

With the ruling party's legislative tsunami, Hungary may now be sleepwalking into an authoritarian state.

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Hungary is a member of the European Union, but the country is sleepwalking into an authoritarian state, argue [Tamas Dezso Czigler](#) and [Izolda Takacs](#). In their second of three articles for EUROPP, they argue that the new governing coalition has overhauled the country's electoral and judicial system, violated the independence of the Hungarian central bank and invaded citizens' private lives.



In our last article, we outlined how Hungary has undergone a transition into a '[distorted democracy](#)' since the election of Viktor Orbán's right-wing Fidesz party in 2010. Since then, there has been a legislative 'tsunami' and a "re-interpretation" of the principle of checks and balances in Hungary.



In the two years since coming to power, the government has made several changes to the basic structure of Hungary's governance. They quickly adopted a new constitution, even though the public was not even aware that one had been planned. No one knows who authored this document; since there was no consultation with scholars, NGOs or other entities, and the resulting text feels anachronistic – it starts with the phrase "God bless Hungary", the opening line of the Hungarian national anthem, but oddly without the quotation marks. This dated attitude extends throughout, reintroducing long-forgotten legal concepts and curbing some essential rights: for example, no citizen may now turn to the Hungarian Constitutional Court if a right codified in the Constitution is harmed unless there is a personal interest (i.e. "*actio popularis*" is longer universally available).

The electoral system has also been overhauled: alongside a radical reduction in the number of parliamentarians, smaller constituencies were created in areas where Fidesz has a majority and larger ones where other parties are more popular. Under the new system, the governing party can win an overall majority far more easily than before, and had it been applied over the last three elections, it would have resulted in three straight Fidesz victories, in contrast with their actual results. Mandates for Constitutional Court judges have also been extended from 9 to 12 years – once again favouring the government, despite the supposedly "government-loyal" judges adopting a decision protesting against any accusation of such bias.

Other crucial laws have also changed. A new media law was implemented: all media (television, print and radio) is monitored and governed by a commission consisting exclusively of delegates from the governing party. In one of the latest scandals, an opposition-friendly radio station with about 500,000 regular listeners failed to get its broadcasting license (frequency) renewed. Later, due to procedural issues, the decision was revoked in court.

New laws were adopted governing the maximum retirement age of judges: the limit was reduced from 70 to 62 years (the general retirement age is 65 years). Hence about 300 judges, including the heads of courts can be sent into retirement. About 25% of judges at the Supreme Court of Hungary are affected. "Spearheading" the body of judges is a new, powerful office, presided over by the wife of one of the governing



Hungarian Prime Minister Viktor Orbán, Creative Commons: BY NC ND

party's strongmen. The independence of the central bank (Hungarian National Bank) was also been violated, with the introduction of a new structure and a new governing committee heavy with government delegates, while assets of regional (county-level) municipalities have been nationalized.

The tsunami has also reached everyday life and the private sector. The government has drastically tightened the conditions required for a community to be recognised as a church by the state, and to be eligible for state support, leading to intense lobbying by churches to be allowed to retain their status. It is as if the government were granting feudalistic rights to its dependents. Since the top Hungarian university for business studies and public service (Corvinus University) is well known for its liberal and "free thinking" attitude, the government has cut out a part of the university by passing a special law, creating the National University of Public Service – operating under the "personal guidance" of the Minister of Public Administration and Justice. Rumours abound about further slicing up of the rest of the university, which could lead to it losing its independence and influence.

The government has also abolished the independent commission that used to monitor and oversee universities (Hungarian Accreditation Committee – MAB), the Minister of Culture and Education now preferring to directly award (or not) titles and positions such as professorships by himself. State support for universities is also discriminative: currently, only one state university and – unsurprisingly – one Christian university are to receive state funding for legal education.

As an incursion into the arts scene, the government pressured the mayor of Budapest to replace certain theatre directors: this is how a writer and an actor who openly supports the anti-Semitic Jobbik party came to lead a theatre located in the middle of a traditional Jewish quarter of Budapest. The appointment of other theatre directors is politicised as well.

As a response to the threat of numerous popular protests in Budapest, the government tactically reserved all sizeable public squares in Budapest on national holidays hereby in an attempt to hamper opposition gatherings.

Lastly, the tide of change has also reached the economy. The former system of mandatory private pensions was nationalized by the state – gaining private savings of approximately €10 billion. A new state-pushed "food voucher" (the so called "Erzsébet Voucher") was introduced to drive international firms such as Sodexo out of the market. In the future, state aid and family support may be paid using vouchers, with the government opining that this will ensure that the beneficiaries do not spend state money on cigarettes and drinking. As an added twist, these vouchers can only be used in Hungarian owned supermarkets, with Tesco a late addition. Moreover, there is another discriminating type of the new vouchers called *SZÉP kártya* (SZÉP Card), which is used as a voucher for holiday purposes. However, it can not be used at branches of foreign companies. A community work programme has been introduced, in which people after a period of unemployed must work for the government for an extremely low salary if they want to receive state aid. To top it all off, the government is moving into the private sector: a state owned mobile telecoms provider will be created to serve government agencies and municipalities – just as it did during Communism.

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Note: This article gives the views of the author, and not the position of EUROPP – European Politics and Policy, nor of the London School of Economics.

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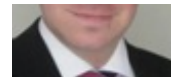
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