
8. Leave policies in populist and illiberal regimes: the cases of Hungary and Poland

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INTRODUCTION

Hungary and Poland represent post-state-socialist welfare states with a specific history of social policy development (Inglot, 2008; Szikra & Tomka, 2009). In both countries, the transition to market economy during the early 1990s was accompanied by the revival of conservative values and anti-feminism (Gal & Kligman, 2000). During the process of EU accession, however, these countries adopted gender mainstreaming policies and adjusted their social policy legislation to the EU requirements (Saxonberg, 2015). Opposing processes in gender politics, alongside political swings between liberal-left and conservative-right wing governments, made their marks on parenting leave policies of these Central and East European (CEE) countries after the fall of state socialism. But even more important than the political and economic turmoil of the 1990s, the historical legacies that Poland and Hungary inherited from their communist past shaped their parenting leave policies under capitalist democracy. In both countries, parenting leave policies were established in the 1960s and 1970s and remained relatively stable during the transition period (Saxonberg & Szelewa, 2007; Szikra & Tomka, 2009; Rał & Szikra, 2018). Rather than cuts, smaller parametric changes and the introduction of new paid leaves, including short paternity leave, marked the 2000s. Family policies in general, and parenting leave policies within them also have to be understood in the context of the post-socialist fertility decline (Spéder & Kapitány, 2014; Scheiring, 2021). The political domination of radical right-wing parties in Hungary since 2010 and in Poland since 2015 brought about an expansion of demography-driven family policies, whereby a couple of notable changes were also made to leave policies. The role of social policies, family policies and, in general, the welfare state in building legitimacy to illiberal and right-wing populist governance have called scholarly attention recently (Saxonberg & Sirovátka, 2006; Szikra, 2019; Bartha et al., 2020; Lendvai-Bainton & Szelewa, 2021; Szikra & Öktem, 2021). Our chapter reviews this literature and contributes to it, shedding light on the politics of leave policy reforms under increasingly authoritarian rule.

The goal of this chapter is twofold: First, we provide a comparative overview of parenting leave policies of the two countries that share a similar past but also differ substantially in their family policies. Second, we analyse the politics of parenting leaves reforms of populist and illiberal political regimes. We conduct a comparative study of policy changes in Hungary and Poland, two countries where the electoral victories of the right-wing populist parties during the 2010s led to the rapid backsliding of democratic institutions. Our chapter is structured as follows: In setting up a conceptual framework, we start with a comparative overview of parenting leave schemes in the two countries before the populist and illiberal turn. Then we define illiberalism and populism and show how these concepts can be applied to family policy analysis. We then turn to investigating the most substantial parenting leave reforms under the

Law and Justice (*Prawo i Sprawiedliwość – PiS*) governments in Poland and Fidesz (*Fidesz – Magyar Polgári Szövetség*) in Hungary. Besides scrutinizing policy outputs, we discuss the discursive framing of these reforms that shed light on the underlying ideological background. We find that the outcomes of recent policy changes are ambiguous in terms of gender equality; discourses on family and gender relations were intended to strengthen patriarchal relations and separate gender roles.

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

Comparative Studies of Leave Policies in Central-Eastern Europe

Systematic comparison of parenting leave policies in Eastern Europe was largely born out of the gendered and geographical criticism of Esping-Andersen's (1990) *Three Worlds of Welfare Capitalism*. By including paid and unpaid care work into comparative welfare state analysis, feminist studies distinguished different breadwinner models (Lewis, 1993; Sainsbury, 2001) and also constructed the ideal-type of a 'universal caregiver' (Fraser, 1994) as a goal for feminist social politics. In terms of geography, feminist scholars highlighted that CEE countries share a different historical legacy than Western capitalist democracies, as full-time paid work of women and mothers was the norm under state socialist compulsory employment regimes and this situation also led to different family policy and leave outcomes (Adamik, 1993; Heinen & Wator, 2006; Glass & Fodor, 2007; Szikra & Szelewa, 2010). Thus, prior to 1990, most women were involved in paid work, while, given the still persisting patriarchal relations within the family, they had to perform care work and domestic labour at home as well. Countries however differed substantially in terms of how much the state supported mothers and other caregivers under the 'double burden' they were bearing (Szelewa, 2021). Poland and Hungary can be considered two extremes in this respect: While in the former neither childcare services nor leaves were provided to the majority of families, in the latter both types of programmes were rather generous. This is conceptualized by Glass and Fodor (2007) as 'private maternalism' in Poland, where mothers and other female caregivers were left with care tasks on their own, and 'public maternalism' in Hungary where the state offered long, paid childcare leaves for mothers to provide home-based care from the late 1960s on.

Even more than 'maternalism', the 'varieties of familialism' framework developed by Leitner (2003) has fertilized a number of studies of childcare and parenting leaves in the CEE region (Saxonberg & Sirovátka, 2006; Szelewa & Polakowski, 2008, 2020; Szikra & Szelewa, 2010). These works have classified the Polish childcare policy regime as 'implicitly familialist' (Szelewa & Polakowski, 2008; Szikra & Szelewa, 2010), highlighting the reluctance of the Polish state to provide cash-for-care transfers or substantial childcare services during the first two decades of capitalist democracy. The Polish situation was described to be in sharp contrast to the Hungarian one where the dominant pattern was that of 'explicit familialism' or 'comprehensive support' (Szelewa & Polakowski, 2008), pointing to the big effort of the Hungarian state to provide support to families with children, including a complex and generous system of paid leaves. The greater 'welfare effort' of the Hungarian state offered a bifurcated system with strong insurance-based entitlements and lower-level universal, flat-rate benefits. The Polish state limited access to welfare support by income-testing and shorter paid parental leaves for those with stable employment and low incomes. The multi-layered parental and

childcare leave schemes inherited from state socialism in Hungary stayed in contrast with the Polish situation where only poorest mothers received a small monthly allowance for limited period of time (Szikra & Szelewa, 2010). In Hungary, the system of long paid childcare leaves established under state socialism and providing benefits until children's third birthday was kept in place during the 1990s and 2000s, with only short periods of retrenchment that were typically reversed (Inglot et al., 2022). Poland, however, saw a substantial extension of paid leaves during the 2010s, including the adoption of paid parental leave scheme (for employed parents) and a separate flat-rate benefit for those uninsured in 2013 (Szelewa, 2017). These reforms that broke with the path of meagre leave policies made the Polish system more complex and generous than prior to 2010. Hence, by 2021, the Polish leave scheme departed from 'implicit/private familialism' in the direction of 'explicit familialism', thus resembling the Hungarian multi-tiered system.

Although the earnings-related parental leave was made available also for fathers in 1981 in Hungary and from 1996 in Poland, neither under the state socialist period nor during the times of economic and political transformation was fathers' caregiving role promoted and paid leaves were overwhelmingly utilized by mothers. The first explicit step towards more gender equality in care work was the adoption of a five-day-long paid paternity leave in Hungary in 2000 in the light of the EU accession process, and a week (2010) and then two weeks (2012) of fully paid paternity leave in Poland. Despite the EU-induced, and often ambiguous, shift towards social investment policies, childcare services have typically favoured working, middle-class families (Szelewa & Polakowski, 2020). Given the meagre access, especially to crèches, by poorer families, paid parenting leaves and other cash-transfers for children have historically been of particular importance for them to make ends meet.

Against this historical background, and in light of the recent rise of right-wing populist governments in both countries, in the next part we focus on how right-wing populist, illiberal rule affects family policy developments. In particular, we seek to understand the politics of parenting leave policies under the right-wing populist and illiberal rule.

Populism, Illiberalism and Family Policy

Poland and Hungary were the forerunners of establishing democratic institutions during the 1990s and joined the EU in 2004. The next decade, however, was marked by the hollowing and backsliding of democracies in both countries (Greskovits, 2015), a process that started in 2010 in Hungary and 2015 in Poland (although PiS first took the office in 2005 for two years). In this chapter we use the term 'illiberal democracy' as defined by Fareed Zakaria (1997) to describe political systems where the core of democracy, parliamentary elections, remain free, but the separation of power, independent and free press and civil society, as well as the protection of property have gradually been abandoned as basic foundations of their political regimes. In illiberal regimes the populist style of political governance often becomes prevalent, which refers to an anti-pluralist claim to exclusive representation of people (Bartha et al., 2020). Right-wing populist parties, such as the Hungarian Fidesz and the Polish PiS party, communicate their politics as the true expression of the general will of the people, whereas their opponents are depicted as 'enemies' of the nation (Müller, 2016; Mudde, 2016, p. 7).

Similar to their right-wing populist counterparts worldwide, political leaders in Hungary and Poland increasingly play on nativist and traditionalist identity politics that have direct consequences to social and family policies. Recent research on populist and illiberal govern-

ance also suggests that some national-populist politicians have progressively moved away from neoliberal economic and welfare agendas towards protecting the national welfare state as a programmatic ideal and electoral strategy (Ivaldi & Mazzoleni, 2020). These leaders often issue family policies based on demographic urgency to increase fertility rates of the ‘native’ population, and promote large families and mothers’ child-caring roles in a traditionalist manner (Eslen-Ziya & Korkut, 2010; Chandler, 2013; Szikra, 2019). Meanwhile, nativist politicians oppose immigration of people from the Global South and picture ethnic, religious and sexual minorities as the enemies of the nation. Such governmental discourses are intertwined with a ‘war’ on gender equality policies and the rights of LGBTQ+ persons (Kováts & Põim, 2015; Kováts, 2020). Furthermore, immigration and gender equality policies are presented as EU projects that, in the eyes of populist leaders, are in sharp opposition to what they claim to be the ‘true’ interest of the nation. Nationalist, anti-gender discourse thus puts these countries, in our case, the Polish and the Hungarian right-wing governments, in direct opposition with the EU. This clash plays out in debates about parenting leave policies on the EU level, in particular, the leave directives (Work-Life Balance Directive 2019/1158, and earlier Council Directive 2010/18/EU replacing the 1996 Directive) that intend to promote gender equality in childcare work (De La Porte et al., 2020).

While attacking gender equality institutions, the Polish and Hungarian governments have not only discursively, but also in their policy preferences promoted the welfare of families. Available comparative statistics shows a higher spending on family benefits compared to the OECD average (approximately 2 per cent) in Hungary and Poland (OECD, 2021). While Hungary has long been among the high spenders, a boost of spending on family benefits from 1.5 per cent of GDP in 2015 to over 2.6 per cent in 2018 happened in Poland (OECD, 2021). This change was due to 2016 adoption of the 500+ programme that provides 500 PLN/child to all families with two or more children (extended to all children since 2019). In Hungary, the vast extension of family tax credits is notable, as well as new programmes that provide beneficial loans and one-time grants to large families and newlywed couples (Inglot et al., 2012; Szikra, 2014, 2019).

Fodor (2022) conceptualized the increased attention paid to family policies and the traditionalist view on care work of the post-2010 Hungarian government as a ‘carefare regime’. Carefare policies ‘discipline women into accepting an increased unpaid care work burden combined with unequal treatment in the labour market in exchange for economic survival’ (Fodor, 2022, p. 16). According to the author, anti-liberal gender regimes provide strong incentives for women to engage in paid work, simultaneously neglecting public support for their caring responsibilities. Corresponding anti-equality discourse rejects gender equality policies alongside the concept of gender (as opposed to biological sex) ‘setting the stage’ for a ‘State-Mandated Patriarchy’ in Hungary (Fodor, 2022, p. 16).

Along with anti-gender equality campaigns of all sorts, not only families but particularly mothers become the focus of right-wing populist governments in Poland and Hungary, and similar illiberal regimes of Russia and Turkey (Rivkin-Fish, 2010; Szikra & Öktem, 2021). While such changes may positively affect female economic independence, they also sharpen the gendered division of care work, and thus strengthen patriarchal relations.

PARENTING LEAVE REFORMS IN HUNGARY SINCE 2010

Since 2010 increasing birth rates became the exclusive goal of Hungarian family policies, which gradually moved to the top of the governmental agenda by the end of the decade. In 2018 the Orbán cabinet announced the so-called demographic governance according to which all economic and social policies were to be streamlined with the demographic (fertility) aims of the country. As we will show below, Fidesz's demography-centered family policies, and within that, parenting leave policies are exclusionary and meant to serve middle- and upper-class, heterosexual, 'traditional' families with ideally three children.

In terms of concrete policy measures, Fidesz adopted the 2011 'cardinal law' on Family Protection (Act CCXI/2011), which has quasi-constitutional legal status. It states that 'the promotion of families is distinct from the system of social provision for the needy. The state provides support primarily to the responsible upbringing of children' (§2, Act CCXI/2011), and this refers to 'working' families who have sufficient resources to raise their children. Thus, the law created a class-based division of families as it delineated policies directed to poor and unemployed families (including a large share of the Roma population) from family policies that are directed to working parents and their children. This division reflects the Orbán government's broader ideology about the 'work-based society' that is depicted as an anti-thesis of 'Western' welfare states (Szikra, 2019; Köllö, 2019). Accordingly, only people in gainful employment should be eligible for social transfers. As we will show below, this ideology is strongly reflected also in the family- and parenting leave policy changes in the past decade and shifted them to serve the better-off.

The most important related reforms included the vast increase of family tax allowances in 2011, the 2014 reform of the parental leave system, the 2016 family-based housing benefit reform, the 2019 Family Action Plan, and changes to the levels and the name of maternity leave benefit in 2021. We analysed some of these reforms in detail elsewhere (Szikra, 2018, 2019), thus we will only describe those related to leave policies here.

As already noted in the introduction, the Hungarian system of leave policies, originating in the state socialist times, is a rather complex and well-established institution of social policy. It comprises paid maternity leave for six months (*csecsemőgondozási ellátás – CSED*), an income-related parental leave up to children's second birthday (*gyermekgondozási díj – GYED*), universal childcare leave up to children's third birthday (*Gyermekgondozást Segítő Ellátás – GYES*) on a lower level of payment, and paid childcare leave dedicated to mothers with three or more children (also a lower amount universal payment) until the youngest child's eighth birthday (*gyermeknevelési támogatás – GYET*). Parental and childcare leaves are available to both parents but taken up mostly by mothers. Fathers' only leave payment is the five-day paternity leave (*apasági szabadság*) administered separately from family policy measures. As opposed to other leaves that were all extended in one way or another under Fidesz and the previous governments, the length and amount of paternity leave has been unchanged since its adoption in 2000, despite internal pressure on forthcoming governments both from inside the country and from the EU in its 2010 Parental Leave Directive.

Before Fidesz came to power, the country was shaken by the global economic crisis, and in 2009 the ruling Bajnai government of the Socialist Party (*Magyar Szocialista Párt – MSZP*) issued cuts to the welfare system that affected leaves as well. The universal childcare leave GYES paid for a maximum of three years to parents with no employment record prior to birth was cut to two years in 2009, and the benefit amount was frozen at its 2008 level. Immediately

after coming to power in 2010, Fidesz restored the length of GYES to three years. It did not, however, increase the level of the benefit that stayed at its very low level of a monthly 28,500 HUF (80 EUR), losing about a third of its real value over a decade. With the dynamic increase of average wages, especially since 2015, in 2020 this payment amounted to approximately one-tenth of the average wage. A less significant discursive change was that the name of GYES (originating in 1967) was altered by the cabinet in 2016. While its original name (falsely) referred to ‘social assistance’ (*segély*), its new name eliminated that stigmatizing notion and reflects a more neutral meaning, that of ‘benefit’ (*ellátás*). The same type of change was made to maternity leave, the name of which originated in 1891 (*terhességi gyermekágyi segély*) and referred to pregnancy and maternity ‘assistance’, altered to ‘benefit to care for infants’ (*csecsemőgondozási ellátás – CSED*) by the Orbán government in 2015. With these changes, the cabinet wanted to communicate that the aim of the family policy system is to promote the birth and raising of children and not ‘to solve social problems’ (Aczél et al., 2014; Szikra, 2019).

In 2014, reforms to the two-year-long earnings-related parental leave system, GYED, established back in 1985, were issued. The new programme, called *GYED-extra*, allowed women to work full-time after the child’s first birthday (from 2016 from the age of six months) and at the same time receive the total amount of GYED (gross HUF 234,360 or EUR 651 in 2021). The so-called sibling GYED (*testvér-GYED*) was also adopted in 2014, providing the possibility of receiving several parental leave payments for two or more children if children were born within three years of one another. Both of these changes gave extra payments to parents (overwhelmingly mothers) with stable labour-market positions as eligibility is linked to at least 365 days of employment within two years prior to the child’s birth. The amount of GYED is adjusted to the statutory minimum wage, the gross amount of which has been nearly doubled between 2011 and 2020; thus, the related payments have also increased substantially.

Meanwhile, mothers with weak or no connection to the labour market were left with the previous low benefit levels with no nominal increase since 2008. The policy of ‘freezing’ benefit amounts was also applied to the third type of childcare leave, flat-rate benefit GYET. This payment, established in 1993, is paid to parents (overwhelmingly mothers) with three or more children, up to the youngest child’s age of eight, on the level of GYES, that is, 28,500 HUF (80 EUR). The non-change of the benefit amount in this case also suggests that although the government celebrates and promotes large (3+) families via tax allowances and various loan opportunities, it actually does not cater for all large families.

Alongside with the 2014 reforms, ‘student GYED’ was introduced at a lower value than GYED. This programme has only been available to student-mothers and not to fathers, reflecting the traditionalist view on gender roles of the cabinet. The length of ‘student GYED’ was extended from one to two years, starting from 1 January 2018. Not much later, in the framework of the family policy package of 2019, entitled Family Protection Action Plan, non-retired grandparents became eligible for GYED if parents were employed.

Finally, starting from June 2021, the amount of maternity leave payment CSED was increased, from a previous replacement rate of 70 per cent (with no cap) to 100 per cent of mothers’ previous income. This change again suggests a boost of leave payments for those who have stable employment records, benefiting women with higher income the most. Notable is the lack of changes to paternity leave, which makes Hungary similar to Poland. The weak position of this benefit within the Hungarian family policy system is also signalled by the fact that it does not have a separate name and is not included in the family policy laws. Rather,

this payment is listed as one of the eligible reasons for leave days in the Code of Labour legislation (Gábos & Makay, 2021, p. 307). Paternity leave, adopted in 2000, is available for fathers up to five days (seven days in the case of twins) to be taken during the first two months of the child's life with a replacement rate of 100 per cent of father's average daily wage. As opposed to parental and childcare leaves (paid directly from the budget to the eligible person) paternity leaves have to be paid by the employers who are, in turn, compensated from the state budget. Altogether about a quarter of all fathers utilized the benefit in 2014 (Hungarian Central Statistical Office 2021, Table 2.5.4), but no data is publicly available after 2014. Paternity leave in its current form does not yet comply with the Work-Life Balance Directive. Despite the fact that this directive is to be implemented by August 2022, there is no indication of the Orbán cabinet's intention to increase fathers' care opportunities, which contrasts with the Polish case, as we will discuss below. The neglect of paternity leave in Hungary, not exclusive to the Fidesz cabinets, is striking in the light of the historically persistent and still tangible pre-occupation of governments with leaves utilized by mothers. In other words, with this neglect, the Hungarian governments, and not just Fidesz, for decades expressed their preference for patriarchal gender roles within the family and had no intention to foster fathers' care work (Szikra, 2019; Fodor, 2022).

Changes in Hungary in the past decade thus suggest a layered development rather than paradigmatic change, and an overall stability and path-dependency of the complex parenting leave system in this country (see also Inglot et al., 2022). Fidesz restored previous cuts to the length of the universal leave and extended some of the payments. The improvements were systematically made to favour parents with stable labour market participation. Meanwhile, families with weak or no attachment to formal employment lost out as universal payments were not upgraded since 2008. In terms of gender equality, paternity leave was neglected, and the cabinet made no attempt to foster fathers' caring roles. The reforms thus suggest a further dualization of the parenting leave system in terms of class and a continued traditionalization of gender roles. We have to note, however, that the opportunity of mothers to work besides GYED, and the substantial and continuous increase to the GYED benefit and maternity leave, promote women's labour market participation, and improve working women's economic independence, while on leave. These changes, together with the upgrading of available childcare services, suggest that the cabinet does not want women to 'stay at home'. Rather, as also highlighted by Fodor (2022), it promotes maternal employment without fostering gender equality in care arrangements. Such changes and non-changes may well reproduce the 'double burden' of women, so familiar from the period of state socialism (Adamik, 1993; Einhorn, 1995). We can conclude that the illiberal and right-wing populist Orbán cabinet's parenting leave reforms were consistent in widening the gap between lower and higher social classes but were ambiguous in terms of gender equality. While patriarchal relations are promoted within the family through the non-changes to paternity leaves, mothers are explicitly encouraged to take up employment, which may provide them with more economic independence.

PARENTING LEAVE REFORMS IN POLAND SINCE 2015¹

Current Polish debate about family policies should be viewed from the perspective of the political changes in 2015. Governments in office between 2007 and 2015 that were formed by the centre-right coalition under the leadership of the Civic Platform (with Donald Tusk as

its leader) seemed to be a sign of relative political stability. And yet, the right-wing populist party – Law and Justice – won both parliamentary and presidential elections, forming the government within the coalition ‘United Right’ in 2015 and repeated its political success in 2019, forming the second government and winning the Presidential elections in 2020. A pro-Catholic, nationalist and familialist discourse started to dominate the political agenda, which, with the intersection of the ‘refugee crisis’, sharpened the conflict between the Polish government’s standpoint and the EU. Democratic institutions were gradually transformed into illiberal democracy through undermining constitutional checks and balances and politicizing the composition of the Constitutional Tribunal, dismantling of the judiciary, taking control over the public media, or limiting the rights to public gatherings other than those organized by the state or the religious denominations (Lendvai-Bainton & Szelewa, 2021).

Such political changes had an impact on discourse on gender roles. Reproductive rights came under attack: purchasing emergency contraception requires a prescription again, the IVF programme was discontinued, and sex education at schools retreated. Access to abortion, already restricted, also came under direct attack. The Catholic Church and anti-choice organizations aimed at introducing a complete abortion ban (Szelewa, 2020). After several unsuccessful attempts at using the parliamentary route, restricting the right to abortion was introduced by the (previously politicized) Constitutional Tribunal, which made thousands of people protest in all major cities and towns in Poland.

Unlike in Hungary, parenting leave schemes established in the socialist period remained in place with no major reforms, and even the parametric changes were rather small. The main features of parenting leave schemes in Poland formed already in the 1960s and 1970s remained unchanged until 2013 under the PO government (Szelewa, 2017). As opposed to Fidesz, PiS did not treat parenting leaves as a priority, but this neglect needs to be put in the perspective of the introduction of the 500+ benefit in 2016. Together with the new cash transfers scheme for families with children between the age of one and three, the high amount of unconditional payments may effectively serve as sufficient support in cash allowing parents (mothers) to stay at home with their children.

The first, short-lived government formed by Law and Justice (2005–2007) started to extend the duration of maternity leave, which was continued by the next government formed by the Civic Platform. The duration of maternity leave was gradually extended from 16 to 26 weeks in 2014. Other options for family-related leave were also opened. Fathers became eligible for two weeks’ paternity leave that must be used within two years after childbirth. It amounts to a 100 per cent wage replacement. The leave was introduced in 2010, first, as a one-week leave that was extended to two weeks in 2012. The most significant change in leave arrangements took place in 2013, when the Civic Platform government introduced 26 weeks of parental leave. The main argument in favour of the new scheme was that it was necessary for boosting fertility (Szelewa, 2017; Kurowska, 2019). The new scheme, together with the two maternity leave schemes (one basic and one additional scheme), was publicly labelled and discussed and used as ‘one year of maternity leave’ (at that time $26+26=52$ weeks). The Civic Platform opposed the idea of the father’s quota, while within the parliamentary debates, the proposal to introduce at least four weeks for the second parent was not even put under discussion (Kurowska, 2019).

According to the new scheme, all employees eligible for maternity or paternity leave are entitled to six months of parental leave open for both parents as a family-based entitlement. The government did not reserve time only for fathers: thus, similarly to Hungary, there is no

individual and non-transferable entitlement for fathers. As parental leave can be used after the end of maternity leave and the two programmes are linked, taking it is usually linked to the decision of the mother. That is, the level of parental leave benefit depends on the level of maternity benefit the mother has opted for: parental benefit is 60 per cent of the previous wage if the mother takes maternity leave with the benefit at the level of 80 per cent of previous earnings (or 80 per cent if the mother takes maternity benefit of 100 per cent). The leave can be taken in four parts, each lasting a minimum of 8 weeks (6 weeks if this is the first part after the end of maternity leave) and parents may share it, and 16 weeks can be used not directly after the end of maternity leave or after the end of the previous part of parental leave. Details of the Polish parental leave eligibility show that the combinations of its take-up are more nuanced (and complicated) in terms of amount and timing than in Hungary (see also Szikra & Györy, 2014 on leave flexibility). While justifying the final version of the reform, the government, and especially the Minister of Labour, explained that it was more important to let the parents decide and ‘not to intervene in family issues’ (Szelewa, 2017).

Other changes in 2013 included an extension of the entitlement to the parents employed on civil law (not Labour Code) contracts and the self-employed if they take care of the child personally (before 1 October 2013, this leave was granted to those employed on contracts provided by the Labour Code) and the introduction of one individual and non-transferrable leave month in the context of the ‘old’ childcare leave. As a result, one of 36 months of unpaid leave was reserved for the fathers. The latter change was introduced to comply with the (previous) 2010 EU Parental Leave Directive. Fathers rarely use either one month of the long childcare leave or a part of the parental leave schemes. Reports show fathers’ take-up rates at the level of 1 per cent (Chądzyński, 2021).

Since the beginning of their term in office, PiS have demonstrated their commitment to family support, focusing on various benefits while leave policies were not at the centre of the reforms. Thus, one of the biggest reforms and flagship initiatives of the current government was a child benefit programme, which first aimed to increase fertility indicators, but eventually mainly served as an instrument for reducing child poverty (IBS, 2019). The benefit amounts to 500 PLN (about 125 EUR) per month for each child under 18. The introduction of such a welfare policy in Poland is unprecedented. The annual average cost of the programme is around 40 billion PLN per year (over 10 billion EUR and 1.7 per cent of GDP). As the first version of the programme excluded families with one child (although it was still paid also to families with one child who met an income test), it was criticized for not treating all children equally. Hence, just before the parliamentary elections in autumn 2019, the government decided to extend benefit entitlement to all children under 18 years of age, with no income test. Therefore, the Law and Justice government had a space to manoeuvre when it comes to filling in the gap in welfare support for the families and at the same time use it to strengthen its political support. Hence, the biggest welfare reforms did not take place in parenting leave schemes but by increasing support in the form of family benefits. To some extent, the family benefits programme may serve as a cash transfer to promote home-based care, especially for large families. Its amount almost reaches the minimum wage in the case of four children, thus low-income mothers of numerous children may have the choice to stay at home for many years.

As for the parental leave scheme, the right-wing government only slightly reformed the system – since 2016, the leave was extended from 26 to 32 weeks: it was the result of the 2015 reform that liquidated six weeks of additional maternity leave and transferred those

six weeks on the top of parental leave's original duration; a reform that was initiated by the previous government and aimed to simplify the system. The leave is extended to 34 weeks in case of multiple births. In line with its commitment to traditional gender roles, the government showed no interest in changing the scheme's family-based character of entitlement. Such attitude was manifested especially in reaction to the Work-Life Balance Directive proposed by the European Commission in 2017. The original version of the Directive proposed to reserve four months of parental leave for the second parent, with the compensation at least at the level of sick pay. When the Directive was announced, it was clear that its main provisions are not in line with the conservative views of the Law and Justice government, although the main communicating strategy focused on the issue of the tension between the EU and the Member State as competing welfare regulators (De La Porte et al., 2020). A major debate took place in the Upper Chamber of the Parliament on 22 June 2017. Both chambers rejected the Directive mainly with the votes from the right-wing parties, including Law and Justice.

A strong line of argumentation that appeared during the discussion in the Senate and the right-wing and the Catholic media emphasized cultural differences in understanding gender roles by the authors of the Directive and Polish politicians and Catholic circles (Grela 2017). However, reform plans in February 2022 foresee adding nine weeks of parental leave on top of existing ones and reserving these nine weeks only for one parent, therefore making this part of the leave an individual and non-transferable entitlement. Effectively, the new solution responds to the Work-Life Balance Directive and will provide more than two months of additional paid leave for fathers (the second parents) from August 2022. Thus, despite national- and EU-level rhetoric, the Polish government gave in to the EU pressure in terms of moving towards a more equal share of care responsibilities.

Another recent reform, although not directly within the system of parenting leave schemes, introduces an incentive for having (more children) and care for them at home. Its main motivation is to reverse the trend of falling fertility rates. The PiS government decided to introduce another policy in the form of cash transfer, i.e., 'Family Caring Capital', adopted in November 2021, in effect from 1 January 2022. All parents of children aged 12–36 months will receive monthly cash transfers summing up to 12,000 PLN. Parents decide whether they prefer receiving 1,000 PLN per month for one year or 500 PLN per month for two years (Ministerstwo Rodziny i Polityki Społecznej, 2021). Therefore, the policy is filling the gap between the end of parental leave and the beginning of early childhood education and care, with the government again showing a preference for cash transfers at the expense of care services for small children. In fact, when compared to long, universal parental leaves in Hungary, GYES and GYET, the 500+ payment combined with the new scheme may be higher per child and is paid until the adult age of children. In this respect, together with the flat-rate cash transfer scheme for uninsured parents, they may serve as a substitute for employment-based paid parental leaves that have so long been neglected in Polish family policies.

To sum up, while family policies in Poland were paradigmatically changed under Law and Justice's term in office, parenting leaves did not undergo any transformative changes up until the very recent reforms and reform plans that implemented the Work-Life Balance Directive. Instead of typical parenting leave schemes for working parents, the government decided to predominantly support families with children with generous cash transfers. Moreover, the path-dependent character of these developments should be considered in the context of the system of other social policy reforms and, even more importantly, in the light of the ideological support from the government introducing populist policies and acting in the conditions of

illiberal democracy. Rejecting the concept of gender (identity) and downplaying the importance of sharing care activities between the two parents have been the major feature of the current government's discourse on parental leave. In a bigger picture, especially by distancing itself from the EU gender-equality legislation, the government emphasizes its role as the main welfare regulator and welfare policy provider. In this way, PiS and its allies positioned themselves closer to the 'people' while referring to the EU projects (such as the Work-Life Balance Directive) as 'bureaucratic' and 'elitist'. A similar 'us' versus 'them' opposition, a central feature of populist rule, drives the exclusionary policies undermining women's reproductive rights and the equal rights of minorities.

CONCLUSIONS

The goal of this chapter was to examine parenting leave schemes in the context of illiberal democracies, focusing on the example of two CEE countries: Hungary and Poland, both experiencing the political dominance of right-wing populist parties, i.e., Fidesz in Hungary (from 2010) and Law and Justice in Poland (2005–2007 and from 2015). We first presented the historical evolution of family policies and parenting leaves in the two countries. While Hungary has a long tradition of the multitiered system of parenting leave schemes, Poland inherited a rather marginal system from the period of state socialism, and the biggest changes took place after 2005. We then put the recent reforms in the context of populist right-wing governance. A brief review of parenting leave reforms during the PiS and Fidesz governments' terms in office allows for concluding that although family policies have been in the centre of their governance, they have not introduced paradigmatic changes to parenting leave schemes. Still, these schemes should be viewed as contributing to the rather substantial, overall family policy change and related discursive framing. In both countries, this included emphasizing separate gender roles and motherly care as possibly facilitating an increase in fertility, similarly to other right-wing populist leaders in Europe and beyond. As a result, Hungarian and Polish governments have not introduced special incentives for the fathers to use part of parental leaves and did not extend the meagre non-transferrable paternity entitlements. In addition, they emphasized cash transfers and tax credits together cumulating to the level of minimum wage in the case of large families.

The policies can also be characterized as exclusionary and bifurcated. In Hungary, even the small parametric reforms of parental leave resulted in favouring the middle class (working) population at the expense of the poor, often represented as belonging to ethnic minorities (Roma). In Poland, such division lines are less visible. Although the existence of the flat-rate benefit scheme for the uninsured may also signal a high degree of bifurcation in Poland, the new programme of *universal* child benefits has more importance than tax credits and, therefore, a less exclusionary character. The disparities may reflect a difference between the goals of family policy that the governments had in these two countries. While both focused on demography, the Polish government emphasized the reduction of poverty among families with children. Our argument is that governments in Hungary and Poland responded to the needs of segments of the population who were previously neglected by neoliberal economic and social policies, and this contributed to their political dominance. In this vein, an exclusionary character of policies with a strong element of nativism has been combined with an emphasis on the needs of 'the people', whose interests and ideas are potentially threatened by 'the elite'.

Both governments rejected the EU as a potential welfare regulator and the source of standards, especially when it comes to gender equality, but also women's rights and the protection of ethnic and sexual minorities. Hungarian and Polish governments defended the autonomy of the national welfare state while referring to the EU projects (such as the Work-Life Balance Directive) as 'bureaucratic' and 'elitist'. Eventually, the Directive needs to be adopted in August 2022 and Poland has already made concrete plans of its implementation, while in Hungary, the implementation plans are still unclear. This approach towards extending individual rights of the fathers may reflect a long tradition of parenting leave as (historically) mothers' entitlement in Hungary, in contrast to the situation in Poland, where most of the parenting leave schemes are new, and governments are more open to extending them to fathers.

Finally, in pluralist liberal democracies, these practices could be challenged by political competitors and opposition and civil society groups. However, illiberal regimes are blocking or at least limiting political competition and controlling the constitutional systems of checks and balances and the emergence of alternative policy proposals. In the light of recent reforms, especially in Poland, further research will show whether that country goes through a paradigmatic change and moves towards a more inclusive, universalistic system of family policies in general and leave opportunities in particular. More generally, investigating the relation between discourses, ideas and welfare policies under the right-wing populist and illiberal rule is needed to reveal the role of social policy in popularizing and legitimizing regimes that abandon liberal democracy.

NOTE

1. In the Polish case we refer to earlier reforms (i.e., a big 2013 reform), important to better understand developments under Law and Justice governments.

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