

Broken Democracy, Predatory State and Nationalist Populism

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A new, right-wing government came to power in Hungary in May 2010 led by Viktor Orbán and his Fidesz party.¹ Since doing so, it has significantly altered the country's legal, social, and political infrastructure. Its 53 per cent absolute majority achieved at the ballot boxes meant two-third majority of seats in the Parliament due to the disproportional nature of the electoral system. The Socialist Party (MSZP), which was in power between 2002 and 2010, received 19.3% of the votes only, while a new far right party, Jobbik made 16.7%, which was interpreted by many as shocking result. These latter parties remained in opposition together with the green party, Politics Can Be Different (LMP), which received 7.5% of the votes.

The governing party (Fidesz) enjoying qualified majority, unilaterally voted on a new Constitution, it has substantially weakened the balance of power, it tightened its grip on public and commercial media, it restricted popular initiatives, the freedom of the press, social rights, civil liberties, and cut social benefits. It has done away with the principle of power-sharing. Power is concentrated in the hands of the Prime Minister, who did all to centralize his power, to personalize politics, to create a new clientele dependent on the state, and to marginalize the democratic opposition. His notion of a “central arena of power” (mentioned in one of his speeches already in 2009)² has thus become a reality. The democratic state was taken over by a small, coherent group of political entrepreneurs who use the state largely for their own advantage. They offered neoliberal economic policies for the upper classes and ethno-nationalist, populist discourse to the poor. This is an unorthodox variant of crony capitalism in the European semi-periphery. Such an autocratic turn has been unprecedented in the history of the European Union.

Between 1990 and 2010 Hungary had been a functioning liberal democracy, when judged against the principles and practices of a modern, Western-type democracy—that is, characterized by competition between political parties, the participation of civil society and respect for civil rights. By 2011 democratic political order fell into a crisis in Hungary and it has remained so under the attack by the government. The ruling party has succeeded in deconstructing the components of a consensus-based liberal democracy in the name of a majoritarian democracy.³ But Orbán has gone even beyond this, since the eliminating of independent institutions has transformed this so-called majoritarian democracy into a highly centralized, illiberal regime.⁴ The “majority” today is nothing but an obtuse justification for the ruling political party to further cement its power in a country where the majority of citizens believe that things have gone badly awry. If this so-called “revolutionary” process continues, the result will be a solidly semi-democracy, both in the short run and, if they get their way, in the long run as well.

This anti-liberal turn did not emerge out of the blue: it was a direct response to the hectic, reforms implemented by previous governments between 2006 and 2010, as well as the corruption and the economic crisis that ensued. The rise of the Orbán regime has deeper roots as well, ones that go point to structural, cultural and political factors that evolved over the period of post-transition Hungary. These include the early institutionalization of a qualified majority consensus, which has obstructed reforms over the past two decades; a plethora of informal practices, ranging from tax evasion to political party financing, that have stalled formal democratic institution building; and the serious impact of existing democratic forms on competition between political parties, which has gradually killed off both the willingness of civic groups to engage in politics and incentives for results-based performance by governments, and has instilled a hatred in the populace towards politicians and politics. The survival of privileged and influential social groups on the other side of transition has also weakened networks of solidarity. Finally, the failure of meaningful economic reforms made the country defenseless against the global financial crisis that exploded in 2008. Take together, these have produced a perfect political storm.

1. The reasons behind the establishment of the Orbán regime

The early institutionalization of the compulsion to form a consensus

During the transition to democracy in Hungary, consensus-building was perceived as a “prestigious” political measure. The “Founding Fathers”⁵ of democracy at the roundtable talks wanted the new, democratic institutional system to be placed on as wide a consensus as possible. Meanwhile, the out-going representatives of the old regime wanted to retain their voice in politics. As a result, a complete set of rules was born that sought to strengthen the new democratic order, its stability and its governability, including the qualified majority rules, which affected a wide spectrum of policy issues. Apparently, the “Founding Fathers” believed that they could safeguard freedom by increasing the number of decisions that required a qualified majority vote.

These measures created a democracy in which between elections, the ruling governments’ power became almost “cemented.” It became nearly impossible to remove an incumbent government from the outside; however, this simultaneously made effective governance more difficult. The government in power, due to the high volume of qualified majority rules, had to rely on the *opposition* to take decisions on basic issues. Paradoxically, the Constitution thus granted both much power *and* limited political responsibility to the government.

In 1989, “Founding Fathers” exhibited an ambivalent attitude towards the notion of power. They wanted a strong, democratic form of government based on wide popular support; at the same time, they were averse to the very idea of power itself. To ensure the country’s effective governability, the “Founding Fathers” provided excessive safeguards to the political system in comparison to other segments of society.⁶ Simply put, they overestimated the populace’s desire for stability. What they did not take into account was that the “illusion of stability” over the long haul could make the system inflexible. The desire for stability is associated not only with the legacy of the era of János Kádár (a communist chief who ruled the

country between 1956 and 1988); today, it is linked to the hectic, new capitalist system of the past twenty years and the injustices it produced. Democracy in Hungary, in the formal sense, is the most stable in all of Central Europe, because since 1990, all coalition governments completed their four-year mandates. However, formal stability has come with a price because regulation has largely prevented the political system from correcting itself. The constitutional system between 1990 and 2010 guaranteed that the government remained in power for the entire cycle, and it thereby ensured the governability of the country; however, it also straight-jacketed the incumbent government via the qualified majority rules. These measures, raised to the constitutional level, proved mostly counterproductive. There are additional institutional and structural reasons that explain Hungary's inability to react to external challenges promptly,⁷ and why Hungary became more vulnerable than other countries during the global crisis. Psychological and institutional stability are valuable facets. However, it has become clear that treating the idea of stability as a fetish has thwarted the country's development.

The practice of informality

Throughout its history, Hungary was frequently an occupied country, and this produced a political culture characterized by the prevalence of informal practices and the lack of institutional accountability. Hungarians had learned that they only had to feign that they were obeying the rules imposed upon them by foreign invaders: below the surface, they established a system of informal rules governing society and culture. Hungarians lived with the duality composed of formal and informal rules, rules which most often were inherently ambiguous and contradictory. Therefore, Hungarians learned to amble their way around these rules in a conniving fashion, finding loopholes and cutting corners, and this behavioral pattern remains deeply engrained in Hungarian society. They gave the proverbial emperor what the emperor demanded, as it were, but they also evaded taxes where they could. They began to push for individual interests vis-à-vis the government by organizing informal networks and small groups; however, they did not form formal organizations, such as unions. Civil society groups and unions helped individuals orient themselves and survive not through collective action, but rather via hush-hush negotiations.

The Kádár regime became a "soft dictatorship" because it was softened by lies. The reason it became more livable is that the system often did not take its own rules seriously. Practicing the system of double rules continued, and one had to navigate the maze of formal and informal rules with caution. Under Kádárism, citizens grew accustomed to those procedures that made the dictatorship bearable. For Hungarians, the old system was not nearly as bad as it had been for the Poles, the Czechs, or the Romanians. Thus, in 1989 Hungarians only broke with the institutional system of dictatorship, but not with the customs and informal procedures associated with that system.⁸ The corrupt nature of the Kádár regime made easier for people to manoeuvre within the system, but it does not follow from this necessarily that every system is better corrupt. Moreover, illusions attached to the Kádár regime made it all the more difficult to break with its political culture.

The political sphere assumed increasing power over various segments of society, from the media through the economy, from education through the social sectors to the theater. Election results determine who may become the editor of a newspaper, school principal, theater director, or economic leader. In Hungary, in contrast to the standards in normal democracies elsewhere, it

is extremely important which party is in power. This means that the financial security of many depends not on professional merit and performance, but rather on the given political circumstances and the ability of people to position themselves. This frustrates all of those who wish to deliver in their respective fields professionally. Society has been built on the phenomena of informality and clientelism, so political parties try to deepen their influence through its practice.

The main issues during the past twenty years of Hungary's democracy were not primarily based on the constitutional problems of 1989, but rather the ambivalent relationship of Hungarian society to the formal political institutions. The period following the 1989 Revolution often surprisingly resembles the era before the revolution, because society often tries to fashion its own informal customs to the new rules.

The phenomenon of "partocracy"

During the second decade of democracy in Hungary party politics superseded almost all other aspects. The confrontation between the ruling government and its opposition became so intense that it became nearly impossible to solve the country's problems through negotiations, which would have required responsible policy debates and wide-ranging consultations. Fidesz initiated confrontation—when it was in power (together with the Independent Smallholder's Party (FKGP) and Hungarian Democratic Forum (MDF) between 1998 and 2002—as a means of strengthening its initially weaker political position. It was determined to divide society using a politics of symbolism. Public discourse was based on party allegiance and such discourse could not replace (or at least complement) the necessary policy dialogue or the unbiased popular discourse. The main rival of Fidesz was the Hungarian Socialist Party (MSZP) which came back to power in 2002 and ruled the country until 2010. Out of their eight years in power, they were in coalition with Alliance of Free Democrats (SZDSZ) for six years. The phenomenon of "partocracy" appeared: what had once been the party-state was replaced by the state of democratic parties.⁹

There are several reasons for the political crisis in Hungary that unfolded after the autumn of 2006, and one of them is the rule of the parties. The reforms announced by socialist Prime Minister Ferenc Gyurcsány in 2006 did not take the power of partocracy into account. In a strong democracy, party pluralism unfurls within the legal framework and it is checked by other actors in the system. As such, competition between the parties cannot transform into the dominance of the parties. In Hungary, however, a system was established whereby democracy almost exclusively is exercised by parties, and for this reason, the welfare of the public becomes secondary to the interests of the parties. In the meantime, the rising level of voters' identification with parties and the polarization of party system created an atmosphere of, what many Hungarians called, "cold civil war" between the left and right. Behind the sharp rhetorical struggle a system of co-dependence has evolved that governs both the relationships within and amongst the parties, and one of the most important elements of this system is its policy of rewarding and issuing threats to individual members. Thus, party leaders could maintain both "confidence" as well as "solidarity" with one another, because they knew everything about each other's affairs.

In Hungary, parties assumed civic duties. It was the parties that had organized “movements”; it was the parties that had established “public benefit” foundations, “professional” groups and the “civic” circles. Parties were the ones that delegate curators to various committees; they were seeking expert advice of their own experts; moreover, they had their own journalists writing media reports. In such a system, there were no independent economic experts and market players, only think tanks that were sustained by the parties and their straw men. In this system, affairs could only be settled through the parties and their clientele. The state was a state of the parties, together with its tax authority and security forces.

The particular features of the Hungarian political system – including the collection of candidate nomination slips, the high threshold for entering parliament, the large number of regulatory areas in which there is a requirement to have a qualified majority in order to create laws, the opacity of political party financing, and the privileged position of political party foundations, and so on – facilitated the survival of already-existing parties and made it difficult for new political forces to enter parliament. Hungarian electoral laws were amongst the least proportional in Europe. That said, a strong democracy does not equate to enshrining into law the opportunities provided by a multiparty system. The Hungarian system was characterized by highly politicized society, and the excessive say that political parties had in various areas of public life. This has led to the withering away of the autonomy of certain segments of society; furthermore, it has impeded the ability of the entire system for innovation. If a society’s progress depends not on economic performance but on the loyalty to a party than people lose interest in producing genuine results.

As the proportion of “partocracy” increases within a democratic regime, corruption becomes an increasing temptation. It is no coincidence that to this day Hungary has no fair party finance law, nor are there any strict rules against the conflict of interests within the decision making bodies controlled by political parties. Corruption does not seem to be an external problem, but an integral part of the system.¹⁰

Democracy of privileges

That people lost faith in democracy is presumably partly the responsibility of those who form public opinion. After 1989, the roles of the intellectuals changed: their goal was no longer to act as substitutes for a democracy that was missing, but rather to foster dialogue and offer alternatives, contribute to public affairs independently from political parties, participate in public debates, shape values, and raise doubts and fundamental questions.

Only few journalists faced the fact that several of their colleagues were becoming the mouth pieces of various political and economic actors, rather than expressing independent opinions and exposing issues without massaging the facts. What should we think of the Hungarian politico-economic elite, which over twenty years was unable to produce new ideas, behaving at times like a witch doctor, by prescribing the same remedy for every illness? The intellectuals, many of them followers of neoliberal teachings, did not question whether it was true that privatization and deregulation automatically cured the banes of the economy. They did not venture to view the state and the market in a more balanced light (i.e., that the economy and society have mutual effects on one another). Political analysts have been stuck in giving their so-

called “value-free” comments on the superficial power games of the political elites, and they did not offer meaningful insights on the substance of democracy. Political scientists, if they were to take their profession seriously, should have assess political phenomena in the social contexts in which they emerged; furthermore, political scientists were expected to offer more profound analyses on the relationship between politics and society than they did. If civil society representatives turned a blind eye to the processes that were destroying democracy, it was no wonder that the politicians they themselves elected did the same. Politicians do not live outside the parameters of society; they only do what society permits them to do. The intellectual elite tended to forget that democracy could not be solely the affair of politicians, though naturally politicians bore greater responsibility for it than do others.

After 2000, the intellectuals became the guardians of the status quo. It seemed that the patience of the lower classes of society was endless; it also seemed that many of those who had received higher levels of compensation from the state could “get away with” the economic transition. Not only did the memory of the transition become unpopular; the entire political class lost its credibility. A significant portion of the intellectuals were responsible for the fact that in the decade following the turn of the millennium, the consolidation of democracy turned into a farcical chasing of illusions.

Between 2006 and 2010, the proponents of the ill-conceived reform policies of the ruling former socialist and liberal parties tested the patience of hundreds of thousands of people, who were falling into poverty. One particular feature of the process of privatization in Hungary was that following an initial “spontaneous” period, foreign capital had the greatest ownership over the economy. Under these circumstances, the unconditional acceptance of the system by the Left, the discourse of “There Is No Alternative”¹¹ suggested that its followers were on the side of foreign capital and not the local Hungarian population. The system did not become popular within the electorate, and as such, this perception sealed the fate of the left-liberal elite. The democratic center did not offer an alternative, for example, with an empathetic, plebeian-type of politicizing to voters. Thus it gave way for the extreme right, which in its campaign slogans sent the following message to hundreds of thousands of uprooted people: “Hungary belongs to the Hungarians.” Nearly by definition, if social solidarity from the politics of the left is lacking, the values remaining on the side of the road are lifted up by the extreme right based on ethno-nationalist rhetoric. In the battle for economic survival, the ethos for the fight for civil rights faded. In the conditions of neoliberal variant of capitalism, the labor market had already increasingly become divided into the “important people” and the “redundant” camps. Furthermore, the technocratic elite often proved incapable of easing social tension. Exclusion from the labor market for extended periods and social marginalization served as the bases for the gain in momentum by radical anti-democratic movements.

The failure of the reforms and the economic crisis

The political transition of 1989 did not mark the end of the transformation from the old regime. Economic reforms and new institutions were needed, and the new constitutional framework required content. Achieving this would have required credible politicians, or people who would swear on their lives that their ideas were not just empty rhetoric feeding the mass media. In the autumn of 2006, when its own credibility was shaken, the Hungarian government

submitted a vote of confidence to go ahead with the reforms. Without this vote of confidence, society did not support the reforms. Against this backdrop, how could reforms have been pushed through? Perhaps the reforms would have succeeded had the socialist-liberal government clarified the rules of the game beforehand. At the time, socialist Prime Minister Gyurcsány's proposed anti-corruption legislation was the only reform effort that could have garnered substantial popular support; however, this initiative also failed to pass, because the coalition parties of the time nipped it in the bud.

In Hungary, the terms “reform” and “austerity” became conflated. The political elite should have realized that instead of taking decisions in a coup-like manner – decisions that would affect the livelihoods of many – they should have held a dialogue with stakeholders. They should have been able to explain and convince voters of the anticipated long-term benefits of their policies. The disillusionment that followed was escalated by political scandals. The Prime Minister's speech of May 2006, held in closed circles at Balatonószöd (the speech was leaked by opponents from within the party in autumn 2006), shocked popular opinion and made it impossible for the reforms to garner popular support. The credibility of the planned reforms was questioned at the core: the very person who had initiated them admitted before his fellow party members that he had earlier not spoken truthfully.¹²

The poor design of reforms generated intense debates for years to come. Yet none of the debates made it any clearer to voters whether the sacrifices they were making for the reforms would be worthwhile. The government had no vision concerning how healthcare, transportation, or education would improve for citizens; deregulation and pro-market economic policies, inherited from the transition period, were its sole plans. Moreover, communicating the reforms was limited to internal discussions within the political parties. The global financial crisis of 2008 reached Hungary at a time when the government was rapidly losing its domestic political credibility. The result was the nose dive of the Hungarian economy. Only an agreement with the IMF and a quick loan from the Fund was able to save Hungary. Gyurcsány's resignation in the spring of 2009 was a direct result of the economic crisis. His departure led to Gordon Bajnai's one-year “crisis-management” term in office, and, indeed, short-term crisis management presided over long-term reforms. It became obvious to everyone that the socialist and liberal forces behind the government would suffer severe losses during the 2010 general elections.

Over the past twenty years, the strategic vision that had existed in Hungary during the time of the transition was precisely the need for reforms to succeed—yet it was entirely missing. The prime ministers who had exchanged hands often wanted to both implement reforms and please those who opposed reforms. Not one prime minister tried to break with the rule of political parties; rather, each had merely hoped that the “partocracy” would simply accept the reforms. In 2008, voters in a referendum, initiated by Fidesz, rejected the introduction of tuition fees in higher education and the partial co-payment within the healthcare system. In addition, they supported the withdrawal of the already-implemented “visit fees” to be paid to doctors. It thus became apparent that the socialist-liberal coalition had exhausted its political reserves. Thus, the government became weak, burdened by the demands of political governance and the severe lack of confidence that people had in the bureaucracy. Consequently, by 2010 the government had become defenseless against the emerging autocrats. The promise of a “strong state” enabled anti-democratic endeavor to gain popular support.

A democratic state does not rest upon the tips of bayonets: it is strong when it enjoys the trust bestowed upon it by its citizens and weak if this trust is lost. During the 2010 general elections, voters began to see the Hungarian conception of “government” as producing a weak “Weimar” state that could not maintain order. Voters increasingly believed that this weak government had turned Hungary into the country that may be labeled as an “also ran” in the race for democracy in the region. The need for a definitive majority increased, as well as for a strong political leadership. Many came to believe the following: “we do not know what is to come, but because what we have now cannot continue, bring on the unknown!”

2. The Orbán regime and the crisis of Hungarian democracy

Despite the serious structural problems described above, for twenty years the Hungarian political system was a liberal democracy characterized by a multiparty system, free elections, representative government, strong opposition, free media, strong and respected institutions that protected the rule of law (i.e., the Constitutional Court and the Ombudsman’s Office), and independent courts. Barring a few striking exceptions, human rights were generally respected, and religious freedoms were not restricted. During the two decades after 1989, incumbent governments had lost every election (with the exception of 2006), the media criticized politicians heavily, democracy was consolidated, and Hungary joined the European Union. The above-discussed problems notwithstanding, Hungary remained until the eve of 2006 a success story of democratic consolidation.¹³

By 2011, however, Hungarian society was forced to realize that the system that had become increasingly freer over the decades had come to a standstill, and it was turning autocratic direction. This raises the following questions: Is it possible to roll back history? Is it possible to return to a semi-authoritarian regime as a fully-fledged member of the European Union?

Conceptual underpinnings

Prime Minister Viktor Orbán’s policies are based on the pillars of 1. “central arena of power” (*centrális erőtér*), 2. rhetoric of “national unification,” 3. change of the elites, 4. the practice of power politics, and 5. the belief in “revolutionary circumstances.”

First, Orbán’s notion of a “central arena of power” aimed to eliminate the idea of competition endorsed during the transition to democracy. He wanted to create a system based on the monopolization of the most important elements of political power which are strongly connected with each other through personal networks. In his view the central area of power should be filled by the politically homogenized culture of the national community which is largely defined on the basis of ethnicity. If from the three components of liberal democracy – participation, competition, and civil liberties – the option of competition is weakened or removed (through the modification of electoral laws) and the institutions that safeguard the rule of law are destroyed, hardly anything is left of democracy. That which remains resonates from the era of state socialism: the “people’s democracy.” Orbán does not need economic, cultural and political

alternatives; he strives to establish his own unitary system of values which is identified with the national interest. Yet where no alternatives exist, there is no room for liberal democracy either.

Second: almost all of Orbán's important messages are based on the notion of "national unification," which has both symbolic and literal importance. It is used both in foreign and domestic politics. For the first, he expressly criticized the Treaty of Trianon that had concluded World War I, as well as the legacy of the Communist system and the forces of globalization, which together he took to be the most important political issues of the day. Orbán suggests that the "nation", understood as extended family, serves as the bastion that offers protection against these forces. The idea of national unification furthermore maintains that Hungarians living outside of Hungary are not minorities, but full members of the Hungarian nation with corresponding rights and privileges. As such, these Hungarians are granted Hungarian citizenship upon request, regardless of where they live, and thus they are also automatically granted voting rights. Orbán believes that the civic right to freedom, membership in the European Union, and being a political ally of the West is only important insofar as these do not contradict the priorities of "national unification." Nonetheless, this policy cannot be described as pure ethno-nationalism, because the cabinet gave equal voting rights to those native Hungarians who live outside Hungary, it was reluctant to grant the same electoral procedures to those who had left Hungary to the West, as economic migrants, during the recent years. The government distinguishes between the citizens of the same country when it decides about who the "good" Hungarians are (who deserve full state service) and who are the not-so-good ones who do not deserve the same procedural treatment. Therefore the rhetoric of "national unification" hides the practice of selective nationalism.

Concerning domestic politics, "national unification" refers to the "system of national cooperation" (a set of "unorthodox" policies combining statism, economic nationalism, crony protectionism and neo-liberalism) which has emerged as an alternative to liberal democracy. However, the priorities of Orbán's "system" are not to improve the livelihood of the poor, the marginalized and Roma communities, nor does it encompass the concept of the Republic and the respect for social and cultural diversity. Through his words, Orbán wishes to give the impression of uniting the nation by basing its policies on work, home, order, family¹⁴ and the feeling of security. These basic, conservative concepts are deeply rooted in the more traditional part of Hungarian society and the prime minister smartly exploits the emotional impact of these slogans to sell his politics effectively. Yet the reality is that his policies divided society. In his dictionary, the term "people" are defined not as groups of individuals, social classes or political community in general, but instead represents a selective ethno-national category justified by history interpreted by him.¹⁵

Third, Fidesz radically changed the administrative elites, by replacing not just top administrative office holders, but economic and cultural leaders tied to the experience of previous decades. The first Orbán government (1998-2002) had used culture to strengthen its own power. By contrast, the second Orbán administration saw cultural pluralism as source of unnecessary costs and potential criticism – and it wanted to eliminate both. It did not engage in a cultural battle because it did not want to argue; rather, it simply changed the administrative elites as broadly and deeply as possible. The aim here was to dismantle the political independence of institutions and to put a group of Orbán loyalists in key positions. Anti-communism was the

ideology bolstering this move which today is no more than a cover for this quest for power. Cultural policies have been replaced by symbolic politics. This endeavor to solidify clientelism sent the message that life outside the “system of national cooperation” was unthinkable.

Fourth, the government’s policies were not based on any single ideology, because according to the Prime Minister, the era of ideologies has ended. Viktor Orbán is in no way a conservative politician; he is a nationalist and populist leader who prefers confrontation to compromise. He thinks that competition is always a zero-sum game, in which “either-or” choices cannot be transformed into “more or less” type of solutions. Instead of ideas, Orbán believes in maximizing power, because for him it is not freedom, but a tight-fisted leader who can assure order. Moreover, he believes that he “naturally” embodies the traditional, patriarchal values hundreds of thousands of rural Hungarians. Those who identify with this mindset are individuals who are servile towards their superiors, but stamp upon their own employees. There are also those individuals who are only obedient towards their superiors if they feel that they are under their watchful gaze. Orbán skillfully attacked the banks (most of them are in foreign hands), the multinational corporations, foreign media, and the officials of the European Union on grounds of economic nationalism and “sovereign” democracy to earn votes. In the meantime he introduced flat tax, restricted the rights of the employees, the unemployed and the homeless, divided trade union, nationalized local schools, and eliminated the autonomy of the universities. In this situation “privatization” and “nationalization” do not much differ from each other because the state itself is privatized, i. e. captured by partisan interests. The party-state has been revived in the form of a “family” of power.

Fifth, Orbán interpreted his electoral victory as “revolutionary.” This allowed him, with a two-thirds parliamentary majority in hand, to employ exceptional methods by making claims to exceptional circumstances (i.e. “revolutionary conditions”). As a result, Orbán deployed warlike, offensive tactics, pushing legislation through parliament that quickly and systematically rebuilt the entire public legal system. Fidesz often referred to the ideas espoused in the 1848 Revolution led by Lajos Kossuth (i.e., “revolution and struggle for freedom”); however, Fidesz’s own “revolutionary struggle” has undermined freedom. In its stead, Fidesz has established a single party state, where power rests with the party and the Prime Minister himself. The state has been captured by a closed group of like-minded political entrepreneurs, a new elite with homogenized attitudes, which group is using the state to extract resources for their own particular goals under the aegis of “common good” and “public interest”. Their strategy has been based on the practice of conversion of power, back and forth: Political power strengthens their economic power and vice versa. The qualitative majority in the Parliament gave an extraordinary opportunity for the ruling party to legislate corruption according to its interests. As it turned out, corruption was not a set of deviant practices, coming from outside the state, any longer. On the contrary, it became the leading principle of the state. Corruption, which used to be deviant behavior, became the norm. It is “invisible” because it is the law itself, defended by the “refurbished” Constitutional Court. Paradoxically, from a democratic point of view, the problem is not so much if government people break the law, but it is if they keep it.

While most people wanted to remove the Orbán- government from office, they were unable to find a viable political alternative since the opposition has been fragmented for long period of time. Also there was no visible group of dissidents existing within Fidesz critical of

Orbán who could have offer an alternative vision for the center right. As such, the will of the leader is largely binding and faces no internal limits.

The building blocks of the system

Hungary, a member state of the European Union, which used to be a consolidated democracy, suddenly found itself skating on thin ice. The uniqueness of the situation lies in the fact that there is no example for a reverse transition within the European Union so far. No EU member state has ever returned from democracy to autocracy. Perhaps the most troublesome development of this reverse trend was the constitutional coup d'état which created a one-party constitution in April 2011 (Basic Law) that went into effect on January 1, 2012. Quoting Kim Lane Scheppele, the “revolutionary” legislation went through the following way:

“[Fidesz] won two-thirds of the seats in the Parliament in a system where a single two-thirds vote is enough to change the constitution. Twelve times in a year in office, it amended the constitution it inherited. Those amendments removed most of the institutional checks that could have stopped what the government did next – which was to install a new constitution. The new Fidesz constitution was drafted in secret, presented to the Parliament with only one month for debate, passed by the votes of only the Fidesz parliamentary bloc, and signed by a President that Fidesz had named. Neither the opposition parties nor civil society organizations nor the general public had any influence in the constitutional process. There was no popular ratification” (...) By James Madison’s definition, Hungary is on the verge of tyranny. (...) Fidesz political party has gathered all the powers of the Hungarian government into its own hands, without checks from any other political quarter and without any limits on what it can do.”¹⁶

The new Basic Law approved by governmental majority was the result of a unilateral governmental process which did not reflect a national consensus. The new text kept several portions of the 1989 Constitution; however, it “protects” individual freedoms by lumping them together with communal interests, and as such, it does not in fact value individual freedoms. The Basic Law openly refers to Hungary as a country based on Christian values, which is not only an exception for Europe, but also unusual among the neighboring Visegrád countries. Though the Basic Law (in one sentence only) formally maintains the form of a republic, it breaks with the essential notion of a republic, by changing the name from “Republic of Hungary” to simply “Hungary.” The text increases the role of religion, traditions and national values. It speaks of a unified nation, yet certain social minorities are not mentioned with the same degree of importance. In its definition of equality before the law, it mentions gender, ethnicity and religion, yet it does not extend this definition to include legal protection against discrimination based on sexual orientation.¹⁷

The 1989 democratic constitution was inclusive, and consensual. By contrast, the new Basic Law serves as an expression a “national religious belief system”—a paganized Christianity— it is a vow, in which the Hungarians list all of their sources of pride and hope and pledge to join hands and build a better future, parallel to Orbán’s “system of national cooperation.” The signing the Basic Law took place on the first anniversary of the electoral victory of Fidesz on Easter Monday, April 25, 2011, which blasphemously claimed to symbolize

the alleged rise of Christianity in Hungary. All of this drew bizarre parallels between the rise of Jesus and the new Fidesz-constitution, which also made it clear how one is to interpret the “separation” of church and state in Hungary today.

The shortcomings of liberal democracy, discussed above, the global economic crisis, and the determined anti-liberal democratic policies of the Fidesz government have together produced a perfect political storm.

Though Fidesz was silent during its 2010 campaign about the most important tasks that it would need to carry out after its anticipated victory, once in power, Orbán began constructing a new system to replace, as he called, the “turbulent decades” of liberal democracy. As a first step, he issued the “declaration of national cooperation,” making it obligatory to post this declaration on the walls of all public institutions. In fact, the essence of the new system is that anyone can be a part of “national cooperation” who agrees with the government. However, those who disagree cannot be a part of the system, because the system is based on submission to the ruling party.

The government majority, upon Orbán’s recommendation, chose not to reappoint László Sólyom as President of the Republic, an individual who while previously making significant pro-Fidesz moves, nevertheless guarded the autonomy of the presidency. Servile Pál Schmitt, a former presidential member of Fidesz and European Parliament representative, was appointed instead. In addition, the new government saw the 1989 Constitution as a heap of purely technical rules, which Orbán has since shaped to fit the needs of his current political agenda. If any of his new laws proved to be unconstitutional, it was not the law, but the Constitution that had to be changed. An extreme example of this was when the parliamentary majority in July 2010 enshrined the concept of “decent morality” into the Constitution, which in November was subsequently removed. Meanwhile, it cited “decent morality” only when it suited its interests. As such, this amendment sent the message that in the name of the “majority” the concept of “decent morality” can be modified at any time.

When in the autumn of 2010 the Constitutional Court repealed a statute that had retroactive effects which it found to be unconstitutional, Fidesz immediately retaliated by amending the Constitution and limiting the Constitutional Court’s jurisdiction. Thus, the Constitutional Court overnight turned from being controlling body, a real check of the legislature, into a feeble controller of the application of the law. The chairperson of the Constitutional Court hitherto had been chosen by the members from within their own rank; however, according to the new rules, it was parliament that was to appoint him or her. In addition, the number of judges was increased from eleven to fifteen, and the Court was packed with right-wing personalities and former politicians known to be close to Fidesz. The governmental majority did not (despite the long standing criticism of the rule) do away with the possibility of re-appointing the judges, and hence they may continue to be kept under check politically.

The propaganda of the government aimed to equate Fidesz voters with “people.” Thus it justified the arbitrary decisions of the government by referring to the “mandate” it has from voters. Public institutions, for instance, have been renamed “government” institutions. Furthermore, the Orbán administration has introduced laws that have made the immediate

dismissal of public employees without cause possible, and so, too, the cleansing of the entire government apparatus. As a result, central and local public administration have quickly become politicized, riddled with conflicts of interest. All important positions, including those in the independent institutions, have been filled with Fidesz cadres. For the position of attorney general, they appointed a cadre who had previously been a Fidesz political candidate, and who subsequently, during the first Orbán government, was the “trusted candidate” for the job. As President of the Court of Auditors they appointed a person who until May 2010 had worked as a Fidesz parliamentary representative. Another former Fidesz representative became the President of the Media Authority, and the spouse of an influential Fidesz representative was appointed to head of the newly-created National Judicial Office, which serves as the administrative body of the judicial branch. Similarly, the Hungarian Financial Supervisory Authority and the Budgetary Council came under political party influence. A Fidesz politician became the President of the National Cultural Fund, who simultaneously served as the President of the Parliamentary Cultural Committee, and, for this reason, the person oversaw his own job. A right-leaning government official took charge of the ombudsman office, thus forever doing away with the independence of the institution. Most of the above-listed cadres have been appointed for nine to twelve years. Therefore, they can stall or indeed prevent subsequent governments from implementing policies that go against those of the current one.

The members of the executive and President Pál Schmitt competed over who would become the most effective “engine” of legislation. They imposed a retroactive, 98% punitive tax on individuals linked to the previous governments. Moreover, they launched a central campaign against certain former politicians, members of the government or office-holders, as well as left-wing and liberal intellectuals, with the aim of criminalizing them. The state-sponsored television news reports increasingly started to resemble criminal shows. Instead of political debates, for example, they broadcast news of denunciations. Furthermore, the attorney general accused former Prime Minister Ferenc Gyurcsány (2004-09) with influence-peddling (a statutory crime).¹⁸ Another example is the smear campaign that was launched against the philosophers and employees of the former Budapest School, who were accused of having received too much support for their research.¹⁹ These latter accusations had anti-Semitic undertones.

State-backed media replaced public radio and television channels. Their programs heavily underrepresented opposition politicians and intellectuals leaning towards the opposition. The media laws of 2010 created a media supervisory authority, and the individuals who are in the decision-making positions of this body are all close to Fidesz. The media authority can issue financial penalties at its discretion not only to radio or television programs that fail to abide by the media laws, but also to print or electronic media, and even to bloggers. The sum of the penalties can be so high as to be capable of silencing media outlets completely. The government does all it can to influence the media, ranging from personnel policies through to state-led advertising, and facilitated by the fact that the Hungarian language media market is relatively small and can be fairly easily shaped by financial means. Measures aimed to curtail press freedom (such as controlling the policies of news agencies and state television, the new editing practice of even outright forgery and manipulation, and the mass dismissal of employees) created an atmosphere of fear and self-censorship among journalists and television reporters. As a response to the introduction of the media law, the European Parliament stated that these laws violated press freedom. Widespread European protests ensued. Under pressure from the

European Commission, the Hungarian government withdrew some of the provisions of the media law, and the Constitutional Court repealed some of the other provisions; however, the possibility of limiting the freedom of the press remains on the books. The broadcasting operations of Budapest's last opposition radio station, *Klubrádió*, were suspended.²⁰ In its aftermath, television reporters carried out a hunger strike, calling for honest and transparent public media to be restored²¹.

The minimal requirement of every democracy is holding free and fair elections, which allows for a peaceful change of the government, which enables an incoming government to implement policies that are very different from the ones of its predecessor. After coming to power, the Fidesz government filled the National Electoral Commission, the body which is responsible for conducting clean and smooth elections, with its own people. The government majority, shortly before the municipal elections of fall 2010, changed the electoral laws to make it more difficult for smaller parties to gain seats in local government. New laws have been passed to govern the parliamentary elections. This means—under the pretext of aiming to reduce the differences between the numbers of voters among the electoral districts—a change to a one-round system and a complete redrawing of the electoral districts according to partisan interests (i.e., gerrymandering). That said, the boundaries of electoral districts were drawn to make the left-wing districts more populous than those of the right, to ensure that the votes from the left count for less. Until 2014, only those parties who lost an election could receive compensation for the votes cast for the losing candidates; however, from now on, winning parties will also receive additional parliamentary seats as “compensation.” The mixed system in place since the 1989 Hungarian Electoral Law largely remained²²; however, the proportionality of the system further decreased. The total number of parliamentary representatives radically decreased (from 386 to 199) so there are fewer and larger electoral districts.

Overall, the new electoral law aimed to filter out smaller parties and political opponents. Meanwhile, Hungary became one of Europe's least proportionate electoral systems, by maintaining the 5% threshold to enter parliament, and by increasing the number of representatives to be elected in the individual districts to the detriment of the spots to be gained for votes cast to party lists. The goal of the new law was to increase the chances of Fidesz to win an election, to be achieved by reducing the electoral campaign period, removing policy issues from elections, banning campaign advertisement in the commercial media, and by mobilizing voters to keep presumably opposition voters away from polling stations. The electoral procedures in the law tied the participation in an election to previous permanent addresses, which affects the lower tiers of society, especially the Roma and the poor, diminishing their opportunities to participate in elections.

Snapshot of society and political culture

By introducing a flat tax system, the government made clear that its social policies are intended to support the upper middle classes rather than the lower middle classes and the poor. The original goal of the government was to make Hungary competitive amongst other Central European countries that have lower tax rates.²³ However, the result of all of this was a substantial budgetary deficit, which the government tried to reduce by levying “crisis” taxes on banks and telecommunications companies, alongside a 98% penal tax, which was levied on severance

payments and which cannot be reconciled with the concept of rule of law. In addition, the government increased sales taxes (VAT) to 27%, the highest rate in Europe, nationalized private pension funds, and cut spending in the areas of culture, healthcare, education, and welfare significantly.

Fidesz's sweeping electoral victory in 2010 at first sight seemed to many as a populist reaction to previous weak governments. After all, Fidesz promoted economic nationalism and "unorthodox" economic policies by levying taxes on banks, launching anti-bank campaigns, and attacking foreign investors and multinational financial institutions. In an effort to balance the budget, the government levied "crisis taxes" on banks and primarily foreign-owned large companies. At first sight, these measures may appear as typically "left wing" economic policies; however, this is a misleading interpretation, because Fidesz's "unorthodox" economic policies were complemented with distinctly "anti-welfare" social policies, as it were. For example, the government now grants tax benefits to families of working parents with children, which means that by definition families where the parents are unemployed and who live in deep poverty (most notably the Roma) are excluded. Social spending on the homeless and the unemployed has been decreased, homelessness has been criminalized. The time frame for disbursing aid has been reduced, meaning that recipients should receive aid quicker; however, more money has been allocated to those mothers who temporarily leave the job market to remain at home with their child. These measure have been justified with the notion of a traditional, patriarchal family values. The Orbán cabinet openly defended its anti-welfare policies, which were rare on continental Europe, where the majority of countries since World War II have aimed foremost to establish a social market economy, which they have since labored to protect.

In the meantime, the government nationalized the reliable private pension insurance system in such a speedy way that people were left with no other rational choice but to move back into the state-supported pension system. By absorbing these pension funds the government was able to meet the Maastricht criterion of 3% annual budget deficit for 2011. One year later, the government forced even those who had chosen to remain in the private system into the state pension system. By this point, there was no question of a "freedom of choice": the government behaved like a cop turned thief: it put its hands on the wealth of the people. Thus, in Hungary the basic principles of constitutional law, such as the respect of private property, the freedom of contract and legal certainty came into question. Whilst the government's propaganda played anti-EU tunes, it designed measures to reduce costs, following EU directives, all in the name of the economic crisis. Leaders of the government launched a verbal crusade, lambasting the sins of economic neo-liberalism, by promising a "national rebirth"; however, in reality, the government itself was carrying out neoliberal policies, and the sole purpose of these policies was to protect and benefit its own elites and a narrow class of people.

The government took several steps to prevent people from expressing opposition or dissatisfaction in a formal and organized fashion: it made the Labor Code stricter, which hurt workers, and it abolished traditional forms of dialogue between employers and employees. Moreover, unions were forced to merge with an emerging corporate structure. Limiting union rights curtailed the rights of workers to call for a strike. Furthermore, government-supported media outlets launched a smear campaign against the new generation of union leaders.

Shortly after coming to power, the government established a new, so-called “Counter-terrorist Center,” partly to guarantee the personal safety of the prime minister himself. The annual budget of the organization exceeds the amount set aside for the National Cultural Fund. One year after, it seems that the strengthened security services cannot sufficiently guarantee the safety of those in power, either. The Minister of Interior has proposed to establish a new secret service, though this is still under debate in the cabinet; because leaders in power could keep each other parties in check via this service, this measure has (understandably) aroused controversy.

The new law ensured that public education was managed and controlled by the central government. Local government and foundation schools were being nationalized, and a significant number of these schools were being placed in the hands of churches. Moreover, through these new laws the government has been homogenizing the curriculum of public schools, and it has reduced the age until which students must attend school from 18 to 16 years. The law on public education merged the anti-liberal traditions enshrined in the dogmas of Communism and Catholicism; it was no longer about education, but rather about discipline, and it declares that the state has the right to intervene in the lives of children and parents. The self-proclaimed “family-friendly” government strives to “re-educate” families for them to become “worthy” of participating in the system of national cooperation. Similar patterns can be observed in higher education. The bill on higher education aimed to limit the number of students that could be accepted to universities and colleges with financial aid from the state. The new laws even required that students retroactively repay tuition fees should they choose to live abroad after completing their studies. On top of it all, the government proposed that some university degrees can only be pursued upon payment of full tuition, which would make the more lucrative professions available to only the wealthy. It was the unspoken goal of the government to reduce social mobility, to bring the process of change of the elite to a close, and to “finally” entrench the social hierarchy that emerged through a “revolutionary” process in the post-Communist era.

Though the government stressed that it did not wish to return to the past, it nonetheless fed nostalgia for the period between 1920 and 1944, characterized by Admiral Miklós Horthy’s nationalist and revanchist policies. Prime Minister Orbán has proclaimed the day of the Trianon Peace Treaty that concluded World War I as the “day of national unity.” Moreover the government ordered to erect a statute of German occupation of 1944 in the heart of Budapest by suggesting that all Hungarians had been victims of German Nazism.²⁴ The government was politically absolving individuals extolled during the Horthy regime by conferring new awards upon them. Under the guise of “national unification,” The government granted citizenship and voting rights to Hungarian minorities living outside of Hungary, to increase the number of right-wing voters, given that the majority living in the diaspora tended to vote for the right-wing parties (and would perhaps return the favor for receiving the automatic right to Hungarian citizenship). Orbán declared that he wishes to politically deal the extreme right party, *Jobbik*, the same way that Horthy dealt with Nazi “*nyilas*” (Arrow Cross) movements back in the day: “give them two slaps on the face and send them home.” Meanwhile, various extremist right, paramilitary organizations have appeared in villages across Hungary, bearing a range of eerie names, such as “*Magyar Gárda*” (“Hungarian Guard”), “*Véderő*” (“Protective Force”), and “*Betyársereg*” (“Outlaw’s Army”). These organizations take away the government’s monopoly on force and launch racist campaigns aimed to intimidate the Roma. Courts that banned these

extremist paramilitary groups were unable to prevent them from reorganizing under different banners.²⁵

The central propaganda rose to protect nationalism, patriarchal family values, power politics and “law and order.” The Criminal Code has also been modified so that teenagers can now be thrown behind bars for minor retail theft or painting graffiti. The independence of the justice system has also suffered: the government is making the Office of the Attorney General dependent upon personal loyalties; it is curbing the rights of lawyers in criminal proceedings; and by forcing early retirement upon Supreme Court judges, it is launching a siege against the courts. When it created the “Kúria” (i.e., the Supreme Court in Hungary before the judicial system was reorganized after World War II), it did not extend the term of the chairman of the Supreme Court (though his mandate had not yet expired). Instead, the government replaced him with a cadre loyal to the ruling party. In 2010, the Fidesz majority in parliament changed the Constitution nine times in a six month period. Thus, the government itself placed the principle of legal uncertainty under doubt, shaking its own credibility.

The government paid special attention to the members of the national bourgeoisie and is placed high expectations on these individuals to carry out certain functions. The Orbán system created incentives through tax breaks for popular team sports, such as football, the prime minister’s favorite. Sándor Csányi, the CEO of OTP Bank became the President of the Hungarian Football Association. The government announced its plans for building a state stadium and several others. It has spent hundreds of millions of forints²⁶ on football academies, such as the Ferenc Puskás Academy, which has ties to Orbán. Due to this forced, “generous” support of different agencies the local football team of the prime minister’s village managed to rocket up to the first league within two years.²⁷

In the area of culture, the policies of Fidesz and Jobbik overlap: both have an exclusionary interpretation of the idea of “national values.” Under this label, both parties go against the equal opportunities policy of recent years. Though the government protected the National Theater’s director against homophobic and extreme-right attacks it finally replaced him by a new, pro-Fidesz director. Moreover, the mayor of Budapest appointed an extreme-right wing actor as director of the New Theater, who have been working alongside István Csurka, the former President of *Magyar Igazság és Élet Pártja* (Hungarian Truth and Life Party, MIÉP), a former extreme-right party. To the helm of the Hungarian State Opera, Orbán (deceiving his own minister) placed a government commissioner, who through his deeds and declarations would within a few weeks come into confrontation with the major representatives of Europe’s cultural scene. Within a year and a half, all theater directors across Hungary were replaced. In many towns, relatives of the Fidesz clientele have become the directors of the theaters. Cultural programs that aimed to decrease social and cultural inequalities were terminated. By stopping the activities of the public foundation for film, the government in effect halted one of the most successful branches of Hungarian cultural life, film production²⁸ for three years. The government even decided which religion could be regarded as “established” (Islam and Mormonism, for instance, were not), and it still has the authority to conduct a complete data search on all “non-established” congregations.

The Orbán regime considered some of the most outstanding artists and scholars to be its enemies.²⁹ The government had requested some of its artist friends to create illustrations for the new basic law, so that it may leave visual footprints of the historical periods of its preference next to the text, displayed on the mandatory “basic law tables” in government offices. They redesigned Kossuth Square, the large area just in front of the Parliament, to remove certain statutes and restore the “conditions of 1944.” Their actions were full of contradictions: they simultaneously lauded Chinese Communism and the anti-Communist neo-conservatism in the United States; they banned pro-Tibet protests during the Chinese Communist Party Chairman’s visit and at the same time put up a statue of President Ronald Reagan, who had called Communism the “Evil Empire.” They turned away from previous symbolic figures of Hungarian democracy, such as István Bibó³⁰ and Imre Nagy³¹, turning instead towards the successors of Li Peng, with whom they “forge an alliance.” In addition, they declared not only that the Communist Party of the past was a “criminal organization,” but that included its predecessor and successor organizations; however, they welcomed some of the former members of the Communist party in the government; what is more, they have these former members write parts of the basic law.

It was surprising that – despite its qualified majority in parliament – the steps of the Fidesz government could be characterized as *Blitzkrieg* tactics, especially where legislation is concerned. If a government announcement of a new law was expected, parts of it were leaked days before, and thus the government could “prepare” public opinion for its receipt. Thereafter, the party’s parliamentary group leader, or the prime minister’s spokespersons, duly delivered the announcement, which was then immediately submitted to parliament, and, by way of an individual representative’s motion, the bill was voted into law. The Minister of Justice, who in theory should be responsible for legislation, in effect had no say in the legislative process. There was no society-wide debate, no professional talks, no impact assessments, and there was no need for other such procedures considered “orthodox” in a democracy. The opposition’s voice was divided and it did not filter through the state-sponsored media. Furthermore, a modification of house rules limited parliamentary debate explicitly: proposals deemed important by Fidesz passed through parliament smoothly. This clearly contradicts the notion of a parliamentary democracy, which is based on idea of holding public debates. Since 2010, analysts, journalists and commentators hopelessly chased after events as they unfolded; they could barely keep track of this chaotic pace of legislation, which had been intentionally accelerated. By the time the involved parties and non-state controlled media outlets realized what had happened, the event had already concluded.

On first sight, this raid tactic gave the impression of a government determined to govern. Yet what has become clear is that the determination of the government was to centralize power. When criticized, the government has regularly responded by saying that the “most important talks” with society had already taken place, namely at the polling stations in 2010. As such, the government claims that its policies reflected on the „will of the people”. Work, home, order and family became the regime's catchwords. The popularity of the Orbán regime can partly be explained by the coordinated governmental communication about the advantages of a “strong man rule”, and by the socially “unorthodox” policies of the government. The Orbán regime offered favorable neoliberal policies for the rich, a corporatist and clientele system for the middle class, a mix of ethno-nationalist, anticapitalist and anticommunist rhetoric for the lower middle

classes, the policies of social exclusion and demobilization against the Roma and the poor, and finally, the familiar Kádárist paternalism to the pensioners.

Yet what is not clear is the following: if it is true that the majority stands behind the government, why did the government have to govern in a coup-like fashion? Because there is no denying that between 2010 and 2012, a constitutional coup unfolded in Hungary, and the speed of this coup was dictated by Viktor Orbán and his close political circle.

Power and society

During the his first administration between 1998 and 2002, Prime Minister Orbán was more *primus inter pares* in his leadership. After 2010, by contrast, the informal center of power, composed of the Prime Minister, his advisors and Fidesz cronies, simply not in agreement with the decisions of the “system’s founding father.” For Fidesz, the idea of “center of power” served the purpose of limiting the possibility of fair elections. Concerning the government’s mandate, it was Orbán’s explicit goal to create additional qualified majority rules, which has killed off the possibility for a change of government. And even if a change in government did take place, the administration strives to ensure that the would-be new government cannot carry out policies that contradict its own. Furthermore, the government has restricted the right to strike and the rights of employees; it has reduced the rights to assembly, religious freedoms, educational freedoms and social rights. Rather than maintaining the system of local government, the Orbán administration, after restricting the resources of local governments, placed the majority their functions under the jurisdiction of the central government.

The Fidesz government promised that after gaining its exceptional majority in government it would take on the fight against poverty and the social crisis. It promised jobs, homes, order and security. It suggested that although some of its measures would be controversial from a rule of law perspective, it would in turn guarantee economic and social development. Millions believed this promise. Perhaps they thought that certain democratic practices could be sacrificed in exchange for economic well-being. However, the government has dismantled the limits on the rule of law and it has bid farewell to liberal democracy; yet in return, not only did it fail to lessen the social burden of the Hungarian population, it has sent the message that it has (and had) no intention of doing this. Thus, it opened the avenue for the rise of the extreme-right party Jobbik.

To guarantee a return towards liberal democracy, strong opposition parties are needed that are willing to cooperate, along with social movements and an independent press, civic organizations and heightened international attention. In 2011 the main points of opposition began to appear, including independent unions and increasingly active civic groups that overshadow the dispersed opposition parties, which today remain unable to join forces.

In January 2011, the group entitled “One million people for the freedom of the press!” (This name was later shortened as “*Milla*”) sent ten thousand protestors to the streets; by March 15th, and October 23rd, two of Hungary’s most important national holidays, their number had swollen to 30,000 and 70,000, respectively. Labor unions organized larger gatherings in April

and June in the same year. In October 2011, the Hungarian Solidarity Movement was formed, which organized a demonstration of 30,000 people in front of parliament, and in December it announced that it would become a countrywide organization. A day before Christmas 2011, representatives and activists of opposition Green party (LMP) chained themselves around the parliament building to prevent parliamentarians from entering. They aimed to draw attention to the legislation that was being passed by parliament that threatened the rule of law. The police, Ukrainian- and Belorussian-style, accused the protestors of “restricting personal freedoms.” On January 2, 2012, about one hundred thousand people protested against the new Constitution and the rise of autocracy on the streets of Budapest. Further protests occurred on March 10 and March 15, 2012 with the attendance of tens of thousands. The Orbán government aimed to counter this series of protests by creating its own government-sponsored “civic” movement, the so-called Forum of Civic Union (*Civil Összefogás Fóruma*, CÖF) which organized counter-protests in defense of the regime. Flashmobs, scattered protests, new movements by civilians (university students and artists) emerged in the period of 2011-2, challenging the political monopolization of power increasingly seen as mafia state.

The biggest rally of the democratic opposition movements occurred in Budapest on October 23, 2012, when leaders of three civic organizations – Gordon Bajnai (former Prime Minister, leader of *Haza és Haladás*, Patriotism and Progress, a technocratic think tank), Péter Kónya, (*Szolidaritás*, Solidarity, an employees’ organization with nationwide network), and Péter Juhász (*Milla*, a broad political platform of the urban youth) – declared their decision to form an umbrella organization, called *Együtt* (Together), inviting other parties of the democratic opposition to create a united electoral bloc for the 2014 elections. With this public announcement, these movements started to begin walking on the long way of party-formation. Since 2012 former civic organizations within *Együtt* made several attempts to collaborate with other Parties (MSZP, LMP) for an electoral coalition, but internal rivalry between leaders, the growing distrust towards politicians in the society, and the strong negative campaign of Fidesz did not allow them to make a strong alliance early. The green party named as *Lehet Más a Politika* (Politics Can Be Different, LMP) broke up on this issue: a segment of the party joined the opposition alliance as a new party, *Párbeszéd Magyarországért* (Dialogue for Hungary, PM), while others, staying at LMP, decided to let their party running alone in the elections.

Despite the efforts of the government, Hungary still retained a few of the basic characteristics of a multiparty democracy. Liberal democracy, however, has been replaced with a wrecked version of “majority” rule, where the freedom of speech is limited by self-censorship (people do not speak up, for fear of losing their jobs) and press freedom is clearly being reduced to the blogosphere. The state-run television channels have taken a turn towards the tabloid. The aim is to depoliticize the news or remove political issues from media reports. State-sponsored media outlets, for instance, either did not report or underreported mass protest rallies and demonstrations. The country arrived at the 2014 general elections in a situation where Fidesz had a clear advantage.

The period of mass protests (2011-2) had been followed by a long, and increasingly self-destructing set of negotiations among the leftist opposition parties (2013). The momentum, offered by the civic initiatives, was lost when still unpopular leaders took over the political process in the opposition. In the meantime, the government introduced its policy of utility-cost

cut to regain the support of lower class voters. Finally, in January 2014, a leftist electoral alliance was created, just three months before the April 2014 elections. It was far too late. The influence of civil initiatives was not strong enough to promote new leaders to the democratic opposition which was still dominated but the ones who lost credibility before 2010. Among several other factors, weak organization, poor capacity for innovation, and the lack of imagination resulted in an electoral defeat in 2014.

Free and Unfair: The Elections of 2014

Hungary's parliamentary elections in April 2014 saw a 61% turnout, the lowest since 1998. The high abstention rate was a sign of disaffection with Hungarian politics: four-tenths of the electorate believed it was left without a genuine political choice.

Fidesz, the right-wing populist party, led by Viktor Orbán, received 44.5% of the votes, giving it a strong mandate to continue to govern. Thanks to the more disproportional voting system introduced by Fidesz, the party retained its two-thirds parliamentary majority. However, of a total of 8 million citizens eligible to vote, only 2.1 million cast their ballot for Fidesz; this was 8% (or 600,000 voters) less than in 2010. Although this result was far from representing "national unity", Orbán's charismatic leadership and his anti-EU, Christian-nationalist rhetoric have managed to forge an alliance between conservative voters and the lower middle class, which expected the state to halt its existential decline. In 2002 and 2006 – when the previous election system was still in place – this solid, two million-strong voter base did not suffice for a Fidesz victory. This time, it secured the party a supermajority.

The alliance of leftist opposition parties came second with 26% of the vote. Led by the socialist leader, Attila Mesterházy, the alliance is made up of the Hungarian Socialist Party (MSZP), Together (*Együtt*), Dialogue for Hungary (PM), the Democratic Coalition (DK) and the Hungarian Liberal Party (MLP). Since the previous elections, the alliance has managed to increase its vote by nearly 300,000, receiving a total of 1.2 million votes. Nevertheless, its performance at the polls has been rightly seen as a crushing defeat. In the last four years, the left has been unable to reinvent itself from the ground up. It has failed to communicate a clear identity or program; its leaders, who are engaged in constant rivalry, decided to field a joint list only at the last minute. The primary message of the alliance was a desire to run Viktor Orbán out of office; it had nothing to offer in terms of a genuine and positive vision. The list was dominated by MSZP politicians, held responsible by voters for the policy failures in the period up to 2010. Following their defeat, the leaders of the coalition parties announced that they would be running separately in the European parliamentary elections in May.

The third place went to far-right party Jobbik, with 20.5% of the vote. This represented some one million voters, 3% (100,000 votes) more than in the previous election. The results for individual constituencies show that in half the country Jobbik beat leftwing candidates. The elections were, in a way, great victory for Jobbik, which promoted Hungarian nationalism, radicalism, anti-globalization and racism. Analysts blamed Orbán for the growing support of rightwing extremists and said that Europe could no longer ignore the far-right. In the months before the elections, Jobbik assumed a more moderate tone, campaigning with the slogan of "livelihood, order and accountability" and muting its standard racist message. It not only ran

successfully in the poorest, north-eastern region of the country, but also managed to gain new positions in counties in the west.

The green party, Politics Can Be Different (LMP), came last with 5.2% of the vote. Although this falls short of the party's 2010 performance, it may grant green policies a new lease on life. Keeping an equal distance from both the rightist and the leftist bloc, LMP sent a middle-of-the-road, anti-establishment messages to its voters during the campaign.

The OSCE found that the elections themselves were effective and partly transparent, however cast doubt on the legitimacy of Orban's landslide victory, commenting on the "undue advantage" enjoyed by Fidesz and the lack of freedom for the opposition during the campaign. The European Parliament, the European Council, the United States, and several EU member states have also openly criticized this abuse. All of them pointed out that the act on electoral procedure was passed without meaningful public debate, in violation of both Hungarian and international practice. Constituency boundaries were shifted around to make leftwing districts more populous than rightwing districts, causing a left-wing vote to carry less weight. Different rules applied to Hungarian nationals working abroad and so-called "Trianon Hungarians" living beyond state borders. Moreover, under the new system extra mandates were added to the list of the winning party receives, which made the regulation extremely disproportionate. These rules violated the principle of equal vote. There has also been a failure to properly regulate a number of important areas connected to campaign financing, such as the campaign activities of satellite organizations. Using public funds, Fidesz outsourced part of its campaign to an allegedly civic organization with close ties to the party, the Civil Alliance Forum (CÖF). Thanks to new financing regulations, the transparency of the system and its accountability has been compromised.

The Media Council set up by Fidesz has not been politically neutral. The acquisition of media companies by investors with close ties to Fidesz undermined the plurality of the media and forces journalists to self-censor. Regulations introduced by Fidesz prohibited commercial television stations from running financed promotions, which did not stop government ads being aired. The majority of television channels broadcasted reports that were biased towards Fidesz. Together, these factors granted the government significant and unfair advantages and restrict citizens' access to proper information. The result has been a loss of public confidence in the electoral system. Not only Fidesz as a party campaigned, as it is usual in any multiparty democracy, but the Fidesz-controlled state administration "campaigned" too by using taxpayers' money and creating an uneven playing field. The boundaries between party and the state became blurred. This violated the principles about fair competition laid down in OSCE's 1990 Copenhagen Document.³²

The lower middle classes and the poor, victims of the discriminative governmental social policies of the past four years, have been compensated with utility-cost cuts before the election year. While advertising on utility-cost cuts are delivered regularly to all Hungarian citizens, the burden of special taxes is borne by various segments of the population in isolation. The majority of the public has been convinced by the media that, despite permanent economic stagnation, "Hungary has been performing better" over Fidesz's four-year term. Nationalist sentiments, paternalism, "strong man rule" and an overwhelming populist discourse captured the largest

segments of the Hungarian voters. By carefully calculating the social impact of his policies Orbán could effectively minimize the losses of his constituency and could keep the relative majority for his party. The victory of Fidesz can be metaphorically described as a successful “rebellion of the countryside” against the previous political setup widely perceived as “elitist democracy”.

The Hungarian public has been constantly reminded by its current political leader of the importance of national pride. Individual rights and the democratic institutions that protect them have taken a backseat to constitutionally endorsed policies of collective identity and cultural uniformity. With government propaganda about “order”, “home”, “fatherland” and “family” drowning out all other voices, many are voting with their feet: In the past four years, half a million people have left the country.

If society is unable to balance the system against governmental leadership, democracy is in danger. The proponents of autocratic measures, however, can hardly cement their power and they cannot stop the clock, adjusting the present moment, which is favorable for them, for eternity. It is an important lesson for those who believe in liberal democracy: they cannot pretend as though all is well, as they have in the past decades. History does not end with the transition to democracy, because democracy is never a complete condition; rather, it is a dynamic process, full of tension. In essence, it is but a fragile balance of forces and counter-forces.

If Hungarian democracy survives the current challenge thanks to resistance from society, there is a chance that it will subsequently be stronger than ever. But the protest movements and the democratic opposition proved to be too weak, fragile and fragmented to alter the dominant, illiberal trend in the past few years. The crisis of liberal democracy calls attention to the fact that democracy cannot be narrowed down purely institutions, because institutions can be easily hollowed out by leaders, who do not respect freedom. Democracy can only be preserved if, along with its values, a plethora of dedicated people help it thrive.

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References

¹ Fidesz (*Fiatal Demokraták Szövetsége*, Alliance of Young Democrats) was founded in 1988 as a youth, liberal, anti-communist party. Now taking the name “Fidesz – Hungarian Civic Alliance”, it is the major conservative-populist party in Hungary. In 2010, it won the elections in being formally in coalition with the Christian Democrats (KDNP) an insignificant political force in itself. About Fidesz and its ideology see András Bozóki (2008), “Consolidation or second revolution? The emergence of the New Right in Hungary” *Journal of Communist Studies and Transition Politics*. Vol. 24. No. 2. pp. 191-231.

² Viktor Orbán (2009), Speech in Kötöcs. www.nagyítás.hu

³ For the difference between consensus-based and majoritarian forms of democracy see Arend Lijphart (1999), *Patterns of Democracy: Government Forms and Performance in Thirty-six Countries*. New Haven: Yale University Press

⁴ The term illiberal democracy was first coined by Fareed Zakaria in 1997. His most elaborated version of the topic: Fareed Zakaria (2003), *The Future of Freedom: Illiberal Democracy at Home and Abroad*. New York: W. W. Norton; His approach was later criticized by Levitsky and Way claiming that illiberal democracies are in fact, not democracies any longer. Instead they introduced the notion of competitive authoritarianism. Cf. Steven Levitsky and Lucan Way (2010), *Competitive Authoritarianism: Hybrid Regimes After the Cold War*. New York: Cambridge University Press

⁵ The reference here is not to a specific and familiar group of figures but to all those involved in making reforms to the 1949 Hungarian Constitution after 1989. Hungary was the only one of the former Eastern Bloc countries that did not adapt a new constitution—one of many preconditions for the current problems facing the country.

⁶ Cf. András Bozóki ed. (2002), *The Roundtable Talks of 1989: The Genesis of Hungarian Democracy*. Budapest: CEU Press

⁷ Cf. Zoltán Ádám (2013), “Miért Magyarország?” (Why Hungary?) *HVG*, June 13.; János Kis (2013), *Az összetorlódott idő*. (Squeezed Time) Bratislava: Kalligram

⁸ András Bozóki and Eszter Simon (2006), “Formal Institutions and Informal Politics in Hungary” in Gerd Meyer ed. *Formal Institutions and Informal Politics in Central and Eastern Europe*. Opladen & Farmington Hills: Barbara Budrich Publishers, pp. 146-94.

⁹ A very similar phenomenon to the Italian party system in the 1970s and ‘80s, called “*partitocrazia*”.

¹⁰ Cf. Bálint Magyar (2012), “Az új nemzeti középosztály: szolgáló nemesek és udvari beszállítók rendje” (The new national middle class: an estate of servant nobles and court suppliers) *Élet és Irodalom*, No. 10. March 9.; Bálint Magyar and Júlia Vásárhelyi eds. (2013), *Magyar polip: a posztkommunista maffiaállam* (Hungarian polyp: The post-communist mafia state) Budapest: Noran Libro

¹¹ The rhetoric of “TINA” (“There is No Alternative”) was an inherent part of the dominant neoliberal discourse. Cf. Manfred B. Steger and Ravi K. Roy (2010), *Neoliberalism: A Very Short Introduction*. Oxford: Oxford University Press

¹² A recording made at a meeting of Gyurcsány’s Socialist Party held on May 26, 2006, surfaced in the press in mid-September of that same year. Gyurcsány was heard admitting that “we have obviously been lying for the last one-and-a-half to two years.” This resulted in a series of demonstrations against the government. Even though Gyurcsány and the MSZP did not deny the veracity of the recording, the Prime Minister refused to resign. Cf. Ferenc Gyurcsány (2007), „A teljes balatonőszödi szöveg” (Full text of the Balatonőszöd Speech) *Népszabadság*, May 26.; József Debreczeni (2012), *A 2006-os ősz*. (Fall, 2006) Debrecen: De.Hukönyv

¹³ András Bozóki and Eszter Simon (2010), “Hungary Since 1989” in Sabrina P. Ramet ed.: *Central and Southeast European Politics since 1989*. Cambridge: Cambridge University Press, pp. 204-32.

¹⁴ For an elaborated analysis of Orbán’s rhetoric on “work, home, order, and family” see Umut Korkut (2012), *Liberalization Challenges in Hungary: Elitism, Progressivism, and Populism*. New York: Palgrave Macmillan, pp. 168-77.

¹⁵ For instance Orbán often refers to “Turul”, a mythical bird, which is supposed to symbolize the common ethnic roots of Hungarians. “Turul” replaces the reference to the “Republic” in his speeches. Turul also refers to “genetically” coded belonging to an ethnic community, while the modern concept of “republic” would refer to the nation as political community. By referring to the first one, Orbán revives the pagan traditions which even contradict to the Christian traditions of Hungary declared in the basic law. Cf. András Bozóki (2013), „Családi tűzfészek: a kultúra a szimbolikus politika fogságában” (Family nest: Culture in symbolic political captivity) in Bálint Magyar and Júlia Vásárhelyi eds. *Magyar polip: A posztkommunista maffiaállam*. (Hungarian polyp: The post-communist mafia state) Budapest: Noran Libro, 346-67.

¹⁶ Kim Lane Scheppele (2013), Testimony. U.S. Commission on Security and Cooperation in Europe hearing on “The Trajectory of Democracy – Why Hungary Matters” Washington, D. C. March 19. See more details about the Hungarian “Basic Law” in the chapter by Miklós Bánkúti, Gábor Halmai and Kim Lane Scheppele in this book.

¹⁷ For a detailed analysis of the new Basic Law see the chapter by Miklós Bánkúti, Gábor Halmai and Kim Lane Scheppele in this book.

¹⁸ The official accusation was later dropped due to the lack of evidence.

¹⁹ There was a public accusation and a police investigation against Ágnes Heller and other left-liberal philosophers in Hungary for allegedly misusing of public funds. A politically-motivated attack (those allegations that have been tried in court to date have ruled in Heller’s favour), the charge against the philosophers has been challenged by intellectuals across the world, including Jürgen Habermas and Julian Nida-Rümelin, who published a letter in *Süddeutsche Zeitung* on January 25, 2011. An English translation of the letter is available at: http://www.newappsblog.com/2011/01/translation-of-habermas-and-nida-r%C3%BCmelin-on-the-hungarian-situation.html#_ftn1

²⁰ The attack on *Klubrádió* represents the last phase of a long lasting tendency in which, since 2006 Fidesz systematically occupied countryside media outlets and created their own newspapers, radio and television channels. Among the newspapers one can mention *Helyi Téma*, *Metropol*, *Magyar Nemzet*, *Magyar Hírlap*, *Heti Válasz*. As for the radio stations: *Lánchíd Rádió*, *Class FM*, *Mária Rádió*, and television channels: *Hír TV*, *Echo TV*. Since 2010, public radio and television channels became strongly influenced by government propaganda (the channels of *Magyar Rádió* and *Magyar Televízió*).

²¹ See detailed analysis of the Hungarian media situation in the chapter by Péter Bajomi-Lázár: The Party Colonisation of the Media. The Case of Hungary in this book.

²² The Hungarian electoral system at the time of the 2010 elections was a mix of direct election of representatives in a single-seat constituencies (176 members in the National Assembly), proportional representation (152) and 58 “compensation” seats, which were determined through a complex system in connection with voter turnout and votes that in each electoral round that did not get counted because they did not go to the winning member. The aim of this mixed systems was to try to optimally capture voter preference in the actual numbers of representations of each party in the Parliament.

²³ For a comprehensive analysis of tax regimes see Arpad Todor (2013), „A quantitative approach on the diffusion of neoliberal tax policies into the postcommunist new-EU member states” *European Journal of Science and Technology*, Vol. 9. suppl. 2. June, 237-246.

²⁴ By doing so the Orbán cabinet disregarded the fact that Hungary had been an ally of Nazi Germany in World War II. Moreover, Hungarian authorities had effectively helped Eichmann and his squad to transport most Hungarian Jews to extermination camps.

²⁵ See more details about these issues in András Tóth and István Grajczár’s chapter on extreme right and Angéla Kóczé’s study on Roma movements in this book.

²⁶ 1 EUR equals approximately 300 Hungarian Forints.

²⁷ The village where Orbán lives, Felcsút (near Budapest), has slightly more than 1700 inhabitants. However, a small stadium has been constructed there to host 3500 viewers at the home games of the football team of the village.

²⁸ Film producers dependent on the government have secured the “right to the last cut,” and as such, censorship in filmmaking has become institutionalized yet again. No wonder that new Hungarian cinema follows Hollywood-type comedies and none of the film touches upon social problems.

²⁹ The list includes the pianist András Schiff, the Nobel Prize winner writer Imre Kertész, conductors Ádám Fischer and Iván Fischer, filmmaker Béla Tarr, economist János Kornai, sociologist Zsuzsa Ferge, philosophers Ágnes Heller, Mihály Vajda, Sándor Radnóti, and many others. Cf. András Bozóki (2012), *Virtuális köztársaság* (Virtual Republic), Budapest: Gondolat, p. 256.

³⁰ István Bibó was a major democratic political thinker in the post-World War II Hungary. Cf. István Bibó (1991), *Democracy, Revolution, Self-Determination: Selected Writings*. Edited by Károly Nagy. Boulder: Social Science Monographs

³¹ Imre Nagy was a reformist Communist leader, who served as Prime Minister during the 1956 revolution. He was executed by the Kádár regime in 1958.

³² For more details see: Kim Lane Scheppele (2014), „Hungary and the End of Politics” *Nation*, May 26.

