

Eszter Markus

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### Shrinking space for civil society in the heart of Europe

The International Federation for Human Rights (FIDH) has recently published an 84-page report entitled “Hungary: Democracy under Threat - Six Years of Attacks against the Rule of Law”<sup>1</sup> in which it summarized several of its concerns on the developments in Hungary during the governance of the Orban governments (2010-2016). It gave an overview of seven areas in the rule of law where negative tendencies became tangible: the constitutional framework, the judiciary, the legislative powers (incl. the electoral system), freedom of media, freedom of information, freedom of religion and civil society. Even by looking at this long list of areas we shall become extremely concerned. Some might say, though, that – unfortunately – this is not some peculiar thing happening in one country, but a world-wide trend. Sadly, that is also true. However, the geographical, political and historical situation of Hungary makes it a forecast barometer, which should trigger an alert to Europeans.

In order to decide if the claims are true or not one might read through the 84-page study that supports these claims of growing restrictions of democratic space and compare it with the one-page press release of the Ministry of Foreign Affairs. As *Hungary Matters*, the English edition of the state-controlled Hungarian News Agency’s newsletter summarized the release *‘The [FIDH] report said the government had “systematically” weakened and established control over the state’s judicial and legislative branches, the media and civil groups.’*<sup>2</sup> The government had no intention to deny the statements in detail; the press statement simply says that Orban was elected prime minister during the elections of 2010 and 2014, so no one can claim the government’s decisions illegitimate. The government has the support of the people of Hungary, thus “it will protect the interest, safety and rights of Hungarians even if some international organizations that claim to be human right defenders do not like this.”<sup>3</sup>

In a way, if you do not have the time to read the FIDH report, it is enough to think through this summary of the government release. First, it made it crystal clear that once (or twice) a government is elected there is no legitimate basis to argue against their decisions. Second,

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<sup>1</sup> [https://www.fidh.org/IMG/pdf/hungary\\_democracy\\_under\\_threat.pdf](https://www.fidh.org/IMG/pdf/hungary_democracy_under_threat.pdf)

<sup>2</sup> [http://www.mtva.hu/images/download/hungary\\_matters/2016/afternoon/hm1104pm.pdf](http://www.mtva.hu/images/download/hungary_matters/2016/afternoon/hm1104pm.pdf)

<sup>3</sup> <http://www.kormany.hu/hu/kulgazdasagi-es-kulugyminiszterium/hirek/magyarorszag-visszautasitja-a-fidh-ragalmaid>

based on the previous argument, there is no need to listen to voices that contend any government action given the legitimacy was given to the government alone. Sounds familiar to you, dear reader? It does sound alarmingly similar to many Hungarians echoing the propaganda of the “People’s Republic” of the 1950ies.

Hungarian civil society was (re)born in the second half of the 1980ies after the law on foundations was adopted, and later the law on associations was modified allowing the proliferation of civil society organizations free of political control. In the next two decades we witnessed the birth of numerous CSOs, NGOs, voluntary organizations, etc. While many organizations were quickly registered the attitude of people changed more slowly.

After forty years of communism and forced membership in youth- and trade associations it took more than ten years to consider association membership something that we voluntarily choose. It took even more time to understand that if you give donations to a charity or you offer to work on a voluntary basis it will make you feel better, and that working collectively for some cultural, social cause is – after all – a noble thing. We still need time to realize that we ourselves bear responsibility for our neighborhood and our society, and we should not always be waiting for an authority to solve our immediate concerns. Though there are nice exceptions civil courage is still hard to find. For twenty years between 1990 and 2010 we tried really hard to change our perceptions, habits and practices with regard to our relationship with the government and the ruling elite. We still try, but it is as difficult as rowing against the wind.

The old reflexes had been revived, and old proverbs reappeared: Least said, soonest mended. Money talks, bullshit walks. The financing of CSOs has changed in a way that practically only those get (substantial) funding that is loyal to the government. The total volume of state support to civil society has decreased in nominal terms. The police raids to leading independent NGOs lacking solid legal basis in 2014 – as it was revealed just recently – were ordered by PM Orban himself. Since then many freedom-fighter, human rights and fund redistributing organizations had to go through several unscheduled legal and tax investigations. Fear became tangible for many: it was not the feel of compunction but the fear that one can be punished for not being loyal, for not remaining silent.

Social dialogue bodies, including a high-level tripartite forum with unions and chambers and dozens of councils and boards, were part of the communist institutions, and were further developed after 1990. The notion of participatory democracy – which asked for more than consultations in committees: involvement – had slowly but steadily got stronger especially after the 2004 accession of the European Union. Practically all of these institutions were restructured, reorganized or shut down in the last six years. Partnership was replaced with the notion of “National Cooperation System”, which means that the government and its institutions maintain social dialogue with selected civil organizations. No longer representativity, professional record or other tangible condition is required to be included. Many well-known civil society organizations that had proven professional record were no longer invited.

In view of the above – casting a worrisome look at Western countries that once set the standard for civil society development in 1990ies and now favoring authoritarianism and becoming nationalist – one can be deeply worried that the political culture in civil society would be no better than political culture in the country. In the case of Hungary we need to find another model for civil society. Each CSO needs to build up their grass-root supporters, their membership base and find novel ways to form their constituencies. Luckily, in this century we have internet-based solutions social media, collaborative platforms and have the prospect of digital social innovation.

The political culture of civil society organizations will depend on their ability to embrace new forms of communication and getting support from our networked society. I hope this may eventually mean less state support and stronger partnership with society.

### **Author**

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