Broadening the limits of reconstructive leadership: Constructivist aspects of Viktor Orbán’s regime-building politics

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Abstract:

Hungary’s political backsliding, which has transformed it from a former frontrunner of liberal democracy in the post-communist region to an illiberal and/or authoritarian state, has puzzled political scientists. As a contribution to understanding the problem of Viktor Orbán’s leadership and the regime change, we apply Stephen Skowronek’s concept of ‘reconstructive leadership’. The politics of reconstruction, with an emphasis on the introduction of new standards of legitimacy, and the mobilization of support for new modes of governance, leaves ample room for appreciating the role of political leadership. Through an analysis of three policy areas (constitution-making, macroeconomic- and immigration policy) related to Orbán’s efforts at reconstruction, we argue that the Hungarian case underscores the formative role of agency even more than in Skowronek’s original conception. Reviewing some possible criticisms of Skowronek’s perspective and some recent literature about ‘discursive institutionalism’ we argue that the Hungarian case makes a vital correction to the Skowronekian concept, suggesting the value of taking a more constructivist approach.

Keywords: reconstructive leadership, constructivism, discursive institutionalism, Hungarian politics, Viktor Orbán

The political changes of recent years in Hungary have gained significant international attention and raised questions about the relationship between the executive leadership and the political regime. The direction of the changes and the controversial leadership style of Hungarian Prime Minister Viktor Orbán have puzzled political scientists. Is Hungary still a liberal democracy, or has it become a ‘hybrid regime’ (Wigell, 2008)? Or is the ‘Orbán-phenomenon’ better regarded as a brand of populism (Enyedi, 2016; Pappas, 2008)?

In an attempt to contribute to the understanding of the problem of Orbán’s leadership and regime change, we apply Stephen Skowronek’s concept of ‘reconstructive leadership’ (Skowronek, 1997). Skowronek’s concept of ‘political time’ posits that regimes have a life cycle. At the beginning of every political regime a reconstructive leader emerges to change the political settlement. This cyclical view of change contributes a new analytical perspective to mainstream interpretations which are usually teleological, implicitly or explicitly accepting that history moves towards the global victory of liberal democracy (Fukuyama, 1989; Schedler, 1998; Wigell, 2008). Moreover, the concept of reconstruction, somewhat modified, creates room for better appreciating the role of political leadership. The introduction of new standards of legitimacy, the mobilization of support for a new mode of governance, the speeding up or slowing down ‘political time’: these are all instruments that leaders can utilize, through discursive means, to fulfil their goals.
Although Skowronek’s work is built on an examination of the US constitution and presidency, it also provides a basis for comparative research and a broad explanatory narrative for regime dynamics. The author’s theory has recently been explored as a suitable and fruitful model for application in parliamentary contexts as well (Laing and McCaffrie, 2013; McCaffrie, 2012; ‘t Hart, 2011, 2014). Hence, the task of this paper is to engage in an intellectual enterprise of ‘conceptual traveling’ (Sartori, 1970). We claim that the concept of reconstructive leadership can help us understand the situation in Hungary.

Beyond the aim of using a new perspective to examine recent Hungarian politics, the research described in this paper also has some theoretical ambitions. Based on criticisms directed at Skowronek’s concept, and the recent literature of ‘discursive institutionalism’ (Carstensen, 2015; Schmidt, 2008, 2010, 2011; cf. Blyth, 2013) the goal is to give an account of reconstruction that underscores the formative role of political leadership more strongly than in the original concept, and that can be described as ‘agency-centred constructivism’ (cf. Widmaier et al., 2007). The Hungarian case, as we will argue, provides an expressive illustration of such an agent-centred (although not necessarily voluntarist) view of reconstruction.

The paper consists of three parts. In the first section (1), we sketch out Skowronek’s concepts of regime and reconstructive leadership, and review some possible criticisms of these views which serve as a theoretical starting point for our more agent-centred view. In the second part (2) we analyse three specific policy areas in which Orbán’s reconstruction took place: the drafting of Hungary’s new constitution, the heterodox economic policy pursued by his governments, and Hungarian immigration policy during the refugee crisis (from 2015 onwards). Analysis of each of these areas supplies us with important information about the aims and means of Orbán’s reconstruction. In part three (3) we discuss the theoretical implications of the empirical analysis, reflecting on how the Hungarian case supports a more consistently constructivist approach, and on the differences between Skowronek’s original, American case and the Hungarian one.

**Political leadership and regime change**

Executive leadership involves both the destruction and construction of elements of the political environment. As primary agents of change, all leaders attempt to control these forces to make the changes they desire, but very few of them make significant transformations. Stephen Skowronek (1997, 2011) analyses systematically the relationship between the capacities of leaders and broader economic and social changes through patterns of US presidential behaviour. In his contextual/situational analysis, similarities with leadership recur throughout the ‘political time’ that leaders find themselves in. In this sense, effective leadership depends not only on personal ability and ambitions, but also on the actual state of the prevailing political regime. The political identity of incumbents may either be oppositional or supportive of a regime; previously established commitments and values determine leaders’ modes of leadership. When a regime is resilient, the opportunities of leaders opposed to it are limited. In contrast, when a regime is vulnerable, the political establishment is unable to
resolve emerging problems and crisis, and consequently loses public support (in the form of credibility and legitimacy). This political environment creates greater space for oppositional leaders to gain authority and recreate political order in their own favour. Thus, the success or failure of leaders is significantly dependent on how strongly they resonate with the political milieu in which they operate.

The term ‘political regime’, in Skowronek’s work, is used as both a narrower and a broader concept than the formal constitutional traits and institutional arrangements of government. It is narrower in the sense that ‘…the American Constitution has endured not as a single governmental formation but as a succession of relatively distinctive political regimes, each of which has substantially altered the substantive content and practical operations of federalism and the separation of powers’, as Orren and Skowronek (1998: 690) claim. Yet Skowronek’s concept of regime, from another perspective, is much broader than ‘constitutional setting’ since it includes style of governance, the way power is exercised, the pattern of relationships between state and society (e.g. in the form of the borders between them), the underlying political and social coalitions (elite arrangements, inter- or intra-party coalitions, electoral/re-alignment, etc.) and the political discourse which legitimises it. It also embraces a central idea about policy (or policy paradigm); that it constitutes ‘the governing orthodoxy of the day’ (’t Hart, 2014: 216) which is regarded as appropriate for solving the problems of the age by the political and social coalition which support the regime (cf. McKay, 2014: 446–447). To sum up: regimes are ‘sets of basic values, ideas and policy propensities around which the polity and its governance are organized’, as ‘t Hart states (2011: 426). Using Skowronek’s cyclical concept of time, a life-cycle can be identified for each regime, from a ‘founding’ stage of shorter or longer duration to a stage of crisis or disintegration. The political ‘opportunity structure’ of leaders depends significantly on their relationship to the regime, as well as on the stage and trajectory of the regime in terms of life-cycle. A regime may thus be viewed in the context of leadership activity, although, as we later demonstrate using our case study, its impact is less deterministic than appears in the work of Skowronek.

Skowronek (1997: 36–45) categorizes presidential political identities in relation to the different statuses of regimes (Table 1), thereby creating a typology. In the politics of articulation, presidents are affiliated and committed to implementing a resilient set of governmental priorities (e.g. Theodore Roosevelt and Lyndon Johnson). Limiting the potentially disruptive effects of leadership, they seek to maintain and strengthen the status-quo. As ‘orthodox-innovators’ they are forced to rearticulate the regime in a new and more relevant form to demonstrate the flexibility of government in a changing time. In contrast, leaders who come to office affiliated with a failing regime constitute the politics of disjunction (e.g. Herbert Hoover and Jimmy Carter). These leaders fail to respond to the problems of the day and are thus unable to maintain the political order. Presidents who are opposed to a resilient regime may become trapped in the politics of pre-emption (e.g. Woodrow Wilson and Richard Nixon). Although they try to challenge the prevailing political order, their leadership is restricted by a politically, institutionally, and ideologically well supported establishment.
Finally, the politics of reconstruction offers presidents who are opposed to a vulnerable regime the greatest license for change as the founders of a new regime (e.g. Abraham Lincoln and Franklin D. Roosevelt). Due to their convincing definitions and posited solutions to pre-existing problems and crises, reconstructive leaders are able to take advantage of widespread electoral discontent with the establishment. The subsequently new arrangements afford leaders the capacity to establish entirely new standards for legitimate action.

Skowronek (1997: 19–23, 37, 2004) distinguishes three, mutually reinforcing components of reconstructive leadership. First, order-shattering refers to the destruction of previously established arrangements through the exercise of power of office. Reconstructive leaders use their inherently disruptive power consciously to repudiate old governing formulas and to create space and the need for replacements. Second, order-affirming connects leadership to the community and its values. Destructive action must be justified by emphasizing the protection and preservation of values identified by the community which have been lost in the past. Finally, order-creating clears the space for reconstructive leaders to innovate. In the politics of reconstruction, the opportunity space is wider than at any other phase of the political cycle, although the new standards for action must stand the test of legitimacy in relation to the leaders’ narrative and definition of the given situation. In this sense, success with ‘order-creating’ depends on how well reconstructive leaders are able to resolve the problem of legitimacy by reconciling the destructive and constructive forces of their office. This theory highlights the fact that Skowronek has created not only a contextual/situational understanding of executive leadership, but one with a constructivist perspective, although it is debatable how much room it truly leaves for political leaders to change their environment and to alter political time. The following review of some potential critiques of the theory enables us to move the original concept in a more constructivist direction.

A constructivist reading of Skowronek’s theory

Douglas J. Hoekstra’s critique (1999) highlights the fact that the resilience / vulnerability dimension in Skowronek’s theoretical conception tends to eclipse an important problem about the state of a regime; namely, that it is never completely clear whether a regime is resilient or vulnerable. Leaders are ‘surrounded by varied contemporary interpretations of their own political environments, interpretations from which they must choose, experimentally testing
the extent to which the stances chosen will produce desired outcomes’ (Hoekstra, 1999: 661). What might seem retrospectively to be clear evidence of resilience may be contestable from the perspective of prospective leadership. Therefore, Skowronek’s account is deemed guilty of engaging in ‘ambivalent determinism’, according to Hoekstra (1999: 660): while Skowronek grants actors freedom within each unit of political time, he fails to understand that actors can change the natural flow of time and thus can move across stages.

To underscore the role of agency further, the Skowronekian view may be situated within contemporary new institutionalist debates. A tendency to overemphasize path dependencies and unconscious or exogenous processes of change is often ascribed to historical institutionalism (which Skowronek’s work comes close to admitting). In this logic, periods of path-dependency are interrupted by exogenous shocks, which serve to explain changes. This ‘static’ view of change has been criticized recently by proponents of discursive and constructivist institutionalism (Carstensen, 2011; Hay, 2011; Schmidt, 2010, 2011; cf. Béland and Cox, 2011). While not denying that ‘stuff happens’ (i.e. that there exist exogenous and unconscious sources of change), discursive institutionalism ‘shows that much change can and should be explained in terms of sentient agents’ ideas about what to change (or continue) – if nothing else, in response to occurrences on the outside, that is, to the stuff that happens’ [emphasis added] (Schmidt, 2010: 13). These ideas are manifested in discourse, which has the capacity to challenge existing institutional and ideational patterns. Therefore, political actors can play a more formative role in change through discursive means (Boin et al., 2008).

In an article Skowronek and his co-author also criticize the conception of historical institutionalism as the ‘iconography of order’, or more precisely, of successive orders (Orren and Skowronek, 1994). The authors state that the mentioned ‘iconographies’ do not take into account the fact that different institutional logics create friction between institutions. Therefore, instead of order, we should rather speak of conflictual ‘patterned disorder’. This view, although convincingly correcting the static picture criticized by Schmidt, does not specify the role of political agents in political change. The main point of the discursive institutionalists – that political agents are able to criticize institutional logics and ideational orthodoxies with their ‘foreground discursive abilities’ (Schmidt, 2008) –, can still be seen as a vital correction of the Skowronekian picture. Although ideas and institutions can create path-dependency, political agents also have the opportunity to redefine those ideas and institutional logics by coupling them with others (Carstensen, 2015), or by borrowing elements from alternative ideational sets to create some kind of ‘bricolage’ (Carstensen, 2011).

In this paper, we seek to modify Skowronek’s concept along these lines. Analysis of the case of political changes in Hungary is helpful in this theoretical endeavour as it provides a forceful illustration of the power of agency to bring about the need for regime change through the creation of a powerful, legitimating discourse. What follows from this is recognition of the need for a more constructivist approach.¹ However, this does not entail the elimination of the resilience – vulnerability dimension because the conditions that make regime change possible can be conceived of in constructivist terms, be they changes in public opinion and support in the form of realignment (cf. Orren and Skowronek, 1998), the weakening appeal of rival narratives in the discursive struggle, or the weakening of elite commitments towards certain
goals. However, we argue that these changes do not necessarily translate into any form of regime crisis. It is the leader’s task to channel responses to such phenomena into change through their action and discourse, to translate fuzzy, diffuse forms of popular dissatisfaction into a wish for certain concrete and fundamental changes – or at least to secure the passive permission of citizens for these changes by satisficing their discontent with symbolic gestures. In short: the vulnerability of an existing regime has to be manufactured.

On the other hand, regime change cannot succeed on completely voluntaristic grounds: the political leader can give more definite contours to popular opinions, but this does not mean that the leader’s opinion is the only game in town. Existing commitments, institutional logics, rival narratives, etc. naturally constrain the voluntarism of political leaders. Therefore, an additional and important task of the constructivist approach is to map these external factors.

Viktor Orbán’s reconstructive leadership

The Hungarian transition to democracy in 1989-90 was a system change that also involved a regime change. The newly shaped post-communist regime lasted for two decades until Orbán’s post-2010 reconstruction put an end to the regime’s cycle of life. Orbán recurrently expressed his dissatisfaction with the post-1990 settlement as early as during his first premiership (1998-2002) (cf. Janke, 2015), blaming the 1989-90 transition for failing to depose the communist ‘nomenklatura’ elite, and often characterising his politics as a fight against ‘post-communism’. However, his struggle to change the regime remained largely unsuccessful in terms of changing power relations in the cultural or economic sphere, or in the media.

The post-communist regime became more vulnerable after 2006 for various reasons. A leaked speech in which socialist PM Ferenc Gyurcsány admitted to lying, the cabinet’s austerity measures, the recurrent corruption scandals surrounding the government, and the global financial crisis which started in the autumn of 2008 eroded popular support for the ruling socialist-liberal coalition. Orbán and his then-opposition party contributed effectively to weakening the legitimacy of the regime through promoting a persuasive narrative of crisis, including the 2008 referendum which vetoed Gyurcsány’s major policy reforms. The premiership of Gyurcsány and his successor Gordon Bajnai (2009-2010) can be described as the politics of disjunction. Following the change in citizens’ party preferences, the Hungarian party system, formerly composed of two poles of nearly equal strength, collapsed: in the 2010 elections, Fidesz-KDNP gained an unprecedented two-thirds majority in parliament. This gave Orbán the opportunity to reconstruct the whole constitutional settlement and bring in ‘heterodox’ policy measures, as described below.

Constitution-building

The post-2010 constitution-making was neither a consequence of a manifest constitutional-crisis, nor was it due to the ‘exigency of constitution-making’ as a consequence of an external shock, but it was rather a clear example of political agency and part of Orbán’s political endeavour to found a new regime (Körösényi et al., 2016). Since the 2006 political crisis the
legitimacy of the constitution had been undermined on the right of the political spectrum, but constitutional issues remained marginal in political discourse. However, Orbán turned his landslide victory in 2010 and the accompanying constitutional supermajority in parliament into a ‘constitutional moment’. He successfully integrated concerns with the legitimacy of the constitution into a wider discourse of crisis, and framed the codification of the new constitution as a symbolic issue in the regime change (cf. Boin et al., 2008). Orbán’s constitution-building policy is unpacked below through a description of the three components of reconstructive leadership.

Order-shattering. Orbán’s aims with constitution-making were multiple. First, the new constitution became a symbolic expression of revolutionary change and the founding moment of a new regime. Second, in a substantive sense, it represented a break with the ‘legal constitutionalist’ approach which had characterized the previous regime (cf. Bellamy, 2007) and supported the supremacy of judicial review over politics (through the powerful Hungarian Constitutional Court). Like the Supreme Court for Franklin D. Roosevelt, the Constitutional Court was regarded by Orbán as the key stronghold of the previous regime, and indeed turned out to be the major counter-power vis-à-vis his political and legislative program. Third, constitution-making became Orbán’s means of weakening and de-legitimising authorities which were interwoven with the status quo of the previous post-communist regime (such as the constitutional court itself, the ‘ombudsman’, media authorities, and the central bank). The process lasted from 2010 - 2015, involving a few crucial constitutional amendments before and after the ceremonial introduction of the Fundamental Law which became an essential part of the political struggle between Orbán’s political majority and the constitutional forces representing the status quo, including the parliamentary opposition, the Constitutional Court, NGOs and prominent constitutional lawyers. Clashes with international actors such as the EU Commission, the European Parliament, the Venice Commission, and the US government, who all expressed concern about certain changes in the constitution, were perceived and framed in Orbán’s political discourse as part of his cabinets’ ‘freedom fight’ to regain Hungarian national sovereignty.

Order-affirming. Orbán’s constitution-building efforts were also designed to re-confirm some of the common values and constitutional traditions shared by the community in the past, or which he sought to create anew through the new constitution. First, the Preamble (National Creed) of the Fundamental Law, as well as the constitutional discourse of Fidesz-KDNP, recalled the Christian and national traditions that were prevalent in Hungary prior to the communist era. The Preamble emphasizes national as well as universal values. Second, the Hungarian nation is defined in an ethnocentric way in the Fundamental Law, which not only embraces symbolically the ethnic Hungarians of neighbouring countries in the constitution, but enfranchises them to participate in Hungarian general elections through a newly introduced dual citizenship scheme.

Order-creating. Regime foundation, according to Skowronek, does not necessarily include any formal constitution-making (Orren and Skowronek, 1998). However, Orbán strengthened the robustness of his new regime with the new Fundamental Law which was presented in his political discourse as the codification of a ‘new social contract’ which had emerged from the 2010 ‘revolution in the polling booth’.

A few features of the new regime were manifested by the change of emphasis and priority among constitutional values, as well as some institutional restructuring. As far as fundamental rights are concerned, there was a shift away from liberal
individualism in a more collectivist direction: the Fundamental Law describes citizens’ obligations to the nation and the state, and prescribes a more balanced relationship between individual and collective rights than the unconditional priority awarded individual rights in the previous constitution. Regarding public law, there has been a certain refurbishment of the major constitutional powers and institutions which has strengthened the power of the office of Prime Minister and the parliamentary majority and added to the hyper-centralization of state administration. Dramatization of the break with the post-communist regime has been reinforced by a series of conceptual and symbolic gestures, such as renaming the constitution the ‘Fundamental Law’, incorporating the Hungarian ‘Holy Crown’ into the constitution, and eliminating ‘Republic’ from the official name for the state of Hungary.

Although the Orbán-regime is distinguished mostly by its new patterns of power-wielding and the accompanied legitimacy discourse, constitution-making has refurbished the power structure, reinforced Orbán’s reconstructive leadership, and highlighted the symbolic caesura during the change of political times. Moreover, Orbán’s constitution-making underlines both Skowronek’s thesis about the necessarily divisive nature of reconstructive leadership, and also the fact that diffuse support for Orbán’s policy in general has created significant autonomy for leadership in less salient policy fields such as constitutional issues. In spite of the concern of the domestic political and professional elite and international authorities, most Hungarians gave tacit consent to the constitution-making, meaning that the legitimacy discourse of Fidesz-KDNP was rather efficient. Third, the combination of Orbán’s discursive power and his disciplined parliamentary supermajority produced a rather voluntarist constitutional policy: de facto, he was able to pass all desired constitutional amendments from 2010 - 2015. However, after the loss of the party’s supermajority in 2015 compromise with some of the parliamentary opposition again became a serious constraint, as the failure of the scheduled amendment which would have prevented the application of resettlement quotas scheduled by the EU demonstrates.

Macroeconomic policy

Order-shattering. Conflicts of authority are parts of both the Skowronekian process of regime change and changes in policy paradigms. However, the battlefield in which these conflicts is resolved is that of social construction. Just as the vulnerability of a regime is not self-evident, economic anomalies in themselves do not lead to the questioning of old paradigms. Rather, ‘it is politics, not economics, and it is authority, not facts, that matter for both paradigm maintenance and change’ (Blyth, 2013: 14). The Orbán governments after 2010 tried to interpret economic anomalies as signs of the systemic failure of the old macroeconomic paradigm, leading to authority conflicts with both internal (the Hungarian National Bank) and external (the International Monetary Fund and the European Central Bank) actors.

As recent literature suggests (in contrast to the earlier posited ‘no change’ thesis), the macroeconomic mainstream itself underwent incremental change during the international financial crisis and the resultant ‘Great Recession’ (Baker and Underhill, 2015; Moschella, 2015). However, we suggest that the changes introduced by the Orbán governments were more far-reaching and radical than these corrections required. For example, the government introduced ‘crisis taxes’ to widen its fiscal room for manoeuvre: most notably, a tax on banks that was (in international comparison) unique in its size, calculation basis (total assets instead
of profits), and *ex post facto* nature, and which served as a tool with which to reduce the budget deficit, instead of stabilize the banking system (Várhegyi, 2012: 223–224; Voszka, 2013: 1293–1294). Other sectors such as telecommunications, advertising and energy were also subject to such taxation. These crisis taxes were among the main triggers of the authority conflicts with the IMF, the European Commission, and with the Hungarian National Bank (the latter only until early 2013, when new, government-friendly leadership was parachuted in).

Orbán used a framing narrative of crisis to translate such measures into more everyday terms, interpreting the scope of the crisis in a much wider way than suggested by economic authorities. For him, the global financial crisis was the symptom of a civilizational crisis, ‘the fall of scientific capitalism’ (Orbán, 2010). He continued that this crisis had destroyed all orientation points and role models, so a new beginning was necessary; one which could only be revealed through trial-and-error, not economic theory. The appropriate alternative to ‘scientific capitalism’ was said to be the ‘workfare state’, characterized as an ‘illiberal state’ in his controversial 2014 speech in Tusnádfürdő (Orbán, 2014). It is within this broader narrative-ideational framework that Orbán framed the need to modify earlier macroeconomic policy.

**Order-affirming.** Orbán’s discursive strategy of raising specific policy problems to a more general level, while at the same time dramatizing them and making them more easily comprehensible, is a central part of the order-affirming method of his reconstruction. Specific technical policy problems thereby become attached to general normative concepts such as ‘independence’, ‘liberty’ and ‘sovereignty’. One method of legitimation often used by Orbán is to connect the action of his government to the Hungarian freedom fights of 1848-49 (against the Habsburgs) and 1956 (against the Soviets). The foreign power in the current scenario is most often ‘Brussels’, which is sometimes explicitly compared to ‘Vienna and Moscow’. A second ploy often used by Orbán is to appeal directly to the ‘sense of justice’ of individuals (in the case of the ‘nationalization’ of private pension funds, or the introduction of a flat tax on income). Orbán speaks a ‘neoconservative political language’ (Szűcs, 2006) which employs easily understandable formulations and references to unchanging moral values and which contrasts strikingly with the rather technocratic discourse of the Hungarian Left. Using Schmidt’s categories (Schmidt, 2014), we claim that while the latter mainly use cognitive arguments (e.g. economic necessity, efficiency) to legitimate their policies, the former usually resort to normative arguments to obtain support for their more heterodox policies.

**Order-creating.** Economic heterodoxy refers to a mix of unconventional and orthodox measures\(^3\) (the latter have included, among other policies, a rise in VAT and excise duties on certain products, and the termination of unemployment benefit). Here, we emphasize four characteristics of the new, heterodox economic order.

The first is its remarkable ideological flexibility. The best example of this involves fiscal rigour. After winning the election in 2010, Orbán pleaded for a relaxation of fiscal targets in Brussels (one of the emergency creditors of the Hungarian state in 2008), but was declined. Following this, he founded an ideological campaign to ‘fight against national debt’ (of which

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\(^3\)This includes measures such as the flat tax, the contribution to the budget deficit by a tax on profits, and policies to reduce unemployment.
fiscal restrictions were considered an important part), connecting it to the notions of ‘sovereignty’ and ‘independence’, claiming that ‘a nation can be subjugated in two ways: either with a sword or with debt’ (Orbán, 2011). This is a good example of how agency can change the meaning of ideas by connecting them to others (cf. Carstensen, 2015).

The second important feature of the new macroeconomic policy is that although the related measures often seem consonant with Western trends, such similarity is usually deceptive. For example, the expansion of state ownership in Hungary differs from its Western counterpart in terms of the scale of sectors affected (which includes the transport, automotive, and telecommunications sectors and public works), the occasional use of direct or indirect pressure on owners to sell company shares, its timing (not implemented immediately after the beginning of the global financial crisis), and the aims (the development of a new, more étatist form of capitalism instead of short-term crisis management) (Voszka, 2015). The same can be said of financial regulations: the motivation for change is rather the étatistic views of the government than the desire to follow international trends (Méro and Piroka, 2015).

A third, related feature is the goal of building up an economic coalition that supports the new regime. For this reason, the Orbán governments created circumstances that in certain respects resemble ‘neoprebindial’ relations (Szelenyi and Csillag, 2015): the resource redistributed to political loyalists is not private property, rather licenses and public procurements. The receivers may be loyal oligarchs (for example, in the media), or minor players (for example, in the case of the introduction of a state monopoly and distribution of new licenses for tobacco sales).

Fourth, heterodox policies in some cases were a partial response to electoral attitudes. The second Orbán government succeeded in boosting its popularity at the time of reducing domestic utility costs and thematizing the topic in the media (Böcskei, 2016), repeatedly emphasizing that the state ownership of public works was a prerequisite for these reductions.

To sum up: while some elements of the mainstream macroeconomic paradigm were called into question during and after the global financial crisis in Europe and the USA, the mainstream opinion was not that the role of the state needed to be fundamentally reinterpreted. Neither was the scale nor the practice of ‘emergency taxation’ in Hungary consonant with international trends. This is because the aim of these measures was different: they were implemented to widen fiscal room for manoeuvre and support the building of a new regime. To use Blyth’s categories, these changes did not involve the Bayesian logic of social learning, but were rather constructivist in nature; Hungary’s economic problems being a political construct (cf. Blyth, 2013). With his powerful narrative of crisis, Orbán tried to construe the Western model of ‘scientific capitalism’ as a failure, and thereby instrumentalize the crisis to further more étatist political projects.

**Migration policy**

**Order-shattering.** Some critical elements of Orbán’s reconstructive politics such as the new Fundamental Law, the constitutional amendments and extensive media legislation (Sonnevend et al., 2015) came under constant attack from the EU. Thus, the need to redefine
the regime’s relationship with the European Union became critical. The “old order” was based on the normative power of the EU (Pace, 2007), which determined the EU-related affairs of the country and so the new regime. The construction of normative power is based on the promotion of the rule of law, liberal democracy, human rights, and justice (Pace, 2007: 1045). The migration policy of the EU is fundamentally and prominently built on such principles: namely, liberal democratic and human rights-based values (Boswell, 2000). In 2015, the migration crisis provided an opportunity for Orbán to disrupt the governing formula by weakening the EU’s normative power, as represented by Angela Merkel and Jean-Claude Juncker’s moral leadership (Radu, 2016), and strengthening domestically as well as internationally the regime vis-à-vis the EU. In short, the issue of migration was important in Orbán’s reconstruction because of the potential for conflict.

The migration crisis became much more pronounced than the sudden increase in the number of refugees and migrants would have warranted. Dysfunctional European crisis management and the series of terrorist attacks and other related incidents provided more space for Orbán to form a securitization narrative of immigration (Huysmans, 2000) in order to shatter the prevailing order. Through populist rhetoric, Orbán consequently raised the stakes of the crisis, making a clear connection between illegal immigration, organized crime, and terrorism. Initially, his crisis narrative built on the impact of immigration on the economy, culture, and public safety; then in time it focused more on the lack of confidence, leadership, and democracy in the EU, and the collapse of a European identity. He opposed strongly the European liberal and left-wing political elite (‘Brusselian bureaucrats’) and civil activists. To support this narrative, Orbán initiated legal action against the EU’s migrant resettlement quota plan in December 2015, along with Slovakia, by challenging the resettlement quota plan at the European Court of Justice, claiming that the decision infringed EU law.

In the domestic arena, Orbán put great emphasis on dominating public discourse and applied a plebiscitary strategy to support his messages. On April 24, 2015, the government launched a ‘national consultation’ regarding the migrant crisis. This suggestive political questionnaire, mailed out to citizens supposedly for the purpose of information gathering, involved issues such as terrorism, the economic impacts of immigration and the incompetent politics of the EU, and resulted in the government raising the terror threat level. To legitimate its anti-immigration policy, the government initiated a referendum about the EU’s compulsory migrant resettlement quotas which was held on October 2, 2016. The low turnout resulted in the invalidation of the referendum, although the overwhelming majority of voters rejected the EU proposal for a migrant quota.

**Order-affirming.** Orbán interpreted the migration crisis as an enormous threat, not just to the welfare state and public security, but also to Christian civilization, European values, and nation states. One of the messages on a government billboard during a period of campaigning made this clear: ‘If you come to Hungary, respect our culture!’ Orbán’s reconstructive leadership rested heavily on a process of collective identity-building. He provided a strong vision of a Christian Europe, contrasting this with Islamic culture, and consciously promoted his own role as defender of the Schengen area borders, of ‘old Europe’ and ‘real’ European values.

**Order-creating.** In Orbán’s vision, there was no need for the further integration of immigration policy, because only nation states were able to manage the crisis effectively.
However, he not only re-evaluated the EU affairs of the country, but also created wide public support for his policies. In other words, Orbán used the migration crisis to redefine and revitalize the role of nation states.

The Hungarian PM showed strong leadership by responding quickly and effectively to the crisis. For a couple of weeks in 2015, hundreds of thousands of uncontrolled migrants marched through Hungary, and violent incidents occurred at the country’s southern border, as well as at Budapest’s main railway station. Orbán dramatized the events further in spite of the fact that the migrants were heading towards Germany and other western and northern European countries. On June 17, 2015 the government announced the construction of a fence along the Serbian border. At the end of that year, Hungary closed its ‘green’ border with Croatia as well. After a huge wave of criticism, many countries such as Austria, Slovenia, Bulgaria and Croatia also erected border fences. Meanwhile, the Hungarian Parliament tightened the legal framework for asylum-seekers and illegal immigrants. On 7 June 2016, the governing alliance of Fidesz-KDNP and the right-wing opposition Jobbik approved the Sixth Amendment to the Fundamental Law, which widened the government’s emergency powers in the case of significant and direct risk of terrorist attack. After the invalid referendum of October 2016, Orbán submitted another amendment to prevent the imposition of compulsory resettlement quotas, but the proposal failed because it lacked the necessary majority.

Orbán’s reconstructive leadership had successfully influenced public opinion. Since autumn 2014 the issue of migration became increasingly important in national and EU politics. Simultaneously, trust and positive attitudes toward the EU decreased significantly among Hungarians, while by 2016 xenophobia in Hungary had reached a record high (Simonovits and Bernát, 2016). Measures applied by the government, such as closing the southern borders (Medián, 2015; Nézőpont Intézet, 2015; Századvég, 2015a), and tightening immigration laws (Medián, 2015; Századvég, 2015b), had broad cross-party support. Overall, this situation indicates how Orbán was able to strengthen his position and regime vis-à-vis the normative power of the EU to a certain extent, but also that his policy choices were domestically constrained – as the unsuccessful referendum of October 2016 demonstrates.

Discussion

The Hungarian case raises three theoretical questions: (1) In what sense is constructivism a more important factor than Skowronek suggests? (2) Which factors limit the opportunities of leaders to interpret the situation (i.e. how does our picture of these changes avoid the label voluntarism?). Finally (3), what are the most important contextual differences between the American case (as described by Skowronek) and the Hungarian case?

First (1), as the Hungarian case suggests, the vulnerability of the old regime was not self-evident (cf. Hoekstra, 1999). That means that it was not only the content of the change that depended on political leadership (as Skowronekian theory implies), but that the need for regime change itself was construed by political leadership. Orbán translated certain elements of popular dissatisfaction and wants into a desire for regime change.

- Constitution-building. Although Orbán’s party gained a two-thirds, constitution-making majority at the 2010 elections, opinion polls showed that in the period prior to the remaking of the constitution, less than one third of the Hungarian population saw the
need for a new constitution (Medián, 2011). However, Orbán’s constitutional discourse successfully connected the new constitution to his general narrative of post-communist regime change triggered by a “revolution in the polling-booth”. The low salience of constitutional matters to the Hungarian population made his task easier, and the repeated electoral victories of Fidesz-KDNP in 2014 signalled implicit or tacit popular approval for constitutional change.

- **Macroeconomic policy.** Orbán’s interpretation that the recent financial crisis involved the ‘failure of scientific capitalism’ was rather renegade than mainstream. This crisis narrative was instrumental in legitimizing the unique measures that sufficiently widened the government’s fiscal room for manoeuvre (‘crisis taxes’, the ‘nationalization’ of private pension funds, etc.), and for building up an economic coalition to support the new regime. An increase in the role of state ownership was communicated as a prerequisite for satisficing the popular demand for a decrease in utility bills. This scenario shows how the nature of Hungary’s economic problems (i.e. whether there was a need for extensive fiscal heterodoxy) was debatable, and that Orbán was required to engage in an extensive discursive struggle to legitimate his more étatist vision of capitalism.

- **Migration policy.** Constant criticism of regime-building strengthened Orbán’s Eurosceptic position and his ‘freedom fight’ against the EU. The PM dramatized migration as a threatening phenomenon and built up an impressive narrative of crisis, along with a widespread campaign that not only questioned the wisdom of a common migrant policy, but also undermined the normative power of the EU and redefined Hungary’s relationship with the EU.

The second question (2) posed above concerns the problem of voluntarism. Maintaining a focus on the changes brought about by agents and on the content of political discourse can easily lead the researcher to fail to observe structural constraints on action (Schmidt, 2010: 60; cf. Hay, 2011: 68–69). Our three examples indicate that if Orbán’s reconstruction was indeed voluntarist, this voluntarism was contingent: in some issues salient to the population the government attempted to be responsive, or backed down after witnessing the unpopularity of its measures. So, although internal ‘institutional friction’ (Orren and Skowronek, 1994) – understood in a narrow sense as a clash between formal institutions – was mainly of secondary importance, international institutions, the attitudes of the Hungarian population, and the ‘brute facts’ of reality created effective structural constraints on government agency.

- **Constitution-building.** The constitution-making of Fidesz-KDNP appears to be the most voluntarist activity. This is due to the fact that, besides the two-thirds parliamentary majority threshold, there were no other effective constraints built into the pre-2010 political settlement. The only somewhat effective formal institutional constraint on the government was pressure from international institutions (e.g. the European Central Bank, and the Venice Commission of the Council of Europe), which pressure led to several changes being made to the constitution.

- **Economic heterodoxy.** Regarding macroeconomic policy, two factors should be mentioned. The first one is again international institutional pressure, this time from the European Commission and IMF, with a view to enforcing fiscal rigor. The second factor is the attitude of the Hungarian electorate. The case of a decrease in utility bills following the monitoring of popular attitudes has already been mentioned. A second example is
when the government withdrew legislation designed to force stores to close on Sundays, also in response to popular attitudes – the perceived unpopularity of the measure led the government to undertake *ex post facto* action.

- **Migration policy.** Limits to social construction may be equivalent to Searle’s ‘brute’ facts, which are distinguishable from institutional facts (Searle, 1995, 2010). The latter are dependent on human agreement, while the former are not. In this sense, the migration narrative of the government perhaps lacked the “brute” ground of the narrative: a near-total absence of refugees who desired to remain in Hungary. Besides a short period (some weeks) during which their (relatively restricted) presence was noticeable, the “migration-threat” emphasized by the government appeared as relatively imaginary to major segments of the population. This was probably one of the main factors that limited the effectiveness of the “migration-narrative” and which contributed to the low turnout for the government-initiated referendum on the topic.

Finally (3), some remarks about the differences between the American and the Hungarian case. In the 1997 introduction to his book, Skowronek states that it offers ‘an analysis of the leadership patterns that are repeatedly produced through the American constitutional system by the peculiar structure and operation of its presidential office. In this sense, it is about the politics that the American presidency makes.’ (Skowronek, 1997: xvi) This framing indicates that presidential cycles, and the four fundamental roles – including reconstructive leadership – should be interpreted within a relatively fixed constitutional settlement. Although presidents can significantly widen their opportunities by *reinterpreting* these rules (it is enough to recall the case of Franklin D. Roosevelt), they cannot fundamentally *rewrite* those rules and are thus required to operate within the given constitutional framework. Here lies the main difference with the Hungarian case, in which a political leader, by acquiring a supermajority in parliament, secured himself a place outside that settlement. All further differences flow from this fact: First, the above-mentioned observation that the obstacles constraining the voluntarism of the leader are different; instead of friction between formal Hungarian institutions, the role of international actors, the preferences of the populace, and ‘brute facts’. Second, because lacking a stable constitutional frame, one of the controversial (Arnold, 1995) elements of the Skowronekian concept – predictability in the form of cyclicity – must be abandoned.

Through these differences we emerge at a new and broader concept of reconstructive leadership than that posited by Skowronek. In this new concept, traditional institutional conflicts (conflicts between formal institutions), although not absent, lose their primacy to ideational conflicts and contests about meaning in which political agents may play a more formative role, but are still constrained by popular preferences and widely held ideas. Of course, the mechanisms of these ideational struggles require greater elaboration than we have opportunity for in this paper. However, this Hungarian case analysis opens the door to a modified view of reconstruction which is more in line with contemporary constructivist and ideational approaches than the original Skowronekian view.

**Notes**
Skowronek, in his answer to Hoekstra’s critique, may be attempting to balance between the constructivist and structuralist (or positivist) viewpoints. While citing examples that ‘nod to the constructivist position Professor Hoekstra outlines’ (Skowronek, 1999, p. 677), at the same time the author declares that ‘I am enough of a positivist to believe that there is an objective reality out there sufficient to support these sorts of distinctions in the cases considered’ (Skowronek, 1999: 678). While there is no inherent contradiction in these statements, they do not clarify Skowronek’s theoretical position. This remains, as Hoekstra puts it, ‘ambivalently deterministic’.

Policy paradigms (Hall, 1993) and policy discourse can be considered components of Skowronek’s broad conception of ‘regime’.

‘Orthodox’ not in the sense of conforming to an economic theory, but rather in the sense of conforming to the best practice that is recommended by economic authorities. We use ‘orthodox’ here in the sense Dequech uses the term ‘mainstream’ (2012: 354–355).

In 2015, over 1.2 million first-time asylum seekers registered in EU member states. This is more than double the number recorded in the previous year (Eurostat, 2016). Frontex (2015) estimates that the number of illegal immigrants reached 482,270 during the first year of the crisis.

The referendum question was: ‘Do you want the European Union to be able to mandate the obligatory resettlement of non-Hungarian citizens into Hungary even without the approval of the National Assembly?’ Turnout was only 44.04%, which did not reach the threshold for validity of 50%. 98.36% of participants rejected the EU’s quota proposal (National Election Office, 2016).

On 22 February 2015, after by-elections in two single-member constituencies, Orbán lost his supermajority in Hungarian parliament, hence his governing party needed external support to pass constitutional amendments.

Between 2014 and 2016 Standard Eurobarometer reports indicate an increase in the proportion of people who considered migration to be one of the two most important issues facing Hungary. In the autumn of 2015, a clear majority of Hungarians (68%) found migration to be the single most important issue facing the EU (European Commission, 2016).

According to Eurobarometer, trust in the EU declined from 56% to 41% between 2015 and 2016. During the same period, positive attitudes towards the EU also decreased from 43% to 33% (European Commission, 2016).

References


