, Holly (2020): The Great Substitution. in: Laczó, Ferenc – Lisjak Gabrijelčič, Luka (eds.): *The Legacy of Division. East and West after 1989*. CEU Press, Budapest–New York

²⁷ McKinsey Global Institute (2016): *Poorer Than Their Parents?: Flat or Falling Incomes in Advanced Economies*. (July 13, 2016) <https://www.mckinsey.com/featured-insights/employment-and-growth/poorer-than-their-parents-a-new-perspective-on-income-inequality> (accessed 10 June, 2023)

²⁸ Müller, Jan-Werner (2015): Should the EU Protect Democracy and the Rule of Law inside Member States? in: *European Law Journal*. Vol. 21, No. 2, p. 141-160 (especially pp. 151-152); Kornai (2015) p. 46; and Tölgyessy, Péter (2016): Politika mindenekelőtt (Jog és hatalom Magyarországon). in: Jakab András; Gajduschek György (eds.): *A magyar jogrendszer állapota*. MTA Társadalomtudományi Kutatóközpont, Budapest p. 42 (pp. 17-42.) Available: http://jog.tk.mta.hu/uploads/files/01_Tolgyessy_Peter.pdf (accessed on the 28th of January 2021)

²⁹ Müller (2015) pp. 151-152

³⁰ Fukuyama, Francis (1989): The End of History? *The National Interest*. No. 16 (Summer 1989); Garton Ash, Timothy (2019): *Ralf Dahrendorf and the Crisis of Liberalism Today*. Keynote Speech at the Dahrendorf Conference organized by WZB. <https://www.youtube.com/watch?v=g-9G09XY5xg> (accessed 10 June, 2023)

³¹ Bozóki, András – Dániel Hegedűs: An externally constrained hybrid regime: Hungary in the European Union. *Democratization*, Vol. 25, No. 7, pp. 1173-1189

had Hungary not been a net beneficiary of the EU's cohesion funds. The complex EU–Hungary relationship described by Bozóki and Hegedűs shows some structural similarities to the European medieval international system where kingdoms were externally constrained by the competing universalisms of the Papacy and the Holy Roman Empire, but they also legitimized the kings by providing them the crown and the sword.³² While internal constraints on royal power also existed (e.g. the Estates of the Realm), the most effective ones were external, for instance the Pope could *de facto* remove kings from office.³³

Based on the *longue durée* transformations of the international system an additional/alternative explanation could be given for the democratic backsliding and sovereignism in the region. If we contend that the constraints of power were gradually internalized with the demise of the medieval world order, it is also possible to argue that a reverse tendency was triggered by the re-emergence of external constraints in the post-Westphalian era. At a first glance, it might seem counterintuitive to claim that the sovereignism of the 2010s is comparable to the medieval period when sovereignty hardly existed. However, with a closer look at the contemporary historiography of the Middle Ages, sovereignty as a theoretical construct seems to be the child of the medieval constraints of royal power and the result of political philosophers' response to these constraints at the time.³⁴

In the high medieval political philosophical works the analyses of external constraints of royal power are widely featured. Ptolemy of Lucca and Giles of Rome both devoted extensive works to this aspect of Papal and imperial authority.³⁵ John of Paris, Nicole Oresme and other scholars of the time have also treated similar questions.³⁶ However, it is worth noting that the concept of sovereignty was theoretically elaborated by this time too. Pope Innocent III in his *Per Venerabilem* asserted the formula of “*rex qui superiorem non recogniscit*” (“*kings do not recognize superior authorities*”) which is the first articulation of external sovereignty. The Pope needed this in order to strengthen kingdoms in secular matters against the Emperor. Even earlier, in the 12th century Alanus Anglicus claimed that “*every king in his kingdom is an emperor*” (“*omnis rex in suo regno est imperator regni sui*”) which can be interpreted as the first definition of internal sovereignty.³⁷ “*By the fourteenth century, the development of law, along with the rediscovery of Aristotle and learned interpretations at the new universities led*

³² Pope Sylvester II and Emperor Otto III played such a legitimizing role at the birth of the Kingdoms of Hungary and Poland around the turn of the first millennium.

³³ For instance, Portuguese king Sancho II was deprived of effective power by Pope Innocent IV, and his brother, Afonso was appointed as governor. Sancho II could keep the title of *Dei Gratia Rex Portugalliae* until the end of his life (1248), but his brother practiced the real power with the approval of the pope. Peters, Edward [1970]: *The Shadow King, Rex Inutilis in Medieval Law and Literature, 751-1327*, Yale University Press, New Haven and London. The following study is especially relevant from this source: *Sancho II. of Portugal and Thirteenth Century Deposition Theory* pp. 135-169.

³⁴ Grzymała-Busse, Anna (2023): *Sacred Foundations*. Princeton University Press, Princeton & Oxford pp. 68-71

³⁵ Ptolemy of Lucca wrote his treatise about the authority of the Emperor and the Pope in around 1280. Bartolomeo di Lucca [1909]: *Determinatio compendiosa de iurisdictione imperii*, in: *Fontes iures germanici antiqui in usum scholarum ex monumentis Germaniae historicis*, Bibliopolii Hahniani, Hannoverae et Lipsiae 30; Giles of Rome published his *De ecclesiastica potestate* around 1301-1302. Giles of Rome, Dyson, R. W. (ed. and transl.) [2004]: *On Ecclesiastical Power – A Medieval Theory of World Government*, Columbia University Press, New York

³⁶ Blythe, James (1992): *Ideal Government and the Mixed Constitution in the Middle Ages*. Princeton University Press, Princeton

³⁷ Canning, Joseph (1996): *A History of Medieval Political Thought*. Routledge, London & New York p. 124

to 'political thought that emphasized state sovereignty over people and property, judicial supremacy, autonomy in legislation, certain control of intellectual life in nation.'"³⁸

Internalization of the limits of power

Even though the theory of sovereignty was already present in the Middle Ages, it was initially less secular than the dominant concept it became after the Reformation. The consequent religious wars brought about the irrevocable demise of the Papacy and the Emperor, therefore the kingdom could emerge as *tertius gaudens*. Already Machiavelli started to downplay the relevance of the Church in limiting royal authority by remaining silent about the question whether the rulers' immoral acts committed to keep power affected their salvation and afterlife. Quentin Skinner interpreted this as a silence which revolutionized modern political science.³⁹ Machiavelli's contemporary, Claude de Seyssel believed that there are only three bridles limiting the king: *la religion*, *la justice* and *la police*. Under closer inspection, they all turn out to be internal constraints of his power. Regarding *la religion*, Seyssel argues—in a similar vein to Machiavelli—that the king must only *appear* religious in the eyes of his subjects. *La justice* means the parlements and *la police* the king's own ordinances and laws.⁴⁰ As the three bridles indicate, Seyssel denied any external constraints of royal authority.

Jean Bodin borrowed Seyssel's three bridles a generation later and even went further in establishing sovereignty and absolute monarchy. "'The first and chief mark of a sovereign prince' (...) must be the power 'to give laws to all his subjects' without seeking the consent 'of any other greater, equal or lesser than himself'"⁴¹ Bodin disagreed with the legists who interpreted the role of the king as the fair judge who should uphold the sense of justice, and also criticised Bartolist attempts to create universal jurisprudence based on Roman Law. Instead, Bodin continued "to maintain that even if the commands of the sovereign ran counter to the laws of nature as well as his own positive laws, there can never be any question of lawful resistance on the part of any of his subjects."⁴² To this, later political theorists like Jean Duret, François Grimaudet, François Le Jay etc. added the originally Protestant idea that there was no intermediary between God and the ruler, sovereignty was granted directly to the king by God. This claim made any resistance against the king equal blasphemy and further eroded the relevance of the Papacy as an external constraint of royal sovereignty.⁴³

Bodin's theories heavily influenced the rise of absolutism in France during Louis XIV (*l'état c'est moi*) and this regime inspired most countries in Europe during the 17th and 18th centuries. However, it was also this regime, that remained relatively unchanged in the 18th century, against which enlightened scholars formulated their ideas about public representation and the separation of powers.⁴⁴ Most of these scholars like Rousseau, Voltaire and Montesquieu understood that with the collapse of the medieval external constraints of power, the only chance to put an effective bridle on the sovereign king was to build checks into the constitution.⁴⁵

³⁸ Grzymała-Busse (2023) p. 128 quotes Jedin, Hubert (1993): *The Medieval and Reformation Church*. Crossroad, New York p. 205

³⁹ Skinner, Quentin (2019): *Machiavelli: A Very Short Introduction*. Oxford University Press, Oxford p. 47

⁴⁰ Keohane, Nannerl O. (1980): *Philosophy and the State in France. The Renaissance to the Enlightenment*. Princeton University Press, Princeton pp. 36-37

⁴¹ Skinner (2004) p. 290

⁴² Ibid. p. 295

⁴³ Ibid. p. 301

⁴⁴ Anderson (1974)

⁴⁵ Chaunu, Pierre (1971): *La civilisation de l'Europe des Lumières*, Arthaud, Paris

Rousseau emphasised direct democracy modelled on ancient Athens and modern Genève,⁴⁶ while Locke and Montesquieu focused on a functional separation of powers. Benjamin Constant criticised Rousseau for an atavistic collective interpretation of liberty and sacrificing private autonomy on the altar of national independence.⁴⁷ Despite such disagreements enlightened scholars all supported what we could call an internalization of the limits of power once the external ones ceased to exist. In fact, considering only internal checks on royal sovereignty was even a common ground between the theorists of absolutism and enlightenment.

The ebb and flow in the international system's history – a new form of the external constraints of power

In this project, I am comparing this early modern discourse about the internalization of the limits of power to the late-20th and early-21st century discourse about the re-emergence of external constraints and its consequences on sovereignty. The aim is to check whether the *longue durée* transformation of the international system has any explanatory force regarding the sovereigntist aspirations in the 2010s particularly in east central Europe. In doing so, the project relies on the scholarly interpretations of the post-Westphalian international system, especially the ones analysing multinational companies and international organizations as constraints of traditional state sovereignty. From the Danube Commission, the first modern international organization established in 1856, to the European Union, the role of most international organizations was already interpreted in this way.⁴⁸ Scholars like Arnold Wolfers, Hedley Bull, Jörg Friedrichs and Jan Zielonka who analysed this tendency from a neomedieval perspective will enjoy priority, since their works represent well the changes in this IR discourse from the 1970s to the 2000s.

An important element in mapping the discourse about the rise of the external constraints of power will be analysing those pieces of scholarship which look at the post-Westphalian international system from the perspective of sovereignty. Even the title of Stephen Krasner's seminal work illustrates well the change in tone compared to the classical Westphalian period: *Sovereignty: Organized Hypocrisy*.⁴⁹ Don Herzog's 2020 book title is even more evocative: *Sovereignty, RIP*.⁵⁰ In the latter, we can read that sovereignty is a "zombie concept, undead, stalking the world, terrifying people."⁵¹ At the other extreme, we can find the apologists of sovereignty, e.g. John Mearsheimer who argued that sovereignty is the main organizing principle providing peace in today's international relations in his book *The Great Delusion*.⁵² The relevant works of the conservative British philosopher Roger Scruton will also be analysed here.⁵³

⁴⁶ Ibid. p. 194

⁴⁷ Constant, Benjamin (2003): *The Liberty of the Ancients Compared with that of the Moderns*. in: Fontana, Biancamaria (ed. and trans.): *Constant. Political Writings*. Cambridge University Press, Cambridge pp. 308-328.

⁴⁸ Ghervas, Stella (2021): *Conquering Peace. From the Enlightenment to the European Union*. Harvard University Press, Cambridge

⁴⁹ Krasner, Stephen D. (1999): *Sovereignty: Organized Hypocrisy*. Princeton University Press, Princeton

⁵⁰ Herzog, Don (2020): *Sovereignty, RIP*. Yale University Press, New Haven

⁵¹ Ibid. p. 291

⁵² Mearsheimer, John J. (2018): *The Great Delusion. Liberal Dreams and International Realities*. Yale University Press, New Haven & London

⁵³ Scruton (2013) It is worth noting that both Scruton and Mearsheimer have also been regularly hosted by the Orbán regime's ideological laboratories in Hungary (e.g. Mathias Corvinus Collegium).

Besides these radical views, the EU-related sovereignty analyses also form a part of this section. The clash between the radical take-back-control (or Brexit-type) approach and the EU's pooled and shared sovereignty definition will be discussed. Both are reflected on in the following section from Hedley Bull's 1977 *The Anarchical Society*: "*If we are looking for evidence that European integration is bringing a qualitative change in the states system, it is more profitable to look not to the imagined end-product of this process, a European super-state which is simply a nation-state writ large, but at the process in an intermediate stage. It is possible that the process of integration might arrive at the stage where, while one could not speak of a European state, there was real doubt both in theory and in reality as to whether sovereignty lay with the national governments or with the organs of the 'community'. A crucial test might be the question whether national governments within the 'community' had the right, and, in terms of the force and the human loyalties at their command, the capacity, to secede. From a situation of protracted uncertainty about the locus of sovereignty, it might be a small step to the situation of a 'new mediaevalism', in which the concept of sovereignty is recognised to be irrelevant.*"⁵⁴ Theories of Majone and Telò about the EU's constitution will be revisited here and the concept of the externally constrained hybrid regime by Bozóki and Hegedűs will be embedded into the neomedieval scenario of overlapping authorities and multiple loyalties.

Finally, I am planning to look at political speeches on sovereignism from east central Europe. Babiš, Fico, Kaczynski, Morawiecki and Orbán will be quoted on questions about the external limits of their power. I will take under closer scrutiny their arguments which claim that with the rise of external constraints of power, the domestic ones have become redundant and instead the accumulation of all remainders of sovereignty is necessary. According to Ivan Krastev, the voters of sovereignist politicians do not want their leaders to blame the limits of power for their inability to deliver on promises and therefore endorse the elimination of such limits. "*The appeal of populist parties is that they promise an unambiguous victory. They attract those who view the separation of powers (the institution perhaps most beloved by liberals) not as a way to keep those in power accountable but as way for elites to evade their electoral promises.*"⁵⁵ The other justification for eliminating the limits of power by such politicians is often a depiction of their position as leaders of nations under siege. A common theme of their narratives is that they are threatened by actors much stronger, more global and not state-like. Other states (with the exception of Russia since last year) are rarely depicted as threatening, while Brussels, the IMF, the UN, global capital and the human rights regime helping refugees are addressed as dangerous for their nation's independence and sovereignty. Based on these politicians' narratives, I will ask the question whether overstating the relevance of sovereignty could be interpreted as a response to its perceived loss?

⁵⁴ Bull (2002) p. 256

⁵⁵ Krastev, Ivan (2017): *After Europe*. University of Pennsylvania Press, Philadelphia p. 75