

**“HELLO, DICTATOR!”**



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# **“HELLO, DICTATOR!”**

Hungary under Viktor Orbán

Editor: Ulf Schyldt

*Hello, Dictator!*, is published by the European Liberal Forum asbl and co-funded by the European Parliament.

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First published in Swedish by Silc Förlag in September 2015

Translated from Swedish by Rikard Ehnsjö

Layout by Martin Lyxell

Printed in Sweden by Partnerprint AB 2015

ISSN 1652:0521

ISBN 978-91-979833-9-6



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## **ULF SCHYLDT**

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# Introduction – Hungary under Viktor Orbán

“The dictator is coming.” The president of the European Commission, Jean-Claude Juncker, laughs and makes small talk with his colleagues while they wait to greet the heads of state as they arrive for the EU summit in Riga. When the Hungarian Prime Minister Viktor Orbán arrives, Juncker raises his hand and says “Hello dictator!” Immediately afterwards he laughs, pats Orbán on the cheek and tries to embrace him.

This strange greeting is an apt symbol for the problems the European Union face with regard to the situation in Hungary. One of the leaders of a member state is openly flirting with authoritarian and non-democratic values. The policies of Orbán and his Fidesz government are infringing on the rights of many Hungarian citizens. Under constant protests, and sometimes even against the threat of sanctions from the EU, Orbán has gradually disassembled all the barriers that should prevent him from doing this. The constitutional court has seen its powers to stop new legislation being shrunk down to just include reviewing technicalities. Media is held in check by a new supervising body with the right to fine publications on dubious libel charges. By state capture and cronyism, Fidesz has gained control over more of society than should be possible for any ruling party in a democracy.

The purpose of this book is to raise awareness. In a union, the important matters of one of its members need to be a concern of all of its citizens. This is not a “Hungarian

problem” for the EU. It is a democratic problem of the EU, although it manifests itself in Hungary. What happens there, can happen anywhere.

Today the EU lacks the ways and means needed to make sure that its member states keep on following the rules that were meticulously checked and re-checked before they entered the union. The application process is a complicated procedure of making sure that all laws are in accordance with EU law. When they are not, they are changed. This applies both to the most peripheral of statues to the national constitution. The Copenhagen criteria and the European Convention of Human Rights are important guidelines.

In theory the fundamentals of the EU law and the Convention on Human Rights should continue to guide all member states. There are two courts that uphold these – both the EU’s own court (the European Court of Justice) and the European Court of Human Rights, established by the Council of Europe – which all member states are forced to recognize.

But courts cannot make policy. They can only try to rectify those decisions that are in violation of rules that are agreed upon beforehand. And court rulings can sometimes be circumvented. They are blunt instruments. The majority of the many, many changes made to the Hungarian constitution by Fidesz, were – one by one – not enough to be brought before the court, much less incur a conviction. But together, they were more than enough to thoroughly change Hungarian politics.

Instead the EU has tried to criticize the developments in Hungary. But the criticism, much like Juncker’s perplexing greeting, has often been a confusing compromise between clashing interests.

This is not the first time, and sadly it might not be the last time, that the EU fails to uphold the ideals on which it is based. Democracy, individual human rights, rule of law, market economy and transparency are the core values of

the Union. When they are threatened in one country, the EU is under threat.

There are other examples of bad policies in various member states. Laws that should, and sometimes are, criticized by the Union. But Hungary is a special case, not only because of the scale of Orbán's reforms and his outspoken goal of establishing an "illiberal democracy," but also because of Hungary's modern history.

After the fall of the Iron Curtain, Hungary was the textbook example of reform. Hungary led the way from the oppressive yoke of communism towards the economic growth, freedom and welfare of the West. It was not a quick process, but Hungary made progress and was full of optimism.

And one of the driving forces was Viktor Orbán and the youth movement *Fiatal Demokraták Szövetsége*, the Alliance of Young Democrats.

Many of us who were active in the young liberal movement in the early nineties admired Fidesz. In Eastern Europe, after decades of communism, conservative reactions were often the first to rise to political power. Sometimes led by more or less the same people as before, but now under the banner of another ideology. Fidesz was young, liberal and market-oriented. Their members showed enthusiasm and had a "can do!" attitude. In the grey mass of post-communism, they were colorful and vibrant.

They completed the transformation from youth movement to political party soon after multi-party democracy was introduced in Hungary. In the first election where they competed, in 1990, they got close to nine percent of the votes. Two years later, they joined the Liberal International. But in the elections of 1994, their result was depressing – they fell back to approximately 7 percent of the votes.

The setback created an internal conflict. Some of the people championing liberal policies within Fidesz soon left

the party as a protest to the turn towards more conservative perspectives initiated by the leadership. The public, however, welcomed the turn towards the political right, and rewarded the party with a 29.5 percent share of the votes in 1998. Fidesz found itself thrust into a coalition government with two smaller parties. The party completed its political remodeling by joining the conservative European People's Party soon after.

It might have ended there. Newly formed parties sometimes do change direction. Especially in fledgling democracies, where both voters and parties seek to build something new. The liberal family lost a member and the conservative gained one. To a liberal this was disappointing, but not a disaster. But it did not end there.

After a four-year period in government, Fidesz was unseated in 2002 to a coalition consisting of the reformed Hungarian Socialist Party (MSzP) and the liberal Alliance of Free Democrats (SzDSz).

Historically, in the struggle for democracy, the liberals often found themselves on the same barricades as the socialists. Following the Second World War, in defense of the free market and against the communist abuse of human rights, the liberals had to align themselves with the political right. And then again with the left, in order to harness the fruits of the market economy in a welfare system that could spread the wealth more equally. But the Hungarian liberal-socialist alliance was an ill-fated one.

While Hungarian reforms slowly progressed, gradually increasing wealth and standards of living, the liberal-socialist coalition struggled. In 2008, the GDP per capita had risen to \$18,000; up from \$10,000 per capita in the early nineties.

In an internal speech to the socialist members of parliament, which was later leaked to the media, Prime Minister Ferenc Gyurcsány admitted that the coalition lacked an overall strategy. Even worse, it tried to keep the

people in the dark and had been “lying in the morning, at noon and in the evening” about the problems it faced.

In the outrage following the leaked speech, the liberals left the coalition, but continued to support it in the National Assembly. Then the international economic crisis hit Hungary in 2008.

Already in 2006, the government had been forced to do cutbacks. The slowly growing economy in Hungary was exposed due to heavy debt. Despite modernizations of the industry, the country had suffered a heavy trade deficit. Austerity became a necessity, but the economy still plummeted.

That started a process of radicalization in Hungarian politics. The extreme right-wing party Jobbik, which up until that time had polled far below the threshold and had never been close to gaining any seats in the parliament, suddenly became the third largest party in the 2009 Hungarian elections for the European Parliament. In the national elections the following year, Jobbik gained 16.7 percent of the votes and once again became the third largest party, while the governing coalition imploded. SzDSz was virtually wiped out and lost all its seats in the parliament, while the socialist MSzP lost more than half of its votes, coming in second at 19.3 percent..

Fidesz was brought to victory in the national elections of 2010 on a wave of anger and distrust against the ruling parties. Almost 53 percent of the votes won them enough seats to form a two-thirds majority together with their nominal coalition partner, the small Christian-democratic party KDNP.

During their time in opposition, especially after the 2008 crisis, Fidesz has moved further right, from conservatism towards a nationalist and populist rhetoric. Of course, Viktor Orbán’s 2010-2014 government was just as unable to turn the world economy around as any other national or international leaders. Instead Orbán placed the blame

mostly outside of Hungary. An old, deeply nationalistic theme of “Hungary suffering at the hands of other nations” found its way into the political discourse.

The Trianon Treaty after the First World War saw the birth of the Kingdom of Hungary, but took away a very large part of the territory that had been part of its immediate predecessor, and almost a third of the ethnic Hungarian population ended up becoming subjects of the newly formed nations around the shrunken realm. This fueled revanchist sentiments that have never really vanished.

That is the national trauma that Orbán was exploiting when he gave his infamous speech in July of 2014 at the Bálványos summer university in Szeklerland, a central region of Romania with a large ethnic Hungarian population. The speech was not only directed towards the ethnic Hungarians in Romania, but also aimed at pleasing nationalists within Hungary’s borders.

One of the many changes to Hungarian law that was enacted during Orbán’s two-thirds majority term in 2010-2014 was to give ethnic Hungarians in other countries the opportunity to apply for citizenship and vote in Hungarian elections. This was a marked change of policy, from the previously very restricted right to vote, which required permanent residency within the national borders. In the beginning of 2013, almost 400,000 residents of neighboring countries had been granted Hungarian citizenship, and, according to media reports at the time, another 100,000 applications were pending.

It can be presumed that those who seek citizenship on these grounds – even when (as in Slovakia) they risk being stripped of their citizenship of the country where they reside – harbor strong nationalist sentiments.

This nationalist rhetoric was not without effect. Hungarian opinion turned inwards. From being a country that had overwhelmingly supported the proposal for joining the European Union in the 2003 referendum, the election to the European Parliament in 2014 was depressingly

dominated by messages with a nationalistic agenda and a populist tone of “fight against Brussels.”

Liberals have strong reasons to lead the fight against the rising wave of new nationalism in Europe. It is an ideology that is diametrically opposed to the values of liberalism. Not only does it seek to infringe on universal human rights and do away with free speech and democracy, it also openly opposes pluralism, tolerance and internationalism. But the fact that Fidesz was once part of the liberal movement, even if it soon chose to leave it, it may be seen as a special obligation to fight back against those ideas that form the modern anti-thesis to the post-communist, liberal world.

Liberal politics is often viewed as dispassionate, somewhat technocratic and pragmatist. But it also holds strong sentiments at its core. Individual freedoms and rights that are not open for discussion. A strong leader who offers a sense of safety in troubling times may be alluring, but we must not be fooled. A leadership based on authoritarian ideals offers no real safety.

If we seek to win the debate against the ideas of our opponents, we must first seek to understand these ideas. What are we fighting? Why do these ideas appeal to so many people, many of whom have previously voted for opposite politics? How do we counter the nationalist and populist rhetoric?

When we were about to present the Swedish version of this book at the Gothenburg Book Fair in September, I created a Facebook event for the talk we were going to give. All the information was written in Swedish. Within a day or two, a couple of Hungarians appeared on the Facebook page and voiced sharp criticism. They wrote in Hungarian. I answered in English. With the help of Google Translate, we understood enough of what the other one was saying to exchange a few arguments.

At this point in history, physical distance does not matter and language barriers can be overcome. But the mental distance of clashing worldviews and the barriers of ideology

still remain. It is up to us then to dedicate ourselves to overcoming these obstacles as well.

The purpose of this collection of essays is to enlighten the reader on the issues at hand. Many who follow European politics in general may feel that they still lack the understanding of the particulars of Hungarian history and politics that is needed to form an opinion on a specific matter and participate in the debate. It is after all a country that is a part of the EU family and where the people have supported Fidesz in two national elections.

We should talk about the developments that we find troublesome with respect to the people and the democratic process. But we should also point out the democratic failures of Viktor Orbán's regime, as it has changed fundamental laws and the election process in ways that only benefits the sitting regime. We must point out the basis for our differences and how the current Hungarian policy hurts values that are common to all members of Western society. We must refute the ideas of the illiberal democracy.

In order to accomplish this task, and yet offer a book that is short enough to read through quickly, we have gathered texts from different perspectives.

The first contribution is an essay by American freelance journalist Yigal Schleifer, which has previously been published in *Moment Magazine* and on *Slate.com*. It serves as a general introduction and background leading up to the elections of 2014.

Lydia Gall, who works as a researcher for Human Rights Watch and has worked extensively on the rights of the Roma minority in Hungary, gives an account of how Orbán's politics have affected minority groups and women in Hungary.

The third essay is a sharp analysis of Orbán's conservative and nationalist policies written by Zsuzsanna Szelényi, a liberal member of the National Assembly of Hungary and a former member of Fidesz. In her text, she also gives a description of the difficulties faced by the

splintered opposition when it comes to making their voices heard in a system rigged in Orbán's favor. She concludes by describing what the opposition will have to do in order to once again become a viable alternative for the Hungarian voters.

The liberal member of the Swedish parliament and former Minister of European Affairs, Birgitta Ohlsson, gives an account of how she had to fight on two fronts, both against her Hungarian counterparts and against conservative members of her own government, when she tried to oppose Hungary's political development within the EU. She also describes the tools she thinks the EU would need to be able to better resist the development of anti-democratic policies in member states.

With kind permission from the Freedom House Foundation, an excerpt from their annual "Freedom of the World" report 2015 concerning Hungary concludes this book.

## **YIGAL SCHLEIFER**

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# Hungary at the Turning Point

It's a few days before the May 25 European Parliament Elections, and the streets of Budapest are awash with colorful campaign posters urging Hungarians to vote for delegates to represent their country in Brussels. It would be a shining display of democracy in action, a comforting reminder of Hungary's ten-year membership in the European Union after decades of repressive communist rule, if not for the fact that almost all the signs are for one party—the ruling populist-right Fidesz.

The party's campaign advertising is inescapable. On subway platforms, its trademark orange greets commuters as they step off their trains. On sidewalks, signs proclaiming the party's simple, yet telling slogan—"Only Fidesz!!"—are plastered on 15-foot-high, circular advertising kiosks towering over pedestrians. And on the highway into Budapest from the airport, I count so many billboards featuring the half-smiling face of Fidesz leader Prime Minister Viktor Orbán, that it reminds me of 1980s Romania, when roads were lined with nothing but signs extolling the virtues of communist strong man Nicolae Ceaușescu.

Here and there I see opposition posters, mostly plastered on pieces of cheap plywood, nailed together around tree trunks or utility poles. This isn't by accident. After being in power from 1998 until 2002, Fidesz regained control of the parliament in 2010 with a two-thirds majority. The party soon began passing legislation at will—including

laws restricting the location of billboards. This drove the country's second-largest outdoor advertising firm—owned by a government opponent—out of business, leaving the industry dominated by a company owned by a former Fidesz party treasurer.

Fidesz's slate of candidates easily won the May race for Hungary's seats in the European Parliament. But the victory came on the heels of a far more critical win: Orbán and his government were reelected in April, again with a two-thirds majority. According to Freedom House—a human rights watchdog group based in Washington, DC—the party's winning streak comes at a cost. In its recently issued "Nations in Transit" report, which tracks democratic development in the region stretching from Central Europe to Central Asia, Hungary was named one of the worst backsliders. "Hungary's multiyear governance decline... remains the most poignant reminder that democratization in post-communist Europe is neither complete nor irreversible," the report said. "Without counterbalancing improvements, any further deterioration in governance, electoral process, media freedom, civil society, judicial independence or corruption under Prime Minister Viktor Orbán's recently reelected government will expel Hungary from the category of 'consolidated democratic regimes' next year."

This shift is a setback not only for Hungary, but for the wider post-Cold War project of spreading the European Union's democratic principles of good governance, rule of law, and human and civil rights to countries that had precious little experience with those ideals during the Soviet years. "Hungary is a critical case. It had the best chance of making it to the level of a certain type of Western-style democracy," says Dieter Dettke, a former German diplomat currently teaching at Georgetown University. "It had the most exposure to the West during the Soviet period with its 'goulash communism,'" he adds, using the term for its more open version of communism that flirted

with elements of free market capitalism and rejected the Stalinist oppression of the 1950s. “It was Hungary that helped bring down the Berlin Wall by opening up its borders for East Germans who were escaping.”

As Peter Kreko, one of Hungary’s leading political analysts, puts it to me during an interview in his Budapest office, “Hungary is still a democracy, but it’s a weaker democracy than before.”



Until December of 2011, 45-year-old Balázs Nagy Navarro was one of Hungary’s leading foreign affairs correspondents at the country’s state television news network Magyar Televízió (MTV). That was the year the veteran reporter and editor resigned in protest, after the network—in anticipation of possible government reaction—pixelated the face of Zoltán Lomnici, a former head of Hungary’s Supreme Court who had made comments critical of the government. The incident, which came in the wake of other more serious acts of self-censorship, led Nagy Navarro and a few of his colleagues to stage a 21-day hunger strike in front of the glass-box building that houses the network’s offices on the outskirts of Budapest.

After nearly three years, the protest has become a quixotic one-man quest. Nagy Navarro spends most of his time on a small patch of land across the street from the network, his home a little camper trailer he bought with part of a 10,000-euro prize he received from a German press freedom organization. On a hot and sunny morning, I stop by the trailer, which is festooned with an EU flag. A bearish man with salt-and-pepper hair and piercing green eyes, Nagy Navarro is sitting at a cramped table listening to a miniature radio play Robin Thicke’s *Blurred Lines*. Digitally obscuring the face of a government critic, he tells me, was simply the last straw. “It was the peel of the banana that they slipped on,” he says. “They were doing

worse things. The state TV had become a propaganda tool of the government.”

The problems, Nagy Navarro says, began with the arrival of the second Orbán government in 2010. “All governments, left and right, consider the state media as their property,” he says. “Before, it might have been a pro-government channel, but it was with soft distortions, putting things in a certain frame and doing it with light criticism. But after 2010, it was direct manipulation and lies. We were not journalists anymore, and we were deceiving the public continually. For me it became morally and professionally difficult to come into work.”

Nagy Navarro’s crusade is a lonely one, but that doesn’t mean he isn’t fighting against something real. One of the first things Fidesz did upon coming into office in 2010 was pass new media laws which, among other things, gave the government the authority to dictate content and impose sanctions on media outlets, as well as to dole out an expanded number of broadcast licenses to favored stations. While this has affected state-run entities such as MTV, it has had an even more dire effect on independent stations.

At the threadbare studios of Budapest’s Tilos Radio (Forbidden Radio), a former pirate station that started broadcasting in 1991 soon after the end of communist rule, I meet Gabór Csabai, the station’s longtime director. Once one of Europe’s leading community stations, the all-volunteer enterprise is now struggling to stay on the air. “We used to be the example for community radio stations all over Europe,” says Csabai. “Now we are at the bottom of the European radio system.” He says this is because the station is now required to devote 25 percent of airtime to Hungarian music and, more ominously, has to contend with a government-appointed monitoring body responsible for “content regulation.” “After the communist system changed here, the most important feeling was the lack of fear, the freedom of expression, of open borders,” adds Csabai. “Compared to 20 years ago we are more free. But

compared to five years ago, we cannot smile. The toothache we felt during the communist years is coming back.”

Amy Brouillette, a researcher at the Media Studies Center at Budapest’s Central European University, explains to me that the media laws gave the Orbán government powers that “are probably wider than any other single authority in Europe.” After a pause she adds, “Well, maybe except in Belarus,” referring to the dictatorially run country considered to be Europe’s most autocratic. Brouillette, an American who has been living in Hungary since the 1990s, continues: “A few things have become obvious since the change of government in 2010. One is that it is possible for one party to conquer the media market.”



Hungary’s turnaround—from beacon of post-communist optimism to a country chipping away at the foundation of European democracy—is, at heart, the story of Prime Minister Orbán. A lawyer by training, the 51-year-old Orbán first appeared on the political scene in 1989, when Fidesz was simply an anti-communist youth movement and Orbán its spirited leader. He was among the speakers at the reburial ceremony in Budapest for Imre Nagy, a national hero executed by the Soviets after the 1956 revolution. There he delivered a rousing speech calling for an end to communist rule. As the youngest person to speak that day, the then shaggy-haired Orbán made a big impression, giving his political career a jump-start.

As he built Fidesz into a political party, Orbán presented a very different image from the one that he does today. “He was very dominant and determined, but at the early stage he used the language and vocabulary of the liberals,” says a Fidesz founding member, who became disillusioned and left the party, and who, like many people I spoke with, asked me not to use his name for fear of jeopardizing his career. “For a decade, Orbán was a liberal on the international stage.

In 1994, he turned in a rightward-looking direction,” the ex-party official explains as we talk at an outdoor café in Budapest’s leafy Szabadság [Freedom] Square, surrounded by stately buildings such as the Hungarian National Bank and the American Embassy. “He started to compete with the radical right for votes and became populist. During this time, he was also very focused on building loyalty within the party. And he was very successful in that. Orbán grabbed power, took over the cash flow and chose all those who were loyal to him.” These dramatic changes in Orbán’s politics and methods drove away numerous close associates.

European Parliament campaign poster for the Fidesz party on a downtown kiosk that reads: “Our message to Brussels: Respect Hungarians!”

Fidesz was voted out of power in 2002 and replaced by a coalition of the Socialist party, (MSzP) and the liberal Free Democratic Alliance (SzDSz). But in 2006, an audio recording surfaced of then-Prime Minister Ferenc Gyurcsány in a closed-door party meeting, in which he said his government lied to win and “lied in the morning; lied in the evening.” As a result, public sentiment began to turn against the Socialist-Liberal coalition. Shortly thereafter, the global economic crisis hit. In 2008, Hungary saw its economy shrink by almost seven percent—one of the highest figures in Europe. Reeling from growing unemployment, a weakening real estate market and dangerously overleveraged banks, the country reached an agreement with the International Monetary Fund for a \$25 billion bailout. The resulting austerity package was a difficult economic blow for Hungary’s citizens.

Orbán—and Fidesz—rode the wave of growing frustration back into power in 2010. One of the major policies the party adopted was to raise taxes dramatically on multinational companies working in Hungary, a step that Orbán billed as reclaiming the country from foreign control. This reflects another Fidesz strategy: The party

has directed domestic discontent outwards, much of it toward the European Union.

The EU factor in today's Hungarian politics is a complex one. The transfer of billions in euros from the EU to support Hungary's economy is a lifeline that provides Brussels some leverage over Orbán. But the reform and bureaucratic requirements imposed by the EU make an easy target for the Orbán government, which paints Brussels as a bogeyman threatening Hungary's sovereignty. One of the slogans Fidesz used during the European Parliament election was, "Our message to Brussels: Respect Hungarians!"

For the Hungarian right, Brussels is the new Moscow; the technocrats of the EU have replaced the brutes of the Soviet Union as oppressors of the Hungarian nation, which many Hungarians believe has long suffered from the effects of foreign domination of one kind or another. "The European framework wasn't ready for the strange occurrence that a country prepared to be a European Union member—legally and politically—should be moving away from democratic values," the former Fidesz party member says. Although the EU was very strict about ensuring that Hungary reformed its laws to meet European standards in order to join, Brussels has been lax in enforcing those standards.

I ask a Hungarian economist in his 30s how he sees the EU fitting into the political situation. "The only constraint on Orbán is an external one—the EU," he says over coffee and pastries at one of Budapest's grand old cafés. "They are keeping him from going completely crazy." The economist now works in Luxembourg. He left a prestigious position in the country's Central Bank, because of growing government influence on what was previously one of Hungary's most professionally run institutions. Like a growing number of young professionals, the economist found that he was shut out of jobs for not being a Fidesz loyalist.

Hungary is not alone in using the democratic process

to centralize control and stifle dissent. What some call “Putinization” is a global phenomenon these days. Within the EU, the country has positioned itself firmly within what is termed the “eurosceptic” camp, a group of nations that claim Brussels interferes too much with internal matters and overregulates the lives of ordinary citizens.

Orbán is quite open about where he stands regarding liberalism and democracy. “I don’t think that our European Union membership precludes us from building an illiberal new state based on national foundations,” he said in a July speech he gave in Romania to a gathering of ethnic Hungarian students. “While breaking with the dogmas and ideologies that have been adopted by the West, we are trying to find the form of community organization, the new Hungarian state, which is capable of making our community competitive in the great global race for decades to come,” Orbán told the students. Among the rising “stars” of the new world order being built, he says, are Russia, Turkey and China, noting that none of these “is liberal and some of which aren’t even democracies.”



A short walk from Szabadság Square is the stunningly ornate 19th-century Gothic Revival Hungarian Parliament building. Here I meet Ferenc Kumin, a former political scientist who now serves as a government spokesman. A youthful-looking 39-year-old with closely cropped hair and dressed in a gray pinstripe suit, Kumin rejected the accusations that Fidesz was undermining Hungary’s democratic institutions. “All of this criticism is a product of our opposition, which is alive,” says Kumin, who speaks in a rapid-fire manner. “I wouldn’t say they are in good shape—but they try their best to challenge us.

“The opposition has a difficult time attacking us, so what they can do is bring the discourse from real issues, from figures and facts, into a more symbolic arena where

weak concepts are around, like 'European values.' Define European values! It's not easy. It's a very strong political weapon to use against your enemy if you want to do that," Kumin adds.

It's certainly true that Hungary's opposition parties are in miserable shape. One reason Fidesz won so many votes this past April is that Hungary's liberal and left opposition is divided and disorganized. In the last elections, a coalition made up of the country's most significant liberal parties, some of which have previously governed the country, garnered only 19,3 percent of the vote. In comparison, far-right Jobbik, which is Fidesz's only significant competition, earned 20,5 percent, up from 16,7 percent in 2010.

Liberals seemed to have been completely caught off guard by Fidesz's consolidation of power. "We knew back in 2010 that there would be major disagreements with the government, but not in our wildest nightmares did we imagine that Fidesz would start demolishing democratic institutions and start installing its cronies," says Tímea Szabó, the sole member of Parliament representing Dialogue for Hungary, a small green liberal party, during an interview in her small office in a building down the road from Parliament. "They started pushing forward bills that they simply didn't have the mandate for—including constitutional changes." For example, she says, Fidesz used its legislative heft to enshrine a flat tax in the constitution and to dilute the power of the country's high court.

"I often feel like Don Quixote, fighting against windmills. In Parliament there's not much we can do," says Szabó, a former journalist now in her second term. She rushes out to the hallway for a press conference about an initiative she and another parliamentarian are introducing to create quotas for women in the Hungarian Parliament, which has the lowest level of female representation in the EU. The legislation, she admits, has little hope of success, since Fidesz doesn't support it. Outside, three cameramen and a handful of reporters are waiting. The camera lights flick

on, and Szabó reads from a prepared statement. It all feels like a formality, everyone from the parliamentarian to the journalists playing a role in a production they know few will see.



On the southern end of Szabadság Square, hidden by a white-cloth-covered fence and guarded by multiple policemen, is a small unfinished monument. Every day, a group—the day I was there around 100—mostly with gray hair, gathers to hold hands and sing anti-communist songs to protest its construction.

The government is erecting the monument to honor the victims of Nazi Germany's March 1944 occupation of Hungary—including 565,000 Jews. But the country's opposition parties and Jewish groups are unhappy: They believe the monument—a historically and artistically challenged creation that will feature an eagle (Germany) swooping down on the Archangel Gabriel (Hungary)—whitewashes the extensive and troubling role Hungary's Nazi-sympathizing government played in the massive deportation of Jews to Auschwitz.

The Fidesz ex-party official I'm with explains that the monument is a powerful example of how Orbán has reached back into Hungary's history for inspiration. "It isn't modern right-wing politics, but a 19th-century conservatism that plays well with the Hungarian sense of the past. That's what he's doing here," he says, pointing toward the monument site.

The official approach to the memory of the Holocaust fits uncomfortably into all of this. On the one hand, Fidesz has been credited with taking positive steps, such as setting aside 2014 as a year to commemorate the Holocaust and dispensing government funds for memorial projects and events. On the other hand, as with the monument in Szabadság Square, Fidesz is being accused of rewriting

history by offering up a narrative in which Hungarian responsibility for the systematic deportation of nearly 440,000 Jews—the majority to Auschwitz-Birkenau—is diminished: The monument portrays all Hungarians, by linking it to the 45-year Soviet occupation and the continuum of Hungarian suffering. During my stay in Hungary, it was the construction of the monument that almost every government critic I spoke to—Jewish or not—considered the defining symbol of the Orbán government's efforts to toy with the past in order to bolster its political future.

“The government's line is, ‘We are sorry for what happened. Yes, the Nazi occupation was horrible, the Soviet occupation was horrible, but we had nothing to do with it,’” says Gwen Jones, a historian affiliated with Central European University in Budapest. “It's quite clearly an abdication of dealing with the country's past honestly, of dealing with issues of responsibility.” Jones is organizing a project to commemorate the “yellow star” apartment buildings where the city's Jews were forced to live under regulations passed by the Hungarian government. “Fidesz has been very good at passing legislation that has gone into force retroactively,” says Jones. “It appears they are now trying to do the same to Hungary's history. If a government can pass laws retroactively, it can also try to change history.”

Fed up with the government's approach and with the construction of the monument in Szabadság Square, the Federation of Jewish Communities in Hungary, the main organization representing Hungary's estimated 100,000 Jews, announced earlier this year it would not participate in any of Fidesz's Holocaust commemoration projects. Meanwhile, some 50 organizations that received close to \$1 million in government money for the commemoration year have returned it. They formed their own alliance, called Memento 70, and are now trying to raise funds independently.

“There was a feeling among these organizations that we had reached a limit in terms of what could be played around with,” says András Harsányi, an economist who is helping organize Memento 70’s activities. “Giving the government its money back was more about showing the population that we raised our voice and were able to gather a community around us. There’s a point where you have to raise your voice.” Harsányi, a 38-year-old with short gray hair and pale blue eyes, grew up in a secular Jewish household, his parents committed communists.

Kumin, the government spokesman, denies Fidesz is engaging in revisionism. “No one wants to whitewash the responsibility of the Hungarian authorities. No one questions that. We are ashamed of that,” he says. But, he adds: “We believe the story is only complete if there is the German invasion part in it. Without that, you don’t get the complete picture... you get a false picture. That’s why the monument has to be dedicated to that event.”

Today, Hungary has the third-largest Jewish population in Europe, the majority of which is in Budapest. There are occasional anti-Semitic incidents— in 2012, for example, bloody pigs’ feet were hung from a Budapest statue of Raoul Wallenberg, the Hungary-based Swedish diplomat who saved countless Jewish lives during the Holocaust by issuing them “protective passports” from his home country. That same year, several Jewish cemeteries were defaced and a Jewish community leader was attacked by two young men after he left a Budapest synagogue.

The Hungarian Jews I spoke with, although concerned by incidents like these, were more worried about the political rise of the far-right and the kinds of anti-Jewish rhetoric the government is willing to tolerate. “Everything starts with words,” says Rabbi Ferenc Raj, who leads Budapest’s Reform synagogue, Bet Orim. “You know that rhyme about ‘sticks and stones may break my bones, but words will never hurt me’? We don’t believe in that. I pay a lot of attention to words.”

far from Parliament, in a Jewish community center building on a side street near Budapest's opera house—another one of the city's opulent 19th-century buildings—I meet with Gabór Szántó, a novelist and poet who edits the Jewish cultural and political monthly *Szombat*. During the war, the community center was one of the “yellow star houses.” Today it houses a café, theater and a number of local Jewish organizations, serving as a potent symbol for a community that has managed to slowly rebuild itself after the devastation of the Holocaust.

Szántó, whom I found working in a small, cluttered office in the back of the building, says he doesn't doubt that the Orbán government believes in the narrative of the Nazi period represented by the Szabadság Square monument. In fact, he says, not enough credence is given to what is called “Trianon trauma,” named after the 1920 peace agreement that stripped Hungary of some two-thirds of its territory. Nearly a century later, many Hungarians still resent the treatment of their country after World War I, and this sense of victimization colors how they view the rest of the country's traumatic 20th-century history, he says. Still, Szántó continues, the monument can't be divorced from Hungary's current politics. “The government needs a tool to steal voters from the far right, and that tool is in the field of historical narratives,” he tells me. “This coming to terms with the past is a process. The debate about the past is still open but the statue is something final. The debate is something that is still hot, but the statue is a cold stone.”



Many in Hungary will tell you that one of the biggest problems with their country is the rise of Jobbik, the far-right party founded in 2003. Like Fidesz, Jobbik has tapped into frustrations about slow economic growth and has played upon nationalist leitmotifs surrounding Hungarians' sense of national loss and honor. Unlike

Fidesz, Jobbik has frequently and overtly employed anti-Semitic, anti-Roma and xenophobic language. Two years ago, in a speech to Parliament, Martón Gyöngyösi, a Jobbik leader, said, "I think now is the time to assess... how many people of Jewish origin there are here, and especially in the Hungarian Parliament and the Hungarian government, who represent a certain national security risk for Hungary." In 2011, meanwhile, the Hungarian Guard, uniformed paramilitary groups affiliated with Jobbik, briefly terrorized the Roma part of a small town called Gyöngyöspata, its members holding marches and torchlight parades. Fear of violence led to the evacuation of the town's Roma women and children.

Eager to become Hungary's governing party, Jobbik is now attempting to moderate its image, distancing itself from the black-shirted thugs of the Hungarian Guard and trying to portray itself as part of the larger family of like-minded European parties such as Holland's Party for Freedom or England's UK Independence Party. Prior to Hungary's most recent parliamentary elections, Jobbik campaign literature went so far as to picture the party's leader, Gabór Vona, stroking puppies.

A few days before the European Parliament elections in May, I take a train from Budapest to Veszprem, a provincial capital some 60 miles away. Set amid agricultural fields on the way to the holiday area of Lake Balaton, Veszprem is playing host to Zoltán Balczó, a Jobbik MP who is holding a press conference in the party's local office. At the entrance, a mailbox is emblazoned with a Jobbik sticker that reads: "Hungary for Hungarians." Inside a cramped, fluorescent-lit room, seven local reporters are facing Balczó, 66, who is dressed in a gray suit and a light green shirt. On the walls of the room are maps showing Hungary before it lost its territory in 1920, photographs of Admiral Miklós Horthy, who led Hungary from 1920 to 1944 and orchestrated the country's World War II alliance with Nazi Germany, and a poster saying, "Radical Change."

After he speaks, the gentlemanly Balczó agrees to talk with me privately, saying: "Nothing is taboo. Ask me anything—about racism, anti-Semitism, anything." Mentioning the sticker I saw on the mailbox downstairs, I ask Balczó if Jobbik believes non-Hungarians are truly a threat to the country. "The biggest danger for Hungary from Jobbik's perspective is that foreigners can buy agricultural lands here," he responds. "It's a danger for our sovereignty." He has a ready example to prove his point. "Why does Palestine have problems gaining independence?" he asks. "Because its lands were bought up by Israel. If a country wants to have its independence, it needs to own its land. What would you think if Russians wanted to buy up Nebraska?"

Whether Jobbik's new "moderate" tack is actually winning the party more votes is an open question. Although the party remained Hungary's second largest after this year's parliamentary elections, its share of the national vote dropped from 20,5 to 14,8 percent in the May European Parliament elections. Kreko, the political analyst, suggests that this might be because Jobbik's base of young far-right voters are finding less to like in a party that no longer uses the extreme language it once did. "Jobbik is actually more mild than Fidesz in some positions right now," he says. "A lot of people say that Fidesz is a bigger danger than Jobbik, and I would tend to agree." On occasion Jobbik may still employ more outwardly racist language than Orbán's government, Kreko says, but "Fidesz is the government. It is in power."



With the liberal and leftist parties out of the running, Hungarian politics is now a competition between the populist right and the extreme right. This means, says Kreko, that Fidesz has had to incorporate parts of Jobbik's platform to attract right-wing voters. As a result, Fidesz

has adopted several complicated historical positions that have long been staples of the Hungarian nationalist right's agenda. In 2010, the party passed legislation creating a day of national commemoration for the 1920 Treaty of Trianon, a step which critics saw as reinforcing the Hungarian sense of victimization. Through the erection of statues and other memorials, Fidesz has also overseen the rehabilitation of Admiral Horthy.

But last year, the Orbán government left many speechless when it awarded its highest state journalism prize to television personality Ferenc Szaniszló, known for spouting anti-Semitic conspiracy theories and anti-Roma diatribes. This was followed by the bestowal of a top cultural award, known as the Golden Cross of Merit, to Janos Petrás, the lead singer of Karpatia, a nationalist rock band that's a favorite of Jobbik voters. Named for the Carpathian Mountains—which Hungarian nationalists consider the mythical birthplace of their people—Karpatia is notorious for writing a song that became the Hungarian Guard anthem.

Borbála Kriza, a sociologist who has studied Hungary's extreme-right "national rock" music scene, says giving Petrás the award makes perfect sense for a government trying to siphon off votes from Jobbik. "Young people in Hungary are either completely apolitical or are active in the far right," she tells me in a café in the Buda Hills, a tony part of Budapest that overlooks the Danube. "The far right has been able to not just build a party, Jobbik, but also a political subculture, national rock. It's really political identity-forming music."

Curious to meet the performer deemed worthy of Hungary's top cultural honor, I reach out to Petrás, who agrees to meet for an interview at a teahouse in a quiet Budapest suburb. The singer, dressed all in black, his head shaved and arms heavily tattooed, is easy to spot among the locals having lunch in the garden, where he is sitting at a table sipping a reddish herbal tea. Though a bit standoffish

at first, Petrás turns out to be soft-spoken with a slight trace of a lisp. When I ask him about his politics, he replies: "On a smaller level, if I buy a bottle of milk in the store, I care if it's Czech or Hungarian. On a larger level, I want the territories that were taken away from Hungary in 1920 to be given back. My politics can be found between those two examples." Surprisingly, Petrás agrees with many of the liberals I spoke with, that Hungary is a democracy in decline. But his example of the problem is that people like him cannot question the number of Jews killed in the Holocaust without facing censure. "It's very interesting how this number of six million Jews killed came about," he says, his voice taking on a harder tone. "Today you can't question this number. You have to accept what they say, like an idiot. This is one way to show you the problem with Hungarian democracy."



On my way home from Budapest, I fly back to the United States via Brussels. As it happens, Orbán and a small entourage board the small commuter jet after all the other passengers are seated; they are on their way to a meeting to discuss who will be the EU's next top official. The passenger sitting next to me, a Western European businessman who owns a factory in Hungary, visibly recoils upon seeing Orbán. He curses the Prime Minister under his breath and then whispers to me in English about all the corrupt Fidesz officials he now has to deal with. He has enough to say to fill most of the two-hour flight.

After hearing so many horror stories about Orbán and his autocratic style, I am surprised that once we land, the Hungarian leader slings a colorful soccer-themed backpack on his shoulders. Could this man who is carrying his own bag, one that looks like it belongs to a child no less, be the dangerous democracy-buster I have been hearing about?

That's the question I pose to a friend back in Budapest

in an email I send, with a photograph I took of Orbán with his backpack attached. He replies quickly with a link to an April 11 Wall Street Journal article. It turns out the rucksack on Orbán's back is a new one. He had recently donated his old one to the Hungarian National Museum as an object that bears "proof to the modern-day history of the country." A regular fixture on Orbán's back during his term that began in 2010, the previous backpack is now part of an exhibition that includes, among other objects, the pen that József Antall, the first Hungarian Prime Minister of the post-communist period, used in 1991 to sign the treaty that undid the Warsaw Pact, the agreement militarily binding together the Soviet Union and its satellite nations.

The two items might very well belong together in the National Museum, as bookends for the story of Hungary's European journey of the past several decades. Where Antall's pen symbolizes the end of the Cold War and the start of a process that ultimately led to Hungary joining the EU, Orbán's backpack—or, more correctly, the populist message behind it—could likely come to represent a period that saw the unraveling of the country's democratic gains.

As our plane rolls to a stop, the Hungarian Prime Minister and his small entourage are quickly ushered off the plane to a small bus waiting to take them into town. Orbán has a serious look on his face and is silent. He may have come to the capital of the European Union as the representative of a member country, but he is about to set foot in a place that he himself has come to describe as enemy territory.



## **LYDIA GALL**

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# Hungary's authoritarian choice

The last five years in Hungary have been politically turbulent. The current Fidesz-KDNP coalition has consistently attempted to undermine democracy, the rule of law and human rights and freedoms. So, how have they managed to do this and what are the consequences for the most vulnerable groups in society? What is the EU doing? To better understand this, a brief rundown of the current political situation in Hungary is necessary.

In the election of 2010, the Fidesz coalition received a two-thirds majority in the Hungarian parliament, and has since continuously abused its parliamentary “super majority” by adopting a new constitution (which has been changed five times since it came into force in January 2012), in addition to thousands of other laws, often through individual motions to circumvent any kind of parliamentary debate. This has resulted in state authorities now being effectively controlled by the government coalition, including the office of the ombudsman, the constitutional court, the data commission, the courts authority and the media authority — all of which are necessary for ensuring the rule of law.

After four years of an increasingly authoritarian government, during which Prime Minister Viktor Orbán has constantly been on a collision course with the EU (except when it comes to EU support, which is gratefully received), the Orbán government received a renewed mandate in April 2014. By means of skillful manipulation of the electoral code, 44,5 percent of the votes turned into

two-thirds of the seats for another election period. Soon thereafter, the negative spiral took a new turn when the prime minister declared Hungary an “illiberal democracy.” At the same time, the pressure on the free media and the civil society increased. During its first term in office, the ruling coalition successfully created a playing field where they pull all the strings and where there is no room for critics.

Meanwhile, the previously center-right Fidesz party has veered sharply to the right, and may now be described as a conservative party, with nationalistic and religious undertones, which takes a firmer stance against vulnerable groups.

Socially marginalized groups, like the homeless, have over the years specifically been told by the government coalition that they are not wanted. What could almost be described as a witch-hunt has been carried out on some of the most vulnerable people in society. Already in 2012, a law was adopted prohibiting the homeless in the central parts of Budapest. This was overturned by the constitutional court (before it was taken over by a majority of Fidesz-appointed judges), which ruled that the law violated human dignity.

In a perfect world, governments and parliaments follow court rulings, but in Hungary the Fidesz coalition chose to circumvent the ruling and instead incorporate the unconstitutional law into the constitution itself. In one stroke, the constitutional court was prevented from reviewing whether the law was constitutional, and as a result it became possible for the parliament and for municipalities to introduce rules that make being homeless a crime. Since then, several districts in Budapest (which are individual municipalities) have classified poor, homeless people as criminals. Since October 2013, over 400 homeless people have been prosecuted and fined for not having somewhere to live. Repeated offenses are punished by imprisonment or community service. However, at the time of writing, no homeless person has been thrown into prison.

During the last five years, nationalism in Hungary has also been supported by the government. Orbán has, through the media that Fidesz has effectively turned into obedient channels, created an image of himself as the guardian of the nation, with a constantly dismissive and almost threatening tone towards the EU and other intergovernmental and international organizations that have criticized his attack on democracy. Orbán's hostile rhetoric toward the EU has in Hungary created an "us against them" situation, where the nation's economic, cultural and historical interests must be protected against external evil. The extreme right-wing party Jobbik has capitalized on this. On many points, the rhetoric of Fidesz and Jobbik is not all that different.

The focus is on protecting the Hungarian nation, the nuclear family and ensuring that it is not threatened by outsiders — whether it be the Roma, Jews, asylum seekers, migrants or other groups offensive to the political elite, like LGBT individuals and people with disabilities. But it all comes down to the family. The Christian and the national conservative values that Hungary is now based on are expressed in the constitution, where the right to life is protected from the moment of conception. What this means is that the right to abortion may be abolished and that women's rights to make reproductive choices are severely curtailed.

While we are on the topic of women's rights, it is worth pointing out that Hungary is the only country in the EU that does not have a single female minister and that its parliament has the lowest representation of women in the EU. The patriarchal view on society can also be seen when women who have suffered domestic abuse seek help at various authorities. In spite of a relatively new criminal legal provision regarding domestic violence, ingrained attitudes are hard to change. In 2103 a cabinet member proclaimed in the parliament that violence against women could be avoided if women just did their duty and raised 3–4 children. The police blame the victims, sending them

home to the perpetrators with the advice of not returning “until the blood is flowing” and look at the crime as something that should be dealt with “within the family.” There are not nearly enough shelters. The result is that women who suffer domestic violence in Hungarian homes are not protected by society and that the perpetrators do not suffer any consequences.

Hungarian law also provides for the discrimination of disabled people. People with certain intellectual and mental disabilities are denied the right to vote. A law which resulted in about 7,000 adults being prevented from voting in last year’s election — something that they are entitled to according to the UN.

Meanwhile, the nationalist rhetoric is omnipresent and depicts the Hungarians as victims of historical injustices (the loss of two-thirds of the territory and one third of the Hungarian population in the so-called Treaty of Trianon following the First World War is somewhat of a national trauma that has not been processed) and foreign influence, regardless of whether it is in the form of the Soviet Union or the EU. In the middle of this narrow-mindedness, the pre-existing anti-Semitic and anti-Roma tendencies also thrive, not least at the political level.

The Fidesz government, in spite of promises of taking firmer steps against anti-Semitism through, for instance, memorial ceremonies of the Holocaust, has both actively and by looking the other way fueled anti-Semitism in Hungary. One example is the introduction of compulsory reading for elementary school students of works written by Hungarian authors with a clear links to Nazism. Another example is the rehabilitation of Admiral Miklós Horthy, who ruled Hungary between the two world wars and was ultimately responsible for the deportation of over half a million Hungarian Jews to Nazi extermination camps. Statues of Horthy may now be seen all over Hungary, also in Budapest.

The new disputed monument to the memory of the

Second World War in Budapest, which depicts Hungary as a victim of the German occupation, is a slap in the face for the hundreds of thousands of Jews who, under the supervision of the Hungarian government, were sent to Nazi death camps, and may only be interpreted as an attempt to whitewash Hungarian responsibility during the Holocaust. Attacks against Jews are thankfully not particularly common, but a 2015 survey by the American Anti-Defamation League shows that 41 percent of Hungarians harbor anti-Semitic views.

The Roma, Hungary's largest and most vulnerable minority, are not faring any better under the Fidesz government. Although the government has created different programs and measures aimed at reducing the social gap between the Roma and the majority population, one only has to take a look around in the cities and in the rural areas where the Roma largely live in absolute social and economic misery, segregated and often on the outskirts of towns in conditions that can only be described as being on the level of developing countries. Many of them do not have legal residence, and are therefore constantly under the threat of eviction or having their homes demolished by the authorities. At the time of writing, for example, a mass eviction of hundreds of Roma in Miskolc, Hungary's third-largest city, is under way, where no alternative accommodation has been provided to the families affected.

In the middle of the hot summer of 2013, hundreds of Roma in the town of Ózd had their water turned off as they, according to the authorities, did not pay their water charges. Roma children are regularly segregated in school; either by being herded together in special classes in ordinary schools, or by being placed in special schools for children with learning difficulties and mental disabilities. The Roma face discrimination in all kinds of interactions; from accommodation to education, from jobs to health care.

Another group that has recently been treated tougher are refugees and migrants. Hungary has for the past six

months experienced a great deal of pressure from refugees and migrants primarily arriving via Serbia. The majority has been Kosovo Albanians, who for various reasons left Kosovo at the end of last year. Tens of thousands of asylum seekers arrived in Hungary in just a couple of months, far exceeding the normal annual average. The Orbán government replied with a so-called “national consultation,” where citizens were asked to complete a questionnaire containing wordings that equated refugees and migrants with terrorism.

It was tough for refugees and migrants in Hungary before that too. The refugee reception centers are filled to the brim, and the few who are granted asylum or other forms of protection under the UN Refugee Convention receive limited or no help at all from the authorities. Those who are still waiting to have their asylum applications processed are not infrequently placed in custody — despite the fact that this measure may only be used restrictively according to the EU.

The tough view on refugees and immigrants came about at the same time as Orbán sought to revive a debate for re-introducing the death penalty in Hungary — this in spite of the fact that the EU statutes clearly prohibit the death penalty, as does the European Convention on Human Rights.

The EU’s reaction was forceful. In addition to strong statements from the Commission, even Orbán’s sympathizers in the European Parliament’s conservative EPP group clearly distanced themselves from the statement. The President of the European Commission, Jean-Claude Juncker, openly greeted Orbán with the phrase “hello dictator” at a European summit in Riga in May. The same Juncker said in June that Hungary may be thrown out of the European Union if the death penalty is re-introduced. Germany, Hungary’s largest ally, and its Chancellor Angela Merkel are now also openly critical of the Orbán government, which was not the case only three

years ago when the CDU gave Fidesz and Orbán its full support.

The undermining of democracy and human rights contradicts the EU's basic statutes. However, the EU has done very little to resolve the problematic situation in Hungary. Much more could be done, but, as is so often the case, it is politically sensitive for the Commission to speak clearly, even though it is legally possible to take action.

And it is not only in the EU that old sympathizers have started to get fed up with Orbán's anti-democratic antics. The support at home has also started to wither away. Old friends, who have created business empires with the help of Orbán (and at the same time made it possible for the Orbán government to control large parts of, for example, the Hungarian media) have distanced themselves from him. Even among party and cabinet members, it is possible to detect signs of dissatisfaction and careful criticism. Orbán is increasingly flirting with old Jobbik opinions in the hope of getting back the hundreds of thousands of voters who left Fidesz in last year's elections and most likely went to Jobbik. In March, in two by-elections to the parliament, the Fidesz coalition lost its two-thirds majority in the parliament by pure coincidence.

The next elections in Hungary are three years off. Three long years for the groups that have been affected by the values of democracy and the rule of law being weakened and undermined on a daily basis. The success of Jobbik at home continues. The opposition is weak and fragmented. The civil society continues to fight for human rights and the rule of law. Regardless of the outcome of the next election, the focus must be on strengthening the civil forces in Hungary. The EU should play a critical role by openly showing its support for a politically independent civil society, which is currently fighting an uphill battle — this in order to safeguard the fundamental democratic values. The EU also has a responsibility when it comes to vulnerable groups, such as the disabled, Roma, Jews,

the homeless; groups that are far down on the Orbán government's list of priorities. The EU's inertia so far concerning Hungary's increasingly authoritarian choices is extremely troublesome.

The EU has a duty to stand up for its own values and statutes when it is clear that a member state is continuously infringing on them. This cannot be illustrated much clearer than in the case of Hungary, and it is therefore time for all of the EU's institutions to act firmly and stand up for those who are vulnerable when the Hungarian government does not do so itself.



## **ZSUZSANNA SZELÉNYI**

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# Where is Hungarian democracy heading?

## **The frontrunner for democracy in the region**

In 1990 Hungary was one of the first former communist countries to organize free elections and introduce a multi-party liberal democracy based on Western democratic values. All these countries were well-prepared by a two-year long historic period when large-scale public demonstrations opened up the political space for the emergence of new anti-communist parties. The 1989 reburial of Imre Nagy, the martyr prime minister of the 1956 revolution symbolized the historic moment. This was followed by a six-month long round-table discussion between the communist ruling party and the new political forces, which founded the new democratic constitutional system.

For a long decade after the first free elections, the economic and political development was unquestionable in Hungary. While the transition period was trying for the population and the social consequences of the transition were serious for many, the changes were welcomed by the population. The country's economic progress was impressive and a rise in welfare was visible. On the other hand, growing inequalities and the establishment of a parvenu economic elite annoyed those who became the "victims of the transition." Still, the new democratic regime was supported by the vast majority of the population.

## **Democratic fatigue in the early years of the 2000s**

Hungary joined the European Union with great enthusiasm in 2004. Historically, the Hungarians have been strong supporters of the Union compared to other new EU member

states, but there has also been a certain level of skepticism about what the EU can bring to the country.

In the first decade of the 2000s, various crisis phenomena indicated a change. Due to a non-prudent economic policy by subsequent governments, the economic growth had slowed down and the country started to accumulate a significant debt year after year.

Overspending has been a historical feature of Hungarian governments. This resulted in a series of budget cuts being introduced starting in 2006 and long-anticipated large-scale economic reforms were once again delayed. Hungary lost its leading role in the economic development in the Central European region. The recession was also felt by the public. At the same time political life was also corrupted. This is due to the fact that from 1990, the multi-party system started to develop into a bipolar political system. The bipolar system of urban (liberal-left) and rural (right) political sides has been poisoning Hungarian politics for a hundred years, and that is why the reorganization of the same political/cultural structure after the regime change was a bad development. The political gap between the approaches and priorities of successive governments disabled any large-scale economic or political reforms. On the other hand, these fighting political blocks were deeply interested in maintaining the common practice of corruption. In this demoralized and imprudent political environment, the legitimacy of the weak socialist-liberal coalition government was seriously questioned by the opposition. The government maneuvered the country into a deep and serious financial crisis in 2008. Prime Minister Gyurcsány had to resign.

### **The emergence of the extreme right**

During these years, the Hungarian extreme right, which traditionally attracted no more than 2-3% of the votes, started to grow. Based on an anti-Roma platform blaming "Gypsy crimes" for many of Hungary's ills, a party called Jobbik (the Movement for a Better Hungary) rode to

popularity. Jobbik predominantly gained ground in poor rural areas, taking important voters from the left between 2006 and 2010.

All these latent changes manifested themselves dramatically in the elections of 2010. Viktor Orbán's center-right party got a supermajority in the parliament, and, in addition, the extreme right-wing Jobbik party received 16,7 percent of the votes and got into the Parliament.

The former socialist-liberal politics collapsed. The liberal Alliance of Free Democrats did not receive a single mandate and shortly disappeared from Hungarian politics after 20 years.

### **Viktor Orbán's political takeover 2010**

With its supermajority, Orbán's Fidesz party acquired the power to change the constitution. Prime Minister Viktor Orbán used this power in the most extreme way at every turn, amending the constitution ten times during his first two years in office and then enacting a wholly new constitution that went into effect in 2012. This constitutional activity has transformed the legal landscape to remove checks on the power of the government and, for the foreseeable future, has put virtually all the power into the hands of the current governing party. He introduced a significant judicial reform, centralized the public media and introduced a series of punitive taxes retroactively. In 2012 the government centralized the education system more than anywhere in Europe, as well as the health care system. Autonomy of the Constitution Court and the self-governments was radically cut.

### **Orbán's illiberal democracy: a concept based on moral value**

Hungary is not like Russia or Turkey, which are characterized as illiberal democracies. But Viktor Orbán set these countries as examples in order to change the mindset of Hungarians towards his ambition.

What does he mean by illiberal democracy? His concept of illiberal democracy refers to nature. In opposition to liberal democracy, where the subject of self-determination is the individual, in his world the subject of self-determination is the community: the nation. The nation represents a moral value over individual value. The nation is equal to majority. Politicians who resonate with the special moral value of the nation have the natural claim for leadership. Democratic elections are important for creating the majority for those who represent the nation. When the authentic representatives have the majority, they have the right to lead as they wish, on a moral basis. When, on the other hand, other political forces gain a majority, like 2006-2010 in Hungary, then this is a temporary and illegitimate mistake, and there are various ways that are acceptable for attacking it. Because “the ‘nation’ cannot be in opposition”, as he said in a May 2002 speech.

Leadership is therefore based on moral: the true representation of the nation should be in charge. Institutions are social creations, and hence they limit the natural power. This is in clear opposition to the basis of the European liberal democracy, which believes that power is based on the free choices of the people. Political parties shift being in power, and independent institutions guarantee the democratic rules of game.

### **A political system built on corruption**

Orbán’s illiberal democracy has a strong impact on economy. It appears in the form of a shameless favoritism of state capitalism. According to Orbán, the economy should serve the well-being of the nation, namely the deserving part of the nation (e.g. those who work) and the economic dominance of the national elite. This is to say, the national political elite and its oligarchs. State capture and corruption has a theoretical background and it is widely accepted by the supporters of Fidesz. Even corruption can

be regarded as a political value for those who have the “moral right” to be in power.

State capture means that the dominant representatives of the system are hand-picked by the political leader. The state provides grandiose financial funds to its oligarchs through fine-tuned public procurement, who then repay it to the ruling political party. Economy and politics are strongly linked together.

Today, Fidesz’s oligarchs are the exclusive beneficiaries of all the government’s investment projects, the tax system and the EU development funds. Corruption is made formally legal. The relationships between politicians and businessman are notorious. Economic success is the cornerstone of political power, which ensures the success of those who are economically successful. At the end, the motives of the economic players get distorted and the market economy fails. Instead of producing better services and products, the entrepreneurs look for connections to the oligarchic network of the elite and to serve them – for survival. This is all made according to the “true spirit of the nation.”

This system, however, has its limits. The oligarchs and the Fidesz elite get richer at the expense of the rest of the country. Since Hungary has no significant internal resources, this system needs to be fed from the outside. So far, it is the European taxpayers who finance the regime through structural funds. As long as the EU’s institutional control over its funds is as inadequate as it is, Hungary’s illiberal regime is maintained by the Union.

The illiberal state is a political and economic construct. Without this construct, the illiberal state cannot be stabilized. Since democratic institutions are not perfect for eliminating corruption, corruption exists in liberal democracies as well. However, in the case of the illiberal state, state capture and favoritism are intrinsic parts of the system.

### **The extreme right and corruption**

The recent success of Jobbik, the extreme right-wing party, is partly based on its anti-corruption rhetoric. Jobbik seems to be an anti-establishment party, since it has never been in power. This is why it can easily benefit from Fidesz's current corruption scandals. But Jobbik deeply shares the notion of the illiberal state. Moreover, some years ago, Mr. Vona, president of Jobbik, clearly stated that Jobbik is an anti-democratic party. This is why Jobbik's anti-corruption rhetoric is false. If case it would get into power, it would recklessly use its power exactly the same was as Fidesz. It would neglect democratic institutions and would use corrupt institutional practices without hesitating. It is therefore an important job for us, the liberal forces, to make this clear to the people.

### **Life in Absurdistan's parliament**

Fidesz with its supermajority changed the bylaws of the Parliament a few years ago. "Democrats are discussing, autocrats are acting" Orbán said recently, and he believes in what he says. His concept reflects the government's use of the Hungarian Parliament as his legislative body. The Parliament is used as a rubberstamp office: the nearly 200 laws that are produced each year are mainly proceeded by the so called "special process." This means that instead of six weeks of deliberations, laws are passed within two weeks. There is simply no way for the opposition to make any impact on the contents, but it is also hardly possible to even comment on the proposals. The parliamentary sessions are organized in such a way that formal issues and voting sessions are held in media time, and debates are organized in the afternoon and evening hours. Everyone but the press is ready to stay for the evening to follow parliament debates. If the opposition may wish to be seen, for example by a visible action like showing posters, a significant fine has to be paid.

Limiting the opposition's opportunities to take legislative

initiatives is shrewd. For “efficiency purposes,” a large part of the parliamentary work is organized in the committees. According to the recent rules, only those proposals that are approved in the relevant committees reach the plenary. Since the majority always outvotes the opposition’s initiatives, these proposals never reach the plenary session.

In addition to limiting the free expression of MPs, there are other limitations. For example, parliamentarians are not free to cooperate. In the current Hungarian Parliament, there are 10 PMs (5%) who work non-aligned, as their parties could not form a faction. The bylaws do not make it possible for five of them to come together and form a parliamentary group.

### **Room to make politics in the parliamentary**

The most important place for us, the opposition in the parliament, is the pressroom and the corridor. During plenary days, the building is teeming with political journalists – since journalists are not allowed in the plenary hall. Political opinions and initiatives can be reported on in the corridor. Since the press is still largely free, it is possible to communicate with the media. How the Fidesz-controlled media manages one’s comment is another question.

Another tool for exercising democratic control is to talk directly to the people. Going out of the parliament building and visiting public institutions offers the opportunity to exercise the control function on government institutions. If deliberative and legislative functions are heavily controlled, it is, to a limited extent, possible to exercise the outgoing way of control.

### **How to do political work in Orbán’s illiberal world?**

If the supporters of liberal democracy would like to win elections again in Hungary, they need to develop an innovative political behavior in a hostile environment.

In 2014 Viktor Orbán won the election with a

supermajority because he manipulated the electoral system in 2012. Viktor Orbán sets the political agenda. Most of the media is in the hands of the Orbán's party oligarchs. The public media is the government's propaganda machine. The majority of advertising facilities are ruled by government-friendly business people. Fidesz generates funds by corruption in order to buy into media and build its political network. Meanwhile, the far right does the same with funding received from the Russians. The democratic center-left opposition lacks such tools, so they need to reach their voters with new and different methods.

The task of the democratic opposition is vast. We have to be able to tell a story of a different Hungary, which is European, liberal, democratic and serves the country's future. Beyond Orbán there is the extreme right gathering, and democratic forces should be able to demonstrate a credible alternative to both of these populist forces. However, for me, who represent a new party established in 2012, it is seriously demoralizing to join those who ruled the country for eight years from 2002 and are largely responsible for Fidesz's enormous victory. Until democratic politics is renewed, it is hard to imagine that Viktor Orbán can be beaten.

### **Task and the chances for a liberal alternative**

The most challenging task for Hungarian liberals is to demonstrate to voters that the rule of law is not simply a notion, but has an important practical use: it is just and accountable. We have to make people understood that a safe quality of life does not exist without freedom and democracy. Orbán's illiberal democracy is unpredictable and unaccountable. In his world, the fundamental rights of the people can be questioned; not only the rights of refugees and ethnic minorities, but the rights of anyone. The property of the people, such as pension savings, can be taken by the state, the freedom for entrepreneurs can be reduced and unemployed people can be sent to do

obligatory public work without regard to their profession. Orbán's world is insecure and lacks a perspective for the future.

Our job is to make people understand that only liberal democracy is able to provide protection for the people, in addition to creating predictability and incentives. Only liberal democracy is able to solve deep social problems by its participative nature and provide a just and prosperous life.

Reconstructing liberal democracy in Hungary is our job. Europe and the Union can facilitate this process. It is necessary that the European Union stands up with stronger warnings and sanctions against an illiberal Hungary. But it is the Hungarian people who should topple Orbán's regime. We are the ones who should offer a credible liberal alternative to the people. Our democratic alternative should be empathetic, strong and convincing.

## **BIRGITTA OHLSSON**

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# From hope to hopelessness

I remember that summer in 1987. Hot and stifling. A kind of a lazy feeling that was hard to put your finger on. But in large parts of Europe, right underneath the surface, signs that something was going on were seething, simmering and boiling. My family always went to my grandparents' farm in the small village of Brån by the Vindel River in the county of Västerbotten on our vacations. So also this summer. But my liberal father's enormous interest in Eastern and Central Europe also took us to Budapest. He, like so many others, was hopeful that Hungary would be the place where changes would occur, and that the people there would get the same kind of freedom that we took for granted.

The Hungarian Revolt of 1956, which was captured in black-and-white newsreels, had touched many Swedes. The ruthless ghost of Stalin that was ravishing the country. How the sympathy demonstrations for the Polish "reform communism" turned into an uprising on October 23. How Imre Nagy once again became Prime Minister. How the Stalin statue on the Heroes' Square in Budapest was toppled. How the Soviet troops initially retreat, but then strike back mercilessly on November 4. How thousands are killed or injured. How 200,000 Hungarians flee the country. How János Kádár becomes the new party leader. How Nagy is executed in 1958 following a secret trial. How János Kádár, after some initial tough years fighting the opposition, in the 1970s transforms Hungary into "the happiest barrack in the camp." How the "goulash

communism” is given a face at a time when the economy is somewhat liberalized.

Then, in 1987, the Hungarian communism from my point of view, that of a 12-year-old girl born in the West — albeit curious and interested in history — became deeply symbol-oriented. In the planned economy of Budapest, there was only one type of popsicle to choose from in the kiosk at the hotel. We were not to drink juice with a straw during the trip, as these were old and re-used products that had been cleaned many times. You had to be careful with what you said, as the country was still a communist dictatorship.

My strongest memory, however, was of fear and how people were oppressed. It happened on the train journey itself. When the train passed East Germany in the middle of the night, our cabins were checked by curt soldiers with German Shepherds and powerful flashlights to make sure that no refugees from East Germany had been smuggled on board.

At the same time, I was enormously captured by the Hungarian culture and the beauty of the city of Budapest. We visited the baroque city of Szentendre, visited the rural areas where the steppe landscape of Pusztan spread out and listened to the most beautiful music of Liszt and Bartók flowing out from the city’s cafes.

I was twelve years old and of course I had no idea that I was right in the middle of the breaking point of a country and a region that would culminate two years later with the fall of the Berlin Wall on November 9, 1989. A strong symbolic image for the change in Hungary was when the British band Queen played at the Nép stadium in July 1986. The evening has been described as magical. 80,000 spectators could fit on the bleachers, but 45,000 of the 250,000 who do not get a ticket still showed up outside the stadium. People had come all the way from Ukraine, Belarus and Poland. Freedom activists in country after country in the Baltics and in Central and Eastern Europe geared up to fight for change.

The Soviet empire trembled. In June of 1987, Russian

President Mikhail Gorbachev had introduced economic reforms termed "perestroika" (restructuring) in the Soviet Union. Small, tentative steps were taken toward a market economy. During the same period, Gorbachev also imposed a free and secret ballot with different candidates to choose from, but only from within the party. The first attempts to introduce a market economy were also carried out. On April 21, 1987, Sweden signed an agreement with Hungary regarding the promotion and mutual protection of investments.

One could also sense changes emerging in Hungarian popular culture. The Hungarian TV show *Szomszédok* (Neighbors) began to be broadcast. Some people have compared it to shows like *Dallas* or *Dynasty*. The viewers could here, through the characters of the soap opera, follow the final years of communism, the transitional period toward democracy and then the road toward market economy.

One could also begin to see new stars emerging on the political scene. One of them was Viktor Orbán. On the same Heroes' Square where the Stalin statue was knocked down by freedom activists during the Hungary Revolution, the 26-year-old Orbán was now giving the speech of his life on June 16, 1989. It was an important day in the modern history of Hungary. On this day, Imre Nagy and other leaders of the revolt of 1956 were given a new official burial.

Orbán demanded free elections and the withdrawal of Soviet troops, and the speech itself resulted in him suddenly finding himself being one of the leaders of the democratic opposition. Sure, he had been politically active already at the age of 14, but then as the secretary of the youth branch of the Communist Party. Now he was one of the voices of hope who founded Fidesz (Fiatl Demokraták Szövetsége/Alliance of Young Democrats). Orbán's new party particularly attracted anti-communist students.

He became the leader of Fidesz only three years later, and gradually started to remake the party from being a student activist group into a more right-leaning liberal alternative,

with a focus on market economy. During this period in the beginning of the 1990s, Fidesz was a members of the Liberal International and observers in the European party group ELDR (now ALDE). But the liberalism of Fidesz, which was essentially economic in nature, was fading away and becoming less prominent. In 2000, Fidesz left the Liberal International, ended its affiliation with the European liberal party group and instead joined the European right-wing/conservative EPP (European People's Party).

During this time, Hungary changed rapidly. In 1989, the central committee of the Communist Party decided to introduce a multi-party system. Ten years later, in 1999, Hungary became a member of NATO. And an additional five years later, in 2004, Hungary joined the EU.

Orbán himself becomes Prime Minister during this period (1998–2002) and then again following the election in 2010. By that time, the mood in the country is tense. Orbán's own right-wing populism marches side by side with Jobbik — an extreme right-wing party, which in the election campaign openly disseminates both anti-Romani and anti-Semitic messages.

In 2010, Orbán's party Fidesz, working together with the small Christian-democratic party KDNP, wins by a landslide with 52.3 percent of the cast votes, which leads to a two-thirds majority in the parliament. This not only puts him in power, but also makes it possible for him to change the constitution. Jobbik gets as much as 16.7 percent.

When Orbán wins in April 2010, I have been EU minister for two months. But Hungary quickly makes its way into my political agenda. Based on the two-thirds majority, Orbán is now at liberty to freely make changes in the constitution. As a first step, he announces that he intends to stipulate in the constitution that marriage is to be strictly heterosexual between a woman and a man. I have long talks with my Hungarian colleague Enikő Győri before they make this decision and ask her how they can lock the constitution to such rights issues when they cannot possibly foresee who

will govern the country in the future? Or can they, I wonder rhetorically in our talks.

Not only should the “traditional marriage” be protected, but also the “rights of the fetus.” In one fell swoop, both the current Hungarian abortion law and people’s future equality before the law are thus undermined. In the context of the EU, these matters are obviously problematic; something that my Hungarian minister colleagues constantly point out. The EU neither decides on the issue of abortion nor on the nature of marriages. Still, the debate regarding Hungary continues at the EU ministerial meetings and in the hallways. And I am not the only one of my colleagues who is deeply concerned. When the Hungarian EU presidency starts at the beginning of 2011, every EU minister meet in the town of Gödöllő close to Budapest. The debate, which is meant to focus on the negative developments in Belarus, soon indirectly turns into openly or diplomatic cushioned criticizing the way Hungary no longer seems to care about respecting the basic values of the European Union regarding democracy, transparency and the rule of law. Speech after speech is delivered that the EU must practice what it preaches. Our Hungarian hosts are not satisfied.

At the end of the same year, the new constitution becomes a fact. András Simor, head of the Hungarian National Bank, warns that the reforms undertaken by Fidesz threaten the independence of the central bank. Fidesz makes proposals regarding amending electoral districts, which would be very beneficial for the party. The number of seats in the parliament is to be reduced from 386 to 199. The country’s media is also to be reviewed by a National Media Authority, which also has a Fidesz majority. The issue of Hungary comes up at one ministerial meeting after another, but, unfortunately, only a handful of countries dare speak up, and this makes it possible for Orbán to buy some time.

But some sections of the Hungarian population are beginning to show their discontent. In January of 2012,

thousands of people demonstrate in Budapest when the new constitution comes into force. The EU during this period threatens to take Hungary to court due to the many proposals for amendments.

In March of 2012, Hungary is criticized by the so-called Venice Commission, which is an advisory body to the European Council. The main focus of the report is the threat to the independence of the courts.

Then, as now, the EU lacked sufficient tools and muscles for being able to focus on the core of the Hungarian problems; that is to say violations of human rights, the erosion of the rule of law and the questioning of the EU's basic democratic values. Despite the fact that Article 2 of the Treaty of Lisbon establishes the values that form the foundation of the whole union: freedom, democracy, equality, the rule of law and respect for human rights and human dignity — despite the fact that Article 7 makes it possible to take action against member states that act against the fundamental values of the EU — yes, despite this, the EU is presently too weak to be able to oppose Orbán.

The debate once again illustrates just how weak the EU is as a watchdog for human rights, as the EU is both hamstrung by the fact that not enough member states want to criticize Hungary too harshly, as well as by the fact that the EU lacks a system of sanctions to use against countries that misbehave. The tool available is Article 7, also referred to as the nuclear option by politicians, which may lead to being denied the right to vote in the European Council. But more steps would be necessary before undertaking this dramatic measure. It also requires a four-fifths majority in the Council, which makes it very difficult to implement.

The EU's weaknesses on this front become increasingly noticeable. Instead, the European Court of Justice in November 2012 turns into the heavy player in this context. The court criticized Hungary's amended court rules —

such as the earlier retirement age for judges, which is one of Orbán's tricks for getting rid of older, independent judges and thus be able to appoint new judges who are loyal to him. Fidesz claims that the system is a remnant from the old communist era, but a lot of people see through this rhetoric and it is criticized both nationally and internationally.

Even though Orbán replied to the criticism raised by the EU and the European Council by saying that "We will not allow international dictates to control us," the European Court of Justice is nevertheless able to get the Hungarian government to change the proposals that threaten the independence of the central bank and stipulate an earlier retirement age for judges, as well as making sure that the control over the media does not increase quite as much as initially announced. However, judges who have retired early are not reinstated.

In March of 2013, a new head of the central bank is appointed, who becomes one of Orbán's men. The Hungarian parliament continues to enact various legal amendments, which strengthen the government's power over courts and authorities. A summary of the laws that have been proposed:

- *The country's most important court, the constitutional court, may no longer evaluate laws based on their content, only comment on technical errors.*
- *The president may not veto constitutional changes other than on technical grounds.*
- *A family is in the constitution defined as "a marriage between man and woman," with or without children.*
- *University students receiving grants will be forced to stay and work in Hungary for a certain period of time following their graduation.*
- *Homeless people are forbidden to sleep in public spaces. They should also be guaranteed a bed in a shelter.*
- *Religious communities must be approved by the parliament, which does not need to justify any possible refusal.*

The division of power is further undermined when the Hungarian parliament in November that same year adopts a law restricting the powers of the constitutional court. The protests of the United States and the European Union continue to fall on deaf ears. An argument that is constantly used against us critics is that if the world is too tough on Fidesz, then that will only benefit the extreme right-wing party Jobbik. This is constantly brought up in discussions with Hungarian government ministers; that we damage their situation by our criticism.

The cracks in the European Parliament become even more noticeable. On one side, liberals and social democrats who criticize the negative developments in Hungary. On the other side, the right-wing EPP group, which does not want to get tough with its fraternal ally Orbán. Members of the Swedish Liberal People's Party in the European Parliament consistently vote for harshly criticizing Orbán's policies, while the Swedish conservatives and Christian democrats either defend the Hungarian government or keep silent regarding the country's political quagmire.

The struggle between, on the one side, liberals and social democrats and, on the other, the conservatives also characterizes the work of the European Commission. The Commission is drastically split, not only by Hungary as an individual case, but also when it comes to the efforts of instituting an annual review of how all EU member states respect human rights. Conservative EU commissioners tend to slow down and block these efforts, while the liberals want to go faster.

This tension between liberals and conservatives could also be seen in the Swedish coalition government. There are few issues I fought so hard for during my years as EU minister as pushing for a tougher review of human freedoms and rights within the EU member states. But my allies in this struggle were foreign ministers from Germany, the Netherlands and Nordic friends, and not so much the Swedish Ministry of Foreign Affairs and its

head Foreign Minister Carl Bildt. On the contrary, it was a constant struggle to prevent documents from being watered down, delayed and weakened. There was a great difference of opinion. The Swedish Liberal People's Party and I advocated a "name and shame" system, where the member states are reviewed, examined and punished.

I am the first to admit that we were seeking far-reaching reforms. In the long run, we wanted to have a system of sanctions and lost financial support for countries that violate human rights. But sometimes there were deadlocks in the Department of Foreign Affairs when it came to a simple annual review of human rights within the EU. Finally, after a great deal of effort, we were able to get this text passed: "The government is actively working with other member states within the EU to create an effective review process for examining how member states respect human rights and the principle concerning the rule of law."

The Hungarian drama continues to unfold with the parliamentary elections in April 2014. Orbán is re-elected, but his party Fidesz gets less votes. In spite of the fact it only got slightly more than 44 percent of the votes cast, Fidesz still keeps 133 of the 199 seats in the parliament. The Hungarian opposition, consisting of social democrats, liberals, greens and many others, is still too weak to offer any real resistance. The attacks on the open society continue during the late summer and fall of 2014. Suddenly, the Hungarian police attack foreign NGOs working with democracy, which are accused of "transferring money for illegal purposes," and one constantly sees new examples of the government's nervousness and touchiness toward liberal movements.

This is the vantage point we must adopt if we are to understand Orbán's overtures toward Russia. He, the former anti-communist who started his career by challenging the Soviet empire, is now saying, after Russia's brutal attack on Ukraine, that the EU sanctions are both wrong and ineffective. Later that fall, Orbán delivers his

now infamous speech where he attacks Western liberal democracy, argues for Hungary's right to "choose a different path" than the European democracy, salutes Vladimir Putin as a role model and time and again talks about Hungary's strong ties to Russia.

Yes, "qou vadis, Hungary?" everyone continues to wonder. There was, however, one reason for feeling good in the fall of 2014. The Hungarian government's proposal for an internet tax, which is criticized for restricting the freedom of expression, is met with massive protests. The proposal is withdrawn after having faced the wrath of the citizens. This is one of only a handful of examples where the good side emerged victorious.

A frightening result of Orbán's destructive leadership and the dismantling of democratic principles materializes in April 2015. Then a manifesto is presented in which immigrants, according to the British newspaper *The Guardian*, are equated to terrorists and accused of taking the jobs of Hungarians. Forced labor is also recommended for undocumented immigrants, who, according to Fidesz, should be detained in special labor camps.

The hatred toward asylum seekers is whipped up during the late summer of 2015, when the number of refugees is increasing throughout Europe. Hungary completes a barbed wire fence that will make it even more difficult for migrants to enter the EU. At Bálványos Open University at the end of July, Orbán delivers another speech against "the mass immigration" and stresses that Europe belongs to the Europeans and to no one else.

Orbán goes even further when he proposes and discusses that Hungary should re-introduce the death penalty. A punishment that Hungary, as well as their neighboring countries, abolished around 1990 after the fall of communism. A month later he defends his view in the European Parliament. This in spite of knowing that one of the main prerequisites for becoming a member of the European Union is to have abolished the death penalty.

And this time the European Commission finally reacts with force. The president of the European Commission, Jean-Claude Juncker, says that if Hungary proceeds with this, it will be excluded. "If Hungary were to introduce the death penalty, then that would be a cause for divorce. A country introducing the death penalty has no place in the European Union," Jean-Claude Juncker said to the German magazine *Süddeutsche Zeitung*.

After years of attacks on human rights, the rule of law and the independence of the media, it takes a Hungarian threat to introduce the death penalty for the EU to seriously, and at the highest level, put its foot down. This is a failing grade for the European Union, which, in the case of Hungary, should have been a more outspoken watchdog for human rights. If the EU's member states do not keep a clean home — when it comes to respecting the values of freedom that once served as the foundation for this union — then it is impossible to at the same time be a credible global voice in favor of these ideals.

Among the reasons for the EU's ineptness in the case of Hungary, in addition to its lack of sufficient political willingness, are also bleak memories from the past. This is about Jörg Haider. When Haider's extreme right-wing party FPÖ was about to join the Austrian Government in 2000, the EU answered by imposing sanctions. But it was not possible to keep the EU's individual states together on this issue, and the union was subsequently burnt. The rest is history.

During the economic crisis, the EU has developed new instruments and mechanisms for managing the crisis and for finding common solutions at both the European and the national levels, which through indicators, evaluations, recommendations, warning systems and sanctions have forced the member states to respect the rules. This shows that it is possible for the EU to reform during serious crises. A similar package for strengthening the supervision of how the EU's basic values are being followed is necessary.

The EU member states have been unwilling to criticize each other out of fear of being criticized themselves. That Article 7 has not been used, for example, in the case of Hungary is due to a lack of political willingness among the member states, in addition to the high majority threshold required to activate the article. This threshold needs to be lowered. But a new mechanism for guaranteeing respect for the rights in Article 2, as well as for the Charter of Fundamental Rights, also needs to be introduced.

On March 11, 2014, the European Commission presented its proposal for a new EU framework for the strengthening of the rule of law. This framework should consist of a structured process. Here, it would be possible to issue recommendations to a member state when systematic violations of the rule of law occur. This is good, but this framework must be supplemented with the possibility of issuing sanctions. The Commission must be able to propose real sanctions in the form of, for example, stopping EU financial support.

To strengthen the review process of the Commission, “fundamental rights officers” should be appointed at the EU offices in the member states, who report back to Brussels on how the state respects human rights and the rule of law. We should also take advantage of the work already carried out by other actors, such as the Council of Europe and the United Nations system, and not least the European Union Agency for Fundamental Rights.

It is important to recognize that the EU is not just undergoing an economic crisis but also a democratic one. Hungary is the worst example, but troubling proposals and trends have also been seen in other countries that have been hit hard by the economic decline, such as Greece and Spain.

The history of Hungary is sometimes said to resemble a thousand-year-old roller coaster. Under Viktor Orbán’s rule, the country now finds itself in the deepest of valleys. The land of the hopefuls has been transformed into a land of bottomless hopelessness.



## **FREEDOM HOUSE**

Freedom House was founded in 1941 as an independent organization dedicated to the expansion of freedom and democracy around the world. The organization advocates for greater political rights and civil liberties and supports frontline activists to defend human rights and promote democratic change.

# Freedom of the World

## 2015: Hungary

### **Changes since 2014**

Hungary's political rights rating declined from 1 to 2 due to an election campaign that demonstrated the diminished space for fair competition given legislative and other advantages accrued by the ruling party.

### **Overview**

Three elections in 2014 confirmed and strengthened the dominance of the Young Democrats-Hungarian Civic Union (Fidesz) party of Prime Minister Viktor Orbán. The Fidesz-led coalition triumphed at legislative elections in April, retaining the two-thirds parliamentary majority required to alter the constitution drafted by Fidesz legislators in 2011. In May, Fidesz won a decisive victory in the European Parliament elections. And in October, Orbán's party retained control of all county assemblies and all but one of Hungary's seven largest cities.

The ruling coalition continued to use its two-thirds parliamentary majority to push through laws in 2014, including a new advertising tax on media that elicited criticism from the European Commission and international media watchdogs. In late October, demonstrations by 100,000 protesters in Budapest and ten other Hungarian cities prompted the government to announce the temporary withdrawal of a planned internet tax.

Throughout the year, Orbán provoked international controversy with statements and actions seemingly calculated to demonstrate Hungary's imperviousness

to European political peer pressure. Days before the parliamentary elections in April, Hungary finalized a €10 billion (\$11 billion) 30-year loan agreement with Russia to rebuild Hungary's Paks Nuclear Power Plant. Citing the example of "successful" states like China and Russia, in August Orbán gave a speech declaring his intention to build "an illiberal state" that "does not deny foundational values of liberalism, [of] freedom" but that also "does not make this ideology a central element of state organization." Responding to public backlash, the prime minister later clarified that Hungary's membership in the European Union (EU) and the North Atlantic Treaty Organization remains "unquestionable."

Nevertheless, relations between the Orbán government and its European and transatlantic allies were strained at year's end. In September, Hungary cut off its reexports of gas to Ukraine. On October 1, the EU warned that Hungary risks falling back into the excessive-deficit procedure, which can lead to the blocking of aid money, if it fails to cut debt.

## Political Rights: 32 / 40 (-4)

### A. Electoral Process: 9 / 12 (-3)

Voters elect representatives every four years to a 199-seat, unicameral National Assembly under a mixed system of proportional and direct representation. The National Assembly elects both the president and the prime minister. The president's duties are mainly ceremonial, but he can influence appointments and return legislation for further consideration before signing it into law.

A December 2011 electoral law redrew parliamentary districts and changed the seat-allocation formula. The redistricting was ostensibly designed to reduce the overall number of lawmakers and mitigate wide variation in the size of constituencies. The reforms also gave ethnic Hungarians living abroad easier access to citizenship and

the right to vote. In January 2013, the Constitutional Court struck down several elements of the election law on substantive grounds, though some elements of the voided law later reappeared as part of the controversial and wide-ranging omnibus constitutional amendment passed in March 2013 and an additional constitutional amendment one month later.

An unprecedented 17 parties or alliances attempted to chip away at Fidesz's two-thirds parliamentary majority in legislative elections on April 6, 2014. Throughout the rancorous campaign, opposition parties criticized recent changes to electoral legislation, including rules that facilitated the creation of instant parties, splitting the antigovernment vote; alleged gerrymandering in the ruling party's favor; and the government's heavy influence over state television and radio. Most of these grievances were echoed by critical assessments from international transparency watchdogs and the Organization for Security and Co-operation in Europe (OSCE)'s election monitoring delegation, which also pointed to strong government influence over media and advertising outlets and grossly unequal financial resources. In March, a team of anticorruption watchdogs accused Fidesz and its smaller coalition partner, the Christian Democratic People's Party, of spending more than twice the legal limit on their campaigns.

The National Election Council (NEC) consists of seven members proposed by the president and elected for nine-year terms by the parliament; a maximum of one temporary NEC member proposed by each competing party; and five commissioners appointed by national minority lists, whose votes are limited to minority issues. According to OSCE election observers, decisions by the NEC during the national parliamentary campaign were inconsistent, often resulting in the rejection of complaints without effective consideration of claims.

Monitors also suggested that the dual system for foreign voters, under which new citizens who have never lived in the country can register and vote more easily than

expatriate Hungarians living abroad, “undermine[s] the principle of equal suffrage.” For domestic voters, the new system for minority voting requires advanced registration, allowing voting for only one candidate.

Fidesz won the April 2014 parliamentary election with 45 percent of the vote, capturing exactly two-thirds (133) of seats. Unity—a new coalition of five leftist parties—won 38 seats. The radical-nationalist and Euroskeptic Movement for a Better Hungary (Jobbik) captured 23 seats, while the green-liberal Politics Can Be Different party won just 5 seats. None of the remaining contenders broke the 5 percent threshold for representation in parliament.

In June, the parliament adopted legislation for elections to the Budapest City Council that critics claimed were aimed at disadvantaging the fragmented left. In local and municipal elections on October 12, Fidesz won control of all county assemblies and all but one of Hungary’s seven largest cities. The leftist coalition fell behind Jobbik in a number of cities.

## **B. Political Pluralism and Participation: 15 / 16**

Fidesz has achieved political dominance both through its manipulation of the playing field as well as genuine popularity. Jobbik is now the second-most popular party, replacing the center-left Hungarian Socialist Party (MSzP), which has been plagued by infighting. A large number of smaller parties compete in elections.

In late March, a popular blog published data furnished by the national treasury that detailed official state budget allocations to all political parties. The list revealed millions of dollars in total funding to small, very recently formed parties. This fueled accusations that Fidesz was encouraging the creation of “camouflage parties” in order to split the opposition vote. Six parties that received fewer than 10,000 votes received between \$700,000 and \$2,100,000 each in public funding. Some of the microparties had ambiguous names, including an unaffiliated Unity Party and one named Together 2014.

Hungary's constitution guarantees the right of ethnic minorities to form self-governing bodies, and all 13 recognized minorities have done so. Despite their large population, Roma hold just four seats in the current National Assembly. In October, Orbán appointed the Roma community's national leader to a government position.

### **C. Functioning of Government: 8 / 12 (-1)**

Corruption remains a notable problem in Hungary, which ranked 47 out of 175 countries and territories surveyed in the 2014 Corruption Perceptions Index by Transparency International (TI). Using its supermajority, the Fidesz-led coalition has appointed allies to lead state agencies with anticorruption roles. A 2012 TI study reported rampant collusion between the public sector and privileged private businesses as well as nontransparent campaign spending by both Fidesz and MSzP.

In October 2014, media reported that the U.S. State Department had refused entry to several Hungarians on the basis of corrupt activity. Although no officials were named in the press statement, the head of Hungary's tax authority sued the U.S. embassy's chargé d'affaires for libel.

The lack of an appropriate public spending database presents an obstacle to the transparency of government spending. In 2013, the parliament reduced the scope of publicly available information under the country's Freedom of Information Act.

## **Civil Liberties: 50 / 60 (-2)**

### **D. Freedom of Expression and Belief: 14 / 16 (-1)**

International press freedom organizations assert that Hungary's laws do not adequately protect media independence. A provision of the new civil code that went into effect on March 15 allows criticism of public figures

only if it is of legitimate public interest, did not harm human dignity, and is “necessary and proportionate.” The Constitutional Court had previously ruled that the provision violates the rights to freedom of speech and a free press.

Since 2011, media outlets must register with the National Media and Infocommunications Authority (NMHH), which can revoke licenses for infractions. A Media Council under the NMHH can close outlets or impose fines of up to \$950,000 for failure to register or for airing of content that incites hatred. Fidesz, with its parliamentary supermajority, controls appointments to the Media Council, whose members serve nine-year terms.

In June 2014 the Supreme Court ruled in favor of the NMHH in a lawsuit against commercial television station ATV, which had described Jobbik as a “far-right” party—a term the party rejects. In January 2014 a higher court overruled the conviction of renowned historian Laszlo Karsai for damaging Jobbik’s reputation when he called it a neo-Nazi party in an ATV broadcast in 2012.

While foreign ownership of Hungarian media is extensive, domestic ownership is largely concentrated in the hands of Fidesz allies. The government has withdrawn most advertising from independent media since the 2010 elections. Anecdotal evidence indicates that private companies also withhold advertising from independent media to avoid losing government contracts. In October 2014, Dániel Papp, cofounder of Jobbik, was officially placed in charge of all news content at the MTVA media fund, which is responsible for the management of all public media.

In May 2014, the Constitutional Court ruled that website operators are responsible for any comments to blog posts or news commentary that may violate media law. Critics warned that this would lead to increased self-censorship and restrictions on public comments on the part of site administrators.

In early June, the editor-in-chief of Origo, an online news portal critical of the government, was forced to resign after publication of a story on the alleged misuse of public

funds by the state secretary at the Office of the Prime Minister. Another 30 Origo journalists resigned to protest the dismissal.

In October, after the government announced plans to levy a tax on internet service providers (ISPs) for every gigabyte of data traffic, tens of thousands of protesters gathered in Budapest and at least 10 other cities. The demonstrations continued until the government officially withdrew the proposal (in its current form) on October 31.

Revisions to the criminal code that took effect in 2013 require ISPs to block content deemed illegal by a court order. Websites hosting illegal content are placed on a nonpublic “blacklist” operated by the NMHH. The government may take action if ISPs fail to heed the blocking orders.

The constitution guarantees religious freedom and provides for the separation of church and state. Adherents of all religions are generally free to worship. Since a 2013 constitutional amendment, religious communities have the same legal standing as recognized churches. However, a two-thirds parliamentary majority must approve the right of any religious community or church to receive tax and other benefits reserved for “accepted churches.”

Anti-Semitism remains a problem in Hungary, particularly among far-right groups. People within the government have honored fascist historical figures, though the ruling party generally distances itself from the strongly xenophobic statements and actions of groups like Jobbik.

The state generally does not restrict academic freedom. However, a gradual overhaul of the public education system has raised concerns about excessive government influence on school curricula, and legislation adopted in June 2014 has the potential to reduce the autonomy of universities. The government began centralizing public education in 2011, ostensibly with the aim of improving and standardizing education. At the end of 2013, the parliament nationalized the schoolbook market and limited elementary school teachers’ choice to two books

per subject and class, a move that outraged many teachers, publishers, and education specialists. Amendments passed in 2014 to the Law on Higher Education empower the prime minister to appoint deputy rectors responsible for managing universities' finances. They also allow an award bestowed by the state to take the place of a doctorate in qualifying individuals for the position of rector.

## **E. Associational and Organizational Rights:**

### **11 / 12 (-1)**

The constitution provides for freedoms of assembly and association, and the government generally respects these rights in practice, though some crackdowns have taken place in recent years.

State funding to nongovernmental organizations (NGOs) and other civil society groups is distributed through the National Cooperation Fund (NEA), which is governed by a nine-member council consisting overwhelmingly of government-elected or -appointed members. In 2014, the government appeared to retaliate against critical NGOs by launching a far-reaching investigation into the funding that several hundred of them had received via the Norway Grants, a charitable foundation bankrolled by the Norwegian government. In June, the Government Control Office reportedly confiscated piles of documents and numerous computers from three groups chosen to operate Norway Grant funds in Hungary. In September, a special police unit from the National Bureau of Investigation searched the offices of two NGOs involved in the disbursement of Norway Grant money, citing suspected mismanagement of funds and illegal financial activities. In addition, the National Tax and Customs Administration suspended the tax number of the four organizations responsible for the distribution of Norway Grants in Hungary. In a speech in July 2014, Orbán called NGOs “paid political activists attempting to assert foreign interests in Hungary.”

The government recognizes workers' rights to form

associations, strike, and petition public authorities. Trade unions represent less than 30 percent of the workforce.

### **F. Rule of Law: 11 / 16**

Judicial independence has become a concern. The Constitutional Court has struck down a number of key laws passed since 2010, though some were voted into the constitution in 2013. However, a 2013 amendment prohibits the Constitutional Court from examining the substantive constitutionality of future proposed constitutional amendments and strips its right to refer in its rulings to legal decisions made prior to January 2012, when the current constitution came into effect. In defiance of the latter restriction, the court's judges began citing their past rulings as early as June 2013. By 2014, the government had appointed 11 out of 15 Constitutional Court judges.

Prisons are generally approaching Western European standards, though overcrowding, inadequate medical care, and poor sanitation remain problems. Inmates do not have access to independent medical staff to assess abuse allegations. The 2011 constitution introduced the possibility of life sentences without parole, which conflict with the International Covenant on Civil and Political Rights. Under an amendment adopted in November 2014, inmates serving life sentences may apply for parole after 40 years in prison.

Hungary has taken a number of steps to improve monitoring of Romany legal rights and treatment, but Roma, who form Hungary's largest ethnic minority, still face widespread discrimination and poverty. Romany students continue to be segregated and improperly placed in schools for children with mental disabilities. In 2014, the Roma Press Center and five civil rights groups signed an initiative accusing police officers, especially in northeastern Hungary, of fining Roma delinquents more often than non-Roma suspects. National Police Chief Károly Papp denied the allegations.

## **G. Personal Autonomy and Individual Rights: 14 / 16**

Hungarian citizens enjoy freedom of travel and choice of residence, employment, and institution of higher education. Citizens have the right to own property and establish private businesses. Cronyism remains a serious concern, however. Critics of recent sectoral taxes see them as efforts by the state to drive out foreign businesses, or take them over. In December 2014, the parliament adopted a law forcing large or corporate-owned retailers to close on Sundays while small or family-owned shops may remain open.

Women possess the same legal rights as men, but they face employment discrimination and tend to be underrepresented in high-level business and government positions. Women hold only 20 of 199 seats in the National Assembly, the lowest percentage in Europe. The right to life from conception is protected under the 2011 constitution, but access to abortions remained largely unrestricted in 2014.

A 2013 Human Rights Watch report documented domestic violence in Hungary, claiming that insufficient legal protections as well as problems in the implementation of existing laws further endanger female survivors of domestic violence. Hungary is a transit point, source, and destination for trafficked persons, including women trafficked for prostitution.

Same-sex couples can legally register their domestic partnerships. However, the 2011 constitution enshrines the concept of marriage as a union between a man and a woman and fails to directly prohibit discrimination based on sexual orientation. In May 2014, the Constitutional Court ruled that common law partners who raise children should be explicitly granted access to the same family benefits as married couples. A corresponding amendment was made to the budget bill for 2015. A separate law on same-sex partnerships remained in effect at the end of 2014.