

**Hungary's contestation of EU values
A study of the EU-Hungary relations
between 2015 and 2021**

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Abstract

Since the current ruling party of Hungary FIDESZ has taken office in 2010, Hungary's contestation of fundamental human rights and EU values have been recurrent. This master's thesis delves into the ways and strategies that Hungary has been contesting core norms at the heart of EU governance. It will argue that contestation of democratic values serves as a tool for the country's political leadership to maintain its political positioning while gaining further material interest and buttressing its national narratives. Contestation is carried out by focusing on Hungary's sovereignty. In other words, norm contestation against EU values is defined by the Hungarian government as a necessary requisite to protect the country's autonomy and local particularities whilst, in reality, it enables the government to increase their economic and political gains. Attacking fundamental human rights has attracted international momentum, leading to the start of several court cases. However, due to the lack of available and effective EU sanctions, norm contestation remains persistent.

Keywords: norm contestation, norm ambiguity, Hungary-EU relations, EU values, sovereignty, federation, illiberalism

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List of abbreviations

CEU - Central European University

ECJ - European Court of Justice

EEA – European Economic Area

EPP - European People's Party

EU - European Union

GATS - General Agreement on Trade in Services

GNI - Gross National Income

KDNP - Christian Democratic People's Party

MEP - Member of the Parliament

NGO - Non-governmental organization

NSC - National Cooperation System

OLAF - European Anti-Fraud Office

ÖVP - Austrian People's Party

SZFE - University of Film and Theatre

TEU - Treaty of the European Union

UN - United Nations

WTO - World Trade Organization

"The lion cannot protect himself from traps,
and the fox cannot defend himself from wolves.
One must therefore be a fox to recognize traps
and a lion to frighten wolves."
— Niccolò Machiavelli, *The Prince*

Introductory overview

In the past years, there has been a tendency among Eastern European countries, often referred to in the academic literature as democratic backsliding (Iusmen, 2015). Governments of Central-Eastern Europe, such as Hungary, Poland, Romania, have started to visibly distance their political agenda from traditional democratic values by limiting fundamental human rights such as freedom of the press, independence of the judiciary, and the respect of the rule of law (Iusmen, 2015). The current paper focuses on Hungary's norm-breaking behaviour and its contestation of EU values. Norm violation patterns are presented based on three examples: the issue of refugee sharing in 2015, the Central European University's target in 2017, and contentious debates over the EU budget and the rule of law mechanism in 2020. Although there are more examples of Hungary's norm breaching, the selected cases represent turning points in the relationship between Hungary and the EU. During the so-called 2015 migration crisis, Hungary chose to openly reject standard rules set by the EU and publicly criticize EU officials as part of its anti-migration poster campaign (Thorpe, 2015). The attack of the Central European University was again a never before seen landmark from Hungary's ruling party. By making CEU's operation impossible, it was nevertheless an open rejection of liberal values and a denial of the new order established after the Soviet ruling and the fall of the Berlin Wall (Coughlan, 2014). The third and last case reflects an apparent decline of EU standards, as Hungary's Prime Minister, due to the coronavirus situation, passed a bill to allow him to rule by decree without indicating the end of that period (Bayer, 2020a).

Moreover, the Hungarian Prime Minister refused to sign up for the 2021-2027 EU budget, which would connect EU funds to the rule of law regulations (BBC, 2020). The thesis aims to explain how Hungary's norm contesting behaviour occurs, delineate and account for some of the possible reasons that lie behind the Hungarian government's actions.

Research problematic

The current thesis explores the aforementioned scenarios of contestation between the EU and Hungary from a normative perspective, focusing on how and why Hungary has contested EU values and guiding norms. The research intends to further analyse and explain how, and more importantly, why Hungary contests EU norms. The current paper argues that Hungary's norm breaching of EU values must be embedded within a three-fold rationale. Hungary links contestation to consolidate religious beliefs that are at the core of the state-building process, strengthen the material interests of the regime, and buttress its sovereignty. In the explanation, first, the current thesis draws on Carl Schmitt's concept of the enemy of the state to show how Hungary contests EU values. After laying out the context in which norm-breaking actions occur in Hungary, moving on to the benefits that the situation holds for Fidesz, Hungary's leading political party. In the subsequent section of the analysis, cases are interpreted, building on Betsy Jose's book (2018) on norm contestation. In this regard, Jose's (2018) idea about the logic of appropriateness focuses on a state's norm breaching to gain national sovereignty, while the logic of consequence is applied when discussing economic benefits as motives behind a country's norm-breaking behaviour. In this mixed theoretical approach, combining the concept of the enemy of the state and the theory of norm contestation, the opportunity to interpret the patterns presented by the case studies is more comprehensive.

The current research argues that by contesting EU norms, Hungary downplays the Union's liberal democratic order and the commonly shared rules set by the European Union. In terms of reasons prompting the behaviour, the thesis posits that Fidesz's current political program builds on the conservative, Christian democratic vision and its relevance for Hungary as a tool to gain more sovereignty and increase economic profit. By being in possession of such powers, Fidesz, the current government of Hungary, would stay in a leading position, influencing domestic and international politics to its benefit.

Thesis structure

The thesis is divided into six main chapters. After the introductory overview which lays out the focus of the thesis and its methodological considerations, the thesis

proceeds with a theoretical chapter which outlines selected theories and concepts. In this theoretical part, Betsy Jose's book on Norm contestation (2018) is the primary source. Besides, to describe norms as a concept, Amitav Acharya's writing on Norm Subsidiary (2011) and Nicole Deitelhoff and Lisbeth Zimmermann's paper about Norm Robustness (2019) are included. In the last part of this chapter, Carl Schmitt's concept on the political and the state is mentioned and its role in norm contestation. In the subsequent chapter that delves into the case study analysis, an explanation of how Hungary has contested the EU are detailed in three instances: the question of refugee sharing in 2015, the target of CEU and academic freedom in 2017 and the debates over the rule of law and EU budget in 2020. Evidence is selected from online sources such as the BBC, Human Rights Watch, Euronews, Politico, and speeches and statements given by EU Officials and members of Fidesz.

The discussion interprets the findings critically and seeks to derive broader implications on how and why Hungary has contested EU values. More specifically, this part seeks to examine whether norm contestation will become a permanent and entrenched pattern in Hungary's political order. Then, moving to a broader understanding of the phenomenon, the current thesis observes recent incidents across Europe such as Brexit or the Catalan fight for independence, focusing on the struggles over sovereignty and federation. Finally, the thesis concludes by summarizing the essential outcomes and recommendations to both Hungary and the EU. These recommendations include better cooperation, finding common grounds and the encouragement for more public debates.

Methodology

In this section, there are two main pillars taken into account. First, the applied methodological approach is introduced, detailing the chosen analytical tools. Then, selected cases and subsidiary sources are mentioned, such as interviews, articles, policies, and public speeches. As mentioned earlier, the current paper aims to observe the EU-Hungary relations through an in-depth perspective. To that end, I found the interpretive case study analysis model to be the most suitable.

As the current thesis aims to analyse Hungary's norm contestation against EU values and its underlying reasons. I use secondary sources to examine the before-mentioned

pattern, mainly drawing on newspapers, government publications, reports published by non-governmental organizations, and press releases. Based on the nature of the collected data, the analysis builds on the interpretive case study method. According to Barakso (2014), interference is the notion of using the facts we know to learn about facts we do not know. Interpretive case study analysis shed light on the phenomenon and offer a conclusion (Barakso, 2014). "Interpret" the reality, or in other words, a "sense-making process" (Bhattacharjee 2012:112). It is holistic and contextual, focusing on language, signs, meaning involved in the phenomenon. Referring to Bhattacharjee's (2012) work, interpretive case research is an inductive technique that builds on evidence collected from one or more case sites systematically analyzed and synthesized. It opens up possibilities to allow concepts and patterns to emerge to construct new theories or expand existing ones (Bhattacharjee 2012:104). Therefore, statistical data or a more quantitative approach would not be suitable as building only on numbers, to explain the underlying reasons for Hungary's norm contestation would not allow us to make sense of the research problem. On the other hand, interpretive case study analysis allows us to conduct a normative study and builds on theory-based definitions. Moreover, the chosen research design also makes it possible to connect theories and findings, for which some criteria are inserted to avoid prejudice.

The literature I used distinguishes two types of inferences, namely descriptive and casual. Both inferences are crucial to be able to answer the research question fully. Focusing on how Hungary contests the EU norms and looking into why it does so with a subsidiary interrogation. Descriptive inferences are the ones that include what we might formulate about the world, or in other words, we conclude how the world is. Causal inference, however, indicates a step to go further and unpacks the reasons why things are as they are. It is important to emphasize that these two are inherently related, and having a descriptive inference is needed before making a causal one (Barakso, 2014). The selected cases also show this distinction. All three selected case studies unravel a focal point shaping EU-Hungary relations, which has acquired prominence throughout the years, resulting in newly emerged debates between Hungary and the European Union.

Case research is an in-depth analysis of a problem in one or more real-life settings over an extended period. Cases used in this paper have also been selected,

encompassing an expanded time, from 2015 until 2020. Although my selected topics specifically focus on various events that happened throughout these years, they cannot be entirely separated from their context. In this way, discovery can be made of various social, political, and cultural factors potentially related to the phenomenon that might not be known in advance (Bhattacharjee, 2012). Moreover, this method's strength is that it can be used for both theory testing and theory building. It also provides an opportunity to bring new findings to the already existing discussion.

Furthermore, the research question can be modified if the initial one cannot be answered over time or the data does not offer an answer or indicates other solutions. Finally, the phenomenon can be studied from multiple participants' perspectives and using various levels of analysis such as individual or organizational (Bhattacharjee, 2012). It is worth noting here that it was also beneficial to use secondary sources in times of the pandemic when travelling is too complicated.

On the other hand, as with every method, case study analysis also have its downsides. According to Bhattacharjee (2012), weaknesses are findings that may not be generalized to other cases upon their heavily contextualized nature. Hungary's case is also unique in time and space in this sense, as it is the first country to be an illiberal state and still a member of the European Union. Therefore, the current research is a good opportunity to prioritize a more in-depth investigation of the cases instead of observing norm breaches in a comparative analysis. Additionally, the conducted secondary data also depends on the researcher's ability to observe and read the data collection facts. One should also be careful not to be subjective and be open to a broader understanding of the data. The sources that have been collected multiple times can easily lead to biased interpretation. Many studies provide few details on how the data was collected, which raises questions of reliability of the inferences (Benbasat et al. 1987). Being aware of the before-mentioned errors, I have re-read the findings multiple times on different occasions, focusing on the facts and the research questions stated above. Besides, limitations can be the purpose of primary data collection, for instance, if it was not gathered for scientific purposes or has not been collected by researchers (Bhattacharjee, 2012). In order to ensure the correct use of the sources, it is not enough to rely only on the case study research method but also

focus on the pattern and theory they suggest. Furthermore, the developed hypotheses and criteria were essential tools to extract the actual data from the cases.

In the following chapter, theories used in the current thesis are introduced. Furthermore, concepts, that guide my case study analysis are also unpacked.

Theoretical framework: norm contestation

In this section, the main theories of the thesis are introduced. First, a short introduction is provided detailing some of the norm researcher's work such as Amitav Acharya, Carmen Wunderlich, Antje Wiener. Secondly, there is a brief outline of normative research, primary building on Betsy Jose's norm contestation concept. Lastly, Carl Schmitt's theory on the state's political and enemy will be discussed, connecting it with norm contestation theory.

General understanding of norms

In order to discuss norm contestation and norm-breaking behaviour of a state, the norm as a concept should be defined. Although norms generally have a broad meaning, depending on which context they are observed, since the thesis is related to international relations and politics, norms are also defined following that. Besides, presenting definitions of a norm holds the opportunity to point out why they likely to be contested.

Based on the Cambridge Dictionary, the general understanding of a norm is "an accepted standard or a way of behaving or doing things that most people agree with." As an example, it suggests Europe's political or ethical norms or widely accepted social norms. In another explanation, the same dictionary refers to "a situation or type of behaviour that is expected and considered typical" (Cambridge Dictionary, 2021). Similarly to the one offered by the Cambridge glossary, the Oxford terminology defines norms as something typical and usual, something that is expected (Oxford Dictionary, 2021). Considering determinations given by scholars of international politics, one can find a more complex terminology of the concept. According to Antje Wiener (2007:184), norms can be divided into three categories. Based on this diversification, the first type is the fundamental norms or "basic procedural norms", for instance, the rule of law or the torture ban that are most widely used in international relations theory (Wiener, 2007). The second category can be found under organizing principles, including norms such as accountability or legitimacy, guiding policy formulations. The third and last category is the standardized procedures, which core function is to define rules and regulations such as electoral rules (Wiener, 2007).

According to Carmen Wunderlich (2019), norms are binding rules for members of a social group, which actor is socially appropriate, and prohibited that is the acceptable behaviour. Norms are not static. Instead, they can be interpreted, historically contingent, intersubjectively shared, and situation-specific standards of appropriate conduct. According to the writer, norms differ from individual idealistic concepts, for instance, from beliefs and ideas as they are intersubjective and collective, like sharing a common identity; therefore, to be accepted means to adhere to a behavioral pattern (Wunderlich, 2019). John Elster (1989) calls the norms "the cement of the society". In his view, standards shape the actor's scope of action by defining what constitutes and what can be expected of an actor in a particular situation. Norms also formulate "oughtness claims," meaning prescriptions and proscriptions are given regarding what is permitted and forbidden (Wunderlich, 2019).

Norm negligence or norm breaching occurs when actors committed to a particular idea set out to change the existing normative context and alter others' behaviour in the direction of a new norm (Björkdahl, 2002). They initiate new standards by proposing existing problems or providing new meaning to existing models (Wunderlich, 2019). In her book, the author also defines rogue states as norm-averse or norm violating actors whose actions and rhetoric aim to undermine and destroy the normative order. The rejection of the liberal world order lead these states to use radical strategies (Wunderlich, 2019).

The phenomena of states as "norm entrepreneurs" also refers to norm breaching as a form of norm rejecting behaviour, which according to David E. Pozen (2008) are "not simply [...] saints, activists, moralists, or busybodies but [...] players in a kind of social game. The entrepreneur label suggests that these individuals will share a distinct set of skills and tactics as well as personality traits" (Pozen 2008:335). It suggests a role for persuasion and coalition-building, marketing, tipping points, and bandwagon effects. Thus, it adds both a strategic dimension and a social psychological dimension to the account of policy and norm construction (Pozen 2008:335). The writer sees the main task of norm-entrepreneurs to "change the boundaries of altruism" "they teach us to love or hate whom they love or hate" (Pozen 1997:1667).

Other frequently used terms will be the ambiguous norms and norm subsidiary. Ambiguous norms generate multiple interpretations of some facet of their content which usually arise when actors operate differently. It suggests that actors subscribe to a norm but disagree on how and when it should be implemented (Hoffman 2004; Klotz 1995). Norm subsidiarity should be mentioned as well, as it is also a way to contest existing norms. It is a process through which local actors create rules to preserve their autonomy from dominance, neglect, violation, or abuse by more powerful central actors (Acharya, 2011). Local actors develop new rules, offer new understandings of global rules, or reaffirm international rules in the regional context (Acharya 2011:96).

The current thesis primarily focuses on Hungary's norm contestation of EU values; therefore, it sheds light on the nature of certain organization norms in the next section. A brief introduction of the values helps to highlight how they differentiate and appear to be contested.

Fundamental norms of the European Union

The fundamental values of the European Union include basic human rights, such as freedom of expression or the right to education, solidarity, the principles of democracy and the rule of law (European Commission, 2021). These values serve as a bridge between the different cultures and traditions of countries of the EU's. The idea behind this context was the hope that the Member States with even significantly different cultural roots could work together to maintain peace and prosperity (European Commission, 2021). Nevertheless, the organization also aims to preserve the cultural diversity that characterizes Europe. The common goal is to protect the aforementioned core values, which are also reflected in EU legislation. All the values represented by the EU are enshrined in the Lisbon Treaty and further detailed in the Charter of Fundamental Rights of the European Union (European Commission, 2012). In the thesis, three fundamental values of the EU are mentioned in connection to Hungary's norm contestation: solidarity, freedom, and the principles of democracy and the rule of law. The right to freedom, by definition, refers to certain liberties which, according to the treaty, should be enjoyed by every person (European Commission, 2012). It includes the freedom of expression, religion or academic

freedom. Principles of democracy and the rule of law stand to ensure representative democracy and the operation of independent judiciaries. Both aim to sustain the democratic order and respect the fundamental human rights, and the commonly agreed and shared values of the European Union (European Commission, 2021).

It is generally argued that realizing such norms is difficult because they are ambiguous thus can easily be misinterpreted. According to Mos (2020), a political scientist, member states are in theory obliged to fulfil these principles stated in Article 2 of the Treaty of the European Union¹ (TEU). Nevertheless, violations against these norms can still be addressed and taken into account under the conventional system of compliance (Mos, 2020). Secondary laws can be enforced directly with the help of the "Article 7²" procedure, meaning that if a member state violates the European Union's fundamental principles, the Council can rightfully revoke its membership entitlements such as voting rights. However, its enforcement has been prevented so far (Mos, 2020).

Norm contestation theory

According to Betsy Jose (2018), norm contestation emerges from the practice of a primary investigation of their meaning, which can differ depending on the interpretation of the respective country. Through this process, ambiguous norms are being created, holding multiple explanations of the same standard. In reality, it only becomes visible to us when actors engage in diverse settings, such as to agree on a norm but having different ideas about the time and place it should be put into force, generating a conflict of interests (Jose, 2018). The rule of law as a norm, similarly to the civilian immunity norm, suggested by the writer, actors agree on the general purpose of the model but argue its implementation, indicating a lack of a neutral

¹ Article 2 of the Treaty of the European Union: "The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail" (European Commission, 2012).

https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF

² Article 7 Procedure: "A tool in order to promote and safeguard EU values. Article 7 TEU aims at ensuring that all EU countries respect the common values of the EU, including the rule of law. The preventive mechanism of Article 7(1) TEU can be activated only in case of a 'clear risk of a serious breach' and the sanctioning mechanism of Article 7(2) TEU only in case of a 'serious and persistent breach by a Member State' of the values set out in Article 2" (EUR-Lex, 2016).

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12016M007>

interpretation. Jose (2018) also states that a norm's contestation stands in its ambiguous nature. According to Article 2 of TEU, "the Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights including the rights of persons belonging to minorities" (European Commission, 2012). However, values set out by the treaty do not apply the same practice in all member states that consequently lead to a debate over norms such as the rule of law and its contestation. Jose (2018), in her book also suggests, that despite the existing incoherence, states remain committed to the norm while constantly contesting the circumstances under which it applies. According to the writer, the contestation of a norm and its violation might occur when actors seek further material interests. The contestation usually occurs in an ambiguous environment through the misinterpretation of a standard benchmark, thus weakening its enforcers (Jose, 2018). Based on the findings of Jeffrey S. Lantis, a constructivist scholar, not only the norm creator actor's interests are defined by this action but also their identities (Lantis, 2016). According to Jose (2018), norm-related behaviour can be divided into various groups. Jose, in her book, discusses two variations: the logic of appropriateness and the logic of consequence.

The logic of appropriateness defines the actor's behaviour as it aligns with rules connected to specific identities and specific situations. This type of logic uses the basis of its decision by considering the unique opportunities, therefore putting its stress on identities and moral obligations rather than rational apprehension (March and Olsen, 1998:949). On the other hand, the logic of consequence requires actors to choose from surrogates by keeping the action's possible outcomes in focus, knowing that other participants might think alike (March and Olsen, 1998:949). It fits better with a materialist framework, suggesting that the only reason for violating behaviour is a potential material gain. In other words, the logic of consequence suggests a material motivation for actor's attitude, referring to them as their main drive is to calculate cost-benefits and based on that, their level of engagement with norms are also narrowed down to the very fact whether it supports or endow these materialist gain (Jose, 2018). Another term, often used when discussing norm contestation, is an intersubjective agreement that drives norm compliance by promoting the importance of a shared understanding of various norms. It is an essential part of a norm

implementation, as in the absence of a minimal intersubjective agreement, a norm cannot exist (Jose, 2018).

According to the author, legal norms can work better as a binding force because they can claim intersubjective agreement (Jose, 2018). Nevertheless, Percy (2007) states that lawful means tend to be ambiguous as its writers use an equivocal language purposefully hence emerging the justificatory rhetoric to understand an actor's behaviour toward a norm. It gets even more complicated when states use legal language and legal text as a reference to prove their point. It creates a legal argumentation, minimizing self-interest and emphasizing considerations (Jose, 2018). Therefore, it can be concluded that legal norms might be more powerful. However, based on their ambiguous meaning, they can be misinterpreted and used to justify norm violations (Jose, 2018). Norm ambiguity can only be avoided, depending on the space for interpretation, meaning that once a norm is more specified, it narrows down the numbers of variations while a loose definition can give space to a broader description, undermining its power (Jose, 2018).

According to Jose (2018) and based on the above-detailed attributes of a norm, norm contestation, lack of intersubjective agreement, and norm ambiguity are closely connected. Therefore, it can also be concluded that norm ambiguity itself does not lead necessarily to contestation. However, once the norm's power weakens through its broad interpretation, contestation might occur (Jose, 2018). It further develops when the specific understanding of an actor aligns with the logic of appropriateness or the logic of consequences generating a highly likely scenario to experience norm contestation. If that is the case, it can be understood either with a materialist framework or a norm diffusion framework depending on the contestation's underlying reason. The norm diffusion model suggests that violation happens due to incapacity, insufficient internalization, or actors being incognizant of their moral commitments (Jose, 2018). This framework is especially helpful when a norm has not yet been dispersed or has been widely diffused but not effectively adopted.

On the other hand, if a norm deviation happens to fall into the materialist framework, the intersubjective agreement usually exists. However, violations of a norm tend to be intentional for the sake of material interests (Jose, 2018). For instance, if a norm

violation happens, three kinds of actor behaviour's can be expected; apologies that refer to a willingness to internalize norms and bear the consequences, excuses that indicates a punishment avoiding behaviour, and lastly, denials which equal with an insufficient norm internalization and an evasive behaviour toward sanctions. According to Jose (2018), denial and justification can refer to an attitude based on the logic of consequences, which indicates the use of a materialist frame.

Another essential element of a norm contestation framework is the agentic energy, which is being used when participants of a norm agreement try to uncover the ambiguous meaning of a norm, resulting in various understandings of the same concept. Bano (2015:13) explains this process, stating that a definition aligned with a specific norm arises from the actor's culture, influencing how it is being interpreted. Although it is assumed that increased power leads to the enhancement of normative agency, it does not exclude the possibility of an agency exercised by less powerful states. The agency is being used in every case when an actor re-interpret a norm's obligations (Jose, 2018).

Last but not least, norm operators should be mentioned, or more precisely, the norm enforcers. It is crucial because these actors hold the overall power over a norm's existence, determining which actions violate a norm and influences the matter (Jose, 2018). Such concentrated authority also has the right to decide who is getting to be heard and who does not. According to Jose (2018), this power is called the interpretive power, which includes discourses, social processes, and the overall process of knowledge such as produce, experience, and transformation. Moreover, organizations, institutions, and other actors, holding this concentrated power can connect material goals with "socially legitimate meanings" (Adler 2008:203). Hence, their authority is crucial to preserve the order and define norm violations when they occur. Creating an overall meaning of widely accepted norms among member actors and avoiding selective explanation of standards can generate uniformity (Jose, 2018). It is primarily a reliable tool to avoid power weakening through interpretation and norm contestation. The interpretive power can also enable norm creator is to practice their agency better. Although it is impossible to circumvent all norm contestation, it can also strengthen the norms if an intersubjective agreement can be reached (Jose,

2018). Nevertheless, this power dynamic suggests a hierarchy among norm enforcers and norm users.

Motives of norm contestation: The concept of the enemy of the state

In order to understand why Hungary contest EU norms, it is crucial to mention Carl Schmitt's theory on the enemy of the state. Schmitt (2008), in his work, tried to find a way to describe the political and its connection to the state. The author concludes that the state, as a political unity lies on the political and sovereignty (Schmitt, 2008). Referring to the writer, being sovereign means the freedom of decision over an exceptional condition, meaning that the essence of authority can be captured at the act of decision making. This sovereignty is always connected with a person(s), not abstract philosophical concepts (Schmitt, 2008). Therefore, the author in his book writes about the sovereign rather than sovereignty. According to Schmitt (2008), the definition of state presumes the existence of the political, identifying the politics with the state itself, calling it as a "bestia" that needs to be tamed by the state (Schmitt, 2008). In his work, Schmitt (2008) bases his theory about state autonomy and sovereignty on the distinction between friend and enemy. Referring to the writer, the political disposes of specific criteria that become effective with the variety of human activity, such as moral, esthetic, or economic. (Schmitt, 2008).

Consequently, it marks the intensity of liaison and distinction, aggregation, and decomposition. Schmitt (2008) states that the political enemy does not need to be morally deteriorated, aesthetically ugly or an economic competitor. The enemy's understanding can be explained through its existential nature, which allows it to be the "other" and "alien", which can lead to conflicts under extreme circumstances (Schmitt, 2008). According to Schmitt, every state's very own decision, whether they consider the enemy as a potential threat to the state's existential being, prevent it, or conquer the enemy in a battle to preserve its existence. It is also important to emphasize that the enemy is not a personal combatant, but a public rival of the whole nation. This statement also suggests that the country should define its friends and enemies, which empowers it to decide who is considered an antagonist (Schmitt, 2008). Based on Schmitt's theory, it is the nation that demarcates the basis of its existentialism and sovereignty. It can only occur in a "normal state" that prerequisite the reign of legal norms, maintaining peace, order, and safety. As soon as the nation's people cannot

distinguish the enemy from the friend and cannot decide over whom they wish to fight, the state as a sovereign entity ceases and entangles into another state's political structure, or it will be subordinated to the other (Schmitt, 2008). The chosen case studies also represent this phenomenon, as all events require a distinction between 'us' and 'them'. This division is especially true in the case of the refugee sharing in 2015, where the Hungarian government's message to the public is often built on the emphasis of the threatened social cohesion caused by the refugees and the European Union.

Preserving the political through norm contestation

Referring back to the norm contestation theory, which describes the underlying reasons of a state's norm violating behaviour, either for further material interests or preserving identity. In today's Hungary, there is a strong tendency among political leaders to reject commonly shared norms of the European Union and follow a more conservative, less democratic-alike way, looking at it from a liberal perspective (Joób, 2018). Arguments to justify its action are always the same, built on the vision of the Christian democratic state, emphasizing the need "to protect the sovereignty and the sovereign nation of a country" (Joób, 2018). Through the analysis, the research aims to explain how norm contestation theory coincides with Carl Schmitt's concept about the enemy of the state.

Sovereignty as such, explained under Schmitt's theory, plays an integral part in how a state is defined and how the political is viewed. Since it refers more to the person(s) as a sovereign rather than to the concept of sovereignty, it defines a state's leader's character more than it does a country's status. One of the widely shared point of view of political scientists, is that FIDESZ and specifically its leader aims to preserve a sovereign status. The argument that supports this claim is that they do so, thus holding power over institutions and the society, ensuring their lasting position in the country (Körösényi, Illés & Gyulai, 2020). It also stated in Schmitt's theory that sovereignty can be shown through the decision making and by defining a country's friends and enemies, from which the enemy holds a more meaningful ranking, as it requires strength to fight a battle and defend the people of a nation (Schmitt, 2008). Therefore, to keep this status, there always need to be an enemy, and it needs to be stronger, proving doughtiness, creating a national hero of the leader (Körösényi, Illés & Gyulai,

2020). It also prescribes courage, loyalty, and determination, increasing the governor's popularity and justifying his skills to lead a country.

Therefore, contesting the EU norms can occur by creating state enemies, which aims to unite the citizens, authorizing the leader to protect the country. It consequently causes a permanent state of emergency in which the elected government can maximize its potentials. Combining Schmitt's concept with the norm contestation theory, the current paper shows how the hostile behaviour towards the EU allows the Hungarian government to gain economic benefits and political power, achieved through a symbolic fight. The current research aims to define the permanent state of emergency and constant search for enemies on religious, political or ideological grounds by symbolic fight. Religion in particular, is a clear example of Carl Schmitt's theory in the case of Hungary, as the government often uses it as a catalyst to distinct the state's friends and enemies. Making the enemy appear as a national matter, people and the majority of the citizens can connect and support the state's fight. In the case of the Hungarian government, it is being realized through the promotion of a conservative, Christian democratic state. Therefore, Carl Schmitt's theory helps explaining how Hungary contests EU norms, while the norm contestation theory aims to offer answers to why it does so.

The EU and Hungary: an overview of their relations and the EU's relevance in Hungary

In this section, the relationship between the European Union and Hungary is briefly presented. The overview starts with a summary of Hungary's entry into the EU, presenting that period's economic and social background. Furthermore, Hungarians attitude towards the EU is also introduced. Lastly, the current paper sheds light on the EU's presence in Hungary and how the organization influences the country's politics.

Difficulties of Hungary's transformation: From post-soviet state to member of the EU

Negotiations on Hungary's accession to the European Union began in 1992, and the treaty itself, which was also one of the most significant expansions of the Union, was ratified in 2003 in Athens. The treaty entered into force in 2004, which connected, among other things, Hungary to the union, representing not only an economic and legal but also a joint community of values (Kerényi, 2018). Former Soviet states, just like Hungary, were about to adopt from a post-soviet economy to a capitalist one (Kerényi, 2018). The newly joined states had different economic levels than Western European countries, not to mention the 40 years long soviet ruling. Therefore the transformation was never assumed to be easy.

Consequently, new members of the union were also not competitive in a capitalist economy (Kerényi, 2018). Moreover, the structure of the society also needed to adapt to a democratic order after a communist dictatorship. Thus, although Central-Eastern European states were keen on joining the EU's economic community, society was not prepared to practice democracy due to its insufficient structure.

When discussing reasons behind the failures of democracy in Hungary, researchers often refer to a new scheme, namely the competitive state, that emerged after the regime change in 1989 (Soros, 1998). Although hopes to turn the struggling economy left by the socialist ruling were set high, it created an unforeseen break in the society's structure. Scheiring (2019) describes the period between 1990-2010 as an elitist, institution-centric democracy, in which the active participation of the society could not strengthen (Scheiring, 2019). The author also states that the classical social democratic program, building on class compromise, was not available as an

alternative for this region. A significant part of society has already made its peace with the idea of being led and instead of guiding itself (Huszár & Berger, 2020). Not surprisingly, one of the most visible consequences of the absence of a robust middle class in Hungary is the open neglect of democratic values (Huszár & Berger, 2020).

The financial struggles became visible throughout the 2008 economic crisis. The more disadvantaged layer of the community could not find itself in any political alternatives that could ensure their equality and freedom. Thus, people left without any political representation started to shift to the more extreme, far-left and far-right groups (Huszár & Berger, 2020). The shift between Hungary's economic schemes started in 2010, when the current ruling party, FIDESZ, took office, introducing the accumulating state. This system is built on the excessive and robust support of local capitalists and in which the state relies on national resources to restart the economy (Scheiring, 2019).

The only problem was that the party carried the required actions out by demolishing the rule of law while redistributing financial means to capitalists loyal to their party (Scheiring, 2019). It is because the accumulating system defines public purposes based on whether the resources could be reshared among the accumulating group members. Research conducted by Gerő & Szabó (2019: 45-47) supports that these social patterns emerged due to the establishment of accumulating state. The authors state that a significant number positioned in the upper class prefers to stay out of politics to keep a relatively comfortable life (Gerő & Szabó, 2019). As for the working class, it followed a "working-based" social Darwinist politics, either adapting to the system or facing the consequences (Gerő & Szabó, 2019).

The parties' resistance to time can be rooted in the economic shifts and the state control over fundamental freedom. In order to do so, the accumulating state needs to break with democratic values and democracy itself, on which the government's political agenda is built (Körösenyi, Illés & Gyulai, 2020). After the re-election of Fidesz in 2010, the party has reshaped its political program. The fourth edition of the constitution in 2013, the free but not wholly lawful elections and the advertisement of illiberal democracy in 2014 destabilized the rule of law (Körösenyi, Illés & Gyulai, 2020). The migration crisis in 2015 was also part of this agenda, which declared the

government was openly breaking with the liberal democratic system and values it stands for. Part of this authority is the denial of existing institutions and the foundation of new ones (Körösnéyi, Illés & Gyulai, 2020). Nevertheless, the constant renewal of fights to keep the government's necessity on the highest importance possible is also a clear implication of Hungary's norm contesting attitude.

Can we talk about Euroscepticism in Hungary?

In the light of the current government's strongly anti-EU rhetoric, the well-founded question is whether there is a commonly shared Euroscepticism among all Hungarians. Bíró-Nagy & Laki (2019) concluded that the first 15 years of EU membership are viewed favourably by Hungarian society, and voters continue to make primarily positive associations with the EU. Based on the research, the people commented on three main areas, in connection to EU values and democracy, economic ties and the relation between the EU and the Hungarian government (Bíró-Nagy & Laki, 2019).

There is almost complete agreement in Hungarian society that the most significant advantage of an EU membership is the economic development provided by the European Union. Therefore, the favourable domestic perception of the European Union rests primarily on economic arguments and considerations (Bíró-Nagy & Laki, 2019). For the past years, this economic balance has been overwhelmingly positive for Hungarians. However, expectations of the future are mainly related to the rise of prosperity and the general standard of living. They indicate the extent to which a positive attitude towards European integration is perceived (Bíró-Nagy & Laki, 2019).

Even though Hungary's economic development strongly relies on EU transfers, the governing Fidesz blames Brussels for nearly all interference into "national matters" while constantly breaching EU norms since its re-election in 2010 (Inotai, 2021). In 2019, Fidesz's membership in the European People's Party (EPP) had been suspended as a response and push back of far-right Orbán-like political parties, such as ÖVP or Salvini. It was a clear and obvious defeat, which nonetheless has not been officially admitted by Fidesz (Inotai, 2021). Instead, in order to divert attention from domestic matters, the Orbán-government started a new counterattack by intensifying communication against EU-level migration agreement or organizing a provocative, personal meeting with anti-EU parties such as the one with Norbert Hofer,

representing the far-right Austrian party or Orbán's turn to Turkey and Central Asia (Inotai, 2021).

Today, Fidesz is by far the most critical entity of the EU, with almost as many people thinking that things are going wrong in the EU as those who believe they are evolving (Inotai, 2021). In the past four years, migration has become the main disadvantage of EU membership in the eyes of voters (Inotai, 2021). Hungarians identify European integration mainly with the benefits of the membership, but by observing the wording and reasoning of the negative comments, government rhetoric can be demonstrated. As a result, Fidesz voters are the least committed to the EU, although the majority still have a favourable view of the EU's presence in Hungary (Inotai, 2021). Fidesz's nine-year-long Eurosceptic campaign has failed to reverse the EU's positive domestic perception, but its impact is undoubtedly strong.

Concerns related to the question of sovereignty have also emerged due to the politics of the governing party. Hungarians generally agree that the European Union wants to have a say in too many aspects that violate the country's independence. The government's pro-sovereign rhetoric has a broad audience, which affected the perception of EU-Hungary relations (Bíró-Nagy & Laki 2019). Restricting national sovereignty is a severe disadvantage of EU membership in the eyes of many citizens. The division among voters predicts that the debates on the future of the EU are expected to intensify in the coming years and may also polarize Hungarian public opinion. It is also worth pointing out that most Hungarians see the European Union as an impersonal 'machine' (Bíró-Nagy & Laki 2019). The majority also tends to agree with criticisms of bureaucratic functioning and taking the will of citizens into account.

On the contrary, according to Bíró-Nagy & Laki (2019), only half of the Hungarians think that the European Union helps defend democracy in Hungary. Opposition voters are explicitly confident that European integration can help the country, not just economically. All opposition groups expect the protection of democracy and the rule of law to be a higher priority in the EU's policy (Bíró-Nagy & Laki 2019).

As the research indicates, although there is a general critical approach towards the EU from Hungarian society, people still value being part of the union and vote pro-EU in

a national referendum (Bíró-Nagy & Laki 2019). Although Hungarians see economic support as the most significant advantage of the federation, questions around sovereignty and pursuits for independence in national matters has strengthened in the past years. Members of the opposition, besides economic benefits, also perceive the European Union as the safeguard of democratic values, which suggests that the EU-Hungary relations would also change in case of a new government, the EU-Hungary relations would also change (Bíró-Nagy & Laki 2019). Besides, the research mentioned above shows that Hungarians remain pro-EU, which the government accepts; however, Fidesz still tries to fit the reality into its narrative.

The EU's relevance in Hungary

As defined in the previous section, Hungary's current governance can be exemplified as illiberal democracy. These are dynamic, fast-changing hybrid systems, lacking fixed rules or guarantees to ensure the democratic institution's maintenance (Körösenyi, Illés & Gyulai, 2020). The Hungarian political model differs from the others due to the paradox, as it is part of the European Union, an organization built on the federation of democratic member states. Under that, the EU, with its international politics, can influence its state members' domestic decisions. Bozóki & Hegedűs (2017) in their research define three functions of the European Union in which it affects the system in Hungary. These are (1) sustaining, (2) legitimizing and above all, (3) restricting activities (Bozóki & Hegedűs, 2017).

Considering the first function, namely the system restriction, doubts about its effectiveness are still present. On the one hand, the European Committee, according to its discourse, due to lack of political and legal tools, was not able to effectively stand up against the systematic downsizing of liberal democracy and liberal constitutionality (Bozóki & Hegedűs, 2017). On the other hand, in parallel to that, the European Council and the European Union together guaranteed a high degree of the right to individual freedom in Hungary. It is true that the European Union's fundamental values, such as democracy or the rule of law, defined in Article 2 of TEU, have no institutional and procedural tradition for protection within the EU (Kochenov, 2014:5). However, securing human rights and fundamental rights is rooted in a decades-old tradition in the European Court of Human Rights and the European Court in Luxembourg.

Furthermore, Hungary's EU membership also helps the federation structurally limit the country's National Cooperation System (NCS), a defining part of the hybrid system that neutralized critiques of the government (Bozóki & Hegedűs, 2017). Therefore, the basic fundamental human rights for the Hungarians are guaranteed by the European Union and by the European Council. According to the authors, the European Union is the only and most influential force to avoid a clear shift to the direction of autocracy (Bozóki & Hegedűs, 2017).

Although the European Union not only restricts but paradoxically also adds to the regime's survival. The power holders exploit the public resources, which is also an essential element of the hybrid regime and Hungary's everyday politics (Magyar, 2015). Second, the European cohesion politics support the exploitation of the public resources by those in power and, therefore, the political arena's inequality. Moreover, the EU's resources also lead to a relatively stable economy and moderate growth, consequently stabilizing the political regime. Based on that, even an illiberal, Eurosceptic, rhetorically anti-EU as the current government is very interested in keeping Hungary's European membership status (Bozóki & Hegedűs, 2017). Lastly, the procedure of Article 7 would have been an available tool for the EU if the actors eligible to start the process would have found that Hungary is seriously violating the values defined in the Article 2 of TEU (Bozóki & Hegedűs, 2017).

The absence of sanctions and the lack of criticism of the Hungarian political change silently legitimized the 'Orbán-regime', strengthening the political leaders' discourse, with which they prove the democratic character of their system (Bozóki & Hegedűs, 2017). According to the author, Hungary can lose its interest to sustain its EU membership in the lack of financial motivation and intend to leave the Union (Bozóki & Hegedűs, 2017).

Case study analysis: the EU and Hungary and the pathway to contestation?

Against the backdrop, I reach my case study analysis chapter which shall be divided into three sections. It starts with a general introduction of the cases, followed by an analysis and commentary on each scenario of contestation. After that, the main findings are taken into account, which is further examined in the discussion. In the first section, there is an in-depth analysis of Hungary's contestation of EU values regarding the migration wave and the country's responsibility in refugee sharing, which took place in 2015. Followed by the illustration of other norm-breaking pattern through targeting the Central European University and thus the right to academic freedom. This case also shed lights on the constant and extensive attack from the government towards democratic values. Lastly, the current paper elaborates more broadly on the EU budget and the rule of law mechanism that took place in 2020 and the beginning of 2021. Based on the research questions, cases are analyzed, first answering how Hungary is violating the rule of law and EU values. After that, in the second part of the analysis, the research focuses on why it does so, applying the theories explained earlier.

In order to analyse the cases as thoroughly as possible, the current research relies on hypotheses as possible reasons behind the country's norm contestation of EU standards. Moreover, three criteria are defined on which cases are judged to be valid or should be rejected; these criteria are; (1) norm breaching of fundamental EU values can be recognized in a specific case, (2) tools used by the Hungarian government to defend their point of view, (3) outcomes of a debate over the observed issue. Hypotheses should be valid if all three criteria are valid. Assumptions to answer the research questions are the following:

H1: Hungary contests EU values in order to create social cohesiveness through religious beliefs

H2: Hungary contests EU values to gain more material interests

H3: Hungary contests EU norms to protect the country's sovereignty

In the following sections, first, the case studies are presented and the discourse throughout 2015 and 2021. Then, as mentioned before, the interpretive case study analysis is applied to observe the events, building on secondary sources. Finally, the assumptions are examined on a case-by-case basis, showing whether they are relevant or rejected.

Scenarios of contestation between Hungary and the EU

In this section, cases that indicate Hungary's norm-breaking behaviour against the European Union are presented. The following cases have been chosen as they present turning points between Hungary and the EU. Due to the complete rejection to take part in refugee sharing, Hungary officially and openly refused the idea of a unified solution, one of the basic directives of the EU (BBC, 2015c). By targeting academic freedom, the Hungarian government continued its crusade to deny liberal norms and publicly attacking EU officials, such as the poster campaign against Jean-Claude Juncker, the former president of the European Commission (Bayer, 2019). These norm violating patterns can also be identified in the latest actions of the Hungarian government. In March 2020, Viktor Orbán, prime minister of Hungary, announced a 'state of danger' due to the pandemic, allowing him to practice full authority without stating its end (Hungarian Helsinki Committee, 2021). This act was highly criticized by member states, shedding light on the undemocratic nature of his claim (Kovács, 2020). However, since warnings were not strong enough for a push back, the EU plans for the 2021-2027 budget were to help the EU to repel democratic backsliding. Although the organization initially wanted to offer the rescue package to those states, who comply with EU values and the rule of law, with the help of Poland, Hungary vetoed the decision (BBC, 2020). It was, again, a clear rejection of democratic values and norms of the institution.

In the following sections, first, the case studies are presented. Then, building on empirical evidence, claims concerning Hungary's norm contestation are supported with articles, speeches, interviews and public discourses. The next segment aims to explain the different scenarios, describing how Hungary's norm breaching takes place.

Question of refugee sharing in 2015

Due to the upheavals in the wake of the so-called Arab spring and the transformation of Syria's anti-regime uprising into a deadly war, many people chose by 2015 to flee their home and search for safety in another country (BBC, 2015b). Hungary, given its geographical location, lying near Serbia, has been one of the entry points. Although most EU countries were struggling with the unexpected wave of refugees, Hungary turned to extreme measures (BBC, 2015a). The government took on this early, creating a general fear among citizens, strengthening racist and xenophobic rhetoric, supporting its claims with a nationwide poster campaign and media channels (Thorpe, 2015). Refugees in the media campaign had been painted as "illegal migrants, suffering from infectious diseases" such as hepatitis or syphilis (Thorpe, 2015). Fidesz started a poster war against war victims, creating slogans such as "If you come to Hungary, you need to follow the Hungarian laws" or "If you come to Hungary, you cannot take the Hungarians jobs" (Thorpe, 2015). This campaign aimed to win the majority, allowing the government to pass strict immigration bills such as building the wire fence or deporting migrants back to Serbia (Thorpe, 2015). It consequently strengthened the negative perception of asylum seekers and maintained the panic within the country. However, there was not such a thing as the refugee crisis in Hungary. The country had the lowest immigration rate in Europe at the time, not to mention that most people had no intention to stay but to cross the country to continue to the West (Pardavi & Gyulai, 2015). The reason to create a generally shared fear among citizens is a well-founded ground to restrict citizens fundamental liberties by creating a sense of 'being under attack by refugees' (Pardavi & Gyulai, 2015). At the same time, the Hungarian government was also violating EU norms by rejecting to take part in the burden-sharing and through the inhumane treatment of refugees in transit zones (Courthouse News Service, 2019). The open rejection of burden-sharing and relocation quotas also shows connections to Schmitt's theory on the friend and enemy distinction. In this regards, a country should be sovereign enough to decide who is entering the territory and who is not. The Hungarian government, therefore, emphasized religion to justify its pursuit of sovereignty.

Hungary's prime minister, Viktor Orbán, aimed to block the European Union program to resettle refugees from the Middle East and Africa, justifying his actions with border

security reasons, saying *"to secure his nation's borders from the mainly Muslim migrants to keep Europe Christian"* (Stavis & Pronczuk, 2020). He also wrote in 2015, *"Those arriving have been raised in another religion and represent a radically different culture. Most of them are not Christians, but Muslims"* (Quell, 2020). In a national referendum concerning immigration launched by the government in 2015, the rhetoric towards migration clearly showed patterns of taking extreme turns. The questionnaire asked whether people agreed that to the mandatory resettlement of non-Hungarian citizens to Hungary by the EU without the consent of the National Assembly (European Parliament, 2016). As the prime minister stated, the necessity of this was that *"Brussels has failed to address immigration appropriately, therefore Hungary must follow its path"* (Iqbal, 2015). The prime minister in his speeches always speaks in the name of the whole nation, like the before mentioned quote shows. He rightfully does so, as Fidesz and the prime minister himself were elected by a two-thirds majority, which the Hungarian government never fails to highlight. It also reflects how sovereignty plays a crucial role in Hungary's norm contestation, as in the government's interpretation, what the majority approved should be followed. In this case, the Fidesz was accepted by plurality; therefore, their decisions are authorized.

Nevertheless, the government did follow its path indeed. Quota referendum victory was claimed by the prime minister in 2016, stating that 98 per cent of participants supported the government's denial of the EU plan (BBC, 2016). However, in reality, the valid ballots did not reach the required 50 per cent threshold (Stavis & Pronczuk, 2020). Eligible voters in favour of the EU's plan rejection were around 40.4 per cent. In lights of the vote, the government spokesman stated, *"the outcome was binding politically and legally"* (BBC, 2016). Prime minister Viktor Orbán added that he is up to change Hungary's constitution to make the outcomes binding (BBC, 2016).

Hungary, as a country, is a signatory to the UN Refugee Convention 1951, which has been violated through government actions. Moreover, as a member of the European Union, Hungary would also be responsible for refugee sharing (Stavis & Pronczuk, 2020). According to the Dublin Regulation, anyone seeking asylum is required to request it in the first EU country they enter (EUR-Lex, 2013). Although security reasons were raised as a possible concern in connection to the plan, the scheme was

drafted under Article 78(3) of the Lisbon Treaty³, making it possible to deal with massive migration (BBC, 2015b). Despite of that, Hungary, Poland and the Czech Republic refused to participate in the relocation scheme and ease the burden being put on Greece and Italy. Back then, countries were struggling due to the large numbers of arrivals fleeing from war; therefore, Hungary's denial to participate was called "particularly offensive" by some other EU countries (Stevic & Pronczuk, 2020).

In 2020 the European Court had ruled against the three countries and found them violating deal on refugee quotas (Stevic & Pronczuk, 2020). According to the writers, the court's final ruling states that Eastern European countries had failed to implement the rules on refugee sharing assigned to them, thus did not live up to their end of a European Union agreement, distributing 160,000 asylum seekers (Stevi & Pronczuk, 2020). Despite the court's decision, Hungary did not take any people, whereas Greece, having nearly the same size as Hungary, saw more than a million migrants arrive during 2015 and 2016 (Al Jazeera, 2017a). The refusal marked a bloc of resistance to communally agreed policies, creating a new fault line in the EU's politics.

According to the head of the European Commission, Ursula von der Leyen, the court decision was still an important matter, as she says, "*referring to the past, but giving us guidance for the future*" (Stevi & Pronczuk, 2020). She also added, "*While history has proved us right, Hungary was, nonetheless, taken to court*" (Stevic & Pronczuk, 2020). Ms. von der Leyen also stated that the commission was about to develop a new migration pact, aiming to outline each member state's responsibilities. As a response, Hungary's justice minister, Judit Varga, said: "*This is especially shocking in the light of the fact that almost none of the member states have fully implemented the 2015' quota decisions*" (Stevic & Pronczuk, 2020). She then declared on Twitter that "*Hungary now had no obligations to take in asylum seekers*", the EU's relocation system concerning migration does not exist, and the court's decision will not change that (Stevic & Pronczuk, 2020).

³ Article 78 (3) of the Lisbon Treaty: "In an event of one or more Member States being confronted by an emergency situation characterized by a sudden inflow of nationals of third countries, the Council, on a proposal from the Commission, may adopt provisional measures for the benefit of the Member State(s) concerned. It shall act after consulting the European Parliament" (EUR-Lex, 2016).

According to Katya Adler, an editor of BBC News Europe, a higher percentage of Hungarians voted against the EU scheme than voted for EU membership. Orbán, prime minister of Hungary, saw this victory as a 'counter-revolution against EU centralization' and resistance against 'Brussels' bossiness' (Adler, 2016). Countries such as Hungary and Slovakia filed a challenge against mandatory quota to accept asylum seekers. Its purpose was to annulled the plan, although it did not go far, as the ECJ refused, which is final and not open to appeal. Peter Szijjártó, the country's foreign minister, responded to the decision, stating that: *"it was made on political rather than legal considerations and jeopardises the security and future of all of Europe"* (Aljazeera, 2017a). The Hungarian government itself considered the court's ruling as "appalling and irresponsible" (Ibid). Upon the legal backup to support the EU's plan on refugee sharing, Fidesz seeks compensation of 470 million USD from the EU for border reinforcements. This border control development included razor wire fencing and 3,000 guards (Ibid). Referring to Adler (2016), one reason why the Hungarian government does not step aside from its EU membership can be found in economic interests. According to statistics, the European Union gives more than 5 billion Euro, which takes up nearly six per cent of the Hungarian GDP (Adler, 2016).

In an interview with Al Jazeera in 2018, Péter Szijjártó, the foreign minister of Hungary, was asked about the aggressive media campaign helping the government win the election. The Hungarian foreign minister gave the following answer: *"This is the most important issue currently in Hungary. If it were not the most important issue, we would not get 46.9 per cent of the votes in the country, and I am telling you what if migration was not the most important issue only in Hungary if you look at the five last national elections in Europe. (...) In all countries, migration was the number one topic because this is something that bothers the people in Europe"* (Al Jazeera, 2018). In an annual statement of Viktor Orbán in 2019, the prime minister stresses the importance of border control and the vast number of illegal migrants arriving from the Middle East. According to Orbán's report, Turkey has registered that "the illegal migration increased by 70 per cent compare to the previous years" (Orbán, 2020). In his speech, he also mentions that "due to the bad weather conditions, the Bosnian way is impassable, therefore more people chose to come to the Hungarian-Serbian border, increasing the pressure on these countries" (Orbán, 2020).

Hungary does not want to let go of the idea of a severe threat that continues to lurk in the country. Six years have passed since the onset of the so-called refugee crisis in Europe, and since then, Hungary has had the lowest numbers of immigration, and has taken zero refugees (Pardavi & Gyulai, 2015). However, the war narrative and the anti-migration rhetoric of Fidesz are still predominant in Hungary, keeping the country in a permanent state of emergency.

The target of the Central European University: endangering academic freedom

The scenario of contestation around refugee sharing is pivotal case study giving us an insight into dynamics of contestation between the EU and Hungary. Another insightful “norm-breaking” episode is the attack of the Central European University which threatened to endanger academic freedom, putting at risk broader values at the heart of the European Union. The Central European University, ranked among the top 200 universities globally in eight disciplines, has been forced to leave Hungary due to a modification of Hungary’s Higher Education Law and the infringement proceedings on *lex CEU* in 2017 (BBC, 2017). The legislation states that foreign higher educational institutions outside of EEA can only carry out an educational activity in Hungary if it does so in its primary country of origin. Moreover, the country of origin must agree with the Hungarian government to teach in Hungary (Ágoston, 2020). The new law generated a public outcry by students, researchers, and scientists and drew the international community’s attention. The European Court found the modification of Hungary’s Higher Education Law unlawful, arguing that the contract conditions between the country of origin and Hungary violate the general agreement on trade and services (GATS), which the EU signed under the World Trade Organization (WTO) (Ágoston, 2020).

There were additionally two more policies, which the government actions jeopardized (Ágoston, 2020). One of them is the contravention of the freedom of settlement and services, which neglected the principle of internal market services. Moreover, the conditions were not in line with Article 2 of the European Union Treaty, specifically, with the freedom of science, the right to establish an educational institution, and the principle of freedom of establishment (Ágoston, 2020). Finally, new legislation on foreign higher education institutions also limits scientific life's freedom, protected in Article 13 of the European Union Charter of Fundamental Rights (Ágoston, 2020).

The attitude showed by the government towards the case of CEU indicated that it is a political matter. The institution was founded in 1991 when communist regimes were collapsing, and Berlin Wall's fall took place. It was a symbol of democracy and a safeguard for democratic values (Coughlan, 2014). Although the Hungarian government's argument emphasized the "unlawful operation" of foreign universities as a reason to cease CEU, it became clear throughout the years that it has been an apparent attack against liberal norms and democracy. Decision-makers assigned deadlines impossible to keep, which put the institution in a nonviable position. Due to its two-thirds majority, the government won the case in the Parliament with one hundred and twenty-three in favour of the amendment of the legislation, whilst thirty-eight voted against it (Dull, 2017). The government proposal is called lex CEU because most of its provisions apply to Central European University, making its operation impossible within Hungary (Dull, 2017). The conference was held as an exceptional case, leaving only three hours to suggest modifications. Although the new legislation originally was planned to come into force from 1 September 2018, the legislative committee rescheduled its date to an earlier time, making it effective right after the day of its announcement (Index, 2017).

Consequently, it is forbidden for the university to accept new students from 1 January 2018. Zsolt Enyedi, the deputy rector of CEU, stated in an interview: *"I think shortening the given time phrase indicates a lack of willingness to compromise with us. Therefore, it is also false that the government wants to find a way in which the university could be able to stay⁴"* (Index, 2017).

Although they covered the case as a general examination of foreign universities working in Hungary, pro-government organs regularly reported the Central European University (Dull, 2017). This attack soon expanded, becoming a war between Hungary and the US, as foreign newspapers such as The New York Times started to write about the case. It was hard to understand why it is in the government's interest to target a university that is a strategic point to international embeddedness, provides

⁴ Translated from Hungarian: "Az eddigi elképesztően rövidre szabott határidőket még rövidebbre változtatták. amennyiben erről van szó, az annak a nyílt bevallása, hogy nem akarnak megegyezni velük. És így az sem igaz, hogy "a kormány azt akarná, hogy megtalálják a módját annak, hogy itt maradjunk" (Index, 2017).

education in a foreign language, and attracts international students to Hungary. Nonetheless, the university contributes up to 24 million Euro to the Hungarian economy annually (Gall, 2019). The open target of CEU resulted in a strong back up from the Ministry of Foreign Affairs of Washington, the Embassy of the United States of America, the senators of Washington, internationally accepted⁵ and Nobel-prize winner scientists⁶ as well as Fidesz EU Commissioners and Christian and right-wing theologians (Joób, 2017).

Lydia Gall, senior researcher on Eastern Europe and Western Balkans at Human Rights Watch, states that the European Commission should carry out the Article 7 process, which would result in limitations on Hungary's access to EU funding. Nevertheless, it would also clearly stand against attacks on fundamental rights such as academic freedom (Gall, 2017). Michael Ignatieff, Canadian author, academic and former politician, rector of CEU, also commented on the events, saying, "*the bill makes the first time that a member of the EU dared to legislate an attack on the academic freedom of a university*" (BBC, 2017).

The government's perspective somewhat differs from the ones mentioned above. Zoltán Balog, a Hungarian politician and minister of human resources, sees the restrictions on foreign educational institutions as a 'battle against liberalism'. Balog stated, "*it went against Hungary's interest to host experiments, financially supported and evading democratic rules of the game in the background, which aim at undermining the lawfully elected government or leadership*" (BBC, 2017). In his statement, Balog referred to Georg Soros, an American businessman and founder of CEU, which often labelled by the government as 'Soros-university' and seen as a bastion of liberalism (BBC, 2017).

It is known that prime minister Viktor Orbán has a personal dissidence with Soros, as the government subjected the CEU founder to smudge campaigns along with targeting

⁵ Scientists: David L. Brown, International Professor of Development Sociology; Jane Leftwich Curry, Professor of Political Science; Melissa Feinberg, Professor of History (...) (Német, 2017) [https://index.hu/kulfold/2017/04/01/tobb mint szaz amerikai tudos irt levelet a kormány_nak a ceu_miatt/](https://index.hu/kulfold/2017/04/01/tobb_mint_szaz_amerikai_tudos_irt_levelet_a_kormany_nak_a_ceu_miatt/)

⁶ Nobel-prize winners: Robert Solow, Eric Maskin, Roger Myerson, Lars Hansen, Thomas J. Sargent, Alvin E. Roth, A. Michael Spence, Edward C. Prescott, Oliver Hart, Robert Shiller (...) (Pándi & Csurgó, 2017) https://index.hu/belfold/2017/03/31/ceu_szolidaritás/

organizations and institutions, receiving international funding provided by Soros (Gall, 2018). Therefore, the target of Central European University seen as the next step on the government's list, aiming to continue shutting down criticism, restricting media freedom and painting a false picture of non-governmental organizations (Gall, 2018). Soros is seen as a potential threat to the current government, rooted in the differences of values. For instance, the Hungarian born philanthrope highly rejected the idea of a razor fence as a possible solution for handling migration, instead suggesting a unified, humanitarian and logical approach (HVG, 2016). Throughout the years, the conflict of interests did not stop by being projected to the limitation of academic freedom but further developed to an attack against the EU.

In an interview with CNN in 2019, Péter Szijjártó expressed the previously mentioned clash of values between Hungary and the EU. The interviewer raised questions about the poster campaign of the former president of the European Commission, Jean-Claude Juncker and Hungarian-American businessman George Soros. The reporter was curious whether a poster campaign was the right thing to do. Szijjártó, foreign minister of Hungary, answered the following: *“Jean-Claude Juncker has failed. He was a very unsuccessful president of the European Commission; he made very bad decisions, he made a lot of mistakes, as an outcome and a consequence of which European Union now is a weaker integration than it was before he has taken office. We think that one of the worst decision that the European Commission made during this last term was in regard to migration. And definitely, George Soros has put forward a plan about how to bring migrants to Europe, how to get rid of the national heritage and the cultural heritage of the country’s itself. And the European Commission acted according to the plan of George Soros. That is what we have said with billboards”* (CNN, 2019).

The posters that Szijjártó refers to were decorating the streets of Budapest for months, sending the message of a liberal alliance aiming to undermine Hungary, threatening the country’s security (Bayer, 2019). Slogans on the billboard were: *“You also have the right to know what Brussels is preparing for!”* or *“Everyone has the right to know what are the actual proposals, which fundamentally threaten Hungary’s security”* (Bayer, 2019). One of them was directly referring to the quota system, introduced in 2016, stating: *“They want to introduce mandatory resettlement quotas. They want to*

weaken member states' right to border protection. They would ease immigration with migrant visas" (Bayer, 2019). Although the taxpayer-funded government campaign was nothing new from Fidesz, it was the first time publicly using the image of an EU official. As a response, Juncker's chief spokesman, Margaritis Schinas, said: "The Hungarian government campaign beggars belief. It is shocking that such ludicrous conspiracy theory has reached the mainstream to the extent it has. There is no conspiracy. Hungarians deserve facts, not fiction" (Rankin, 2019).

Soros, in his statement, expressed his concerns regarding the country's attitude towards EU values, saying: *"The decision of the European Court, claiming that Hungary is violating values of the European Union is the victory of those. Unfortunately, the decision came too late for the CEU. We cannot return to Hungary, as the current legislation is not in line with the requirements of academic freedom"*⁷ (Datki, 2020). He also added that the government continues to attack the rule of law with its new target, the University of Theatre and Film (SZFE). Soros, in his speech, also urged the EU to initiate a trial against the government (Datki, 2020).

The target of CEU is a clear indication from the Hungarian government that people having different perspectives and critiques towards the government are not tolerated by Fidesz. Nonetheless, the government did not fail to find relations between Soros and the EU, creating a conspiracy theory to undermine Hungary's security.

Debates on the EU budget and the rule of law mechanism

In the following pages the current paper introduces the debates of the 2021-2027 EU budget, the third case study, that aims to introduce Hungary's contestation of EU values. However, in order to understand why the EU decided to tie the new budget to rule of law regulations, it is important to highlight the events that took place before the negotiations.

In the spring of 2020, the COVID-19 pandemic hit Europe, and by early March, countries started to close their borders and their societies to avoid the worst of the

⁷ Translated from Hungarian: "Az Európai Bíróság döntése, miszerint Magyarország megsérti az európai jogot, az Európai Unió alapértékeinek győzelme. A döntés túl későn jött a CEU számára. Nem térhetünk vissza Magyarországra, mert a jelenlegi törvények nem felelnek meg az akadémiai szabadság követelményeinek" (Datki, 2020).

outbreaks and take control over the situation (Helsinki Committee, 2021). This event also prompted several countries to resort to emergency laws. The UK, for instance, introduced a coronavirus bill while the Hungarian government was calling for a ‘state of danger’ (TLDR News EU, 2020a). Announcing a state of danger in itself is not a norm-breaking act, as many states declared a state of emergency to rule by decree to quicken decision-making and successfully respond to new challenges posed by the COVID-19 (TLDR News EU, 2020a).

The norm breaking act from the Hungarian Prime Minister’s side was the simple fact that there was no adequate time limit to rule by decree along with some specific other clauses (TLDR News EU, 2020a). Most government legislation enforced by this authorization has raised severe concerns against human rights and violated European law, such as the suspension of parliament or the violation of quarantine and isolation orders (Hungarian Helsinki Committee, 2021). Although the ‘state of danger’ ceased in June 2020, the Prime Minister got such excessive powers that weakened constitutionality. Later on, in the second wave of the pandemic, throughout the fall of 2020, these excessive powers came into force (Hungarian Helsinki Committee, 2021). The prime minister's actions were strongly criticized by EU members, some of them publicly expressing their concerns. Ursula von der Leyen, head of the European Commission, stated:

“In all member states, including Hungary, and I understand that member states may need to take emergency measures to address the immediate health crisis. But I am concerned that certain measures go too far, and I’m particularly concerned with the situation in Hungary. We will take the actions necessary as we have already done in the past. Emergency measures in the coronavirus may be necessary. I acknowledge that. (...) But these emergency measures have to be limited to what is necessary, they have to be strictly proportionate because they have to be adequate in this situation, they should not last indefinitely and very important, they should be subject to regular scrutiny” (TLDR News EU, 2020a).

The chair of the Civil Liberties Committee has also commented on the situation, expressing concerns about the Hungarian National Assembly’s will to extend the ‘state of danger’: *“We are aware that member states have a responsibility to take*

protective measures in these difficult times, but these measures should always ensure that fundamental rights, the rule of law and democratic principles are protected” (TLDR News EU, 2020a).

Donald Tusk, President of the European People’s Party, the conservative party of the European Parliament, to which Fidesz belonged, until it was expelled in 2019, worryingly stated:

“Extraordinary measures often restricting democracy are also necessary for this time. The pandemic justifies that they are applied, but it does not justify that they are abused. The ‘state of emergency or the ‘state of danger’ must serve the governments in the fight against the coronavirus and not strengthen their power over the citizens. Making use of the pandemic to build a permanent state of emergency is politically dangerous and morally unacceptable. This is why so many questions and concerns appear regarding the situation in Hungary, where according to many, the emergency measures which have been introduced are disproportionate and inadequate. What is more, they have been introduced for an indefinite period of time” (TLDR News EU, 2020a).

Moreover, 16 member states, Belgium, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Portugal, Spain and Sweden all joint together in a joint diplomatic statement, saying: *“We all deeply concerned about the risk of violations of principles of the rule of law, democracy and fundamental rights arising from the adoption of certain emergency measures”* (TLDR News EU, 2020a).

Responding to the significant outcry presented by EU officials, Judit Varga, Hungary’s Justice Minister in her report, said to Euronews, that: *“There is definitely a sunset clause. It says that the Hungarian Assembly will decide on the termination of this emergency situation, and by this act, the law will cease to exist”* (Euronews, 2021a).

Zoltán Kovács, the international spokesperson for the Cabinet Office of the Hungarian prime minister, claimed in his article in Euronews that the extraordinary measures

helped the Hungarian government respond timely lower the cases faster than other countries. He also stated:

“The act did not grant the government ‘unlimited powers’, nor did it dissolve or suspend parliament. The legislative package was passed entirely in accordance with Hungary’s constitution, the Fundamental Law, which requires that it come to an end once the threat is no longer present. To our vociferous critics, this might be a good time to offer an apology, but that would require some humility and a sense of goodwill, so I suspect we will not hear any” (Euronews, 2021a).

Prime Minister Viktor Orbán stated that compared to other countries, *“we were able to make decisions one or two weeks earlier”* (Euronews, 2021a).

In July 2020, EU leaders agreed to an enormous rescue package for Europe. Together the member state’s leaders agreed to mutually borrow three-quarters of a trillion Euro (750 billion Euro) to establish a European recovery fund (TLDR News EU, 2020b). The 750 billion would then be split into two, with 390 billion euro as non-repayable grants and 360 billion distributed as repayable loans. That is all laid on top of the EU’s existing seven-year budget, a total of 1.82 trillion Euro. The issues began to intensify when it came to the rule of law regulations. At the beginning of November, the European Parliament and EU ambassadors reached a preliminary agreement on establishing a rule of law mechanism that would connect EU budget money, including the recovery package, to recognise and respect the EU values (TLDR News EU, 2020b). This means that countries found to be rejecting or at risk of breaching the EU values could end up having their payments suspended. Hungary and Poland are currently both subject to EU disciplinary procedures over rule of law breaching. Viktor Orbán, Prime Minister of Hungary using the rule of law as a political and ideological weapon, arguing that:

“In our view, tying economic and financial questions to political debates would be a grave mistake, one that would undermine Europe’s unity. The EU will use financial means to blackmail countries which oppose migration” (TLDR News EU, 2020b).

The EU emphasizes the mechanism because both Hungary and Poland were threatened with Article 7 procedure (TLDR News EU, 2020b). This legislation has two main provisions: prevention and sanction. However, in practical terms, the actual power of the discipline comes into play when the sanctioning aspect is also taken into account (TLDR News EU, 2020b). It would allow for the suspension of a member state's voting rights, which could not be used against Poland or Hungary for a period of time (TLDR News EU, 2020b). In order to sanction, the European Council, excluding the country in question, must unanimously decide whether there is a serious and persistent breach. As a response, Hungary and Poland have publicly stated that they will veto any action taken against the other country (TLDR News EU, 2020b). However, the alliance did not last long, as Poland decided to accept the new terms given by the EU (HVG, 2020).

Hungarian Foreign Minister Péter Szijjártó was asked in an interview with Euronews. The reporter posed the question, whether Hungary will receive less EU financial since the new budget was linked to the respect of the rule of law. The foreign minister said: *“No, I mean, why should we? We do not have problems with the conditions of the rule of law or with conditions of democracy. I believe that we are democracy, and the rule of law very clearly prevails in Hungary⁸”* (Euronews, 2021b).

When the reporter asked that based on the foreign minister's previously stated argument, how come that Hungary vetoes the budget, Szijjártó responded:

“Because of our experience. Because of the things that happened since we are in office. Because we received attacks on political and ideological grounds. They are referring to ‘the rule of law’, which has nothing to do with matters of the rule of law. We are attacked for things that we think about migration, for things we think about the family, for things that we think about patriotism. This has nothing, nothing to do with the rule of law. They are attacking us constantly because of political reasons, that what we are doing is simply indigestible for the illiberal international

⁸ Translated from Hungarian: “Nem, miért lenne ez így? Nincsenek problémáink a jogállamiság feltételeivel és a demokrácia feltételeivel sem. Hiszen mi demokrácia vagyunk és a jogállamiság nagyon egyértelműen érvényesül Magyarországon” (Euronews, 2021b).

mainstream. Because we represent a Christian, patriotic approach and meanwhile we are successful⁹” (Euronews, 2021b).

For many, linking the rescue package to the rule of law is the perfect way to get around the catch-22¹⁰ situation that Europe currently finds itself in with Poland and Hungary. Michael Claus, the German ambassador, warned that the EU is about to face “a serious crisis” if the financial package was not adopted urgently. He continued: “*We have already lost a lot of time in view of the second pandemic wave and the severe economic damage*” (Lee, 2020). Johannes Hahn, EU-Commissioner for Budget and Administration, added, “*This is not about ideologies but about help for our citizens in the worst crisis since World War Two*” (Lee, 2020).

Nearly a year later, in March of 2021, Poland and Hungary have filed a complaint about the mechanism that ties respect for the rule of law with EU funding (Euronews, 2021a). This mechanism was included in the budget, planned and accepted last year by the EU, covering the upcoming period between 2021 and 2027. The EU was hoping that the two countries will adhere to EU values. However, Polish government spokesman Piotr Müller claimed this “violates the European Union's law” (Euronews, 2021a). Although Hungary and Poland tried to delay the budget for two years, they agreed to it on the condition that the EU’s supreme court would review the rule of law mechanism. Hungarian justice minister Judit Varga wrote on her Twitter account: “*The left went too far when it launched an attack on Hungary in the middle of the pandemic. We replied to this attack and managed to defend Hungarian interests concerning the EU budget. However, that is unlawful cannot be left without a word*” (Euronews, 2021a).

⁹ Translated from Hungarian: “A tapasztalataink miatt. Ami azóta történt mióta hivatalban vagyunk, hogy politikai és ideológiai alapon támadások értek minket. A “jogállamiságra” hivatkoznak, aminek pedig semmi köze a jogállamisági ügyekhez. Támadás alatt állunk azért, amit a migrációról gondolunk, azért amit a családról gondolunk, azért amit a hazaszeretetről gondolunk. Ennek semmi, de semmi köze nincs a jogállamisághoz. Politikai okokból folyamatosan támadnak minket, mert amit csinálunk az egyszerűen emészthetetlen a nemzetközi liberális main stream számára. Azért mert hazafias, kereszténydemokrata megközelítést képviselünk és közben sikeresek vagyunk” (Euronews, 2021b).

¹⁰ Cambridge Dictionary: Catch-22 situation is an impossible situation where you are prevented from doing one thing until you have done another thing that you cannot do until you have done the first thing. <https://dictionary.cambridge.org/dictionary/english/catch-22>

According to a BBC article, one EU diplomat framed it as the following: *“This is not about taking away the independence of any elected government - it is about having shared values and defending them”* (Connolly, 2020). Dutch Prime Minister Mark Rutte described the proposals on the rule of law mechanism as “bare minimum” when being rejected as excessive by Poland, Slovenia, and Hungary (Connolly, 2020).

Years earlier, in 2018, the foreign minister of Hungary had an interview with Al Jazeera, to which I have referred previously. There were also questions connected with EU values throughout the discussion and whether Hungary sees its future in a federation or as a sovereign country. Szijjártó, Foreign Minister of Hungary, answered the following: *“Well, actually, we always take the Hungarian side. (...) But what I can tell you is that there are many points of the foreign policy of Donald Trump, which we respect a lot. First of all, we do respect that he respects sovereignty, he respects strong states, he respects countries sticking to their identity, their culture, their heritage. We are part of the European Union, meaning that part of our sovereignty, we practice together with the European Union. No problem with that. The problem is with the intentions to change the treaties which direct the operation of the European Union. Change the treaties is not a democratic way”* (Al Jazeera, 2018).

Whether Hungary is still signed up to the EU values, Szijjártó strongly emphasized that the current government does not violate the organization’s norms and therefore, Hungary is respecting those values (Al Jazeera, 2018).

The debates over the EU budget and the rule of law mechanism shows how the government constantly emphasize its fight to protect Hungarian values and cultural heritage, which the EU, in the government’s view, fails to acknowledge and respect.

Hungary’s contestation of EU values: Is Brussels the new Moscow?

Based on the cases listed above, it can be concluded that the Hungarian government has been constantly contesting and disputing EU norms. Due to Fidesz’s two-thirds majority in the Parliament, the government can easily pass new bills, which helps clean certain norm breaching. It is being realized through the constant change of the constitution, the reform of the judiciary, the ownership of media organs and by promoting the vision of a strong, sovereign nation that aims to strengthen Europe. The

Hungarian government contests EU norms by demonizing the European Union as an institution and its values, such as liberalism and the unity of member states. On a radio interview in 2017 for instance, as an answer to the European Court of Justice's ruling over the refugee quota issues, Orbán, the Hungarian Prime Minister stated: *"The whole issue raises a very serious question of principles: whether we are an alliance of European free nations with the Commission representing our joint interests, or a European empire which has its center in Brussels and which can issue order"* (Al Jazeera, 2017b). In contrast, with its strongly anti-liberal rhetoric presents itself as a group of freedom fighters, the government aims to protect national identity and sovereignty. Several court cases have been filed against Hungary because of its norm-breaking behaviour, but instead of changing its politics, the country continues to engage in new disputes.

Painting the EU as a supranational power-oriented body, the Hungarian government brands it as an enemy of the state, wanting to dictate how people of certain countries should live their lives. By challenging every decision the EU wants to make, the government keeps up the uncertainty and questionable politics of the EU. Besides, Fidesz never fails to compare Hungary to the Western world, emphasizing the country's unfortunate historical events and the overall misunderstanding of Hungary's politics. Through this, Orbán contributes to the maintenance of an already enormous gap between the two regions of Europe while also aiming to unite the Hungarians as they all share the same path. In 2014, for instance, Viktor Orbán, Hungary's prime minister, openly defined Hungary as an illiberal state (Halmos, 2014). However, the government's interpretation does not indicate a drastic turn; it only defines Hungary's values that do not align with most EU member states' 'liberal mainstream'. One of the most often used arguments of Fidesz is Hungary's conservative, Christian democratic orientation, which cannot be compatible with most of the standards promoted by the EU (Halmos, 2014).

Constantly pointing out the difference of values, the Hungarian government defines the state's enemies and setting the tone for the form of partnerships it builds on. The Visegrád countries and neighbouring states often referred to as allies of Hungary due to similarities of historical incidents. However, it is not the people but the government that defines the country's so called friends and enemies. According to Fidesz, it

receives criticism from the EU for not following the international liberal mainstream politics (Joób, 2018). However, as the cases illustrate, the union does not target different political opinions but rather the government's tools to prove its point. The portrayal of the EU as an enemy perpetuates a permanent state of emergency in which the government can acquire benefits.

In the following section, the current paper aims to highlight some of the advantages of Hungary's norm contestation of EU standards.

Fidesz's justification of norm contestation. What is at stake, and what can be gained?

In this segment, three hypotheses will be presented to understand how Hungary justifies its norm violating behaviour towards EU values. First, I contend that the government instrumentalizes religion to buttress the distinctiveness of Hungary and legitimize norm-breaking. After that, Hungary's norm contestation from a more material perspective is observed, focusing on the country's financial gains that might win over its fight against EU values. The last hypothesis focuses on how Hungary seeks to consolidate its sovereignty and achieve a stronger influence in the international system. Although all three hypotheses are mentioned as separate ones, it is assumed that they are connected, supporting one another. Therefore, the current paper argues that the Hungarian government's norm contestation cannot be explained through one, but by several reasons interconnected. As mentioned earlier, whether a presumption valid or false is based on three criteria which are; (1) norm breaching of fundamental EU values can be recognized in a case, (2) tools used by the Hungarian government to defend their point of view, (3) outcomes of a debate over the observed event.

Creating social cohesiveness with the help of religion

Identifying as a Christian democratic country, the Hungarian government leverages religion to evade its obligations. Drawing on the slogan of a Christian nation further justifies and legitimizes much of the norm-breaking behaviour of the government. In 2015, for instance, Hungary refused to take in any refugees on purely religious grounds (Quell, 2020). Furthermore, all speeches given by government officials, articles and public statements strongly emphasized the rejection of a Muslim

community, as it would not work along with the Hungarian Christian values. Instead, the Prime Minister saw the ultimate solution through conservative politics, building on national identity and cultural beliefs (Quell, 2020). In a 2014 speech of the Prime Minister, he openly stated Hungary's standpoint on the political scale, saying: *"In our view, we deserve to build the kind of democracy we call Christian Democracy. So we are not liberals, and we are not building a liberal democracy. (...) I could say - in building Christian democracy¹¹"* (Joób, 2018). However, countries such as Croatia, Ireland or Italy, one of the most religious states in Europe, all took their fair share and participated in the EU's quota system (BBC, 2015b). Moreover, in 2019, the European People's Party, having Christian-democratic, conservative and liberal-conservative political parties, suspended Fidesz's membership due to its illiberal turns (Bayer, 2020a).

Conservatism, Christianity and right-wing politics are permanent attributes when government officials talk about Hungary's profile. Therefore, religion is not the only one but is one of the main features that the government uses to reject and oppose the idea of liberalism and liberal politics of the EU. The idea of an illiberal state, for instance often explained with the before mentioned characteristics. However, according to members of Fidesz, the term 'illiberal' is not to describe an anti-democratic status but to represent the core beliefs of a conservative country (Halmos, 2014). Through that, Hungary's government promotes the idea of a strong, sovereign state, which cannot be sustained within the mainstream liberal frame of the EU.

Therefore, the idea that the country contests EU norms to protect its religious beliefs is rejected. If Christianity, as a religion, would cause clashes with EU values, then other countries should have refused refugee sharing on the same grounds. On the other hand, I argue that it is a strategic part of Fidesz's political program to maintain its importance as the primary safeguards of the Hungarian cultural heritage within the country.

¹¹ Translated from Hungarian: "A mi fölfogásunk szerint nekünk a demokráciának azt a fajtáját érdemes építeni, amit kereszténydemokráciának nevezünk. Tehát mi nem vagyunk liberálisok, és nem liberális demokráciát építünk. (...) mondhatnám kereszténydemokrácia fölépítésén" (Joób, 2018).

Economic motives for norm contestation

The second presumption is connected to Hungary's economic interest as basis for contestation of EU values. Though it might seem controversial at first, it can indeed be a potential reason for the government's norm-breaking behaviour. According to Betsy Jose's norm contestation theory, one of the reasons for a country's norm breaching is a materialist gain. Jose (2018) suggests that the logic of consequence, as a potential purpose for contestation, actors keep the action's possible outcomes in focus (Jose, 2018). Fidesz, Hungary's current government, has complete control over all finances by being in a leading status, including funds arriving from the EU.

Consequently, the government relentlessly tries to justify its good partnership with the EU. For example, at the time of debates escalated around the refugee wave in 2015, government officials repeatedly emphasized their efforts to ensure the EU's border security, ensuring the Schengen zone's safety (Al Jazeera, 2017b). In addition, members of Fidesz often refer to the razor fence or the support of Christian communities in the Middle East as their part to help in the refugee crisis (Al Jazeera, 2018). By that, the government justifies its willingness to cooperate with the EU but only in a way that also serves the Hungarian interest.

However, Transparency International, in its report published in 2020, highlights different aspects of this cooperation. According to results collected in 2019, the report states that on the corruption scale, Hungary had 44 points, where 0 is the most corrupt and 100 is marking a downright corruption-free country (Ligeti; Martin; Mikola & Nagy, 2020). According to Transparency International, from member states joined similarly in 2004 to the EU, Hungary produced the worst outcomes. Moreover, among the Visegrád countries, Hungary turned out to be the most corrupt (Ligeti; Martin; Mikola & Nagy, 2020). The finding of Transparency International is also supported by the OLAF's latest report, where Hungary again tops on the corruption list where irregularities with EU funds were detected between 2015 and 2019 (Zsíros, 2020). Based on the report, corruption interweaves the functioning of the state and the economy; the institutional system operates opaquely and is not accountable. The rate of one-off purchases is one of the highest in the EU due to the increasing number of orders solely from oligarchs. Therefore, Hungary's corruption focuses on the

redistribution of economic resources by various means, such as creating a new elite and positioning actors close to the government. All this often happens in an institutionalized way (Ligeti; Martin; Mikola & Nagy, 2020).

Corruption has become part of the system and not a side effect (Ligeti; Martin; Mikola & Nagy, 2020). Guy Verhofstadt, a member of the European Parliament, said to Euronews in connection to the results:

"In most countries, 60-70 per cent of ordinary people find it normal that we stop with the transfer of money to a country that is not applying the rule of law, [and is now less of a] democracy], and it is in the hands of corrupt people. Because it is not only the question of the rule of law, it is also a question of corruption. The latest report of OLAF was very clear about this. On the top list of corruption in the EU is Hungary. That is certainly a responsibility of Mr Orbán" (Zsíros, 2020).

However, why would Hungary risk its membership by contesting EU norms? Although the EU has a 'nuclear option' to put sanctions on the Hungarian government, the institution is also aware that a new area of European politics might begin by suspending Hungary's membership. It could develop further, taking extreme political turns, such as building a closer relationship with utmost governments, for instance, Russia or Turkey. Moreover, the EU supposedly would not intend to give up on its monitoring power on Hungary, resulting in further national outbreaks in other countries such as Poland or Slovakia.

The hypothesis found to be valid in connection to Hungary's norm contestation of EU norms. Therefore, I argue that, the government shows norm-breaking behaviour to strengthen its position within the country while being aware of not resulting in final sanctions from the EU.

Protecting sovereignty?

Based on the cases presented in the previous chapter, government officials often mention the absence of Hungary's influence on European decision-making and the aim to be more dominant. Hungary's current government is frequently criticized because of its actions by other member states; therefore, one possible reason for the

country's norm contestation can be the idea of political acceptance and earning a place among the 'great nations'. Prime Minister Viktor Orbán, in his speech after a conference with the Finnish Prime Minister, said:

"When they are questioning about the rule of law in Hungary, they enter our honor. And I suggest that it be well considered. International relations are not based on one country insulting another. International relations are built on giving mutual respect. We do not accuse each other without facts and evidence. In Central Europe, democracy, freedom of the press, constitutionality are not a political game, this is a matter of honor here. We take it seriously, and we want others to take it seriously and not use it as a political weapon against Hungary. But of course we will fight if necessary, because man fights for his honor"¹² (Orbán, 2019).

According to Jose (2018), the logic of appropriateness defines actor behaviour as it aligns with rules that can be connected to specific identities and specific situations. Thus, the basis of an actor's decision stressed identities and obligations (Jose, 2018). This pattern is recognizable in the behaviour of the Hungarian government, as the country refuses to enforce or act according to any norm, which is, in their view, differs from Christian values. The problem kicks in when it comes to international politics and standing up to EU norms, which is proven to be contested by the Hungarian government.

It was clear, especially on the migration crisis and later in 2020 on the EU budget negotiations, that Central-Eastern European countries share a similar political approach. Therefore, creating allies with other EU member states would help the Hungarian government change its position and be more influential especially among neighbouring countries.

The presumption found to be valid as it offers as one of the answers to why Hungary contests EU norms. If the country would become fully sovereign, it could have more

¹² Translated from Hungarian: "Amikor kérdőre vonnak bennünket, vagy megkérdőjelezik a magyar jogállamiságot akkor belemélynek a becsületünkbe. S javaslom hogy azt jól fontolják meg. Nemzetközi kapcsolatok nem arra épülnek, hogy egyik ország sértegetheti a másikat. Nemzetközi kapcsolatok arra épülnek, hogy megadjuk a kölcsönös tiszteletet. Tények és bizonyíték nélkül nem vádoljuk meg egymást. Közép-Európában a demokrácia, a sajtó szabadság, az alkotmányosság az nem egy politikai játék, ez itt nálunk becsületbeli ügy. Komolyan vesszük, és szeretnénk, ha más is komolyan venné és nem használná politikai fegyverként Magyarország ellen. De persze ha szükséges küzdeni fogunk, mert az ember küzd a becsületéért" (Orbán, 2019).

influence in international politics, allowing it to validate its will. Again, this would strengthen its position within the country, expanding the party's time to be in office.

Hungary-EU relations: What the cases show?

Based on the chosen cases and analysis, there can be three main reasons for Hungary's norm breaching behaviour towards EU values: all connected and filling the same function; supporting the government's ideology and explaining its deviance from democratic rules. First, the current government rejects 'liberal values' because it does not fit a Christian democratic government, it proved to be fails as and indicates more of an ideological fight with the opposition. Secondly, by uniting the nation and promoting ideas that maintain the state of emergency, Fidesz can strengthen its leading stance within the country, ensuring further economic benefits. Lastly, by denying rules set by the European Union, the Hungarian government emphasizes its strong will to keep its sovereignty and control decisions that affect the country.

However, the two-thirds majority in the parliament of the current government, the forceful media campaigns and the leading party's influence in other institutions, such as the judiciary, sends the message that the authorization rather serves the government than the public. In order to maintain popularity, a vision of a Christian, conservative country, well connected with its cultural heritage, is vital to be supported by the citizens while taking away focus from other important issues. In this way, the government can assign for the people, what to pay attention to, and define the enemies of the state, such as 'Brussels' or the EU in the case of migration or through the target of CEU. Through the constant attack, fear can be maintained among citizens, and a powerful government, that offers solutions to those matters. By that, Fidesz can ensure its position as the leading elite on the top, complete control over EU funds, and change the rules following its political agenda.

Although it may seem controversial that Hungary contests EU norms to stay on top and achieve more influence, the current party's political manifestation has been the same since it took office in 2010, which proves to be a successful political program to stay in power. Moreover, it is now proved that there will not be serious consequences of the country's norm breaching. The EU would not want to suspend Hungary's

membership, leading to a drastic shift in the country's politics, taking extreme turns (Bayer, 2020a). This possible turn can be assumed through the Prime Minister's close relation to Russia, Turkey or far-right Italian leaders (Zerka, 2021). Therefore, it would not only impact Hungarians but may drastically redefine European politics.

Discussion about the relations of the European Union and its member states. What happens next?

In this section, a presentation of the broader aspects of the chosen topic. Departing from my case analysis, I branch out to discuss three main areas. First, the current paper examines whether contestation is likely to remain in Hungary and what could be done differently to achieve permanent change. After that, it elaborates on the current situation in Europe and observes sovereignty in comparison to the federation. Lastly, the discussion turns to the EU's most important roles as a political superpower, listing the current challenges and turning to future aspects of the union.

Will norm contestation remain in Hungary?

Based on the previously mentioned motives for Hungary's norm contesting behaviour, the research lists three reasons why the country's norm contestation is likely to remain. On the parallel, it also illustrates some scenarios in which the country's norm breaching could change. One of the most apparent reasons for the norm-breaking behaviour of Hungary to remain lies in its popularity (Körösényi, Illés & Gyulai, 2020). It proved to be a successful political scheme from a government point of view. Fidesz has won the last three elections, with a two-thirds majority and has been in office since 2010. If a political party wants to succeed, it is a reasonably strong basis for considering a similar political program (Körösényi, Illés & Gyulai, 2020). Parties in need of public support can easily build on the idea to increase the number of their voters. However, the structure of economic and social relations are also supporting this pattern.

Fidesz has successfully built its political agenda on a fragile social structure that, even in 2010, could not be strengthened enough to withstand political shifts that threaten the democratic order. Due to the country's past, the traditional democratic model is not well adapted and lacks experience. One of the most visible consequences of the absence of a robust middle class in Hungary is the open neglect of democratic values, such as accepting political influence in national institutions (Huszár & Berger, 2020). Besides, in addition to the social structure, the economic scheme consolidated by Fidesz also contributes to this, as mentioned earlier. Therefore, since politics and

society complement each other, maintaining the misuse of democracy, it is likely that the system will not be changed even with a newly elected party.

On the other hand, there can be unforeseen events, which could help to start a reform. Due to the pandemic, social-economic changes can occur, resulting in a newly evolved system. As a result of the coronavirus outbreak, old migration patterns have transformed, and there is a great number of Eastern-European workers returning to their home countries (The Economist, 2021). However, it is a new phenomenon; thus not known how it will work in the long run and whether those who have moved home will stay for an extended period. Nevertheless, returnees bring experiences and patterns they have gained abroad, positively impacting domestic society (The Economist, 2021). It can also be possible that the EU will implement stronger sanctions to push back the democratic backsliding among member states. We have already experienced this in connection with the EPP case in 2019, in which Hungary's norm-breaking behaviour could no longer be tolerated; therefore, its membership in the political group was suspended (Bayer, 2020a).

Another turning point can be social change due to the latest events and the general disappointment in the government. As a result, people might start to reconsider their position and influence having on domestic matters, wanting to participate more actively in public decision-making. More active participation especially applies to university students and young adults, experiencing adverse effects of the current government's politics. One of the main reasons for that is the attack on academic freedom, which by now became a common tool for silencing critiques of the government (Szalai, 2020). Besides, university students and young adults are also more likely to fear a negative turn with the Hungary-EU relations due to the free movement and falling out from opportunities such as Erasmus and other scholarships.

A strong opposition could also be a solution to end the current norm contesting behaviour of Hungary. Unfortunately, the country's opposition parties have a hard time promoting their political program due to the measures implemented by Fidesz (Bayer, 2020b). However, this may change in the coming years. In the 2022 election, six opposition parties have united and will run together to acquire enough votes. This alliance include political parties such as the left-leaning Democratic Coalition, the

right-wing Jobbik, and the liberal Momentum (Bayer, 2020b). The newly-organized political union stated that their motivation to the unit was to create an independent, livable and proud Hungary.

Furthermore, all six parties have promised not to run candidates who have been involved in corruption cases or have previously cooperated with Fidesz (Bayer, 2020b). Katalin Cseh, a member of Momentum and vice president of the Renew Europe, added: "different political groups have united and put aside their different views to succeed in the election". She also revealed that the alliance strives to create a country free of corruption, and the government must be based on the rule of law and European values (Bayer, 2020b).

Although it is not yet clear where the current patterns will direct the EU-Hungary relations and the domestic politics of the country, other feasible alternatives could help reshape Hungary's socio-economic situation and prevent the country from an extreme political turn.

Potentials of the Scandinavian model

One possible solution, which can also be an effective instrument for ending norm contestation, can be adopting the Scandinavian model. This would mean an economic and social transformation, which could consequently affect the country's political life. According to Zoltán Pogátsa, a Hungarian economist, a society organized on a purely market basis does not allow for the transformation described earlier (Pogátsa, 2016). According to the author, the Nordic model would mean a radical change for Hungarian society because, according to left-wing views, there is no difference between man and man, which creates an opportunity for everyone to develop their abilities to the best of their ability (Pogátsa, 2016). Thus instead of having negative freedom that protects citizens from a potential threat, people could live with the full potential of their rights. Furthermore, it would create equal opportunities and mobility within the framework of political democracy. According to Pogátsa (2016), the model used by the Social Democrats uses a successful, tax-funded redistribution that is universally available to anyone.

Referring to Thomas Piketty, a French economist, market-based society is more easily polarized, its middle class weakens, and the opportunity to develop skills disappears for most of the society. Piketty (2014) also emphasizes the importance of a skilled, financially independent middle class because only it can operate the institutions of democracy. The most significant stratum of a society organized on a market basis is the so-called precariat, who cannot maintain independent institutions due to their precarious existential situation (Standing, 2011). Thus, a broad middle class can be created not by the market but by redistribution.

Changing trends: do member states want to be sovereign?

The events, economic and social processes in Hungary are all the results of a response to a crisis. However, this can be projected not only to Hungary but to many other countries across Europe. In recent years, Europe has been subjected to numerous challenges such as economic downfalls or immigration, to which every country has reacted differently. In the following lines, the current paper illustrates some of the hardships posed by the economic crisis in 2008. It helps to further understand norm contestation, as many states have gone through systematic changes due to the economic crash that resulted in questioning specific values and the existing order. It is relevant to discuss those changes, as today's coronavirus pandemic could also cause such turning points.

Poland, for instance, follows a very similar political path as the Hungarian. As a result of the 2008 global economic crisis, Poland, like Hungary, changed its liberal politics to a more conservative, right-wing direction, and the majority of voters began to prefer those instead of the left-wing liberal parties. As a result, the current Law and Justice party came to power in 2015, a crisis year in migration (BBC, 2018). According to Polish sociologist Weronika Grzebalska, the right-wing enjoys the support of the vast majority, as it can translate the voter's problems in connection to socio-economic struggles into a more simple scenario of cultural war (Pikulicka-Wilczewska, 2019). Therefore, it makes an enemy of liberal ideas, explicitly focusing on the gender ideology and 'gender' as an enemy of the Polish cultural heritage while contesting certain EU values (Pikulicka-Wilczewska, 2019).

However, not only Central-Eastern European countries are struggling with the challenges of today. Another example of the changes is a crisis caused by the economic downfall connected to the Catalan struggle for independence. In doing so, a thought has been lurking for decades that has significantly divided Spain (Jones, 2019). The struggles over Catalan sovereignty became visible when Spain got through a severe economic crisis, resulting in support of the independence movement by the Catalan president. Catalans have been disappointed that Madrid-based supervision is spending too much money on more impoverished parts of Spain from the Catalan region (Jones, 2019). Its old inhabitants considered their moral, cultural and political right to be self-determination, which was the subject of several referendums, but the results never reached 50 per cent thus change never came (Jones, 2019).

The secession of the UK from the European Union is also the result of a response to a crisis. As in Catalonia, the root of the problem here has been lurking for years, reinforced by an intensifying critical event. One of Brexit's significant divestitures was the re-establishment of border control, closely linked to migration. In 2016 the UK decided to leave the European Union after forty-seven years of partnership (Henley; Rankin & O'Carroll, 2020). A nationwide referendum was held in the summer of 2016, containing the main reasons for separation. Brexit happened due to raising Euroscepticism from both right and left-wing political parties. Besides, people who voted against the membership mostly did so due to the wish to reduce powers of the EU, to be able to establish a better immigration system, to improve border control and to govern their laws (Goodman, 2016). Besides, the UK also decides on its trading agreements and can now negotiate deals with countries, who do not have a trading agreement with the EU, such as Australia, New Zealand or the USA (The Guardian, 2020).

As history shows, crises always bring to the fore lingering problems and cleavages that might be dormant. From this perspective, the Hungarian case of contesting EU norms and solutions has broader implications for how crises unravel deeper governance problems. Against this backdrop, it is useful to ask whether the European Union, as a political superpower has both the responsibility and the capacity to manage these changes and develop effective solutions to doubting its relevance. Thus, the question rightly arises: is an institution based on federal relations, such as the

European Union has the capacity and tools to deal with such issues or are countries better off as sovereign states?

The events of recent years have been particularly critical for the European Union. The massive wave of refugees in 2015 required immediate and difficult decisions from the institution and the Member States. Europe was unprepared for the high levels of immigration that were reflected in the decision-making of individual countries. This ended in the absence of a joint, unified agreement at the European level, which was an alarm for the institution. Subsequently, the UK's exit announcement stirred up a large port, which also meant a significant dropout for the EU. Although the United Kingdom has left the European Union, it intends to maintain economic relations with the organization (Henley; Rankin & O'Carroll, 2020). Over time, this may even be a widespread phenomenon, as reflected in recent years. More countries are turning to extremist political trends, and, in general, there is a growing desire to recognize the self-awareness and independence of individual countries and gain influence in deciding their affairs. Based on the given examples, it can be stated that member states of the European Union want to be more sovereign and take control over states affairs, especially when it comes to domestic policies.

However, would it be possible to maintain a purely economic community without common principles and agreements that help to coordinate cooperation? The ongoing negotiations, which investigate the contestation of the norms of Hungary, Poland and similar member states, are not only negotiations on the future of the given country, but the decisions would greatly influence the further functioning of the European Union.

In the following subsection, the current research highlights some of the consequences of a dissolution of the Union and reflects on decades-long old yet still unresolved problems.

EU debates and future aspects: separation or togetherness?

The initial Coal and Steel Community, which was set up in 1951, already included principles that have been under constant test ever since, mainly due to the enlargement of the EU (Van der Velden, 2013). This economic relationship was

created to ensure economic dependence between the countries, which can maintain peace in the long run and avoid any further wars. The standard rules and values set by the EU, which ensure a smooth relationship with member states, are primary conditions for cooperation. These rules help the Member States with different backgrounds to work together in a coordinated way. Without common standards, the extreme political tendencies that are still present in some countries, and may even significantly transform today's Europe, will intensify (Van der Velden, 2013). In addition to the European Union, both positive and negative arguments can be made to justify or question its existence. Even nowadays, we can see that this double phenomenon prevails between the Member States, which seems to be exacerbated in the light of specific issues, such as climate change, economic crises or migration. However, an underlying matter of these debates is also a discussion about the dilemma of national sovereignty and creating a European federation or a 'United States of Europe'.

In 1946, Winston Churchill himself spoke of the Alliance of European States as the only possible way to help Europe survive two world wars, rebuild its economy and establish a democratic order. This, in his view, would also help to suppress nationalism (Van der Velden, 2013). Churchill's view is shared by today's European officials, including former European Commission President José Manuel Barroso. Barroso, like Churchill, argued that in the modern age, only a united Europe could successfully meet the challenges of the coming years so that further integration of the union was needed, which would help create a federation. In addition, Barroso said, this alliance would also could be a more robust economic opponent for China or America (Van der Velden, 2013). These arguments are represented and are intensifying even further in the European Federation Party. The political party would also consider introducing English as a common language and the election of a common European President to be voted by all Member States. Nevertheless, the political group promotes the preservation and maintenance of various cultural differences (Van der Velden, 2013).

However, just as arguments are favoring a united alliance, there are standpoints against it. As early as 2005, there were efforts to establish a single fundamental law for the European Union. Nevertheless, it was rejected even by member states that

otherwise considered pro-EU, such as France or the Netherlands (Van der Velden, 2013). Another argument against creating a federal state is the cumbersome amendment of conventions and their time-consuming nature. There has been an example of this in the past, with the Lisbon Treaty, which was drafted in 2002 but only entered into force in 2009 (Van der Velden, 2013). Not to mention the tensions between the Member States that changes of treaties can inadvertently trigger. Another counter-argument against a federation based on Eurosceptic political parties is the weakening of national sovereignty (Van der Velden, 2013). According to Eurosceptic groups, a single European federation will not lead to economic growth for all Member States because of their differences in term of economic and social capital (Van der Velden, 2013).

A recent example of this is the Catalan fight for independence, which was mentioned before. It showed how tensions could arise due to inequalities, resulting in fights, turning even people of the same country against each other. Moreover, as a result of economic differences, uniform policies cannot be implemented, and consequently, introducing the same currency and a single central bank would not be possible (Van der Velden, 2013).

The invisible Berlin Wall: A decades-long unresolved conflict of values

It also opens up an old yet still unsolved question of the past in connection to the issues between western and eastern societies, which also a massive reason that holds back the formation of a federation. The Eastern enlargement of the European Union in 2004 was not necessarily supported by all Western states, mainly due to their different values (Andor, 2019). In fact, a 2004 referendum shows that forty-six per cent of Germans thought the extension to the East was a mistake (Andor, 2019).

Western countries agreed to the eastern enlargement of the EU because they believed that those countries would eventually adapt to the Western pattern over time. However, the opportunities offered by the EU have instead turned backwards in Central and Eastern European countries (Andor, 2019). Free labour flow, for example, has caused a significant drop in the domestic labour market, and the phenomenon of brain drain has emerged as a significant number of skilled workers immigrated to Western Europe (Andor, 2019). Furthermore, scholarships, such as Erasmus, have had

the opposite effect as travelling to the west is more remarkable than vice versa. Not to mention that many students who travelled abroad also stayed after completing their study program (Andor, 2019).

Due to this pattern, Eastern European countries often experience that the EU is not interested in involving the non-western region in law-making, while Eastern governments are less interested in following EU rules (Valasek, 2019). Last but not least, the author draws attention to the fact that the EU does not treat the new Member States in the same way, a shared experience with countries that joined after 2004 (Valasek, 2019). However, if some countries are indeed left out, how could they be considered equal constituents in decision-making?

The importance of the European Union

The direction in which the European Union will develop in the coming years will depend on current events and decisions. The question, then, is whether the Union will move to a United States of Europe in the future or whether growing nationalism, combined with current challenges, will aim to consolidate a Europe based on sovereign nations. For that matter, it is worth looking more closely at the individual aspirations of some Member States. The Union, for example, as it was stated before, is a political superpower and, therefore, a critical defence unit. Dissolving the pact would raise issues on which each Member State would decide on its own, significantly impacting neighbouring countries, leading to conflict of interests.

One potential risk is the spread of extremist political tendencies and their rapprochement with authoritarian powers such as Russia's Vladimir Putin or Turkish statesman Recep Tayyip Erodgan. There would be no significant unifying institution in the absence of the EU that would allow the less radical parties to unite and withdraw states inclined towards extreme trends. Although some countries, such as Hungary, still have business relations with Russia, for example, in the absence of the Union, the number of such relations would increase significantly. Closer economic interests presuppose a strong relationship between the two countries so that their influence would be given more space in the European area. This would jeopardize the democratic order and provide scope for the broader spread of illiberal governments.

Nevertheless, as the Hungarian case shows, the EU's influence is a must to prevent extreme turns and contribute to maintaining the status quo. Moreover, as EU funds still arriving in the country, it is one reason why oligarch capitalism can remain. Based on this, it can be concluded that maintaining the EU is a must, but the institution needs to go through on reforms so that the current challenges do not hinder its functioning.

Conclusion and recommendations

The thesis examined the relationship between Hungary and the European Union in the period between 2015 and 2021. The focus of the study was on Hungary's non-normative behaviour concerning EU values. Throughout the analysis, emphasis was placed on three case studies, or three scenarios of contestation, in the light of which Hungary's normative breaching behaviour was presented. These cases are the 2015 issue of refugee sharing, followed by the target of Central European University and thus the academic freedom in 2017, lastly the negotiations on the new EU budget in 2020-21. Each of the cases supported the supposed non-normative behaviour, for which three possible reasons are listed in this paper. First, I argued that Hungary draws on the narrative of religion to justify its distinctiveness and to strengthen social cohesiveness, thereby legitimizing why it opposes certain EU values and norms. The current paper then examined the relevance of economic interest, which is also confirmed by the country's recent socio-economic profile and the events presented. As a third and final answer to why Hungary may contest EU values, the research explored how Hungary seeks to leverage its sovereignty to gain more influence in the international regional system. Although this is similar to the first hypothesis, it differs in that while Christian values are represented to strengthen the government's domestic support, increasing its sovereignty would also mean gaining international influence. Departing from this analysis, the paper further derived broader insights as to how the Hungarian case of norm contestation reveals deeper problems and schisms at the heart of EU governance.

Although the current Hungarian-EU relations have not been prosperous, it can be stated that neither the Hungarian government intends to withdraw from the alliance nor that the EU has an interest in terminating Hungary's membership. This is due to interdependence. Hungary has a proven track record of financial support from the EU, from which the Hungarian government benefits greatly and ensures its survival (Transparency International, 2020). Furthermore, it is also in the EU's interest to maintain this relationship, as this is the only way to maintain its supervisory role and take action against certain breaches of the law. However, to not aggravate the situation in the future and deepen the current disagreement, a change is needed on both sides, and here are some possible policy suggestions that can be pondered.

On the Hungarian side, two solutions are possible. One is the change of government, which would mean a shift in international partnerships and thus in EU relations. The other option concerns the current government itself. In order to deepen the distant linkage we are currently experiencing, a greater willingness to cooperate is needed. This can only happen if the importance of the EU is emphasized instead of being demonized. The solution, of course, includes the fact that the current government is changing its policy and pursuing a non-fearful, enemy-centred policy of gaining power. Furthermore, more transparent and accountable use of EU money and align government policy with EU principles cannot be called into question. Transparency requires ensuring the freedom of media institutions, educational institutions, NGOs and political opposition, which guarantees the democratic functioning of the country.

As for the European Union, it is necessary to promote their program and the development activities carried out by member states and progressions financed by the institution. The advertisement of EU activities also ensures that the population experiences locally the positive effects of EU membership in a tangible way. In addition, it is necessary to introduce a system of sanctions that allows for the prosecution of norm-breaking behaviour, which also requires the precise definition of individual principles. There is also a need for more public debate, accessible to civilians, in which all parties concerned are allowed to speak, thus dispelling doubts and extreme explanations when EU partnerships portrayed negatively. Lastly, greater cooperation is needed that involves Central-Eastern European countries and the broader understanding of their culture.

It is questionable how the Hungarian-EU relations will develop in the coming years. Events shortly will show their effect on the upcoming years. The Hungarian election in 2022 can be a significant change not only domestically but also internationally. However, the question of the EU's relevance concerns Hungary and presupposes an examination of the phenomenon at a European level. Although the current events pose further challenges for the EU, strengthening the Union and its institutions is essential to maintain peace and navigate diplomatic relations among member states.

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