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Hungary in Democratic Backsliding
An Overview of Internal and External Explanations

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Abstract:

Democracy has been the cornerstone of the European Union since its foundation, however, since Viktor Orbán and his Fidesz party took office, what has been happening in Hungary is greatly undermining the democratic values in the EU. In that context, this thesis seeks to examine what results in the democratic backsliding in a country which was once one of the most successful stories of democratization. While a great amount of research has been dedicated to the causes of democratic backsliding in Hungary, most of them focus on either domestic or EU-level explanations. Meanwhile, this thesis argues that a combination of internal and external factors contributes to the erosion of democracy in Hungary. In order to support this argument, the thesis adopts policy analysis for the EU-level explanation while employing a combination of historical analysis and analysis of survey data to explore the domestic trigger. The findings show that externally, the EU mechanisms, which are Copenhagen Criteria and Article 7 of the Treaty on European Union, create a permissive environment for the democratic backsliding in Hungary. Meanwhile, internally speaking, a weak civic culture in Hungarian society embodying low consciousness of democracy, low public participation and distrust of public institutions allows the executives to continuously increase their power.

Keywords: Hungary, Democratic backsliding, Copenhagen Criteria, Article 7, Civic culture

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1 Introduction

1.1 Context

The European Union has been steadfastly promoting and protecting the democratic values since its foundation, and for the sake of protecting these core values from any degradation in the process of EU integration, the Copenhagen Criteria, namely The Accession Criteria, was enacted in 1993. This set out a series of essential conditions all candidate countries must satisfy before becoming a member state. With the collapse of the Soviet Union in 1989-91, the countries in the former Communist Bloc were longing to be admitted to the European Union while on the other hand, the European Union had a strong desire to “ensure peace, stability and economic prosperity in a re-unified Europe”¹. In that context, the largest enlargement of the European Union was initiated in 2004 with the joining of ten new member states, seven of which were part of the former Eastern Bloc. In order to meet the Copenhagen Criteria, the post-communist countries in Central and Eastern Europe initiated all sorts of political, economic and social reforms. As a result, they became the forerunners of the democratic transition and smoothly moved towards the democratic consolidation subsequently. However, in recent years, the member states in Central and Eastern Europe have been shifting towards democratic backsliding to different extent, the most notorious case of which would be Hungary. Since Viktor Orbán and his Fidesz party came to power in 2010, Hungarian democracy has been experiencing a sharp decline through a series of initiatives from the incumbent government including altering the election system so that Orbán and his Fidesz party would win the future elections, increasing restrictions on the media freedom and civil society, and what’s worse, “systematically dismantling checks and balances, undermining the rule of law, limiting independence of judiciary”². With the ongoing democratic backsliding in the Hungarian society, the EU’s fundamental values are being under a great threat.

¹ “The 2004 enlargement: the challenge of a 25-member EU,” EUR-Lex, last updated January 23, 2007, <https://eur-lex.europa.eu/EN/legal-content/summary/the-2004-enlargement-the-challenge-of-a-25-member-eu.html>

² Bojan Bugarič, “Protecting Democracy inside the EU: On Article 7 TEU and the Hungarian Turn to Authoritarianism,” in *Reinforcing rule of law oversight in the European Union*, ed. Carlos Closa, and Dimitry Kochenov (Cambridge: Cambridge University Press, 2016), 82-102. <https://doi.org/10.1017/CBO9781316258774.006>.

1.2 Research Aim and Question

In that context, the purpose of this thesis is to study external and internal triggers for the democratic backsliding in the Hungary case, in the hope of providing some inspirations for what can be done at the EU level and national level to effectively address such a challenge.

The research question of the thesis would be:

Externally speaking, why are EU mechanisms, especially the Copenhagen Criteria and Article 7 of the Treaty on European Union, unable to prevent Hungary from democratic backsliding?

Internally, what has the civic culture in Hungary been like since its democratic transition? And how has it become a catalyst for the erosion of democracy?

This article seeks to fill the literature gap by examining the democratic backsliding in Hungary from both external and internal perspectives. Given the uniqueness of Hungary, that is, it is not a sovereign nation, but also an EU member state, it is not enough to explain the democratic backsliding in Hungary through internal lens while ignoring the inability of EU policies and vice versa. Meanwhile, in terms of the internal trigger, this thesis will explore how a weak civic culture makes the erosion of democracy possible in a country which was once a successful story in democratic transition.

1.3 Structure

The thesis is structured as followed: Section 2 outlines the existing literature on democratic backsliding in Hungary, categorizing them into internal and external perspectives respectively, and then discusses the inadequacy of previous research; Section 3 presents the theoretical framework employed in the thesis, which are democracy, democratization, democratic transition and democratic backsliding, and thus discusses what has been missing in the democratization process in the case of Hungary; Section 4 frames the quantitative and qualitative methods used for the research question, including the rationale for adopting these methods as well as what they are targeted for in the analysis part; Section 5 details the analysis of external and

internal factors for the democratic backsliding in Hungary, that is, inability of the EU mechanisms in safeguarding the democratic values as well as negative effects of a weak civic culture in preventing the erosion of democracy; and Section 6 summarizes the above-mentioned research findings and suggests some inspirations for the future research on this topic.

1.4 Research Rationale

Instead of discussing factors such as societal disintegration and party polarization, this thesis attempts to analyze democratic backsliding in Hungary from a perspective that is directly related to democracy itself. It can be found that a robust civic culture plays an indispensable role in the proper functioning of a democracy, with high political participation, strong consciousness of democracy and citizenship as well as active civic engagement. Therefore civic culture is a critical factor in understanding why some democracies withstand backsliding while others do not. In that sense, the thesis seeks to shed light on how the civic culture has been like since the onset of democratic backsliding and testify if the above-mentioned traits of a healthy civic culture can be found in the Hungarian society. On the other hand, despite Viktor Orbán's entry into power being directly correlated with the democratic backsliding in 2010, this thesis will place its focus on the development of civic culture before that instead. This is because this thesis argues that the erosion of democracy is not something unimaginable, given that the democratization in Hungary has been problematic from the very beginning. It is exactly this long-lasting deficiency that provides space for the democratic backsliding since Orbán came to power. In other words, in this thesis, it emphasizes the positioning of civil society as a potential cause for democratic backsliding, instead of something that is in sync with the erosion of democracy. At the same time, given the fluidity of civic culture, it is inadequate to only focus on how civil society was at a specific point. Therefore, the thesis will make a comparative analysis of civic culture at two different periods, in the hope of exploring if the civic culture in Hungary has undergone any positive changes in the past years or it was even in a further downtrend.

Apart from that, given that Hungary is a member state in the European Union, this

thesis also includes an exploration of the EU-level side for democratic backsliding. The European Union has been firmly safeguarding the democratic values since its foundation, however, what restricts the EU from taking prompt and effective measures in the face of breaches of law? How does this then allow for the possibility of the erosion of democracy in a member state which is supposedly a consolidated democracy? Given that the European Union has enacted a set of instruments and tools while their effectiveness in preventing democratic backsliding is limited, this thesis will detail the inability of EU instruments in addressing the erosion of democracy in Hungary. In this context, this thesis will direct attention to two major mechanisms which are targeted at candidate countries and member states respectively, so as to show that the EU mechanisms have provided permissive conditions for the potential domestic backsliding ever since the very beginning of the accession process.

All in all, the thesis attempts to present a comprehensive picture of how internal and external factors work together to allow for democratic backsliding in Hungary since Viktor Orbán took office.

1.5 Democracy Trajectory in Hungary

Starting from 1949, Hungarians were living in a communist dictatorship for around 4 decades. However, due to economic reforms and limited political liberalization as well as the weakening of the Soviet Union during the 1980s, then-prime minister Miklós Németh was able to initiate the democratic transition in Hungary that began in 1988 and he was committed to transitioning towards a democratic political system “in the most peaceful way possible”³. To do this, he constructed the national round table talks, which consisted of the communist power and the democratic opposition, to determine how the country should proceed after the regime change⁴. As a result, a new version of the 1949 Constitution, with more than 100 amendments, officially entered into force in October 1989 which established “free, multiparty elections, created a separation of powers among the judicial, executive, and legislative branches

³ Michael Malcolm Stolarski, “Persistent Populism: Uncovering the Reasons behind Hungary’s Powerful Populist Parties” (Bachelor thesis, Claremont McKenna College, 2019), 1-40.

https://scholarship.claremont.edu/cmc_theses/2188/

⁴ Ibid.

of government”⁵, and “guaranteed human and political rights”⁶. In addition, the 1989 Constitution established a Constitutional Court, which is elected by Parliament and “reviews the constitutionality of legislation and may annul laws”⁷. Apart from that, an “ombudsman”⁸ was also provided for the protection of “constitutional civil rights”⁹ while “ombudsmen’s groups”¹⁰ were created so as to protect “national and ethnic minority rights”¹¹. Based on that, the first free elections were held in Hungary in May 1990 and a coalition government led by Josef Antall was created. The Antall government “endeavored to stabilize the economy while simultaneously introducing privatization measures and elements of a market economy”¹². Apart from that, Antall and his government placed great importance on European unity while in office, and Hungary submitted its application for the EU membership in 1994. In that context, the incumbent government in Hungary since then “has strengthened its commitment to democratic standards and the political-institutional framework that guarantees them”¹³. Specifically, the successors to Antall endeavored to continuously conduct economic reforms and successfully transformed itself from central planning to a market economy. Politically, Hungary has been a functioning democracy with parliamentary alternation and a multiparty system. With remarkable accomplishments in performing liberal democracy, Hungary was officially becoming a member state in the European Union in 2004, which greatly strengthened its ties with Western European Countries. However, in the wake of the political crisis in 2006 (where Ferenc Gyurcsány, then the Socialist prime minister of Hungary, admitted at a private speech that his

⁵ Joseph Pinter, “Democratic Transition in Hungary,” *IU South Bend Undergraduate Research Journal* 8 (2008): 55-62. <https://scholarworks.iu.edu/journals/index.php/iusburj/article/view/19741>

⁶ Alexandra Holle, and Éva Ványi, “Conceptualizing Citizenship. Eastern European Inputs to the Contemporary Debates. Insights from Hungary,” *Acta Universitatis Sapientiae: European and Regional Studies* 21, no. 1 (2022): 1-24. <https://doi.org/10.2478/auseur-2022-0001>

⁷ “Hungary,” *Britannica*, last updated August 9, 2024,

<https://www.britannica.com/place/Hungary>

⁸ *Ibid.*

⁹ *Ibid.*

¹⁰ *Ibid.*

¹¹ *Ibid.*

¹² Joakim Scheffer, “The Prime Minister of 15 Million Hungarians — Celebrating the Birthday of József Antall,” *Hungarian Conservative*, accessed July 7, 2024,

https://www.hungarianconservative.com/articles/culture_society/jozsef-antall_hungary_prime-minister_birthday-anniversary/

¹³ *Ibid.*, 6

government lied to win the election in April) and the financial crisis of 2008 (during which Hungary was hit hard due to excessive public spending and heavy foreign debts), Hungarian society was haunted by political turmoil, civic grievance and economic recession. It was in that context that Viktor Orbán won an overwhelming two-thirds majority in the 2010 Hungarian Parliamentary elections which enabled him and his party, Fidesz, to change the constitution. Since then the Hungarian parliament has approved a controversial set of amendments to the country's new constitution. For example, the retirement age of Hungarian judges was reduced from 70 to 62, the implementation of which started on the day the new constitution, entitled the “Fundamental Law of Hungary”¹⁴ came into force on 1 January 2012. It forced about 274 judges into early retirement. In addition, the early dismissal of the President of the Supreme Court András Baka took place on the same day. Both of them were aimed at “limiting the independence of the judiciary and bypassing one of the most important checks and balances of the executive”¹⁵. Apart from that, during the first term of office, Victor Orbán and Fidesz were also embarking on amending the legal framework of the electoral system which helped guarantee its two-thirds majority in the 2014 elections too¹⁶. In virtue of a new method which “compensated the winner and arbitrary gerrymandering”¹⁷, the system was “shaped and rigged”¹⁸ in Fidesz’s favour, without any substantial conversations with opposition parties¹⁹. When it came to media control, a “self-censoring, biased and overly pro-government centralised”²⁰ media empire was established. Meanwhile, the country’s competition watchdog has blocked mergers of independent media while approving frequent mergers of pro-government outlets, which undoubtedly further promotes the centralization of

¹⁴ Gábor Halmai, “The Early Retirement Age of the Hungarian Judges,” in *EU Law Stories: Contextual and Critical Histories of European Jurisprudence*, ed. Fernanda Nicola, and Bill Davies (Cambridge University Press, 2017), 471-488.

<https://ssrn.com/abstract=2985219>.

¹⁵ *Ibid.*, 14

¹⁶ András Bíró-Nagy, “Illiberal Democracy in Hungary: The Social Background and Practical Steps of Building an Illiberal State,” CIDOB (2017): 31-44, https://www.cidob.org/en/articulos/monografias/illiberales/illiberal_democracy_in_hungary_the_social_background_and_practical_steps_of_building_an_illiberal_state

¹⁷ *Ibid.*, 16

¹⁸ *Ibid.*, 16

¹⁹ *Ibid.*, 16

²⁰ *Ibid.*, 16

media ownership in the hands of Fidesz. All these measures that Victor Orbán and his party Fidesz adopted have transformed Hungary from one of the success stories of a transition from Communism to democracy into an authoritarian regime, and these measures are posing a great threat to the EU fundamental values.

2 Literature Review

A good deal of academic attention has been put on democratic backsliding in Hungary since its onset, with scholars attempting to explain what triggered the erosion of democracy in a country which was supposed to be one of the most successful stories of democratic transition. When looking back the previous literature on democratic backsliding in Hungary, It can be found that the majority of them fall into two major categories, which are internal and external factors respectively.

Regarding internal factors, Scheiring²¹ explored the accountability of political economy for the de-democratization in Hungary. On the one hand, he argued that the exhaustion of the political economy of patience resulted in the demobilization of the voters of the Left. Specifically, despite economic growth at the macro level, the transition resulted in a high level of unemployment, low growth of wages and high indebtedness. In that context, economic frustration and social turmoil brought forth “disenchantment”²² among Hungarian citizens. On the other hand, the transition in Hungary gave rise to a polarization of the economic elite; that is, weak native capitalists and dominant international capitalists. In such a situation, native capitalists were desperate for the state central intervention into existing rights so as to secure protection and accelerate capital accumulation²³. These two aspects work together to lead to the democratic backsliding in Hungary. Similarly, Ágh²⁴ also emphasized the importance of social and economic turbulence in explaining democratic backsliding in

²¹ Gábor Scheiring, “The Political Economy of De-Democratization in Hungary,” (Conference paper, Conference of the European Sociological Association, Prague, August 28, 2015).

https://www.researchgate.net/profile/Gabor-Scheiring/publication/341548974_The_Political_Economy_of_De-Democratization_in_Hungary/links/5ec68957299bf1c09acff667/The-Political-Economy-of-De-Democratization-in-Hungary.pdf

²² Ibid., 21

²³ Ibid., 21

²⁴ Attila Ágh, “The triple crisis in Hungary: The “Backsliding” of Hungarian Democracy after Twenty Years,” *Romanian Journal of Political Sciences* 13, no. 1 (Summer 2013): 27-51.

Hungary. However, he also made some crucial additions to what Sheiring discussed; that is, he believed that the “protracted”²⁵ triple crisis existing in Hungarian society, which consists of the transformation crisis, post-accession crisis and global crisis, accounts for the democratic backsliding. Specifically, in the first stage, the transformation in Hungary resulted in large-scale impoverishment and social inequality. This social disintegration led to widespread demobilization and missing political participation in the society. In the second stage, the weak adaptive Europeanization after the EU accession resulted in deepening social and political polarization, which provided a solid base for the upsurge of populism in Hungary. In the last stage, economic competitiveness and democratic performance suffered great damage in the wake of the global crisis, together with negative social, economic and political impacts²⁶. All in all, the cumulative effects of these chronologically consecutive crises provided space for the democratic backsliding in Hungary.

In terms of the international aspects of the backsliding process, most of the existing research has focused on the EU-level explanations. For instance, Meyerrose²⁷ assumed that European integration results in increasing executive power and limiting states’ domestic policy space and thus creates opportunities for the democratic backsliding in Hungary. Specifically, on the one hand, European integration and membership resulted in increased and unchecked powers for national executives while a substantial power decrease in domestic legislatures. At the same time, EU membership contributes to executive aggrandizement via transnational party politics as it can provide state executives with EU-level allies and thus prevent the EU as a whole from sanctioning attacks against democratic institutions. On the other hand, EU membership conditionality contributes to democratic backsliding by limiting the domestic policy space. That is, in the wake of further EU integration, many policy competencies were reassigned from the domestic to the EU level, especially those core economic policies. As a result, the domestic policy space was largely limited to

²⁵ Ibid., 24

²⁶ Ibid., 24

²⁷ Anna M. Meyerrose, “Building strong executives and weak institutions: How European integration contributes to democratic backsliding,” *The Review of International Organizations* 19, no. 2 (2024): 307-343, <https://doi-org.ludwig.lub.lu.se/10.1007/s11558-023-09507-2>.

non-economic issues. Meanwhile, it is argued that EU policy constraints weakened the left and facilitated the rise of center-right, populist parties in Hungary²⁸. Unlike Meyerrose, Kelemen²⁹ presented the accountability of the European Union's authoritarian equilibrium for the democratic backsliding in Hungary. Three pillars constitute Europe's authoritarian equilibrium, which are partial politicization, money, and migration. For starters, the EU's underdeveloped politicization, the EPP's (European People's Party) protection, the powerful role of national governments in EU decision-making and the enduring influence of norms of national sovereignty in the EU have shielded the Orbán from EU intervention. Secondly, EU funds have helped prop up an authoritarian regime in Hungary as a result of the lack of political will to suspend funding. In addition, EU membership makes it easier for Hungary to attract foreign capital. Lastly, in terms of emigration, it is said that free movement of persons in the EU has allowed for the exit of dissatisfied Hungarians, which erodes opposition and generates remittances, thereby improving the endurance of Orbán regime³⁰.

While there is a large amount of previous research on what has triggered democratic backsliding in Hungary, they fall short of comprehensiveness as they place their focus on either internal or external factors. With respect to the research focusing on the EU-level explanations, it fails to take into account the uniqueness of Hungary. That is, instead of being exclusive to the Hungary case, it is also applicable to other member states in the European Union. However, given that there exist nuanced differences in the patterns of democratic backsliding in different member states, it entails the consideration of internal factors when explaining a specific state.

Whereas for the previous literature on the domestic-level explanations, it failed to consider the fact that Hungary is not only a sovereign nation, but also a member state in the European Union, especially given that the democratic backsliding was initiated in Hungary a few years later after it became a EU member state. In that sense, it is

²⁸ Ibid., 27

²⁹ R. Daniel Kelemen, "The European Union's authoritarian equilibrium," *Journal of European Public Policy* 27, no.3 (March 2020): 481-499, <https://doi.org/10.1080/13501763.2020.1712455>.

³⁰ Ibid., 29

inadequate to only present the internal triggers for the democratic backsliding while ignoring the accountability of macro-level aspects.

3 Theoretical Framework

3.1 Democracy

What is democracy? For decades, there has been no consensus on the definition of democracy, however, it can be roughly divided into two major schools. First of all, from the perspective of minimalist standard, democracy is associated with free elections. For instance, Joseph Schumpeter defined democracy as a system “for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people’s vote”³¹. Similarly, according to Huntington, democracy is “a political system that exists to the extent that its most powerful collective decision makers are selected through fair, honest, and periodic elections in which candidates freely compete for votes and in which virtually all the adult population is eligible to vote”³². While in terms of the maximalist notion of democracy, it “entails the characteristics of the representative and participatory types of democracy, but considers the social prerequisites of citizens also essential for fair and meaningful democratic participation”³³. The most representative would be the quote from Abraham Lincoln, who argued that democracy is “a government of the people, by the people, for the people”³⁴. In other words, democracy is correlated with “highly informed citizens’ engagement in near-constant deliberation to produce policies that maximize social, economic, and cultural equality”³⁵. Apart from that, the thesis would

³¹ Joseph Schumpeter, *Capitalism, Socialism and Democracy* (New York: Harper and Brothers, 1942), 269, <https://archive.org/details/in.ernet.dli.2015.190072/page/n276/mode/1up>.

³² Samuel Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Norman: University of Oklahoma Press, 1991), 7.

³³ Marc Bühlmann, Wolfgang Merkel, and Bernhard Wessels, “The Quality of Democracy: Democracy Barometer for Established Democracies,” (Revised Version March 20, 2008, National Center of Competence in Research: Challenges to Democracy in the 21st Century: Working Paper No. 10a, 2008), <https://edoc.vifapol.de/opus/volltexte/2013/4240/pdf/22.pdf>.

³⁴ Abraham Lincoln, “The Gettysburg Address,” (speech, Gettysburg, Pennsylvania, November 19, 1863), Abraham Lincoln Online, <https://www.abrahamlincolnonline.org/lincoln/speeches/gettysburg.htm>.

³⁵ Ellen Lust and David Waldner, “Unwelcome Change: Understanding, Evaluating, and Extending Theories of Democratic Backsliding,” (US Agency for International Development, 2015), https://pdf.usaid.gov/pdf_docs/PBAAD635.pdf.

also like to present Dahl's five criteria of democracy³⁶. First of all, "effective participation"³⁷, which means that citizens must be given adequate and equal opportunities to "form their preferences, to place questions on the agenda, and to express reasons for affirming one outcome rather than another"³⁸. Secondly, "voting equality at the decisive stage"³⁹, specifically, it is necessary to make sure that the judgements of all the citizens are of equal importance at the decisive stage of collective decision-making. Thirdly, "enlightened understanding"⁴⁰, that is, "citizens must enjoy ample and equal opportunities for discovering and affirming what choice in a matter before them would best serve their interests"⁴¹. Subsequently, "control of the agenda"⁴², that is to say, the masses shall be entitled the authority over the public agenda. Lastly, "inclusiveness"⁴³, which indicates that all the mature citizens shall be provided with the powers of citizenship. Instead of focusing on the minimalist definition of democracy, the thesis will adopt the maximalist notion of democracy, with a special focus on the role of civil society in a democracy, and thus shed light on the major characteristics of democracy in Hungary after the onset of democratic transition so as to see if Hungary meets the prerequisites for a real democracy.

According to Grugel⁴⁴, theories of democracy have developed over time and it started with direct democracy, which derives from "the Athenian legacy of popular government within a small city state and the Renaissance republican tradition"⁴⁵ and its priority is to guarantee democratic rights for the entire community. Subsequently, the alternative representative democracy (liberal democracy) came into being and it argues that the individual is entitled with the right, but no obligation, to participate in political affairs. Meanwhile, in order to limit the power of the state, the political representation of those individuals who are deemed mature enough should be entitled

³⁶ Robert A. Dahl, *Democracy and Its Critics* (New Haven: Yale University Press, 1989), 130.

³⁷ *Ibid.*, 36

³⁸ *Ibid.*, 36

³⁹ *Ibid.*, 36

⁴⁰ *Ibid.*, 36

⁴¹ *Ibid.*, 36

⁴² *Ibid.*, 36

⁴³ *Ibid.*, 36

⁴⁴ Jean Grugel, *Democratization: A Critical Introduction* (Palgrave Macmillan, 2002), 12-30.

⁴⁵ *Ibid.*, 43

political equality. In other words, the role of the state is to protect individuals' rights to self-fulfilment and development. However, with the rise of behaviorism in the 1950s and 1960s, empirical democratic theory was gradually gaining popularity, with the theorist representatives being Joseph Schumpeter and Robert Dahl. For instance, Schumpeter proposed the concept of “competition for leadership”⁴⁶; specifically, he argued that the primary function of the collectives’ vote in a democracy is to produce a government, and everyone is free to compete for political leadership by presenting himself in the elections⁴⁷. While starting from the 1970s, the concept of polyarchy initiated by Dahl has gradually become the mainstream concept for picturing the empirical characteristics of liberal democracy. According to him, “eight institutional guarantees”⁴⁸ allowed for the public opposition and participation in politics. Since the 1960s, a variety of new theories of democracy have emerged. For example, participatory democracy, feminism, associationalism, citizenship theories, and cosmopolitanism. For starters, participatory democracy takes participation as the core of democracy and it is believed that voting rights and representation in government are not enough for the existence of democracy. The theory of participatory democracy is based on the assumption that freedom and activism are of great importance and that democracy can be fulfilled through developing “reciprocal relations of trust between individuals”⁴⁹. Secondly, realizing the lasting gender bias in liberal democracy, feminist theory stresses the importance of participation so as to emancipate democracy from the restraints of liberalism. It also challenges the clear separation of the public and the private within liberalism by emphasising that “the personal is political”⁵⁰. Associationalism underlines the importance of voluntary and democratically self-governing associations so that society can have better control over policy-making. Meanwhile, citizenship theories of democracy emphasize the indispensability of civil society for democracy and it claims that civil society provides

⁴⁶ Ibid., 31

⁴⁷ Joseph Schumpeter, *Capitalism, Socialism and Democracy* (New York: Harper and Brothers, 1942), 269-273, <https://archive.org/details/in.ernet.dli.2015.190072/page/n276/mode/1up>.

⁴⁸ Robert A. Dahl, *Polyarchy: Participation and Opposition* (New Haven and London: Yale University Press, 1971), 3.

⁴⁹ Ibid., 44

⁵⁰ Ibid., 44

fundamental conditions for modern liberty. Lastly, in the context of ongoing globalization, cosmopolitanism claims that democracy needs to be positioned at the global level and highlights the increasing role of representative non-state actors. Hungary had been a functioning liberal democracy before Viktor Orbán took office in 2010, however, in this thesis, it is argued that free elections and political representation of citizens in a liberal democracy are not enough for the persistence of a healthy democracy. In other words, the thesis will seek to underline the importance of other democracy theories by presenting the vulnerability of democracy in a weak civil society.

3.2 Democratization Theories

As its name implies, theories of democratization seek to explain the factors that lead to the introduction of democracy. According to Grugel, the previous literature on democratization theories fall into the following three approaches, which are “modernization theory, historical sociology (also called structuralism), and transition theory (also known as agency theory)”⁵¹. As a theory of change, the traditional modernization theory claims that modernization is “functionalist and economistic”⁵², in that it sees democracy as an outcome of capitalism as it accentuates on the causal relations between economic growth and progress. The main representative of modernization theory is Seymour Martin Lipset who argued that capitalism is the heart of democracy as “the more well-to-do a nation, the greater the chances that it will sustain democracy”⁵³. The hypothesis is that the national level of education will be improved in a wealthy society as a result of growing social conditions, which gives rise to an educated middle class who is likely to believe in democratic values and be supportive of democratic practices⁵⁴. However, the biggest shortcoming of traditional modernization theory is that it assumes an overly simple and linear relationship between democracy and capitalism. In that context, contemporary modernization

⁵¹ Jean Grugel, *Democratization: A Critical Introduction* (Palgrave Macmillan, 2002), 46-62.

⁵² *Ibid.*, 51

⁵³ Seymour Martin Lipset, “Some Social Requisites of Democracy: Economic Development and Political Legitimacy,” *The American Political Science Review* 53, no. 1 (March 1959): 69-105.

<https://www.jstor.org/stable/1951731>.

⁵⁴ *Ibid.*, 53

theory seeks to avoid clarifying the direct causal relations between democracy and capitalism. Secondly, in terms of historical sociology, structuralists show an interest in how the changing relationship between the state and classes shapes political systems, while emphasizing the important role of collective actors. It is argued that democracies neither come into being overnight nor happen simply because of some people such as individuals, groups or classes. Instead, they trace the transformation of the state through class conflict over time, in order to explain the emergence of democracy, which is state transformation in their opinion. At the same time, structuralism also encompasses elements of a political economy of democratization as it emphasizes how changes in the economy lead to social or class conflict, although economic change itself is not regarded as determining political outcomes⁵⁵. The last one is the transition approach, or, as it is sometimes termed, the agency approach, which sees a causal relationship between democracy and conscious, committed actors. Agency perspectives suggest that democracy can be created independent of the structural context. In that sense, the transition approach pioneered a separation of political negotiations from economic circumstances. Since the release of *Transitions from Authoritarian Rule*, a great deal of literature focused on the processes of democratization by examining the interactions, pacts and bargains struck between authoritarian leaders and the democratic opposition. According to Przeworski, the emergence of democracy does not necessarily indicate that all key political actors have automatically become democrats. Instead, it only means that the opposition and the soft-liners in government have successfully convinced hard-liners that it is more beneficial to cooperate with change instead of opposing it. Therefore, a democratic transition is only a “contingent institutional compromise”⁵⁶. It can be found that modernization theory is not applicable for the case of Hungary as Hungary did not fulfil the prerequisites for capitalism before democratization. Meanwhile the structuralism theory also lacks applicability as the democratic transition in Hungary

⁵⁵ Ibid., 51

⁵⁶ Adam Przeworski, “Some Problems in the Study of Transition to Democracy,” in *Transitions from Authoritarian Rule: Comparative Perspectives*, ed. Guillermo O'Donnell, Philippe C. Schmitter, and Laurence Whitehead (Baltimore: Johns Hopkins University Press, 1986), 59.

was not a direct result of long-lasting class struggle for democracy. In that sense, this thesis will focus on the application of agency theory to the democratic transition in Hungary and thus discuss its shortcomings in promoting an active civic culture in the wake of democratization.

3.3 Democratic Transition

Recent decades have witnessed a growing intellectual interest in transitions to democracy, especially with the advent of democratization process in the global realm. With regard to what democratic transition is, this thesis will employ the definition from O'Donnell and Schmitter. According to them, "The 'transition' is the interval between one political regime and another... Transitions are delimited, on the one side, by the launching of the process of dissolution of an authoritarian regime and, on the other, by the installation of some form of democracy, the return to some form of authoritarian rule, or the emergence of a revolutionary alternative"⁵⁷. Subsequently, it will give an account to the modes of transition to democracy. As Karl and Schmitter said, there exist four types of regime transition⁵⁸. First of all, pact. That is, "elites agree upon a multilateral compromise among themselves"⁵⁹. In other words, pacted transition constitutes the incumbent government and opposition groups who attempt to negotiate regarding the transition away from authoritarian rule to democracy⁶⁰. Secondly, imposition. That is, for the sake of regime change, "elites use force unilaterally and effectively to be against the resistance of incumbents"⁶¹. Thirdly, reform, which is to "mobilize from below and impose a compromised outcome without resorting to violence"⁶². Lastly, revolution, which means that "masses rise up in arms and defeat the previous authoritarian rules militarily"⁶³. Apart from that, this

⁵⁷ Guillermo O'Donnell, and Philippe C. Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies* (Baltimore: Johns Hopkins University Press, 1986), 6.

https://books.google.se/books/about/Transitions_from_Authoritarian_Rule.html?id=H5lCtdhe8scC&redir_esc=y

⁵⁸ Terry Lynn Karl, and Philippe C. Schmitter, "Modes of transition in Latin America, Southern and Eastern Europe," *International Social Science Journal* 43, no. 127 (1991): 269-284.

⁵⁹ *Ibid.*, 57

⁶⁰ Gary A. Stradiotto, and Sujian Guo, "Transitional modes of democratization and democratic outcomes," *International Journal on World Peace* 27, no. 4 (December 2010): 5-40.

<https://www.jstor.org/stable/23266546>

⁶¹ *Ibid.*, 57

⁶² *Ibid.*, 57

⁶³ *Ibid.*, 57

thesis will consider the four approaches regarding democratic transition put forward by Guo⁶⁴. First of all, the structuralist approach. This is a macro-level approach which assumes that certain social and political structures must be in place before the initiating of democracy. Secondly, the strategic choice approach. This is a micro-level approach and emphasizes the critical role of elites and their strategic choices. Subsequently, the institutionalist approach. This approach emphasizes the impact of institutions on the formation of policies and patterns of political actions, as well as role of institutions in shaping and constraining the objectives and preferences of political actors. Lastly, based on the political economy approach, the sequencing of political and economic reforms and the interplay between politics and economy are employed as the explanatory variables so as to determine variations in transition outcome. In addition, it pays particular attention to “dual transitions”⁶⁵ from authoritarian rule to consolidated democracy. Meanwhile, it also assumed a correlation between economic crisis and regime change. In the case of Hungary, the democratic transition was pacted and dependent on the strategic choice of elites. Based on that, this thesis will expound on how it hampers the Hungarian society from building a developed civic culture and thus provides space for the initiation of democratic backsliding.

3.4 Democratic Backsliding

Scholars have paid a lot of attention to democratic backsliding based on the fact that global democracy has been under threat in recent decades, and there exists a great deal of effort to conceptualize this terminology. For example, Bermeo argues that “At its most basic, democratic backsliding denotes the state-led debilitation or elimination of any of the political institutions that sustain an existing democracy”⁶⁶. At the same time, Haggard and Kaufman concluded that backsliding indicates “the incremental erosion of democratic institutions, rules and norms that results from the actions of

⁶⁴ Sujian Guo, "Democratic Transition: A Critical Overview," *Issues & Studies* 35, no. 4 (1999): 133-148.

⁶⁵ *Ibid.*, 64

⁶⁶ Nancy Bermeo, "On Democratic Backsliding," *Journal of Democracy* 27, no. 1 (January 2016): 5-19. <https://journalofdemocracy.org/articles/on-democratic-backsliding/>

duly elected governments, typically driven by an autocratic leader”⁶⁷. In this sense, democratic backsliding is a top-down process characterized by both “executive aggrandizement”⁶⁸ and “institutional change”⁶⁹. In a recent review, Waldner and Lust acknowledge that backsliding can occur in any country, regardless of regime type. They define backsliding as “a deterioration of qualities associated with democratic governance, within any regime. In democratic regimes, it is a decline in the quality of democracy; in autocracies, it is a decline in democratic qualities of governance”⁷⁰.

Apart from this conceptual issue, a great amount of literature seeks to explain the causes of democratic backsliding. According to Lust and Waldner, drivers for democratic backsliding can be summarized as six families, which are political agency, political culture, political institutions, political economy, social structure and political coalitions, as well as international factors⁷¹. First of all, agency-based theory, just as its name implies, argues that democratic backsliding results from “contingent decisions made by political actors under relatively unconstrained conditions”⁷². The political culture theory emphasized that democratic backsliding is more likely to happen when a mass civic culture is missing or citizens lack social capital, trust in institutions or civic education. In terms of political institutions, democratic backsliding is more likely under poor institutional configurations as they degrade a government’s horizontal and vertical accountability as well as performance and effectiveness. Meanwhile, the political economy theory underlines the possibility of democratic backsliding under poor economic development and higher economic inequality. However, theories of social structure and political coalitions place their focus on the economic, sociocultural and ethnic structures based on which civil groups are formed, the potential for conflict among these groups, and “the

⁶⁷ Stephan Haggard, and Robert Kaufman, *Backsliding: democratic regress in the contemporary world* (Cambridge: Cambridge University Press, 2021), 14.

⁶⁸ *Ibid.*, 66

⁶⁹ Iza Ding, and Dan Slater, “Democratic decoupling,” *Democratization* 28, no. 1 (2021): 63-80.

<https://doi.org/10.1080/13510347.2020.1842361>

⁷⁰ *Ibid.*, 35

⁷¹ *Ibid.*, 35

⁷² *Ibid.*, 35

implications of group formation and inter-group conflict for democratic backsliding”⁷³. Lastly, international factors explore the causal relations between external actors (international or regional for example) and democratic backsliding.

Meanwhile, some other scholars such as Stephan Haggard and Robert Kaufman, and Svoboda argue that contemporary democratic backsliding has its roots in polarization. Polarization is “the process through which political elites and the public become increasingly divided over public policy, ideological orientations and ultimately partisan attachments”⁷⁴. Specifically, Svoboda claimed that in polarized societies, deep social disintegration and intense political tensions raise the stakes in elections and in turn even those voters who value democracy will be willing to sacrifice fair democratic competition in exchange for electing politicians who “champion” their interests⁷⁵. Such political polarization sets the stage for backsliding in three interrelated ways: through its effect on the functioning of government and following dissatisfaction and distrust of democracy; through the appeal of anti-system leaders, parties and social movements; and through the willingness of both elites and the public to be tolerant of democracy degradation in polarized settings⁷⁶. The above-mentioned theories of democratic backsliding can more or less be applied to what has happened in the Hungarian society. However, in this thesis, I will seek to explain the causal correlations between democratic backsliding and a missing civic culture, as it is believed that a functioning civil society can promote and strengthen democracy. Meanwhile, this thesis will also emphasize the impact of international factors given that Hungary is a EU member state.

4 Methods

In order to make a better assessment of external and internal factors triggering the democratic backsliding in Hungary, this thesis will adopt a hybrid of both qualitative and quantitative methods, using policy analysis, historical analysis and survey analysis respectively.

⁷³ Ibid., 35

⁷⁴ Nolan McCarty, *Polarization: what everyone needs to know* (New York: Oxford University Press, 2019), 8-9.

⁷⁵ Milan W. Svoboda, “Polarization versus Democracy,” *Journal of Democracy* 30, no. 3 (July 2019): 20-32.

<https://www.journalofdemocracy.org/articles/polarization-versus-democracy/>

⁷⁶ Ibid., 67

4.1 Policy Analysis

According to Gale, policy can not only be interpreted as text and discourse, but also as ideology. Text, discourse and ideology are “implicit in each other”, and they refer to questions of “what”, “how” and “why” respectively with respect to policy analysis⁷⁷. Based on Gale’s definition of what policy is, the thesis will attempt to explain why the EU mechanisms fell short of expectations in protecting democracy. In other words, with regard to the external factor, the thesis will be mainly focused on the EU’s inability as a promoter and guardian of democratic values in member states. For the sake of avoiding the erosion of democracy, the EU institutions have enacted a set of instruments mostly in the form of policy since its foundation. Albeit in this context, the EU framework cannot prevent Hungary from democratic backsliding. Admittedly, the way how the EU institutions are framed limits its capability of taking prompt initiatives in this aspect, while instead of elaborating on the EU’s structural issues, the thesis is intended to explore what makes the EU unable to address such a challenge via policy analysis. Specifically speaking, the thesis will be aimed at Copenhagen Criteria and Article 7 on the Treaty of the European Union and shed light on the shortcomings and limitations of these two policies in safeguarding the fundamental values. The combination of these two policies is supposedly a good guarantee for protecting democracy in the EU as Copenhagen Criteria lists a set of requirements that candidate states must meet before joining the EU while Article 7 is targeted at the severe infringements of EU law in member states. However, in reality, they instead creates permissive conditions for the democratic backsliding in Eastern and Central Europe. In the hope of resolving such a puzzle, the thesis will analyze effectiveness (only legally binding during the accession process) and definition issues in the Copenhagen Criteria while as for Article 7, the focus would be mainly on procedural complexity, word vagueness and negative impact of party coalition when implementing this policy.

4.2 Historical Analysis

⁷⁷ Trevor Gale, “Policy Trajectories: treading the discursive path of policy analysis,” *Discourse: Studies in the Cultural Politics of Education* 20, no. 3 (1999):393-407, <https://doi.org/10.1080/0159630990200304>

“A history is an account of some past event or combination of events”⁷⁸. In that sense, historical analysis is thus “a method of discovering, from records and accounts, what happened in the past”⁷⁹ via the examination and interpretation of historical data and sources, and this method is widely used to gain insights and understanding of past events, trends and phenomena⁸⁰. In the Hungary case, in order to get better insights into how the civic culture was like before Viktor Orbán took office in 2010, I will trace back to the sources in the 1990s and 2000s especially those historical events that are closely related to the democratic trajectory in Hungary, in the hope of getting a good picture of how the civil society was like in the aftermath of the democratic consolidation. In that case, historical analysis is deemed as an appropriate method as it allows me to figure out if the development of civic culture is in sync with democratization process. Meanwhile, as for the main resource of historical data I will employ in the thesis, it would be the surveys conducted by the World Value Survey in 1998 and 2009 respectively. Based on the WVS data, I seek to explain the main characteristics of civic culture in Hungary, and the special attention will be given to those statistics which can reflect the four indexes proposed by Putnam.

4.3 Survey

In respect to the internal factor explaining the democratic backsliding in Hungary, the thesis will accentuate on the accountability of a weak civic culture for the erosion of democracy, specifically, low citizen participation, low trust in the government and weak consciousness of democratic citizenship. In order to make an effective assessment of these characteristics in the Hungary case, I will employ the descriptive data analysis approach to present a relatively visible picture of the civic culture in the Hungarian society. Given that the thesis will underline the indispensable role of citizens in the democratization process, which indicates that the focus would be on individual level instead of evaluating the macro determinants, in that sense, a survey

⁷⁸ Susan Wyche, Phoebe Sengers, and Rebecca E. Grinter, "Historical analysis: Using the past to design the future," in *UbiComp 2006: Ubiquitous Computing: 8th International Conference, UbiComp 2006 Orange County, CA, USA, September 17-21, 2006 Proceedings*, ed. Paul Dourish, and Adrian Friday (Springer Berlin Heidelberg, 2006), 35-51. https://link.springer.com/chapter/10.1007/11853565_3.

⁷⁹ *Ibid.*, 78

⁸⁰ *Ibid.*, 78

would be an ideal option for making a decent analysis of citizens' behavior back then. A survey, as its name implies, is a means for "gathering information about the characteristics, actions or opinions of a large group of people"⁸¹. Specifically, it tends to gather information using relevant questions from a sample of people with the aim of understanding populations as a whole, in this sense, it thus provides a critical source of data and insights for everyone engaged in the civic culture. Instead of conducting a survey on my own, the thesis will utilize the datasets from World Values Survey (hereinafter called WVS) instead as "The WVS is the largest non-commercial, cross-national, time series investigation of human beliefs and values ever executed"⁸², and it allows me to access the data that is employed to assess which impact values stability or change over time has on the social, political and economic development of countries and societies. On top of that, the fact that the WVS consists of nationally representative surveys while using a common questionnaire, it can avoid any biases resulting from the adoption of different ones⁸³. Meanwhile, instead of making an evaluation of the whole questionnaire unique to Hungary, I will focus on the indicators which can demonstrate the aforementioned three characteristics so as to make an analysis of how they have changed over time. In terms of the time period, given that no questionnaire was conducted in Hungary during the period of 1990-1994, the thesis will instead make a comparison between databases in 1998 and 2009 respectively, in the hope of figuring out the correlation between civil culture and democratic backsliding. I chose 2009 as an object of comparison is because it is exactly the year before Viktor Orban won the elections in 2010 which is a milestone witnessing the democratic backsliding in Hungary. In that context, I am intended to explore how a long-existing weak civic culture provides space for Orban's illiberal democracy.

⁸¹ Alain Pinsonneault, and Kenneth L. Kraemer, "Survey Research Methodology in Management Information Systems: An Assessment," *Journal of Management Information Systems* 10, no.2 (1993): 75-105.
<https://doi.org/10.1080/07421222.1993.11518001>

⁸² World Value Survey, accessed May 20, 2024,
<https://www.worldvaluessurvey.org/WVSContents.jsp>

⁸³ *Ibid.*, 82

5 Analysis and Discussion

In this section, I will shed light on the factors that trigger democratic backsliding in Hungary. Democratic backsliding is not something that emerges out of the blue; instead, it tends to be driven by the hollows that have been existing for a long time. In this sense, this thesis will explore what allows for the erosion of democracy through both an external and an internal lens. To begin, I will elaborate on the impact of EU mechanisms as an external trigger for democratic backsliding in Hungary.

5.1 The EU's Democratic Mechanisms and Shortcomings

Externally speaking, a set of mechanisms have been established at the EU level for the sake of avoiding the possible erosion of democracy within member states. However, it is argued that these instruments, especially the Copenhagen Criteria and Article 7 of the Treaty on European Union in my case, instead create a permissive environment for democratic backsliding in Hungary.

5.1.1 Flaws with the Copenhagen Criteria

To begin with, the thesis will elaborate on how the Copenhagen Criteria contributes to the potential democratic backsliding. In the wake of EU enlargement, the Copenhagen Criteria, or The Accession Criteria, was enacted in 1993. It sets out the essential conditions that all new EU Member States must satisfy before joining the EU so as to make sure they are in line with the Union's common principles. Specially, these prerequisites are:

“political criteria: stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;

economic criteria: a functioning market economy and the capacity to cope with competition and market forces;

administrative and institutional capacity to effectively implement the body of EU law (the *acquis*) and ability to take on the obligations of membership.”⁸⁴

Theoretically, these criteria are supposed to work as the first line of defense for EU democratic values as they determine if the candidate states are eligible for the

⁸⁴ Accession Criteria, accessed May 16, 2024, https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/accession-criteria_en

accession both politically and economically. However, in recent years, democratic backsliding in Eastern and Central Europe has demonstrated the deficits of the Copenhagen Criteria in guaranteeing that new member states will be in full compliance with what the EU has been upholding after accession. Based on this, this section will analyze the Criteria itself and thus provide an explanation for the current “Copenhagen Dilemma”, that is, “the Union’s inability to enforce the founding values after accession”⁸⁵. From the outset, when looking back on these conditions, it is argued that the Copenhagen Criteria is problematic as a whole and the following flaws provide potential space for democratic backsliding in member states. First of all, the temporary attribute of Copenhagen Criteria limits its effectiveness to only a specific period; that is, the conditions listed in the Copenhagen Criteria came into play during the accession process as it is a threshold that candidate states must meet before joining the EU. In that sense, countries attempting to join the European Union tend to be fully engaged in “the adoption of established EU law, preparations to be in a position to properly apply and enforce it and implementation of judicial, administrative, economic and other reforms”⁸⁶. As a result, the country seems to be in full compliance with the EU fundamental values required for the accession. However, if we make a deliberate examination on the accession process, it can be seen that instead of emphasizing further enforcement of these reforms, the EU is content with the superficial success of democratization practices in the candidate states; that is, the Copenhagen Criteria is more oriented towards formal compliance. On the other hand, candidate countries rushed to implement these policy recommendations before “windows of opportunity closed”⁸⁷. In this sense, the speed and urgency not only limited the depth of reforms before accession, but also meant that even after formal

⁸⁵ Mathieu Leloup, Dmitry V. Kochenov, and Aleksejs Dimitrovs, “Non-Regression: Opening the Door to Solving the ‘Copenhagen Dilemma’? All the Eyes on Case C-896/19 *Repubblika v Il-Prim Ministru*,” (RECONNECT Working Paper No. 15, 2021), 1-21.

https://reconnect-europe.eu/wp-content/uploads/2021/06/WOP15_June2021.pdf

⁸⁶ “Steps towards joining,” European Commission, accessed May 16, 2024,

https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/steps-towards-joining_en

⁸⁷ David G. Haglund, Jennie L. Schulze, and Ognen Vangelov, “Hungary’s Slide toward Autocracy: Domestic and External Impediments to Locking In Democratic Reforms,” *Political Science Quarterly* 137, no. 4 (December 2022): 675-713.

<https://www.psqonline.org/article.cfm?!DArticle=20375>

adoption of the rule, they could not always be translated into “a practical understanding of European recommendations among domestic elites or policy implementation”⁸⁸. In that context, democracy in these states would show great vulnerability without the supervision of equivalent mechanisms after joining the EU, especially for those countries that did not have a history of democratization back then, not to mention that there is a long path to becoming a truly democratic country. On the other hand, given that the Copenhagen Criteria only ensures effectiveness during the accession process, after officially becoming an EU member state, the Criteria itself is legally non-binding and the candidate states have no obligation to adhere to these conditions. The Copenhagen Criteria is not in use for monitoring the democratization process in official member states and thus the prerequisites mentioned in the Accession Criteria do not enable the EU institutions to take action in the case of any infringements of EU democratic rules. No equivalent mechanism is implemented to evaluate democracy quality in member states post-accession and the member states have enough freedom to decide on whether they will continue with the previous reforms or deviate from those EU recommendations. Apart from that, the Copenhagen Criteria is believed to be full of vagueness, which allows for the arbitrary interpretation of these requirements and thus results in the asymmetry when applying them to the candidate countries. Specifically, first of all, there is no clear definition of what the criteria actually are, such as what comprises “stability of institutions”, “a functioning market economy” or “effectively implement the body of EU law”. It is argued that words such as “stability”, “functioning” and “effectively” can have various indications in different contexts, however, there exists no common criteria for how to measure them in the accession process both horizontally and vertically. On top of that, as aforementioned, democracy is a multidimensional concept, which means that the criteria for checking the quality of democracy would be different based on if it is interpreted from a minimalist or maximalist standpoint. Based on the minimalist standard, democracy correlates with free elections, which are relatively easier to accomplish compared to the adoption of Dahl’s five criteria of democracy which

⁸⁸ Ibid., 87

consists of a long journey for countries that initiated a democratic transition after the collapse of Soviet Union. However, the Copenhagen Criteria failed to give an accurate definition of democracy to check if the candidate state meets the requirements. This may be problematic as in that sense, it would allow the EU institutions to make an evaluation of the candidate states case by case. To put it differently, due to the lack of a clear definition of the material terms in the Copenhagen Criteria, the European Union is given enough freedom to make inconsistent interpretations of these terms every time they want to accept a country into the European Union. As a result, it is highly possible that member states in the European Union are at different stages of development and different levels of “sophistication in governance”⁸⁹. For instance, in order to accelerate peace, stability and economic prosperity in a re-unified Europe, the EU witnessed the largest enlargement in 2004 with the joining of 10 new member states. Ironically, some of them nowadays have become the most notorious cases of democratic backsliding in the EU, especially Hungary and Poland. However, this whole situation is not unimaginable as the ambiguity of terms in the Copenhagen Criteria enables the EU to enjoy considerable autonomy to decide if a country is in full compliance with the EU values. In that context, it is possible for the EU to accept some special countries which are in superficial compliance with the accession criteria while being far from a consolidated democracy before becoming a EU member state. As a result, it is much easier for these countries to initiate democratic backsliding after officially becoming a member state in the European Union. In Hungary’s case, the country started accession negotiations with the EU one year after the European Commission commented in 1997 that “some improvement is still needed, efforts to combat corruption need to be made more effective”⁹⁰. Despite the further improvements needed in Hungary, it entered into membership in the European Union in 2004. In that sense, Hungary was supposed to be fully adopting the EU recommendations and translating them into

⁸⁹ Paulina Rezler, “The Copenhagen Criteria: Are They Helping Or Hurting the European Union,” *Touro International Law Review* 14, no. 2 (2011): 390-411.

⁹⁰ “Commission Opinion on Hungary’s Application for Membership of the European Union,” European Commission, accessed June 20, 2024, https://ec.europa.eu/commission/presscorner/api/files/document/print/en/doc_97_13/DOC_97_13_EN.pdf.

solid policies; however, instead Hungary initiated the democratic backsliding only a few years after being accepted into the European Union. Based on the case of Hungary, we can tell that the Copenhagen Criteria is problematic as it gives significant consideration to superficial compliance with EU values. Instead, it is argued that the goal of the European Union should be to accept those nations which have been in substantial compliance with the Copenhagen Criteria before becoming a member state in the European Union and then are capable of full compliance in a reasonable period. However, it is hardly possible to achieve this goal if the European Union is able to give a different interpretation of the criteria each time a nation applies for the accession. As a result, countries can still be accepted to the European Union even when they are not yet in compliance with the EU values both at the time of accession and years after that accession⁹¹.

5.1.2 Problems with Article 7 of the Treaty on European Union

Subsequently, the thesis will explore how Article 7 of the Treaty on European Union fails to address democratic backsliding in Hungary. Article 7, also known as the “nuclear option”⁹², was initially designed to prevent its member states from backsliding on EU fundamental principles and the rule of law. It states that if some country seriously and persistently breaches the principles on which the EU is founded, that is, respect for human dignity, freedom, democracy, equality, the rule of law and respect for fundamental rights, including the rights of persons belonging to minorities as defined in Article 2 of the Treaty on European Union, the suspending of EU membership rights such as voting rights would be the ultimate sanction⁹³. In that sense, it is supposed to be a guarantee for sustainable democracy in member states, however in reality, it allows for the democratic backsliding instead due to the following shortcomings.

⁹¹ *Ibid.*, 89

⁹² “José Manuel Durão Barroso President of the European Commission State of the Union 2012 Address Plenary session of the European Parliament/Strasbourg 12 September 2012,” European Commission, accessed August 1, 2024, https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_12_596.

⁹³ “Suspension Clause,” EUR-Lex, accessed May 20, 2024, <https://eur-lex.europa.eu/EN/legal-content/glossary/suspension-clause-article-7-of-the-treaty-on-european-union.html>

With regard to the accountability of Article 7 for democratic backsliding in Hungary, the thesis will focus on procedural shortcomings of Article 7, word vagueness as well as years of “mutual indulgence”⁹⁴ between the European People’s Party (hereinafter called as EPP) and Fidesz. It is believed that these three aspects work together to allow for the gradual erosion of democracy in the Hungarian society.

First of all, Article 7 of the Treaty on European Union states that:

1. On a reasoned proposal by one third of the Member States, by the European Parliament or by the European Commission, the Council, acting by a majority of four fifths of its members after obtaining the consent of the European Parliament, may determine that there is a clear risk of a serious breach by a Member State of the values referred to in Article 2. Before making such a determination, the Council shall hear the Member State in question and may address recommendations to it, acting in accordance with the same procedure.

The Council shall regularly verify that the grounds on which such a determination was made continue to apply.

2. The European Council, acting by unanimity on a proposal by one third of the Member States or by the Commission and after obtaining the consent of the European Parliament, may determine the existence of a serious and persistent breach by a Member State of the values referred to in Article 2, after inviting the Member State in question to submit its observations.

3. Where a determination under paragraph 2 has been made, the Council, acting by a qualified majority, may decide to suspend certain of the rights deriving from the application of the Treaties to the Member State in question, including the voting rights of the representative of the government of that Member State in the Council. In doing so, the Council shall take into account the possible consequences of such a suspension on the rights and obligations of natural and legal persons.

The obligations of the Member State in question under the Treaties shall in any case

⁹⁴ Armin von Bogdandy, “A Rescue Package for EU Fundamental Rights – Illustrated with Reference to the Example of Media Freedom,” *VerfBlog*, February 15, 2012, <https://verfassungsblog.de/a-rescue-package-for-eu-fundamental-rights-illustrated-with-reference-to-the-example-of-media-freedom/>.

continue to be binding on that State⁹⁵.

To begin with, the procedural complexity allows for the possibility of democratic backsliding in member states as it fails to respond promptly and effectively at the very beginning of breaches of rule of law. For Article 7 of the Union Treaty to be applied, essential conditions must be met which are different for the preventative mechanism and for the sanctioning mechanism: the prevention mechanism can be activated where there is a "clear risk of a serious breach", whereas the sanctioning mechanism can be activated only if there is a "serious and persistent breach" of the common values. Apart from that, it can be seen that a strong "political consensus"⁹⁶ is a prerequisite for the enforcement of Article 7 as it entails the majority voting. For instance, the determination on "a clear risk of a serious breach" requires four fifths of member states in the Europe Council. On the other hand, the ultimate option, which is the suspending of certain membership rights, requires a qualified majority, however, in order to initiate this procedure, the European Council has to unanimously agree that there exists a serious and persistent breach in the member state concerned, which is hardly possible due to various political considerations and ideological diversity. In that context, despite both the preventative and sanctioning mechanisms listed in Article 7, only preventative measures have been implemented to Viktor Orbán and Fidesz in practice. Meanwhile, the procedural complexity also means that the implementation of this article is time-consuming and its effectiveness as a "nuclear option"⁹⁷ proves to be exaggerated. As a result, it provides space for the member state concerned to further democratic backsliding before Article 7 comes into effect.

Secondly, the word vagueness in Article 7 has an adverse impact on the effective enforcement of this article. Specifically speaking, the word "may" only indicates a possibility, instead of something legally binding, which indicates that the European Council has no obligation to initiate these sanctions even in the face of serious breaches of rule of law in member states. As a result, the uncertainty of implementing

⁹⁵ "Article 7", EUR-Lex, accessed June 3, 2024, <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX%3A12016M007>

⁹⁶ *Ibid.*, 2

⁹⁷ *Ibid.*, 92

this policy goes hand in hand with the possibility of further democratic backsliding in the member state concerned. Aside from that, some terms in this article lack a precise definition, which allows for arbitrary interpretations and thus reduces its effectiveness when implemented. For example, terms like “a clear risk” and “a serious and persistent breach” lack a variety of principles and criteria on how to define what a clear risk is and how to measure seriousness and persistence. For example, the term “persistence” indicates that a breach has already lasted some time, however, it fails to define the exact duration. In that sense, the European Council has the right to decide if the member state concerned meets the definition of persistence. However, given that member states in the Council might have different definitions of this term, it would be more difficult to reach a consensus on the existence of a persistent breach. Similarly, terms like “a clear risk” and “serious” are intangible and it is impossible to measure them via quantification. In that case, the European Council has the final say to decide if the member state concerned meets the definition of “a clear risk” and “a serious and persistent breach”.

Last but not least, it is argued that the “mutual indulgence”⁹⁸ between the EPP and Fidesz impacts the proper functioning of Article 7. On the one hand, based on the briefing from European Parliament, since Fidesz joined the European People’s Party in 2000, the EPP has managed to win a relative majority in the European Parliament⁹⁹, while domestically, Orbán’s party, Fidesz, reigns over the political arena in Hungary. In that sense, in order to secure Hungarian votes in its “ranks”¹⁰⁰, the EPP decided to turn a blind eye to how Viktor Orbán and his Fidesz party have been violating the EU’s fundamental rules. While on the other hand, the EPP has been the EU’s biggest political group with not only a relative majority in the European Parliament, but also in the European Commission and the European Council. In that context, membership in the EPP is believed to have greatly protected Orbán and his Fidesz from any EU

⁹⁸ Ibid., 94

⁹⁹ “European Parliament Briefing May 2023,” European Parliament, accessed August 3, 2024, [https://www.europarl.europa.eu/RegData/etudes/BRIE/2023/747102/EPRS_BRI\(2023\)747102_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2023/747102/EPRS_BRI(2023)747102_EN.pdf)

¹⁰⁰ Lise Esther Herman, Julian Hoerner, and Joseph Lacey, “Why does the European Right accommodate backsliding states? An analysis of 24 European People’s Party votes (2011 – 2019),” *European Political Science Review* 13, no. 2 (May 2021): 169-187. <https://doi.org/10.1017/S1755773921000023>

sanctions. As a result, Article 7 failed to come into play in the early years after Orbán took office, during which period a series of controversial actions was initiated under Orbán's rule. For example, in December 2015, the European Parliament voted against a call on the Commission to activate the Article 7 procedure during the plenary session¹⁰¹. As a result, it took the European Parliament eight years to finally trigger the preventative mechanism in Article 7.1 against Hungary in 2018¹⁰².

To summarize, it is believed that the dysfunction of Article 7 in Hungary results from the inherent problems of Article 7 itself, which are procedural complexity and word vagueness, as well as mutual partnership between EPP and Fidesz. Generally speaking, both preventative and sanctioning mechanisms reflect the political nature of this article as it provides potential for a diplomatic solution to breaches of rule of law in the member state concerned. Meanwhile, as the identification of “ a clear risk of a serious breach” and “a serious and persistent breach” is fluid and it can be endowed with different political interpretations in a variety of cases, it is hardly possible to maximize the effectiveness of Article 7 and thus prevent the further democratic backsliding from the very beginning.

5.2 Internal Factor - Civic Culture

Since the above-mentioned EU democratization mechanisms are undoubtedly flawed when it comes to safeguarding the democratization outcomes, they are accountable for democratic backsliding in all EU member states to some extent. Therefore, it is the internal factors which are exclusive to the Hungary case which can give a better account to what has happened in this country. There is no doubt that Viktor Orbán is the one who initiated the democratic backsliding in Hungary, however, what makes the erosion of democracy possible in an allegedly consolidated democracy? Some scholars emphasized the role of a long-existing social-political-economic crisis while others placed the focus on the rise of populism. However, this thesis will be focused

¹⁰¹ Blog Team, “Why did the EPP vote against Orbán?”, LSE, September 18, 2018, <https://blogs.lse.ac.uk/europpblog/2018/09/18/why-did-the-epp-vote-against-orban/>

¹⁰² Fabio Wolkenstein, “European political parties' complicity in democratic backsliding,” *Global Constitutionalism: human rights, democracy and the rule of law* 11, no.1 (April 2022): 55-82. <https://doi.org/10.1017/S2045381720000386>.

on the development of civic culture before Viktor Orbán took office and seek to explain how it allows for democratic backsliding in Hungarian society. Generally speaking, it is assumed that Viktor Orbán was taking advantage of the weak civil society, which has existed in Hungary since the beginning of democratization, to start his “illiberal democracy” in the name of people. Before touching upon what the civic culture in Hungary has been like in the wake of democratic transition, I will first give a brief rundown on civic culture. According to Almond and Verba, civic culture is “an allegiant participant culture. Individuals are not only oriented to political inputs, they are oriented positively to the input structures and input processes”¹⁰³. It is believed that an active civic culture is beneficial to the consolidation of democracy, as it would solidify the links between people and the democratic institutions that represent them, which is deemed to be the “bedrock for democratic resilience”¹⁰⁴. In order to maintain the resilience of our democracies, it entails the creation of “a civic space for the engagement and participation of citizens and civil society organizations in policy-making processes, whether at election time or beyond”¹⁰⁵. However, when looking back on the democracy development in Hungary, it can be found that the consciousness of solidifying the weak civic culture has not yet developed since the very beginning of Hungary’s democratic transition. As a result, the whole civil society features low citizen participation, low trust in the government and weak consciousness of democracy, and these provide space for the erosion of democracy to some extent. In order to testify what was mentioned above, the thesis will mainly make an assessment of data from World Values Survey via comparison between 1998 and 2009 respectively. However, before elaborating on that, I will first explore what hampers Hungary from creating an active civic culture.

5.2.1 Social Restraints for the Creation of an Active Civic Culture in Hungary

It is argued that democratization is not something that can be accomplished overnight.

¹⁰³ Gabriel A. Almond, and Sidney Verba, *The civic culture: political attitudes and democracy in five nations* (Princeton : Princeton University Press, 1963), 31.

¹⁰⁴ “Protecting democracy,” European Commission, accessed May 22, 2024, https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/new-push-european-democracy/protecting-democracy_en

¹⁰⁵ *Ibid.*, 104

Instead, a set of preconditions need to be met so as to initiate and further consolidate the democratization process, of which civic culture plays an indispensable role. However, when reviewing the development of democracy in Hungary, it can be found that an active civic culture has been missing in the whole society from the very beginning. In that sense, before presenting what the civic culture in Hungary has been like after the democratic transition, this thesis will first explore what hampers Hungary from creating an active civic culture in the whole society. To begin, compared with old democracies in the European Union, there exists no tradition of democracy in Hungary before the collapse of the Soviet Union. On top of that, Hungarians were living under the communist dictatorship for about 40 years, where every aspect of life was under centralized power, rights as an individual were non-existent and multiple channels didn't exist for people to get to know what was going on both domestically and globally. This experience of living in a totalitarian society resulted in toxic paternalism for the state among Hungarians even after the communist rule came to an end in 1989. Besides from that, even the democratic transition in 1989 was state-led and a result of negotiations between the state and democracy opposition, instead of based on mass will. In addition to the long-lasting vertical relations of authority and dependency, the civil society also lacked enough knowledge or consciousness of what democracy is and how important it is to have a developed civic culture in a democracy. In that case, civil society tended to show negative attitudes towards public participation and there was no enthusiasm for the creation of an active civic culture. Therefore, regardless of ongoing economic reforms and political liberalization in the wake of democratic transition, there exists a remarkable asymmetry between the democratization process and the development of a civic culture in the Hungarian society. Apart from what was mentioned above, the nationwide frustration resulting from the democratic transformation also resulted in people's indifference to the building and enforcing of democracy. Theoretically, the transition package was supposed to promote economic prosperity and thus enhance social stability. However, instead of bringing positive outcomes as anticipated, these systemic changes further worsened a series of existing issues such as "rising

unemployment, diminishing social mobility, deepening social disparities and an erosion of social stability”¹⁰⁶. Undoubtedly, Hungary made some remarkable achievements in turning its economy into a market economy based on private ownership. However, these changes in the economy together with liberalizing foreign trade had an impact on the labor market and employment. For instance, western imports flooded the country and many domestic enterprises collapsed because they were not competitive enough compared with foreign companies, which led to a sharp rise in unemployment and “a shrinking of the working population”¹⁰⁷. At the same time, the democratization also brought forth significant changes to the structure of society: a new class of “domestic plutocrats”¹⁰⁸ came into being, together with the influx of small- and medium-sized enterprises, while the size of the underclass and those living in poverty was in an even more dramatic increase, which led to further widening social disparities. Compared to relatively widespread equality in the early days, Hungarian society essentially split in two. That is, “the relatively well-off made up 12-15% of the population, while the majority was poor or on the way to poverty”¹⁰⁹. In that context, most Hungarians were struggling with maintaining their own living and the frustration resulting from the transformation fostered a negative assessment of the whole democratic system among Hungarian society. As a result, citizens were unwilling to be engaged in the public sphere. Without the active and persistent participation of people, it is hardly possible to develop an effective civic culture which can solidify the democratization process. To summarize, great dependency on the government, weak consciousness of democracy, as well as societal disparity and instability resulting from the democratic transition became obstacles for the creation of an active civic culture in the Hungarian society.

5.2.2 Four Indexes Explaining Civic Culture in Hungary

¹⁰⁶ András Bíró-Nagy, "Illiberal democracy in Hungary: The social background and practical steps of building an illiberal state," in *Illiberal democracies in the EU: The Visegrad Group and the risk of disintegration*, ed. Pol Morillas (CIDOB, 2017), 31-44.

https://www.cidob.org/en/articulos/monografias/illiberals/illiberal_democracy_in_hungary_the_social_background_and_practical_steps_of_building_an_illiberal_state

¹⁰⁷ Ibid.

¹⁰⁸ Ibid.

¹⁰⁹ Ibid.

After exploring what hinders Hungary from developing an active civic culture, in this part, I would like to employ Putnam's measurements of civic culture and thus give a picture of how the civic culture had been like before Viktor Orbán came into power. According to Putnam (1993), there are four major indexes that are integral to the constitution of a civic culture, which are specifically "civic engagement, political equality, solidarity, trust and tolerance as well as associations: social structures of cooperation"¹¹⁰. Based on these four indexes, this thesis will give an account of the relevant indicators from the WVS survey and compare the data in 1998 and 2009 respectively¹¹¹.

Civic Engagement

Citizenship in a civic community is characterized primarily by active engagement in public affairs. As an important starting point among the basic dynamics of democracy, participation is conducive to improving transparency and accountability of decision-making processes. Interest in public issues and dedication to public causes are the key indicators of civic virtue. In that sense, it is of great importance to build a stronger role for citizens in a democracy¹¹².

Based on the maximalist definition of democracy, elections are not the only opportunity for citizens to have an impact on decision-making processes, and it entails the public participation in a democracy. Meanwhile, a real democracy is to give citizens control over participation¹¹³.

In terms of interest in politics, when answering the index of "How interested would you say you are in politics?", only 11.2% interviewees in the 1998 WVS questionnaire chose "very interested" while 24.3% indicated that they were not interested in politics at all; however, the survey conducted in 2009 showed that only

¹¹⁰ Robert D. Putnam, *Making Democracy Work Civic Traditions in Modern Italy* (Princeton, N.J.: Princeton University Press, 1993), 87-90.

¹¹¹ "WVS Wave 3 (1995-1998)-Hungary 1998", World Values Survey, accessed May 15, 2024, <https://www.worldvaluessurvey.org/WVSDocumentationWV3.jsp>
 "WVS Wave 5 (2005-2009)-Hungary 2009", World Values Survey, accessed May 15, 2024, <https://www.worldvaluessurvey.org/WVSDocumentationWV5.jsp>

¹¹² Ibid., 110

¹¹³ Miray Özden, "Active participation or legal obligation? A qualitative study of the effectiveness of participatory methods designed for local participation," *Quality & Quantity: International Journal of Methodology* 58, no. 1 (2024): 559-580.
<https://doi.org/10.1007/s11135-023-01658-z>

10.2% were very interested in politics, with a decline of 1% compared with 1998. Meanwhile, 28% participants in the 2009 questionnaire chose the option of “not at all interested”, which instead increased by 3.7%.

Based on the maximalist definition, democracy not only means free elections, but also active political participation, which is deemed to be an integral part of a democratic country. Political participation, as Teorell et al. suggested, has five major dimensions, which are “electoral participation, consumer participation (including boycotting and signing petitions), party activity, protect activity (demonstrations for example), and contact activity”¹¹⁴. As for how to participate in the public affairs, being a member of various communities has its effectiveness in promoting the democracy, which I will elaborate on in the section of “Associations: Social Structures of Cooperation”. In this section, I will place the focus on all kinds of collective political actions. Besides from voting and being involved in a variety of civil associations, taking collective political actions, the most common forms of which include peaceful demonstrations, petitions and boycotts, is also considered an effective and democratic means for people to make their voices heard, express their concerns regarding the crucial issues and thus participate in the decision-making processes. However, the WVS data showed that the willingness and awareness of taking such political actions was quite low in the Hungarian society, both in 1998 and 2009. Based on the 1998 survey, only 24.6%, 3.1% and 9.1% of survey participants responded that they have ever done the political actions of “signing a petition”, “joining in boycotts” and “attending lawful/peaceful demonstrations” respectively, while the percentage of those who would never take such actions reached to 24.8%, 55.2% and 48.6% respectively. Some significant changes were detected in the 2009 questionnaire; that is, those who had ever signed a petition, joined in boycotts or attended peaceful demonstrations decreased to 14.1%, 2.1% and 4.4% respectively. However, 68%, 84.4% and 76.4% respondents stated that they would never take the above-mentioned actions, which saw a sharp rise compared with the datasets in 1998. Both low interest in politics and low willingness of taking

¹¹⁴ Jan Teorell, Mariano Torcal, and José Ramón Montero, “Political Participation: Mapping the Terrain,” in *Citizenship and Involvement in European Democracies: A Comparative Analysis*, ed. Jan van Deth, José Ramon Montero, and Anders Westholm (London & New York: Routledge, 2007), 334-357.

collective political actions in the whole society indicate that it is hardly possible for citizens to make their voices heard when they show little enthusiasm for participating in the decision-making processes. As a result, there is an adverse impact on the accountability of public policies and their implementation. What's more, it is not conducive to the development of a healthy civic culture in the Hungarian society.

Political Equality

Citizenship in a civic community indicates that everyone is entailed with equal rights and obligations. This type of community is united through horizontal relationships of reciprocity and collaboration, rather than hierarchical relationships of authority and dependency. Citizens engage with one another as equals, instead of being patrons and clients or rulers and petitioners. Leaders in such a community must see themselves as accountable to their fellow citizens. Both absolute power and a lack of power can lead to corruption, as both instill a sense of irresponsibility¹¹⁵.

In that sense, the principle of political equality is a necessary prerequisite for the proper functioning of a democratic society, as it makes sure that all the citizens are respected and heard in political life. For the sake of inclusive and accountable democratic institutions and processes, it is necessary to guarantee “gender equality and the inclusion of women, minorities, people living with disabilities and other marginalized groups, both as actors and beneficiaries of democratic development”¹¹⁶. However, in the case of Hungary, the regime change and democratization brought forth growing political inequality in practice, and in this section I will place the focus on the issue of gender equality. It is argued that equal participation of women and men in politics is of great importance as it can guarantee effective democracy and good governance. In addition to consolidating and fortifying the democratic system, the increasing involvement of women in political decision-making can also bring many positive effects on society and thus promote the development of an inclusive civil society. However, influenced by gender-based stereotypes and cultural traditions, involvement with party politics has long been dominated by men, which hampers the

¹¹⁵ Ibid., 110

¹¹⁶ “Gender and Inclusion,” International IDEA, accessed July 28, 2024, <https://www.idea.int/theme/gender-and-inclusion>

equal representation of women and men in public affairs. This kind of gender inequality in political participation can be found in the Hungarian society. First of all, the WVS data both in 1998 and 2009 showed that compared with men, women generally showed lower interest in politics and lower participation in political institutions. For example, compared with men, in 1998 and 2009 only 9.7% and 8.6% of survey participants respectively stated that they are very interested in politics while those who have no interest at all accounted for 28.1% and 31.1% of female respondents. Aside from lower willingness among women, in practice, the proportion of women in public institutions is also relatively low compared to men. Based on the WVS data in 1998, when asked if they were a member in political party, 2.3% of female respondents said that they were an active member in political party while in 2009 it was in a sharp decline to 0.0%. In addition, the data from European Institute for Gender Equality, hereinafter called EIGE, also indicated a low proportion of women in both regional assemblies and executives in Hungary¹¹⁷. Take 2003 as an example, with respect to regional assemblies nationwide, the ratio of women and men who were members of parliament/assembly was 12.9% and 87.1% respectively, whereas women and men respectively accounted for 16.7% and 83.3% when it comes to president of parliament/assembly. On the other hand, when it came to the proportion of women and men in regional executives, the EIGE data showed that only 8.6% of members of the government or political executive were women while 91.4% of them were men. While the proportion of women and men were 29.4% and 70.6% respectively concerning being heads of the government or political executive, it dramatically dropped to 5.3% and 94.7% in 2009. This kind of gender inequality has an adverse effect on the development of an active civic culture as it does not account for the importance of inclusiveness in a democracy. Apart from the issue of gender inequality in political participation, another issue I would like to underline concerning political inequality is the long-standing paternalism in the Hungarian society, as it indicates the vertical relations of authority and dependency between state and citizens,

¹¹⁷ "Gender Statistics Database", EIGE, accessed July 20, 2024, <https://eige.europa.eu/gender-statistics/dgs>

which is not beneficial for the democratic consolidation. Based on the WVS data, 38.3% of respondents completely agreed with the agreement in the 1998 survey which said that the government should take more responsibility to ensure that everyone is provided for, while only 4% completely agreed with the statement on individual responsibility. On the other hand, despite a political crisis in 2006 and financial crisis in 2008, the 2009 survey showed that the proportion of those who valued state responsibility still outweighed respondents who preferred individual responsibility. In other words, the democratization failed to improve the awareness of how important it is to have the autonomy over their social life and without equal authority it is impossible to create a healthy civic culture in the society.

Solidarity, Trust, and Tolerance

In most cases, citizens in a civic community are more than just active, public-spirited, and equal. “Virtuous”¹¹⁸ citizens are supportive, respectful, and trustful of each other, even when there exists divergence on substantive matters. “Fabrics”¹¹⁹ of trust help the civic community bypass what economists refer to as “opportunism”¹²⁰, thereby enabling the realization of shared interests among individuals.

Nevertheless, the WVS databases in 1998 and 2009 showed that Hungarian society was haunted by a general lack of trust in both interpersonal relations and all sorts of organizations. With respect to interpersonal trust, based on the WVS survey in 1998 and 2009, 76.3% and 69.5% of survey participants respectively stated that they needed to be very careful in dealing with people. As for institutional trust, instead of presenting all kinds of organizations mentioned in the survey, this thesis will focus on some specific organizations, which are press, government, political parties, and parliament. More specifically, press is supposed to work as a communication channel between civil society and the government, and “media trust is essential for democratic citizenship and for bringing forth informed individuals with the capacity for political engagement”¹²¹. Meanwhile, in an indirect democracy, public institutions including

¹¹⁸ Ibid., 110

¹¹⁹ Ibid., 110

¹²⁰ Ibid., 110

¹²¹ Peter Jakobsson, and Fredrik Stiernstedt, “Trust and the Media: Arguments for the (Irr)levance of a Concept,”

government, political parties and parliament supposedly represent the interests of the people and it is their obligation to serve the needs of citizens. In that sense, trust in public institutions is one of the most important foundations upon which the legitimacy and sustainability of political systems are built. However, based on the WVS data in 1998 and 2009, survey respondents showed an increasing lack of confidence in these organizations over these ten years. Specifically speaking, the number of those who had a great deal of confidence in the press decreased from 3.2% to 2.2% while survey respondents who had no confidence in press at all increased from 22.6% to 29.1%. The lack of trust in the press makes it hard to get people's needs communicated properly and thus declines the effectiveness of policy making. On the other hand, the WVS datasets both in 1998 and 2009 demonstrated public distrust in executive and legislative powers as well as political parties. Respectively, those who had a great deal of confidence in government dropped from 9.5% in 1998 to only 1.3% in 2009 while respondents who had no confidence at all were in a dramatic rise from 19.8% to 42.9% in 2009. Meanwhile, survey participants who had a great deal of confidence in parliament declined from 6.9% to 1.3% between 1998 and 2009, while on the contrary, those who had no confidence at all rose from 20.3% to 38.4% over 10 years. In addition, in 1998 only 2.8% of respondents said that they had a great deal of confidence in political parties, and it dropped further to 1.3% in 2009. While for those who had no confidence at all in political parties, it witnessed a significant increase from 32.5% to 44.3% in a decade. Based on the data above, a general lack of confidence in both interpersonal relations and institutions can be noticed in the Hungarian society. It is believed that citizen distrust in public institutions would have an adverse impact on the political system and democratic institutions. In other words, citizen distrust in public institutions would greatly weaken the accountability of decision-making processes and thus affect the effectiveness and efficiency of public policies and their implementation to a great extent. At the same time, it can also lead

to a downtrend in democratic participation and civic engagement¹²². This is because citizens will not show any willingness in participating in the democratic process if they are distrustful of elected officials. On top of that, the lack of trust will also hinder the development of fundamental social values like “tolerance and solidarity”¹²³. Apart from that, a general lack of interpersonal distrust is also found in Hungarian society, which is unfavorable for fostering effective communication among individuals and thus impacts the efficiency of collective actions. It is believed that trust is one of the cornerstones that holds together a society as it can greatly facilitate cooperation and collaboration in a collective community, which plays a vital role in the development of an active civic culture. However, in the case of Hungary, a lack of confidence in both interpersonal relations and institutions stalls the building of a developed civil society, as without trust citizens have almost no willingness to share information and resources with others. Meanwhile, the distrust of individuals can also lead to conflict and misunderstandings among people with different interests and goals.

Associations: Social Structures of Cooperation

The norms and values of a civic community are not only reflected in but also reinforced by distinctive social structures and practices. It is claimed that civil associations are of great help to the effectiveness and stability of democratic governance due to their dual impact on both individual members within the group and “polity”¹²⁴ in a broader sense. Internally speaking, these associations foster habits of cooperation, solidarity, and “public-spiritedness”¹²⁵ among their members. Externally, a robust network of secondary associations embodies and promotes effective social collaboration. In a civic community, associations of like-minded individuals play a crucial role in facilitating effective democratic governance.

Instead of expounding on the civic associations in general, this thesis will focus on

¹²² Marco Marozzi, “Measuring Trust in European Public Institutions,” *Social Indicators Research* 123, no. 3 (2015): 879-895.

<https://doi.org/10.1007/s11205-014-0765-9>

¹²³ András Bíró-Nagy, “Regime change, democracy and Hungarian society,” Friedrich-Ebert-Stiftung, 2016, accessed May 12 2024,

<https://library.fes.de/pdf-files/bueros/budapest/12994.pdf>

¹²⁴ *Ibid.*, 110

¹²⁵ *Ibid.*, 110

voluntary organizations in Hungary after the collapse of communism. Before making an analysis of the relevant VWS data, I will first give a brief introduction to the correlations between voluntary organizations and democracy. Except for the normal electoral framework, participating in some voluntary organization has become one of the main approaches which allows the masses to experience the democratic process and thus provide space for creating a thriving and participatory civic culture. It is widely argued that voluntary organizations, as an integral and indispensable part of the democratic life, “provides a vital means through which citizens can express their sense of citizenship”¹²⁶ and enables them to have a say at issues of their concern in the policy-making process. Meanwhile, they play a crucial role in constantly supervising the incumbent government on behalf of citizens so as to make sure that the policies introduced are not to the detriment of public interest. More specifically, they now play an essential part as intermediaries in the exchange of information and opinion between governments and citizens, providing citizens with the means with which they may critically examine government actions or proposals, and public authorities in their turn with expert advice, guidance on popular views, and essential feedback on the effects of their policies. In that sense, “their contribution to the effectiveness with which representative democracy functions should not, however, be underestimated”¹²⁷. Indeed, the existence of a well-developed association and foundation sector is an indication that the democratic process has “come of age”¹²⁸. However, in the case of Hungary, despite an influx of voluntary organizations after the onset of democratic transition, it is argued that these organizations became and have remained “dependent upon state or state-controlled (including European Union) funding”¹²⁹. Apart from the dependence on government funds, we can also tell from the WWS data that Hungarians in general showed a low interest in becoming a

¹²⁶ “Communication from the Commission on Promoting the Role of Voluntary Organizations and Foundations in Europe,” Publications Office of the EU, accessed July 15, 2024, <https://op.europa.eu/en/publication-detail/-/publication/dc142673-b759-4241-95ab-fca568df6ae5/language-en>

¹²⁷ Ibid.

¹²⁸ Ibid.

¹²⁹ Agnes Kover, “Captured by State and Church: Concerns about Civil Society in Democratic Hungary,” *Nonprofit Policy Forum* 6, no. 2 (August 2015): p187-212. <https://doi.org/10.1515/npf-2014-0010>

member of all kinds of voluntary organizations no matter if it is political or non-political. However, instead of describing all the voluntary organizations mentioned in the questionnaire, in this part I will focus on three of them, which are labor unions, professional association and political party. It is argued that these three kinds of voluntary organizations are of importance for people to express their voices and fulfill their needs and therefore promote democratic processes, while a remarkable decline in membership in these organizations can be found in the WVS data in 1998 and 2009. Specifically, 12.2% of respondents were a member of labor unions in 1998 while it dropped to only 4.4% in 2009, while survey participants who were not a member rose from 87.8% to 95.5% in the ten years. Similarly, member engagement in professional association also saw a decline from 10.3% in 1998 to 5.4% in 2009, while those who were not a part of any professional associations increased from 89.7% to 94.3% in the decade. Apart from that, the WVS data showed that an absolute majority of respondents were not a member in any political parties both in 1998 and 2009. That is, survey participants who were a member in political party dropped from 3.4% to only 0.3% in ten years while those who had no membership in any political parties rose from 96.6% in 1998 to a shocking 99.6% in 2009. The active participation of voluntary organizations is supposedly a precondition for the functioning of a developed civic culture, however, due to great dependency on state funds and low membership among Hungarians, it imposes restrictions on the effectiveness of these organizations, which is not conducive to the development of a mature civil society.

To summarize, it can be found that the civic culture in Hungary had been relatively “apathetic”¹³⁰ even since the very beginning of democratic transition. Specifically speaking, civic society in Hungary between 1998 and 2009 featured low interest in politics, low political participation, existing political inequality, toxic paternalism between authority and civil society, low trust in all kinds of institutions and organizations as well as low membership in all sorts of voluntary organizations. On

¹³⁰ Wolfgang Merkel, “Civil Society and Democratic Consolidation in Eastern Europe,” *Társadalom és gazdaság Közép- és Kelet-Európában / Society and Economy in Central and Eastern Europe* 21, no. 3 (January 1999): 62-82. <https://www.jstor.org/stable/41468428>

top of that, based on the data comparison above, it can be seen that a weak civic culture has continuously existed within Hungarian society from 1998 to 2009. In addition, compared with the 1998 data, all the indexes in 2009 were experiencing a significant decline, which indicates a further downtrend in the quality of civil society. After the onset of democratic transition, it was supposed to bring forth social stability, political liberalization and a developed civil society. However, in reality, it resulted in further social turmoil and therefore citizen distrust of the political system instead. In that context, Hungarians were struggling to make a living and tended to have no willingness or motivation to participate in public affairs. They not only show a low interest in political engagement such as elections and membership in political parties, but they are also quite passive in social activities, as demonstrated by low participation in a variety of voluntary organizations, for example. On top of that, Hungarian civil society is unaware of how important the basic notions of democracy are as they generally lack a comprehensive education on democracy. Other than that, citizens in Hungary do not have enough sources, instruments or information to influence the decision-making processes, which further restricts citizens' capability of making their voice heard and thus making the policy implementation more accountable. It is claimed that a developed civil society contributes to the strengthening of a democracy. In the case of Hungary, civil society was undeveloped in the wake of democratization and in that sense, Hungary can not be seen a fully consolidated democracy. In such a situation, there are high odds of sacrificing democratic values in exchange for fulfilling existential needs.

In summary, this thesis claims that the EU mechanisms have created a permissive environment for democratic backsliding in Hungary while on the other hand, a long-lasting weak civil society fails to prevent Hungary from descending to the autocracy.

Generally speaking, while this thesis is seeking to give a comprehensive analysis of democratic backsliding in Hungary, it has its own limitations. For instance, given that all the theories mentioned in the theoretical framework tend to be broad and multifaceted, the complexity and variation within these theories might limit the

thesis's ability to fully capture the nuanced processes of democratization and democratic backsliding in Hungary. Furthermore, in terms of methods used in the thesis, policy analysis can be somewhat subjective and biased as it relies on the interpretation of those policies and the perceived effectiveness of EU mechanisms. In addition, due to the sample size of the WVS questionnaire, it limits the generalizability of the findings. Meanwhile, given the WVS questionnaire was originally in Hungarian while only the English version is accessible, there exists the risk of being biased due to the potential linguistic asymmetry.

6 Conclusion

Hungary was once one of the forerunners of democratization in Eastern and Central Europe, however, since Viktor Orbán and his Fidesz came to power in 2010, the Hungarian society has experienced a sharp downtrend in the quality of democracy and the civil society is under great damage. In that context, the thesis sought to explain the triggers for democratic backsliding in Hungary. Instead of only focusing on the internal factors, given that Hungary is also a member state in the European Union, it also accounts for EU-level explanations. Externally speaking, the ineffectiveness of two EU mechanisms, which are Copenhagen Criteria and Article 7 of the Treaty on European Union, provides permissive conditions for the erosion of democracy in Hungary. Specifically, the Copenhagen Criteria lists a variety of prerequisites that candidate countries must satisfy before joining the European Union and it is supposed to act as the first line of defence for the quality of democracy in a candidate country. However, problems existing in the Criteria itself bring obstacles to its effectiveness in real scenarios. On the one hand, given that its applicability is limited to the accession process, it is probably an effective means to make sure that a candidate country is in compliance with the EU values during that specific period. Yet there exists the risk of candidate countries shifting from democratic consolidation once they are officially a EU member state. On the other hand, the word vagueness in the Copenhagen Criteria allows for the various interpretations of these conditions in different cases. As a result, candidate countries which show asymmetry in fulfilling the EU recommendations are

allowed to join the European Union. As such, new democracies can possibly avoid continuing to comply with EU values due to a lack of strong democracy consciousness once they are no longer subject to the regulations of instruments like the Copenhagen Criteria. Aside from that, when it comes to EU member states, a collection of instruments and tools have also been enacted to prevent erosion of democracy and breaches of law. For example, Article 7, which is called the “nuclear option”¹³¹ and is supposed to be the most effective tool to address the democratic backsliding in member states. However, the procedural complexity makes it almost impossible to initiate the sanctioning mechanism in this article. Meanwhile, the word vagueness leaves room for different explanations of some terms and therefore it hinders the EU from taking productive actions at the early stage of democratic backsliding in member states. On top of that, a general lack of political will to enact Article 7 further weakens its effectiveness in the face of declining democracy. In the case of Hungary, the “mutual indulgence”¹³² between the EPP and Fidesz has allowed Viktor Orbán and his Fidesz party to escape EU sanctions for years even in the midst of a downtrend to autocracy. As a result of the aforementioned problems, the effectiveness of Article 7 as “nuclear option”¹³³ faces great challenges. All in all, both the Copenhagen Criteria and Article 7 prove to be ineffective and problematic in defending the EU fundamental values as they create permissive conditions for potential democratic backsliding in member states.

Internally, it is argued that a weak civic culture is accountable for the erosion of democracy in the Hungarian society. Theoretically, a strong civil society plays a pivotal role in a well-established democracy as it can foster social cohesion and enables individuals to actively participate in public affairs. However, in the case of Hungary, after comparing the WVS data in 1998 and 2009 respectively, it can be found that a weak society has already existed in Hungary since the onset of democratization, and these ten years saw a significant decline in almost all the indexes which constitute a civic culture. In such a weak civil society, citizens have a limited

¹³¹ Ibid., 92

¹³² Ibid., 94

¹³³ Ibid., 92

capacity to address social issues and they tend to have little say in decision-making progresses. As a result, there exists a general lack of societal monitoring on policy implementation which greatly reduces its accountability and transparency. Furthermore, it would lead to potential corruption and the dominance of the ruling power as the government has great control over economic and political practices in a weak civil society. In the case of Hungary, an undeveloped civic culture goes hand in hand with economic disparities and social frustration. In that context, it is highly possible that Hungarians would change their voting behavior at the cost of democratic values as they are desperate for improving their living conditions. What's more, citizens can be tolerant of democratic backsliding in the case that Viktor Orbán legitimated all the policies in the name of "the people", instead of elite groups.

Due to the limitations existing in this thesis, future research could complement the current study in the following aspects: first of all, given the thesis is only focused on the case of Hungary when analyzing the EU mechanisms, future research could compare Hungary's experience with other EU member states experiencing similar democratic backsliding. This would help identify whether the EU's mechanisms are universally ineffective or if Hungary presents unique challenges. Apart from that, the current study is only focused on Putnam's indexes for measuring civil society in Hungary. Therefore, future research could seek to employ other measurements to make an assessment of civic culture in Hungary so as to see if the civil society has been in a decline as well. On top of that, future research could also attempt to integrate alternative theories of democracy, democratization and democratic backsliding to see if they would offer different perspectives or solutions.

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