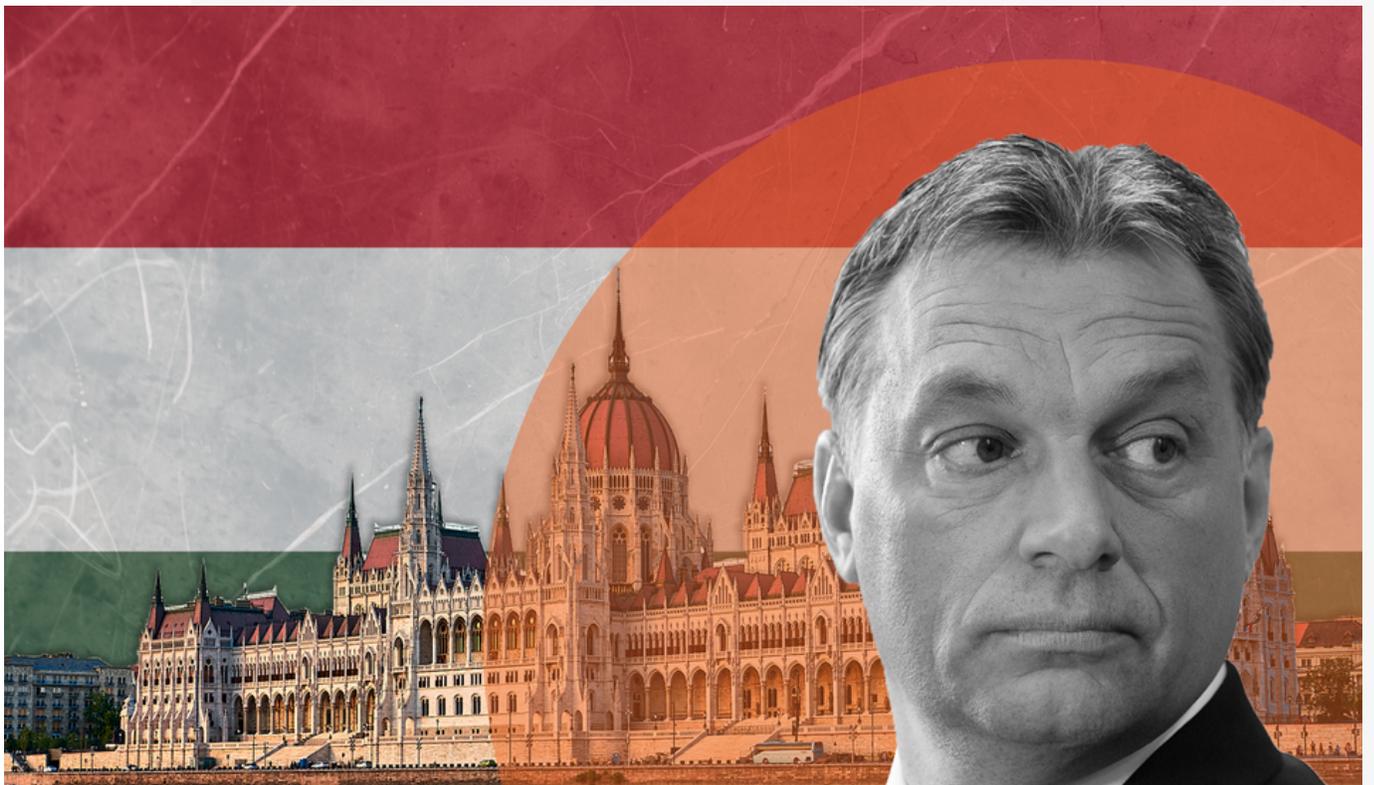


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DISMANTLING DEMOCRACY: THE ORGANIZATION OF HUNGARY



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Dismantling Democracy: The Orbánization of Hungary

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“Democracy no longer ends with a bang—in a revolution or military coup—but with a whimper: the slow, steady weakening of critical institutions, such as the judiciary and the press, and the gradual erosion of long-standing political norms.” Thus reads part of the synopsis of *How Democracies Die* by Steven Levitsky and Daniel Ziblatt.¹ More concerningly, democracies are dying where we least expect, such as in Europe and the United States, two regions housing the most consolidated and stable liberal democracies. While some European democracies like Germany, France, and the Netherlands have so far been able to stave off far-right populist insurgences, Hungary, Poland, and Slovenia have not. Here, I focus on Hungary because it was the first case of significant democratic backsliding in the West. However, it should not be treated as an isolated incident without domino effects. Hungary’s illiberal turn has provided an authoritarian template for other countries (Poland²) and weakened the European Union’s legitimacy by undermining its key pillars: liberal democracy and human rights.³

I begin by defining democratic backsliding and articulating the populist challenge to liberal democracy. I then document the erosion of Hungarian democracy and classify Viktor Orbán’s regime accordingly. Although instances of democratic backsliding in Hungary are well-documented, the literature lacks a systematic analysis explaining its reasons. Therefore, after detailing *how* Hungarian democracy eroded, I apply Ellen Lust and David Waldner’s framework to explain *why* Hungarian democracy eroded. Finally, I consider the opportunities and challenges in reversing Hungary’s illiberal trajectory.

In line with Nancy Bermeo’s theory,⁴ I see that the process of democratic erosion in Hungary has largely been one of executive aggrandizement and electoral manipulation, with Orbán and his ruling party, Fidesz, dismantling key democratic institutions: from the legislature and judiciary to the media, electoral system, and even the constitution itself. Applying Lust and Waldner’s theory of democratic backsliding, Hungary’s U-turn can primarily be attributed to Orbán himself. However, underlying structural factors, such as a biased majoritarian electoral system, a history of authoritarian state socialism, disillusionment with the democratic and capitalist transitions, and an identity-based culture war eased Orbán’s path to and centralization of power. The prospect of future democratic revitalization appears dim given Orbán’s capture of state institutions, Hungarians’ relatively weak democratic values, and the reluctance of the EU to intervene.

¹ Steven Levitsky and Daniel Ziblatt, *How Democracies Die* (New York: Crown, 2018).

² Laurent Pech and Kim Lane Scheppele, “Illiberalism Within: Rule of Law Backsliding in the EU,” *Cambridge Yearbook of European Legal Studies*, 19 (2017): 14, <https://doi.org/10.1017/cel.2017.9>.

³ Sophie Meunier and Milada Anna Vachudova, “Liberal Intergovernmentalism, Illiberalism and the Potential Superpower of the European Union,” *JCMS: Journal of Common Market Studies* 56, no. 7 (2018): 1640, <https://doi.org/10.1111/jcms.12793>.

⁴ Nancy Bermeo, “On Democratic Backsliding,” *Journal of Democracy* 27, no. 1 (2016): 6. <https://doi.org/10.1353/jod.2016.0012>

Disentangling Democracy

Lust and Waldner define democratic backsliding as the “deterioration of qualities associated with democratic governance within *any* regime.”⁵ Bermeo similarly defines democratic backsliding as a state-led “debilitation or elimination of any of the political institutions that sustain an existing democracy.”⁶ These definitions highlight two important points. First, democratic backsliding can occur in both democratic and autocratic regimes. In democratic regimes, the quality of democracy deteriorates; while in autocratic regimes, democratic qualities of governance deteriorate.⁷ Second, democratic backsliding does not necessarily entail regime change or the complete breakdown of democracy. It simply means a regression along the vast democracy vs. autocracy spectrum. This raises the question: what is democracy in the first place?

Philippe C. Schmitter and Terry Lynn Karl grappled with the complexities and ambiguities inherent in the term democracy, concluding that it “does not consist of a single unique set of institutions.”⁸ Put simply, countries are “differently democratic.”⁹ In other words, democracy should be understood as fluid rather than binary, existing along a spectrum but with elections a minimum requirement. Thus, defining a country’s democratic system requires looking at additional attributes to more accurately capture political reality, leading to “democracy with adjectives” or “prefix-democracy.”¹⁰

Lust and Waldner identify three competing conceptions of democracy: minimal, maximum, and mutual accountability. Minimalists like Joseph Schumpeter emphasize the procedural aspects of democracy, arguing that the only requirement is free and fair elections. However, maximalists like Robert Dahl focus on the substantive principles behind democratic procedures, claiming that elections are only meaningful if citizens enjoy full and equal political rights and civil liberties. A third perspective underscores the importance of mutual accountability, both horizontal (i.e., between the legislature and the judiciary) and vertical (i.e., between government and non-state actors such as citizens, civil society, and the media). Despite these conceptual nuances, democracy is often construed as simply a system of governance based on electoral competition, popular sovereignty, and majority rule.

Relatedly, in the U.S. and Europe, democracy is often conflated with and used as a shorthand for liberal democracy, but liberalism and democracy are not synonymous. The rise of populism and illiberal democracies like Hungary demonstrate that liberalism and democracy are not inseparably linked, despite significant overlap in the West.¹¹ Liberalism qualifies “the central principle of majority rule in order to protect minority rights,” typically via a constitution or bill of rights.¹² In other words, liberalism constrains the majority decision-making we typically associate with democracy through

⁵ Ellen Lust and David Waldner, “Unwelcome Change: Understanding, Evaluating, and Extending Theories of Democratic Backsliding” (funded research paper, USAID, 2015), 2, https://pdf.usaid.gov/pdf_docs/PBAAD635.pdf.

⁶ Bermeo, “Democratic Backsliding,” 5.

⁷ Lust and Waldner, “Unwelcome Change,” 2.

⁸ Philippe C. Schmitter and Terry Lynn Karl, “What Democracy Is . . . and Is Not,” *Journal of Democracy* 2, no. 3 (1991): 76, <https://doi.org/10.1353/jod.1991.0033>.

⁹ Schmitter and Karl, “What Democracy Is,” 83.

¹⁰ Heino Nyssönen and Jussi Metsälä, “Liberal Democracy and its Current Illiberal Critique: The Emperor’s New Clothes?” *Europe-Asia Studies* 73, no. 2 (2021): 275, <https://doi.org/10.1080/09668136.2020.1815654>.

¹¹ Nyssönen and Metsälä, “Liberal Democracy,” 275; Plattner, Mark F, “Illiberal Democracy and the Struggle on the Right,” *Journal of Democracy* 30, no. 1 (2019): 6-7. <https://doi.org/10.1353/jod.2019.0000>

¹² Schmitter and Karl, “What Democracy Is,” 79.

constitutionalism in order to avoid tyranny by the majority and to protect individual and minority rights.¹³

Populism challenges liberal democracy by driving a wedge between liberalism and democracy, insisting that the two are mutually exclusive.¹⁴ Populism, at least in theory, is “an illiberal democratic response to undemocratic liberalism” that seeks to correct a democratic deficit through brute majoritarianism unbounded by procedural niceties.¹⁵ In short, populism seeks to remove institutional constraints that hinder the realization of the people’s will.¹⁶ Thus, populism is a threat to liberal democracy but not necessarily to democracy itself. And illiberal democracy—a state that “holds regular and more or less legitimate elections but, at the same time, violates the civil liberties of its citizens”¹⁷ and is “capable of translating popular preferences into public policy” without institutional impediments—is a populist’s paradise.¹⁸

Classifying Orbán’s Hungary

There are two ways to classify regimes: external democracy credit ratings and internal self-identification.¹⁹ Both methods have confirmed Hungary’s backsliding. However, while Freedom House and the Economist Intelligence Unit calculates a regression into an electoral autocracy and to competitive authoritarianism, respectively, Orbán claims a less sinister regression to illiberal democracy.

Freedom House downgraded Hungary from “free” to “partly free” in 2019 because of sustained attacks on democratic institutions by Orbán and his party Fidesz, who had used its parliamentary supermajority to capture the opposition, the courts, the media, academia, civil society, and the private sector.²⁰ Figure 1 shows how the quality of Hungary’s democracy—defined by civil liberties and political rights—has been steadily declining since Orbán was elected in 2010.

¹³ William A. Galston, “The Populist Challenge to Liberal Democracy,” *Journal of Democracy* 29, no. 2 (2018): 10-11, <https://doi.org/10.1353/jod.2018.0020>; Plattner, “Illiberal Democracy,” 7.

¹⁴ Galston, “Populist Challenge,” 5.

¹⁵ *Ibid.*, 11.

¹⁶ Whether or not populists further or hinder the people’s will in practice is another matter. In the case of Hungary, Orbán has made referendums more difficult, thereby restricting the people’s will.

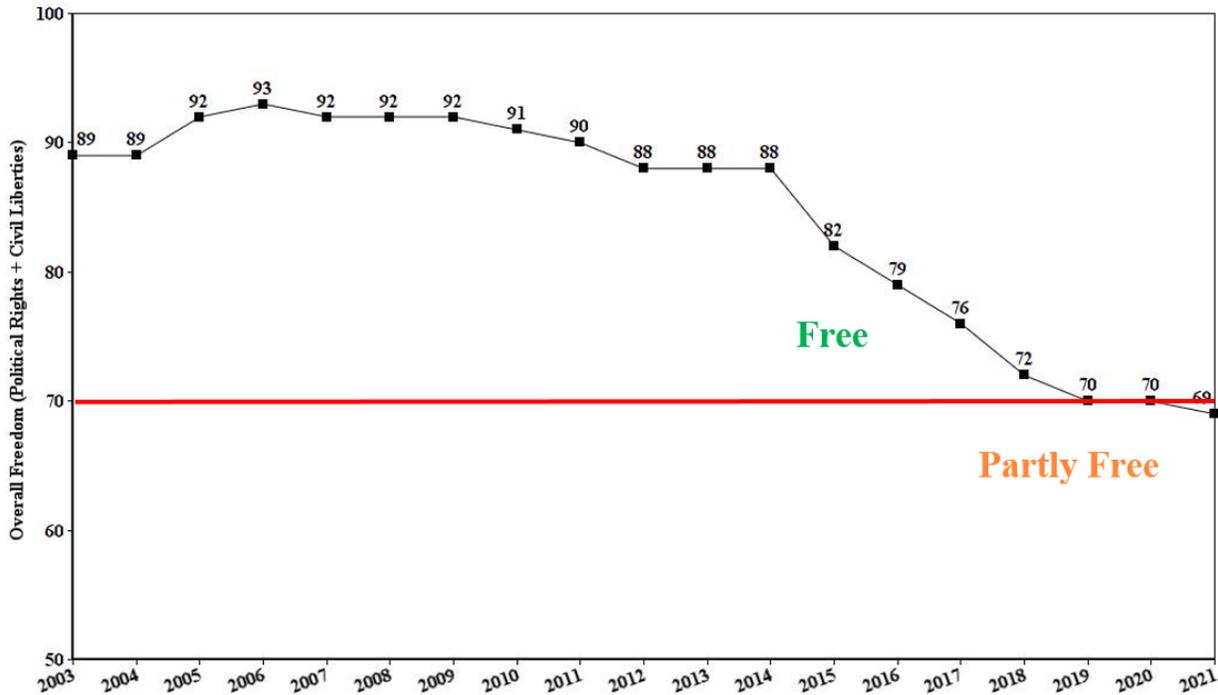
¹⁷ Nyssönen and Metsälä, “Liberal Democracy,” 279.

¹⁸ Galston, “Populist Challenge,” 11.

¹⁹ Nyssönen and Metsälä, “Liberal Democracy,” 280.

²⁰ “Hungary,” *Freedom in the World 2019*, Freedom House, 2019, <https://freedomhouse.org/country/hungary/freedom-world/2019>.

Figure 1
Democratic Backsliding in Hungary (Freedom House, 2021)



The Economist Intelligence Unit (EIU) corroborates Freedom House’s findings that Hungary has morphed into a hybrid regime: at best, it is a flawed democracy but edging closer to an electoral autocracy. According to EIU, Hungary’s overall democracy rating—based on a 0-10 scale comprising measures of the electoral process and pluralism, government function, political participation, political culture, and civil liberties—declined from 7.53 in 2006 to 6.56 in 2020.²¹

To compensate for the Western liberal democratic bias inherent in democratic credit ratings, I also considered Orbán’s own words. In a 2014 speech, he declared that he is constructing “an illiberal state, a non-liberal state” in Hungary.²² Orbán has since equated illiberal democracy with Christian democracy, pitting liberal democracy’s promotion of multiculturalism, immigration, and flexible family models against Christian democracy’s defense of Christian culture, national boundaries, ethnic homogeneity, and the traditional nuclear family.²³

In sum, Orbán’s Hungary is democratic in form (elections) but not in substance (civil liberties and political rights). Hungary fails to even meet the minimum threshold of an electoral democracy because, although its elections are free and regular, they are unfair.²⁴ Furthermore, due to executive

²¹ *Democracy Index 2020: In Sickness and in Health?* (Economist Intelligence Unit, 2020), 21, PDF access <https://www.eiu.com/n/campaigns/democracy-index-2020/>.

²² Nyssönen and Metsälä, “Liberal Democracy,” 280.

²³ Plattner, “Illiberal Democracy,” 10.

²⁴ *Hungary Parliamentary Elections 6 April 2014: OSCE/ODIHR Limited Election Observation Mission Final Report* (Warsaw: OSCE, 2014), <https://www.osce.org/files/f/documents/c/0/121098.pdf>; *Hungary Parliamentary Elections 8 April 2018: ODIHR Limited Election Observation Mission Final Report* (Warsaw: OSCE, 2018), <https://www.osce.org/files/f/documents/0/9/385959.pdf>.

aggrandizement and electoral manipulation, Hungary lacks the civil liberties and political rights that give elections their democratic power. Democracy scholars and practitioners should be wary of a complete democratic breakdown if backsliding continues. Heino Nyysönen and Jussi Metsälä warn that Hungary’s “illiberal state has become a smoke screen for the march towards authoritarianism.”²⁵ Elections are increasingly becoming a means to legitimize Orbán’s rule rather than to foster meaningful competition, further proving that Hungary is already an electoral authoritarian regime masking itself as an electoral or illiberal democracy.

Hijacking Democracy

The process of Hungary’s illiberal turn is consistent with Bermeo’s analysis of democratic backsliding trends in the post-Cold War era. First, instead of regime change through executive coups, would-be authoritarians are increasingly using executive aggrandizement – gradually weakening checks and balances through legal, democratic means.²⁶ Second, election day fraud is being replaced by strategic harassment of the opposition and manipulation of the electoral process – rigging the rules of the game by limiting media coverage, keeping opposition candidates off ballots, restricting voter registration, packing electoral commissions, and gerrymandering.²⁷ Through legal, democratic means, the ruling Fidesz party has created a partisan state where the parliament, presidency, courts, media, and even the constitution itself have become its mouthpieces. The Hungarian state is an extension of its ruling party: the state is Fidesz, and Fidesz is the state. Below, I examine *how* Orbán hijacked and dismantled key institutions of Hungarian democracy in favor of executive domination.

Executive Aggrandizement

The National Assembly

After Orbán came to power, Hungary’s unicameral legislature abandoned its duty as a deliberative body and instead helped expedite the dismantlement of democratic safeguards. They began hastily passing pro-Fidesz policies, including the 2012 Fundamental Law, with minimal to no consultation with opposition parties or the public.²⁸ Between 2010 and 2014, there were 88 instances of bills being introduced and voted on within a week’s time, leading Hungarian economist and scholar János Kornai to dub the National Assembly a “law factory.”²⁹

In 2010 alone, the Fidesz-led parliament amended the old constitution twelve times, altering fifty provisions—many of which weakened horizontal checks—so Orbán could have more power over the constitution.³⁰ For example, an amendment from 1995 required a four-fifths majority to write a new constitution, but it did not require a four-fifths majority to change the four-fifths rule. Immediately after winning the 2010 election, the Fidesz-led National Assembly eliminated the four-fifths provision, enabling Orbán to implement a new constitutional order.³¹

²⁵ Nyysönen and Metsälä, “Liberal Democracy,” 288.

²⁶ Bermeo, “Democratic Backsliding,” 10-12.

²⁷ *Ibid.*, 13-14.

²⁸ Miklós Bánkúti, Gábor Halmai, and Kim Lane Scheppele, “Hungary’s Illiberal Turn: Disabling the Constitution,” *Journal of Democracy* 23, no. 3 (2012): 141-142, <https://doi.org/10.1353/jod.2012.0054>.

²⁹ János Kornai, “Hungary’s U-Turn: Retreating from Democracy,” *Journal of Democracy* 26, no. 3 (2015): 35, <https://doi.org/10.1353/jod.2015.0046>.

³⁰ Bánkúti, Halmai, and Scheppele, “Hungary’s Illiberal Turn,” 139.

³¹ *Ibid.*, 139.

The Presidency

Although largely a ceremonial role as head of state, the president still possesses important powers, including the ability to veto legislation, forward cases to the Constitutional Court for judicial review, and make political appointments.³² In 2010, the Fidesz-led National Assembly appointed former Fidesz vice-chair Pál Schmitt to serve as president. In 2012, the Assembly replaced him with Fidesz co-founder János Áder, who still serves today.³³ Áder, like Schmitt before him, has simply rubberstamped laws favorable to Fidesz and appointed Fidesz loyalists to other government agencies.³⁴ With Schmitt and Áder at the helm, the presidency has merely served as a facilitator rather than a check on Orbán's power.

The Constitutional Court

The Constitutional Court, the primary check on the executive branch in the wake of Hungary's democratic transition, had its powers quickly stripped away after Fidesz won a majority in the 2010 election. Fidesz leaders argued that since democratic values and institutions were secure, the court's jurisdiction was overreaching and unnecessary.³⁵ The party initiated a series of reforms to weaken the Constitutional Court under the guise of democracy. Today, the court can no longer rule on tax and budgetary matters, and the government can legally enact laws even that the court has deemed unconstitutional.³⁶ The judicial appointment process has also changed. Previously, each party proposed a nominee and a majority of parties had to agree on a nomination before submitting it to parliament. Now, the party with the most seats (Fidesz) selects all nominees, which it then confirms with its parliamentary supermajority.³⁷ Additionally, Orbán increased the size of the court from eleven to fifteen judges, enabling him to pack the court and control the judiciary.³⁸

The Media

Orbán and his party have also co-opted the fourth branch of government: the media. Orbán quickly captured the Hungarian media, placing loyalists in charge of all state-run media outlets, thereby turning them into Fidesz party mouthpieces. Other media outlets are incentivized to report stories crafted by the government's news agency.³⁹ This undermines the viability and competitiveness of privately-owned media outlets, which are forced to accept free government-provided news or risk going out of business.⁴⁰ Beyond creating an environment of censorship, the Fidesz-controlled legislature restructured the Media Authority—the state's media regulatory agency—and installed a new Media Council that can fine media outlets for failing to provide whatever it deems “balanced”

³² Ibid., 141 & 143.

³³ Ibid., 141.

³⁴ Ibid., 141.

³⁵ András Bíró-Nagy, “Illiberal Democracy in Hungary: The Social Background and Practical Steps of Building an Illiberal State” (paper published by the Barcelona Centre for International Affairs, 2017), 37, [https://www.cidob.org/en/articulos/monografias/illiberals/illiberal democracy in hungary the social background and practical steps of building an illiberal state](https://www.cidob.org/en/articulos/monografias/illiberals/illiberal%20democracy%20in%20hungary%20the%20social%20background%20and%20practical%20steps%20of%20building%20an%20illiberal%20state).

³⁶ Bánkuti, Halmai, and Scheppele, “Hungary's Illiberal Turn,” 139; Bíró-Nagy, “Illiberal Democracy in Hungary,” 37.

³⁷ Bánkuti, Halmai, and Scheppele, “Hungary's Illiberal Turn,” 139; Bíró-Nagy, “Illiberal Democracy in Hungary,” 37.

³⁸ Paul Lendvai, *Hungary: Between Democracy and Authoritarianism* (New York: Columbia University Press, 2012), 222.

³⁹ Kornai, “Hungary's U-Turn,” 40.

⁴⁰ Ibid., 40.

news coverage.⁴¹ Once again, Orbán appointed cronies from his party to lead both the Media Authority and the Media Council.⁴²

Moreover, in 2018, the Fidesz party created the nonprofit foundation Central European Press and Media Freedom (KESMA) to “contribute to the formation of Hungarian public discourse based on national values and to the upbringing of the next generation of our community.”⁴³ KESMA controls over 470 media outlets, funds roughly 80% of Hungarian media, and is headed by pro-Fidesz trustees, such as Orbán’s former personal lawyer (István Bajkai) and former Fidesz mayoral candidate (Zoltan Hegedus).⁴⁴ Orbán has effectively created a censored, biased, highly centralized, and pro-Fidesz media conglomerate, as evidenced by the fact that roughly 75% of news content in Hungary is pro-Fidesz.⁴⁵

Electoral Manipulation

Orbán’s party has also managed to hold onto power by manipulating the electoral playing field. Indirectly, Fidesz has swayed voters through biased media coverage; directly, Fidesz ministers have packed the National Election Commission, a 10-person body tasked with ensuring election integrity, with loyalists.⁴⁶ During its reorganization, Fidesz leaders prematurely dismissed members selected by the previous government and then altered the selection rules.⁴⁷ Previously, five seats were filled by party delegates (one from each party), and the other five were filled in consultation with the governing and opposition parties.⁴⁸ Now, Fidesz can fill all non-delegate seats with party stalwarts, giving them a three-fifths majority on the commission.⁴⁹ With the power to rule on proposals for referendums, the Fidesz-led commission can quash citizens’ attempts to preserve democracy.⁵⁰

The Fundamental Law: Hungary’s New Constitutional Order

Capturing the National Assembly, the presidency, the Constitutional Court, the media, and the electoral process enabled Orbán’s party to overhaul the 1989 constitution with minimal resistance and to institute a new constitution, the Fundamental Law, in 2012. However, Fidesz did not stop there. Party members continue to cement their grip on power and entrench themselves into every crevice of the state. Fidesz’s new constitutional order further centralized power and established a romanticized vision of a conservative Christian Magyar nation.

Seizing the Judiciary and Other Accountability Institutions

After his party had packed the Constitutional Court, limited its jurisdiction, and changed the nomination system, Orbán lowered the retirement age for judges from 70 to 62, enabling him to fill

⁴¹ Bánkuti, Halmai, and Scheppele, “Hungary’s Illiberal turn,” 140.

⁴² *Ibid.*, 140.

⁴³ Nik Williams, “A Shrinking Space: Media Capture in Orbán’s Hungary,” *openDemocracy*, February 8, 2021, <https://www.opendemocracy.net/en/can-europe-make-it/a-shrinking-space-media-capture-in-orb%C3%A1ns-hungary/>.

⁴⁴ Williams, “A Shrinking Space.”

⁴⁵ Lendvai, *Between Democracy and Authoritarianism*, 219.

⁴⁶ Bánkuti, Halmai, and Scheppele, “Hungary’s Illiberal Turn,” 140.

⁴⁷ *Ibid.*, 140.

⁴⁸ *Ibid.*, 140.

⁴⁹ *Ibid.*, 140.

⁵⁰ *Ibid.*, 140.

more seats with Fidesz allies.⁵¹ Orbán also created a new National Judicial Office, whose president (selected by the Fidesz-dominated parliament) has unlimited authority to replace and appoint judges and to decide which cases will be heard.⁵² The first president of the National Judicial Office was Tünde Handó, a personal friend of Orbán and wife of József Szájer, the principal drafter of the Fundamental Law.⁵³ Orbán also dissolved the ombudsman system that monitored human rights and he tapped Fidesz loyalists to head the Prosecution Service, State Audit Office, and Budget Council, expanding his ability to punish opposition figures and obstruct future governments' budgets.⁵⁴

Changing Electoral Laws

Fidesz ministers also passed a series of electoral laws to keep Fidesz in power indefinitely. The number of parliament members was reduced from 368 to 199, two voting rounds were replaced by one, and electoral districts were gerrymandered in Fidesz's favor, making it virtually impossible for other parties to defeat Fidesz at the ballot box.⁵⁵ These new rules have further exaggerated the disproportionately high number of seats Fidesz already possessed.

Restricting Academic Freedom

Orbán has brazenly attempted to censure academia and intellectuals by engaging in a bitter legal dispute with the Central European University (CEU), a private, nonprofit American university. Orbán and his Fidesz ministers have continuously smeared CEU as "Soros University," claiming that it is conspiring against Hungary's national interests.⁵⁶ In 2017, the Fidesz party put forth a bill requiring foreign universities to sign a new agreement with the Hungarian government.⁵⁷ Thus, the right to higher education became dependent on political preference rather than professional accreditation.⁵⁸ By the end of 2018, Orbán succeeded in pushing CEU out of Budapest.⁵⁹ Academic autonomy has been further undermined by Fidesz's recent decision to place 11 universities under the control of public foundations whose boards of trustees are, once again, appointed by the government. While Hungary's existing universities are being undermined, Orbán is planning to open a Fudan University in Budapest, signaling closer Sino-Hungarian relations. The Fudan campus is projected to cost \$1.8 billion, more than Orbán's government spent on its entire higher education system in 2019.⁶⁰

⁵¹ Lendvai, *Between Democracy and Authoritarianism*, 222.

⁵² *Ibid.*, 222-223.

⁵³ Bánkuti, Halmai, and Scheppele, "Hungary's Illiberal Turn," 143; Lendvai, *Between Democracy and Authoritarianism*, 222-223.

⁵⁴ Bánkuti, Halmai, and Scheppele, "Hungary's Illiberal Turn," 144; Kornai, "Hungary's U-Turn," 35.

⁵⁵ Lendvai, *Between Democracy and Authoritarianism*, 226.

⁵⁶ Zsolt Enyedi, "Democratic Backsliding and Academic Freedom in Hungary," *Perspectives on Politics* 16, no. 4 (2018): 1068, <https://doi.org/10.1017/S1537592718002165>.

⁵⁷ Enyedi, "Democratic Backsliding," 1067.

⁵⁸ *Ibid.*, 1067.

⁵⁹ Justin Spike, "Hungary's Parliament Overhauls Higher Education Amid Outcry," *Associated Press News*, April 27, 2021, <https://apnews.com/article/hungary-business-government-and-politics-europe-education-9b76dce30164e77be1c3a2fe47db8bfa>.

⁶⁰ "Budapest Protest Against China's Fudan University Campus," *BBC News*, June 5, 2021, <https://www.bbc.com/news/world-europe-57372653>.

Politicizing the Economy and Society

Lastly, Orbán has created a “post-communist mafia state” imbued with corruption akin to a private criminal organization.⁶¹ Orbán treats Hungary as his private property to fatten his and his cronies’ personal pockets, and he selectively applies laws and grants rights to advantage allies and disadvantage enemies. For this reason, Orbán’s economic policy is neither left-wing (pro-nationalization and redistribution) nor right-wing (pro-marketization and private property) but Orbán/Fidesz-wing, based on political self-interest.⁶² Orbán switches between market and command economy policies in order to mold Hungary into a Christian Magyar nation. Noemi Lendvai-Bainton and Dorota Szelewa eloquently explained how “insecurities are actively rolled out for the ‘other’ (whether it be the poor, the Roma, the unemployed, the immigrants, the welfare dependent, disabled) and only selectively mitigated for some.”⁶³ In addition, Bálint Magyar and Bálint Madlovics reiterated how Hungary’s economy and society has been politicized under Orbán: “The Hungarian state’s actions are not impersonal but rather discretionary, aimed at taking down the clan’s opponents and redistributing wealth and assets to loyalists.”⁶⁴ It is socialism for Fidesz allies and unbridled capitalism for everyone else.

Explaining Hungary’s Illiberal Turn

Hungary has undergone the most severe and rapid democratic erosion in the European Union. What explains this dramatic illiberal turn? In applying and weighing various theories of democratic backsliding put forth by Lust and Waldner,⁶⁵ I find that political leadership is the primary explanatory factor, although political culture, political economy, political institutions, social structure, and political coalitions have abetted Orbán’s rise to and centralization of power.

Political Leadership: Viktor Orbán

The most obvious culprit is Prime Minister Viktor Orbán, whose Fidesz party has dominated the National Assembly since 2010. After all, it was not until after Orbán was elected that political rights and civil liberties began to decline. And Orbán has not shied away from his intentions to construct an illiberal Christian state.

However, János Kornai consider the impact of prior leadership, arguing that mistakes made by established political parties from 1990 to 2010 set the stage for Orbán’s takeover.⁶⁶ In 2006, in the buildup to the global recession, Prime Minister Ferenc Gyurcsány (2004-2009) lied to the Hungarian people about the state of the economy.⁶⁷ This was the final nail in the coffin for the Hungarian Socialist

⁶¹ Bálint Magyar and Bálint Madlovics, “Hungary’s Mafia State Fights for Impunity,” *Project Syndicate*, June 18, 2019, <https://www.project-syndicate.org/commentary/hungary-mafia-state-viktor-orban-impunity-by-balint-magyar-and-balint-madlovics-2019-06>.

⁶² Kornai, “Hungary’s U-Turn,” 39.

⁶³ Noemi Lendvai-Bainton and Dorota Szelewa, “Governing New Authoritarianism: Populism, Nationalism and Radical Welfare Reforms in Hungary and Poland,” *Social Policy & Administration* 55 (2021): 566, <https://doi.org/10.1111/spol.12642>

⁶⁴ Magyar and Madlovics, “Hungary’s Mafia State.”

⁶⁵ Lust and Waldner, *Unwelcome Change*, 10-14.

⁶⁶ Kornai, “Hungary’s U-turn,” 46.

⁶⁷ Lendvai, *Between Democracy and Authoritarianism*, 142.

Party (MSzP), exposing the duplicity of the left liberal coalition that dominated post-Cold War Hungarian politics and giving Orbán and his party Fidesz the moral high ground.⁶⁸

Speaking like a true populist, Orbán argued that only he and his Fidesz colleagues were qualified to root out corruption and represent Hungary's "true" people: conservative Christian Magyars. As prime minister, Orbán assumed responsibility in standing up for ordinary Hungarians against the forces of globalization, neoliberalism, and migration. He framed establishment parties and politicians, foreign investors, and minorities (e.g., Jews, Roma, and LGBTQ+) as enemies of "real" Hungarian people.⁶⁹ Orbán promised to construct a strong state to protect the economy and society from these enemies while also selectively employing authoritarian or neoliberal social policies to reward his allies and punish his opponents.⁷⁰

Orbán's charisma, unabashed nationalism, and defiance toward elites stoked Hungarian pride after a century of humiliation following the 1920 Treaty of Trianon, which dispossessed Hungary of two-thirds of its land and one-third of its people.⁷¹ For many Hungarians, Orbán's "story is the nation's story."⁷² His supporters understand that his fight for unrestrained leadership is part of a grander quest to "reclaim past national glories."⁷³ While the actions, behaviors, and strategies of Orbán are directly responsible for Hungary's illiberal turn, there were also underlying forces that contributed to Orbán's rise and encouraged his strong-handed, nationalist rhetoric and policies. Nevertheless, these structural forces did not coerce him into dismantling Hungarian democracy.

Political Culture: Illiberal Values Rooted in an Authoritarian Past

Orbán's path to illiberalism was made easier by deep-rooted illiberal attitudes, beliefs, and norms. Quoting Karl Marx, Peter Wilkin ominously notes that "the tradition of all dead generations weighs like a nightmare on the brains of the living."⁷⁴ Why should we expect a stable liberal political culture to take root in Hungary after a legacy of fascist movements and authoritarian state socialism?⁷⁵ Whether under the Austro-Hapsburg Empire, Miklós Horthy's dictatorship, or Soviet communism, liberal democratic principles (i.e., individual freedom and equality) were unequivocally suppressed in favor of illiberal values (i.e., minority discrimination and authoritarianism).⁷⁶ Furthermore, András Bíró-Nagy identifies four key aspects of Hungarian political culture: a weak commitment to democracy, distrust of others and political institutions, intolerance, and strong state intervention.⁷⁷ These traits are consistent with the country's past and align perfectly with Orbán's political style.

However, such culturalist arguments that claim Hungarians are incapable of liberal democratic governance are reductivist and deterministic. They are reductivist because they assume all

⁶⁸ Peter Wilkin, "The Rise of 'Illiberal' Democracy: The Orbánization of Hungarian Political Culture," *Journal of World-Systems Research* 24, no. 1 (2018): 18-19, <https://doi.org/10.5195/JWSR.2018.716>.

⁶⁹ Ibid., 22.

⁷⁰ Ibid., 27.

⁷¹ Jaques Rupnik, "Hungary's Illiberal Turn: How Things Went Wrong," *Journal of Democracy* 23, no. 3 (2012): 135, <https://doi.org/10.1353/jod.2012.0051>.

⁷² Péter Krekó and Zsolt Enyedi, "Explaining Eastern Europe: Orbán's Laboratory of Illiberalism," *Journal of Democracy* 29, no. 3 (2018): 43, <https://doi.org/10.1353/jod.2018.0043>.

⁷³ Ibid., 44.

⁷⁴ Wilkin, "Rise of 'Illiberal' Democracy," 11.

⁷⁵ Ibid., 6.

⁷⁶ Ibid., 13-17.

⁷⁷ Bíró-Nagy, "Illiberal Democracy in Hungary," 32.

Hungarians share the same values and that those values can be synthesized into a single, clearly defined political culture. And they are deterministic because they assume Hungary has no alternative path other than authoritarianism, failing to recognize that the country was a model of liberal democracy in the post-Soviet space until 2010. Hungary is not doomed to autocracy because of its history and the cultural values of a segment of its population, but its illiberal past and these values facilitated Orbán's ascendancy and, in turn, Orbán increased their salience.

Political Economy: Disenchantment with the Democratic-Capitalist Transition

Hungary's political culture and political economy are inextricably linked. Financial instability following the collapse of the communism and again after the 2008 economic crisis increased the salience of Hungarians' deep-seated illiberal values. Between 2008 and 2010, the MSzP-led government adopted neoliberal austerity measures to score points with the EU and IMF, but these policies left many Hungarians unemployed and impoverished.⁷⁸ In the following election, Hungarians turned to Orbán, believing he offered the best hope for financial security.

Despite Schmitter and Karl's warning that democracies are not necessarily more prosperous,⁷⁹ Hungarians became disenchanted with the democratic/capitalist transition when it failed to meet their expectations of providing for everyone's basic needs. Hungarians expected democratization to bring material wealth, but the transition from a command economy to a market economy and from a one-party state to a pluralist democracy instead resulted in massive and disruptive socioeconomic changes. Both immediately after the 1989 transition and 2008 global recession, the country faced corruption, mass unemployment, inflation, income stagnation, and rising poverty and inequality.⁸⁰

Given that the majority of Hungarians in 2009 believed that financial security was as important to democracy as elections, it is unsurprising that many, in supporting Orbán, opted to trade free and fair elections for economic opportunity.⁸¹ In sum, Hungarians' association of democracy with materialist values such as economic security rather than post-materialist values like political rights and civil liberties explains why their dissatisfaction with democracy increased in the wake of the 2008 economic crisis. So long as the new regime could not meet citizens' basic needs, Hungarians yearned for stronger state intervention, even if it meant sacrificing democratic principles.

Hungary's political economy, especially when paired with its political culture, offers a powerful explanation for the country's U-turn. Hungary lacked a strong liberal political culture because of its authoritarian past, and the economic instability following the transition hindered the consolidation of democratic norms, values, and institutions. While a necessary factor, the political economy alone is not a sufficient cause. Countries across the globe suffered economically after the 2008 economic crisis—albeit to different degrees—yet they have not all succumbed to the rise of far-right, ethnopopulist regimes like Orbán's. Even countries where similar austerity measures were adopted and strongly opposed by citizens, such as Greece, avoided democratic demise.

Political Institutions: Biased Majoritarian Electoral Rules

The political institutions crafted in the 1989 constitution enabled Orbán to dismantle democracy. Concerned about parliamentary fractionalization and an overly rigid constitution, the 1989 constitutional drafters decided to award bonus seats to the party that wins the popular vote and

⁷⁸ Wilkin, "Rise of 'Illiberal' Democracy," 19.

⁷⁹ Schmitter and Karl, "What Democracy Is," 85.

⁸⁰ Bíró-Nagy, "Illiberal Democracy in Hungary," 31.

⁸¹ *Ibid.*, 34-35.

instituted a two-thirds amendment rule.⁸² Because of the winner’s bonus, in 2010, the Fidesz party won 67.9% of parliamentary seats despite receiving just 52.7% of the popular vote. Then with its two-thirds supermajority, Orbán and his party were able not only to tweak the constitution but to completely overhaul it. As shown in Table 1, whereas seats allotted to the MSzP, Jobbik, Politics Can Be Different (LMP), and the Democratic Coalition (DK) parties were underweighted in 2010, 2014, and 2018, seats given to Fidesz were drastically overweighted, giving it a parliamentary supermajority—even in 2014 and 2018 when they had not even won a simple majority of votes (see Table 1).

Orbán’s ascension and Hungary’s subsequent backsliding are, at least in part, explained by pre-existing political institutions. In particular, a biased majoritarian electoral system that tips the scale in favor of the party winning the largest share of the popular vote helped to solidify Orbán’s power. Although political institutions explain why the Fidesz party was able to rule with a fabricated supermajority, they do not explain why Orbán used his party’s supermajority to disassemble democracy. And it does not explain why Fidesz appealed to such a large percentage of the Hungarian population.

Table 1. The difference between the share of the popular vote and the share of parliamentary seats won by political parties in Hungarian elections, 2010-2018.

	2010			2014			2018		
	% vote	% seats	Δ	% vote	% seats	Δ	% vote	% seats	Δ
Fidesz	52.7	67.9	+15.2	44.9	66.8	+21.9	49.3	66.8	+17.5
MSzP	19.3	15.3	-4.0	25.6	19.1	-6.5	11.9	10.1	-1.8
Jobbik	16.7	12.2	-4.5	20.2	11.6	-8.6	19.1	13.1	-6.0
LMP	7.5	4.2	-3.3	5.3	2.5	-2.8	7.1	4.0	-3.1
DK							5.4	4.5	-0.9

Note. The National Assembly changed from 386 to 199 seats in 2012 after enactment of The Fundamental Law. Only includes parties reaching the 5% vote threshold.

Source: Elections and Referendums, 2021

Social Structure and Political Coalitions: Culture War

Prior to Orbán’s 2010 victory, Hungary was becoming increasingly polarized along both socioeconomic and ethnic lines. The rocky post-Soviet political-economic transition compounded by rapid globalization, produced winners and losers in Hungarian society. The winners—usually highly educated young people residing in urban areas—expressed greater satisfaction with Hungary’s new democratic, capitalist model. However, the losers—typically older, less educated people living in rural areas—began pledging their support to far-right parties like Fidesz and Jobbik.⁸³

⁸² Bánkuti, Halmai, and Scheppele, “Hungary’s Illiberal Turn,” 138.

⁸³ Bíró-Nagy, “Illiberal Democracy in Hungary,” 33.

More importantly, Hungary became more culturally divided, shifting toward nativist identity politics reminiscent of its past. The country has experienced a clash of cultures between multiculturalist cosmopolitans and conservative nationalists,⁸⁴ urbanists and populists,⁸⁵ and the post-communist liberal left and the traditional right.⁸⁶ The left generally supports European integration, neoliberal capitalist democracy, and liberal values. The right, on the other hand, largely advocates for a strong-handed nation state whose borders are not bounded by the 1920 Treaty of Trianon and whose Magyar population is devoid of Jews, Roma, and immigrants.⁸⁷ We see this culture war play out in Fidesz's conflict with CEU over liberal education. It is also evident as national welfare contracts are being rewritten along ethnic, religious, and gender lines, depriving services to whoever Orbán deems undesirable.⁸⁸

Orbán's ascent could also be a case of opportunistic coalition building. With a crowded, divided, and wounded left, Orbán seized the opportunity to rebrand himself and his party as a conservative, nationalistic alternative on the less congested right.⁸⁹ One drawback with the social structure explanation is the question of causality: Is Orbán the cause or the effect of polarization and Hungary's culture war? The answer is probably both. Socioeconomic and ethnic cleavages existed before Orbán, but he augmented these divisions to his advantage, whether out of genuine belief or political opportunism or both.

Reviving Hungarian Democracy

How can Hungary's illiberal turn be reversed? Despite Orbán's illiberal, ethnonationalist, and populist rhetoric and policies, internal and external actors have prevented the complete breakdown of Hungarian democracy. Below, I briefly consider how civil society, opposition parties, and the EU might revive Hungarian democracy, discussing the opportunities and challenges presented by each alternative.

Civil Society

A bottom-up people's movement comprised of peaceful protests and noncooperation by civil society organizations (CSOs) and nongovernmental organizations (NGOs) would be the most effective way to combat Orbán's regime. It would present a liberal populist challenge to authoritarian populism. The CEU's initial success in 2017 in fighting Fidesz to remain in Budapest shows the promise of this approach. Although typically viewed as elitist and unrepresentative of ordinary people, academia served as an inspiring rallying cry for the fundamental rights of all Hungarians.⁹⁰ Moreover, at the beginning of Orbán's reign in late 2011, leaders from the group One Million Voices for a Free Press in Hungary (Milla), trade unions, and CSOs formed the Hungarian Solidarity Movement, a broad-based movement devoted to reinstating the rule of law.⁹¹

⁸⁴ Zsolt Enyedi, "Democratic Backsliding," 1068-1069.

⁸⁵ Rupnik, "How Things Went Wrong," 135.

⁸⁶ Wilkin, "Rise of 'Illiberal' Democracy," 6.

⁸⁷ Rupnik, "How Things Went Wrong," 135-136; Wilkin, "Rise of 'Illiberal' Democracy," 14.

⁸⁸ Noemi Lendvai-Bainton and Dorota Szelewa, "Governing New Authoritarianism: Populism, Nationalism and Radical Welfare Reforms in Hungary and Poland," *Social Policy & Administration* 55, no. 4 (2021): 562, <https://doi.org/10.1111/spol.12642>

⁸⁹ Krekó and Enyedi, "Explaining Eastern Europe," 40; Rupnik, "How Things Went Wrong," 134.

⁹⁰ Enyedi, "Democratic Backsliding," 1073.

⁹¹ Erin K. Jenne and Cas Mudde, "Hungary's Illiberal Turn: Can Outsiders Help?" *Journal of Democracy* 23, no. 3 (2012): 153, <https://doi.org/10.1353/jod.2012.0057>

However, the civil society approach is constrained by a few factors. First, democratic values and practices remain relatively weak. As a result, even the most successful CSOs, like Milla, lack the resources and infrastructure to build an effective national movement.⁹² Second, Orbán frequently taints CSOs as Western puppets working against Hungary’s national interests. Thus, to reduce the risk of being smeared as elitist and foreign, an anti-Orbán movement would be most effective if led by ordinary Hungarians rather than intellectuals and if funded locally rather than internationally. Third, even if citizens demanded a referendum, the Election Commission—led by Fidesz party cronies—has the power to dismiss it, making bottom-up reform virtually impossible.

Opposition Parties

Hungary’s U-turn could also be reversed at the ballot box. However, this strategy is also impractical for two reasons. First, opposition parties have been in disarray and currently lack popular support. The parties MSzP, LMP, and DK are all congested on the left, splitting the left vote and making Jobbik—Fidesz’s ideological competitor on the right—the largest opposition party (see Table 1). Meanwhile, MSzP’s support declined drastically from 25.6% in 2014 to just 11.9% in 2018 and LMP and DK are barely passing the 5% vote threshold to gain parliamentary representation.

Only by uniting to fight a common enemy can the liberal left pose a viable electoral threat to Orbán and Fidesz. In December 2020, six Hungarian opposition parties did just that. They finally put aside policy differences and formed a joint ticket in hopes of defeating Orbán in the 2022 parliamentary election.⁹³ By pooling resources and popular support, Hungary’s new United Opposition has a reasonable chance in preventing Orbán’s Fidesz party from winning a fourth consecutive term. As of July 4, 2021, Fidesz’s 48% support only surpassed the United Opposition’s 46% support by 2 percentage-points, well within the margin of error.⁹⁴

Second, opposition parties—even when united—can be neutralized by Fidesz’s electoral manipulation and dismantling of checks and balances. Even if another party (or a coalition of parties, in the case of the newly formed United Opposition) somehow managed to win an election despite biased majoritarian electoral rules, gerrymandering, and a partisan election commission, Fidesz loyalists are entrenched in every other corner of the state apparatus, ready to obstruct, and overturn policies deviating from their preferences.⁹⁵

The European Union

With no promising domestic solutions, the EU is the last best hope for saving Hungarian democracy. The EU must first decide whether Hungary should remain a member state or not. Brussels certainly has more leverage with Hungary in the union rather than outside it, but not taking further action against Budapest could risk undermining EU legitimacy. For instance, failure to hold deviant member states accountable for transgressing EU values and institutions post-accession runs the risk of other states pushing the boundaries. And if the EU fails to stand up for democracy and human rights, then what is it good for? However, invoking Article 7 and kicking Hungary out of the EU for breaching the union’s values is also problematic. Geopolitically, it would push Hungary further into Russia’s and China’s hands. Logistically, invoking Article 7 may not even be possible as it requires unanimity

⁹² Wilkin, “Rise of ‘Illiberal’ Democracy,” 24-25.

⁹³ Lili Bayer, “Hungarian Opposition Unites in Bid to Unseat Viktor Orbán,” *POLITICO*, December 20, 2020, <https://www.politico.eu/article/hungary-opposition-unites-in-bid-to-unseat-orban/>.

⁹⁴ “Hungary — National Parliament Voting Intention,” *Poll of Polls*, *POLITICO*, 2021, <https://www.politico.eu/europe-poll-of-polls/hungary/>.

⁹⁵ Bánkuti, Halmai, and Scheppele, “Hungary’s Illiberal Turn,” 145.

among member states, allowing illiberal states to shield one another. Poland has already promised to protect Hungary in such a vote.⁹⁶

Keeping Hungary in the EU family appears to be the lesser of two evils, but the union's ability to effectively intervene is still limited. For instance, once a country joins the EU, Brussels loses its biggest carrot, membership conditionality, leading to cases of "post-accession hooliganism."⁹⁷ Meaning that after joining, a country lacks the incentive to maintain high democratic standards, especially when the EU is reluctant to invoke Article 7. Furthermore, the EU lacks the legitimacy to intervene in Hungarian domestic affairs. It could be said that Orbán, who came to power through a free and fair election in 2010, enjoys more democratic legitimacy than some EU officials in Brussels, who are appointed by other member states' political leaders.⁹⁸

Lastly, the EU is hindered by its own procedures and institutions. The Rule of Law Framework is the EU's primary tool for confronting democratic backsliding among member states. But opening a dialogue risks legitimizing illiberal actors who will quietly consolidate power while backpedaling publicly to the EU Commission.⁹⁹ Reactive rather than proactive, the Rule of Law Framework is too little, too late. The critical consolidation of power has already occurred by the time the EU can invoke Article 7, and the framework simply minimizes further damage without reversing past damage.¹⁰⁰ Moreover, the EU is hindered by institutional fragmentation and partisan politics. EU law does not clearly delineate which body—the commission, council, or parliament—should initiate Article 7, resulting in no one taking substantive action.¹⁰¹ When sanctions are considered, they are blocked by the largest voting bloc in parliament, the European People's Party, of which Fidesz is a member.¹⁰²

Conclusion

Structural factors laid the foundation for illiberalism and democratic backsliding in Hungary, making Orbán's path to and centralization of power easier. Hungary's political economy, political culture, and social structures primed a constituency for Orbán to mobilize. In addition, biased majoritarian electoral rules empowered him and his followers to capture and transform the state into a Fidesz-led Magyar nation. While structural factors set the stage, Orbán still took deliberative actions to dismantle democracy through executive aggrandizement and electoral manipulation. Orbán's actions are not compelled by Hungarian history, social cleavages, economic misfortune, and cultural values, but they inform his methods. Given Hungary's weak democratic norms and civil society, the entrenchment of Fidesz loyalists in every nook and cranny of the state, and the ineffectiveness of the EU in halting democratic backsliding in its member states, it is extremely unlikely that democratic backsliding in Hungary will be reversed any time soon. Even the United Opposition offers only limited hope at the ballot box in 2022 for ending Orbán's reign. And like many other authoritarians, Orbán has used the COVID-19 pandemic as an excuse to further centralize power under the guise of public health and safety, diminishing the chance of a successful bottom-up revolution anytime soon.¹⁰³

⁹⁶ Pech and Scheppele, "Illiberalism Within," 28.

⁹⁷ Rupnik, "How Things Went Wrong," 133.

⁹⁸ Jenne and Mudde, "Can Outsiders Help?" 149.

⁹⁹ Pech and Scheppele, "Illiberalism Within," 34.

¹⁰⁰ *Ibid.*, 6-7.

¹⁰¹ *Ibid.*, 26.

¹⁰² Jenne and Mudde, "Can Outsiders Help?" 150; Pech and Scheppele, "Illiberalism Within," 7 & 28.

¹⁰³ Tímea Drinóczi and Agnieszka Bień-Kacała, "COVID-19 in Hungary and Poland: Extraordinary Situation and Illiberal Constitutionalism," *Theory and Practice of Legislation* 8, no. 1-2 (2020): 191, <https://doi.org/10.1080/20508840.2020.1782109>.