Hungary’s Democratic Transition Starts to Take Shape

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Executive Summary: Hungary’s ruling Tisza party has enacted major constitutional amendments and instituted reforms aimed at strengthening democracy since coming to power in May, reversing several policies implemented under the 16-year rule of former Hungarian Prime Minister Viktor Orbán.

- Tisza is also making changes to build trust with Hungary’s international partners, including transparency reforms to secure billions of EU recovery and cohesion funds previously frozen over rule-of-law concerns. Hungary also joined the European Public Prosecutor’s Office and established a new anti-corruption agency that will investigate alleged systemic corruption under Orbán.
- While Tisza maintains dominant public support for these changes, the absence of a viable opposition party poses potential long-term democratic risks. For now, however, the party has shown self-correction on democratic issues.

On September 15, Hungary’s National Assembly elected five new members to the Constitutional Court of Hungary after a recent constitutional amendment capped the retirement age of the court’s judges at 70. This forced the immediate retirement of five judges, including chair Péter Polt. The same constitutional amendment, the 17th, also reduced the terms of incoming judges from 12 to nine years and transferred the power to elect the court’s chair from parliament to the court itself (Jogászvilág, September 15).

The 17th Amendment to Hungary’s Fundamental Law is one of the latest in a series of institutional reforms adopted by the country’s new ruling bloc, the Respect and Freedom Party, or Tisza. After beating longtime Hungarian Prime Minister Viktor Orbán and his populist Fidesz–Christian Democratic People’s Party from power in the April parliamentary elections and taking office in May, Tisza immediately began dismantling Orbán’s “System of National Cooperation” (NER) (see EDM, April 15). Tisza views its massive election victory, 141 of the 199 seats in Hungary’s unicameral legislature, as a mandate to dismantle the NER.

One of the most immediate steps taken by the new ruling majority was unlocking Hungary’s frozen EU recovery and cohesion funds, which were blocked by the European Union over transparency and rule-of-law concerns. Following a preliminary agreement with the European Commission in May, the European Union approved Hungary’s revised post-pandemic recovery plan on July 10, unblocking 10.4 billion euros ($11.56 billion) in EU recovery funds aimed at supporting the green and digital transitions, as well as economic growth (Pénzcentrum, July 10). This EU decision came in exchange for extensive rule-of-law reforms, including Hungary’s move to join the European Public Prosecutor’s Office (EPPO), which the government implemented by the August 31 deadline.

On transparency reforms, Hungarian Prime Minister Péter Magyar’s Tisza took a step further and established a new anti-corruption authority, the National Asset Recovery and Protection Office

(NVVH). The main tasks of the NVVH include tracing assets unlawfully removed from public hands, the identification, securing, and preservation of the value of assets, investigations into the protection of public assets, and criminal law enforcement (Portfolio, July 13). The new authority was created over a series of allegations claiming that the consecutive Orbán governments siphoned state assets and public funds into private hands through rigged public procurements, opaque private equity funds, and state-backed concessions.

Tisza also established the NVVH because the new government considers the Prosecution Service too partisan (Magyar Hang, September 28). Calling his election victory a regime change, Magyar called on his Fidesz-appointed public officials, many of whom were reappointed for lengthy terms just before the election, to resign. One of the public officials answering Magyar's call was Hungarian Prosecutor General Gábor Bálint Nagy, who stepped down from his position, citing political pressure, indirectly pointing to the new ruling bloc. Parliament is currently considering a second nomination by Hungarian President András Baka for Prosecutor General after his first candidate was rejected by the Tisza majority for being too close to Fidesz-linked prosecutors.

In line with his election promises, Magyar called on then-Hungarian President Sulyok Tamás to resign. After Sulyok refused to do so, the Tisza majority in parliament voted to remove him from office. Though Sulyok signed the law enabling his removal, he called the effort unconstitutional and left his position without resigning (Telex, July 18). Following a brief transitional period, parliament voted Baka in as president, a former Chief Justice of Hungary's Supreme Court, who assumed office on August 19.

The 16th Amendment to the Fundamental Law, which set an eight-year term limit for prime ministers, was a more important reform for Fidesz. The reform, irrespective of whether the eight years have been served consecutively, bars Orbán from returning to office (Portfolio, July 13). The same constitutional amendment also enabled a law that abolished Hungary's Sovereignty Protection Authority (SZVH). Although the SZVH's official task was to investigate foreign influence, it was used to target Orbán's critics, while barely touching foreign malign influence (see EDM, February 2, 2024).

Parliament also temporarily shut down Hungary's public media broadcaster, MTVA, to reform the institution, which had turned into a pro-Fidesz propaganda machine over recent years (444, August 20). Parliament appointed new leadership of the country's public media and media authority, vowing to restore media independence. Large-scale taxpayer-funded public media campaigns, including those that demonized EU leaders and Ukrainian President Volodymyr Zelenskyy, were also stopped.

The primary question after about five months of Tisza rule is whether Hungary's ongoing institutional transition is truly democratic or if Tisza will use its two-thirds majority for single-party rule. Several commentators have written that Magyar is "practically Orbán without Fidesz" or "Orbán 2.0, only without corruption," predicting similar semi-authoritarian and right-wing populist tendencies.

Recent polls suggest that at least 50 percent of all voters support Tisza (HVG, September 23). The party's flagship initiatives, including those aimed at investigating alleged systemic corruption under the Orbán era and strengthening ties with Hungary's Western partners, are also broadly supported, even as Fidesz calls them undemocratic. Moreover, the party has shown willingness to backtrack from decisions that were seen as controversial by the public—such as revising its initial candidates for president (Index, July 27). While the latter cost a few percentage points in opinion polling, it shows that Tisza is willing to reverse course following significant public criticism.

There is currently no major opposition party. Support for Fidesz, which received almost 40 percent

in the April election, is now estimated between 20–27 percent, while the nationalist Our Homeland (the only other bloc in parliament) is polling at 8–11 percent, and only holds six of the 199 seats. The Fidesz–KDNP alliance holds 52 seats. Despite an earlier rift within his party led by Tisza Vice President Márk Radnai during the election campaign, Magyar remains unchallenged. The emergence of a new, democratically-minded opposition formation is yet to be seen (444, September 15). In the long run, this could pose a risk for democracy if Tisza diverts from its election promises and implements public policies not broadly supported by the electorate.

Tisza has promised a new constitution and a new proportional election system by 2030. Properly implementing these reforms will be a major test for Hungary's democratic renewal. Due to the mixed one-round election system that widely favors large blocs in parliamentary elections, several centrist and liberal formations stayed away from the April election to support Tisza's bid to oust Fidesz from power (see EDM, April 7). Several are eyeing a return to party politics. Implementing a widely supported constitution drafted by a broad coalition that involves opposition parties could benefit both the new ruling bloc and Hungarian democracy. Failure to implement Tisza's flagship policies could lead to a right-wing populist resurgence ahead of the 2030 election, either led by Fidesz or Our Homeland.

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