

Blog

Is the COVID-19 pandemic the coup de grace
Hungarian democracy?

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Hungary, as every other EU Member State, has declared a state of emergency due to the coronavirus pandemic. However, the similarities stop here; the Hungarian government's emergency measures revolve around a new act, which would allow Prime Minister Viktor Orbán to rule by a decree, without any sunset clause and without any parliament oversight, essentially giving him unrestrained power. This new bill passed in parliament on Monday, March 30. Many critics are saying that Orbán is using the coronavirus pandemic as a pretense for a coup d'état. The Council of Europe Secretary General Marija Pejcinovic Buric wrote to Orbán on March 24, that: *"An indefinite and uncontrolled state of emergency cannot guarantee that the basic principles of democracy will be observed."* Despite this, Viktor Orbán claims that after the crisis ends, he will give back all powers, without exception.¹ History, however, shows that the veracity of Orbán's claims are dubious; in September 2015, a "crisis situation" was declared in Hungary due to the migration crisis, which upon that time was in Europe. The "crisis situation" should have been stopped when a set of preconditions, such as either 500 asylum seekers arriving to a transit zones per day for a month or 800 per day for a week, are not fulfilled any more. These preconditions have not been met for years now. However, on March 5, 2020, Hungarian parliament extended the "crisis situation" for the eighth time since the 2015 Europe's migration crisis.² With respect to the current crisis, civil rights groups and international institutions fear that this will give to Viktor Orbán the power to pursue and suppress the critics and destroy the democratic checks and balances. The majority of the members of the European Parliament calls for European response and says that this will irrevocably destroy the democracy in Hungary.³

¹ Joanna Kakissis, "New Law Gives Sweeping Powers To Hungary's Orban, Alarming Rights Advocates", *NPR*, April 21, 2020, <https://www.npr.org/sections/coronavirus-live-updates/2020/03/30/823778208/new-law-gives-sweeping-powers-to-hungarys-orban-alarming-rights-advocates>.

² Edit Inotai, "PANDEMIC-HIT HUNGARY HARPS ON ABOUT 'MIGRANT CRISIS'", *Balkan Insight*, April 21, 2020, <https://balkaninsight.com/2020/03/19/pandemic-hit-hungary-harps-on-about-migrant-crisis/>.

³ What should the EU do about Hungary?", *Politico*, April 21, 2020, <https://www.politico.eu/article/what-should-the-eu-do-about-hungary-coronavirus-viktor-orban/>.



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What raises further concerns is the second part of the new bill, which creates two new crimes. Anyone who share intentionally any fake news concerning the pandemic could face up to five years in prison; anyone who is disobeying the quarantine or isolation order can be imprisoned by up to five years, and if anybody dies due to breaking their quarantine, the sentence increase up to eight years in prison.⁴ Many observers think that these laws are means for frightening journalists, who would report unpleasant facts about hospital facilities or that there is a shortage of protective equipment for doctors.⁵⁶

The coronavirus pandemic plays into Viktor Orbán's hand when he is using the virus to fight against migrants: *"We are fighting a two-front war. One front is called migration, and the other one belongs to the coronavirus. There is a logical connection between the two, as both spread with movement."*⁷ The first coronavirus case in Hungary was allegedly an Iranian student, who was legally studying in Hungary, so immediately the government highlighted that migration was to blame. After the accusation was made, it has been confirmed that the first case was a Hungarian woman, who caught the virus most probably in Italy. Nevertheless, the government put 13 Iranian students into the quarantine, and after alleged misbehavior, they should be deported from the country, once again baselessly scapegoating a minority to fit the government's dominant narratives.⁸

⁴ "UNLIMITED POWER IS NOT THE PANACEA", *Amnesty International*, April 21, 2020, <https://www.amnesty.hu/data/file/4846-unlimited-power-is-not-the-panacea-20200322.pdf?version=1415642342>.

⁵ Garvan Walshe, "Viktor Orbán Can't Eradicate the Coronavirus by Decree", *Foreign Policy*, April 21, 2020, <https://foreignpolicy.com/2020/04/14/hungary-viktor-orban-authoritarianism-cant-eradicate-coronavirus-by-decree/>.

⁶ Anne Applebaum, "Creeping Authoritarianism Has Finally Prevailed", *The Atlantic*, April 21, 2020, <https://www.theatlantic.com/ideas/archive/2020/04/hungary-coronavirus-just-excuse/609331/>.

⁷ Dalibor Roháč, "Hungary's prime minister is using the virus to make an authoritarian power grab", *The Washington Post*, April 21, 2020, <https://www.washingtonpost.com/opinions/2020/03/25/hungarys-prime-minister-is-using-virus-make-an-authoritarian-power-grab/>.

⁸ Edit Inotai, "How Hungary's Orbán blamed migrants for coronavirus", *EUobserver*, April 21, 2020, <https://euobserver.com/coronavirus/147813>.



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Journalists in Hungary also claim that the new bill is being used to deny them access to information, and also to threaten them.⁹ In this situation, it is hard to define the scale of the coronavirus pandemic in Hungary, mostly because of the new laws, which makes it harder for investigative journalists to conduct their research. Even after the stream of information is cut off, there are some indicators showing that the situation may be far worse than officially reported.¹⁰ Many journalists are complaining that government is not being transparent towards the public with key data, such as providing a true number of coronavirus patients.¹¹

Additionally, the new bill provides carte blanche opportunities and mandate for the state and even the military to intervene in at least 140 partially state-owned companies, but also in those which are not under state ownership either partially or fully (e.g. Hungarian subsidiary of Robert Bosch LLC)¹² in name of “stabilizing the Hungarian economy”, which is shorthand for assisting the biggest employers within the country, e.g. through customs clearance, delivery of goods etc.¹³ Constitutionally and politically, the law also enables Viktor Orbán to meddle in the judicial sphere¹⁴, such as with regards to the possibility to postpone every elections and referendums until the state of emergency ends.¹⁵

The measures are widely criticized by civil society, opposition and experts. *“Step by step, the governing majority extinguished the professional, organisational, and financial autonomy of*

⁹ Shaun Walker, “Hungarian journalists fear coronavirus law may be used to jail them”, *The Guardian*, April 21, 2020, <https://www.theguardian.com/world/2020/apr/03/hungarian-journalists-fear-coronavirus-law-may-be-used-to-jail-them>.

¹⁰ Benjamin Novak and Patrick Kingsley, “Hungary’s Leader Grabbed Powers to Fight the Virus. Some Fear Other Motives”, *The New York Times*, April 21, 2020, <https://www.nytimes.com/2020/04/05/world/europe/victor-orban-coronavirus.html>.

¹¹ Edit Inotai, “How Hungary’s Orbán blamed migrants for coronavirus”, *EUobserver*, April 21, 2020, <https://euobserver.com/coronavirus/147813>.

¹² Valerie Hopkins and Mehreen Khan, “Orbán’s world”. *Financial Times*. April 21, 2020, <https://www.ft.com/content/ef927b7d-33f8-40b9-bfa7-362864d12278>.

¹³ Ibid.

¹⁴ Vojtěch Berger, “Anything Can Happen”, *Visegrad Insight*, April 21, 2020, <https://visegradinsight.eu/anything-can-happen-hungary-covid19/>.

¹⁵ Nick Thorep, “Coronavirus: Is pandemic being used for power grab in Europe?”, *BBC*, April 21, 2020, <https://www.bbc.com/news/world-europe-52308002>.



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*public institutions, while putting such control mechanisms in place that ensure the prime minister's decision-making power in all significant policy areas ... This is how epidemiology, in Hungary, becomes a political matter,"*¹⁶ wrote Dávid Vig, director of Amnesty international in Hungary.

Hungary is now facing two threats; one is the coronavirus pandemic and the second is the increasing authoritarianism of Prime Minister Viktor Orbán. It is still premature to conclude whether this crisis is the last blow for the democracy in Hungary, although there are strong indications that this is the case. However, the validity of the premise can first be evaluated once the coronavirus crisis ends and the government either dismantles the emergency bill or renews it. It is, however, evident even now that Viktor Orbán is trying to usurp more power through capitalizing on the current unprecedented situation. The democracy in Hungary has been in decline for a long time; the government is undermining the free media, infringing on the judiciary's independence, stoking fears amongst the population based off anti-Semitic and xenophobic conspiracy theories, and infringing upon the independence of institutions across all strata of society. Any further erosion could be the final nail in the coffin of the Hungarian democracy.

Currently, Hungary and Poland are on similar trajectories of democratic backsliding with the EU. This fundamentally impacts the V4 as a bloc and regional actor on the European scene, forcing the Czech Republic and Slovakia to fundamentally rethink their modalities of EU-level engagement, which has traditionally happened against the backdrop of V4 consensus, yet which is becoming increasingly untenable as Hungary and Poland isolate themselves further and further. It begs the question of whether the V4 is fragmenting into a V2+2, depending on the Czech Republic and Slovakia's ability to reformulate their EU policies both politically and publicly along more politically sustainable lines, lest they let Hungary and Poland drag them

¹⁶ Dávid Vig, „Hungarians should be rising to the challenge of the coronavirus outbreak in spite of Orbán”, *Euronews*, April 21, 2020, <https://www.euronews.com/2020/03/21/hungarians-should-be-rising-to-the-challenge-of-the-coronavirus-outbreak-in-spite-of-orban>.



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down and isolate them further. Covid-19 illustrates clearly the benefits of deeper EU-level engagement, with the Green Deal slated to become the fulcrum around which economic recovery revolves and with Eurozone membership enabling larger economic recovery packages, just to name a few. It is time for the long overdue recalibration of the Czech European policy, given that it has a willing partner in Slovakia and an increasingly untenable and deteriorating democratic situation in Hungary and Poland.



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