

The Development Path of the Hungarian Public Administration from the Regime Change to the New Era of Crises

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The Hungarian public administration development path can be displayed in four stages: “democratisation” from 1990 until 1998, the beginning year of the EU accession negotiations; “Europeanisation” as preparing for EU accession until 2004, when Hungary became full member of the EU together with 9 other countries. The next phase is the unsuccessful “quest for efficiency” until 2010, including 2008, when the Hungarian state budget faced insolvency and turned to the IMF for a standby loan. Finally, in 2010 the era of continual crisis management started with the financial and economic crisis, the migrant crisis, the Covid–19, and the war in Ukraine.

Keywords: democratisation, centralisation, regime change, crisis management

Introduction

Hungary was one of the promising young democracies in the 1990s after the fall of the Berlin wall. In fact, the first frays on the Iron Curtain appeared on the border of Austria and Hungary, followed by the sudden collapse of Communist totalitarianism in the entire region.² The key role of the country regarding Central and Eastern European regime changes may be connected to its central geographic location as well as to its vivid memories of an armed revolution against Communism in 1956. By 1989, a pluralistic, democratic constitutional state came to life, having had its first elections in 1990, whereas local governments had a vital role in the process of democratisation. In 1989–1990, the “Big Bang” of the regime change affected the entire constitutional system – discussed in the following. In the formal sense, however, the constitution itself remained the Communist Act XX of 1949 until having it replaced with the new Fundamental Law of 2011.

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2 JENEI 2011: 113–125.

Overture of democratisation

The well-preparedness of the regime change

The relative smoothness of the regime change had a historic advantage, namely, that Hungary became an early representative of stability and prosperity having been contrasted by other countries from the Central and Eastern European region, such as the former Yugoslavia let alone Romania or the dissolving Soviet Union throughout the 1990s.³ The smoothness of the transition stemmed from the following historic characteristics:

- The 1956 revolution and armed uprising had a deep psychological effect on the communist elite, causing them to cautiously avoid all potential conflicts with the society. Unlike other communist elites in the region in the 1980s, the Hungarian political elite was very much aware that the seeming stability of the dictatorship had been profoundly delusive and bore the potential of rapidly changing again.
- While longing for internal stability, the communist state launched gradual reforms on the restoration of individual property and established certain latitude for entrepreneurship. Such easing happened in connection with Hungary entering the IMF in 1982 and receiving loans from it (Decree-Law No. 6 of 1982). Preparation for the regime change took impetus when new company law was issued in 1986 which laid the tracks for privatisation. Privatisation begun under communist control to individuals and groups loyal to the communist regime. Buying into Western business networks partly for intelligence purposes and partly for external legitimacy proved mutually beneficial. Covert economic relations were built and strengthened with a wide range of Western powers⁴ which networks were essential for rapid but largely controlled privatisation of the late 1980s and early 1990s.
- The post-communist influence was tangible in the most important fields of the economy such as telecommunication, media, culture, banking, foreign affairs, trade, justice, real estate and logistics.⁵ The incumbent elite made preparations for a soft transition already in the early 1980s, supported by 800 thousand Party members, approximately 50 thousand internal secret contacts, and 10 thousand-20 thousand secret police.⁶

The first phase of the regime change was constituted by the transition of ownership structures that had been set before the change of the democratic institutions. The second phase of the regime change established democratic institutions. Naturally, new institutions took time to take shape under due legal processes. The asynchronous

3 MILANOVIC 1997: 2.

4 BOTTONI 2016: 245–270. BORVENDÉG 2020a; BORVENDÉG 2020b.

5 UNGVÁRY 2008.

6 TAKÁCS 2013.

nature⁷ of the regime change in terms of changing state ownership to private owners and regarding the rule of law involved that newly established ownership rules and other legal institutions provided entrenchment for those who successfully transferred political clout into economic or other forms of power in the late 1980s and early 1990s. The non-democratic nature of this phenomenon was recognised by only a minority of foreign observers.⁸

Regime change in local governance

Local public administration entities (the local soviets) were directed by the Government and ultimately by the Party (Hungarian Socialist Worker's Party) until 1990. Furthermore, municipal borders were altered by Party directives under the label of economies of scale. With such reasoning, many municipalities lost their legal entity status and were artificially amalgamated with bigger towns or cities. This practice has had a long-lasting effect on the Hungarian public administration namely that mergers of local governments have been constitutionally forbidden in the new democracy.

Designing the local government system was an important part of the smooth transition. The high level of decentralisation provided ample latitude for former heads of the local soviets to carry on their local positions in the newly elected municipal structures. Apart from this, the post-communist party (Hungarian Socialist Party) could build its local networks and fundraising on the municipal structure. Although, the law on local governments was issued by the new Parliament in 1990, it was prepared by the Ministry of Interior just before the regime change had happened. The local embeddedness of the Hungarian Socialist Party was well indicated by the former heads of local soviets (typically former Party commissars) having successfully re-established their careers as elected town mayors.⁹ Paradoxically, democratisation in terms of decentralisation at the municipal local government has proved to be a factor of conserving old political networks in power rather than replacing them with new elites. Deep-rooted political contradictions of the early transitional period offer an understanding of why the Hungarian path in public administration development did not prove to be an undoubted success story throughout the ensuing decades.¹⁰

Inherited financial imbalance

Apart from the internal flaws of the regime change, it is important to mention that unlike in the case of Poland, Hungary did not receive any debt relief from international

7 JENEI 2009: 4–11.

8 AYRES–BRAITHWAITE 1992: 7.

9 ELLIS 1997: 181–196.

10 ORENSTEIN 2008: 80–94.

creditors as an encouragement for democracy and stability. Western loans of the 1970s and 1980s were used partly to finance preparations for WWII and partly to increase internal consumption in order to preserve political stability in the country.¹¹

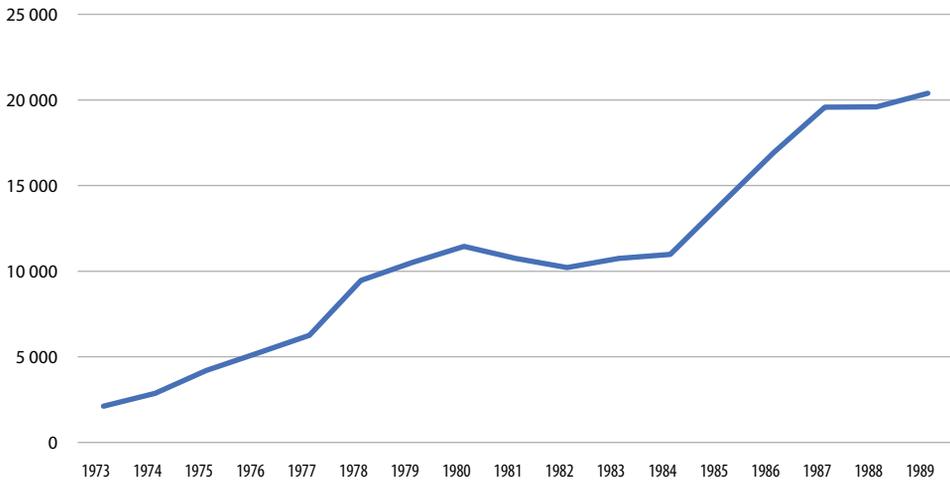


Figure 1: Gross state debt of Hungary 1973–1989

Source: www.portfolio.hu/gazdasag/igy_keletkezett_a_magyar_allamadossag.225866.html

In retrospect, inherited indebtedness must be identified as a decisive circumstance in Hungarian public sector reforms because economic efficiency (based on the motive of paying back loans) has been one of the most important characteristics of the Hungarian development path until the migrant crisis of 2015. Recent research pointed out that the practice of re-export, namely, buying foreign goods and re-selling them at a lower price enabled the communist dictatorship to funnel soft money to certain official and business circles in the West for buying legitimacy and building networks – at the cost of the Hungarian population.¹²

Centralisation and decentralisation between 1990 and 1998: “democratisation” and its discontents

Creating the “conflict container”

According to the new legal setting of 1990, the local government system was composed of two tiers: the upper layer consisted of the nineteen counties and the capital city of Budapest, while at the lower municipal layer, almost 3,200 local governments were

¹¹ YARASHEVICH 2013: 203–216.

¹² BORVENDÉG 2022: 189–202.

run by elected councils.¹³ The local governments had a high political legitimacy supplemented with financial autonomy. Political and legal autonomy was untouched throughout the decades but financial latitude was gradually taken back by the consecutive administrations. The abolition of the social security local governments in 1998 (Act LXXXIV of 1991) ought to be mentioned which was an independent local government system that operated so inefficiently that its operations diminished a decisive proportion of the national social security assets.¹⁴ Additionally, the redistribution of local (municipal) income taxes was gradually curtailed throughout the 1990s¹⁵ which to a large extent hollowed out the concept of economically autonomous local (municipal) governments. Meanwhile, the tasks of the local governments gradually increased throughout the years. This process was enabled by the creating of so called “delegated competences” with insufficient central funding or no funding at all. So the central administrations delegated their local competencies by law without the financial means and on multiple instances without consulting the local governments. The parallel processes of curtailing local government incomes and delegating tasks without sufficient funding resulted in a phenomenon that domestic public administration theory called “conflict container”.¹⁶ The “conflict container” is a buffer zone between the population and the central administration responsible for a wide array of public services and competences. Even the most costly and complicated ones being public education and public health, but road maintenance, social welfare, child protection and many other public services created challenges from time to time.

Bursting the “conflict container” – Correcting the development path by austerities

Public administration and welfare systems became under unbearable pressure because of social and economic collapse by the mid-1990s. The first correction of the newly established democratic administration and public services system took place in 1995.¹⁷ In 1995, the coalition government consisting of the Hungarian Socialist Party and the Alliance of Free Democrats (a minor leftist liberal party) had to launch a vast fiscal correction plan called the “Bokros package” after the name of the finance minister of the day. The austerity package has been an emblematic event of the young Hungarian democracy ever since, known for its indiscriminate nature of leaving complete social sectors – especially in education, health, pension and social care sectors – without sufficient financing despite the relative success of these sectors in

13 HAJNAL 2012: 288–299.

14 Munkaügyi Levelek [Labour Letters] 1998, see: <https://munkaugyilevek.hu/1998/08/megszuntek-a-tb-onkormanyzatok>

15 HORVÁTH–PÉTERI–VÉCSEI 2014: 121–147.

16 PÁLNÉ KOVÁCS 1990.

17 KORNAI 1996: 943–1040.

having stabilised society by remedying joblessness after the collapse of state-owned industries.¹⁸ The internal financial correction efforts proved to be insufficient and in 1996 Hungary had to re-enter into a standby loan agreement with the IMF. The nature of post-communist systemic meltdown was a well-known phenomenon in the entire Central and Eastern European region hallmarked by collapsing oversized state-owned enterprises after losing foreign markets primarily due to the lack of solvency of post-Soviet trading partners.¹⁹

Hungarian decision-makers had to realise that 3,200 legally equal, fully competent local governments were simply too costly to operate in a country of 10 million inhabitants. Therefore, they created a new policy to operationally merge local governments without having to legally merge them. Top-down legal mergers were prohibited by Article 42 of the Constitution, which protected local governments by acknowledging the right to self-governance of the highest level. Thus, incentives were created for local governments to establish partnerships for operating their institutions together, especially in education and public health sectors, but also in sanitation or road maintenance. Finally local notary offices were merged. This was a gradual process whereas incentives were given in a step-by-step fashion to partnerships in different policy areas. Municipalities that were well-off and had a lot of extra incomes from local industrial taxes had more latitude to resist, but most of the municipalities were financially unable to resist central incentives in order to maintain their operational independence.

Another characteristic phenomenon of this period was the inflow of Western advice and technical assistance to shape and stabilise the institutional and power structures of the young democracies of the region.²⁰

“Europeanisation” – preparing for EU membership, 1998–2004

Hungary signed the partnership agreement with the European Communities in 1991, however, concrete accession negotiations commenced only in 1998 and lasted until 2002. Accession happened together with 9 other countries of the region on 1st of May, 2004.

According to Sobis and de Vries,²¹ the EU (and previously the European Communities) gradually became the most important international donor organisation for public administration reforms in Central and Eastern Europe. The European Communities began to impose their own agenda on Member States in early 1990s based on the idea of decentralisation. Europeanisation was based on the concept of self-protecting nation states being obstacles of the four freedoms: free movement of capital, goods, services, and labour. The EU introduced *regionalisation* by built-in

18 OECD 2008.

19 ROMÁN 2005: 51–62.

20 SOBIS – DE VRIES 2009: 40–41.

21 SOBIS – DE VRIES 2009: 40–41.

incentives in the structural development funding scheme. The strategic development plan of the EU for the period of 2000–2010 (Lisbon Strategy) had the aim to establish a system of various entities as partners below or above the national level.²² This new vision for the public administration geography of Europe was pursued through cohesion policy which enabled access to development funds for territorial entities²³ matching the NUTS (Nomenclature of Units for Territorial Statistics) system which defined three levels of NUTS regions eligible for various forms of funding (Table 1).

Table 1: Clarification of NUTS regions

Level	Minimum (population)	Maximum (population)
NUTS 1	3 million	7 million
NUTS 2	800,000	3 million
NUTS 3	150,000	800,000

Source: compiled by the author

In the case of Hungary, the entire country became NUTS 1 region, additionally, each three of the counties (except Budapest and Pest County which formed Central Hungary) formed a NUTS 2 region, while 175 NUTS 3 small-regions were established.

As a result of Europeanisation, it can be found that the layers of Hungarian domestic public administration and NUTS regions intersected in an overcomplicated patchwork of administrative bodies as follows:

- Municipal level of 3,200 legally independent municipalities (in Budapest even district level)
- NUTS 3 small region level (175)
- County level (19 counties + Budapest)
- NUTS 2 regional level (7)
- National level which equals NUTS 1 level

The vast regionalisation policy in Europe was carried out in line with the Lisbon Strategy but in Hungary NUTS regions were established without installing regional elections or without merging regional competences with traditional municipal, county or national public administration competences.²⁴ Therefore, it was more like a cohabitation of European and domestic institutions than a real fusion of new and old institutions.

²² GÄNZLE et al. 2019: 161–174.

²³ PITSCHEL–BAUER 2009: 327–347.

²⁴ SZIGETVÁRI 2020: 23–40.

The unsuccessful “quest for efficiency” between 2004 and 2010

Internal vulnerabilities of the Hungarian economy and state-economy relationship were multifold in the 2000s but the most neuralgic point has been undoubtedly the problem of government debt that arose sharply after 2002 until the new austerity measures were installed under the supervision of the IMF.

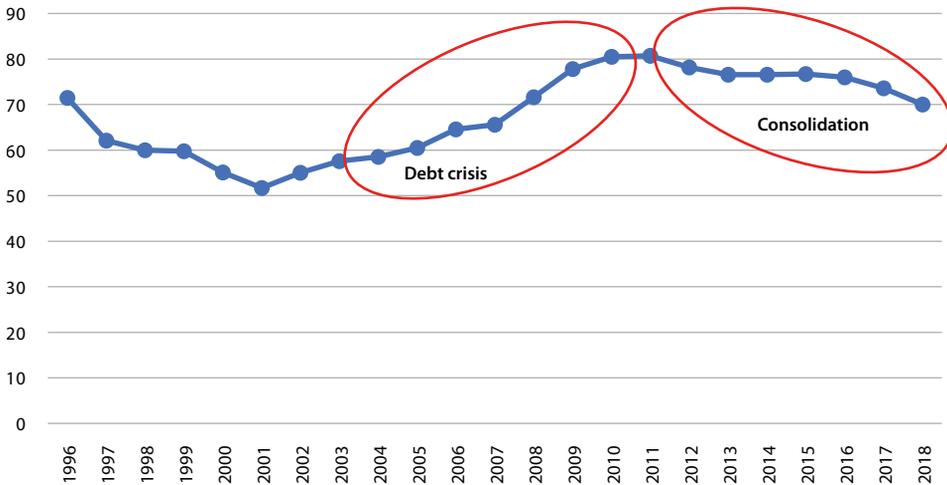


Figure 2: Hungarian Government Debt to GDP ratio 1996–2018

Source: www.tradingeconomics.com

It can be observed in Figure 2, that Hungary could only fulfil the Maastricht criteria – used by the EU fiscal governance as a mandatory performance benchmark – only in the pre-accession period in terms of state debt to GDP ratio being under 60%. After 2004 Hungary could not match this criterion and was not released from excessive deficit proceedings.

Due to excessive state debt and to the inability of attracting other external financers, Hungary had to turn to the IMF for a standby loan agreement in 2008. The correspondence between IMF and the government in late 2008 and early 2009²⁵ contained propositions and remarks on reforming highly decentralised municipal and county local government system in Hungary by decreasing the number of local governments. This practically meant merging inefficient municipalities despite constitutional guardrails. This was constitutionally impossible that time. Still, the fact that the IMF included this matter among other structural reform items shows that international creditors did care about this sector having viewed it as a source of financial efficiencies. Despite all financial concerns, it can be stated that high level

²⁵ See: www.imf.org/external/country/HUN/index.htm

of autonomy of the municipal sector has been contributing to the fiscal durability of the incumbent governments because the local government sector had become a certain universal buffer of public health, education, and various other policies generally accounting for a high proportion of public expenditures. The costs of such delegated tasks disappeared from the central budget on the short run. Certain local governments were able to survive or even flourish under such circumstances. However, on the long run, the practice of unfunded delegation of tasks turned out to be unsustainable. While in 2005 the gross debt of municipalities added up to 1.9% of the GDP, in 2009 it was 4.1%.²⁶ Although the increase appears to be rapid, the gross amount of liabilities used to be modest compared to the amount of gross government debt. As a creative nonetheless short-sighted response, the issuing of municipal bonds surged. Although legal provisions maximised indebtedness in the form of bank loans, municipal bonds were exempt from being prohibited. In this way the government could indicate to the EU and the external financiers that it had done significant steps to improve transparency of public expenditures while buying time before the inevitable collapse of the system. This was already a certain form of decentralisation of fiscal crisis before the global financial crisis. After the year of 2008, the tendency of crisis-decentralisation even accelerated throughout the policy pattern of the local “conflict container” that had been overexploited already years before the crisis.²⁷ The currency composition of the loans was not significantly different from what would have led to a public finance meltdown scenario.²⁸ Currency composition of municipal bonds until 2008 was EUR: 1%; HUF: 13%; CHF: 86%. From 2008 (Q3) to 2009 (Q3), the currency composition of newly issued municipal bonds was EUR 63%; HUF: 22%; CHF: 15%.²⁹ Unfortunately, good examples remained sporadic and could not change the overall picture that the entire sector was heading towards the necessity of being bailed out despite the local governments’ general advantage in legitimacy and public trust.³⁰ The local governments justified their practices arguing that their want for additional external financing came from the necessity of securing co-financing to EU cohesion funds for local development. In many cases this was true, but it did not change the unsustainable character of the municipal sector’s financial status.³¹

26 VIGVÁRI 2010: 49–77.

27 GÁL 2011: 124–144. Similarly VIGVÁRI 2010: 49–77.

28 VIGVÁRI 2010: 49–77.

29 VIGVÁRI 2009: 709–730.

30 BOUCKAERT et al. 2022.

31 VIGVÁRI 2009: 709–730.

Centralisation as a response to the crisis of the day

Re-allocating competences from local governments to county government offices

The parliamentary elections of April, 2010 radically transformed the country's party system. The newly emerged monocentric political landscape offered a historical chance to the Government to make all necessary structural changes to amend the institutional and financial settings of the country. The new political leadership had the ambition of correcting the birth defects of the regime change that were definitely numerous. The first necessary aim of the new government was to avoid what had been taking place in Greece.³² Part of the reform was to change the unsustainable nature of the local government system. The central budget – being under the control of the IMF – was not in the position to bail out the local government sector without risking financial and policy countermeasures. In an IMF policy paper on decentralisation in Hungary and in Slovakia, it was put forth that central control on local government budgets should have been enhanced by strict regulations, improved accountability, and fiduciary responsibility of the central budget.³³ In retrospect, it can be concluded that fiscal centralisation promulgated by the IMF and political decentralisation pursued by the EU led Hungary and other similar countries in the Central and Eastern European region into a strategic dilemma regarding the preferable public administration development path. As a matter of fact, the strategic decision in Hungary was made and carried out between 2010 and 2012.

The Government launched a vast public administration reform program (Magyary Plan)³⁴ under Government Decree 1207/2011 (28.VI.) in 2011. The reform program aimed at increasing overall efficiency of the entire public administration system throughout modernising its tasks, personnel, processes, and structure. These structural reforms can be labelled primarily as centralisation with the ambition of saving costs³⁵ and having a firm control on policy processes. Whether efficiency was materially achieved, remains unclear.³⁶ It can be soundly stated though, that reform which took place in 2011–2013 re-concentrated 75% of the competencies from local government offices to newly created Government Offices. It is important to mention that there has been a consensus for a long time in domestic public administration legal theory that “original competences” of local governments had to be distinguished from “delegated competences” whereas the former ones enjoy constitutional protection while the latter ones lie solely on Government statutes thus being reversible. The “re-concentration” manoeuvre took the short route to increase

32 See: www.economonitor.com/edwardhugh/2010/01/22/hungary-isnt-another-greecenow-is-it/

33 DETHIER 2000.

34 Named after Zoltán Magyary (1888–1945) an internationally renowned scholar of public administration theory.

35 KÁKAI 2021: 703–728.

36 GELLÉN 2012: 67–87.

efficiency and transparency towards international lenders: since formal municipal independence was untouchable, the Parliament decided to remove the delegated competencies from the municipal notaries and concentrated the competencies at the newly established district administrations (townships). Townships became the local branches of the County Government Offices and they became responsible for nearly all public administration issues that had been delegated to the local governments.

As a final move, having become in control of the multitude of local tasks, the central government bailed out municipal local government sector right after being able to fully pay back IMF loans and thus being free from external budgetary scrutiny.

The stages of bailing out local government sector were the following:

- first: all county local governments were bailed out by HUF 190 billion (844 million USD of 2012)
- second: small municipalities having permanent population under 5,000 were bailed out for HUF 74 billion (328 million USD of 2012)
- third: all other municipalities were bailed out at 50-70% worth HUF 514,9 billion (2.228 billion USD of 2012)

Centralisation within the top-down public administration

Apart from centralising competences from local governments, the Government gradually centralised sectoral public administration bodies as well on the organisational basis of the county and township government offices. As a result of this wave of centralisation, a wide range of public administration bodies – which used to be hierarchical subordinates of a given Ministry – were compressed into the county and township government offices. For instance, the former Environmental Inspectorate which had been accounting to the Ministry in line, was dismantled while having its personnel, competences, and public funding compressed into a sub-unit of the architecture of the county government offices. In the new system, the County Government Offices subordinate to the Prime Minister's Office became responsible for the accounting, budgeting, staffing, legal monitoring, IT support and front office service of the following sectoral fields (certain fields such as policing, revenue service and Treasury are excluded from the integration):

- Social and childcare affairs
- Housing and construction
- Judicial support
- Plant and soil protection
- Forestry
- Agricultural production
- Food safety and animal health
- Land registry
- Public health administration

- Public pension administration
- Labour administration
- Labour protection
- Consumer protection
- National heritage protection
- National health administration
- Measurement authentication and technical safety

The entire conglomerate became subordinate to the Prime Minister's Office while the in-line ministries largely lost their roles in the chain of command and became responsible for strategic governance and regulation of their policy fields and providing quality control regarding their own fields. Sure enough – despite the obvious shortcomings of the new system – the government offices proved to be excellent tokens of e-government and one-stop-shop client management.³⁷

In retrospect, the entire wave allocating local public tasks to centralised public administration bodies can be viewed as a logical response to the aftermath of the 2008 crisis whereas the government intended to amend financial vulnerabilities while preventing any potential future indebtedness at the local level. Certain authors point out that the centralisation process was politicisation³⁸ in its content which appears a correct formulation with the remark that the public administration structure followed the political landscape. Having emerged from the era of coalitions (1990–2010), the Hungarian democracy arrived to a period in which a certain political party became able to subsequently win two-third majorities at the general elections and accordingly, it created its centralised public administration system.

Transferring local tasks to local offices of central government institutions can be discerned in the divergence of central and local government budgets' shares of the GDP as follows. The following diagram shows that in fiscal terms the centralisation really took place but its value was relatively modest. Local governments accounted for 12.8% of the GDP in 2010 which decreased to 7.6% of the GDP in which is a 5.2% correction. A converse percentage increase took place in the central government expenditures which increased from 33.5% of 2010 to 38% in 2013.

It might be surprising that after 2008 – when the central budget became practically insolvent and an IMF standby loan agreement had to be signed – the relative proportion of local budget expenditures could still increase until 2010. This shows that the central fiscal administration had little leverage on local budgets before the reforms. In the fiscal management point of view, this was a mayor systemic uncertainty which had to be overcome. It is also telling to see in Figure 3, how central and local expenditures diverged from 2011 onwards. In 2013, the Hungarian central budget

³⁷ KOVÁCS–HAJNAL 2014: 237–247.

³⁸ HAJNAL–CSENGŐDI 2014: 39–57.

paid back the final instalments to the IME,³⁹ this was the time when local government competences became centralised.

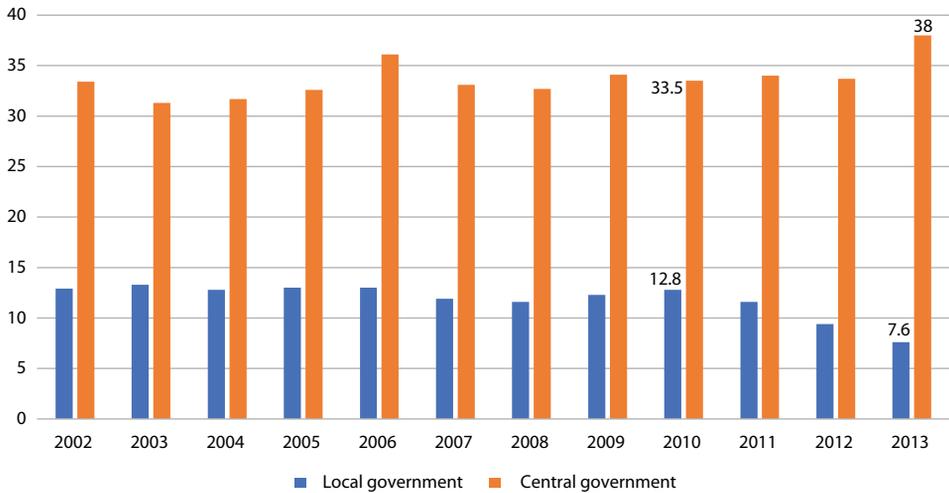


Figure 3: Comparing central and local government expenditures in percentage of GDP in Hungary
 Source: <http://epp.eurostat.ec.europa.eu/tgm/refreshTableAction.do?tab=table&plugin=1&pcode=tec00023&language=en>

Centralising public education

The same logic put forth in the previous sections was applied in the two most important public service sectors: public education and public health shortly after the centralisation of local (municipal) and territorial (county-level) public administration. The role of sustaining public primary and secondary education was transferred to a central agency (Klebsberg Intézményfenntartó Központ, KLIK) in 2013 – except for public nursery schools which remained under the tutelage of the local governments. The new centralised school administration system consisted of 198 school districts overseeing the HR, financing, centralised purchasing,⁴⁰ authorising headcounts, and professional oversight (quality control). Additionally, the role of the government increased regarding the content of primary and secondary education in terms of determining the qualifications and quality control of teachers, evaluating the effectiveness of teaching, and taking school textbook supply under government control. In 2015, the total number of primary and secondary education units (including public nursery schools) was 10,829 out of which 5,962 were sustained by the KLIK through 2,508 legally established institutions.⁴¹ Obviously, such level of

39 See: www.imf.org/external/np/fin/tad/extrans1.aspx?memberKey1=415&endDate=2014-08-31

40 TÁTRAI-VÖRÖSMARTY 2023: 82–96.

41 KSH 2015.

centralisation bore management difficulties nonetheless social resentment, therefore, the system was consolidated to a certain extent in 2016. The consolidated system simplified the system of 198 school districts with 58 school district centres which were granted a certain level of autonomy in planning, budgeting, compliance control, certain purchasing tasks,⁴² and HR.

Centralising public healthcare – a very brief account

According to the original setting of the 1990s, public healthcare tasks were distributed between local governments being mandated with basic healthcare (general practitioners) while they also had the right to voluntarily maintain secondary or tertiary care and could make financial arrangements with the public healthcare insurance system to acquire public financing. As a result of this, the public healthcare system became irrationally fragmented and inapt to be modernised technologically.⁴³ The consecutive governments have made numerous attempts to rationalise the public healthcare system by increasing its financial efficiency and material efficacy from 1990. The current highly centralised organisational scheme has significantly contributed to decreasing technological backlog, general opaqueness, the level of corruption (gratitude money) while increasing the level of transferring patient information between care facilities. However, the strategic deficiencies remained the same: silo mentality, lack of policy outlook, low level of early-state cares, lack of adequate human resources, and structural planning not being connected to technological necessities.⁴⁴ This legacy was targeted by the government somewhat heavy-handedly due to the pandemic. Hospitals were brought under the control of the military temporarily, after the pandemic, the health sector came under the supervision of the Ministry of Interior. The Ministry of Interior became responsible for public health and exercises his capacities through the National Directorate General for Hospitals. Thus, public hospitals (unlike private and church-owned ones) are either supervised by medical universities (clinics) or the Directorate General. This institution has certain tasks that are designated to overcome the structural shortcomings such as optimising capacities and transferring cases and/or capacities to one unit to the other if necessary throughout the entire spectrum of public healthcare, including general practitioner districts.⁴⁵

Although the public health sector's overall output appears to have modestly improved,⁴⁶ there are apparent management setbacks. By the end of November, 2023, the public hospitals accumulated approx. HUF 130 billion debt (USD 375 million) for

42 TÁTRAI 2021: 172–174.

43 OROSZ 2022: 3–39.

44 OROSZ 2022: 3–39.

45 Ministerial Decree No. 31/2020 30.XII.

46 European Commission – OECD 2021.

which a number of public health leaders were removed from office. The government launched a financial consolidation scheme in which HUF 90 billion is expected to be financed by the central budget but HUF 40 billion is expected to be financed by the hospitals. The real causes of this development are unknown to the public but as a rough conclusion it appears that the “conflict container” – namely, the public service realm – still accounts for “conflicts” just with another “container”.⁴⁷

Critical remarks on the centralisation path

The theory of democratisation by transaction

The Hungarian public administration development path after 2010 has attracted considerable academic attention, mostly regarding its relation to democracy.

In retrospect it appears that the Hungarian public administration development path was generally in line with the ideas of Rustow,⁴⁸ Huntington,⁴⁹ and Payne.⁵⁰ Rustow proposed the following scheme for democratic transitions:

- There must be a sense of national unity and stable borders.
- Entrenched and serious power conflict.
- Conscious adoption of democratic rules (establishing democratic institutions).
- Habituation: both politicians and the electorate must be habituated to these rules.
- Additionally: the phases shall be performed as a concentrated sequence of events, in a relatively short period of time.

According to Huntington, liberalisation can materialise without democratisation and institutional democratisation may follow afterwards. In hindsight, this is the exact pattern of events that actually took place in Hungary: new economic reforms from 1968 allowed small private ownership in agriculture, later the Presidential Council (the equivalent of the Government) of the People’s Republic of Hungary issued the Decree of Law-force No. 15 of 1981⁵¹ that opened the possibility of private ownership in small industry. In 1988 – still under the dictatorship – the Act on Company Law was issued (No. VI of 1988) that hallmarked the wave of “spontaneous privatisation” enabling political clout and connections to be converted into economic power and ownership in the young democracy. Democratisation through transactions required

47 PÁLNÉ KOVÁCS 1990.

48 RUSTOW 1970: 337–363.

49 HUNTINGTON 1984: 193–218.

50 PAYNE 2006: 209–221.

51 According to the legislative system of the People’s Republic of Hungary, the Presidential Council of the People’s Republic had the right to substitute acts of the Parliament by such decrees.

a donor and a recipient which approach has ample discussion in the corresponding academic literature.⁵²

In order to throw light on the developments in the Hungarian development path after 2010, it is essential to mention the change of the role of the European Union in carrying out the strategy of democratisation through transaction. Vachudova⁵³ describes the role of the European Union as the “causal Behemoth” of influence. She accepts the approach of transactional democratisation in the sense that democratisation relies more on concrete international and domestic actors than subtle socio-economic conditions. In connection with the theory of democratisation through transaction, one can split the entire time period to two major parts: one between 1990 and 2010 defined as the era of renewed attempts to comply with one or occasionally more than one (EU and IMF between 2008–2012) models of democratic transaction and the period after 2010 when the efforts of compliance from the Hungarian side have been taken with a certain level of strategic autonomy. The latter period has also been known of the continual necessity of crisis management, namely, concerning the economic and financial crisis (2008–2012), the migrant crisis (2015–), the Covid–19 (2020–2021) and the war in Ukraine (2022–).

The majority of authors referenced below tend to approach the Hungarian development path through the lens of normative analysis with the emphasis on compliance to a desirable and democratic development path.

The theory of democratic backsliding

According to Ágh,⁵⁴ in the early years of the second Orbán Government (2010–2014) there were such immediate changes in the previous development path that the new phenomena must be taken as backsliding in democracy. The same author also emphasised a change of style in politics, politicisation of the civil service and centralisation of public administration as non-democratic tendencies, namely, taking control of the media and changing election rules, the Parliament electing a politically loyal attorney general, and dismissal of civil servants. The root cause of failing to comply with the given norms was – according to Ágh⁵⁵ – that one party achieved a landslide victory at the 2010 elections acquiring a supermajority which brought light to the asynchronous nature of the development of polity, economy, and society, while adaptive Europeanisation proved to be incomplete. Ágh – like Vachudova⁵⁶ – views the EU as a powerful actor of democratisation, therefore, failing to meet its prescriptions appears non-democratic.

⁵² ORENSTEIN 2009: 479–490. As well as SOBIS – DE VRIES 2009: 40–41.

⁵³ VACHUDOVA 2005.

⁵⁴ ÁGH 2013: 1149–1170.

⁵⁵ ÁGH 2013: 1149–1170.

⁵⁶ VACHUDOVA 2005.

Other authors link Viktor Orbán's speech on illiberal democracy of 2014 to Article 7 of the Treaty of the European Union, which regulates the so-called "nuclear option".⁵⁷ The authors link political science to legal argumentation. According to certain authors, the EU Commission wasted too much time on futile discourses with Poland and Hungary, whereas the Commission should have launched preemptive "nuclear" strikes on these countries in order "to prevent the occurrence of a consolidated autocracy in violation of EU values is to act fast as soon as the danger signals are clear".⁵⁸ Other authors also promoted the idea that Hungary and Poland must have been sanctioned by the EU.⁵⁹ Appel urges a joint international effort combined with street demonstrations to overturn current policies and possibly the democratically elected governments as well.⁶⁰ The academic accounts critical of Hungarian centralisation path were referred at length elsewhere.⁶¹ Sure enough, both domestic and international scholars appear to be critical of the centralisation efforts of the government that has subsequently won the elections by supermajority four times. However, most authors tend to lose sight of centralisation being a natural tendency for any organisation facing a crisis. Centralisation is a profound approach to crisis management.⁶² Transboundary crises also tend to push states toward centralisation.⁶³ It is to be emphasised that by the time the centralisation efforts took shape in Hungary, handling the financial and economic crisis was the paramount policy objective. In the following segment it is briefly discussed how the crisis management-driven public administration and public service management setting performed in handling two other major crises, namely, the migrant crisis of 2015 and the Covid-19.

Permanent crisis management: the centralised structure is put to the test

The centralised public administration system facing the migrant crisis of 2015

Prior to the 2015 upsurge, there had been a steady inflow of migrants of 20,000 per annum in the early 2000s which increased up to more than 25,000 in 2005. From 2006 to 2013, the number of immigrants floated between 20,000 and 25,000 while the internal composition of migration also changed. The proportion of migrants coming from Asian countries grew considerably, partly because ethnic Hungarians from the surrounding countries were granted citizenship under simplified rules, thus, they were not included in the migration statistics. After a brief correction in 2016, the 2017–2020 period brought a new wave of immigration of 49,312 in 2018, 55,297 in

57 PECH–SCHEPPELE 2017: 3–47.

58 PECH–SCHEPPELE 2017: 3–47.

59 SOYALTIN–COLELLA 2022: 25–41.

60 APPEL 2019: 255–266.

61 GELLÉN 2021: 84–102.

62 CAMILLUS–DATTA 1991: 67–74. CHRISTENSEN et al. 2016: 316–332.

63 'T HART 2023: 72–81.

2019 which was over 64,000 together with immigration of citizens of the surrounding countries in 2019. Due to the Covid-19 pandemic, the numbers decreased in 2020 to gross 51,000 which included 43,785 migrants from other than the neighbouring countries.⁶⁴

Contrary to legal migration, illegal migration shows a totally different pattern: after a modest figure of 6,903 in 2011 there was a steep growth until 2014 with 50,065 illegal border crossings. An unexpected leap took place in 2015 with 414,237⁶⁵ annual new entries with daily pikes occasionally exceeding 10,000 in August and early September until the Government decided to close the borders with law enforcement personnel and later by physical barriers as well. That time the country's population was 9,778,000 which gives a rough estimation that if a proportionate occurrence had happened in the US (a population of 320,878,000 in 2015), it would have seen the arrival of 13,595,735 illegals, most of which would have arrived within a two-month timeframe. Even given the fact that almost all migrants were heading for Western Europe through the Austrian-Hungarian border, this was an utterly unstable situation threatening the entire population – especially threatening to domestic minorities such as the Roma with the outlook of losing their relative positions in public attention to a new populace – there was a realistic threat that if either Austria or Germany had intended to close its borders, a mass of exponentially growing, traumatised population would have remained in the country. The comprehensive presentation of Hungary-critical academic writings would be beyond the limits of this article but to give a hint of the content of criticism, the following accounts are mentioned.

Certain authors take the stance that what happened was a consequence of Hungarian backsliding in the rule of law and democracy.⁶⁶ Others put the emphasis on political developments such as populism⁶⁷ or even “Caesarian”⁶⁸ rhetoric. Further accounts mention racism and welfare-chauvinism,⁶⁹ de-democratisation and politicisation.⁷⁰ Legal scholars tend to emphasise that Hungary's actions were against human rights⁷¹ moreover, that the rule of law failed in Hungary.⁷²

On the other hand, after having analysed more than 160 corresponding official documents, Canveren and Durcaçay concluded that handling the migrant crisis in Hungary should be seen as a series of efforts of securitisation and Euroscepticism.⁷³ The Hungary-critical authors held that the migrant crisis was highly politicised,⁷⁴ but there is no example of any country where a similar occurrence had not been

64 GÖDRI-HORVÁTH 2021: 227–250.

65 KUI 2016: 43–55.

66 CANTAT-RAJARAM 2019: 181–195; Similarly MAJTÉNYI-KOPPER-SUSÁNSZKY 2019: 189.

67 ETL 2022: 115–132.

68 SATA-KAROLEWSKI 2020: 206–225.

69 ANDITS 2022: 165–179.

70 BEGER 2023: 189–206.

71 HOFFMANN 2022: 139–165.

72 HALMAI 2020: 204.

73 CANVEREN-DURÇAÇAY 2017: 857–876.

74 CANTAT-RAJARAM 2019: 181–195.

politicised. Contrary to the critical accounts, Luša develops an explanatory view on the migration phenomenon applying a small-country perspective, coming to the conclusion that the countries analysed (Croatia, Slovenia, Austria, Denmark, and Sweden) pursued policies that were not aimed at satisfying pan-European policies,⁷⁵ instead, small countries pressed forward “to reduce migratory pressure and maximize national leeway”.⁷⁶ One can add Hungary to this group of small countries which are following their own course while considering the EU as an external hinderance in pursuing their own objectives.

Regarding the handling of the migrant crisis of 2015, it can be concluded that the centralised structure of public administration contributed to the country’s resilience at the cost of clashing with the EU and losing its support in the short and medium term. It also can be added that the centralisation proved relatively effective on the strategic level but not necessarily efficient in the operational realm, although the original objective of the reforms was to bring about effective governance alongside efficient public management.⁷⁷

The centralised public administration and public health system tested by the Covid–19

On the verge of the Covid–19 outbreak, the Government established a highly centralised Operational Body already on 31 January, 2020 – the first case of infection having been officially recorded on 4 March, and the first fatality being reported on 15 March. On 11 March, State of Emergency was declared based on Article 53 of the Constitution⁷⁸ while on 30 March the Act on Containing Coronavirus was adopted by the Parliament.⁷⁹ The Act granted the right to the Government to take any measures necessary to contain and handle the pandemic, including the suspension of certain laws without any specific deadline. The wide authorisation had certain limitations though: the authorisation was to be ended upon the decision of the Parliament, furthermore, the Government had to observe the principles of necessity and proportionality of its measures. In fact, the first State of Emergency was called off by the Government on 18 June and was replaced by a more specific and much less restrictive state of “epidemiological preparedness”. Free and volunteer inoculation programs commenced early in February, 2021 having been enhanced by a large-scale communication campaign. The peak of the pandemic in Hungary was 13 April, 2021 with 272,974 registered active cases while by the 1st of September – which is first day at school – there were only 4,826 active cases. Until this time there were

75 LUŠA 2019: 700–728.

76 SLOMINSKI–TRAUNER 2017: 101.

77 RAJCA 2020: 133–151.

78 Government Decree No. 40/2020 (11.III.) on Announcing State of Emergency.

79 Act XII of 2020.

30,059 fatalities, 777,646 people were healed and 5,772,010 received at least one dose of vaccine⁸⁰ (59.7% of the population).

Critical authors on the Hungarian handling of the pandemic tend to add political and legal aspects to their inquiries upon which they establish their criticism. Christensen and Ma put the US, China, Israel, and Hungary into the group of countries in which governments used the pandemic for political purposes by one way or another.⁸¹ Similarly, concern of a political power-grab⁸² and that crisis-management means may threaten the rule of law by not complying with its liberal interpretation⁸³ so as the concern of drifting towards authoritarianism⁸⁴ are amply represented in the relevant literature. Additionally, fear of curtailing parliamentary powers by executive means under the pretext of pandemic control was expressed.⁸⁵ Similarly, other authors⁸⁶ embed their concern into the pre-existing narrative that Hungary is not any more a democracy and Covid-19 just enabled the government to take even more power. Further authors argue that Hungary is a populist regime because it cannot afford unpopular policy measures, therefore Hungary's policies are less scientific or anti-scientific.⁸⁷ Concerns for civil society were put forth claiming that Hungary's civil society has "considerably shrunk because of repressive policies" of fighting against the pandemic.⁸⁸ Another author⁸⁹ refers to the fact that Hungary was the only country in the EU that used Chinese (and Russian) vaccines and that this policy decision was criticised as "anti-democratic", while Goodwin et al. (2022) found that political behaviours and vaccine preferences may be connected.⁹⁰

The remarks on the descriptive and the normative schools of democracy and Covid-19 containment policies throw light on the duality of challenges: the first being the matter itself while the second being the challenge of expectations that stem from interventionist legacies and tendencies discussed later in this article. As a matter of fact, recent European research pointed out that Covid-19 containment, mitigation and management necessarily gave way to a certain "coronationalism" to which ideological concerns had to yield.⁹¹

80 Data originate from koronavirus.gov.hu through https://hu.wikipedia.org/wiki/Covid19-koronav%C3%ADrus-j%C3%A1rv%C3%A1ny_Magyarorsz%C3%A1gon

81 CHRISTENSEN–MA 2021: 629–645.

82 CORMACAIN–BAR-SIMAN–TOV 2020: 3–9.

83 DRINÓCZI–BIEN–KACAŁA 2020: 171–192.

84 LANDMAN–SPLENDRE 2020: 1061.

85 BOLLEYER–SALÁT 2021: 1103–1128.

86 MOISE et al. 2021: 112.

87 BOHLE–EIHMANIS 2022: 491–506.

88 FEISCHMIDT–NEUMANN 2022: 132–153.

89 SEDLÁKOVÁ 2021: 65–86.

90 GOODWIN et al. 2022.

91 BOUCKAERT Geert, Davide GALLI, Sabine KUHLMANN, Renate REITER, & Steven VAN HECKE (2020): European coronationalism? A hot spot governing a pandemic crisis. *Public Administration Review*, 80, 765–773. <https://doi.org/10.1111/puar.13242>

Concluding remarks

The Hungarian public administration development path can be divided into four main time periods: democratisation (1990–1998), Europeanisation (1998–2004), the quest for efficiency (2004–2010), and centralisation (2010–2023). In retrospect, this sequencing may be rendered arbitrary given that liberalisation and indebtedness have started much earlier and centralisation is perhaps not the most appropriate term to be used for the subsequent Orbán governments. An alternative but also valid sequencing could be the following. One may distinguish the age of total compliance and the age of semi-compliance. In this classification, the era of total compliance (1990–2010) would embrace Western aid, loans, technical assistance, and compliance with the suggested development ideas of the day hallmarked by human rights, democratisation, privatisation, outsourcing, regionalisation, and Europeanisation while the age of semi-compliance (2010–2023) can be characterised by centralisation and crisis-management. According to this view, neither the above referenced academic affirmations of democratic backsliding, nor would a pure sovereigntist position suffice entirely. Instead, the position put forth in this chapter offers a deeper understanding of the developments than most of the referenced accounts by embedding the development path into its historical context and by emphasising the matter of structural financial vulnerability of both the pre-2010 and the post-2010 periods. It appears that the centralised structures having been designed for weathering the financial and economic crisis of 2008–2012, outlived their original designation and gained further traction due to the migration crisis of 2015 and the Covid–19 pandemic. As a matter of fact, the war in Ukraine is also an external factor which entails that consolidation of the centralisation path is not in sight. The effect of the war in Ukraine on the Hungarian public administration development path cannot be analysed yet, but there have been certain steps in the centralisation of defence procurements for instance⁹² which indicate that the path of centralisation is to be expected to remain the main line of development.

The main risks for a sustained centralisation path are manageability and efficiency. Certain signs appear that de-centralisations happen occasionally to meet these risks. For example, such limited de-centralisation took place when the new school districts received higher autonomy in 2016. Another limited de-centralisation step has been reported for 2024, namely, that the supervision of the county government offices is to be handed over from the Prime Minister's Office to a newly created Ministry of Public Administration. The financial risks are also paramount as it was pointed out concerning the newly accumulated indebtedness of the centralised hospital administration. It appears, that centralisation is no substitute for good management, but crisis management requires hands-on management which can be supported by centralised structures.⁹³

92 TÁTRAI 2021: 172–174.

93 CAMILLUS–DATTA 1991: 67–74.

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