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## STUDY MISSION, HUNGARY, MARCH 2015

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### Synthesis report

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### **Introduction**

Hungary governed by Viktor Orbán is a revealing case study on severe democratic regression in the very heart of the European Union. Three years after the constitutional changes leading to the enactment of the Basic Law, after numerous violations of the rule of law, and further shifting towards populism, xenophobia, and EU-bashing, how can one understand the hectic developments that are taking place in Hungary today in 2015? What can be done alongside democrats and democratic forces? What can be done to publicize and let be known across Europe the democratic setbacks brought in the country by the policy of Viktor Orbán? It is to find answers to these questions that the Cosmopolitan Project Foundation, following the publication of our open letter to Mr. Orbán in the Huffington Post and several Hungarian media, the Cosmopolitan Project Foundation has resolved to further its action and undertook a study tour in March 2015 after a previous trip of the collective "Hungary Solidarity" .

Thus, with a delegation of a dozen people we, international activists eager to defend democratic values and fundamental freedoms, have met in Budapest with journalists, political scientists, sociologists, lawyers, activists, politicians but also citizens involved in NGOs, in order to listen to their analyses of the situation and to discuss the future outlook. Our main objective was to better understand the context and the latest developments, to develop networks with democratic movements' actors and finally to identify what actions could be relevant for the Hungarian civil society.

This synthesis report summarizes our study mission and highlights what we have identified as key yet little known as regards the state of democracy in Hungary. It is the result of meetings and discussions held with several stakeholders throughout our mission. We would like to thank them wholeheartedly for their trust and availability. However, the following analyses remain our own and engage us exclusively. Yet, as international democracy activists, we feel it is in fact our responsibility to publicize Hungary's dire democratic situation, to network and take action alongside Hungarians who are fighting for democracy, albeit with very modest means, but with the hope that everywhere throughout Europe, societies continue to sustain and adhere to the democratic values that unite us.

### **Is Hungary still a democracy? Facts, analyses, and power practices**

Hungary, since the constitutional amendment of 2012, appears only sporadically in the international media (e.g. on the occasion of the recent internet tax project, which brought tens of thousands of Hungarians to demonstrate in the street against Orbán). Can we still talk about



democracy? To understand how democratic principles are violated, we collected many examples of Orbán regime's practices on different categories of people and organisations of civil society.

## **Some facts to understand the issues: violations to the rule of law, attacks on people**

**The rule of law is clearly in danger in Hungary.** The Helsinki Committee, together with a dozen of civil rights NGOs, provided a comprehensive picture of the damage to the rule of law in all areas (separation of powers, independence of the judiciary power, freedom of the press and pluralism, human rights, rights of Parliament, free and fair elections). The Helsinki Committee, noticing the weakness of civil society in defending this subject matter seized the case in 2010 although it was beyond its traditional scope of action (rights of asylum seekers, migrants and prisoners). They gathered evidences of attacks on the rule of law and presented them to the European Union. They were struck by the **lack of adequate mechanisms of European authorities to uphold democratic values in a Member State.** However, the situation appears to be changing recently. Nonetheless, **past abuses are difficult to reverse.** Thus, judges were dismissed owing to a change in age limit. Although the European Union invalidated the law on the grounds of its discriminatory component, only a handful of the 300 judges concerned have actually decided to return to their posts three years later. Another such example: after the Constitutional Court was critical of a bill, the Parliament amended the Constitution by a majority of two-thirds owned by Fidesz and reduced the powers of the Court to a purely advisory role. **Hungary raises the question of the ability of the EU to effectively curtail the proven democratic regressions its member-states.**

**The right to equal treatment and respect for individuals' dignity are being violated in Hungary.** Breaches mentioned above have a real impact on the very lives of entire categories of the Hungarian people. Two population categories seem particularly targeted: the Roma and the homeless.

**The Roma's situation is alarming.** Relegated to ghettos, the Roma are literally facing **starvation**, their daily rations are less than the necessary requirements. **Prenatal mortality** has exploded. **Over 60% of the population is unemployed.** Community activists speak of "counter-selection" to describe the state's policy. Far from a welfare state aimed at bridging birth and social inequalities gaps, **the poorest are discriminated against and criminalised.** This is an intentional and deliberate policy of the authorities. How are they discriminated against the rest of the population? **Segregation is spatial and geographical**, since Roma neighbourhoods are notorious. It is also **in the education system**: classes are de facto separated and Roma children suffer from a lower quality education. Segregation occurs **in housing policy**: in Miskolc, the municipality expropriates without re-housing the Roma notwithstanding the fact that they are up to date with their rent payments. This is how social, economic and institutional segregation operate. **Roma families are not entitled to family allowances.** However, the child protection system removes children from needy families to place in foster families who receive financial compensation. So to have access to any support, they must perform "community service work." Degrading, insufficiently financially rewarding, and dependent on the goodwill of local authorities, such work appears similar to "modern slavery".

**The homeless** are another category that is deliberately discriminated against by public authorities in Hungary nowadays. **Living on the street has become an offense** punishable by fine



or even imprisonment if the offender is unable to pay. Again, the concerns expressed by the Constitutional Court have not been taken into account, and **Fidesz has amended the Constitution itself to "conform" to the anti-SDF law.**

## **The Orbàn regime as a « system » : adopting a systemic analytical approach**

Our partners are trying to understand how these attacks against democracy rule constitute a system.

**To some, Hungary remains very much a democracy, albeit with serious threats and abuses,** but the appreciation of these aberrations remains a matter of degree, not of nature as to the democratic character of the Orbàn regime. Intimidated journalists sometimes avoid sensitive subjects, or risk their position otherwise, facing opposition from the administration for information that the legislation gives them access to. However, they do not risk their lives. For some sociologists that we met, these attacks are due to the **incomplete democratic transition of Hungary.** Seen as a "good student" in the 1990s, Hungary believed, like many Eastern countries, that capitalism would naturally bring democracy. The opening of the country to foreign investment has allowed economic modernisation; but some sectors of the elite could not take advantage of the privatisation era, including the current Fidesz politicians. Therefore, they now take their revenge by attempting to monopolise sectors of the economy. Politically speaking, **democratisation happened top-down without the say of the citizens, much less an education on democratic matters.**

**For others, the current regime in Hungary is indeed unprecedented in its nature.** For Bálint Magyar, we must invent a new language to understand what is happening. The Hungary of Orbàn cannot be accounted for by a "childhood disease" of democracy; it is not an outright dictatorship either. This is a "**mafia state**" in which personal allegiance to the clan Orbàn is the only guarantee of success and where the public authority (state, laws, institutions) is privatised in favour of the interests of this very clan.

For all, current abuses are the result of **democratisation that failed to take root in the society.** The communist heritage destroyed civil society, the intermediate bodies, and the regime of Orbàn cultivates fear and intimidation, giving people the feeling of being alone to confront with the State, without any intermediary structure to support or defend the individual in front of the State. The result is an atomised society, poorly organised at the local level (for lack of actual powers granted to municipalities), with little awareness of the virtues of the redistributive welfare state (tax evasion is high). This is why Lajos Bokros, former finance minister said: "Hungary is no longer a free and democratic country." Also, it is mostly to the Hungarians to fight to reassert their rights and freedom from attacks of Orbàn.

## **Is Hungary the laboratory of the European extreme-right movement?**

Hungarian political life is a matter of direct concern to us as Europeans on another level: the rise of the extreme-right movement. This alarming phenomenon appeared in all of our



interviews and it is time to realise, through the Hungarian case, what is likely to happen on the European continent if we do not act in time.

## **Neo-Nazi and violent extreme-right political party is the only party to experience continued growth since 2010**

The political party of Gábor Vona, Jobbik, is experiencing a **continuous breakthrough in the elections**: over 20% of the vote in the European elections and the legislative Spring 2014 (+ 4%). It is now **the third political group in Parliament**, after its first appearance in 2010. It has become the **second largest party in the local elections of October 2014**. It has just won an additional seat in Parliament in a partial election in Tapolca, defeating Fidesz.

It is **openly racist, xenophobic, anti-Semitic and anti-Roma**. Supporting detention camps for Roma, considering the Jews as "a risk to national security," speaking of "homosexual deviants", the list of examples of Jobbik's neo-Nazi ideology is endless.

This party has its own paramilitary militia, the "Hungarian Guard". Banned in 2009 by the Court of Justice of Hungary, it revived under the name of "New Hungarian Guard". This "militia" justifies its usefulness and its actions by the supposed inaction of the Hungarian police. It targets violently to the Roma minority in particular.

Jobbik is expanding its network **in the country**, among **young people**, and even in the cultural life thanks, it is said, to **Iranian and Russian financial support**. This allows it to take root in the country, in medium and small cities and villages. It offers impoverished populations and individuals neglected by the public power, social services designed to create a sense of community based on ethnicity. Added to this are the various relays in all everyday life spheres, from music with the nationalist rock to the "nationalist Sziget", the "national" taxi company, "Nemzeti Taxi", websites and information channel.

## **An objective alliance between Fidesz and Jobbik?**

Like the Front National in France, Jobbik has opted for a change of image to gain political power. The "normalisation" in mass-media consists in avoiding anti-Semitic, racist and homophobic slogans.

Fidesz officially keeps its distance from Jobbik. However, worrying signs suggest that convergence is occurring. First, **the Fidesz has radicalised its speech**. Then, **policies vis-à-vis the Roma minority** owes largely or even exceeds the segregationist program advocated by the Jobbik - some activists indicating that **Orbán's government "goes further" than Jobbik's program**.

During the last elections, Fidesz lost its two-third majority in Parliament (an independent candidate won the parliamentary seat of the European Commissioner, Tibor Navracsics). This raised hopes that Fidesz could no more easily change the Constitution and legislation. Unfortunately, recent vote in Parliament show that Fidesz has supports from Jobbik to enact the constitutional and legislative changes that it sees fit. Some experts do not hesitate to speak of objective alliance between Fidesz and Jobbik: **the extreme-right party is a coalition partner in practice**.



Finally, the very ideology of Fidesz leads to the upsurge of inequality and poverty, the breeding ground of the extreme-right across Europe. According to the government of Orbán, under the guise of ending "assistantship" i.e. aid policies, all social benefits should be eliminated by 2018. The "community service work" mentioned above are Fidesz's unique "social" policy. They are the embodiment of a backward-looking vision. Under the pretense of valuing manual labor, **the entire education system is being undermined**, with technical training yielding poor qualifications, lowering the mandatory age in school from 18 to 16, and reducing the number of graduates (a **unique regression in Europe!**). This results in an accelerated impoverishment of the population: 46% live with less than 260 euros a month in 2014 (according to TARKI Institute). **The social crisis endured by Europe**, which is the breeding ground for the radical fascist-led parties in Hungary and Greece (Golden Dawn), France (National Front), Denmark and elsewhere, hits Hungary **without Fidesz trying to find a remedy against it - quite the opposite.**

## **Democratic resistance in Hungary: how to organize, how to act?**

With the rise of the radical right parties and the extent of anti-democratic measures under Orbán's regime, what is the political space for the democratic opposition?

### **A crumbled political opposition**

**Opposition to Orbán suffers from a strong discredit in the population.** The **MSzP**, the Hungarian Socialist Party, suffered multiple scandals between 2002 and 2010, including in 2008 with a "off-the-record" declaration by Prime Minister Gyurcsány which led Hungarians to the street. New parties were created in the process, but they suffered from splits after the successive defeats of 2010 and 2014. This is the case of **PM**, which separated from the green party **LMP**. Despite the difficulty of reaching out to rural areas, where the politicians suffer from a strong disrepute, **PM** is trying to focus its actions at the local level, for example with the minimum subsistence income (under experimentation in the **PM** municipality of the 14<sup>th</sup> district of Budapest).

Another young party is the one founded by Lajos Bokros two years ago, the **MoMa**, a pro-European party and liberal-conservative in favour of democracy and the European construction. To Mr. Bokros, the Fidesz has a deliberate strategy of division, having ultimately control over the financing of political parties. In facilitating the proliferation of parties and micro-parties, the scheme makes sure the opposition is divided and thus, actually prevents the union of democrats, both right and left. **The opposition is struggling to unite to defeat the Fidesz:** this is evidenced by the support of the left-wing parties to the candidacy of Mr Bokros at Budapest's City Hall, only two weeks before the election, with an internal division of **MSzP** – Mr. Bokros having thus gathered over a third of the votes. The very low turnout, in particular at local elections, does not help the coming together of a realistic, ambitious and strong opposition.

### **Civil society remains insufficiently structured**

Civil society remains weak and lacks structuration to be influential. **Contestation movements are mainly organised on social networks, but are struggling to become sustainable and to adopt more general claims** (as evidenced by the short-lived movement against the internet



tax). Other actors such as the Helsinki Committee or the NGO Hungarian European Society that we met organise and participate to the public and democratic debate. However, their reports, especially those that showcase the constitutional and legislative changes orthogonal to the European Union values, are not publicized in the media controlled by oligarchs close to Orbán and their official, evidence-based appeals to the Hungarian authorities remain unheeded.

All express their **difficulty to organise and expand their activities** outside the capital city. **The stifling political climate and political pressure** condemn democratic resistance, whether civil or political, to remaining passive. The democratic future of Hungary therefore also depends on the **ability of civil and political society to take concrete, common actions against Viktor Orbán's regime.**

## Conclusion

The numerous encounters have reinforced our belief that democratic aspiration remains strong in Hungary. Democracy continues to lose ground, under the repeated assaults of Orbán's government to the rule of law, to the equal treatment of citizens, and to the welfare State too. Democratic culture must be strengthened through the development of civil society, of a culture of debate and compromise, and of a concern vis-à-vis the excluded and poorest. For our stakeholders, it is primarily up to the Hungarians to nurture the democratic spirit and to fight for their freedom. However, it seems that as international activists for the promotion of democracy, eager to serve our values and share our experience, the CPF can contribute to these efforts with modesty yet ambition, in several directions:

- *Advocacy*: improving information available on Hungary, following the practices of political power, to illustrate how democratic principles are violated and what it means for the population's daily lives. This advocacy can be done at national and European level.
- *Capacity building, sharing of experiences*: cooperating with NGOs to assist them in their impact, advocacy and action. Actions targeted outside the capital city, to the countryside and youngsters in particular are recommended.
- *Practical cooperation*: the CPF is open to joint actions with all Hungarian civil society (NGOs, media) in order to effectively promote democracy.

## Selected bibliography

Ablonczy Balázs, Ablonczy Bálint, « L'extrême droite en Hongrie. Racines, culture, espace », *Hérodote*, 1/ 2012 (n° 144), p. 38-59

Berkovits Balázs, « La Hongrie, un État autoritaire en Europe », *Esprit*, 12/ 2014 (Décembre), p. 123-126.

Berkovits Balázs, « Hongrie, des élections en trompe-l'œil », *Esprit*, 3 avril 2014, en ligne : <http://esprit.presse.fr/news/frontpage/news.php?code=312>



Communication from the Commission to the European Parliament and the Council, A new EU Framework to strengthen the Rule of Law, 19 March 2015, online: [http://ec.europa.eu/justice/effective-justice/files/com\\_2014\\_158\\_en.pdf](http://ec.europa.eu/justice/effective-justice/files/com_2014_158_en.pdf)

Guillemain, Quentin et Blaise Gonda, « M. Orbàn, votre présence à Paris vous oblige », *Huffington Post*, 19 January 2015, online : [http://www.huffingtonpost.fr/quentin-guillemain/liberte-de-la-presse-hongrie\\_b\\_6500550.html](http://www.huffingtonpost.fr/quentin-guillemain/liberte-de-la-presse-hongrie_b_6500550.html)

Hungarian Helsinki Committee, Eötvös Károly Institute, Hungarian Civil Liberties Union, Mérték, *Disrespect for European values in Hungary, 2010-2014*, 21 November 2014, online : [http://helsinki.hu/wp-content/uploads/Disrespect\\_for\\_values-Nov2014.pdf](http://helsinki.hu/wp-content/uploads/Disrespect_for_values-Nov2014.pdf)

Scheppele, Kim Lane, "Hungary Without Two-Thirds", *The New York Times*, 17 mars 2015, online: [http://krugman.blogs.nytimes.com/2015/03/17/hungary-without-two-thirds/?\\_r=3](http://krugman.blogs.nytimes.com/2015/03/17/hungary-without-two-thirds/?_r=3)

Szente Goldston Veronika, *Rule of Law : EU « mechanism » needs upgrade*, Human Rights Watch, 19 March 2015, online: <http://www.hrw.org/news/2014/03/19/rule-law-eu-mechanism-needs-upgrade>.

## **List of organizations met during the mission**

- !!444 !!!
- Agora
- A Város Mindenkié
- Eötvös Károly Alapítvány
- HAT
- Helsinki Committee
- Magyarországi Európa Társaság
- Mandiner
- MoMa
- Ökotárs Alapítvány
- Romaversitas

As well as :

- social scientists (political science, sociology, economics)
- political activists
- independent journalists