



# Consequences of an Illiberal Vision up to the Present Day

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– Study –

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## TABLE OF CONTENTS

EXECUTIVE SUMMARY	2
INTRODUCTION	3
THE SHAPING OF ORBÁN'S SYSTEM AFTER 2010	4
Background and social preconditions	4
Political field of force	6
Ideology	7
ILLEGAL DEMOCRACY OR "WHAT'S IN A NAME?"	. 10
In the Grey Zone	11
Delegative democracies	. 12
Regimes of electoral authoritarianism	. 13
Competitive authoritarian regimes	. 13
HUNGARY AS AN IMPERFECT DEMOCRACY JUDGED FROM THE PERSPECTI	IVE
OF MERKEL AND O'DONELL	. 15
Gradual tightening of the room of manoeuvre for the Constitutional Court	. 16
Prosecutor General under no one's control	.17
Restructuring the Ombudsman's Office and the Courts	. 18
Restrictive Media Act and public media debased to act to as a channel of propaganda	. 18
Electoral reform	20
RUSSIA AND TURKEY: TWO ILLIBERAL SUPERMODELS	23
The conditions of non-governmental organisations	25
Government rhetoric	27
Education and indoctrination	. 30
Clientelism, influential oligarchs, corruption	. 31
Media	33
BIBLIOGRAPHY	36

# **EXECUTIVE SUMMARY**

This study is a discussion paper about the current political organisation in Hungary and the related concept of "illiberal state building", which is set as a governmental vision. To illustrate the latter briefly, we will present the process whereby Orbán's system took shape by addressing a few of its important characteristics, and will invoke a specific section of the literature to discuss the measures taken by Orbán's second and third government to erode the pillars of the former organisation.

Our premise suggest that although the leaders of transitional regimes of uncertain status fail to liquidate completely the system of democratic institutions, they aspire to narrow down democracy in some form or fashion: they endeavour to make render their systems marketable by suggesting that that they move along the borderline of the democratic process, but in effect they only maintain an illusion of pluralist rivalry. This description also fits the current political leadership of Hungary, which dismantles checks and balances, limits horizontal accountability, strengthens patronage and corruption, keeps narrowing down the room of manoeuvring for the the public and civil society and applies its own anti-western governmental ideology and rhetoric.

Hungary shows some specificities, but is not unique as an example. Our studies of Turkey and Russia revealed striking similarities with the potential aspirations of Orbán's system as regards the conditions for NGOs or the media, or education (ideological indoctrination) or government rhetoric.

The key elements of the system in Hungary correspond to what was earlier described as the characteristics of Putin's system, including nationalism, religion, social conservatism, state capitalism and government control over the media. Two Hungarian sociologists studying this theme, Ivány Szelényi and János Ladányi have coined the phrase 'post-communist neo-conservatism' to describe all of the above, which is characterised in every system known as illiberal by its connection with a kind of urban-rural social fault-line, its juxtaposition of the values, principles and relationships it considers natural with unnatural (liberal) abstractions originating from the Age of Enlightenment.

Putin and Erdogan control their parties firmly as strong-armed leaders, which the Turkish President is capable of achieving without being the official head of AKP. Both press forward to demonize their political opponents while applying pluralist rhetoric to suggest that they are the only ones to represent the interests of their people. Viktor Orbán has been pursuing the same strategy since 2002, when he declared openly for the first time that "The homeland may not be in opposition." Purely pragmatic considerations may have prompted Viktor Orbán and Fidesz to follow this path, but by now, everyone seems to have been bogged down by this infamous ideology which is the strongest force cementing the flock of voters of the governing party. That is the case since, judging from their ideals, almost all of the present-day right wing in Hungary occupies an anti-liberal stance: they are national collectivists, they claim precedence for the national community over the individual, and use this claim to support strong state intervention into the economic, social and cultural domains. Viktor Orbán's strongly reverberating 2014 speech in Tusnádfürdő reflected the same system of views, when he spoke positively about building and "illiberal state".

# INTRODUCTION

More than a year has passed since Viktor Orbán announced illiberal state-building in a speech delivered at Tusnádfürdő, and the debate about a definition of the new political system, which is in the making since 2010, is still unfinished. It is commonly held that 2010 is to be regarded as a division line separating distinct periods in the history of Hungarian politics after the political transition, but there is no common understanding about the nature of the political system that started to take shape after the second Orbán Government took the helm. Most of the works in the category of political journalism brand the current political system or a semi-dictatorship. Needless to say, a variety of terms and phrases crop up in political analyses and papers on political science, such as simulated democracy, illiberal democracy, illiberal democracy, illiberal democracy, illiberal democracy.

In addition to descriptors and attempted definitions, positioning Hungary among what are known as hybrid regimes is also a point in debate. Moreover, there are doubts as to whether it is possible to set apart distinctly different democracies or hybrid systems. Some answer this in the affirmative and suggest that a non-liberal democracy should not be understood as a democracy. Other approaches claim there are no pure (liberal) democracies, and all political systems are hybrid systems. They argue that a democracy is more than a political configuration that lends itself to description with a set of specific elements, rather it is a normative concept which one should perpetually seek to achieve.

This study does not intend to identify a new definition, nor does it attempt to pass judgement over the relevant issues of political theory, it simply serves as a discussion paper. The pages below present the process how Orbán's system emerged by addressing a few of its important characteristics, and will invoke a specific section of the literature to discuss the measures taken by Orbán's second and third government to erode the pillars of the former organisation. To follow is an analysis of circumstances Hungary from a few basic perspectives: (1) checks and balances, horizontal accountability; (2) patronage and corruption; (3) public openness and civil society; (4) populist anti-western governmental rhetoric. Finally, we will also discuss the practices shaping the political system in Turkey and Russia, countries that the Prime Minister tagged as examples to follow.

# **THE SHAPING OF ORBÁN'S SYSTEM AFTER 2010**

#### **Background and social preconditions**

It was in the autumn of 2013 that Tárki published a study called *Értékek 2013* (Values 2013)<sup>1</sup> to present the results of the 2013 round of its research "Social and cultural conditions of economic growth". The researchers penning the paper studied the shifts of public opinion about four areas (views on confidence, compliance with norms, the role of the state and democracy). Most of their analysis contains comparisons across time to see the differences between conditions in 2013 and the way things were four years earlier in 2009.

On average, fewer people thought democracy was important in 2013 than in 2009, and at the same time more people thought the country was democratic than earlier. Presumably, that may have also been due to people with political views that affiliate them with the government in office (those claiming to be right wing in 2013) regarding the method of governance prior to 2010 as anti-democratic and not entertaining the same idea about governance after 2010. On the other hand, people who defined themselves as left wing regarded right wing governance as anti-democratic, and did not necessarily hold the same view about practices prior to 2010.

Tárki researchers also found that the confidence in institutions depends heavily on political identity (i.e. confidence in institutions becomes relative to the party that delegates people to government), and creates a situation, as far as norms are concerned, where people's impression of norms is influenced by both general values (notions about right and wrong) and, increasingly, by people who comply with or violate existing norms (norms have instrumentalized).

The conclusions of the authors<sup>2</sup> suggest that the gist of the above lies in the following detail:

- "voters that may be associated with those in power will place greater confidence in government, while voters of the opposition does not necessarily trust the opposition (which is not surprising);
- in 2009, the right-wing was distrustful of the system of institutions and certain figures, it confided only in the opposition (its own political representation);
- in 2013, the left-wing trusts no one except the opposition (or in other words its own political representation);
- there are hardly any institutions where the level of confidence is not strikingly different between political sides, regardless of the position of the political cycle. Exceptions include the Academy of Science (the only institution with above-average confidence index), and trade unions (whose prestige is extremely low);
- right-wing impressions of certain institutions mentioned in the study, such as the police, the central bank, the State Audit Office, (the National Transport Authority) and the press

<sup>&</sup>lt;sup>1</sup> Tárki: Értékek 2013 (2013. október),

http://www.tarki.hu/hu/research/gazdkult/2013/2013 zarotanulmany gazd kultura.pdf <sup>2</sup> Tárki: Értékek egy polarizálódó politikai térben

http://www.tarki.hu/hu/research/gazdkult/2013/2013 osszefoglalo gazd kultura.pdf

were at significant variance with those of the political centre in both 2009 and 2013 (it associated these organisations with the governing party on both occasions);

- views entertained by the left-wing about the same institutions did not differ from those of the centre in wither 2009 or 2013.
- Polarisation in relation to values and norms means that the occupants of platforms linked to whoever is in government (those affiliated to the left and right in 2009 and 2013, respectively) tend to regard certain (not only governmental) public institutions less corrupt and to consider the violation of norms less acceptable."

The processes indicated by Political Capital's DEREX index<sup>3</sup>, a measure of dissident attitudes, and the study by Tárki reveal similar processes. During the first four ESS rounds (conducted between 2002 and 2009), the value of *anti-establishment* attitudes kept rising in Hungary from a relatively low base. Fourth round data were collected between 20 February and 20 April 2009. Remarkably, former Prime Minster, Ferenc Gyurcsány, resigned right at that time. The values of the DEREX index also reflect the extremely unfavourable public sentiment which prevailed due to the political and economic crisis with anti-establishment attitudes soaring extremely high at 46%. As the three component indices of prejudices, right wing value orientation and pessimism showed inferior dynamism, the surge of anti-establishment attitudes propelled the total value of DEREX to extreme heights (21%), both in Hungary and internationally. We were ranked fifth among the 34 countries studied and were only 'overcome' by countries that were even more unstable at the time, including Bulgaria, Latvia, Turkey and the Ukraine.

Fifth round data were collected between 19 October ad 10 December 2010 right after the sweeping victories Fidesz reaped at the general parliamentary and later at the municipal election. That is the period when the trust voters placed in the new government and their optimism peaked, which was also reflected by the number of people with anti-establishment attitudes reducing by 50%.

However, public sentiment had deteriorated by the time data collection entered into the sixth round (between 10 November 2012 and 17 February 2013). Data collected by Medián suggested that over 70 percent of the adult population thought at the time that things were heading in the wrong direction in Hungary. Data about the confidence in institutions also reflected the same, that is to say the value of the *Anti-establishment* component index rose yet

<sup>&</sup>lt;sup>3</sup> The index is a measure expressed in percentages to show the proportion of voters in a given society who (judging from their pattern of attitudes and values) have the psychological propensity to entertain ultra-nationalist, dissident ideologies and to engage in political acts originating from such ideologies. The DEREX index helps compare European countries in terms of the size of such groups. Political Capital designed this hierarchical index using its own theoretical model and calculations based on the database of the European Social Survey (ESS), a comprehensive and representative biannual study (with 6 completed rounds so far) performed to track the changes in attitudes and values in more than 30 countries. Essentially, DEREX distinguishes for basic categories: (1) Prejudice and welfare chauvinism; (2) Anti-establishment attitudes; (3) Right-wing value orientation; and (4) Fear, distrust and pessimism. The values relevant for this study are those of the *Anti-establishment* component index. This category is comprised of respondents who are extremely distrustful of either the political elite (politicians and the National Assembly), the legal system and entities applying the law (police and the legal system), international organisations (the European Union and the UN) or the political system (government and democracy).

again. Most recently, DEREX data suggested that the ratio respondents characterised by extreme distrust in political institutions approximated 30% in Hungary.

That is one and a half times higher than the value recorded two years ago and in in the neighbourhood of 33 percent, the value the third ESS round arrived at.

There's no denying that DEREX captures properly the large swings of trust in political institutions in Hungary. This hectic character (which is often carried away to extreme levels of distrust) is a risk factor itself as political forces that surf the waves of sudden outbursts in sentiment may benefit from it. The ultimate two values recorded for anti-establishment attitudes also shed light on the outstanding opportunity Fidesz had early on in its term of government to moderate Hungarian society, to solidify its system and to reach true consolidation - but it missed the boat.

That is equivalent to saying that Orbán's system enjoys illusionary stability, which originates mainly from the relative power dominance it has due to the weakness of its opposition. The deeper layers of society, however, are not at peace, which hardly if at all creates an opportunity for any political party to settle in for good.

# Political field of force

At present, the position of the governing Fidesz in the party system is the product of the strategy of "central field of force in party politics" as announced by Viktor Orbán. That essentially means it is in the interest of Fidesz to have a relatively strong right-wing extremist party (Jobbik) on one side and a fragmented left-wing of roughly equal size on the other side: that way, Fidesz is wedged in the centre to oppose both and can define itself as the only power that can form a government, whilst people voting in protests are divided between the extreme right and the left. Moreover, a relatively strong Jobbik also serves the interest of Fidesz as it comes in handy as a tool to sell itself abroad as the only guarantee to prevent right wing extremism from becoming a governing force. Finally, there is also a third reason for this unique relationship: Fidesz uses Jobbik as a shield. Jobbik gives voice to Fidesz's own political messages, which in many respects hardly differ from those of Jobbik, in a much harsher form, which allows the governing party to look modest.

As regards governance, since the left suffered a catastrophic defeat at the 2010 general elections and essentially collapsed, while the Alliance of Free Democrats and Hungarian Democratic Forum were swallowed up for good by the turmoil of history, Orbán's system, underpinned by the qualified parliamentary majority of Fidesz, could start up operations with no obstacles in sight. Seeking to assert the intentions of the power centre as efficiently as possible, Orbán's second government pressed hard to distinguish itself from its predecessors among others by strengthening the role of the state as opposed to what was pursued in earlier years, which Orbán called 'neo-liberalism' in economic and social policy, and by limiting the rule of law, the scope and effect of which had not been too broad anyway.

Most voters had no scruples about this political stance as several Hungarian and international comparative studies conducted since the demise of communism clearly indicated a strong need

for paternalism in Hungarian society. Most Hungarians are disillusioned with the market economy and the political system that evolved after the political transition and can only see the disadvantages and they demand a strong state despite their distrust in state institutions.

Written about that, András Lánczi's article published in the weekly Heti Válasz on 9 January 2014 says: "[...] There is a single reason why Viktor Orbán was the only one to survive [i.e. from among the participants of political life at the time] for 24 years after the political changes: he perceived that politics was essentially about managing power relations, ensuring welfare for the people during political strife, and the need to adjust governance to the nature of the people governed. And there is also something that far outweighs the difficulty of comprehension: he is capable of acting in line with his perceptions."

Although some elements of Lánczi's description ring untrue (such as "ensuring welfare for the people", an area where the success of Orbán's system is more than questionable), the aspiration to adjust governance to "the nature of Hungarian citizens" or to the simplest and most popular common opinion is undoubtedly visible. Hence the intention to create a "strong state" is the government's response to what voters displayed with elemental force: the desire for order. The government also tried to live up the expectation to cut back taxes (single bracket taxation), slash away allowances ("public employment instead of benefits") and mitigate what citizens thought were the heaviest burden (reducing utility costs) simultaneously.

The government tried to ensure fiscal revenues, to avoid imposing austerity directly on the people and to raise the funds needed for benefits by increasing the burdens (special taxes) of certain participants of the economy. Hungary could never boast meagre state intervention into its economy, but 2010 introduced a qualitative change in that regard. With Fidesz's two-third majority in Parliament, all of the state landed in the hands of interest groups backing the government, and practically all controls over the government have been eliminated from the political system. The phenomenon Transparency International calls state capture is not to be describes simply as corruption, it is a new form of intervention into the domain of the economy.

# Ideology

Viktor Orbán constructed policies in response to the public expectations and beliefs describe above by relying on an ideology composed of exactly the same elements that Fareed Zakaria described as the descriptors of Putinism<sup>4</sup>. Orbanism, which follows suit of Putinism but also draws deeply on Hungary's legacy of ideological thinking, identifies with the state and idolises the governing majority and accuses liberalism and liberal democracy of every malady.

Purely pragmatic considerations may have prompted Viktor Orbán and Fidesz to follow this path, but by now, everyone seems to have been bogged down by this infamous ideology which is the strongest force cementing the flock of voters of the governing party. That is the case

<sup>&</sup>lt;sup>4</sup> <u>http://www.washingtonpost.com/opinions/fareed-zakaria-the-rise-of-putinism/2014/07/31/2c9711d6-18e7-11e4-9e3b-</u>

since, judging from their ideals, almost all of the present-day right wing in Hungary occupies an anti-liberal stance: they are national collectivists, they claim precedence for the national community over the individual, and use this claim to support strong state intervention into the economic, social and cultural domains.

Viktor Orbán's strongly reverberating 2014 speech in Tusnádfürdő reflected the same system of views, when he spoke positively about building and "illiberal state".

Zakaria's article, which we referred to above, drew a parallel between Orbanism, the single determinant of the political system forged in Hungary after 2010, and Putinism right after the speech delivered in Tusnádfürdő. The author says the key elements of the system in Hungary correspond to what was earlier described as the characteristics of Putin's system, including nationalism, religion, social conservatism, state capitalism and government control over the media. Two Hungarian sociologists studying this theme, Ivány Szelényi and János Ladányi have coined the phrase 'post-communist neo-conservastism' to describe all of the above, which is characterised in every system known as illiberal by its connection with a kind of urban-rural social fault-line, its juxtaposition of the values, principles and relationships it considers natural with unnatural (liberal) abstractions originating from the Age of Enlightenment. All of the above could be conceived as a form of anti-western sentiment if we base ourselves on the premise that the West is a comprehensive system of civilised values and ideals that give preference to individualism over collectivism, liberal democracy over unlimited state power and to liberty over bureaucracy. One of the most recognised representatives of this approach in Hungary is Viktor Orbán's former advisor, László Bogár, who, together with Gyula Tellér, one of Viktor Orbán's current advisers<sup>5</sup> is regarded to be an important opinion leader and theoretician by Fidesz (and Jobbik) constituents.<sup>6</sup>

Tellér was elected as a Member of Parliament in 1990 as a representative of the liberal party, SZDSZ, but has been active as a dominant ideologist of Fidesz since 1994. His views have become more and more radical and his current papers reflect a mixture of anti-globalist thought and conspiracy theory. He thinks the system Orbán is shaping is underpinned by collectivism, the nation, which he defines as "an organisation of people defined by both their provenance and culture, which has evolved in the course of history", in contrast with a former theory of social organisation, which he calls a "(neo)liberal doctrine", where society is a loose set of individuals united by the market and a constitution of neutral values. According to Tellér's interpretation, a new system is needed as the "system of the political transition failed". Tellér's view that the process of systemic changes in Eastern Europe is the implementation of a mysterious "scenario" is a sign of being influenced by conspiracy theory. The scenario is devised and driven by a symbolic "Investor", who is not specified exactly but makes sure that major leadership positions are filled by people trained in the West, who will in turn implement deregulation, dismantle the state, devalue national assets, carry out privatisation by way of

<sup>&</sup>lt;sup>5</sup> There is cnsiderable overlap between Viktor Orbán's 2014 speech in Tusnádfürdő and a paper published by Gyula Tellér in March 2014: Was "Orbán's system" born between 2010 and 2014? Nagyvilág LIX, Issue No. 3, March 2014.

<sup>&</sup>lt;sup>6</sup> As a matter of fact, the ideology represented by Fidesz's dominant opinion leaders and ideologist is by no means uniform and they cannot be classified clearly as their views influence the right-wing as a whole, including Jobbik. The theoreticians themselves are influenced heavily by certain anti-liberal traditions of Hungarian ideological thinking as well as the international criticism of liberalism and modernisation.

which they acquire markets and resources which they operate for their own benefit. Tellér thinks that the political transition in Hungary also put in place the same scenario, but the political clashes on the surface covered up the true nature of events. In contrast, Orbán's system insinuates rather than claims that even corruption is a national interest, when, for instance, following Tellér's recommendation, it engages in constructing "national middle class" affiliated to the party by using public funds to support certain business circles. The ideologist considers all of the above a welcome phenomenon which he compares with the way the political opposition was building its clientele sinfully and serving foreign interests when it governed the country before 2010. That is how the idea of a nation serves to justify corruption.<sup>7</sup>

Suspected corruption cases involve transactions designed to redistribute economic and dominant positions in many areas, which is often openly defined (even personally by the Prime Minister) as the preference of "national big business" over "global/foreign big business". Redistribution to fortify its positions of power is the single major motivator of Orbán's second and third government. Accordingly, the content, the expanded scope and ideological dependency of government decisions typically originate from the evaluation of power-related and political interests (political governance) and the role of policies is reduced to a bare minimum. And that is also typical in areas other than corruption. Gyula Tellér, referred to above, has played an important role in introducing ethics (which in many respects reflects the government's ideology) as a subject into public education, and is also a member of a committee responsible for textbooks, which is a symptomatic sign of the overlap between the subsystem of political power and other social subsystems.

<sup>&</sup>lt;sup>7</sup> Ripp, Zoltán: Egy szürke eminenciás színeváltozásai. Mozgó Világ, 2010. 1. sz. 82–100.

# **ILLEGAL DEMOCRACY OR "WHAT'S IN A NAME?"**

"Illiberal democracy sounds perfectly OK in Hungarian, but in English it sounds like blood libel" Viktor Orbán said at the plenary session of European Parliament about conditions in Hungary in May 2015. By making that statement, the Prime Minister of Hungary upheld the government's argument that his interpretation of the notion of illiberal democracy does not coincide with the definition adopted by Anglo-Saxon political science, and he only brought into doubt the liberal foundations of state organisation.

However, illiberal democracy as a "technical term" was coined by US political scientist, Fareed Zakaria in 1997 in an article published on the pages of Foreign Affairs. His term (as opposed to Hungarian governmental argumentation) refers to regimes displaying democratic and autocratic norms simultaneously, where free elections are held, but the government fails to guarantee fundamental political and civil rights. Zakaria's interpretation places illiberal democracy on the negative side of the scale of values as such democracies are limited to the competition of political actors at elections while fundamental liberties are violated. He discussed the concept in detail later on in his book The Future of Freedom: Illiberal Democracy at Home and Abroad, and stressed that freedom and democracy are notions that are only linked in Western thinking, where it is self-evident that a liberal democracy will protect an individual's legitimate rights and the branches of political power function in proper separation owing to a system of checks and balances. In other parts of the world, these notions may be unrelated, and a majority of voters may support the limitation of freedoms, Zakaria stressed. He referred to Vladimir Putin's Russia, as an example, which carries both democratic and illiberal values through "super-presidency" or by curbing the freedom of the press. Zakaria had already stated in his article in Foreign Affairs that 50 percent of the countries could be placed in the latter category in 1997, from Argentina, which he considered was modest, to Belarus, which is almost a tyranny, and with Bangladesh and Romania occupying intermediate positions.

However, a comprehensive view of the current status of democracy in Hungary requires that we review literature, which uses a broader approach. A discussion of various interpretations of democracy would also be beneficial, as some criticise Fareed Zakaria's illiberal theory by claiming that he assumes that the regimes he refers to are democracies of a certain kind. However, the scope of this study does not permit a discussion of that nature, which is why we focus on works that discuss hybrid regimes. Samuel Huntington's theory of "the third wave of *democratization*<sup>38</sup> overshadowed the literature on the true success of political transitions, and it

<sup>&</sup>lt;sup>8</sup> The first "long wave" of democratization started in the 1820s in the United States of America with a major expansion of the voting rights of the male population, when 29 states transitioned into democracy in a process that ended in 1926. (It is fair to say that Mussolini's rise to power in 1922 marks the onset of a "reversed wave" that had reduced the number of democracies to 12 by 1942.) Huntington identifies the end of World War II as the starting point of the second wave, which culminated in 1962, when 36 states were governed democratically only to be reduced to 30 by a second reversed wave that lasted up to 1970. Huntington dates the third wave from the collapse of dictatorships in Southern Europe in 1974, including the consolidation of Southern Europe (Greece, Spain and Portugal), Turkey's application for membership in the European Community in 1987 and the political transitions of former Soviet satellite states in the late eighties. Huntington failed, however, to identify the terminal point of the third wave. See: Samuel P. Huntington (1991): Democracy's third wave http://www.ned.org/docs/Samuel-P-Huntington-Democracy-Third-Wave.pdf

was only in the early years of this millennium that the public at large accepted that theses testing the limits of the transaction paradigm and hybrid systems existed.<sup>9</sup>

Nevertheless, there is no uniform approach in respect of what it is exactly that makes a hybrid system.<sup>10</sup> Before Zakaria introduced the notion of illiberal democracy, several approaches had emerged in an attempt to disperse illusions about consolidation and transaction paradigms.

#### In the Grey Zone

Written in 2002, Thomas Carothers' The end of the transition paradigm is one of the most influential studies in the literature, which suggests that transitional states with uncertain status may not be considered openly anti-democratic, they should rather be seen as the grey zone of **democracy**.<sup>11</sup> Carothers' study discussed in detail that none of the premises of the paradigm in question were correct. On the one hand there is no evidence to prove that countries abandoning dictatorial systems would automatically orientate themselves towards a democratic model that complies with the Western notion of the rule of law. Carothers also discards as misconceived the immanent theology of staged transition, i.e. that democratic consolidation in the wake of the political change is an inevitable concomitant process. The euphoric expectations attached to free elections also remained unsubstantiated, as they failed to guarantee the implementation of the reform measures that create a democratic framework. Furthermore, the ever-increasing number of failed states in itself brings to doubt the premise that assumes democratic transition involves functional states, and the hypothesis suggesting that social, economic and cultural specificities and the legacy of institutions and legal traditions are irrelevant from the perspective of the efficacy of political transitions has also been disproved<sup>12</sup>. Carothers used various groups of symptoms to identify whether or not a country belonged to the grey zone:

- feckless/elite pluralism: although there is broad participation in free elections, democracy is troubled, political elites are perceived negatively as corrupt and unworthy of respect and the state suffers from permanent weakness. Carothers found feckless pluralism most common in Latin America, and in the post-communist world, including states such as Bosnia-Herzegovina, Albania and the Ukraine, with Romania and Bulgaria also exhibiting some of the symptoms.
- dominant-power politics: the opposition is free to criticise but one political grouping dominates the system so heavily and there is little prospect of alternation of power. Carothers puts sub-Saharan Africa, certain countries of the former Soviet Union, such as Armenia, Georgia and Kazahstan in this category.<sup>13</sup>

<sup>&</sup>lt;sup>9</sup> While studying hybrid systems in 2002, **Larry Diamond** concluded first of all that the phenomenon exhibiting a mixture of democratic and autocratic features is hardly if at all a novelty, as there were anti-democratic multiparty regimes of electoral authoritarianism in the 60s and 70s, such as Singapore and Malaysia.

<sup>&</sup>lt;sup>10</sup> Cassini, Andrea: Hybrid what? Partial consensus and persistent divergences in the analysis of hybrid regimes. In: International Political Science Review, 2014, p. 542.

<sup>&</sup>lt;sup>11</sup> Carothers, Thomas (2000): The end of the transition paradigm. In: Journal of Democracy 13 (2) p. 7.

<sup>&</sup>lt;sup>12</sup> Carothers, 2002, p. 6-8.

<sup>&</sup>lt;sup>13</sup> Carothers, 2002, p. 9-13.

#### **Delegative democracies**

One of the most sophisticated approaches to the regimes occupying Carothers' grey zone comes from **Wolfgang Merkel**, who rejected the entire concept of hybrid systems. In his interpretation, regimes that meet the minimum criteria of an electoral democracy (by holding free and fair elections), but otherwise fail to live up to the conditions of liberal democracy may by no means be regarded to constitute one of the basic sub-types of democracy (or an "embedded democracy"), instead they are defective democracies.

Merkel classifies regimes as embedded liberal democracies, which consists of the following five interdependent partial regimes:

- democratic electoral regime;
- right to participate in politics;
- asserting civil rights;
- division of powers and horizontal accountability;
- actual guarantee that elected representatives have effective power to govern.

Based on the above, there are four sub-types of defective democracy: **exclusive, domain, illiberal and ''delegative'' democracies**, depending on the segment that is impaired the most. An exclusive democracy, for instance, denies individuals the right of universal suffrage, in domain democracies a clearly identifiable social grouping, such as the military, exerts its influence on the political system, delegative democracies are characterised by the complete or partial lack of horizontal accountability, while Merkel's illiberal democracy is marred with the suspension or limitation of civil rights.<sup>14</sup>

Merkel's descriptions are aptly complemented by the works of **Guillermo O'Donnell**, a specialist of transitions in Latin America, whose 1996 study pointed out some illusions about transition and consolidation. O'Donnell suggests that fundamentals distinctions should be made between the eastern and southern parts of the world and north-western consolidated democracies as the importance of informal institutions should also be taken into account in addition to the core institutions of democracy (**clientelism**, **particularism**, i.e. informal institutionalisation). His assessment of Latin American countries came to the conclusion that although representative democracy does not cease to exist in the framework of clienteledemocracy, it is still highly likely to shift towards **delegative democracy** where the executive arm of government domineers over legislation and the judiciary. O'Donell suggest that this process, if superimposed on collectivist and paternalist foundations, will weaken formal political institutionalisation and will favour groupings of express economic strength.<sup>15</sup>

<sup>&</sup>lt;sup>14</sup> Wolfang Merkel (2004): Embedded and defective democracies In: Democratisation

http://www.wzb.eu/sites/default/files/personen/merkel.wolfgang.289/merkel embedded and defective democrac ies.pdf

<sup>&</sup>lt;sup>15</sup> Gusztáv Molnár: A különleges demokráciákról (<u>http://www.provincia.ro/cikk\_magyar/c000455.html</u>)

#### **Regimes of electoral authoritarianism**

**Andreas Schedler's** interpretation suggests that some countries turned into **electoral regimes** during the third wave of democratization and embody a **new form of authoritarianism**. Although these regimes tolerate certain forms of pluralism and rivalry between parties, they systematically violate the democratic minimum, which is why Schedler thinks their anti-democratic nature must be taken seriously.<sup>16</sup> These **electoral authoritarian regimes** are neither practitioners of democracy nor wielders of open suppression, they exert tight control over occasional elections to remain in power but keep up the pretences of democracy. Schedler distinguished between four basic types of regimes: **liberal democracies**, **electoral democracies**, and **electoral authoritarian** and **closed authoritarian regimes**. For regimes to be either a liberal or an electoral democracy, Schedler suggests they have to hold free and fair elections, which will be deemed democratic only in case they satisfy the fundamental requirements of, for instance, free political supply, free demand or universal suffrage for all layers of society.

In contrast, autocratic leaders blemish the democratic character of elections by exclusion from the right to vote, discrimination and oppression.<sup>17</sup> These systems are constructed in a way to ensure that the outcome of elections is rarely uncertain, and even if risk exists it is kept at a bare minimum for those in power. Rigging elections is also an option, but most frequently the grouping in power, which enjoys popularity in practice, will create a beneficial legal environment for itself (by gerrymandering, for instance) so that is becomes simply impossible to replace.<sup>18</sup>

#### **Competitive authoritarian regimes**

The discussion of hybrid regimes by **Steven Levitsky and Lucan A. Way** in a 2002 paper on *The Rise of Competitive Authoritarianism* is also significant as it takes tally of the variety of terms used to denote the phenomenon (such as pseudo-democracy, illiberal democracy, electoral authoritarianism). The co-authors suggest that although the institutional environment of the regimes in question allows true competition, which, however, is by no means fair. The authors created the concept of **competitive authoritarianism** as distinct notion differentiated from the democratic regimes prefixed with a variety of adjectives in the literature. Competitive authoritarianism keeps up the pretences of democratic rivalry at equal terms, which will lend legitimacy to the electoral victory an irreplaceable party and party chief reaped in an informally anti-democratic race. They think that grey zone regimes of this kind are incorrectly classified by the literature as diminished democracies, as they are in effect various non-democratic systems that constitute a distinct class of their own. The authors underscore that competitive authoritarianism or democracy<sup>19</sup>, it should,

<sup>&</sup>lt;sup>16</sup> Andreas Schedler (2002): The menu of manipulation. Journal of Democracy, Volume 13, Number 2. p.36.

 <sup>&</sup>lt;sup>17</sup> Schedler, Andreas (2002): The menu of manipulation. Journal of Democracy, Volume 13, Number 2. p.40-42
 <sup>18</sup> Szilágyi Anna: A választásos önkényuralom kiépítése Magyarországon 2000, Volume 12.

http://ketezer.hu/2012/05/szilagyi-anna-a-valasztasos-onkenyuralom-kiepitese-magyarorszagon/

<sup>&</sup>lt;sup>19</sup> Levitsky, Steven and Way, Lucan A. (2002): The rise of competitive authoritarianism. p. 50-53.

http://scholar.harvard.edu/files/levitsky/files/SL\_elections.pdf

however, be regarded as a hybrid regime with characteristics typical of both extremes. Levitsky and Way laid down four fundamental conditions precedent to a proper democracy:

- executives and legislators are elected at open, free and fair elections;
- practically all adults have the right to vote;
- wide-ranging protection is accorded to political rights and civil liberties, including freedom of the press and criticism of the government without consequences;
- elected representatives have effective power to govern without the any (military or religious) guardianship.

Levitsky and Way added that even by regimes that operate on a fully democratic basis violate one or more of the criteria listed above, which does not, however, represent a systematic challenge for the government in office.<sup>20</sup> They separated clearly the official system of institutions in a regime and the way the leader of the system use those institutions; they are the primary means of rising to power, which the reigning political power may abuse at any time to prevent the potential victory of its opposition. That way, the rivalry between actors is officially open but is by no means balanced.

<sup>&</sup>lt;sup>20</sup> Levitsky, Way (2002), p. 53.

#### HUNGARY AS AN IMPERFECT DEMOCRACY JUDGED FROM THE PERSPECTIVE OF MERKEL AND O'DONELL

The foregoing overview of the literature reveals that although the leaders of transitional regimes of uncertain status fail to liquidate completely the system of democratic institutions, they aspire to narrow down democracy in some form or fashion: they endeavour to make render their systems marketable by suggesting that that they move along the borderline of the democratic process, but in effect they only maintain an illusion of pluralist rivalry. This study does not treat the models identified by the authors cited above (such as elite pluralism, clientelism, competitive authoritarianism) as distinct models, it assumes they are rather a constellation of symptoms that permits a relatively accurate description of transitional regimes in the grey zone.

Based on the above, we will examine the position Hungary could occupy in the set of countries with diminished democracies using Wolfgang Merkel and Guillermo O'Donnell's approach and from the perspective of horizontal accountability. Hungary's fundamental law provides that Hungary is an independent, democratic State governed by the rule of law<sup>21</sup>, which essentially means that public custodians of power will reciprocally check each other. Horizontal accountability means that autonomous institutions are in a position to survey and control the government from time to time. In O'Donnell system, the efficiency of these functions is the result of the existence of both a set of clearly separable authorities and the "network of agencies" at the highest level of the same, since final decisions on constitutional order "are closed" at this level.<sup>22</sup>

Viktor Orbán spoke in a surprisingly honest manner about his theory of the division of power in December 2014, the press agency, Bloomberg said: "Checks and balances are only meaningful in the United States or in presidential systems where there are two identifiable sovereign powers, a directly elected president and legislature. That is not the case in Europe, where there's only one sovereign, there's nowhere to 'check it or balance it,' because all of the power is delegated by parliament. In a case like that, it is more appropriate to talk about "cooperation" rather than checks and balances". Orbán also added that he viewed the concept of "checks and balances" as a U.S. invention that for some reason of intellectual mediocrity Europe decided to adopt and use in European politics.<sup>23</sup>

As mentioned in the previous chapter, Orbán's government took several measures to substantially weaken the system of checks and balances in a matter of months after coming to power in 2010, which was way before his speech in Tusványos last year; he practically weakened all of the institutions that could impose limits of some form and fashion on the power of the government, which held a two thirds majority (at the time). We do not intend to say that the institutional structures set up after 2010 are capable of cementing the power of Fidesz to a degree that Fidesz will become impossible to replace. Losing the interim elections

<sup>&</sup>lt;sup>21</sup> The Fundamental Law of Hungary. 25 April 2011

http://net.jogtar.hu/jr/gen/hjegy\_doc.cgi?docid=A1100425.ATV

 <sup>&</sup>lt;sup>22</sup> O'Donell, Guillermo A. (1998): Horizontal accountability in new democracies. In: Journal of Democracy, p.13
 <sup>23</sup> Hungary Prime Minister Orban sticks to Maverick path as US ties sour, 2014.

http://www.bloomberg.com/news/articles/2014-12-15/hungary-premier-orban-sticks-to-maverick-path-as-u-s-tiessour

after the government was reshaped in 2014 and Fidesz's loss of popularity in autumn 2014 seem to justify at least that the outer walls of the regime as it stands are more fragile than what Viktor Orbán described as desirable when addressing the stability of the central field of power in his speech in Kötcse.<sup>24</sup>

The measures discussed below, however, illustrate appropriately the endeavours of Orbán's government to safeguard its power as much as possible, which lays the ground for interpreting the speech about illiberal democracy in Tusványos more like a summary of the measures taken during the second cycle of the government.

#### Gradual tightening of the room of manoeuvre for the Constitutional Court

Curbing the powers of the Constitutional Court (CC) in 2010 was one of the first in a series of governmental measures to deliver an unprecedented blow at the system of checks and balances as they evolved after abandoning communism. During the political transition, this institution was designed to become the strongest force to counterbalance executive power, and consecutive governments have proven to be weaker than this judicial body. János Lázár, head of Fidesz's parliamentary group (currently Minister in charge of the Prime Minister's Office) justified the need for cutting back the powers of the CC by making the following statement in November 2010: "The Constitutional Court examines the constitutional nature of laws relying on powers of especially broad scope even in international comparison. In the initial period of the rule of law during the years after the replacing the former regime, the constitutional role the Constitutional Court played in developing law was necessary. Once the rule of law has solidified, these broad powers of constitutional judges have by now become unjustified."<sup>25</sup> The first round of measures reduced the powers of the CC relating to tax and fiscal matters, while the fourth amendment passed in 2014 allows the insertion of laws into the Fundamental Law even if the CC classifies them as unconstitutional. That is practically tantamount to permitting deviation from the decisions of the judiciary body, terminating court control over legislation, and created something like "upside down" constitutionality. Fidesz also changed the process of nominating constitutional judges; in contrast with the earlier system of nomination by a committee to which each party delegated one representative, the composition of the nominations committee is now determined by the headcount of parliamentary groups, which recognises the dominance of governing parties. As a result, only the candidates nominated by the parties in government have been elected to act on the CC since 2010. Moreover, the number of constitutional judges was increased from 11 to 15, the term of office was lengthened from 9 to 12 years, and newly elected CC members are no longer subject to the upper limit of seventy years of age. As regards the jurisprudence of the newly composed CC, a joint study by Hungarian Civil Liberties Union, Hungarian Helsinki Committee and Eötvös Karoly Institute

<sup>&</sup>lt;sup>24</sup> Orbán: A következő 15-20 évben egy kormányzó nagy párt lehet. 16 February 2010 http://hvg.hu/itthon/20100216\_orban\_viktor\_egy\_nagy\_kormanyzo\_part

<sup>&</sup>lt;sup>25</sup> János Lázár's private member's motion regarding Act ... of 2010 on the Amendment of Act XXXII of 1989 on the Constitutional Court. <u>http://www.parlament.hu/irom39/01446/01446.pdf</u>

found that 77 percent of the rulings of the CC between 2010 and 2014 were in favour of the interests of the government.<sup>26</sup>

With that given, only one institution, that of the President of the Republic remained to counterbalance the government, but that position has also been filled by Fidesz politicians since 2010: Pál Schmitt (2010-2012) and János Áder (2012-). The balances of both fall way short of László Sólyom, former President of the Republic and CC President, who vetoed a total of 26 laws and referred 15 to the Constitutional Court between 2005 and 2010. In contrast, János Áder has an extremely sparse record of requesting the CC to review conformity (which he did with regard to several passages of the code of electoral procedure<sup>27</sup> and the Land Act) and prefers using political veto as a tool, which, however, was ignored in each case by the governing two-thirds majority in Parliament, which eventually voted in favour of adopting the acts in question. Despite that record, János Áder has contributed more actively to controlling the legislative process than his predecessor, Pál Schmitt, who signed everything that was placed on his desk.

President of the Republic	Constitutional veto	Political veto
Árpád Göncz	8	2
Ferenc Mádl	12	4
László Sólyom	16	29
Pál Schmitt	0	0
János Áder	2	20

(Source: Office of the President of the Republic)

#### Prosecutor General under no one's control

In 2010, the right wing majority of Parliament elected Péter Polt as Prosecutor General for a term of 9 years instead of 6, the former tenure. Polt joined Fidesz in 1993 and ran as a candidate of the party at the elections, but was not elected. Due to its size, this study prevents a comprehensive overview of the operation of this institution, yet data about corruption cases before and after Polt's appointment are rather informative, as discovered by Átlátszó, a fact finding news website, which submitted an official request for data<sup>28</sup> in that regard in December 2014. The news website requested data about cases between 2006 and 2014 involving active and passive bribery of officials and abuse of official capacity. It revealed that the ratio of rejecting complaints of official corruption jumped to 300 percent in the period after Péter Polt's

<sup>&</sup>lt;sup>26</sup> Constitutional judges from a single party. An analysis of certain decisions by constitutional judges of a single party between 2011 and 2014. (In Hungarian) <u>http://tasz.hu/jogallam-vedelme/az-alkotmanybirosagot-kisajatitotta-fidesz-kdnp</u> Download the full study from:

http://tasz.hu/files/tasz/imce/2015/ab kiadvany 70 oldalas vegleges.pdf)

<sup>&</sup>lt;sup>27</sup> As regards the Act on Electoral Procedure, Áder had scruples about prior voter registration and the limitation on campaigning. <u>http://www.keh.hu/pic/upload/20121206 ab inditvany vej.pdf</u>

<sup>&</sup>lt;sup>28</sup> <u>http://atlatszo.hu/wp-content/uploads/2015/02/1214-atlatszo-Polt-adatk%C3%A9r%C3%A9s.pdf</u>

appointment compared to the number of rejection between 2006 and 2010.<sup>29</sup> Mention should be made here of the election of László Domokos, another representative of Fidesz to act as President of the State Audit Office, the guardian of transparency in managing public funds.

#### **Restructuring the Ombudsman's Office and the Courts**

Once the new Fundamental Law was adopted, Parliament reduced the number of ombudsmen from four to one: the office of the commissioner for data protection ceased to exist, and its duties were transferred to the National Data Protection and Freedom of Information Agency. Máté Szabó, who was considered to act as commissioner of fundamental rights, was replaced by László Székely, Fidesz's former environment protection specialist, a commissioner of Orbán's first government. In 2014, the Court of Justice of the European Union ruled that by prematurely bringing to an end the term served by András Jóri, commissioner for data protection. Hungary violated community law as it failed to observe the independence of the office of Ombudsmen.<sup>30</sup> The position of András Baka, President of the Supreme Court of Hungary, who openly criticised the laws on the courts, was also prematurely terminated. The National Court Office (NCA), which replaced the Office of the National Council of Justice, was granted broad powers ranging from determining the number of judges to the appointment of judges and could even have transferred judges without justification, but the government was forced to narrow down these powers under pressure from the European Commission in 2012. In 2011, Parliament elected Tünde Handó, who is married to József Szájer, Fidesz's Member of the European Parliament, to act as president of the NCA.

# Restrictive Media Act and public media debased to act to as a channel of propaganda

In addition to the institutions discussed above, mention must also be made of the conditions of the media, which is also important in terms of its control function, since the enactment of a restrictive Media Act by Orbán's second government triggered the largest critical response from international circles. Excessive sanctioning and the related monster of self-censorship coupled with a fiercely debated provision that breaks with previous practices by creating **a Media Council made up exclusively of members representing the governing party**, and with appointing **persons loyal to Fidesz** to act as presidents of another institution with broad powers, the National Media and Infocommunications Authority (NMHH), which was headed first **by Annamária Szalai, who was followed by Mónika Karas**. As research conducted by Mérték, a media analysis workshop, reveals the political bias of the Council displayed its signs most blatantly in the tenders invited for radio frequencies and the distribution of the same (see for instance the case of Klub Rádió),<sup>31</sup> and the majority of commercial and television frequencies were also awarded to persons linked to the government (e.g. Zsolt Nyerges, who is

<sup>&</sup>lt;sup>29</sup> Number of procedures launched in corruption cases plummeting after the appointment of Péter Polt (in Hungarian). 06 February 2015 <u>http://atlatszo.hu/2015/02/06/polt-peter-kinevezese-ota-meredeken-zuhan-a-politikai-korrupcios-ugyekben-inditott-buntetoeljarasok-szama/</u>

<sup>&</sup>lt;sup>30</sup>http://curia.europa.eu/juris/document/document.jsf?text=&docid=150641&pageIndex=0&doclang=EN&mode=r eq&dir=&occ=first&part=1&cid=159232

<sup>&</sup>lt;sup>31</sup> Polyák, Gábor (2014): Irányított nyilvánosság. See more: <u>http://atlatszo.hu/2014/10/11/polyak-gabor-iranyitott-nyilvanossag/</u>

Lajos Simicska's partner in business and Class FM). The institutional structure of public media has been revamped completely as a result of centralisation, the independence of public media provider companies ended as soon as the umbrella organisation Media Service Support and Asset Management Fund (MTVA) was set up. The president of the latter is decided by the president of NMHH, who is appointed personally by the Prime Minister for a term of 9 years. <sup>32</sup> That introduced central control over the Hungarian Press Agency, which has become a monopoly through offering news free of charge, and worked efficiently to promote the airing government propaganda even in commercial media after 2010.<sup>33</sup> The history of public service media since the political changeover shows various degrees of readiness to act loyal to the government in office, but the production of often manipulative content and the lopsided chanting of governmental achievements and primarily positive news became especially pronounced during Orbán's second government. In 2010, the evening news was dominated by 83 percent of news relating to the governing coalition, while the opposition was given hardly any chance to appear.<sup>34</sup> The equilibrium of the media market described above received a severe blow in February 2015 when war broke out between the Prime Minister and his former ally, Lajos Simicska. Simicska, a former treasurer of Fidesz, then embarked on a major overhaul of the media group (HírTV, Lánchíd Rádió and Magyar Nemzet) used by the party as its primary channel of communication, which practically left the government without "party media" (other than Gábor Széles' Magyar Hírlap and Echo TV and the public service media channels, whose popularity kept falling to pitiful levels). (Once Simicska was forced to retreat, Árpád Habony, one of the Prime Minister's key advisers was commissioned to construct a reliable and parallel media empire, which has so far operated at low levels of efficiency.<sup>35</sup>) Freedom House, an international democracy watchdog has rated Hungarian media as "partly free" for the fourth consecutive year; and its most recent report rates Hungary as partly free also with reference to the constant pressure Viktor Orbán's administration tries to apply on media groups.

A most recent example of this pressure involved the dismissal of Origo's editor-in-chief last year after the news website investigated the background of János Lázár's travel costs.<sup>36</sup> The 2014 plans concerning advertising tax could be seen as belonging to the same ballpark, as in their original form, they would have imposed disproportionate burned on RTL Klub, but due to an eventual modification, the empire of companies affiliated to Simicska is left as the only one that does not qualify for more favourable terms, arguing that it was too profitable.<sup>37</sup>

<sup>&</sup>lt;sup>32</sup> Vincze, Ildikó (2012): A közmédia lopakodó átalakítása. in: Médiakutató.

http://mediakutato.hu/cikk/2012 02 nyar/10 kozmedia atalakitasa/?q=m%C3%A9diat%C3%B6rv%C3%A9ny# m%C3%A9diat%C3%B6rv%C3%A9ny

<sup>&</sup>lt;sup>33</sup> Polyák Gábor (2014): Irányított nyilvánosság. See more: <u>http://atlatszo.hu/2014/10/11/polyak-gabor-iranyitott-nyilvanossag/</u>

<sup>&</sup>lt;sup>34</sup> Péter, Bajomi-Lázár (2015): Party colonization of the media. In: The Hungarian patient. p. 72-74.

<sup>&</sup>lt;sup>35</sup> Akadozva épül Habonyék új médiabirodalma. http://tldr.444.hu/2015/07/15/akadozva-epul-habonyek-uj-mediabirodalma/

<sup>&</sup>lt;sup>36</sup> Harsh laws and violence drive global decline. 2015, <u>https://freedomhouse.org/report/freedom-press-2015/harsh-laws-and-violence-drive-global-decline#.VcibT\_ntlHw</u>

<sup>&</sup>lt;sup>37</sup> Enyhül a nyomás az RTL-en, Simicskát viszont büntetik. 21 June 2014 http://hvg.hu/kkv/20140621\_Enyhul\_a\_nyomas\_az\_RTLen\_Simicskat\_viszo

#### **Electoral reform**

The electoral system is not a tool in the hands of the custodians of power in every democracy: whoever can, will hasten to reshape the election rules so that they match the true or presumed interests of their party, which will either prove useful or counter-productive.

It is also fair to say about Hungary's system of elections, which was remodelled between 2010 and 2014, that it had not made its designers invincible. It is true that most (but not all) of the new elements are used separately by other countries, but once the parts are combined to form a whole, where the currently governing party has a major and unjustifiable edge over its rivals, but that gap is not impossible to close. It is not by chance that Fidesz wished to have no political or technical discussion of the reform, which was a major reason behind most of the criticism offered by the Venice Commission and the OSCE about the perfect single party electoral system the reform created.<sup>38</sup>

Endorsed by its designers, the new configuration took major strides towards majority systems despite the fact that the creation of a governing majority had never been a problem in the wake of any one of the six general elections held prior to 2010. The majority logic is by no means less "democratic" than its proportional peer, and may therefore only be criticised along political values and interests. The additional weight accorded to individual constituencies, the elimination of the second round, the "compensation for the winner"<sup>39</sup> are elements that **favour the largest political power in relative terms,** which also means that they could work in favour of an opposition party with the capacity to govern once the prevailing wind of politics changes direction: as soon as support for the opposition is larger than that of the parties in government, the rules will improve the ratio of their parliamentary seats.

Several of the modifications, however, **benefit the party in power**, such as commercial radio and television channels may carry paid government messages but no promotional substance of the opposition; as such messages are not subject to the electoral code. Parties have to share no more than 470 minutes of advertising time in various organs of the public service media, which could hardly be called independent, whilst there is no time limit on promotional messages by the government.

There is also no limitation whatsoever on NGOs campaigning activities, and their accounting duties are by far less severe than those of the parties, which is tantamount to granting disproportionately large advantages to **parties with the best financial backing**. That is so, because they have the capacity to outsource part of their government to civil society organisations and can overspend the limit of HUF 995 million, which is only applicable to parties.

<sup>&</sup>lt;sup>38</sup> Venice Commission and OSCE/ODIHR: Joint Opinion on the Act on the Elections of Members of Parliament of Hungary, Strasbourg, 18 June, 2012., <u>http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2012)012-e</u>

OSCE/ODIHR Limited Election Observation Mission: Hungary, Parliamentary Elections, 6 April 2014, Final Report, <u>http://www.osce.org/odihr/elections/hungary/121098?download=true</u>

<sup>&</sup>lt;sup>39</sup> Although the compensation of the winner does not contravene the Fundamental Law (as every vote is only counted once), it can be criticised on a purely technical basis as it goes against the logic of compensation mechanisms designed to counterbalance any disproportions that develop on the majority side. That does not, however, change that fact that it tends to favour the strongest party from time to time.

The system also features elements that favour the **right wing as it changes from time to time**. Among those, the politically manipulated map of constituencies<sup>40</sup> is the most important. Moreover, poll data<sup>41</sup> and 2014 election results seem to support the assumption that the vast majority of a minor fraction of Hungarian citizens residing outside the borders who are interested in Hungarian internal affairs will support right wing parties with their votes in the foreseeable future. If that were not the case, Fidesz would hardly have extended universal suffrage to Hungarians living outside the borders in a manner that it consistently denied it before it 2010 victory at the elections.<sup>42</sup>

The far reaching modifications also include **elements with** completely **unpredictable** medium term **effects**, such as the extremely costly system which combines softer rules of candidacy and restructured campaign funding as it probably is the subsystem that jeopardises the fairness of the elections the most as it motivates the establishment of sham parties<sup>43</sup>. It is likely that Fidesz also took advantage of that in 2014, but one cannot exclude that their voters will also be approached later on by opportunists attracted by the election business.

Fidesz's overriding principle of the election reform must have been the desire to create an electoral system that can convert a relative advantage of electoral support into an absolute majority of seats or to increase the feasibility of reaching a two-thirds majority. The results of the elections in 2014 confirmed that the system was successful, yet we have no experience of a situation when a photo finish decides the race between two political powers running for office. The elements that favour the right wing, the governing party and the formation with the best financial background, as they change from time to time, get magnified under such conditions and may distort the intention of voters.

This free, but not exactly fair electoral environment conforms to the logic of "illiberal democracies" in that the legislator also intended to **minimise voter activity**. This is substantiated most ardently by the idea of preliminary registration, which failed ultimately, <sup>44</sup>, but the removal of the threshold of validity and the *de facto* ban on political advertising on radio stations and television channels also point in the same direction. What the governing party relies on as a starting point is its more committed and more active voter base, which can deliver success at the elections if the party succeeds in mobilising them while ensuring that

<sup>41</sup> Kiss, Tamás – Barna, Gergő: *Erdélyi magyarok a magyarországi és a romániai politikai térben*, INSTITUTUL PENTRU STUDIEREA PROBLEMELOR MINORITĂŢILOR NAŢIONALE, Cluj-Napoca, 2013, http://www.valasztasirendszer.hu/wp-content/uploads/Kiss-Barna -

ErdelyiMagyarokAMagyarorszagiEsARomaniaiPolitikaiTerben\_2013.pdf;

<sup>&</sup>lt;sup>40</sup> Political Capital Institute – Félúton a választási reform, 19 April 2012, pp. 8-13, in: Választásirendszer.hu, <u>http://www.valasztasirendszer.hu/wp-</u>

 $<sup>\</sup>underline{content/uploads/PCFES\_ConferencePaper\_FelutonAValasztasiReform\_120417.pdf}$ 

Ravasz, Ábel: *Felmérés: kire szavaznának a szlovákiai magyarok?*, 31 May 2013, in: Választásirendszer.hu, http://www.valasztasirendszer.hu/?p=1942044

<sup>&</sup>lt;sup>42</sup> Hírszerző: *Választójog nélküli állampolgárságot adna a Fidesz*, 23 March 2010, http://mandiner.hu/cikk/valasztojog\_nelkuli\_allampolgarsagot\_adna\_a\_fidesz

http://www.valasztasirendszer.hu/wp-content/uploads/NKE\_ValasztasiDilemmak\_2015\_2.pdf

<sup>&</sup>lt;sup>44</sup> Juhász, Attila – László, Róbert: *Az előzetes regisztráció és a demokrácia,* in: Fundamentum, 2012/4, <u>http://www.fundamentum.hu/sites/default/files/12-4-7.pdf</u>

more uncertain and more disillusioned voters stay away. Restricting the latter's access to information and this strategy of reliance on committed voters render almost all of the aforementioned modifications of the election system perfectly meaningful. The consistent destruction of the quality of education, the downgrading of governmental communication and the war declared on civil organisations take on more meaning if viewed from this perspective.

# **RUSSIA AND TURKEY: TWO ILLIBERAL SUPERMODELS**

To fully understand Orbán's illiberal vision, it is worth scrutinizing the practices of countries he referred to as models to be followed. A study of illiberal tendencies in Turkey and Russia points to striking similarities with the potential aspirations of Orbán's government as regards social inequalities, the conditions for NGOs or the media, or education (ideological indoctrination) or government rhetoric. One needs to assert right away that we do not intend to conduct a system level comparison of Hungary, Turkey and Russia as the political, economic, civilisation related and cultural pillars underpinning the power structures of these countries are completely different. We have studies the political, economic, power engineering and social organisation principled applied by Russian President, Vladimir Putin and his Turkish peer, Recep Tayyip Erdogan to secure their position in power since they took office: what the two regimes have in common is a strong cult of personality, they are nationalist driven by ideology and build themselves up in a framework of socially conservative and religious interpretation of politics. The examples we list are not always compatible with the aspirations of the Government of Hungary, as Turkey and Russia, which keep locking up alternative thinkers, are ridden with more severe problems in the area of civil liberties than Hungary, which, as a member of the European Union, essentially respects the freedom of speech. Neither of the countries examined could be classified as a embedded democracy, as it is defined by Merkel; in Turkey, democratic development was hindered among others by overly pronounced military influence<sup>45</sup>, whilst Russia failed to enforce civil rights even after the collapse of the Soviet Union.

However, in relation to Turkey it is more important to see the trajectory of Justice and Development Party (AKP), which governed Turkey for 14 years, and the process by which **Erdogan**, who appeared to be a reformer initially, became more and more autocratic as a leader of Turkey, which was seen as the role model of Islamic democracy. During his first cycle in government, the head of state, who acted a Prime Minister formerly, was moderately conservative, showed greater readiness for European integration and friendly attitudes towards the West and Israel (not unlike Orbán) only to **perform a complete paradigm shift by the end of his third term in office**. Erdogan tried to secure his own position in power by converting Turkey' parliamentary system into a presidential configuration, but he has failed so far to garner a constitutional majority or sufficient political support to do so (see the results of the election in June 2015<sup>46</sup>). The President had not qualified as moderate even before the establishment of AKP, and his progressively more autocratic current attitudes suggest that he had pragmatic considerations in mind when he initially shaped up AKP as a more moderate people's party.

Taking a closer look at Russia is not motivated in this context by Hungary's dependence on Russian energy and the current geopolitical tensions (crisis in Eastern Ukraine). As Fareed

<sup>&</sup>lt;sup>45</sup> The Turkish military has intervened into interior policy and has overthrown the government on four occasions: in 1960, 1971, 1980 and 1997.

<sup>&</sup>lt;sup>46</sup> At the parliamentary elections held on 7 June 2015, the governing Justice and Development Party (AKP) won 258 seats, the Republican People's Party (CHP) won 132, the Nationalist Movement Party (MHP) won 80 and the Peoples' Democratic Party (HDP) also won 80 seats. That way the AKP lost its simple parliamentary majority, and with coalition talks failing, early elections are in sight Turkey.

Zakaria has pointed out, it is possible to identify parallelisms in many areas between what are known as "Orbanism" and "Putinism" (such as nationalism, religiousness, social conservatism, state capitalism and government control over media), whilst there is also a definite kinship between Putin's and Erdogan's methods of organising power.

The political moves of both presidents are driven by conservative, traditionalist principles, make conscious efforts at invoking nostalgic feelings about their countries' imperial past, they both look for support mainly among religious and unsociable social layers inhabiting rural areas, who rarely travel abroad and have no real command of foreign languages. Only 17 percent of Russia's citizens hold a passport<sup>47</sup>, while the majority of Turkish citizens do not trust a single foreign country or international organisation, other than Turkey itself.<sup>48</sup> Both presidents owe their success mostly to the early upswing of growth rate of economic performance, which was a striking achievement as both Erdogan and Putin inherited countries where the condition of the economy was poor. In Russia, success was mostly due to the favourable turn of the global energy market, which doubled real income between 1999 and 2006.<sup>49</sup> During Erdogan's three terms as Prime Minister, the Turkish economy grew at an average rate of 7 percent, peaking at 11 percent in 2009 and falling below 3 percent in 2014.<sup>50</sup>

In 2000, Putin also started his career as president with a considerably friendlier approach to the West; he pushed forward for Russia' global integration by, for instance, applying for membership in the World Trade Organisation. However, when the Russian economy boomed as oil prices quadrupled, he shaped up a heavy-handed system of controlling the economy, politics and the public in order to stay in power.<sup>51</sup> As the constitution provided that he could not carry on as president after his second term, he continued as Prime Minister in 2008 and as soon as the presidential term was extended to 6 years by a constitutional amendment, he had himself re-elected in 2012. By salvaging his powerful position, Putin can remain head of state up to as long as 2024, and break the record set by Leonid Brezhnev, who ruled for 18 years. Since the escalation of the conflict in Eastern Ukraine and the military occupation of Crimea, Moscow has become considerably isolated: Russia was ousted from the G8 and its position in the Parliamentary Assembly of the Council of Europe is also shaky. The economy suffered from the sanctions of the European Union and plummeting oil prices and yet Putin managed to achieve substantial benefits on the home front from the hybrid war: His popularity index of 83 percent verifies that his secession of Crimea managed to forge true national unity. <sup>52</sup>

<sup>&</sup>lt;sup>47</sup> Hogyan működik a putyini Oroszország? Sz. Bíró Zoltán a Mandinernek. 25 March 2015. <u>http://mandiner.hu/cikk/20150324 hogyan mukodik a putyini oroszorszag</u>

<sup>&</sup>lt;sup>48</sup> The Turkish people don't look favourably to the US or any other country, really. 31 October 2014. <u>http://www.pewresearch.org/fact-tank/2014/10/31/the-turkish-people-dont-look-favorably-upon-the-u-s-or-any-other-country-really/</u>

<sup>&</sup>lt;sup>49</sup> 15 years of Vladimir Putin: 15 ways he has changed Russia and the world. 06 May 2015. http://www.theguardian.com/world/2015/may/06/vladimir-putin-15-ways-he-changed-russia-world

<sup>&</sup>lt;sup>50</sup> Turkey: a flagging growth story

<sup>&</sup>lt;sup>51</sup> Zakaria, Fareed: The rise of Putinism. 13 July 2014. <u>https://www.washingtonpost.com/opinions/fareed-zakaria-the-rise-of-putinism/2014/07/31/2c9711d6-18e7-11e4-9e3b-7f2f110c6265\_story.html</u>

<sup>&</sup>lt;sup>52</sup> Chapter 3 Russia: Public backs Putin, Crimea's secession. 08 May 2014. http://www.pewglobal.org/2014/05/08/chapter-3-russia-public-backs-putin-crimeas-secession/

#### The conditions of non-governmental organisations

To complement the classic division of the branches of power and the mutual control among public institutions, civil society also has an important function in controlling the operation of governments in the majority of Western states. First and foremost, civil organisations seek to exercise public control over state operations through the accountability of officials and politicians and by publicly evaluating government decisions.

As an important vehicle of public opinion and public life, civil organisations may play a key role in mediating between society and the state, and stifling NGOs will inevitably harm the capacity of oppressive political and public systems to solve problems.<sup>53</sup> Ankara and Moscow have lashed out against civil organisations on several fronts in recent years, and in terms of rhetoric, both Putin and Erdogan have a penchant for invoking the threats associated with "foreign agents" who represent alien interests.

Civil organisations operating in Turkey are exposed to discernible limitations and threats from the state, the severity of which became clearly visible during the environmental protests in Gezi Park in May-June 2013. Instances involved overnight attacks by Turkish police of protesters who were asleep in their tents and the European Economic and Social Committee disclosed in its report that physicians were forbidden to treat casualties after the police used tear gas and water cannons to disperse the crowd. Some physicians were sued afterwards for having disobeyed government orders.<sup>54</sup> Originally a green demonstration against a government capital expenditure project, the protests grew to become general social resistance and a symbol of protest against Erdogan in the summer of 2013. The government used its iron fist to scatter street protests which left a total of 7 thousand people injured and 5 lives were lost<sup>55</sup>. Erdogan (who was Prime Minister at the time) insisted that the protests were fuelled by an "interest rate lobby"<sup>56</sup> that served foreign interests and was envious of Turkish economic growth. In his commentary of the events in June 2013, Viktor Orbán spoke of Turkey as a politically democratic country based on free elections with all of its advantages and problems and wished Turkish leaders a lot of success in stabilising the situation.<sup>57</sup> This view of the Hungarian Prime Minister contradicts heavily with the position he stood for in connection with the police violence during the protests in Hungary in 2006.

For years, Russia has hit Russian civil society with increasingly aggressive blows; a law President Putin signed in July 2012 provoked large-scale international criticism as it required all non-governmental organisations financed from abroad to register as a "foreign agent". The law introduced severe financial and operational control over the affected NGOs, the majority of

<sup>&</sup>lt;sup>53</sup> Máté Szabó: Az EU és a civil szervezetek. Politikatudományi Szemle, 1993. Issue 3, pp. 94-95. Downloaded from: http://www.poltudszemle.hu/szamok2/1998/1998\_3szam/szabom.pdf

<sup>&</sup>lt;sup>54</sup> Highlights on civil society in European Union's 2013. progress report. <u>http://www.tusev.org.tr/en/civil-society-law-reform/other/highlights-on-civil-society-in-european-unions-2013-progress-report</u>

<sup>&</sup>lt;sup>55</sup> Erdogan cracks down. 22 June 2013. <u>http://www.economist.com/news/europe/21579873-vicious-police-tactics-have-reclaimed-taksim-square-and-other-places-protest-high</u>

<sup>&</sup>lt;sup>56</sup> Street Violence In Turkey Escalates As Riot Police Enter Taksim Square; Turkish Stocks Taksim Square Turkish Stock tank as Lira Falls. 06.11.2013. <u>http://www.forbes.com/sites/afontevecchia/2013/06/11/street-violence-in-turkey-escalates-as-riot-police-enter-taksim-square-turkish-stocks-tank-as-lira-falls/</u>

<sup>&</sup>lt;sup>57</sup> Orbán: Törökországban demokratikus politika működik. 21 June 2013.

http://www.atv.hu/egyeb/20130621\_orban\_torokorszagban\_demokratikus\_politika\_mukodik

which were reluctant to register as they said doing so would carry with it an accusation of espionage.<sup>58</sup> In response, the Kremlin held raids to explore foreign sources, obviously with the intent to intimidate. The situation turned for the worse as the conflict in Eastern Ukraine escalated and the relationship between Russia and the West deteriorated.

In spring 2015, Putin went as far as to create practically unmanageable conditions for NGOs with foreign funding: the Ministry of Foreign Affairs and the Secretary General may ban any of them from Russia with reference to the act on "undesirable organisations", i.e. ones considered to threaten the capacity of the state to defend itself and ensure security, public order or public health.<sup>59</sup> Russia's Ministry of Justice has blacklisted a total of 81 organisations so far<sup>60</sup>, including National Endowment for Democracy, which is funded by the US Congress and George Soros' Open Society Institute. An evaluation by Human Rights Watch suggest that the law is implemented selectively to a degree that activists could be fined for attending a conference abroad.<sup>61</sup>

The Orbán Government launched an attack unprecedented in the history of Hungary after the political changeover against civil organisations that are responsible for distributing the funds made available from the NGO Fund of the EEA/Norway Grants (NCTA), which the Government of Hungary has no right to dispose. The basis for filing criminal proceedings against an unknown perpetrator was an accusation that the funds distributed by the NTCA were used in Hungary to support political organisations or groupings affiliated to such organisations, such as Hungarian Environmental Partnership Foundation- Ökotárs, which is connected to Politics Can Be Different (LMP). When this accusation was confuted, the Prime Minister's Office renewed its attack with reference to financial irregularities and the National Bureau of Investigation raided the offices of Ökotárs without a warning and took with them the director of the organisation so that she should hand over the documents of organisations they requested. Most of these were civil rights organisations that audited the work of the Government of Hungary regularly (such as Hungarian Cvil Liberties Union, a human rights watchdog, and K-Monitor, an anti-corruption organisation). Later on, the Courts declared that the house search conducted at Ökotárs was illegal. Abuses of power of this kind on behalf of the authorities is reminiscent of Putin's methods of intimidation. All the more so, because Viktor Orbán had defined the organisations associated with the Norwegian NGO Fund in a manner that could be likened to Putin's rhetoric in his speech at Tusványos, way before Ökotárs was raided. "That is to say a civilian – as opposed to a professional politician – is an individual or community organised using a bottom-up approach, has funds of its own and is naturally voluntary. Now, as compared to that, if I look at Hungary's civil world, the one that regularly appears in the media – and the recent debates about the Norway fund have revealed that –, then what

https://www.amnesty.org/en/latest/news/2015/07/russia-begins-blacklisting-undesirable-organizations/

<sup>&</sup>lt;sup>58</sup> Lugovoi submits bill raising pressure on "foreign agents". 26 April 2014. <u>http://www.themoscowtimes.com/news/article/lugovoi-submits-bill-raising-pressure-on-foreign-agents/498946.html</u>

<sup>&</sup>lt;sup>59</sup> Putin signs law to ban "undesirable" organizations from Russia. 14 May 2015. <u>http://www.independent.co.uk/news/world/europe/putin-signs-new-law-to-ban-undesirable-organisations-from-russia-10273199.html</u>

<sup>&</sup>lt;sup>60</sup> Russia begins blacklisting "undesirable" organizations. 28 July 2015.

<sup>&</sup>lt;sup>61</sup> Russian civil society deemed "undesirable". 20 May 2015. <u>https://www.hrw.org/news/2015/05/20/russian-civil-society-deemed-undesirable</u>

I see is paid political activist. On top of it all, these paid political activists are political activists remunerated by foreigners'' – the Prime Minister said.<sup>62</sup> Orbán's rhetoric at this point tangibly echoes the allegations of foreign intervention referred to in the governmental discourse used by Russia and Turkey.

#### **Government rhetoric**

Putin and Erdogan control their parties firmly as strong-armed leaders, which the Turkish President is capable of achieving without being the official head of AKP. Both press forward to demonize their political opponents while applying pluralist rhetoric to suggest that they are the only ones to represent the interests of their people.<sup>63</sup> Viktor Orbán has been pursuing the same strategy since 2002, when he declared openly for the first time that "The homeland may not be in opposition." All embracing populism, importantly, couples with Western-scepticism, which has typical features that Anna Szilágyi diagnosed in the rhetoric of systems that resort to narrowing down democracy as a tool. Western and global institutions that criticise a regime of this kind will be displayed as oppressive forces that aggressively interfere with matters reserved for the given nation state.<sup>64</sup> As Viktor Orbán's rhetoric about illiberal Western democracies was mentioned in Chapter I, we would only discuss one aspect of parallels with Hungary. Erdogan and Putin are also known for their (proprietary versions of) anti-Western rhetoric, which has become more and more pronounced in the past ten years, and suggested that they stood for the interest of their nations and the opposition functioned as a puppet of foreign powers.

"What I am saying is clear. Whoever comes from outside the Muslim world likes nothing else in Islamic lands but oil, gold, diamond, cheap labour, conflicts and arguments. Believe me, they do not like us. The like watching how we and our children die. How long are we going to tolerate that? President Erdogan's words in December 2014 illustrate clearly the depth of anti-Western feeling that saturated the rhetoric of AKP, which rose to power in 2002 with what was seen back then as a moderate agenda. During its first term, the Erdogan Cabinet truly behaved as committed reformers who sided with the EU, their official communications held no trace of attacks against the West, and although the founders had Islamic track records, they shed the nationalist and religious factor during the election campaign.<sup>65</sup> Although Erdogan was known to entertain anti-US views, but he refrained from publicly articulating those between 2003 and 2011.<sup>66</sup> The policies of AKP at the time zoned in on European integration and the far-reaching

<sup>&</sup>lt;sup>62</sup> Viktor Orbán's speech at Tusványos, uncut. 29 July 2014. <u>http://www.hir24.hu/belfold/2014/07/29/orban-viktor-vagatlanul/</u>

<sup>&</sup>lt;sup>63</sup> Erdogan frequently presents himself as the sole advocate of Turkish interests: that is exactly what he conveyed as a message to his rivals in 2014 when he accepted his parties support for his candidacy as president, and said: We are the people, who are you? See: Erdogan and the paradox of populism. 11 August 2014. http://www.socialeurope.eu/2014/08/erdogan-paradox-populism/

<sup>&</sup>lt;sup>64</sup> Szilágyi, Anna: A választásos önkényuralom kiépítése Magyarországon. 2012. 5th issue.

http://ketezer.hu/2012/05/szilagyi-anna-a-valasztasos-onkenyuralom-kiepitese-magyarorszagon/

<sup>&</sup>lt;sup>65</sup> Taspinar, Omar: Kurdish Nationalism and Political Islam in Turkey Routledge New York & London 2005. p. 162.

<sup>&</sup>lt;sup>66</sup> Anti-Western bias in Erdogans's Turkey. 01 December 2014. <u>http://www.todayszaman.com/anasayfa\_anti-western-bias-in-erdogans-turkey\_365853.html</u>

economic and political reforms required to achieve that, and the reforms were instrumental both for starting the accession talks and for driving Turkey's triumphant neo-liberal economic progress<sup>67</sup>. Supported by a former ally, Fetullah Gulen, Erdogan managed, by the end of his third term, to narrow down the room of manoeuvring of the military, which had regularly interfered with politics, and to stabilize the position of his party in power, which was first shaken during the Taksim Square protests in 2013 and the subsequent corruption scandals. Simultaneously with those developments, the anti-Western stance of the government surfaced visibly by the end of the third term. Erdogan explained away the protests against the government with the intervention of foreign powers and even referred to "foreigners being envious of Turkey's economic success" as an excuse for the corruption scandal that also involved the government. All of that was well received by the Turkish public, which has the tendency to fall for conspiracy theories.<sup>68</sup>

Erdogan's rhetoric is characterised nationalism and anti-Western views coupled with conservative Islamist views and a preference for the traditional family model, which is incompatible with extending the rights of sexual minorities<sup>69</sup>. The President frequently gives voice to the opinion that a Turkish women should be willing to give birth to at least three children, he referred repeatedly to the need to ban abortions, and even chanced to say on one occasion that birth control was tantamount to treason.<sup>70</sup> Viktor Orbán offered a reserved evaluation of Turkey's achievements in demographic indicators during the visit to Hungary of Turkish Prime Minister Ahmed Davutoglu in February.<sup>71</sup>

Vladimir Putin did not begin his political career as a *persona non grata* in Europe, either. **"I** cannot imagine my own country in isolation from Europe and what we often call the civilised world," said Putin, who was acting president after Boris Yeltsin's sudden resignation on New Year's Eve 1999<sup>72</sup> Compared to what he said, exactly the opposite occurred in Russia 15 years later. Autocratic as it was, Putin's system took a sharper turn towards heavier repression in 2012 after the early signs of economic slow-down and the rigged presidential elections, when a combination of populist rhetoric and intimidation was used in an attempt to calm the disillusioned middle classes. Measures included tightening control over the internet,

<sup>70</sup> Turkish president declares birth control "treason". 22 December 2014.

http://www.hurriyetdailynews.com/turkish-president-erdogan-declares-birth-control-

<sup>&</sup>lt;sup>67</sup> Történelmi választás: Erdogan putyini vezércselre készül. 07 August 2014.

http://kitekinto.hu/europa/2014/08/07/tortenelmi valasztas erdogan putyini vezercselre keszul/

<sup>&</sup>lt;sup>68</sup> A survey conducted by Genar research institute found that 70.6 percent of Turkish respondents thought foreign powers were responsible for the corruption scandal in 2013 and 73.9 percent is convinced of the existence of a parallel state. <u>http://www.medyaline.com/2014-yerel-secimler-en-son-secim-anketleri\_57008.html</u>

<sup>&</sup>lt;sup>69</sup> Homosexuality contrary to islam. 26 March 2013. http://www.jpost.com/International/Erdogan-Gays-contraryto-Islam-307797

treason.aspx?pageID=238&nID=75934&NewsCatID=338

 $<sup>^{71}</sup>$  "Hungary should study why Turkey is successful, the Prime Minster continued, who reduced the merits of the Turkish model to child birth and the family at the press conference. There is no country where the number of newborn children is as high as in Turkey, which means, Turkey attaches the greates value to families in Europe. The Prime Minister thinks Hungary should learn from the Turkish example the lesson that *"if we want to be successful , we need to take families seriously"* – Viktor Orbán said at a joint press conference on 24 February 2015.

<sup>&</sup>lt;sup>72</sup> 15 years of Vladimir Putin: 15 ways he changed Russia and the world. 06 May 2015. <u>http://www.theguardian.com/world/2015/may/06/vladimir-putin-15-ways-he-changed-russia-world</u>

redefining the concept of treason, introducing the definition of "foreign agent", passing homophobic legislation and reinserting the libel procedure into the civil code.<sup>73</sup>

The sense of "the enemy at the gates" and being threatened by "foreign powers" expressed itself most visibly in measures such as the "foreign agent" legislation discussed above. Putin's communication can therefore be best described with the theory of "securitization"<sup>74</sup>, which uses references to being threatened to legitimise geopolitical moves such as the intervention in Eastern Ukraine. Let us take, for instance, the western-friendly protesters at Majdan Square, Ukraine, who the Kremlin consistently referred to as fascist, ultra-nationalist and anti-Semitic, and the protesters who demonstrated at the same venue for LGBT rights<sup>75</sup> who the Kremlin classified as a threat to traditional values and hence Russia.

Moscow subsequently invoked the need to protect ethnic Russian residents to legitimise the intervention. <sup>76</sup> While Putin was characterised by a relative lack of ideologies, but starting his third presidential term, he pressed more forcefully for the protection of traditional religious values so as to appeal to grassroots conservative supporters outside Russia's cities, who make up 80 percent of the population.

Referring to the moral crises of the Western world, Putin argued Russia should avoid the example of European countries that were "going away from their roots", by legalising gay marriage and excessive "political correctness". <sup>77</sup> It was in the same vein that a bill seeking to restrict the rights of sexual minorities by "banning gay propaganda" was enacted. The act provides that the dissemination of any information "directed at forming non-traditional sexual setup" is classified as punishable propaganda in Russia.<sup>78</sup> A major pillar supporting Kremlin's anti-gay rhetoric involved argumentation that the United States infected other countries with the "LGBT phenomenon" as a demographic weapon to weaken Russia, where population data have shown a significant turn for the worse<sup>79</sup>.

Two brief remarks about the System of National Cooperation as developed by the Orbán Government are worth mentioning here. One of these involves the concept of national unity, which clearly tops Viktor Orbán's messages about home affairs and foreign policy and radiates

<sup>&</sup>lt;sup>73</sup> Hogyan működik a putyini Oroszország? Sz. Bíró Zoltán a Mandinernek. 25 March 2015. <u>http://mandiner.hu/cikk/20150324\_hogyan\_mukodik\_a\_putyini\_oroszorszag</u>

<sup>&</sup>lt;sup>74</sup> The theory, which has connections with the Copenhagen school, was developed by Ole Weaver and Barry Buzan, who suggested securitization was a step that placed politics outside the accepted rules of the game and, in extreme cases, certain issues are shown as a threat to existence. That occurs when the sense of being threatened legitimises shrugging of the rules or many will commonly agree that a jeopardy truly threatens existence. http://old.biztonsagpolitika.hu/?id=16&aid=1039&title=biztonsagiasitas-securitisation

<sup>&</sup>lt;sup>75</sup> No place for gays in Putin's Crimea. 31.03.2015. <u>http://euromaidanpress.com/2015/03/31/no-place-for-gays-in-putins-crimea/</u>

<sup>&</sup>lt;sup>76</sup> Putin says he reserves right to protect Russians in Ukraine. 04 March 2014.

https://www.washingtonpost.com/world/putin-reserves-the-right-to-use-force-in-ukraine/2014/03/04/92d4ca70a389-11e3-a5fa-55f0c77bf39c\_story.html

<sup>&</sup>lt;sup>77</sup> Putin urges russians return to values of religion. 19 September 2013. <u>http://www.ft.com/intl/cms/s/0/cdedfd64-214f-11e3-a92a-00144feab7de.html#axzz3ihs1zjKM</u>

<sup>&</sup>lt;sup>78</sup> Vladimir Putin signs anti gay propaganda bill. 30 June 2013.

http://www.telegraph.co.uk/news/worldnews/europe/russia/10151790/Vladimir-Putin-signs-anti-gay-propagandabill.html

<sup>&</sup>lt;sup>79</sup> Russia's demography just took a significant turn for the worst. 12 March 2015.

http://www.forbes.com/sites/markadomanis/2015/03/12/russias-demography-just-took-a-significant-turn-for-the-worse/

the image of something like a family that it there to protect every Hungarian from the threats and challenges of globalisation.<sup>80</sup> The second supports the conclusion that the application of the theory of securitization is also detectable in Hungary's immigration policy; the Government of Hungary appears as a defender of mainstream society with reference to the threat refugees represent. There is a major difference in that Putin uses this approach for justifying foreign policy measures, while Orbán uses securitization to achieve domestic policy benefits.

#### **Education and indoctrination**

Putin, whose ideology is based on orthodox Christian values and national pride, is not far from historical revisionism, which he tries to approach among others through education. It was during his third term that a plan was proposed to standardise Russian public textbooks, which matches perfectly the Kremlin's political aspirations. Based on the revised principles, Stalin's rule, for instance, is presented with a soft-lensed approach, describing the Soviet dictator as an "efficient manager" who used forced labour to promote an economic breakthrough. The textbook paints a pointedly stark picture of Russia under Yeltsin, and suggests the integrity of the country was at stake, in contrast, the section on Putin presents selective episodes and contains unique interpretation (as it fails to mention the second war in Chechnya and belittles the role of Russia's leadership in the economic crisis of 2008).<sup>81</sup> All of this serves to strengthen the role of the state as a central actor by driving home the message that state interests enjoy supremacy over individual rights. Soviet leaders and historic personalities were presented through their countless sacrifices for Russia but whose actions were always justifiable. The "skirmish" about politics of memory and indoctrination used to glorify Russia's role in World War II became common practice after 2005 and essentially seeks to condition young Russians to support their leaders.<sup>82</sup>

In Turkey, education was also used as a vehicle of ideology. This also holds for the period of Kemal Atatürk, who is credited with being the founder of modern Turkey, when attempts were made to weed out religious values from the system of education by banning religious secondary schools training imams (imam hatips). Starting the late forties brought the first steps to rehabilitate Islam in public life, and religious schools were allowed to restart, and the process gained momentum during the operation of Erdogan's governments. Figures offer proof: when AKP took office in 2002, "only" 65 thousand students were enrolled in imam hatips, while their numbers approximated one million by the end of 2014. Actually, the number of imam hatips jumped from 493 to 936 in response to the educational policy reforms introduced by the AKP in 2010, which reclassified general secondary schools as vocational training schools. <sup>83</sup> Several recent attempts have indicated the government's intention to integrate Islam more definitively into the system of secular education: a plan suggested to build mosques on

 <sup>&</sup>lt;sup>80</sup> Bozóki, András (2015): Broken democracy. In: The Hungarian patient. Ivan Krasztev, Jon Van Til. p. 13-14.
 <sup>81</sup> Russian schools to teach Putin's version of history. 18 June 2013.

http://www.bloombergview.com/articles/2013-06-18/russian-schools-to-teach-putin-s-version-of-history

<sup>&</sup>lt;sup>82</sup> The four stages of Putinism. 27 February 2013. <u>http://www.project-syndicate.org/commentary/the-coming-fall-of-vladimir-putin-by-andrei-piontkovsky</u>

<sup>&</sup>lt;sup>83</sup> Erdogan launches Sunni Islamist revival in Turkish schools. 16 December 2014. http://www.newsweek.com/2014/12/26/erdogan-launches-sunni-islamist-revival-turkish-schools-292237.html

the campuses of 80 different state universities and to convert a university in Istanbul into a centre of Islamic teaching. Simultaneously, continuous attempt are directed at deepening nostalgic feelings towards the former empire, such as Endogan's claim to teach Ottoman as a mandatory subject at school.<sup>84</sup> A reform introduced last September granted Ankara larger competence in appointing head teachers with serious influence on selecting available subjects, as thousands of their ranks have been replaced by specialists from imam hatips or from conservative teacher's unions affiliated to the government.<sup>85</sup>

Orbán's government created tensions in the system of education with its plan to reduce the number of places open for students wishing to study in higher education, by binding university graduates to Hungary and by lowering the budget allocation<sup>86</sup>, but the guidelines of instruction and governmental attempts at influencing curriculum also received a mixed response. Tensions grew between the Hungarian Government and teachers in connection with the centralisation of the supply of textbooks, when the new legislation on textbooks approved in December 2013 realigned the market. The Hungarian state acquired two publishers, Apáczai and Nemzedékek Tudása, and obliged institutions to order their textbooks exclusively from these two publishers. In that regard teachers complained about the violation of their freedom to purchase any teaching material<sup>87</sup>, and protested because of the inferior quality of pilot textbooks they were forced to use.<sup>88</sup>

#### **Clientelism, influential oligarchs, corruption**

The review of the literature also revealed that hybrid regimes have a greater tendency for clientelism, where a system of connections play a role in organising society and is based on personal loyalty to a patron rather than meritocratic principles and administrative professionalism. In the case of Russia this is true to the degree that all of Putin's administration cemented by personal loyalty to the President: 78 percent of government officials and businessmen around Putin were selected during Putin's second term from the former KGB or its successor the Federal Security Service (FSB).<sup>89</sup> (Vladimir Putin acted as the director of the FSB for a year and a half starting 1998.) Putin's administration is therefore fundamentally determined by the network of "siloviki", i.e. politicians formerly employed by secret, security or military services, including both the President's former network of contacts in Saint Petersburg, and the network of the former KGB or current FSB; their loyalty to Putin is unquestionable.<sup>90</sup> Just as the oligarchs who made tremendous fortunes during the privatisation

<sup>&</sup>lt;sup>84</sup> Ottoman language will be taught, weather they like it or not. 08 December 2015.

http://www.todayszaman.com/anasayfa\_erdogan-ottoman-language-will-be-taught-whether-they-like-it-or-not\_366364.html

<sup>&</sup>lt;sup>85</sup> Erdogan launches Sunni Islamist revival in Turkish schools. 16 December 2014.

http://www.newsweek.com/2014/12/26/erdogan-launches-sunni-islamist-revival-turkish-schools-292237.html <sup>86</sup> A HÖOK ma nem tárgyal Balogh Zoltánnal. 11 December 2012. <u>http://www.vg.hu/kozelet/politika/a-hook-ma-nem-targyal-balog-zoltannal-393491</u>

<sup>&</sup>lt;sup>87</sup> Három hónap alatt dobták össze a tankönyvet. 29.03.2015. <u>http://nol.hu/belfold/kiserleti-tankonyvek-csoda-hogy-eddig-csak-ennyi-hiba-jott-szembe-1524903</u>

<sup>&</sup>lt;sup>88</sup> Titokban más tankönyvből tanítanak a tanárok. 11.2014.

http://index.hu/belfold/2014/11/27/titokban mas tankonyvbol tanitanak a tanarok/

<sup>&</sup>lt;sup>89</sup> Securitization of Russia's strategic communication. 2010, <u>http://www.dtic.mil/dtic/tr/fulltext/u2/a536578.pdf</u>

<sup>&</sup>lt;sup>90</sup> The making of a neo-KGB state, 25 August 2007. <u>http://www.economist.com/node/9682621</u>

under Yeltzin's rule, Putin's reliable allies also occupied key positions in the economy. Arkady Rotenberg, a former judo coach moved to become a billionaire industrialist by 2012 after selling pipe worth a fortune to state-owned Gazprom. Yury V. Kovalchuk owned a minority stake in a Saint Petersburg bank, which now controls several Gazprom subsidiaries.<sup>91</sup> It speaks for itself that one third of the country's total wealth is held by less than 110 billionaires in Russia<sup>92</sup>, which earned the country a leading position in social inequality rankings. Burgeoning corruption is another closely related phenomenon, as Russia fell to 136<sup>th</sup> position according to Transparency International<sup>93</sup>, while Putin was named Person of the Year by the Organized Crime and Corruption Reporting Project last year, accusing him of having created a "military-industrial-political-criminal complex" that furthers money laundering and arming Russian-backed separatist rebels in Eastern Ukraine.<sup>94</sup> Actually, the crisis in Eastern Ukraine showed that the Kremlin is unwilling to change its policies despite the economic sanctions imposed on Russia's oligarchs, that is to say actual geopolitical interests keep overriding economic interests in Russia.

In Turkey, not unlike in Russia, a smaller group of oligarchs dominate the country's economy, but they are not strictly related to a single person or one political grouping. Founded in 1971, TÜSAID (Turkish Industrialists' and Businessmen's Association), which unites the most influential Turkish families is reckoned to be an outstanding base, as it was driven by pragmatic considerations in its decision to support one or another government or military coup. Erdogan's government, which implemented a successful program of privatisation ranging from the energy sector through cigarette manufacturing to telecommunications, fostered good relations with TÜSIAD since the very beginning, which gave it full support for implementing the reforms needed to join the EU and lobbied actively to promote Turkey's EU membership.<sup>95</sup>

The more the policies of the AKP government shifted towards hardliner views, the more critical TÜSAID became towards the government and when it accused Erdogan's regime of frightening away foreign investors, the President responded by accusing TÜSAID of treason. When Divan Hotel, which is affiliated to the Koc dynasty, one of Turkey's most influential families, opened its doors for protesters who fled from the tear gas during the protests in Taksim Square, Erdogan retaliated by charging them with "supporting terrorists" and a month later police units raided several companies affiliated to the family.<sup>96</sup> Corruption left its ugly

<sup>&</sup>lt;sup>91</sup> Midas touch in Saint Petersburg: friends of Putin glow brightly. 01 March 2012.

http://www.nytimes.com/2012/03/02/world/europe/ties-to-vladimir-putin-generate-fabulous-wealth-for-a-selectfew-in-russia.html?hp& r=0

<sup>&</sup>lt;sup>92</sup> Putting Russia's unparalleled wealth disparity in Perspective. 10 October 2013.

http://www.businessinsider.com/putting-russias-unparalleled-wealth-disparity-in-perspective-2013-10

<sup>&</sup>lt;sup>93</sup> Corruption perception index in 2014. <u>https://www.transparency.org/cpi2014/results</u>

<sup>&</sup>lt;sup>94</sup> <u>https://www.occrp.org/personoftheyear/2014/</u>

<sup>&</sup>lt;sup>95</sup> Turkey's urban uprising: the struggle for democracy against inequality, oppression, oligarchy and tyranny. <u>http://andrewgavinmarshall.com/2013/06/07/turkeys-urban-uprising-the-struggle-for-democracy-against-inequality-oligarchy-oppression-and-tyranny/</u>

<sup>&</sup>lt;sup>96</sup> Is Audit of Koc companies Erdogans's revenge for Gezi Park? <u>http://www.al-monitor.com/pulse/originals/2013/07/koc-audit-raid-turkey-interest-rate-lobby-gezi.html#</u>

mark on AKP most visibly during the wiretapping scandal in 2013, which the governing party has not been able to get rid of effectively ever since.<sup>97</sup>

Since the political changeover, Hungary has also witnessed the development of networks of influential businessmen surrounding the government in office. Although Viktor Orbán promised before his rise to premiership in 2010 to cut the ties of corruption connecting politics and business, businessmen with close links to Fidesz had managed to cement their position in the economy half way into the second term of Orbán's government. Lajos Simicska was seen as the strongest oligarch in the vicinity of the governing party up to 2015: the sales of Közgép, which he owns, rose by 50% between 2010 and 2011.<sup>98</sup> After Simicska fell from grace<sup>99</sup> his position was occupied by persons close to Viktor Orbán, such as Lőrincz Mészáros, mayor of Felcsút. A report Transparency International published last suggests Hungary maintains its position in the more corrupt bottom third of the European Union, as governmental decisions lack transparency, which is exacerbated by legislation passed in favour of business circles and oligarchs close to the government. The international corruption watchdog emphasised for instance that "the laws introducing arbitrary changes in the retail trade of tobacco and for domestic savings associations are serious violations of the principles of the rule of law". <sup>100</sup>

#### Media

A survey conducted the Council of Europe found that Turkey and Russia, both CoE member states, are among the countries with most cases of media violation<sup>101</sup>, they seriously restrict freedom of speech, while Freedom House rated the press in both countries as not free<sup>102</sup>. It speaks for itself that there are more journalists in detention in Turkey than in China or Iran and social media pages have been repeatedly switched off. President Erdogan openly threatened several critical journalists<sup>103</sup>, and the Turkish authorities frequently proceed against individuals who 'insult' the Prime Minister on the pages of social media.<sup>104</sup> A journalist was detained with

<sup>104</sup> 3 detained in Turkey for "insulting" president Erdogan on Twitter. 13 March 2015. <u>http://www.hurriyetdailynews.com/3-detained-in-turkey-for-insulting-president-erdogan-on-twitter-</u>

.aspx?pageID=238&nid=79665

<sup>&</sup>lt;sup>97</sup> Dozens of politicians and businessmen suspected of official abuse, fraud and bribery were apprehended on 17 December 2013 as part of a corruption round-up involving several cases that extended as far as President Erdogan's son. The scandal culminated in the subsequent resignation of four minsters, but the details remained unclear as the Prosecution Service ended the investigation against them under pressure from the government.
<sup>98</sup> https://freedombouse.org/report/nations\_transit/2013/hungarytt\_Vo3APumocho.

<sup>&</sup>lt;sup>98</sup> https://freedomhouse.org/report/nations-transit/2013/hungary#.Vc3APvmqqko

<sup>&</sup>lt;sup>99</sup> The relationship between the Prime Minister and his former ally deteriorated visibly at the beginning of Viktor Orbán's third term, with news about the breach published after the second amendment of the advertising act, which hit Simicska's media empire unfavourably.

<sup>&</sup>lt;sup>100</sup> A korrupció 2014-es világképe. CPI 2014. <u>http://transparency.hu/A\_korrupcio\_2014-</u>es vilagterkepe?bind info=page&bind id=77

<sup>&</sup>lt;sup>101</sup> Media violation remains frequent in Turkey, Russia and Azerbaijan. 22 April 2015.

http://europeanjournalists.org/blog/2015/04/22/media-violations-remain-frequent-in-turkey-russia-and-azerbaijan/ <sup>102</sup> Freedom House of the press 2014: Media freedom hits decade low. 01 May 2014

https://freedomhouse.org/article/freedom-press-2014-media-freedom-hits-decade-low#.VdHCcPntlHw

<sup>&</sup>lt;sup>103</sup> One of the most outrageous cases involved the assassination of Hrant Dink, a journalist of Armenian descent, who was shot dead in broad daylight in 2007 by an ultra-nationalist youth, because Dink had criticised the official position of the government on the 2015 genocide in Armenia. The courts re-started hearings of the case under a criminal conspiracy charge, but there is no knowledge yet of any involvement of governmental bodies.

reference to the 2005 Act on Countering Terrorism because he ventured to write about Kurdistan Workers' Party or in general about the rights of the Kurd minority, also, media workers are easily banned from court hearing rooms with reference to section 288 of the Penal Code if their "intention to influence" the proceedings is substantiated.<sup>105</sup> The realignment of political alliances also left its mark on the structure of Turkish media; while the media empire (the daily Today's Zaman and Samanyolu Television) affiliated to Fetullah Gulen, who used to be an AKP ally, was loyal to the government, at present they it occupies the position of the government's conservative critical opposition in the market, much like Simicska's media empire in Hungary. Since the relationship between Erdogan and Gulen deteriorated in 2013, the TUrkish authorities arrested the employees of the affected media empire in series of raids<sup>106</sup>, and several journalist had been detained even before that in connection with the trial of Ergenekon under charges of conspiracy against the state.<sup>107</sup>

In Russia, freedom of the press conditions kept deteriorating year after year during Putin's regime only to worsen bitterly with the escalation of the crisis in Eastern Ukraine; a report by Reporters Without Borders claims that independent media and especially web sites, which bring into doubt the fundamentals of the regime, are brought under constant pressure while public service channels air messages of government propaganda, not to mention the physical terror directed at journalist with critical views of the government.<sup>108</sup> Currently, Putin's regime is trying hard to keep a firm grip on all of the dimensions of producing media content, it issued a presidential decree to liquidate the press agency RIA Novosti and founded Rossiya Segodnya (Russia Today) instead, appointing Dmitry Kiselyov, commonly known for his anti-US conspiracy theories, as head.

As one of the most important players in Putin's media apparatus, he extended his influence to Russia Today, a popular channel that moved to become a global player with Kremlin's support, and he is also in charge of Sputnik, Russia's most recent propaganda channel, which airs its programs to 34 countries.<sup>109</sup> The internet has been practically subject to open censorship since 1 January 2014, when Roskomnadzor, a service acting under the auspices of the Federal Ministry of Communications, which was originally set up to protect children from undesirable threats associated with the web, was granted powers to suspend any internet site. No less than 85 websites had been switched off up to April last year with reference to an elastic rule<sup>110</sup>, including the shut-down of four opposition portals simultaneously o 13 March 2014.<sup>111</sup> Putin's

<sup>106</sup> Raids across Turkey targets media outlets linked to Erdogan foe Fetullah Gulen. 2014. 12. 14.

<sup>&</sup>lt;sup>105</sup> Turkey: world's biggest prison for media. 17 February 2013

http://www.aljazeera.com/indepth/features/2013/02/2013217124044793870.html

http://www.euronews.com/2014/12/14/raids-across-turkey-target-media-outlets-linked-to-erdogan-foe-fethullahgulen-/

<sup>&</sup>lt;sup>107</sup> 2013 Freedom House report about freedom of the press in Turkey. https://freedomhouse.org/report/freedom-press/2013/turkey#.VdG-rvntlHw

<sup>&</sup>lt;sup>108</sup> https://index.rsf.org/#!/index-details/RUS

<sup>&</sup>lt;sup>109</sup> Russia launches new media to lead "propaganda war" with the west. 10 November 2014. <u>http://www.reuters.com/article/2014/11/10/russia-media-idUSL6N0T04MB20141110</u>

<sup>&</sup>lt;sup>110</sup> Roskomnadzor blocks 85 websites with extremist content in 2014 so far. 23 April 2014. http://www.kyivpost.com/content/ukraine/roskomnadzor-blocks-85-websites-with-extremist-content-in-2014-so-far-344760.html

<sup>&</sup>lt;sup>111</sup> Russia blocks internet sites of Putin critics. 13 March 2014. <u>http://www.reuters.com/article/2014/03/13/us-russia-internet-idUSBREA2C21L20140313</u>

communications propaganda offensive also relies on Kremlin-sponsored voluntary civil internet bloggers ("trolls"), who speak out to attack western ways of living in defence of traditional Russian values.<sup>112</sup>

<sup>&</sup>lt;sup>112</sup> Game of trolls: the hip digi-kids helping Putins fight for online supremacy. 18 August 2015. <u>http://www.theguardian.com/world/2015/aug/18/trolls-putin-russia-savchuk?CMP=share\_btn\_fb</u>

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