

The temptation of illiberal democracy in the postcommunist Europe

Abstract

This thesis deals with the concept of illiberal democracy. In the first half it sums up the debate from which the concept arose. It describes the difference between liberalism and democracy and it also explains how these two concepts are interconnected. It describes the concept of defective democracies as conceived by Wolfgang Merkel. I also outline the constitutional aspects of the debate about illiberal democracy.

In the second half the text applies Merkel's theoretical framework to analyse the cases of Poland and Hungary. The period of time, that was chosen, starts with the moment when parties Law and Justice and Fidesz gained majorities large enough for profound institutional changes. The period ends with activation of article 7 of the Treaty on European union.

The text follows the structure of the Merkel's criteria. It analyses, how the voting rights and free access to power were preserved in both countries, if the political decisions are taken by elected representants, if there is a mutual control between the institutions and to what degree can the state power intervene into the private sphere of the citizens.

I conclude that both Poland and Hungary could not be called liberal democracies in the period under review. The Polish government neutralized constitutional oversight over its governance. I consider Poland a delegative democracy for the given time according to Merkel's criteria. In Hungary not only the court oversight was neutralised, but the citizens' civil rights were also diminished. Hungary thus showed signs of both delegative and illiberal democracy. It is worth noting that Poland much shorter time to get noticed by international community.

The text shows that even though the Hungarian prime minister Viktor Orbán promised to fight ideology of liberalism while preserving liberal freedoms, constitutional liberalism started faltering in his country.

Key words: illiberal democracy, rule of law, liberalism, defective democracies