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**THE USES AND ABUSES OF NEOLIBERALISM AND  
TECHNOCRACY IN THE POST-TOTALITARIAN  
REGIMES IN EASTERN EUROPE**

A STUDY



Katerina Kolozova

The uses and abuses of neoliberalism and technocracy in  
the post-totalitarian regimes in Eastern Europe

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“Confessions” are as much a specialty of Bolshevik propaganda as the curious pedantry of legalizing crimes by retrospective and retroactive legislation was a specialty of Nazi propaganda. The aim in both cases is consistency.”

(Hannah Arendt, *The Origins of Totalitarianism*)

## “HYBRID REGIMES” AND THE MAGIC TRICK OF PATRIARCHAL RHETORIC

In the past decade, the so-called “hybrid regimes” (or authoritarian regimes behind the façade of democracy) have been emerging in the countries of the former Eastern Bloc, under the guise of what seems to be a contemporary European democracy, and not only among the aspiring EU countries but also in those that are already part of the Union such as Hungary and the Czech Republic.<sup>1</sup> Their hybridity consists in what is supposed to be “unnatural” unity of the political model of liberal democracy, free market economy and a totalitarian state control. Contemporary Hungary and Russia represent the paradigmatic model of “Eastern European hybrid regimes” as just defined.<sup>2</sup> Typical of the state model at issue is the centrality of the role of a strong leader, such as Victor Órban in Hungary or Vladimir Putin in Russia. As a rule, it is an authoritarian figure enacting the essentially patriarchal role of *pater familias* whereby the nation is treated as a community of genetic kinship, a “family” (ethnos as *genos*) rather than a nation (or *demos*). The definition of a nation as a genetically relatively pure ethnos is an inherent characteristic of the “hybrid regimes” of the states that were created on the ruins of former Yugoslavia. It is also the characteristic of Russia under Putin’s rule.

The general trait of the style of ruling is, I would argue, patriarchalism. The latter enables ethnocentrism, religious conservatism and strong state control. In spite of the traumatic history of a brutal state control system typical of the era of the Eastern Bloc, state control is rendered acceptable thanks to the undertones of a patriarchal narrative present in the ruling rhetoric of the “hybrid regimes”: the excessive state control

<sup>1</sup> Ian Traynor, “Eastern European Autocrats Pose New Test to Democracy,” *The Guardian* (13 August 2013), available at <http://www.theguardian.com/world/2013/aug/13/eastern-europe-autocrats-return-test-democracy>, accessed on 26 April 2015; cf. Marlene Laruelle, “Discussing Neopatrimonialism and Patronal Presidentialism in the Central Asian Context,” *Demokrazatsiya*, Vol. 20, No. 4, Fall 2012.

<sup>2</sup> I disagree with the categorizations present in Sten Berglund et al., *The Handbook of Political Change in Eastern Europe* (Edward Elgar Publishing: 2013), 4-10. According to this publication Hungary has been proper democracy without a trace of totalitarianism since the fall of communism, and Serbia as well (in spite of the fact that most of the time it has been under the rule of authoritarian and even totalitarian leaders such as Milošević, Kuštica and now Vučić), which is due to the fact that their references rely on research done by governmental and non-governmental organizations which follow formal criteria, quantitative data and do not entail in-depth analysis.

is the product of the excessive care of the “strict but just” father of the nation.

Upon the remnants of the “political,” i.e., the remnants of a political ideology and the failure to build a new one, the post-political apocalyptic landscape dubbed “transition” had to be filled with some meaning and, consequently, order. The cynical and disillusioned post-communist societies could not be easily swayed into a different ideological illusion. Capitalism rode into these countries on the horses of the so-called privatization which was marked by ruthless corruption, while the transformation of the public companies into private in most of the cases looked like plain theft from the society carried out by politically privileged individuals.<sup>3</sup> The only convincing response to the political cynicism of the disillusioned masses of post-socialism could be a belief system that had never been compromised – the nuclear family of the socialist era. In spite of the declarative endorsement and promotion of the values of gender equality by the communist parties of the former Eastern Bloc, the socialist nuclear family remained a stronghold of patriarchy.<sup>4</sup>

What brings in the religion in the picture of the great shift of one totalitarian paradigm toward another is its role of the ideological backdrop for the nuclear family as the only viable model of social organization, one to be expanded as the general paradigm of social cohesion, order and control. It also justifies patriarchy by according it the status of a universal truth (replacing the universal truth of socialist utopia). The emptied place of ontological certainty, once held by the eschatology of communism, had to be filled with new contents. Religion and its discourse of absolutism was the only available recourse at the time of the demise of the socialist worldview. Religion has added absolutism or unshakeable certainty to the paradigm of “the nuclear family” of socialism elevated to

<sup>3</sup> Stephen Cohen, “Privatization in Eastern Europe: The Tunnel at the End of the Light,” *The American Prospect* (19 December 2001), available at <https://prospect.org/article/privatization-eastern-europe-tunnel-end-light>, accessed on 25 April 2015.

<sup>4</sup> MihaelaRobila, “Families in Eastern Europe: Contexts, Trends and Variations,” *Contemporary Perspectives in Family Research*, Volume 5, 1–14.

a universal value. The succession of several generations of secular and pronouncedly atheist societies disables the possibility of a return to the pre-socialist and pre-modern religion as ruling ideology. Its return was possible only through hybridization with family values of the nucleus family as developed in the socialist era – the only bastion against the panopticon of the Party and a system relying on paranoia.<sup>5</sup>

This is how the figures of the fathers of the nation of Hungary, Russia or Serbia and Macedonia remain unshakeable, their control and sadism being mixed with what is perceived as care and fatherly strictness. What keeps them in power is the love of the infantile nation which, even if abused, forgives as one forgives an abusive father.

Yet again, can the narrative sustain itself if systemically undermined by concrete practices which limit economic and professional freedoms amounting to general precariousness typical of neoliberalism: “Will I be able to keep my house, feed my family, keep my job?” An absolutist narrative is incompatible with the vicissitudes of neoliberal economic realities. In order to survive economically one ought to act in accordance with its inherent rules. If, however, free market economy is precluded by the unfair competition the state run economy presents, by the corruption in the administration and if there is no free judiciary to defend it, the narrative is bound to fall asunder under the pressure of the laws of neoliberal economy. The same goes for the freedoms of professionally informed judgment and decision which are disabled in advance by the excessive level of legal over-regulation aimed at absolute state control.

## **WHAT IS AT STAKE IN THE HYBRIDITY?**

Hybrid regimes are usually defined as “competitive and electoral authoritarianism.”<sup>6</sup> Seen from the formal standpoint and as evaluated on the electoral day itself including the process of counting and eventual

<sup>5</sup> Consider Kundera's observations on totalitarianism, individualism and privacy in *Unbearable Lightness of Being* and his other works.

<sup>6</sup> Levitsky and Way, “The Rise of Competitive Authoritarianism,” *Journal Of Democracy* (2002): 51-65.

recounting, competitive totalitarianism is marked by elections which are legal, democratic and fair. The reference to the “formality of fair elections” relates to the fact that there is no electoral fraud in the technical sense of the word, falsification and stilling of ballots. However, there is one defining characteristic of the elections held in hybrid regimes which undermine the very possibility of substantially free and democratic elections: abuse of state resources by the incumbents.<sup>7</sup> The latter involves a set of intersecting policy mechanisms which are abused as follows: a) control over the media verging with pro-government propaganda, which, in the period nearing elections, becomes indistinguishable from media campaigning in favor of the ruling party; b) state controlled neo-liberal economy which favors pro-regime companies, but also owns companies through party control and employs party activists among the ever growing public administration, enabling the incumbents to intimidate and exert pressure on voters; c) over-regulating legislation, in particular the one concerning fiscal discipline, coupled with draconic penalization which is abused for political pressure on companies, institutions (e.g. universities) and the society as a whole.

Asymmetric representation of the incumbents by the media which, at the time of elections, are under virtually absolute control of the ruling party is one of the three central forms of violation of political rights in the regimes of “competitive authoritarianism,” according to Levitsky and Way.<sup>8</sup> Let us take the example of media coverage during the early parliamentary and presidential elections held in April 2014 in Macedonia. The report of OSCE-ODIHR assessed the elections as “efficient,”<sup>9</sup> while, yet again, raising the problem of “partisan media coverage and a blurring of state and party activities [which] did not provide a level playing field for candidates to contest the elections.”<sup>10</sup>

<sup>7</sup> Levitsky and Way, *Competitive Authoritarianism: Hybrid Regimes After the Cold War*, Cambridge University Press (2010)

<sup>8</sup> *Ibid.*, 52-54

<sup>9</sup> OSCE/ODIHR Election Observation Mission, *Presidential and Early Parliamentary Elections*, 13 April and 27 April 2014, 2014, p.1

<sup>10</sup> *Ibid.*

The same report on the 2014 elections in Macedonia states:

The OSCE/ODIHR EOM received a large number of credible reports that included pressure to attend campaign events; pressure not to attend opponents' events; and promises of or threats to state employment, including through the use of temporary contracts. The OSCE/ODIHR EOM also noted claims that governing party activists requested civil servants to provide lists of identified voters, along with their personal identification numbers, who would vote for the party, and intimidation of small business owners with the threat of tax inspections. This raised concerns about candidates' ability to campaign in a fair atmosphere, as well as voters' ability to cast their vote "free of fear of retribution," as required by paragraph 7.7 of the 1990 OSCE Copenhagen Document.<sup>11</sup>

Intimidationone might lose their job or see their business destroyed is another way of practically falsifying the result in advance, but it also implies certain hybridity of the economic system itself. If economy is dependent on party control, it is, then, not free let alone "free market" oriented. It is ideologically controlled. The declaredly conservative ideologies in question are hybrids of value systems inherited from the previous system, e.g., patriarchy as general ideology justifying the authoritarian state control, and capitalist economy and political pluralism, hardly qualifying as proper political ideologies. Nonetheless, they project some form of ideology, a disciplining worldview norming and sanctioning public rhetoric.

Subjection to the ruling discourse is required if one's business or career is to survive and, possibly, prosper. As there isn't proper ideological con-

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<sup>11</sup> Ibid 13-14

frontation, one can hardly speak of proper political pluralism but rather “clientelism.” A hybridization of post-political ideological authoritarianism and neoliberal economy is what conditions the political choice in advance and creates the uneven terrain for the political opposition. Thus, both elections and economy are controlled though their hybridization justified by the discourse of the strict and vigilant fatherly care for the nation. Let us consider the following observations of the Hungarian economist Janos Kornai regarding the strong centralization of economy in Hungary of 2012: “shadow corporations,” which are politically supported by the ruling and Victor Orbán led Fidesz Party and in return provide financial assistance to the party; clear indicators of state’s increasing control over privately owned enterprises, which once again, points toward the emergence of *state capitalism in the country*.<sup>12</sup> In a different study, analyzing media ownership and related capital, we have shown that the situation in post 2007 Macedonia has been similar if not identical to that of Hungary of 2012.<sup>13</sup> The same pattern of state behaving as the absolute and absolutist capitalist are noted and analyzed in Ukraine prior to Maidan (there is no reliable data on this issue available at this moment) and in Putin’s Russia: destroying businesses which are not under the ruling party control or which would consider supporting an opposition party are destroyed on the basis of alleged financial frauds, tax evasion after being subject to constant control and fines executed by a variety of inspections, in particular, the national public revenue offices.<sup>14</sup>

In the context of capitalism, state controlled economy would be analogous to an absolute and all permeating monopoly but without any restrictions as it is the state which runs the monopoly. The absoluteness

<sup>12</sup> Janos Kornai, “Centralization and the capitalist market economy” (English, with a Bulgarian introduction), *Население* (Nasselenie), vol. 2012/1-2, 198-216.

<sup>13</sup> Artan Sadiku et al., *Legalising Restrictions of the Freedom of the Press* (Institute of Social Sciences and Humanities: Skopje, 2014), 17-24

<sup>14</sup> “The state may also be used to starve opposition parties of resources. In Ukraine, for example, businesses that financed the opposition were routinely targeted by tax authorities. As a former head of Ukraine’s security services put it, “If [your business is] loyal to the authorities, they will ignore or overlook anything. If you are disloyal, you or your business will be quashed immediately” (Way 2005b: 134). In Russia, the Putin government went even further, effectively halting all major business contributions to the opposition (McFaul and Petrov 2004),” quoted in Levitsky and Way, *Competitive Authoritarianism: Hybrid Regimes After the Cold War*, Cambridge University Press (2010)

at issue implies that the very foundations of “free market economy” are undermined. One might wonder whether “capitalism” is a) indeed necessarily linked with not only “liberal democracy” and democracy tout court, and b) if the concept of “free market economy” adequately grasps capitalist economy.<sup>15</sup> Moreover, the hybridity of autocracy and capitalism divulges the unchecked presumption that capitalism is inherently linked with free market economy and democratic pluralism. Capitalism is indeed about commodification and the hierarchy of surplus value over use value, as Marx insisted, as it can be matched and “hybridized” with democratic pluralism of the EU type, communism of 21<sup>st</sup> century China and, finally, with the “competitive authoritarianism” of Eastern Europe. Neoliberal capitalism is a global paradigm whose rise was championed in the 80’ by multinational companies. Nowadays, 75% of the crude oil reserves are owned by state-controlled companies.<sup>16</sup> The latter compete on a global capitalist market and their competitors are the multinational private companies. Therefore, all attempts at “naturalization” of combinations of forms of economy, political systems and ideologies are, in fact, act of hybridization. Let us now proceed with the hybrids that are subject to the study at hand.

There is more at stake in what is termed as “hybridity of political systems” than just the “competitive electoral system” and it breaks down into concrete policies which shape a specific type of political system, a form of neoliberal economy and post-political “Ur-ideology” (or one of such pretensions). Looking at its economic foundations and its role in the global economico-financial processes, it is a form of capitalism. As this is one of the proofs that capitalism is always already a hybrid, one wonders if the term “hybrid regimes” is still a viable one and whether it can be used to the specific form of hybridity discussed here. Nonetheless, we will keep it in order to avoid confusion. Let it suffice that we have at least opened the question of its adequacy.

<sup>15</sup> David Harvey, *Seventeen Contradictions and the End of Capitalism* (London: Profile Books, 2014), 204-205; 294-297. See also: Karl Polanyi, *The Great Transformations: The Political and Economic Origins of Our Time* (Boston: Beacon Press, 1957).

<sup>16</sup> Ian Bremmer, “State Capitalism and The Crisis,” *Insights & Publications* (2009), McKinsey & Company, available at [http://www.mckinsey.com/insights/public\\_sector/state\\_capitalism\\_and\\_the\\_crisis](http://www.mckinsey.com/insights/public_sector/state_capitalism_and_the_crisis), accessed on 30 April 2015.

Thus, the founding contradiction of this form of capitalism seems to be the counter-historical tendency of introducing state run economy typical of the former socialist totalitarianism which nonetheless strives to be competitive within the global neoliberal system. This is not a contradiction which incites productive change or, for that matter, any change. On the contrary, it can only lead to gradual paralysis in terms of economic and social productiveness.

*Obsessive legalization of decisions that are made in the authoritarian fashion and are of authoritarian nature is a method of governing typical of the “hybrid systems.” Technocracy of neoliberalism overpowers the argument of democracy based on the implication that “efficiency” and “good management” (or “governance” instead of governing) is far more important than the “ideal” of democracy. This is yet another procedure of hybridization. What is necessary to make the anti-democratic but “effective” decisions legitimate is mere legality.* Regardless how unjust, anti-democratic and overtly corruptive principles of administration and governing are, if legal/ized, they assume legitimacy too. In other words, if a law is adopted by a parliament in a pluralist democracy, in spite of how ostensibly autocratic its contents are and in spite of the fact that there is an almost absolute control of the executive over the legislating power, it ought to be considered democratic. Namely, formal democracy is sufficient for a system to call itself democratic in spite of the authoritarian and even totalitarian reality of governing and functioning of society, and this is yet another form of hybridity. At a joint press conference held together with the German Chancellor Angela Merkel February 2<sup>nd</sup> 2015, Hungary’s prime-minister Victor Órban coined the expression of “illiberal democracy” in an attempt to ideologically justify the authoritarian rule in Hungary and Russia.<sup>17</sup> That is how Órban’s Fidesz Party is bound to legally and also “democratically” win regardless of the fact that it might be actually losing. The latter may sound like a figure of speech, but it is

<sup>17</sup> Patrick Donahue and Zoltan Simon, “Merkel Rebuffed in Hungary With Critique of Democracy,” *Bloomberg Business* (2 February, 2015), available at <http://www.bloomberg.com/news/articles/2015-02-02/merkel-courts-Orban-seeking-unity-on-russia-sanctions>, accessed on 29 April 2015.

not. Let us explain with the following quote from a study conducted by the Budapest based research institute “The Political Capital”:

The purpose of Fidesz-KDNP with its all-out electoral reform was that even if the alliance was leading by a small margin against its biggest rival (whoever that might be), the system would provide the party with a majority in Parliament without having to resort to seeking support from a coalition partner. In other words, the aim was to convert the party’s relative popular majority into an absolute majority in Parliament. Most of the passages in the legislation, therefore, favor the country’s largest party for several reasons: the increased number of parliamentary mandates distributed in individual districts rather than on party lists, the abolition of a second runoff round, the “compensation” to the party of the winning candidate, and the new nomination system which would make the opposition rather fragmented. However, this move is also risky: Once FideszKDNP has to face a serious challenger, these changes might eventually benefit that rival as well.<sup>18</sup>

Excessive legislation, accompanied by excessive administrative fines, compulsion to legislate the absolutism is the characteristic of “hybrid regimes,” analyzed here.<sup>19</sup>

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<sup>18</sup> Political Capital and Social Development Institute, *New Electoral System in the Home Stretch: An Analysis of the Effects of the New Hungarian Electoral Procedure Law and the Campaign Finance Law*, (Political Capital Policy Research and Consulting Institute: Budapest), 2013

<sup>19</sup> “Hungary’s Rush Toward Autocracy,” by the Editorial Board, *The Washington Post* (9 January 2012), available at [http://www.washingtonpost.com/opinions/hungarys-rush-toward-autocracy/2012/01/09/gIQA38ebmP\\_story.html](http://www.washingtonpost.com/opinions/hungarys-rush-toward-autocracy/2012/01/09/gIQA38ebmP_story.html), accessed on 30 April 2015.

## THE TECHNOCRATIC ALLURE OF THE “EU HARMONIZED”

### DICTATORSHIPS AND THEIR MAIN TOOL: LEGAL OVERREGULATION

Not only is there compulsive legislation of every contingent and conjunctural move or plan of the elite in power, but also a compulsive hyper-regulation of every imaginable and unimaginable detail. As the subject to regulation is chosen in line with the general goal of absolute financial and political control, and as the way it is regulated is also in line with the same goal, the laws, as a consequence, enable legality for what are essentially undemocratic or autocratic and plutocratic acts of behavior of the administration in power. For example, the Macedonian Law on Higher Education openly favors a company (Thomson Reuters) which owns a base of academic journals. In order to ensure the effects of the legal provision in question, it stipulates articles that inevitably result into disabling academic advancement unless a university teacher/researcher fails to publish in a journal hosted by the indexing base of Thomson Reuters.<sup>20</sup> Another example to consider is the Macedonian law on audio and audiovisual services (regulating all media except the print) which envisages commercials promoting Government’s policies and accomplishments (not as part of an electoral campaign, but on regular basis). The law, therefore, enables the ruling party coalition to legally advertise itself and, as a consequence, buy out national media, regardless of whether private or public.<sup>21</sup> Both laws legalise practices which should not be legal by any standard of what is considered a “European democracy.” Media are not only controlled financially, but also programmatically through the Agency for audio and audiovisual services as regulated by the Law on audio and audiovisual services.<sup>22</sup>

Macedonian government led by Nikola Gruevski, who has been in office since 2006, has been gradually establishing state controlled economy

<sup>20</sup> “The Law on Higher Education of the Republic of Macedonia” [Закон за високото образование во Република Македонија] *Official Gazette of the Republic of Macedonia* бр. 35/2008; 103/2008; 26/2009; 83/2009; 99/2009; 115/2010; 17/2011; 51/2011; 123/2012; 15/2013; 24/2013; 41/2014; 116/2014; 130/2014 и 10/2015).

<sup>21</sup> Artan Sadiku et al., *Legalising Restrictions of the Freedom of the Press* (Institute of Social Sciences and Humanities: Skopje, 2014), 35-39

<sup>22</sup> Artan Sadiku et al, *Ibid.*, 31-34.

and society through the toolkit of legal over-regulation accompanied by draconic penalization primarily in the form of administrative or regulatory fines. The rule of Gruevski will be remembered by the absurdly high number of absurd legislative solutions of – often absurd – issues coupled by excessive number of excessive fines to accompany them. As almost every issue is sanctioned in the form of an administrative fine, the arbitration of the judiciary is *de facto* suspended as it is by definition circumvented. (In other words, the sanction is enacted by the Government itself, its ministries and other organs, rather than as a result of court ruling as in the case of criminal charges.) Pedantic and entropic legalization of subject matter which should have never become part of a law (but rather of a statute or a rulebook of an institution, an organization or a company) is what marks the governing method of this particular “Balkan Prince,” as Florian Bieber would put it.<sup>23</sup> Of course, the Judiciary is not entirely suspended in this project of direct control though the executive power and, therefore, the laws stipulate draconic criminal penalization as well. However, in line with the autocratic philosophy of governing, the country’s Judiciary is also under direct control of the executive power. The control at issue derives from the fact that judges are appointed by the ruling party which legalizes the appointment through the vote of the Parliament which is under a total control of that same party.<sup>24</sup>

Let us take a closer look at the operations and the tactics of over-regulation and administrative penalizing typical of Gruevski’s administration.

The existing Macedonian Law on the higher education stipulates an exorbitant number of administrative fines concerning issues such as curriculum, faculty recruitment, choice of literature, internal institutional attendance evidence etc. For each breach of, say, curriculum requirements or recruitment of faculty as prescribed by the Legislator there is an administrative fine expressed in euro and each is considerably high.

<sup>23</sup> Florian Bieber, “Ten Rules by a 21<sup>st</sup> Century Machiavelli for the Balkan Prince,” *The London School of Economics: Research on South Eastern Europe* (7 February 2015), available at <http://blogs.lse.ac.uk/lsee/2015/02/07/ten-rules-by-a-21st-century-machiavelli-for-the-balkan-prince/>, accessed on 21 April 2015.

<sup>24</sup> Ida Orzechowska, Hunt or be Hunted: Macedonian “House of Cards,” *New Eastern Europe* (27 February 2015), <http://www.neweasterneurope.eu/interviews/1506-hunt-or-be-hunted-macedonian-house-of-cards>, accessed on 30 April 2015.

Exerting control through fines seems to be a strategy detectable in the pattern of constant rise of the number of fines stipulated by the legislation in virtually all areas of society and economy: education, media, decentralization and public administration, economy, tourism, agriculture, energetic, NGO sector, ecology, etc.<sup>25</sup>

In 2007 the Law on Higher Education did not contain a single provision of an administrative fine. In 2008, the Parliament adopted a new law which prescribes 13 fines among which 12 up to 2500 euro. By the end of 2015, the Law includes a total of 65 fines, with a total of 5 maximal fines of 30000 to 35 000 euro. The most drastic increase in the number of fines appears in the set of Laws on Education (from 0 to 59 fines in LHE; from 16 to 63 fines in LSE; from 23 to 87 fines in LPE), Broadcasting Law and the Law of audiovisual and media services (from 23 to 73 fines), Road Traffic Safety Law (from 363 to 701 fines), Law on Waters (from 37 to 125 fines), Law on Catering Industry (from 35 to 94 fines), Law on Registration of Cash Payment (from 0 to 34 fines), Law on Energetics (from 47 to 175 fines) and Law on Protection and Improvement of the Environment and Nature (from 44 to 109 fines).

Considering the ministries can enact the administrative penalty directly, the Government control over institutions and companies becomes overt and direct. The excessive fines over trivial breaches of regulations, which should not have been subject to legislation in the first place, can affect the very existence of legal entities. This is of particular relevance as far as the media are concerned and has a direct detrimental effect on the freedom of the press. Let us consider the example of sanctions against the only national TV station which showed some level of criticism with respect to the government during last year's early parliamentary and presidential elections, namely TV Telma. Within a month's time after the elections,

<sup>25</sup> Law on primary education, Law on secondary education, Law on higher education, Labor Law, Law on Civil Servants, Broadcasting Law and the Law of audiovisual and media services, the Law on Culture, Law on public gatherings, Law on Financing of Local Self-Government, Law on Registration of Cash Payment, Trade Law, Road Traffic Safety Law, Law on Catering Industry and Tourism (this Law started as Law on Catering Industry and Tourism in 1995 and in 2004 it was divided in two different laws: Law on Catering Industry and Law on Tourism), Law on Trade Companies, Law on Civil Associations and Foundations, Law on Waters, Law on Performing Agricultural Activity, Law on Agriculture and Rural Development, Law on Energetic, Law on Protection and Improvement of the Environment and Nature.

on May 21<sup>st</sup> 2014, the editor in chief of TV Telma had to protest against a fine of 20.000 euro for an alleged unbalanced broadcasting of national folk music and popular music. Mr. Risto Lazarov, the editor in chief of TV Telma insisted that the monitoring conducted by the regulating body had been inaccurate and that the law regulating this issue had not been broken.<sup>26</sup> This isn't the only fine this TV station has been charged with in the past few years. With a couple of more of the same sort it could have been shut down. What is outrageous about this story is that a possible demise of an independent medium would have been perfectly legal rather than illegal. What is equally alarming is that the State, through its Agency for Audio and Audio-Visual Services, could prescribe programmatic contents, and, hence, dramatically undermine editorial freedom. A breach of 5 minutes less folklore music prescribed by the law could cost a small and independent national TV a fine of 20 000 euro, as it did.

The technology of state control of a hybrid regime of the current Macedonian type, hence, consists in the technocratic enactment of elaborate policies rather than heavy politics. The technocratic management style of governing prompts the allure of progressiveness and does not expressly collide with the declared EU commitments of the state. The indicators of authoritarian rule should be looked for elsewhere rather than in the classical categories usually measured in the reports of the European Union and the OSCE. The techniques, the tangible mechanisms or what produces the material effects of totalitarianism lie in the intricate policy details translated into articles of legislation. The main characteristic of this type of legislation is overregulation and excessive administrative penalization which enables direct enactment of control, abuse of executive power and political pressure.

When estimating the EU candidate country's harmonization with the "Acquis Communautaire," one should also look at what is in excess of that which is required and whether this legal excess entails measurable ef-

<sup>26</sup> „Телма бара итна експертиза за минутажата на пуштената музика“ [“Telma Requires Immediate Expertise of the Music”], (Skopje: Telma TV), available at <http://telma.com.mk/vesti/telma-bara-itna-ekspertiza-za-minutazhata-na-pushtenata-muzika>, accessed on 23 May 2014.

fects which undermine the so-called “Copenhagen criteria.” One should look at these potential effects as tangible realities possibly at odds with the very fundamentals of what is presumed by “European democracy.” For example, is it acceptable in a “European democracy” to set up a government controlled institution which would be telling to the editors of TV stations what type of music to air and for how long per day? If every detail of the programmatic structure of every national TV station is prescribed by a state Agency controlled by the Government and the ruling coalition’s absolute majority in the Parliament, how is the alleged editorial freedom exercised? When a EU candidate country (Macedonia) or a EU member country (Hungary) endorses the definition of “advertising” set out in the EU Directive on Audiovisual Services (2010), can it “enrich” it by envisaging massive Government self-advertising? (Macedonia is not the only example, as we find the same model in Victor Órban led Hungary.)<sup>27</sup>

To conclude, when looking at corruption in a EU accession country, such as Macedonia, or at EU member country, such as Hungary, look at what is legal rather than at what is illegal. In its last instance, this particular methodology of legislative over regulation is determined by the tendency to establish absolute economic and social control through means of intricate policies rather than openly declared ideological program. In this process, the State becomes the “Absolute Corporation” merging capitalism and totalitarian rule based on a *de facto* one-party political system nourished and sustained by patriarchal post-politics.

### **IN CONCLUSION: THE PATRIARCHAL NARRATIVE REVISITED AND THE POST-POLITICAL POSTURING AS POLITICAL**

The rise of the far right and the rise of the far left in Europe can be explained as a response to the post-political. It is a sign of need for a true

<sup>27</sup> Attila Bátorfy, “How Viktor Orbán Channeled Tens of Billions of Forints to Lajos Simicska’s Media Empire.” *The Budapest Sentinel* (Budapest: 29 April 2015), available at <http://budapestsentinel.com/articles/how-viktor-orban-channeled-tens-of-billions-of-forints-to-lajos-simicskas-media-empire/>, accessed on 2 May 2015. Cf. Thus, the Hungarian state and several stakeholders of the Fidesz media portfolio started to make it function financially. The most important means of achieving this was channeling state advertisement funds to the friendly media outlets. Certain media agencies had a pivotal role in this development: IMG, Vivaki, Bell & Partners and Initiative Media (more on this later.)

political language, one of agonism and confrontation of opposing views which seeks to yield with a clear upper hand of one side of the rivalry. In spite of the possible plurality, the democratic requirement, insofar as fundamentally political, is an opposition along one line of confrontation. It therefore entails enmity which is the indispensable prerequisite for the political which is not technocratic. Of course, this is an argument in line with the project of “radical democracy” as presented by Ernesto Laclau and Chantal Mouffe.<sup>28</sup> Nonetheless, I would argue, it can be understood also as the solution to the technocratic reduction of politics to mere management, and that is something which Mouffe herself suggest in her book entitled *On the Political*.

The enmity is about constant confrontation of political vision and its definition is not psychological but structurally political (in other words, it is not about “hate” but rather about “power”). In order for the confronting sides to gain popular support and, thus, become sides and visions of society in mutual competition, they need to be recognized by society as relevant for it. In other words, they need to be recognized as tangibly relevant for the masses rather than as a self-sufficient automated system of technocracy or centrist politics detached from any political base. Management type of “governance”, as opposed to “government” is enabled by the principle of “consensual politics,” argues Mouffe.<sup>29</sup> “Consensual politics” blurs the differences between the interests of the represented groups and renders meaningless representative politics altogether.

“Consensual governance” reflects managerial approach and, hence, a disinterested automated technocracy in Brussels. Precisely the lack of agonism and representation enables the overwhelming perception of the EU administration as alienated from the realities of everyday life and the voting masses. This type of “post-ideological” politics is yet another ideology (that of neoliberalism and the “third way” of Anthony Giddens). Based on “expertise,” it seems to function as a cynically self-sufficient

<sup>28</sup> Ernesto Laclau and Chantal Mouffe, *Hegemony and Socialist Strategy: Towards a Radical Democratic Politics* (London: Verso, 2001).

<sup>29</sup> Chantal Mouffe, *On the Political* (London/New York: Routledge, 2005), 69.

universe which displays the arrogance of “knowing it better than the ordinary citizen” what that citizen needs or wants. “Expertise,” managerial competences and skills have replaced representative politics and, through that, politics altogether. Hence, the evident need in Europe to “radicalize politics.”<sup>30</sup> It is in fact a need to re-politicize and de-technocratize politics, which explains the unusual phenomenon of radical Left’s and radical Right’s “interchangeability.”<sup>31</sup> True, what they have in common is euro-skepticism but it is also true that their supporters point to “European technocracy” as the source of the ever-growing politico-economic crisis. The turn toward the nation-state is the logical response to the detrimental effects of “technocratic center.” Certainly, national politics is technocratic too, and I would not like to discuss the adequacy of the palliative measures of promulgating nation-state based policy solution. My point is that it is a symptom of the overwhelming dissatisfaction with the management type and technocracy based model of “governance” seen as detached from the voters. The turn toward more radical rhetoric, regardless of whether left or right, is the symptom of the general frustration with the principle of consensus and the indistinctiveness of political visions as the result of consensual politics.

The Eastern European totalitarianisms are seen as profoundly political insofar as they oppose the bureaucratic center of Europe. Nonetheless, domestically, as explained above, they are themselves post-political: the political *agon* is always already precluded, and the mechanisms of control, exploitation and abuse of power are established in the form of intricate policy mechanisms rather than overt politics. What compensates for the absence of any political substance is the bogus confrontation with the EU, which comes down to mere performative provocations while still complying with the policies dictated by Brussels. This simulation of spite against the “imperial center” bolsters national pride. The latter operates as an instance of the political while remaining politically sterile. Namely,

<sup>30</sup> Chantal Mouffe, *Ibid.* 64-71.

<sup>31</sup> Slavoj Žižek, Only a radicalised left can save Europe, *New Statesman* (25 June, 2014), <http://www.newstatesman.com/politics/2014/06/slavoj-i-ek-only-radicalised-left-can-save-europe>. Accessed on (04.05.2015)

contemporary nationalism in the countries of Eastern Europe, including both those aspiring to and those already part of the EU, does not provide a political channel for the building frustrations typical of the 21<sup>st</sup> century neoliberal capitalism.

The only narrative that assigns sense to the simulation of politics empty of political struggle is the patriarchal rendition of nationalism, as argued at the beginning of the paper. Clientelism has replaced political engagement and, hence, belief. The frustration of the lost horizon (of a desired social utopia) is compensated with religious eschatology materialized in the everyday reality of the post-socialist nuclear family. The eschatology in question compensates for the absence of political sense in a clientelist society. It also justifies the state-controlled capitalism in terms of patriarchal control and exploitation, one intended for the “children’s own good.”

The paradox of the syndrome of the abusive father is that the more there are reasons to doubt in their love for us, the more we seek for any sign of love, being satisfied with just the cramps of it. The only way out of this vicious circle is the dictate of the sheer instinct of survival. Namely, if one loses a job or a house or feels in constant danger of losing either of the two or both, the big narrative is bound to fall asunder. The “precariate” will have no other choice but to start demanding concrete solutions for concrete problems.

The discouraging aspect of this process is that it is very slow. In a totalitarian regime, Hannah Arendt explains, the ordinary men and women are more fanatical about an ideology than the ideologues themselves. They need the grand eschatological narrative as much as they need their bread. The only way out of this simulacrum is realism, in line with Hannah Arendt’s account of totalitarianism as a fabrication of a superior reality than reality itself. It is indeed a paradox but it is a paradox which provides the fundament of totalitarianism: it is a world of an absolutist pretension toward consistency, or rather toward the absolute consistency which will seem more perfect than the reality itself. On the other hand, reality prop-

er is inconsistent or at least the commonsensical mind fails to grasp its consistency - it is “contradictory,” it “does not make sense” (e.g., “why is there injustice in the world?”, “why do good people or young people die?”, “why is there death and suffering?”) This has been the source of religion as it has been of totalitarianism or of any absolutist account of reality.

Before they seize power and establish a world according to their doctrines, totalitarian movements conjure up a lying world of consistency which is more adequate to the needs of the human mind than reality itself; in which, through sheer imagination, uprooted masses can feel at home and are spared the never-ending shocks which real life and real experiences deal to human beings and their expectations. The force possessed by totalitarian propaganda before the movements have the power to drop iron curtains to prevent anyone’s disturbing, by the slightest reality, the gruesome quiet of an entirely imaginary world lies in its ability to shut the masses off from the real world. The only signs which the real world still offers to the understanding of the unintegrated and disintegrating masses whom every new stroke of ill luck makes more gullible are, so to speak, its lacunae, the questions it does not care to discuss publicly, or the rumors it does not dare to contradict because they hit, although in an exaggerated and deformed way, some sore spot<sup>32</sup>

If we accept Arendt’s interpretation as accurate, then the form of resistance should be some sort of realism. One should be looking at the lacunae of the allegedly perfectly consistent narrative. One of those lacunae is the very suffering of the jobless and precarious life. At one point the lacunae themselves will become ever more porous and the narrative of Nation’s omnipotence ever more meaningless and debilitated to compensate for “the gulf between reality and fiction.” Just as a *farmakon*, the once lost realism can become the only solution to the problem which is that of the illusionism of a totalitarian state.

<sup>32</sup> Hannah Arendt, *The Origins of Totalitarianism*. New York: Harcourt, 1951, pg. 353

## POSSIBLE FORMS OF RESISTANCE

To advocate “a realist solution” seems like a metaphysical pursuit. Indeed, debating what is real and what is realism is not a subject of a political debate on the issue of contemporary totalitarian regimes in Eastern Europe. And this is not what I am advocating here. Rather, what I would propose is combating the discursive hegemony of the paternalist and patriarchal fiction about the society and its economy. The “realist” way to do it, I would argue, to expose the concreteness of the techniques of control, rule, exploitation and legalized corruption. That would mean focusing on the policies and the mechanisms of their application for the purposes of drawing conclusions understandable to the general public. Evidence ought to be in place as much as its analysis. Nonetheless, both evidence and analysis can be rigorously presented without being too technical in contents and too obscure in language thanks to the use of expert jargon.



