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To cite this article: Michael Blauburger & Ulrich Sedelmeier (21 Feb 2024): Sanctioning democratic backsliding in the European Union: transnational salience, negative intergovernmental spillover, and policy change, Journal of European Public Policy, DOI: [10.1080/13501763.2024.2318483](https://doi.org/10.1080/13501763.2024.2318483)

To link to this article: <https://doi.org/10.1080/13501763.2024.2318483>



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Published online: 21 Feb 2024.



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Sanctioning democratic backsliding in the European Union: transnational salience, negative intergovernmental spillover, and policy change

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ABSTRACT



In 2021, the European Union (EU) started to use material sanctions to punish democratic backsliding in Hungary and Poland. This policy change presents a puzzle for the existing literatures on international responses to backsliding. We theorise two distinctive processes that can account for why EU policy changed from inaction to enforcement. First, once the issue of backsliding in a member state has attained public salience across the other member states, their mainstream parties face domestic electoral incentives to support sanctions against illiberal governments abroad. Second, once backsliding governments also disrupt intergovernmental policy cooperation and threaten common policies at the EU level, even those actors who had been reluctant to defend EU values become more inclined to use sanctions. We demonstrate the plausibility of our explanation with evidence, first, of the increasing public and electoral salience of backsliding in other EU member states, and second, of the occurrence of a negative intergovernmental spillover through increasing attacks by backsliding member state governments against common policies.

ARTICLE HISTORY Received 31 July 2023; Accepted 8 February 2024

KEYWORDS Democratic backsliding; enforcement; party politics; rule of law; salience; sanctions

Introduction

The policy of the European Union (EU) on enforcing democratic standards in its member states has undergone a significant change. Although Hungary and Poland have experienced dramatic democratic backsliding since 2010 and 2015 respectively, the EU's initial policy has been a '(non-)response' (Emmons & Pavone, 2021, p. 1611), characterised by 'EU inaction' (Pech &

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Scheppele, 2017) and an ‘unexpectedly low sanctioning record’ (Closa, 2021, p. 501). By contrast, from late 2020, EU policy has shifted towards punishing democratic backsliding in Hungary and Poland through material sanctions. The Council adopted a new budget conditionality regulation in December 2020 and applied it against Hungary in December 2022, effectively freezing €6.3 bn of cohesion funding. In addition, the Commission withheld over €130 bn of EU funds for Poland and Hungary (although it released a portion of €10 bn for Hungary in December 2023) based on conditionality clauses in the EU’s Rescue and Recovery Facility and the Common Provisions Regulation (Scheppele & Morijn, 2023). As we elaborate below, both the more general literature on the use of sanctions by Regional Organisations (ROs) against member states that breach democratic rules and the specific literature on backsliding in the EU have difficulties to account for why the EU, or ROs more generally, change their approach towards a given backsliding target country over time.¹

Against this background, our contribution is twofold. First, we substantiate our claim that a policy change has occurred empirically by mapping the evolution of the EU’s responses to democratic backsliding in Hungary and Poland. While we cover all major EU political institutions, our main focus is on member state governments in the Council as the key actors to understanding overall EU policy change. Secondly, we make an original contribution to the literature on ROs’ responses to backsliding among their members by providing a theoretically-informed explanation for the EU’s policy change, which the existing literature has difficulties to explain. We theorise two distinctive processes – a transnationalisation of the backsliding crisis and a negative intergovernmental spillover from the backsliding crisis – that galvanised support for EU sanctions even among political actors initially reluctant to act against democratic backsliding.² Transnationalisation occurred through an increasing public salience of backsliding across member states. In turn, the increased domestic salience of backsliding created electoral incentives among competing mainstream parties to distance themselves from backsliding governments abroad by supporting EU sanctions. A negative intergovernmental spillover resulted from increasing disruptions of EU policy cooperation by illiberal governments. Once member state backsliding was perceived to threaten not only EU values, but also core EU policies, even previously reluctant actors at the EU level became willing to support the use of sanctions. In sum, the combined effect of transnationalisation and negative intergovernmental spillover changed the incentive structures at the domestic and EU levels, which tipped the scales towards a stronger EU response against democratic backsliding.

The paper is structured as follows: the next section discusses the limitations of the existing literature and elaborates our theoretical framework with regard to the changing domestic and EU-level incentives faced by governments and EU institutions. Subsequently, we substantiate the claim of a

change in EU policy, before turning to the empirical analysis of the two strands of argument of our explanation for policy change. First, we present the results of a newspaper search across the largest Western European member states (Germany, France, Italy, Spain, the Netherlands). This analysis supports our argument about increasing transnational public salience of democratic backsliding, which has created electoral incentives for mainstream parties to support EU-level sanctions. Secondly, we corroborate our claim about the negative intergovernmental spillover from the backsliding crisis by providing evidence of increasing attacks by backsliding member state governments against common EU policies. We show that such policy disruption led to their isolation at the EU level and prompted calls for more decisive EU action against backsliding. The concluding section discusses the ambiguous implications of our findings for the prospects of EU action countering member state backsliding.

Theoretical framework

Two distinctive bodies of literature are highly relevant for EU responses to backsliding, but both find it challenging to account for policy change from inaction to enforcement. In this section, we first identify limitations of the existing literature and then develop our two-part analytical framework. It complements existing static approaches by theorising two dynamic processes to account for the EU's policy change: an increase of public salience leading to a transnationalisation of the backsliding crisis as well as a negative intergovernmental spillover from the backsliding crisis to core EU policies.

Limits of the existing literature

The case of policy change regarding the EU's response to backsliding in Hungary and Poland presents a puzzle to the broader literature on sanctioning democratic backsliding in ROs. As contributions to this literature typically focus on explanatory factors that remain constant, they have difficulties to explain why a given RO may change its policy towards a target country. For example, a key explanation focuses on target state characteristics. ROs are less likely to punish member states for breaching democratic rules when they are powerful, especially when they are resource-rich (Donno, 2010; Palestini, 2021; von Borzyskowski & Vabulas, 2019). Yet while this explanation captures variation across target countries, it is ill-suited to explain policy change towards the same country over time. Similarly, a complementary prominent explanation centres on the institutional design of an RO, such as its voting rules for the use of sanctions (von Borzyskowski & Vabulas, 2019) or the access of non-state actors to the RO (Hawkins, 2008). Again, such differences in institutional design can explain variation in the use of sanctions across

international institutions, but they are unsuitable to explain variation within the same institution, and, by extension changes over time within a given institution.

The existing literature that has focused specifically on EU responses to backsliding in Hungary and Poland also struggles to explain the change in EU policy. To the extent that this literature has endeavoured to explain why the EU has largely remained passive in the face of backsliding, it has focused on identifying obstacles to EU enforcement action, such as governments' general aversion against EU interference in domestic political systems (e.g., Closa, 2021), partisan ties between backsliding governments and other member state governments and political groups in the European Parliament (Herman *et al.*, 2021; Kelemen, 2017; Meijers & van der Veer, 2019; Sedelmeier, 2014), or the Commission's general preference for dialogue over confrontation and its anticipation of a (lack of) support for sanctions in the Council (e.g., Closa, 2019). Yet this focus on obstacles to sanctioning leaves this literature ill-equipped when it comes to explaining change, as these obstacles typically persist.³ Even more recent contributions to this literature that observe a policy change remain incomplete: Priebus and Anders (2023) interpret the establishment of EU budget conditionality as a process of supranationalisation, which had been already previously advocated by the EU's supranational institutions but only became possible due to a 'marginalisation of sovereigntist positions in the Council' (Priebus & Anders, 2023, p. 12) – prompting the follow-up question, however, what led to this shift within the Council in the first place. Hernández and Closa (2023) focus mostly on the Commission rather than the Council and they have difficulties to explain why EU policy actually started to change prior to the Russian invasion of Ukraine and why Poland has become a target of EU sanctions.

Importantly, existing accounts of the EU's responses to member state backsliding do not deny that some actors across the EU's main institutions – who could be considered principled defenders of EU fundamental values – had long advocated stricter EU enforcement against backsliding. However, until 2020, these actors had been too weak to forge a sufficiently large majority for a collective agreement on the EU's use of material sanctions. An explanation of policy change thus needs to account for the shift in the position of those actors – primarily among the member state governments – who had been reluctant to agree to measures in the defence of EU fundamental values as for them the material disincentives to use sanctions initially trumped normative considerations. In the following, we start from the assumption that EU actors (and member state governments in particular) consider both domestic electoral incentives and intergovernmental costs and benefits when deciding whether to use sanctions against backsliding. We theorise two distinctive processes that increase the costs of inaction,

and the benefits of using sanctions, in response to backsliding: an increasing transnationalisation of the democratic backsliding crisis and a negative inter-governmental spillover to common EU policies.

Transnationalisation: public salience and domestic party politics

Domestic threats from illiberal challenger parties

The first part of our framework builds on two strands of literature that allow us to identify domestic party-political motives to counter democratic backsliding abroad. The literature on the creation of sanctioning mechanisms for the defence of democracy in international institutions suggests that governments that face a greater domestic threat to democracy are more likely to support the delegation of enforcement tasks to protect democracy and human rights in the member states (Hafner-Burton *et al.*, 2015; Moravcsik, 2000). These governments support enforcement powers for international institutions as a constraint on the ability of potential future illiberal governments to roll back democracy. The same logic can be applied to the use of sanctions against illiberal governments abroad: the actual use of sanctions in cases of backsliding elsewhere signals to domestic illiberal challengers the credibility of the threat of EU sanctions. The enhanced credibility of sanctions increases their effectiveness as a deterrent for domestic illiberal rivals to engage in backsliding after winning office.

A related strand of literature also focuses on sanctions as domestic political signalling, but identifies intra-party rivals as addressees (Merlingen *et al.*, 2001). The electoral success of (populist) radical right parties (PRR) has divided mainstream centre-right parties over whether to isolate PRR parties or to strategically cooperate with them. In such a context, using sanctions against illiberal governments abroad can send a powerful signal to intra-party opponents at home that cooperation with illiberal parties will become prohibitively costly since it will not be tolerated by the EU.

Both strands of literature suggest that the *strength of the domestic threat from illiberal challenger parties* is a key determinant of EU sanctions. The increasing electoral support for PRR parties in the EU could then explain why some mainstream government parties have become more inclined to support the use of sanctions against backsliding governments. However, this account cannot explain why some governing parties had long opposed sanctions despite a steadily increasing vote share for PRR parties and only changed their position recently.

Public salience and electoral competition between mainstream parties

Our theoretical framework expands on the existing literature on sanctions as domestic signals by suggesting that sanctions are not only motivated by the success of, and targeted at, domestic illiberal challenger parties. Sanctions can also be used as signals to the domestic electorate, aiming at generating

electoral benefits in the competition between mainstream parties. Rather than the strength of illiberal challenger parties, the *increasing public salience of backsliding* is key to understanding why some mainstream parties shifted their position towards supporting EU sanctions.

Once national publics have become aware of backsliding abroad and disapprove of foreign illiberal governments, national parties face different electoral incentives to support EU sanctions. Public attention should be particularly perilous for parties that entertain close relations with backsliding governments. If the issue has reached sufficient transnational public salience and illiberal government representatives have become toxic in the eyes of domestic voters, these parties have to fear electoral punishment. Supporting EU sanctions may be an effective way for them to credibly disassociate themselves from backsliders abroad. Crucially, the threat of electoral punishment is not limited to PRR challenger parties that are ideologically close to illiberal governments abroad. It also affects – and arguably even more so – mainstream parties maintaining cordial relations with these governments. Once such an association is perceived as an electoral liability, centre-right parties that initially opposed sanctions to protect their partisan allies abroad may reverse their position and start to support the use of sanctions in order to distance themselves from former allies that have become toxic.

Furthermore, some mainstream parties may have positive electoral incentives to support sanctions against illiberal governments abroad. First, voters who do not share the values of illiberal governments and consider their practices normatively unacceptable, may reward government parties who take decisive actions against them. Second, sanctions may also be used instrumentally by governments to curry favour with domestic publics that are predisposed against certain other member states. As the EU engages in significant redistribution to poorer member states, segments of the public in richer member states may welcome measures to cut financial transfers to member states that they consider as undeserving. Governments can then increase their approval if they are seen to take a tough stance with regard to how taxpayers' money is used. Negative attitudes towards eastern enlargements among the public in the older member states, and the link between democratic backsliding and the misuse of EU funds (Kelemen, 2020) can make corrupt, illiberal eastern European member states particularly popular targets of sanctions.

Importantly, our argument does not presuppose that backsliding abroad is considered the most salient political issue to matter for mainstream parties and voters domestically. Research has shown that voters often prioritise their policy preferences over democratic principles and, therefore, their role in safeguarding democracy should not be overestimated (Graham & Svobik, 2020). Nevertheless, even a small fraction of voters willing to punish cooperation with backsliders abroad may be considered an unnecessary

risk by such parties. The greater the issue's salience, thus, the greater the incentives for former allies to distance themselves from backsliding governments in order to reduce electoral vulnerabilities. Indeed, based on a survey experiment in Germany and Italy, Kelemen *et al.* (2023) show that voters are willing to punish parties cooperating with illiberal extremists. Even more importantly, they find that voters equally disapprove of party cooperation with extremist parties at the domestic and the EU level – under one condition: awareness of such party cooperation in the first place.

In sum, once democratic backsliding has become transnationally salient, the electoral incentives for mainstream parties to support sanctions against illiberal governments abroad increase – either to minimise electoral vulnerabilities or to obtain electoral rewards – making the use of EU sanctions more likely.

Negative intergovernmental spillover

Backsliding as a threat to EU values

The second strand of our theoretical framework focuses on how different types of threats that illiberal governments can pose at the intergovernmental level create incentives for EU actors to sanction backsliding. Our point of departure are constructivist arguments that suggest that democratic international communities are likely to counter threats to their core values. International organisations that are composed of democracies, and consider democracy one of their shared core values, form international communities of democratic values (Risse-Kappen, 1996). If the values that constitute its collective identity come under threat, we should expect the international organisation to defend them as they define an 'in-group' of fellow liberals and an illiberal 'out-group' that can no longer benefit from the presumption of amity (see also Doyle, 1986, p. 1161). Moreover, the community ethos of a democratic international organisation also increases the legitimacy of calls for measures to defend shared values, which makes it difficult for member states that profess adherence to these values to oppose such measures (Rittberger & Schimmelfennig, 2006).

This perspective may well explain the sustained advocacy of sanctions against Hungary and Poland by some actors within EU institutions and among EU governments. Yet, to explain why previously hesitant EU-level actors, especially in the Council, started to support policy change only from 2020, we need an additional explanation.

Backsliding as a threat to core EU policies

The EU's broad functional scope plays an important role in facilitating further integration, e.g., by allowing 'package deals' (Peters, 1997), but it also creates disincentives for EU institutions and member states to enforce EU values

against backsliding governments. Sanctioning a member state entails costs for collective policy-making. Confrontation about EU values puts at risk the cooperative behaviour of the target government and can disrupt decision-making elsewhere. Indeed, backsliding governments repeatedly appealed to their peers in the Council not to jeopardise intergovernmental cooperation through supporting enforcement of EU fundamental values (Emmons & Pavone, 2021, p. 1617). Along similar lines, Kelemen (2017) draws parallels between the historical tolerance towards state-level illiberalism in the US and the unwillingness of the EU to use sanctions against backsliding. Thus, as long as backsliding governments do not directly threaten common policies, other member state government may consider the policy costs of sanctioning backsliding as prohibitively high and therefore tolerate violations of core values.

By contrast, even those EU leaders less committed to the protection of democracy become more likely to act against backsliding governments once these governments are also perceived as a threat to core EU policies. Illiberal governments are likely to undermine or attempt to dismantle existing policies, or obstruct new policies, that clash with their values (see also Copelovitch *et al.*, 2020). Moreover, the EU's broad issue scope also enhances the risk that illiberal governments engage in 'hostage-taking,' in which they obstruct agreement on unrelated policies in order to obtain bargaining leverage. The analysis by Winzen (2023) suggests that the Hungarian and Polish governments were conscious of the dangers of a backlash if they threatened EU policy, and have long been cautious to target their opposition at the EU level selectively at 'backsliding-inhibiting competences.' More recently however, they have abandoned their caution and have come to upset also other common policies. For EU institutions and the other member state governments, the costs that such actions pose to core EU policies then outweigh the costs for collective policies resulting from the imposition of sanctions. If backsliding, thus, spills over into intergovernmental policy-making, then there are strong incentives to use sanctions to reign in illiberal governments, or even to by-pass or exclude them, to reduce their disruptive potential.

In sum, in view of the EU's broad functional scope, member state governments and institutional actors are mindful of the policy costs of enforcing common values. While some institutions and governments may be strongly committed to liberal values and be prepared to incur such costs, others are only willing to do so if backsliding governments also threaten to undermine common policies. Collective agreement on EU sanctions then becomes more likely when backsliding also turns into a threat to core EU policies.

The simultaneous rise of transnational salience and negative intergovernmental spillover

Our theoretical framework identifies two complementary, yet distinctive processes that each creates conditions that are conducive to a collective agreement on sanctions. The transnational salience of backsliding that creates domestic electoral incentives and the intergovernmental spillover of backsliding that threatens core EU policies complement each other. In our empirical analysis, we demonstrate that both processes occurred simultaneously in the case of backsliding in Hungary and Poland. This does not always have to be the case as both processes follow distinct logics: there is no causal link or necessary sequence. This has implications for the scope of our argument and our empirical strategy.

First, our explanation of policy change may be over-determined for this specific case. [Table 1](#) depicts that there are four possible constellations of our explanatory mechanisms. Our empirical case captures only two: a shift from constellation (I), in which the conditions with regard to both mechanisms are unfavourable, to constellation (IV), in which both are favourable. Yet we are unable to analyse constellations (II) and (III) empirically, in which the conditions are only conducive for one mechanism to occur. In other words, the empirical reality of this case does not allow us to test whether both mechanisms are necessary. Counterfactual arguments about whether sanctions on Poland and Hungary would have been agreed either without transnational salience or without negative intergovernmental spillover are not straightforward. Ultimately, whether an agreement on sanctions would occur in either of these mixed constellations remains an open empirical question for further research.⁴ A cautious interpretation is therefore that the two mechanisms are jointly sufficient: an agreement on using sanctions requires favourable conditions regarding both electoral salience and intergovernmental spillover.

Second, the effects of the two processes can be expected to vary across different EU institutions. The Council and the Commission should be particularly sensitive to the costs of intergovernmental spillover. By contrast, the electoral incentive mechanism should be particularly pertinent for member state governments in the Council, as well as for the EP, but not (directly) for the Commission. Taken together, EU action is likely to be moderate, but potentially incoherent across different institutions in the mixed constellations (II) and (III). Even though we cannot test this empirically

Table 1. Constellations of explanatory mechanisms for EU sanctions.

		Public salience	
		Low	High
Negative spillover	Low	(I) weak EU action	(II) ? (moderate EU action)
	High	(III) ? (moderate EU action)	(IV) stronger EU action

with our case, a plausible theoretical expectation is that the EP pushes for stronger EU action even without intergovernmental spillover (II), whereas the Commission's willingness to act more strongly is less affected than the two other institutions in the absence of transnational salience.

Finally, the implication for our empirical strategy is that we focus on demonstrating that policy change occurred once transnational salience and negative intergovernmental spill-over had attained a sufficient level. While it is difficult to quantify, and pinpoint an exact tipping point for such a sufficient level, our empirical analysis will identify wherever possible causal links between increases in transnational salience and intergovernmental spillover on the one hand, and shifts in actor positions and increasing support for sanctions on the other.

Mapping EU policy change towards sanctions

In this section, we contrast the EU's initial (non-)responses to member state democratic backsliding, broadly from 2010 to 2020, with its changed policy since 2021, entailing the use of material sanctions to enforce the Rule of Law (RoL). We map the positions and behaviour of the EU's key political institutions both with respect to pre-existing and new instruments against democratic backsliding (summarised in [Table 2](#)). We begin with the EU Council, which is the institution for which policy change is most noticeable, and for which both of our explanatory mechanisms are most directly applicable. It is also the institution in which a change of preferences is both directly consequential for EU policy, as well as indirectly for the Commission's enforcement action, which anticipates the likelihood of support in the Council (Closa, 2019; Kelemen & Pavone, 2023).

The Council of the EU

Among the EU institutions, the EU Council, representing the member state governments, attracted the most criticism for doing too little to protect EU fundamental values (Oliver & Stefanelli, 2016). The Council failed to make use of the EU's main sanctioning instrument, predating the onset of backsliding in Hungary and Poland, namely Article 7 of the EU Treaty (TEU). Article 7(2) entails sanctions for EU member states that breach EU fundamental values. The Council, however, did not even activate Article 7(1), which has a lower voting threshold and identifies a mere 'risk' rather than an actual breach of EU fundamental values. After the activation of Article 7(1) by the Commission against Poland and by the EP against Hungary, the Council only held several inconclusive hearings which mainly allowed the Polish and Hungarian governments to present their perspectives rather than amounting to a substantive discussion or 'trial' (Priebus, 2022). Furthermore, the Council also actively

Table 2. Policy change across EU institutions.

Institution	Phase 1: Initial (non-)responses	Phase 2: More decisive enforcement
Council	Dec. 2014: Launch of RoL dialogue	Dec. 2020: Adoption of budget conditionality regulation
	Inconclusive deliberations on Art. 7(1) against Poland (since Jun. 2018) and Hungary (since Sep. 2019) Legal service objections to RoL Framework (May 2014) and budget conditionality (Oct. 2018)	Dec. 2022: Decision to freeze €6.3bn of cohesion funding to Hungary
Commission	Mar. 2013: Launch of EU Justice Scoreboard	May 2018: Proposal for a RoL budget conditionality
	Mar. 2014: Adoption of RoL Framework (Jan. 2016: activation against Poland)	Mar. 2021: Request for daily fines against Poland (Oct. 2021: fines of €1mio/day imposed by the Court)
	Dec. 2017: Activation of Article 7(1) TEU against Poland	Apr. 2022: Activation of RoL budget conditionality regulation (Nov. 2022: proposal to freeze €7.5bn of EU funding for Hungary)
	Sep. 2020: Publication of first EU Annual RoL Report	Withholding of EU funds for Poland and Hungary from the Recovery and Resilience Facility (RRF) since 2021
	Limited and ineffective infringement action against Hungary	Withholding of EU funds under the Common Provisions Regulation (CPR) for Poland and Hungary since 2022
European Parliament	Jul. 2013: Tavares report	Mar. 2019: EPP suspends Fidesz membership
	Various resolutions on Hungary (without EPP support) and Poland	Mar 2021: EPP terminates Fidesz membership
	Sep. 2018: Activation of Article 7(1) TEU against Hungary	

undermined initiatives by other institutions to create new EU instruments against backsliding. When the Commission proposed a ‘Framework to Strengthen the Rule of Law’ in 2014, the Council’s legal service questioned the Commission’s competence to do so, and established its own Rule of Law Dialogue as a far weaker alternative (Oliver & Stefanelli, 2016; Sedelmeier, 2017). Importantly, the Council’s inaction was not accepted equally by all member governments, as could be seen e.g., from open letters calling for greater EU resolve by four governments⁵ in 2013 and 17 governments⁶ in 2021. As a case in point, when the Commission first proposed a new tool of RoL budget conditionality in 2018, a minority of governments expressed their support (European Commission, 2019), but a majority remained silent or even dismissive, and the Council’s legal service questioned its legality (Scheppele *et al.*, 2018).

In striking contrast to this initial reluctance, the Council approved the RoL budget conditionality in December 2020. The final agreement watered down some aspects of the Commission’s proposal by requiring a qualified majority in the Council to approve (rather than to reject) a proposed freezing of funds, and by tying sanctions more narrowly to the misuse of EU funds (instead of rule of law deficiencies more generally). Still, the new budget conditionality

was adopted by the Council despite threats by the Polish and Hungarian governments to block the EU's multiannual budget. Even more importantly, in December 2022, the Council passed the test of its new resolve by approving the Commission's first application of the new conditionality mechanism against Hungary. The Council's decision to freeze €6.3bn of funding entailed a slightly lower amount than the €7.5bn that the Commission had proposed, but this was a 'relatively minor concession to Hungary.'⁷

The European Commission

We can also observe a policy change in the position of the European Commission. The Commission was heavily criticised for not using existing sanctioning tools (e.g., Emmons & Pavone, 2021; Kelemen, 2017; Kochenov & Pech, 2016; Pech & Scheppele, 2017). Instead of sanctions, it emphasised dialogue with backsliding governments, partly anticipating a lack of support in the Council for enforcement action (Closa, 2019). It did not activate Article 7(1) against Hungary (although it eventually did so against Poland in December 2017); and while it used the EU's standard compliance mechanism (infringement procedures based on Articles 258 and 260 TFEU) for specific RoL breaches, this tool proved too slow and too selective to address the underlying systemic problems (Kochenov & Pech, 2016, p. 1065). Apart from its limited use of existing instruments, the Commission's approach mainly consisted of establishing new procedural instruments, emphasising engagement rather than creating new types of sanctions. The main example of such procedural innovation is the Commission's creation of a 'Rule of Law Framework' in 2014. The RoL framework aims to engage a member state in a dialogue, and for the Commission to trigger Article 7 TEU only if this engagement does not lead to the necessary changes (see e.g., Kochenov & Pech, 2016, pp. 1066–1067; Sedelmeier, 2017, pp. 345–346). The framework has been criticised for delaying the use of timely enforcement action by focusing overly on engagement despite the limited scope for success when faced with a determined illiberal regime (Kochenov & Pech, 2016). Other examples of procedural instruments include the EU Justice Scoreboard, which evaluates the efficiency of national judicial institutions (see e.g., Sedelmeier, 2017, pp. 346–347) and the Commission's annual RoL Report, first issued in September 2020. These instruments address calls for comprehensive monitoring of RoL issues across all member states, but, arguably, the Commission's desire to appear even-handed and to avoid shaming individual member states, has resulted in greater harm than good (Pech, 2020) by relativising the seriousness of the problems posed by illiberal governments.

By contrast, in the second phase, we observe a change in the behaviour of the Commission regarding both the use of pre-existing sanctions instruments and the creation of new enforcement tools entailing material sanctions. As to the former, the Commission could draw on important case law of the Court of

Justice of the EU (CJEU) regarding the independence of member state judiciaries (Ovádek, 2023) to use infringement procedures more effectively against RoL violations. In September 2021, following a Commission request for interim measures seeking to restore the independence of the Polish judiciary, the Court ordered Poland to pay a daily fine of €1 mio for its failure to comply. This case presents the first time that demands for RoL reforms were backed by significant financial sanctions. As to new sanctioning tools, the Commission's budget conditionality proposal in 2018 (Blauberger & van Hüllen, 2021) aimed at greatly facilitating the use of financial penalties against RoL breaches. After the Council finally agreed the RoL budget conditionality in December 2020 and the Court rejected legal challenges by Poland and Hungary in February 2022, the Commission launched the procedure against Hungary in May 2022, which led to the freezing of €6.3 bn of EU funds for Hungary in December 2022. Furthermore, empowered by the Council's backing on budget conditionality (Scheppele & Morijn, 2023, p. 31), the Commission has delayed, since summer 2021, the disbursement of funds from the EU's Covid-19 recovery fund to both Hungary (€5.8 bn) and Poland (€36 bn). It eventually approved Poland's recovery plan in June 2022 and Hungary's in December 2022, but it has so far refused to make any payments without fulfilment of specific rule-of-law milestones, such as concerning judicial independence in the case of Poland. Along similar lines, the Commission also withheld EU funds from Poland and Hungary for the 2021–2027 budget period under the Common Provisions Regulation – amounting to €76.5 bn for Poland and to €22 bn for Hungary (largely including the funds already suspended under the Conditionality regulation) and, thus, affecting a much larger slice of funding than the amount already frozen under the RoL budget conditionality (Detre *et al.*, 2023; Scheppele & Morijn, 2023).

The European Parliament

The EP has been the EU institution at the forefront of advocating the full use of existing instruments and the creation of new instruments against backsliding governments (Blauberger & van Hüllen, 2021; Scheppele, 2013). This generally strong support for the use of sanctions notwithstanding, we can note a change even in the behaviour of the EP in one crucial respect: the relationship between the strongest political group in the EP, the conservative European People's Party (EPP), and its long-time member Fidesz, the party of Hungarian PM Orbán. Due to the EPP's protection for Fidesz (Herman *et al.*, 2021; Kelemen, 2017), the EP has struggled to take an unambivalent position towards Hungary since its first resolution on backsliding in 2013. EPP support for Fidesz eroded very slowly with a majority of EPP members supporting the activation of Article 7(1) against Hungary in 2018. Arguably, the

EP's activation of Article 7(1) against Hungary (and by the Commission against Poland) already signalled a change towards stricter enforcement of EU values during phase 1 of the EU's policy towards backsliding. We still consider these measures as part of the initial (non-)responses in [Table 2](#) above, as they remained largely inconsequential given the lack of Council backing.

More consequential was the EPP's (reluctant) split from Fidesz. In 2019, both sides agreed on a temporary suspension of Fidesz's EPP membership, to keep the issue off the agenda for the impending European elections. In March 2021, however, a sufficiently large number of EPP member parties supported the adoption of new internal rules for expulsion and suspension – opposed by Fidesz – which led Fidesz to announce its withdrawal. In sum, even in this institution that most consistently supported EU sanctions against democratic backsliding, we observe a significant change towards a greater consensus on sanctions with regard to Hungary, owing primarily to a change in the position within the EPP.

Increasing public salience and domestic electoral incentives to sanction backsliding

The first part of our theoretical framework suggested that mainstream parties have an incentive to support EU sanctions against illiberal governments when backsliding has obtained transnational salience. To become transnationally salient, and thus to matter even for those political parties reluctant to defend democracy abroad, backsliding in other member states needs to attract both attention and disapproval. First, domestic publics need to be aware both of the decline of democracy abroad and that national politicians and parties entertain friendly relations with the government of the backsliding country. Secondly, significant parts of domestic publics need to disapprove of backsliding abroad and favour EU sanctions.

In this section, we demonstrate empirically that across EU member states, the public salience of backsliding in Hungary and Poland has indeed increased significantly since 2016 and has created electoral incentives to sanction backsliding abroad. To trace increasing public awareness, we present the results of a newspaper search across several EU member states. For evidence of public disapproval of backsliding, we draw on available public opinion surveys. We then illustrate the causal mechanism through which increased transnational salience of backsliding created electoral incentives even for reluctant defenders of democracy through the crucial case of the CSU in Germany.

We conducted the search for newspaper articles on the issue in quality newspapers from the five largest Western EU member states (Germany, France, Italy, Spain, the Netherlands) with Lexis/Nexis UK and Factiva.⁸ As depicted in [Figures 1](#) and [2](#), the absolute number of articles is strikingly

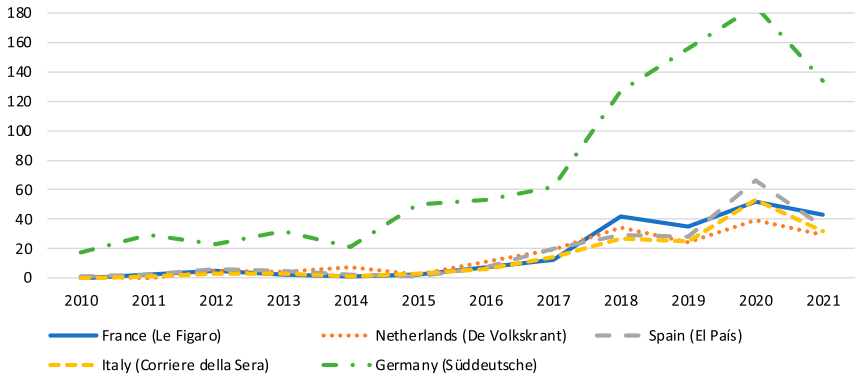


Figure 1. Newspaper articles on the Rule of Law in Hungary.

higher in Germany, but the relative increase in media attention is broadly similar across EU member states and regarding both Hungary and Poland. Until 2015, newspapers in other member states hardly covered rule of law backsliding, although Hungary had adopted a partisan constitution and started to undermine judicial independence from 2010. By contrast, we find a substantial increase from 2016; with a roughly ten-fold increase of relevant articles per year, compared to the first half of the decade.⁹ This trend does not simply mirror an increase in EU action. The sharp increase in salience precedes the EU’s use of enforcement actions and is therefore not simply driven by a reporting of these actions.

Crucially, there is not only evidence of increased media attention to backsliding, but also that the increased salience was associated with strong public disapproval of backsliding and support for EU sanctions. Public opinion data show that inaction towards backsliding countries was perceived as a problem. Various recent Eurobarometer surveys show support for EU action. Large majorities of member state populations considered rule of

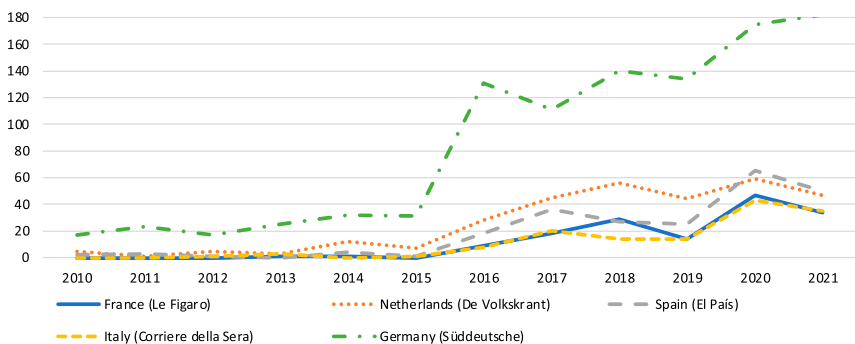


Figure 2. Newspaper articles on the Rule of Law in Poland.

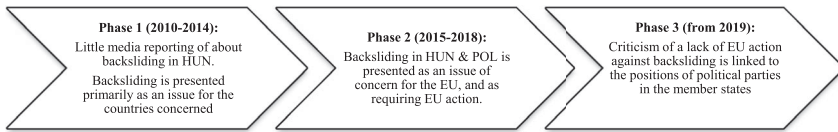


Figure 3. Phases of media reporting on backsliding.

law principles important (Eurobarometer, 2019). In a Flash Eurobarometer (2021), 81 per cent of all respondents agreed that EU funds should be conditional upon member state governments' respect for rule of law and democratic principles. Similarly, the EP's research service (EPRS, 2020) reports large numbers of citizens' messages advocating strict budget conditionality.

A qualitative reading of the articles allows us to disentangle three main steps towards transnational salience and the creation of electoral incentives (see Figure 3). First, in an initial phase until 2015, backsliding received generally little attention in the media of other EU member states. In the few instances in which it was covered at all, the issue was mainly treated as a domestic problem for Hungary.

Second, from 2015, after the PiS came to power in Poland, the number of articles on backsliding abroad started to grow, and increasingly included calls for a response from the EU. In the context of rising populism in Italy or France, articles no longer treated backsliding in Hungary and Poland simply as a foreign problem, but increasingly raised the question of how to counter those broader trends and challenges to European values. Towards the end of 2015 and throughout 2016 and 2017, numerous opinion pieces and letters to the editor called for EU action against democratic backsliding, suggesting e.g., that '[t]he EU is not only entitled to intervene in Poland - it has an obligation to do so.'¹⁰ However, only very few of these articles made a link between (the lack of) EU action and the positions that national political parties in other member states took on the issue.

In a third phase, starting broadly with the run-up to the 2019 EP elections, media attention further increased, and articles focused not only on EU responses to backsliding, but also on differences in the positions of national political parties on the issue. As these differences in party positions became a matter of domestic debate and electoral competition, pressure increased for centre-right parties to abandon their close ties to Fidesz, both at the European level for the EPP, and at the national level. Whereas the EPP manifesto for the 2014 European elections only mentioned the rule of law in relation to the fight against organised crime and to the EU's enlargement and neighbourhood policies (EPP, 2014, p. 12, 15–16), the EPP's manifesto in 2019 listed 'safeguard[ing] our democracy and our European values' as one of its top priorities (EPP, 2019, p. 5).

A key example of a mainstream party shifting its position to avoid electoral punishment is the case of the CSU in Germany, which had maintained a particularly close relationship with Orbán. As greater public salience increasingly rendered this relationship an electoral liability, it induced the party to distance itself by supporting sanctions.

Before newspaper reporting started to link backsliding and the need for an EU response, mainstream centre-right politicians maintained their close amical relations with Orbán and Fidesz. Various EPP politicians enthusiastically praised his ‘impressive electoral victory’ in the 2014 election.¹¹ The CSU’s manifesto for the European elections in 2014 did not mention rule of law protection at all and only referred to European values as ‘Christian’ in order to oppose further enlargement (CSU, 2014, p. 14).

During the second phase, when articles criticised the lack of EU action but did not focus on the positions of national political parties, the CSU continued to cultivate its close relationship and applauded Orbán for his tough anti-immigration stance during the EU’s refugee crisis. In September 2015, the CSU’s party leader, German Interior Minister Horst Seehofer, used the term ‘capitulation of the rule of law’ not to refer to backsliding in Hungary, but to criticise the refugee policy of the German government, to the applause of Orbán,¹² who was welcomed as a special guest to the party conference in the same month.¹³

In the third phase, the electoral salience of party positions on EU sanctions coincided with the nomination of the CSU’s Manfred Weber as the EPP’s leading candidate for the EP election. Weber’s continued support for Orbán became a focal point for criticism, both from within the EPP, e.g., by his rival for the nomination, Alexander Stubb, or by Commission President Jean-Claude Juncker, and from partisan rivals during the EP election campaign, like the *Spitzenkandidat* of the Social Democrats, Frans Timmermans. The number of *Süddeutsche Zeitung* articles mentioning the CSU and Viktor Orbán together peaked in 2018 and 2019.¹⁴ CSU candidates for the EP elections were persistently confronted with their party’s position on Hungary¹⁵ and other parties tried to capitalise on the issue by showing their distance to backsliding governments in Hungary and Poland.¹⁶ After Weber failed in an attempt to demonstrate his ability to reign in some of Orbán’s most visible controversial policies in February 2019, he started to distance himself, aware of the negative electoral consequences. He threatened Fidesz with expulsion from the EPP since Orbán’s crossing of his ‘red lines’ had ‘created a burden and damage’ to EPP member parties involved in national election campaigns, as in Finland, Belgium, and Spain.¹⁷ Although it still took the EPP until March 2021 to form a sufficient majority for an expulsion, Weber supported the EP resolution triggering Art. 7(1) against Hungary and announced that he would not accept a nomination as Commission president if this required him to rely on the votes of Fidesz. The CDU/CSU

manifesto for the European elections in 2019 called for the introduction of EU sanctions against member states violating European values such as the rule of law and even supported the Commission's original proposal for the budget conditionality that would have considerably lowered the voting threshold to adopt measures (CDU CSU, 2019, p. 19).

The Bavarian regional elections in October 2018 produced evidence of the electoral costs for the CSU of its long support for Fidesz and initial resistance to distance itself. The CSU obtained its worst result since 1950. Markus Söder, who became CSU leader in 2019, attributed this 'near-death experience' to an electoral campaign that had associated the party too closely to Viktor Orbán.¹⁸ Söder and other high-ranking party officials underlined that the lesson learned from the electoral costs of their relationship with Fidesz was the need to maintain a 'firewall' to right-wing populists and 'toxic persons' in other member states when they criticised Weber's support for Berlusconi's *Forza Italia* as part of a government coalition with the far-right *Fratelli d'Italia* and *Lega* after the Italian parliamentary election in 2022.¹⁹

The German case is not only a good illustration of how increasing public salience raised the electoral costs for mainstream parties supporting illiberal parties in other member states, but also that it increases the electoral incentives for their partisan rivals to politicise the issue domestically by advocating sanctions. Centre-left and centre-right opposition parties started to mobilise the issue to challenge the governing Christian Democrat (CDU/CSU)-led grand coalition through parliamentary questions around 2020. During the entire government term 2013–2017, only one parliamentary question (*Kleine Anfrage*) related to rule of law protection in the EU, submitted by the Left Party and focused specifically on Hungarian asylum policy, and one (rejected) motion, by the Green Party, calling for a strengthening of EU fundamental values.²⁰ By contrast, in 2020 alone, the German parliament dealt with three parliamentary questionnaires (two from the Liberal Democrats, one from the Left Party) and five motions on the issue (two from the Green Party, one from the Liberal Democrats, one from the governing parties, and one from the radical right AfD – the only motion opposing EU budget conditionality).²¹

Furthermore, we also find evidence of parties using a tougher stance against illiberalism for domestic electoral benefits by linking it to themes that resonate domestically with public concerns. Former Dutch prime minister Mark Rutte framed his advocacy of a strict RoL budget conditionality in terms of budgetary discipline and the fight against corruption. Domestic media commentary captures the link between his EU-level position and domestic electoral strategy:

Rutte is suddenly vehement about the rule of law. Until now, the Netherlands has been pointing the finger at 'those southern countries' that don't keep

their pants up. Now there is a new theme: the rule of law. Polls ... show that citizens in the 'frugal four countries' do not have problems with the multi-annual budget and the corona fund because there is too much money in it. No, their main concern is waste and corruption. Parliamentary debates on Europe will more often be about Hungary and Poland. With elections looming, Rutte is playing this register masterfully.²²

In sum, we find evidence of rising transnational salience of backsliding in the EU, which is strongly linked to increasing incentives for mainstream parties to support stronger EU action.

Increasing threat to core EU policies

Backsliding in Hungary and Poland has not only become a salient transnational public concern; it has also become increasingly perceived as a threat to EU policy-making at the intergovernmental level. With backsliding member states such as Hungary sitting at the table, EU decision-makers faced a trade-off between maintaining smooth intergovernmental cooperation at the EU level and acting against democratic backsliding, which risked antagonising the target governments. Initially, EU institutions largely opted for cooperation over confrontation: since Hungarian Prime Minister Orbán remained a reliable partner at the EU level, they tolerated that he dismantled checks and balances at home. Orbán's behaviour avoided upsetting this equilibrium. While he often used anti-EU language towards domestic audiences, he adopted much more conciliatory positions and rhetoric at the EU level. The complicity between Fidesz and the EPP in the European Parliament represented an extreme version of this tacit agreement, trading EPP protection for Fidesz loyalty (Kelemen, 2020; Wolkenstein, 2020).

From 2015, both the Hungarian and the Polish governments started to upset this equilibrium by disrupting EU decision-making on vital questions and challenging core EU policies. The most prominent case concerned the EU response to the 2015 refugee crisis. Hungary and Poland led the opposition against a relocation of refugees and the reform of EU migration policy more generally. According to János Kis (2015), it marked a turning point in Orbán's tactics at the EU level:

From 2010 until now, he had avoided conflicts with strong governments, did not interfere in their domestic policy, and did not cross their will on European issues ... [In response to the refugee crisis, however], Orbán has entered the stage of EU-level politics with the program and rhetoric of the extreme right. He is the first European politician who has attacked the dominant 'intellectual-ideological' consensus of the EU from a position of head of government.

In 2017, the Polish PiS government opposed the reappointment of Donald Tusk, who had been the leader of the Civic Platform, the main domestic rival of PiS, as President of the European Council. In early 2019, Fidesz

departed from its previous policy of avoiding open attacks on the EU in a poster campaign in Hungary directed against both George Soros and Commission President – and EPP politician – Jean-Claude Juncker. During the Covid-19 pandemic, Hungary and Poland delayed, and threatened to block, the adoption of the EU's multi-annual budget and the recovery fund in 2020 in order to extract concessions regarding the adoption of the RoL budget conditionality. By October 2021, Poland had 'become the EU's most rebellious member.'²³ A ruling by the Polish Constitutional Tribunal, filled with government loyalists, on a case brought by Prime Minister Morawiecki, challenged the supremacy of EU law; one of the fundamental principles of the EU legal order. While Poland has softened its position following Russia's invasion of Ukraine in February 2022, Hungary went into the opposite direction. The Hungarian government, which had been considered Russia's 'Trojan horse' inside the EU even before the invasion (Orenstein & Kelemen, 2017), repeatedly obstructed and weakened EU sanctions against Russia (Hernández & Closa, 2023). In December 2022, it threatened to block EU aid to Ukraine and an EU agreement on minimum corporate tax rates to prevent a loss of EU funding through the budget conditionality.

Even more alarmingly for the EU, the backsliding governments threatened core EU policies not only by obstructing decision-making individually, but by starting to build alliances to transform policy-making at the EU-level. Some of the coalition-building efforts focused on the Visegrád countries, which were united in their opposition to an EU mechanism for the relocation of asylum seekers (Braun, 2020, p. 9). Orbán has also supported like-minded politicians and potential allies at the EU-level, such as Janek Janša in Slovenia, partly through media controlled by Hungarian businessmen with close ties to Fidesz (Marusic, 2022). Such illiberal coalition-building is not limited to EU member states, but also includes candidate countries, most notably in the Western Balkans (Krekó & Envedi, 2018, p. 49). In a similar vein, Szczerbiak suggests that the PiS government in Poland was committed to transforming the EU into 'a looser confederation of European nation states. To this end, it aimed to build alternative power blocs to the 'European mainstream,' particularly among other post-communist countries.'²⁴

The link between concerns at the EU level about the disruptive role of Hungary and Poland and a more determined EU reaction is reflected in increasingly open criticism by other EU member state governments (Theuns, 2022, p. 14). When Luxemburg's foreign minister Asselborn called for Hungary's expulsion from the EU in 2016, he was isolated and criticised even by partisan allies such as German foreign minister Steinmeier.²⁵ The situation had changed completely by November 2020, when Poland and Hungary threatened to block agreement on the EU's budget and the Covid-19 fund to extract concessions regarding the rule of law conditionality (see also Priebus & Anders, 2023, p. 11). Other member states accused Hungary and Poland of

'blackmail' and holding the EU's budget 'hostage,' and raised the possibility of enhanced budgetary cooperation without them.²⁶ In October 2021, when the CJEU heard the legal challenges of Hungary and Poland against the budget conditionality, an extraordinary number of 10 other member state governments participated in the proceedings to defend the legislation. A court observer noted that the governments spoke 'without diplomatic filter' and that the Hungarian and Polish governments were 'isolated' (Moriijn, 2021). Similarly, in June 2021, 17 heads of government took the unusual step of signing a letter to the president of the European Council publicly condemning the Hungarian anti-LGBTQ legislation.²⁷

These exceptional instances of public criticism among EU governments reflect an increasing willingness to take measures against disruptive backsliding governments. They also reveal the extent to which obstructionist strategies at the EU level, and a preparedness to escalate RoL conflicts through a hostage taking of unrelated policies increased the isolation of Poland, and in particular Hungary, at the EU level. Hungary's undermining of EU responses to Russia's invasion of Ukraine even lost it its allies among the Visegrád countries, and notably Poland.²⁸ While the Polish and Hungarian governments had previously provided each other with legitimacy and protection against EU action (Holesch & Kyriazi, 2021), Orbán's support for Russia 'makes him radioactive and toxic for Polish politicians.' In the run-up to the Polish national elections in 2023, the PiS government could not 'pragmatically look away' since 'the majority [of Polish society] supports a rethinking of Hungarian relations.'²⁹ This last point underlines that electoral incentives to support EU sanctions may not only result from an increasing transnational salience of backsliding, but also from backsliding governments' obstruction of EU policies that are domestically salient in other member states.

In sum, while member state governments tended to tolerate the challenge of illiberal governments to core EU values, once these also started to threaten core EU policies, they have become increasingly isolated and other member state governments and EU institutions have become more determined to use sanctions against backsliding.

Conclusion

In this article, we asked why the EU shifted its policy towards stricter enforcement against democratic backsliding, including the use of material sanctions against Hungary and Poland. The existing literature struggles to explain this shift from engagement strategies and 'non-action' towards more confrontational enforcement activity through the use of financial sanctions.

We developed a two-part theoretical framework that identifies two distinctive mechanisms leading to shifts in the positions of the most reluctant –

party-political and EU institutional – defenders of democracy, which ultimately enabled EU policy change. The first part of our explanation focused on the domestic signals mainstream parties send to their electorate by supporting sanctions abroad. The greater the transnational salience of backsliding, the stronger the party-political incentives not only for parties clearly positioned against illiberalism to mobilise the issue, but even for former partisan allies to distance themselves from illiberal governments abroad. The second part of our explanation focused on the trade-off for EU actors between enforcing community values by sanctioning backsliding in member states and ensuring smooth policy cooperation. Only once the threat to EU values also turned into a threat to common EU policies did all EU institutions agree to engage in more decisive enforcement. The costs of policy obstruction from backsliding governments outweighed the costs of disruption caused by using sanctions against member states.

The implications of our findings for the prospects of countering EU member state democratic backsliding are mixed. On the one hand, democratic backsliding in Hungary and Poland has clearly attained a high level of transnational salience. There is reason for optimism that cooperation with illiberal parties abroad has become less attractive for mainstream parties and governments across the EU. Consequently, even if illiberal parties grow stronger, e.g., as a result of the European elections 2024 (Kelemen, 2024), mainstream parties continue to have a strong incentive to support EU sanctions in order to distinguish themselves on this salient issue. On the other hand, the use of enforcement action in defence of EU policies rather than EU values is ground for concern. First, it calls into question the credibility of the EU's commitment to its own fundamental values. It not only prioritises interests over values by tolerating illiberalism by cooperative governments; once sanctions are used, it allows illiberal governments to denounce them as illegitimate punishment for policy disagreement. Second, illiberal governments can evade censure by strategically steering clear of confrontation over policies (Winzen, 2023). Finally, it makes EU institutions vulnerable to blackmail by illiberal governments seeking to extract EU concessions on the rule of law in exchange for cooperation on policies. Further research will be needed to improve our understanding of the scope conditions, e.g., regarding timing, type of policy issue and negotiation strategies, under which obstruction by backsliding governments triggers stricter enforcement or forbearance on EU values. The Commission's decision to unblock €10 bn EU funds for Hungary just before the European Council's negotiations on support for Ukraine, overshadowed by veto threats of the Hungarian government, may have set a 'Faustian' precedent in December 2023 (Pavone, 2023; see also Kelemen, 2024). By contrast, European leaders may also have learned a lesson. As far as we know, the European Council's agreement on aid to Ukraine in January 2024 did not involve further concessions to Hungary,³⁰

its preparation involved a credible threat for the event of a non-agreement,³¹ and it minimised future veto options for the Hungarian government.

Notes

1. Whether EU sanctions have an impact on the target countries is a separate question, which is the focus of other contributions to this special issue.
2. The focus on processes both at the EU level and at the domestic level in (non-backsliding) member states also ties in well with the multi-level approach to analysing EU responses to democratic backsliding in this special issue.
3. Of course it could be argued that some of the explanatory factors that the existing literature focuses on have indeed changed, and hence can also explain the change in EU policy: e.g. the introduction of the budget conditionality mechanism lowered the voting threshold for an agreement on sanctions; the changing receptiveness in the Council for sanctions changed adaptive expectations in the Commission, and the expulsion/withdrawal of Fidesz from the EPP severed partisan ties. Yet such explanations easily become circular as they cannot explain what caused these changes. We claim that our explanation can explain these changes as well.
4. The constellations could also vary across different backsliding countries, e.g., with regard to the extent to which they threaten EU policies.
5. 'Brief aan de EC betreffende EU rechtsstatelijkheidsmechanisme,' Senate of the Dutch Parliament, 13 March 2013, online: www.eerstekamer.nl/eu/behandeling/20130313/brief_regering_aanbieding/info.
6. 'EU-Gipfel: Mehrheit gegen Viktor Orban,' Deutsche Welle, 24 June 2021.
7. 'Hungary unblocks EU stalemate,' Financial Times, 13 December 2022.
8. We used the following search terms: 'Rule of law' AND (Hungar* OR Orban OR Fidesz) for Hungary, and 'Rule of law' AND (Poland OR Kaczynski OR PiS) for Poland.
9. Our framework does not entail an explanation why transnational salience increased. A possible explanation is that major issues associated with backsliding from 2018, such as the de facto expulsion of the Central European University from Budapest, or restricting abortion or LGBTQ rights, had greater transnational appeal than complex arguments about constitutional and judicial reform.
10. 'Die Unsouveränen,' Süddeutsche Zeitung, 15 January 2016.
11. 'Vor einem neuen Alleingang,' Süddeutsche Zeitung, 8 April 2014.
12. 'Deutschland führt Grenzkontrollen ein,' Süddeutsche Zeitung, 14 September 2015.
13. 'Zu Gast bei Freunden,' Süddeutsche Zeitung, 24 September 2015.
14. A search conducted only for *Süddeutsche Zeitung* with Factiva, using the search combination 'CSU' and 'Orban,' obtained 92 articles for 2018 and 77 for 2019, compared to an average of 4 articles per year between 2010 and 2014.
15. 'Das ist schon eine Schicksalswahl,' Süddeutsche Zeitung, 21 May 2019.
16. 'SPD-Frau haut drauf,' Süddeutsche Zeitung, 7 March 2019.
17. 'Manfred Weber threatens Orbán's party with expulsion from EPP,' Politico, 5 March 2019.
18. 'Söder rügt CSU-Vize Weber für Nähe zu Berlusconi,' Süddeutsche Zeitung, 26 September 2022.
19. Ibid.
20. German Bundestag (Documents 18/12173, 18/4686).

21. German Bundestag (Documents 19/7423, 19/7436, 19/20570, 19/20620, 19/22500, 19/22716, 19/23033, 19/25235).
22. 'Een smerig, maar fundamenteel gevecht,' nrc Handelsblad, 21 November 2020.
23. 'How Poland became Europe's biggest rebel,' *Financial Times*, 22 October 2021.
24. 'Endless frictions with Brussels risk fuelling Euroscepticism in Poland,' *Financial Times*, 8 September 2022.
25. 'EU should kick out Hungary, says Luxembourg minister,' EUobserver, 13 September 2016.
26. 'Hungary, Poland hold EU hostage over budget,' Deutsche Welle, 19 November 2020.
27. 'EU-Gipfel: Mehrheit gegen Viktor Orban,' Deutsche Welle, 24 June 2021.
28. 'Hungary loses the trust of its European neighbours,' *Financial Times*, 2 May 2022.
29. 'Hungary's Viktor Orbán loses friends in Poland over stance on Russia Sanctions,' *Financial Times*, 9 June 2022.
30. 'EU approves €50B Ukraine aid as Viktor Orbán folds,' Poltico, 01 February 2004.
31. 'Brussels threatens to hit Hungary's economy if Viktor Orbán vetoes Ukraine aid,' *Financial Times*, 28 January 2024.

Acknowledgments

We thank Dan Kelemen, Daniel Naurin, Moritz Weiss, Natasha Wunsch, the panellists at the EUSA conference in Miami, the workshop participants at the Centre of Advanced Studies (CAS), LMU Munich, as well as two anonymous referees for their very helpful comments and constructive suggestions on previous versions of this text. We are grateful to Malou van Draanen Glisman, Lena McNally, Chloé Mossberg, Mercedes Osuna Vergara, Johannes Riese, and Jasmine Wu for their excellent research assistance.

Disclosure statement

No potential conflict of interest was reported by the author(s).

Funding

This work was supported by the Undergraduate Research Internship Scheme of the LSE's International Relations Department.

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