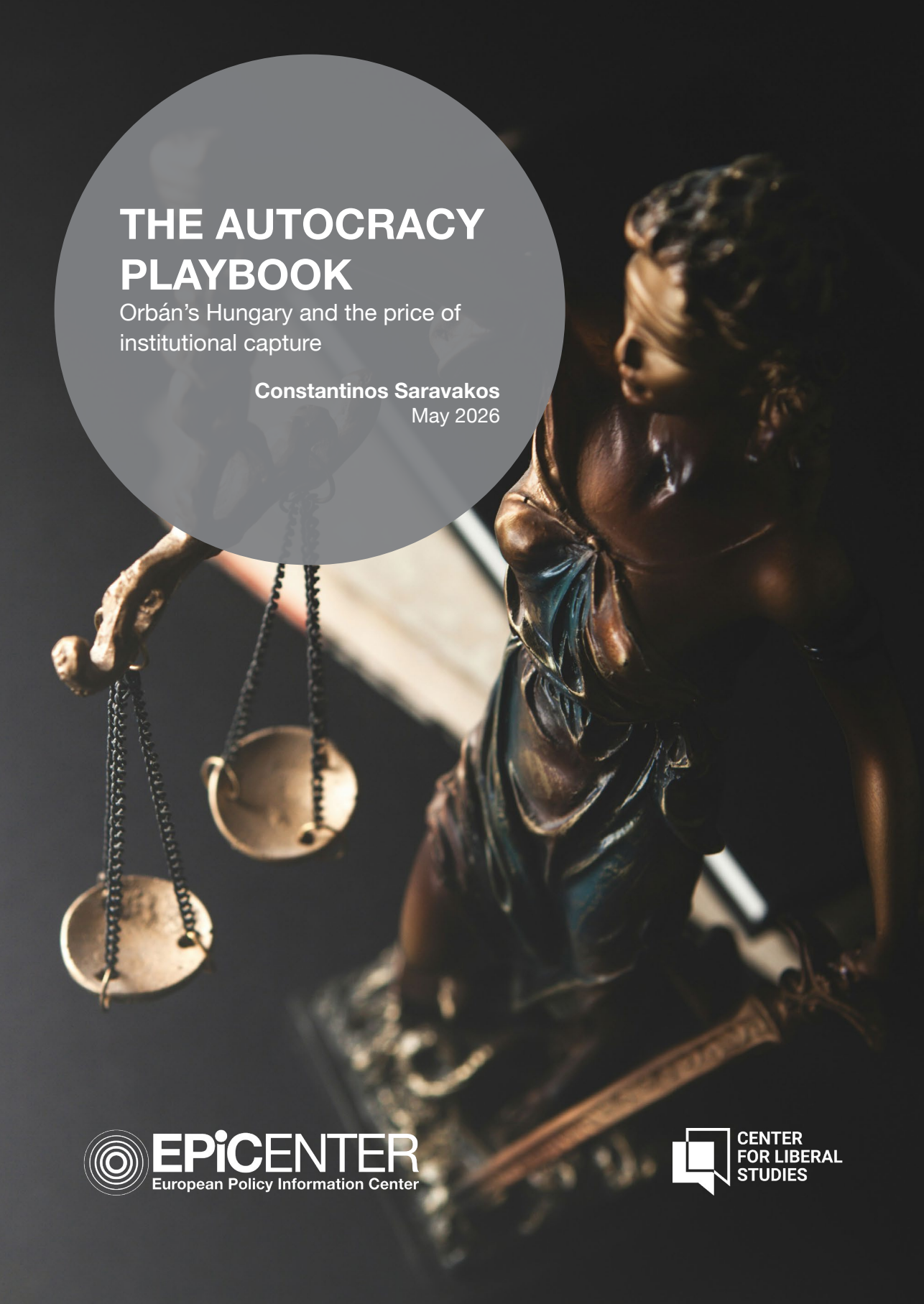

THE AUTOCRACY PLAYBOOK

Orbán's Hungary and the price of institutional capture

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Summary

- Hungary's Liberal Democracy Index fell from 0.77 in 2009 to 0.32 by 2023 – a drop of 45 percentage points – while the EU average remained broadly stable at around 0.73. This divergence is one of the largest observed within the European Union (EU) during the period and coincides with sixteen consecutive years of Fidesz government under Viktor Orbán.

- The sharpest declines under Orbán were in freedom of expression, judicial independence, and clean elections – the three pillars most essential to constraining executive power between electoral cycles. Each were targeted through specific legislative instruments: the 2018 Central European Press and Media Foundation (KESMA) media consolidation degraded media pluralism, the 2011 judicial restructuring laws undermined judicial independence, and the 2011 electoral law redrew constituency boundaries, enabling supermajorities on minority vote shares.

- Economic freedom also deteriorated, but the decline was more modest and uneven. The largest single-component decline was in Area 3 (sound money), which fell by 1.73 points between 2010 and 2023, as Hungary experienced some of the highest inflation rates in the EU during 2022–2023. Regulation (Area 5) also deteriorated significantly (–0.61 points). More specifically:

    A. In overall economic freedom, Hungary ranked 38th globally in 2009 and 61st in 2023 – a fall of 23 places over fourteen years of Orbán government.

    B. In size of government, Hungary ranked 120th in 2009 and 118th in 2023, essentially unchanged and reflecting the fact that fiscal expansion under Orbán was broadly in line with what other countries were doing.

C. In legal system and property rights, Hungary fell from 104th to 120th – a drop of 16 places – despite the component score barely moving, indicating that other countries improved their legal institutions while Hungary stagnated.

D. In sound money, Hungary ranked 39th in 2009 and collapsed to 99th by 2023, a fall of 60 places driven by the surge in inflation during 2022–2023 that placed Hungary among the worst performers in the EU.

E. In freedom to trade internationally, Hungary moved from 22nd to 25th – a marginal decline of 3 places, largely preserved by EU single market obligations.

F. In regulation, Hungary fell from 43rd to 66th, a drop of 23 places consistent with the accumulation of sector-specific rules and licensing barriers that characterised the Orbán era.

- Across the full cross-country panel, economic freedom and liberal democracy are strongly positively correlated ($r = 0.683$, $r^2 = 0.466$, $p < 0.001$). Hungary's trajectory illustrates this relationship in reverse: as political institutions eroded, economic freedom declined – not dramatically across all dimensions, but meaningfully in those most dependent on the rule of law.

- The academic literature confirms that populist governments are systematically associated with weaker rule of law, democratic backsliding, and reduced economic freedom. Hungary's case is the most comprehensively documented European illustration of these patterns, consistent with Kyriacou and Trivin (2024), Houle and Kenny (2018), Kenny (2020), Funke, Schularick and Trebesch (2022), and Fekolli and Cela (2024).

- The evidence presented in this paper is consistent with the literature on populism and economic freedom (Celico and Rode 2023), and with research showing that EU accession and its preparatory conditionality were significant drivers of economic and political freedom improvements in Central and Eastern Europe. Hungary's post-2010 trajectory represents a deliberate reversal of those gains.

- Orbán's April 2026 electoral defeat – at the hands of Péter Magyar's Tisza Party, which secured a supermajority in parliament – offers an opportunity to reverse sixteen years of institutional erosion. The scale of that task, documented in this paper, should not be underestimated.

Introduction

On 12 April 2026, Hungarian voters handed a historic majority to Péter Magyar's Tisza Party, ending sixteen uninterrupted years of Fidesz rule under Viktor Orbán and triggering one of the most consequential political upsets in post-communist European history. With Fidesz reduced to around 55 parliamentary seats, Orbán conceded what he called a 'painful' result and stepped aside – a reckoning delivered by the very democratic mechanism his government had spent a decade and a half bending out of shape.

What makes the Hungarian case so important for students of democracy and political economy is not simply that an authoritarian-leaning government was removed. It is that Orbán's project was, for so long, admired and imitated. His regime was openly ideological: in his 2014 Bálványos speech, Orbán declared that liberal democracy had failed as an organising principle and that Hungary would build an 'illiberal state'.[1] That speech – delivered in Romania to an audience of ethnic Hungarians – was a moment of rare candour from a leader who understood that his programme ran directly against the constitutional traditions of the country he governed and those of the European Union.

The concept of 'illiberal democracy' is not new. The political scientist Fareed Zakaria identified it in the 1990s as a distinct regime type – one that retains the procedure of elections while systematically dismantling the constitutional, judicial, and civil-society structures that give liberal democracy its substance. Orbán did not discover this concept; he perfected its application within the institutional context of a European Union member state, using EU membership simultaneously

1 Krekó, P. and Enyedi, Z. (2018) Orbán's laboratory of illiberalism. Journal of Democracy 29(3): 39–51.

as a source of material resources and as a legitimating shield against international criticism.[23]

This paper takes stock of what sixteen years of Orbán's government actually did to Hungary's political and economic institutions. We draw on two major cross-country datasets – the Varieties of Democracy (V-Dem) project for political indicators, and the Fraser Institute's Economic Freedom of the World (EFW) index for economic indicators – and benchmark Hungary against the average of its EU peers. The detailed focus on the Hungarian case allows us to answer questions that matter not only for understanding Hungary, but for understanding how democracies erode more generally, as international research suggests.

The structure of the paper is as follows. The first section examines the erosion of political freedom in detail, using eleven V-Dem indicators to trace the trajectory of Hungary's democracy and to identify which institutions were damaged most severely. The second section turns to economic freedom, examining the cross-country relationship between populism and economic freedom, and what happened to Hungary's EFW score overall, to each of its five component areas, and to its global ranking. The third section explores the broad relationship between liberal and democratic elements of political institutions with economic freedom through a set of correlation analyses. A concluding section draws together the main findings.

2 Müller, J. W. (2016) What Is Populism? Philadelphia: University of Pennsylvania Press.

3 Kelemen, R. D. (2017) Europe's other democratic deficit: national authoritarianism in Europe's Democratic Union. Government and Opposition 52(2): 211–238.

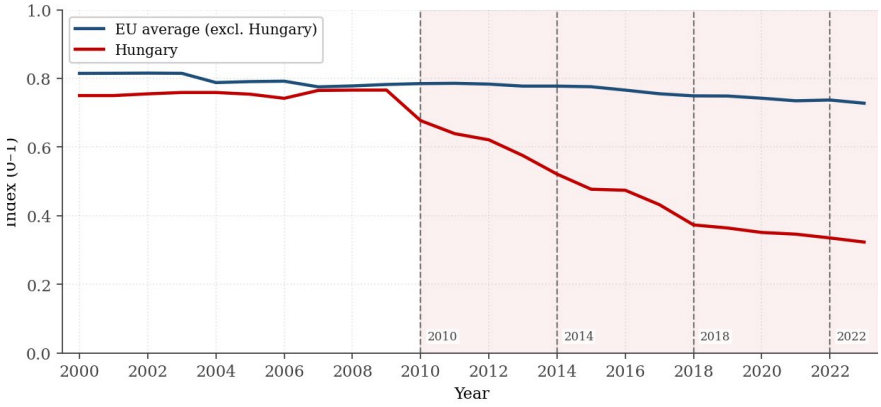
Political freedom: the systematic erosion of liberal democracy

The liberal democracy index

Let us begin with the headline number. The V-Dem Liberal Democracy Index (LDI) is a composite score – ranging from 0 to 1 – that captures both the procedural features of electoral democracy and the substantive protections of liberal constitutionalism: independent courts, protected civil liberties, and effective constraints on executive power.[4] Figure 1 plots this index for Hungary and for the average EU member state (excluding Hungary) over the period 2000 to 2023. The vertical dashed lines mark each of Orbán's four consecutive election victories.

4 Coppedge, M. et al. (2024) V-Dem Codebook v14. University of Gothenburg: Varieties of Democracy (V-Dem) Project.

Figure 1: Liberal Democracy Index, Hungary and EU average, 2000–2023



Note: Dashed lines mark Orbán election years (2010, 2014, 2018, 2022); shaded area marks the Orbán era. Source: V-Dem v16.

The picture in Figure 1 is striking. In 2009, Hungary's LDI stood at 0.77, almost exactly at the EU average of 0.78. By 2023, it had fallen to 0.32 – a drop of 45 percentage points over fourteen years – while the EU average held broadly steady at 0.73. What the chart also shows is that the fall was not uniform: the steepest decline came in the very first Orbán term, between 2010 and 2014, when Fidesz used its parliamentary supermajority to rewrite the constitution, restructure the courts, and reorganise the media landscape. Subsequent election victories consolidated and deepened these changes rather than initiating new waves of dismantlement.

It is worth pausing on what a decline of this magnitude actually means in institutional terms. Hungary did not drift gradually towards a slightly less liberal version of itself. It crossed what the democratic backsliding literature calls a threshold: from a consolidated democracy operating within liberal norms to what V-Dem classifies as an 'electoral autocracy' – a system that retains the form of elections while stripping them of their competitive substance.[56]

5 Bermeo, N. (2016) On democratic backsliding. Journal of Democracy 27(1): 5–19.

6 Lührmann, A. and Lindberg, S. I. (2019) A third wave of autocratization is here: what is new about it? Democratization 26(7): 1095–1113.

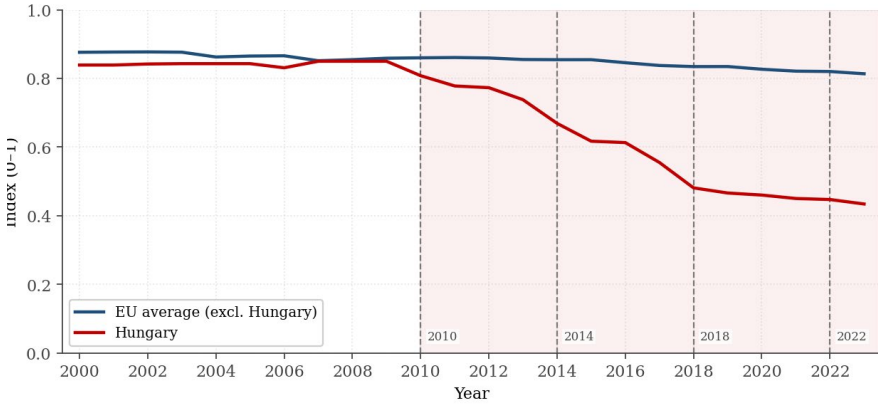
The constitutional rupture that produced this change was the adoption of the new Fundamental Law of Hungary on 18 April 2011.[7] Drafted in approximately nine days of parliamentary debate – with opposition parties boycotting the process as illegitimate – the Fundamental Law replaced the heavily amended 1949 Constitution and created a constitutional architecture that embedded Fidesz's preferences in ways designed to survive future electoral defeats. The document entrenched flat tax rates, specific spending rules, and particular institutional designs that any future government seeking to change would need a two-thirds supermajority to undo. Cardinal laws requiring supermajority approval for amendment were extended to cover dozens of policy areas that had previously been within the reach of simple parliamentary majorities.

The electoral democracy index and its components

The Electoral Democracy Index (EDI) focuses more narrowly on the procedural dimension: are there genuine elections with universal suffrage, real competition, and effective access for all candidates? Figure 2 shows Hungary's EDI alongside the EU average. The decline here is real but somewhat less severe than for the LDI, which already tells us something important. Orbán's strategy was not primarily to abolish elections. It was to ensure that elections would consistently produce a Fidesz victory.

7 Hungarian Fundamental Law (Magyarország Alaptörvénye), adopted 18 April 2011, entered into force 1 January 2012, replacing the extensively amended 1949 Constitution. The law was drafted and adopted over a period of approximately nine days of parliamentary debate, with opposition parties boycotting the process. Transitional provisions – later declared unconstitutional by the Constitutional Court and subsequently re-enacted as a separate instrument – were used to entrench multiple elements of the Orbán programme before opponents could challenge them.

Figure 2: Electoral Democracy Index, Hungary and EU average, 2000–2023



The sub-components of the EDI reveal the mechanisms behind this strategy in more granular detail. Figure 3 shows the suffrage score. It remained at or near its maximum throughout the period, which is exactly what we would expect: Orbán never revoked anyone's right to vote. That would have been too visible, too easy to mobilise opposition against. Instead, the manipulation happened at other levels.

Figure 3: Suffrage index, Hungary and EU average, 2000–2023

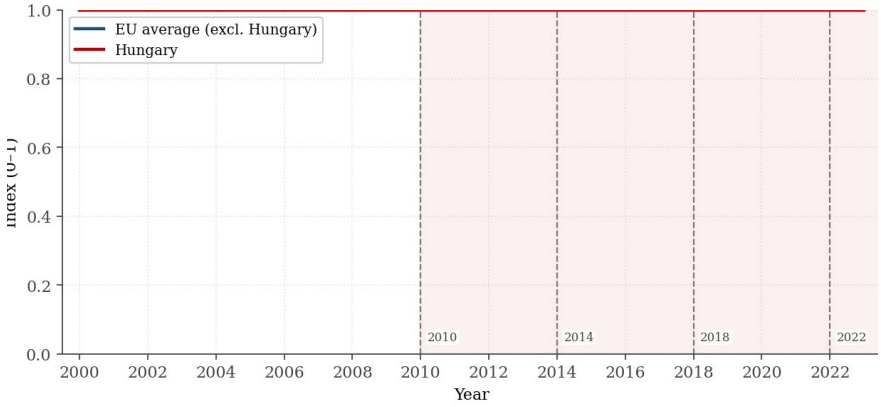
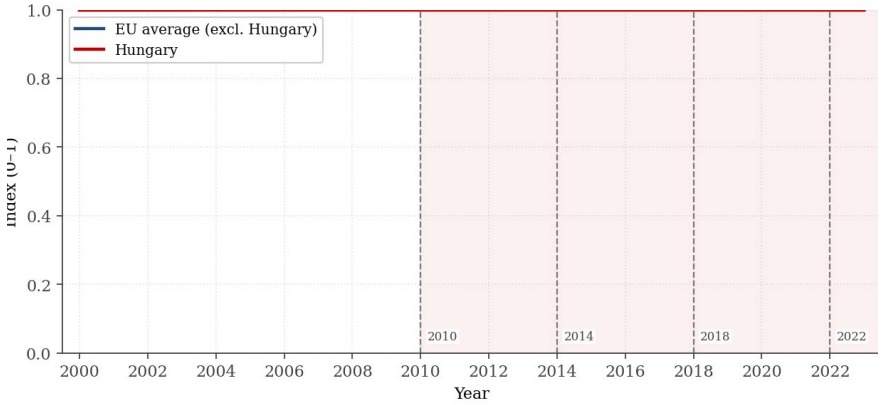


Figure 4 – elected officials – tells a similar story. The formal institutional structure of elected government remained intact.

Figure 4: Elected officials index, Hungary and EU average, 2000–2023



The real action is in Figures 5 and 6. The clean elections score – which captures whether elections are conducted fairly, without intimidation, manipulation, or grossly unequal access to resources – fell sharply after 2010 and continued falling through each subsequent cycle. The mechanism was a systematic engineering of electoral advantage that had three main dimensions: the redesign of the electoral system itself, the weaponisation of state resources for campaign purposes, and the capture of the media environment.[89]

The electoral system was redesigned by Act CCIII of 2011.[10] The new law reduced the size of the National Assembly from 386 to 199 seats and created 106 new single-member constituencies. The boundaries of these constituencies were drawn by the Fidesz-controlled National Election Committee in ways that packed opposition voters into a small number of unwinnable seats. The effect was dramatic: in the 2014 elections, Fidesz won 133 of 199 seats – a two-thirds parliamentary supermajority – with approximately 44.5% of the party-list vote. No other electoral system in the EU was capable of translating a plurality

8 Bánkuti, M., Halmai, G. and Scheppele, K. L. (2012) Hungary's illiberal turn: disabling the constitution. Journal of Democracy 23(3): 138–146.

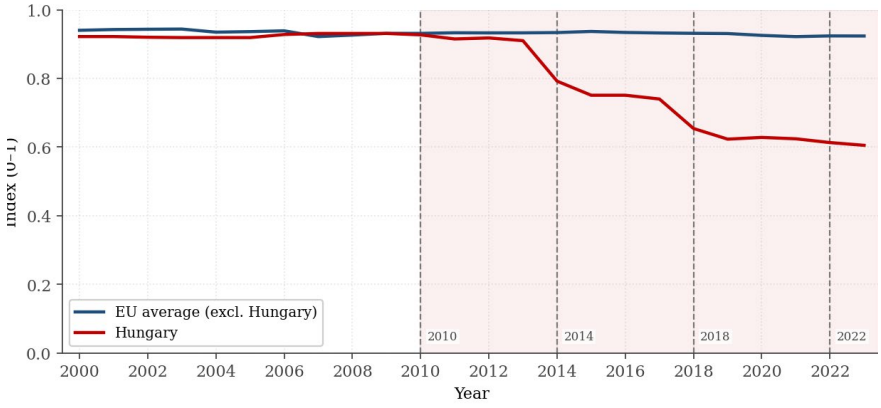
9 Scheppele, K. L. (2018) Autocratic legalism. University of Chicago Law Review 85(2): 545–584.

10 Act CCIII of 2011 on the Elections of Members of Parliament. The new law reduced the size of the National Assembly from 386 to 199 seats and created 106 new single-member constituencies with boundaries drawn by the Fidesz-controlled National Election Committee. In the 2014 elections, Fidesz won 133 of 199 seats (66.8%) with approximately 44.5% of the party-list vote. The Venice Commission issued a critical opinion on the law: Opinion No. 662/2012, adopted 15–16 June 2012.

of votes into a constitutional supermajority of seats through legitimate means. The Venice Commission of the Council of Europe issued a critical opinion on the law, noting that the process of redrawing boundaries lacked the transparency and bipartisan character necessary to ensure impartiality.

Campaign resources were equally tilted. The Orbán government directed large volumes of state advertising – financed from the public budget – to media outlets aligned with Fidesz, while opposition-friendly outlets were starved of commercial revenue. 'National consultation' campaigns – technically government information exercises but functionally partisan messaging – were financed by the state budget and ran continuously between elections. The cumulative effect was that Fidesz entered each electoral cycle with an enormous structural financial advantage over its opponents that bore no relationship to the relative fundraising capacity of the parties concerned.

Figure 5: Clean elections index, Hungary and EU average, 2000–2023



Freedom of association (Figure 6) deteriorated sharply, too. The 2017 law on foreign-funded organisations – Act LXXVI – was the most internationally visible instrument of this campaign.11 The law required any non-governmental organisation receiving foreign funding in excess of 7.2 million HUF (approximately €24,000) annually to register as a 'foreign-supported organisation' and to label all its communications

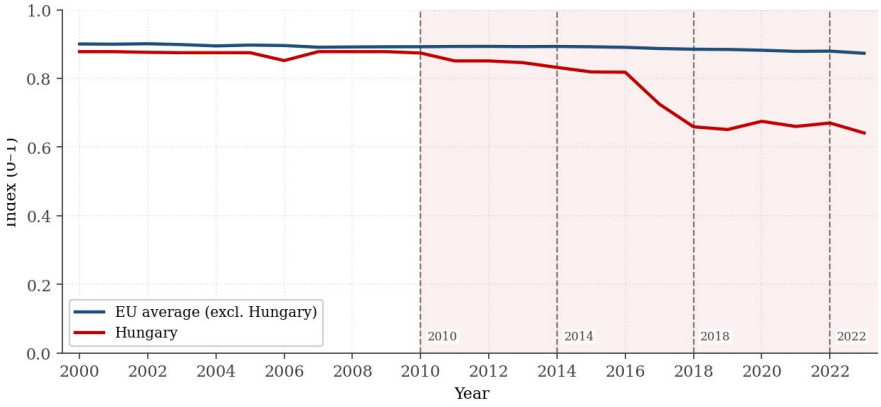
11 Act LXXVI of 2017 on the Transparency of Organisations Receiving Support from Abroad. The law required civil society organisations receiving foreign funding above 7.2 million HUF (approximately €24,000) annually to register as 'foreign-supported organisations' and label all their publications accordingly. The European Court of Justice ruled the law incompatible with EU law in Case C-78/18, Commission v Hungary, judgment of 18 June 2020, ECLI:EU:C:2020:476.

accordingly – a designation that the government's own media amplified with rhetoric about foreign subversion and Soros-funded anti-Hungarian conspiracies. Several hundred civil society organisations were affected, including human rights groups, think tanks, and organisations supporting vulnerable populations. The European Court of Justice ruled the law incompatible with EU law in 2020, but the damage to civil society's capacity and public standing had already been done.

The Central European University – one of the most internationally respected academic institutions in Central Europe – was targeted separately through what became known as 'Lex CEU', an amendment to the National Higher Education Act adopted as Act XXV of 2017.12 The amendment required foreign universities operating in Hungary to have a campus in their country of registration, a bilateral inter-governmental agreement with Hungary, and a Hungarian-language name – requirements that applied to precisely one university in Hungary, whose registration happened to be in New York State. When the United States declined to enter the required intergovernmental agreement on the grounds that university regulation is a state-level matter in the American federal system, the legal avenue was blocked by design rather than by oversight. The CEU suspended its Budapest operations in December 2018 and relocated fully to Vienna, taking with it one of the most intellectually diverse communities in the country.

12 Act XXV of 2017 amending Act CCIV of 2011 on National Higher Education (the so-called 'Lex CEU'). The amendment required foreign universities operating in Hungary to have a campus in their country of registration, a bilateral inter-governmental agreement with Hungary, and a Hungarian name. The law was tailored to target the Central European University, which was registered in New York State. CEU suspended its Budapest programmes in December 2018 and relocated fully to Vienna. The European Court of Justice ruled the law violated EU law in Case C-66/18, Commission v Hungary, judgment of 6 October 2020, ECLI:EU:C:2020:792.

Figure 6: Freedom of association index, Hungary and EU average, 2000–2023



But perhaps the most dramatic single decline visible in the data is in freedom of expression and alternative sources of information, shown in Figure 7. Hungary's score on this sub-index fell from 0.95 in 2009 to 0.50 in 2023 – a collapse of nearly half its pre-Orbán value. The mechanism was not censorship in the crude sense of governments closing newspapers by force; it was something more sophisticated and more durable: the systematic transfer of media ownership to Fidesz-aligned businessmen, followed by the consolidation of those outlets under centralised editorial control.[13]

The process unfolded in stages. First, independent media struggled financially as state advertising migrated to loyalist outlets. Then, individual outlets were acquired by businessmen with political connections – a process accelerated by the broader concentration of economic power in a small network of Fidesz-aligned entrepreneurs. The closure of Népszabadság, Hungary's largest daily newspaper, in October 2016 was a defining moment.[14] Staff arrived at the offices of the 60-year-old newspaper to find them locked, with no advance warning. The paper had been acquired weeks earlier by a holding company connected to Lőrinc Mészáros – the businessman and childhood friend

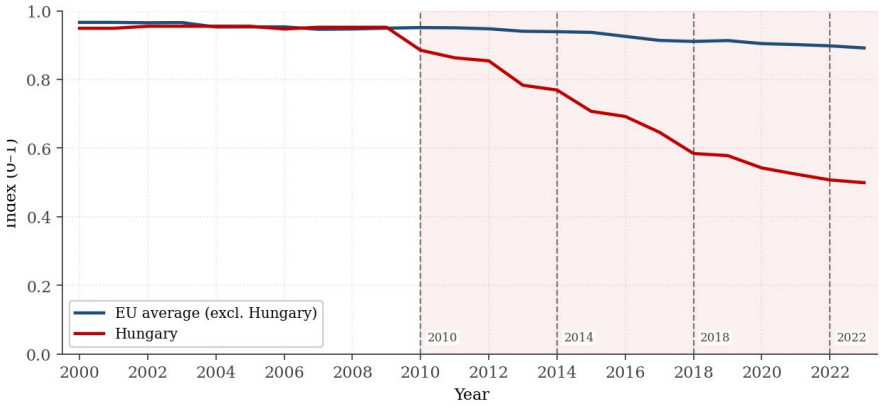
13 Freedom House (2023) Nations in Transit 2023: Defying the Authoritarian Playbook. Washington, D.C.: Freedom House.

14 Népszabadság, Hungary's largest national daily newspaper, was closed without prior notice on 8 October 2016 by its owner, the media holding company Mediaworks, which had been acquired by Lőrinc Mészáros – a construction entrepreneur and close associate of Viktor Orbán – weeks earlier. Editors and journalists arrived at the offices to find them locked. The paper had a circulation of approximately 35,000 and had published continuously since 1956.

of Orbán who became, over the Orbán years, one of the wealthiest individuals in Hungary.

The consolidation was completed in a single day in November 2018, when approximately 476 pro-Fidesz media outlets – television channels, radio stations, regional newspapers, national dailies, and online news portals – were donated to the newly created Central European Press and Media Foundation (KESMA).[15] The Hungarian Competition Authority declared the merger to be of 'national strategic interest', exempting it from normal merger review under competition law. By the early 2020s, Hungary had the least diverse media environment of any EU member state by several measures. In rural areas, the KESMA network was effectively the only source of political news for the majority of the population. The political significance of this was not lost on the incoming Magyar government, which has identified media pluralism restoration as one of its first legislative priorities.

Figure 7: Freedom of expression index, Hungary and EU average, 2000–2023



15 KESMA (Közép-Európai Sajtó és Média Alapítvány, Central European Press and Media Foundation) was established in November 2018. On a single day – 29 November 2018 – approximately 476 Fidesz-aligned media outlets were donated to the foundation by their owners. The Hungarian Competition Authority declared the merger to be of 'national strategic interest', exempting it from standard merger review under Act LVII of 1996 on the Prohibition of Unfair and Restrictive Market Practices. Reporters Without Borders and the European Federation of Journalists issued statements condemning the consolidation as the effective elimination of independent journalism in Hungary.

The liberal component and its sub-indices

If the electoral democracy data show a regime that distorted competition without formally abolishing it, the liberal component data show something arguably more fundamental: the systematic weakening of the counter-majoritarian institutions whose purpose is precisely to constrain what elected majorities can do. This is the heart of what makes liberal democracy distinct from mere majority rule.[16]

Figure 8: Liberal Component Index, Hungary and EU average, 2000–2023

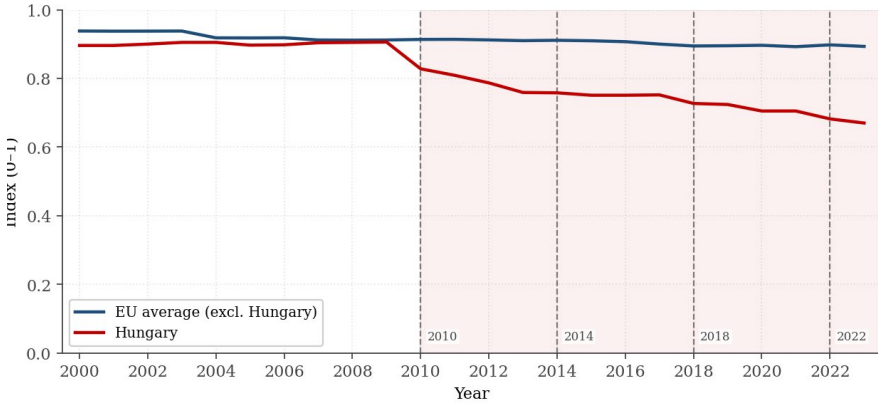


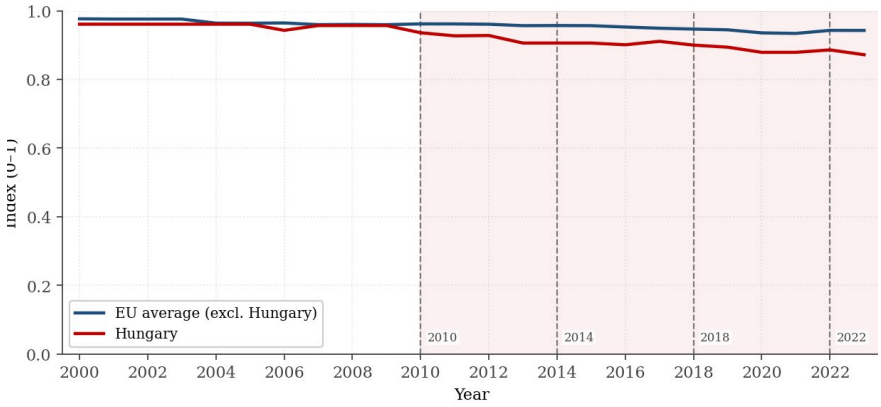
Figure 8 shows the Liberal Component Index (LCI). The trajectory mirrors the LDI, with the steepest fall in the first Orbán term. By 2023, Hungary's LCI had fallen from 0.91 in 2009 to 0.67 – still a higher score than the LDI, which reflects the fact that some civil liberties remain formally protected even as their institutional underpinning has been hollowed out. The EU average, by contrast, was broadly stable across the period.

Figure 9 shows equality before the law and individual liberty – a sub-index that captures due process, access to justice, property rights, and freedom from political persecution. The decline here is consistent and substantial, driven above all by the restructuring of the courts and the introduction of a regulatory environment in which economic outcomes increasingly depended on political proximity. The distribution of tobacco retail concessions in 2012 – approximately 7,000 licences

16 Ginsburg, T. and Huq, A. Z. (2018) How to Save a Constitutional Democracy. Chicago: University of Chicago Press.

redistributed through an opaque discretionary process to applicants with documented connections to Fidesz local politicians – was an early and visible illustration of how this worked in practice.

Figure 9: Equality before the law and individual liberty, Hungary and EU average, 2000–2023



Judicial constraints on the executive (Figure 10) show perhaps the most dramatic fall of all the liberal sub-indices. From 0.90 in 2009, Hungary's score fell to 0.63 by 2023. The mechanism was what Kim Lane Scheppele has called 'autocratic legalism': using legal and constitutional instruments to dismantle the institutional checks that were designed to limit executive power.The Hungarian case is a textbook illustration of this technique. The Orbán government did not abolish the courts; it restructured them so thoroughly that by the mid-2010s, they could no longer be relied upon to impose meaningful constraints on executive action.

The restructuring of the judiciary began in 2011 with two pieces of legislation adopted in rapid succession: Act CLXI on the organisation of courts and Act CLXII on the legal status of judges.[17] The mandatory retirement age for judges was lowered from 70 to 62 – a change that required approximately 274 sitting judges, including several court presidents, to retire prematurely. The effect was to empty the courts of their most senior and experienced members and to create a large number of vacancies that the government could fill with loyalists. The European

17 Act CLXI of 2011 on the Organisation and Administration of Courts; Act CLXII of 2011 on the Legal Status and Remuneration of Judges. The mandatory retirement age for judges was lowered from 70 to 62. The European Court of Justice ruled this violated Directive 2000/78/EC: Case C-286/12, Commission v Hungary, judgment of 6 November 2012, ECLI:EU:C:2012:687.

Court of Justice ruled this change violated EU anti-discrimination law in November 2012 and ordered Hungary to reinstate the affected judges. Hungary eventually paid compensation rather than reinstatement, and the damage to institutional continuity was not repaired.

Simultaneously, the laws created the National Judicial Office (OBH), a new body whose president was given sweeping powers over the entire court system.18 The OBH president could appoint and remove the presidents of individual courts, assign and transfer cases between courts, and control the judicial budget. These powers had previously been vested in the National Council of Justice, a self-governing body elected by judges themselves. The removal of these powers from the judicial community and their concentration in a single presidentially appointed official transformed the structural independence of the judiciary at a stroke. The first OBH president, Tünde Handó, served until 2020 and was widely regarded as a loyalist of the ruling party. The Venice Commission described the new arrangements as incompatible with European standards of judicial independence.

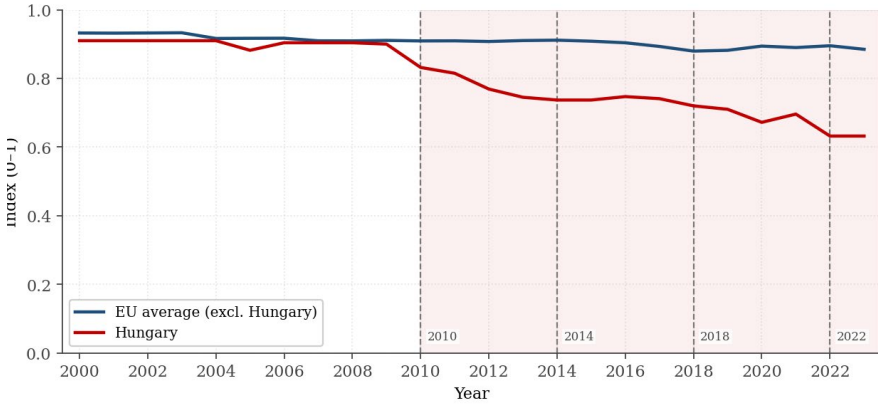
The Constitutional Court was targeted with equal purpose. In 2011, its jurisdiction was curtailed to exclude review of budget and tax legislation on the merits – a change that allowed Fidesz to legislate new fiscal arrangements without risk of constitutional challenge. The court was expanded from eleven to fifteen members, and the new seats were filled with Fidesz loyalists appointed under the new parliamentary majority rules that no longer required cross-party consensus. The packing of the court destroyed its institutional independence more effectively than any more overt intervention could have done, because it left the formal structure intact while replacing its human content.

The deepest blow to constitutional review came with the Fourth Amendment to the Fundamental Law, adopted by the Fidesz

18 The National Judicial Office (Országos Bírósági Hivatal, OBH) was established by Act CLXI of 2011. Its president was empowered to appoint and remove court presidents, assign and transfer cases between courts, and control the judicial budget – powers previously vested in the National Council of Justice, a self-governing body of judges. The first OBH president, Tünde Handó, served until 2020.

supermajority on 11 March 2013.19 The amendment retroactively nullified all Constitutional Court decisions adopted prior to the entry into force of the Fundamental Law on 1 January 2012 – effectively deleting more than two decades of constitutional jurisprudence from the legal record. The Court was also prohibited from citing its own pre-2012 decisions as precedent, preventing judges from drawing on the accumulated wisdom of earlier rulings even where it remained legally relevant. Laws that had been struck down by the Court before 2012 could now be re-enacted, provided they were passed with a two-thirds majority. The Venice Commission described the Fourth Amendment as a 'serious setback for Hungarian constitutionalism'. The cumulative effect was a Constitutional Court that retained its formal existence but had been drained of its institutional memory and its capacity for meaningful independence.

Figure 10: Judicial constraints on the executive, Hungary and EU average, 2000–2023



Legislative constraints on the executive, shown in Figure 11, also declined – though the pattern is somewhat different. With a supermajority secured in 2010, the parliament almost immediately ceased to function as an effective check on the government. The arithmetic was simple: any legislation the government wanted, the government could pass.

19 The Fourth Amendment to the Fundamental Law of Hungary, adopted by the Fidesz supermajority on 11 March 2013. Key provisions included: the nullification of all Constitutional Court decisions predating the Fundamental Law (1 January 2012); a prohibition on the Court citing its own pre-2012 decisions as precedent; the right to re-enact previously struck-down laws if passed with a two-thirds majority; and restrictions on campaign advertising to public broadcasting. The Venice Commission of the Council of Europe described the amendment as 'a serious setback for Hungarian constitutionalism': Opinion No. 720/2013, adopted 17–18 June 2013.

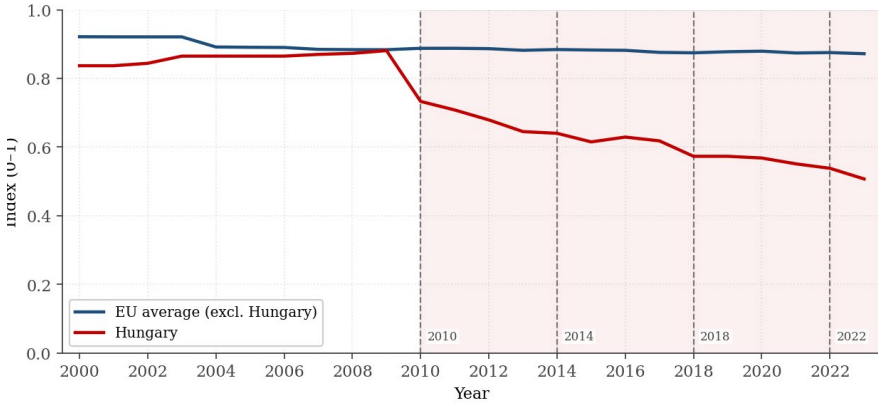
Consultation periods were shortened, opposition amendments were systematically rejected, and the parliament was increasingly used as a ratification machine rather than a deliberative body.

The most extreme expression of this was the COVID-19 Emergency Act, adopted on 30 March 2020.[20] Act XII of 2020 authorised the government to rule by decree for an indefinite period – there was no parliamentary end-date in the original legislation, an omission that distinguished Hungary's emergency framework from those of every other EU member state that enacted special powers to deal with the pandemic. The law also made it a criminal offence, punishable by up to five years' imprisonment, to disseminate 'false information' capable of obstructing the management of the emergency – a provision that was widely condemned by press freedom organisations and constitutional lawyers as a vehicle for suppressing criticism of the government's pandemic response. Under sustained pressure from the European Parliament, the Council of Europe, and the Venice Commission, the government eventually terminated the state of emergency in June 2020. But the episode illustrated the degree to which parliamentary constraints on executive power had been so thoroughly dismantled that a law granting indefinite decree powers could be passed in a functioning EU member state without meeting any effective legislative resistance.[21]

20 Act XII of 2020 on the Containment of the Coronavirus, adopted by the National Assembly on 30 March 2020. The law authorised the government to rule by decree for an indefinite period, to derogate from any existing legislation, and to impose measures by executive order without parliamentary approval. Article 337 of the Criminal Code (as amended) imposed a sentence of up to five years' imprisonment for the dissemination of 'false information' capable of obstructing the management of the emergency. The state of emergency was terminated on 20 June 2020 following sustained criticism from the European Parliament, the Council of Europe, and the Venice Commission.

21 Kornai, J. (2015) Hungary's U-turn: retreating from democracy. Journal of Democracy 26(3): 34–48.

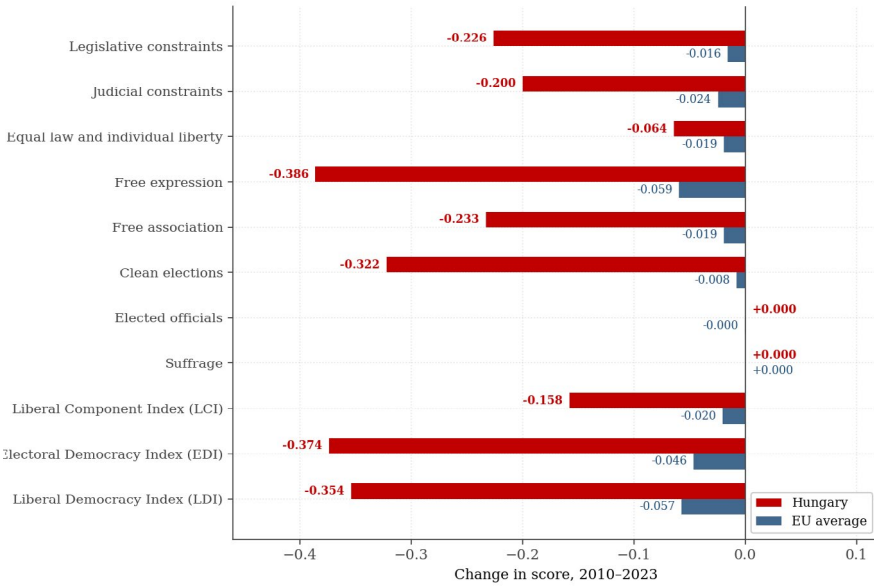
Figure 11: Legislative constraints on the executive, Hungary and EU average, 2000–2023



Which dimensions suffered most? A comparative view

Figure 12 summarises the damage by showing the change in each V-Dem indicator between 2010 and 2023 for Hungary versus the EU average. A negative bar means the indicator fell; a bar falling further into negative territory for Hungary than for the EU average reflects the net authoritarian impact.

Figure 12: Change in V-Dem democracy indicators, Hungary and EU average, 2010–2023



Note: Negative bars indicate deterioration relative to the 2010 baseline. Source: V-Dem v16.

Freedom of expression and clean elections stand out as the most heavily affected dimensions, followed closely by judicial constraints and freedom of association. Suffrage and elected officials, as expected, show much smaller movements. This pattern is analytically important: it tells us that Orbán's regime was not primarily interested in preventing people from voting. It was interested in controlling what people knew, limiting the organisational capacity of opposition forces, and ensuring that the courts and legal system would not stand in its way.[22][23]

This is exactly the pattern that Bermeo (2016) associates with 'executive aggrandizement' – the dominant mode of contemporary democratic backsliding – and that Ginsburg and Huq (2018) call 'constitutional retrogression': a process in which the judiciary, the conditions of political speech, and the fairness of electoral competition are degraded

22 Mechkova, V., Lührmann, A. and Lindberg, S. I. (2017) How much democratic backsliding? Journal of Democracy 28(4): 162–169.

23 Cianetti, L., Dawson, J. and Hanley, S. (2018) Rethinking 'democratic backsliding' in Central and Eastern Europe. East European Politics 34(3): 243–256.

incrementally, through legal means, in ways that are individually deniable but cumulatively transformative.

The analytical power of looking at all dimensions simultaneously is that it becomes impossible to characterise any single measure as an outlier or an anomaly. Each decline that we have documented is supported by specific legislative acts, institutional changes, or government decisions that are on the public record. The 2011 judicial restructuring laws, the Fourth Amendment of 2013, the 2011 electoral law, the 2017 NGO law, the 2017 Lex CEU, the KESMA consolidation of 2018, and the 2020 COVID emergency act are not a random collection of policy decisions. They form a coherent and sequential programme – what Scheppele (2018) calls ‘autocratic legalism’ – in which each step exploited existing legal powers to remove the constraints that might have prevented the next step.

Economic freedom: what happened to Hungary's market institutions

Populism, institutions, and economic freedom

The relationship between political freedom and economic freedom is one of the most studied questions in political economy, and it remains genuinely contested. There are reasons to expect a positive correlation: liberal political institutions – independent courts, rule of law, property rights protection – are also precisely the institutional foundations on which well-functioning markets depend.[24] A government that dismantles the former typically weakens the latter as well.

The empirical evidence on this has been substantially advanced by recent research from the Fraser Institute. Celico and Rode (2023) examined the relationship between populism in government and economic freedom across a large sample of countries and found that, controlling for other determinants, populist governments are significantly associated with reductions in economic freedom.[25][26] Critically, they find that the negative effect is most pronounced in countries where

24 North, D. C. (1990) Institutions, Institutional Change and Economic Performance. Cambridge: Cambridge University Press.

25 Celico, A. and Rode, M. (2023) Populism, majority rule, and economic freedom. In Gwartney, J., Lawson, R. and Murphy, R. (eds) Economic Freedom of the World: 2023 Annual Report. Vancouver: Fraser Institute, pp. 193–227.

26 Saravakos, C. (2026) Populism and Economic Freedom in European Democracies: Evidence from a Two-Way Fixed Effects Panel Analysis, 2001–2023. PREPRINT (Version 1), 27 April. Research Square. Available at: https://doi.org/10.21203/rs.3.rs-9451071/v1

institutional guardrails are absent or have been removed – which is, of course, precisely the situation that Orbán engineered in Hungary. In OECD countries with strong baseline institutions, the negative effects of populism on economic freedom tend to be smaller and more delayed, mediated through the gradual erosion of the political constraints that would otherwise check a government's economic interventionism.

Hungary is, in this respect, an almost laboratory-ideal case: a country that entered the Orbán era with comparatively strong institutions, which then proceeded to systematically dismantle them. The question is whether and to what degree this political transformation left a mark on economic freedom as measured by the EFW index.

This evidence is consistent with a growing comparative literature on populism and institutional degradation. Kyriacou and Trivin (2024) find that populism significantly undermines rule-of-law institutions across countries, with the strength of pre-existing institutional legacies moderating but not eliminating this effect – a finding directly relevant to Hungary, which entered the Orbán era with comparatively strong post-accession institutions that then proved insufficient to constrain a determined legislative majority.[27] Houle and Kenny (2018) show that populist governments systematically erode executive constraints, judicial independence, and legislative oversight – precisely the channels most directly linked to economic freedom – and that these erosions compound over successive terms.[28] Kenny (2020) documents how populists strategically target press freedom, deploying 'enemy of the people' framing to delegitimise independent media and eliminate a central mechanism of institutional accountability.[29] Funke, Schularick and Trebesch (2022) demonstrate that populist leaders are associated with significantly worse economic outcomes in the medium run, as institutional degradation accumulates; Fekolli and Cela (2024) confirm, for the EU specifically, that both right-wing and left-wing variants damage democratic processes, with right-wing populism most directly

27 Kyriacou, A. and Trivin, P. (2024) 'Populism and the rule of law: The importance of institutional legacies', American Journal of Political Science. Advance online publication. (https://doi.org/10.1111/ajps.12935).

28 Houle, C. and Kenny, P. D. (2018) 'Populism and the erosion of democratic checks and balances', American Political Science Review 112(2): 1–18. (https://doi.org/10.1017/S0003055418000107).

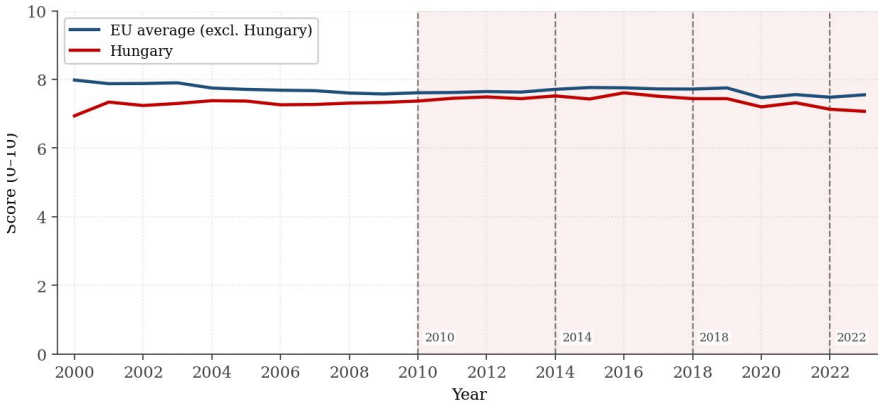
29 Kenny, P. D. (2020) '"The enemy of the people": Populists and press freedom', Political Research Quarterly 73(2): 261–275.

linked to institutional capture.[30] Hungary's trajectory under Orbán is consistent with every one of these findings and represents their most comprehensively documented illustration within a European Union member state.

Overall economic freedom

Figure 13 plots Hungary's EFW overall score against the EU average between 2000 and 2023. The picture here is more nuanced than the political freedom data. Hungary's score did not collapse in the way that its V-Dem indicators did. It moved from 7.37 in 2010 to 7.07 in 2023 – a decline of 0.30 points – while the EU average held broadly flat at around 7.55 over the same period. The gap between Hungary and its EU peers widened modestly but measurably.

Figure 13: Economic Freedom of the World overall index, Hungary and EU average, 2000–2023



One reason the EFW decline looks less dramatic than the V-Dem decline is that economic freedom indices measure a broader range of things, some of which are harder to manipulate quickly. Sound money (Area 3) and freedom to trade internationally (Area 4), for example, are heavily influenced by global conditions and EU membership obligations that

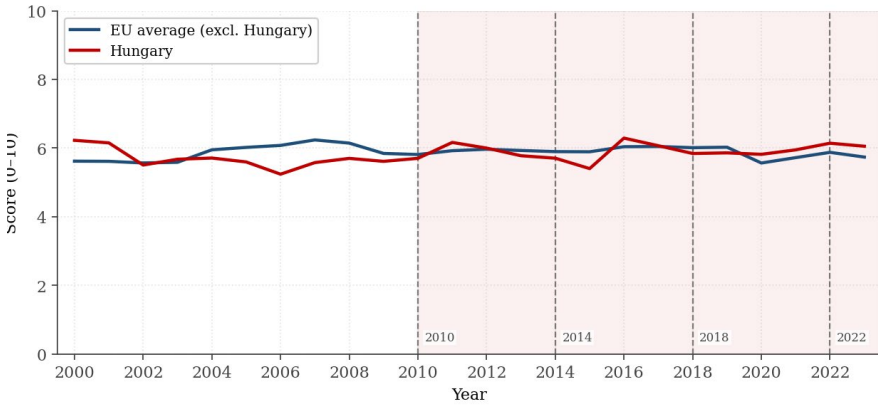
30 Funke, M., Schularick, M. and Trebesch, C. (2022) 'Populist leaders and the economy', HAL-03881225. See also: Fekolli, S. and Cela, E. (2024) 'Right-wing and left-wing populism in the EU and their impact on democratic processes', Foreign Affairs Review 34(3): 67–76. (https://doi.org/10.46493/2663-2675.34(3).2024.67).

Orbán could not easily override. The telling story is in the components that are more directly tied to institutional quality and the rule of law.

The five pillars of economic freedom

Figure 14 shows Area 1 – the size of government, which measures tax burden, government spending, and state ownership of assets. Hungary's score here fluctuated but broadly converged towards the EU average over the period. The Orbán government was not a minimal-state administration: it expanded public spending, introduced sector-specific taxes on banks, retail, and telecoms, and used the state as an active tool of economic redistribution towards its political base. These interventions show up as downward pressure on Area 1, though the signal is mixed because some EU peers also have large governments.

Figure 14: EFW Area 1 – Size of government, Hungary and EU average, 2000–2023

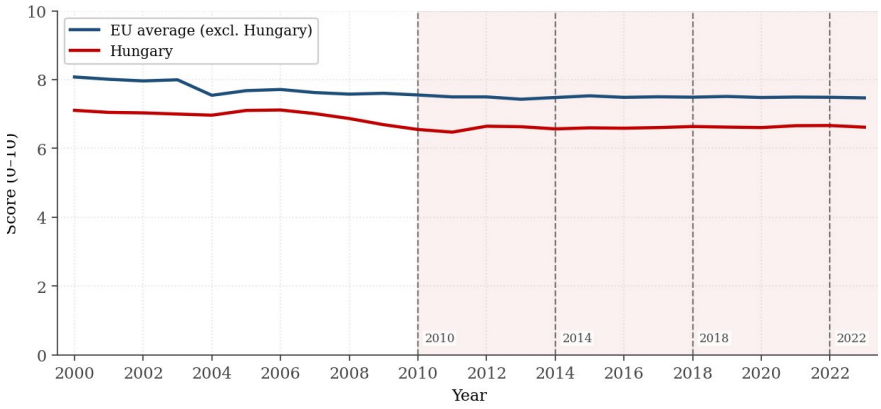


Area 2 – the quality of the legal system and property rights – tells a much cleaner story (Figure 15). This is the area most directly linked to the political institutions we examined in the previous section. Hungary's Area 2 score remained broadly stable under Orbán. It stood at 6.69 in 2009 and 6.55 in 2010, and reached 6.62 in 2023. Although the absolute score changed very little, other EU countries made substantial progress in this area, thereby widening the gap. As a result, Hungary fell from 104th to 120th place—a drop of 16 positions—despite its component score barely shifting. When courts cannot be trusted to enforce contracts impartially, when property rights depend on political connections, and when regulatory agencies are staffed by party loyalists, the economic costs of political capture become concrete and measurable.

The channels through which judicial and political capture translated into weaker property rights and legal quality were multiple and documented. Public procurement became systematically skewed towards a small network of politically connected firms. OLAF, the European Anti-Fraud Office, conducted multiple investigations into the misuse of EU structural funds in Hungary and reported irregularity rates significantly above the EU average. The European Commission, from 2022 onwards, withheld significant tranches of EU cohesion funds from Hungary specifically on rule-of-law grounds – an unprecedented step whose underlying factual basis was the same institutional deterioration visible in the EFW Area 2 data. At the firm level, businesses without political connections reported facing discriminatory regulatory treatment, arbitrary licence revocations, and courts that were unable or unwilling to resolve commercial disputes impartially. Hungary, despite well-documented rule-of-law concerns, still has en efficient, in terms of quantity, judicial system. In 2023, disposition times were consistently among the fastest: 62 days for non-criminal cases at first instance (EU 182), ranking 6th among 24 reporting Member States; 135 days for civil and commercial litigious cases (EU 292), ranking 3rd; and 120 days for administrative cases (EU 382), also ranking 3rd. The clearance rate was also high across all three categories, indicating that courts resolved as many cases as they received, with no accumulation of backlog. The pending stock of non-criminal cases was 1.2 per 100 inhabitants (EU 3.3), the 4th lowest, while cases resolved per judge reached 254 per year, well above the EU median.

Thus, even as institutional and rule-of-law dimensions deteriorated, the throughput dimension—speed, balance, and per-judge productivity—remained at the EU frontier. A swift judicial system is not necessarily a fair one; however, this helps to explain why the score in Area 2 did not decline substantially.

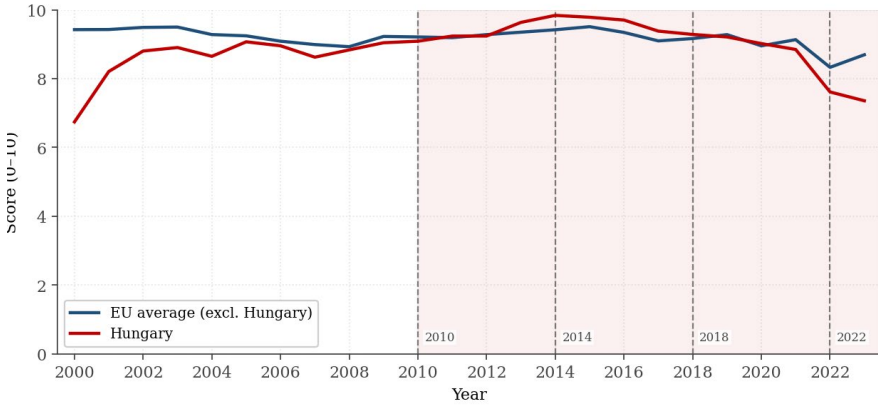
Figure 15: EFW Area 2 – Legal system and property rights, Hungary and EU average, 2000–2023



European Commission, 2025 EU Justice Scoreboard (CEPEJ data for 2023).

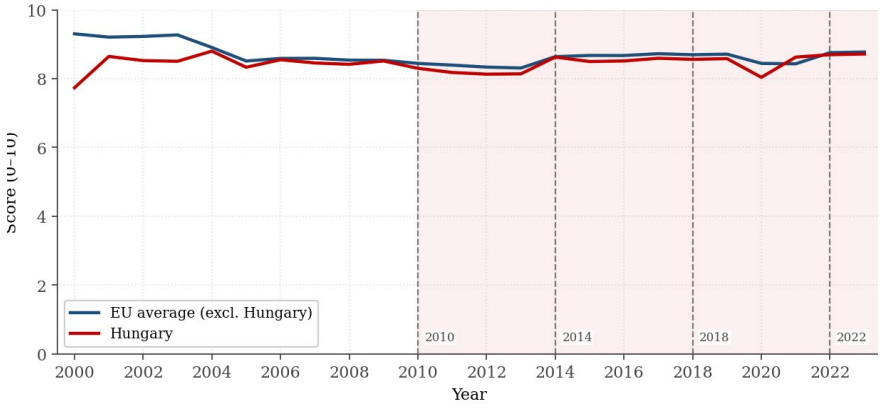
Figure 16 shows Area 3 – sound money – which measures price stability, access to sound money, and freedom to hold foreign currency accounts. Hungary's sound money score was relatively high throughout the 2010s, reflecting the monetary discipline imposed by EU membership and the gradual convergence of inflation. However, the score deteriorated sharply from 2021 onwards as Hungary experienced some of the highest inflation rates in the EU – peaking above 25% in early 2023 – driven in part by the government's suppression of utility prices, energy subsidies, and delayed monetary policy tightening. By 2023, Area 3 had recorded the largest single-component decline of any EFW area for Hungary since 2010, falling by 1.73 points from 9.09 to 7.36.

Figure 16: EFW Area 3 – Sound money, Hungary and EU average, 2000–2023



Area 4 – freedom to trade internationally – is shown in Figure 17. Hungary's performance here remained relatively high throughout the period, constrained by its participation in the EU single market and customs union, which prevented the kind of protectionist measures that have characterised populist trade policy elsewhere. The fact that free trade is mostly an EU competence reduces the extent to which the domestic government can interfere in this field. The overall trend was broadly flat, with no systematic deterioration, though the score fluctuated somewhat around the EU average.

Figure 17: EFW Area 4 – Freedom to trade internationally, Hungary and EU average, 2000–2023



Regulation (Area 5), shown in Figure 18, showed the most significant deterioration among the non-monetary areas, as the Orbán government introduced a thicket of sector-specific rules, licensing requirements, and

administrative interventions that were frequently applied in ways that favoured politically connected firms. The decline was not catastrophic in aggregate terms – Hungary's Area 5 score remained in the mid-range – but it represents a meaningful and sustained erosion of the regulatory environment for independent economic activity.[31]

Figure 18: EFW Area 5 – Regulation, Hungary and EU average, 2000–2023

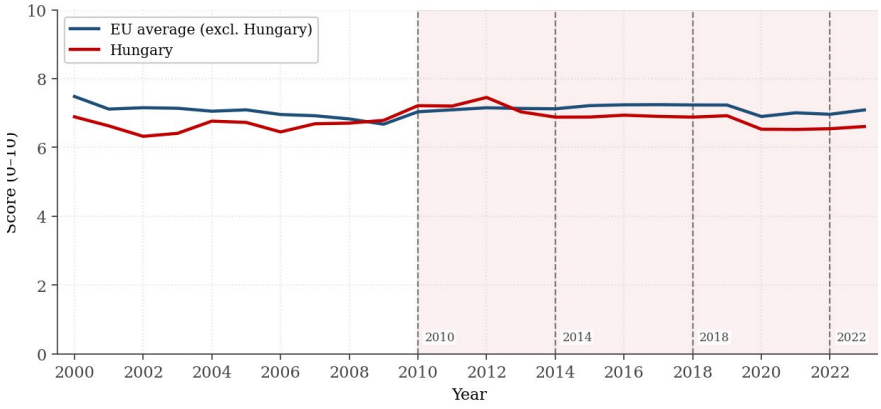
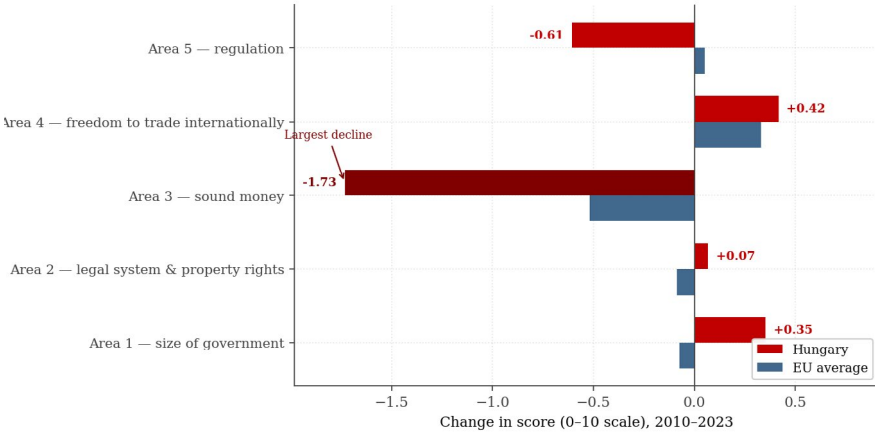


Figure 19 brings together the comparative change across all EFW components for Hungary and the EU average between 2010 and 2023. Sound money (Area 3) records by far the largest decline, falling 1.73 points – from 9.09 in 2010 to 7.36 in 2023 – as Hungary experienced a sustained period of elevated inflation relative to its EU peers. Regulation (Area 5) also deteriorated significantly (–0.61 points), as sector-specific rules and administrative interventions multiplied. Legal system and property rights (Area 2) increased more modestly (+0.07 points), but this captures only a narrow slice of the institutional damage documented in the previous section, since the EFW Area 2 score is relatively insensitive to the kind of targeted judicial interference that characterises Orbán-era governance.

31 Gwartney, J., Lawson, R. and Murphy, R. (2024) Economic Freedom of the World: 2024 Annual Report. Vancouver: Fraser Institute.

Figure 19: Change in EFW component scores, Hungary and EU average, 2010–2023

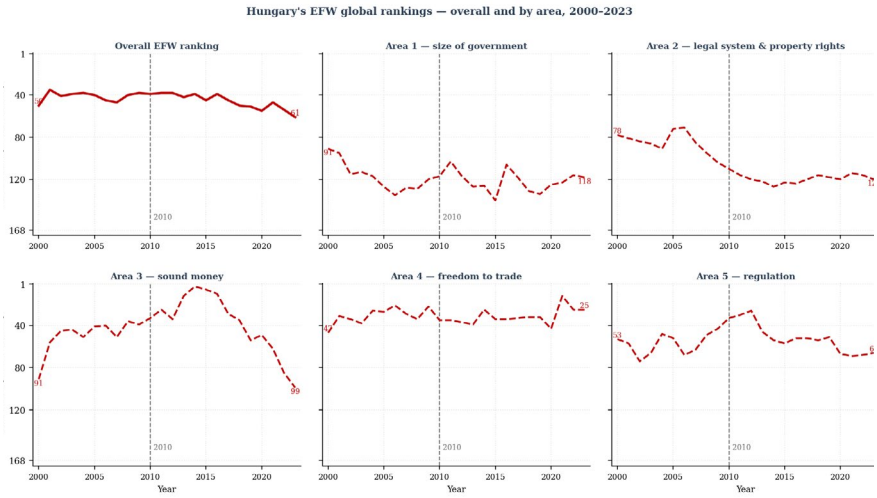


Note: Negative bars indicate deterioration relative to 2010. The largest decline is in Area 3 (sound money), which fell by 1.73 points, followed by Area 5 (regulation), –0.61 points. Source: EFW 2025 Annual Report.

Hungary's declining global ranking

Absolute EFW scores tell part of the story; global rankings tell another. Figure 20 shows Hungary's position in the global EFW ranking for the overall index and each of its five component areas between 2000 and 2023. The chart uses an inverted vertical axis – a lower rank number means a higher position – so a line moving downward indicates deteriorating performance relative to the rest of the world.

Figure 20: Hungary's EFW global rankings – overall and by area, 2000–2023



Note: Axis inverted – a lower rank number (shown higher on the graph) indicates a better global position. Dashed vertical line marks Orbán's first election win (2010). Source: EFW 2025 Annual Report.

The ranking data reveal the deterioration more starkly than the scores alone. In 2000, Hungary ranked comfortably within the top third of countries globally on overall economic freedom; by the early 2020s, it had fallen into the 60s. The trajectory was not smooth: some rankings improved during Hungary's pre-2010 reform period, then reversed sharply after 2010. The pattern confirms that the decline was not an artefact of global deterioration – other countries continued improving – but a Hungary-specific phenomenon coinciding with the consolidation of Fidesz rule.

The most dramatic ranking falls are in Area 2 – legal system and property rights – which mirrors the score-level analysis and is consistent with the systematic judicial weakening documented in Section 1. Ranking deterioration in Area 5 (regulation) is also substantial, reflecting the discretionary, politically motivated regulatory environment that characterised the Orbán years. By contrast, Hungary's rankings in Area 3 (sound money) and Area 4 (trade freedom) remained relatively stable, consistent with the view that these dimensions were insulated by EU membership and eurozone-adjacent monetary constraints.

The EFW area-level breakdown matters for understanding the political economy of the deterioration. Countries can lose economic freedom in different ways: through macroeconomic mismanagement (primarily

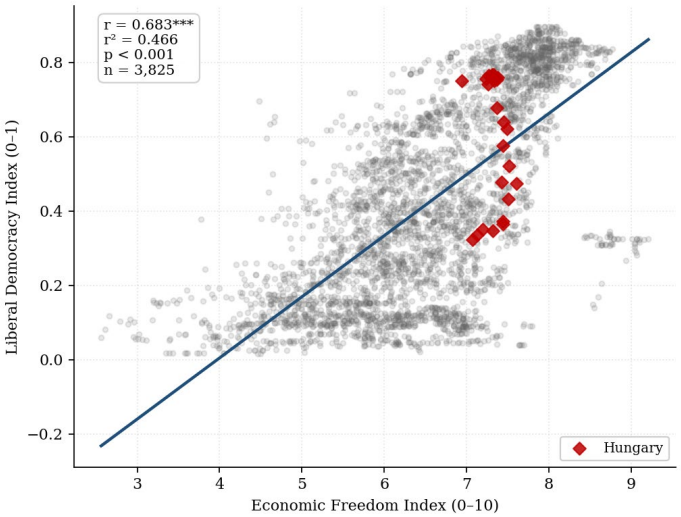
Area 3), through protectionism (Area 4), through fiscal expansion (Area 1), or through institutional decay (Area 2). Hungary's pattern is unambiguously of the last type – a regime that eroded the rule-of-law foundations of market institutions rather than inflating its way out of its obligations or closing its borders. This is consistent with the general pattern observed for right-wing populist governments in Europe, and it has a particular implication for the reconstruction task facing the incoming Magyar government: reversing Area 2 deterioration requires rebuilding institutional trust and judicial independence, which is a far slower and more difficult undertaking than reversing macroeconomic mismanagement.

Democracy and economic freedom: cross-country evidence

The correlation between political and economic freedom

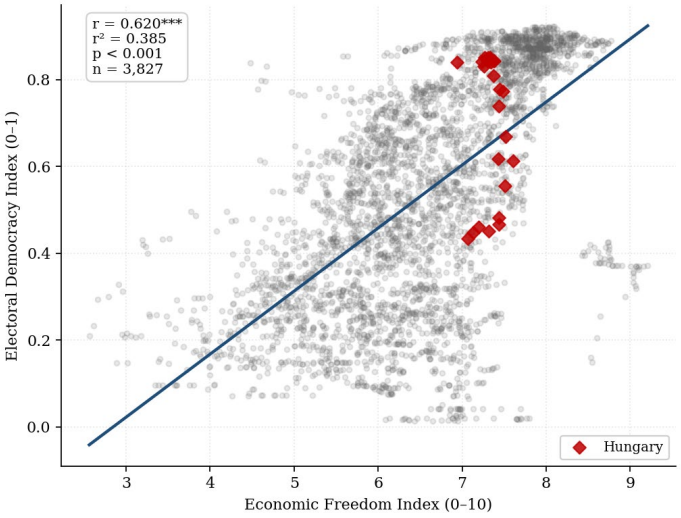
Is the relationship between liberal democracy and economic freedom simply a historical coincidence, or is it structurally robust? The cross-country panel data allow us to examine this directly. Figures 21, 22, and 23 show scatter plots of the EFW overall index against, respectively, the Liberal Democracy Index, the Electoral Democracy Index, and the Liberal Component Index, across all country-year observations in our dataset (roughly 3,800 observations). Each plot includes the ordinary least squares regression line, the 95% confidence interval, and the key correlation statistics. Hungary is highlighted in red.

Figure 21: Economic freedom and liberal democracy: cross-country relationship, 2000–2023



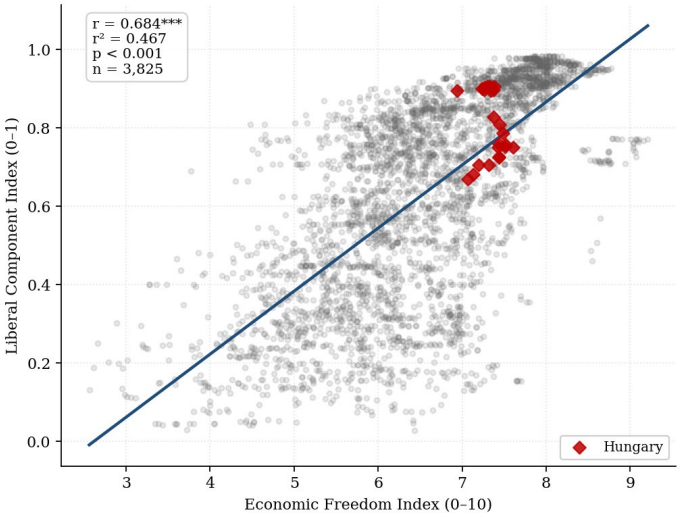
Note: OLS regression line with 95% confidence interval. Hungary is highlighted in red. r=0.683, r²=0.466, p<0.001. Pooled panel data; within-country autocorrelation not corrected; results are indicative associations, not causal estimates. Sources: V-Dem v16; EFW 2025 Annual Report.

Figure 22: Economic freedom and electoral democracy: cross-country relationship, 2000–2023



Note: r=0.620, r²=0.385, p<0.001. See note to Figure 21. Sources: V-Dem v16; EFW 2025 Annual Report.

Figure 23: Economic freedom and liberal component: cross-country relationship, 2000–2023



Note: r=0.684, r²=0.467, p<0.001. See note to Figure 21. Sources: V-Dem v16; EFW 2025 Annual Report.

The results are clear and consistent. The correlation between economic freedom and the Liberal Democracy Index is 0.68, with an r² of 0.47 – meaning that nearly half the variation in economic freedom scores across country-years is statistically explained by variation in liberal democratic quality. The correlation with the Liberal Component specifically (0.68) is virtually identical to that with the overall LDI, which makes intuitive sense: it is the rule-of-law, judicial independence, and civil-liberties dimensions of democracy that most directly underpin the institutional foundations of well-functioning markets.

Hungary's position in each of these plots is informative. Its data points – shown in red – sit in the upper-right quadrant in earlier years (high democracy, relatively high economic freedom) and progressively migrate towards the lower-left as the Orbán era progresses. This is not a country that was always poorly governed and poorly free. It is a country whose trajectory moved in a direction that the cross-national evidence says is broadly expected when political institutions deteriorate.

These correlations should be interpreted with appropriate caution. The estimates are based on a pooled panel dataset in which each country contributes multiple annual observations. This structure induces within-country autocorrelation – consecutive observations for

the same country are not independent – which means that reported standard errors and p-values overstate precision relative to what a properly clustered estimator would yield. The reported statistics are therefore best understood as indicative of the direction and approximate magnitude of the associations, not as precise inferential claims. No causal interpretation is warranted: the direction of causality between political and economic institutions is contested in the academic literature, and there are plausible mechanisms in both directions. What the data establish is a strong, consistent cross-national association whose theoretical grounding is well-articulated and whose alignment with Hungary's specific experience is substantively meaningful.[32]

32 Acemoglu, D. and Robinson, J. A. (2012) Why Nations Fail: The Origins of Power, Prosperity, and Poverty. New York: Crown Publishers.

Conclusion

This paper has examined, through systematic quantitative analysis, what sixteen years of Orbán's Fidesz government did to Hungary's political and economic institutions. The evidence is extensive and, on the political side, unambiguous: Hungary's Liberal Democracy Index fell from 0.77 in 2009 to 0.32 in 2023, placing it at the bottom of the EU distribution and confirming its classification as an electoral autocracy. The damage was concentrated in freedom of expression, judicial independence, clean elections, and freedom of association – the very institutions whose purpose is to constrain what majorities can do and to ensure that electoral competition is genuinely meaningful.

The political deterioration documented in this paper was not the result of drift, mismanagement, or external pressure. It was the product of a deliberate and sequentially executed legislative programme. The Fundamental Law of 2011 provided the constitutional architecture. The judicial restructuring laws of 2011 and the Fourth Amendment of 2013 disabled the courts that might have enforced that architecture against the government itself. The electoral law of 2011 translated vote shares into parliamentary supermajorities. The media laws and the KESMA consolidation of 2018 silenced the informational environment that voters depend on to make meaningful choices. The NGO law and Lex CEU attacked the civil-society organisations that had survived to fill the space left by the captured media. Each step was legal; each was contested by international and domestic critics; none was effectively stopped because the institutions of constraint had already been removed or neutralised.

The economic freedom story is more nuanced. Hungary's EFW score declined modestly in overall terms, but the legal system and property rights component – the one most directly linked to political institutions – fell sharply and consistently, and Hungary's global ranking deteriorated

substantially across most EFW dimensions after 2010. This is consistent with the theoretical prediction that political and economic freedom are institutionally complementary: when a government removes the judicial and civil-society constraints on its own power, it simultaneously removes the institutional foundations on which impartial markets depend.

A growing comparative literature adds further depth to this picture. Kyriacou and Trivin (2024) find that populism significantly erodes rule-of-law institutions, with pre-existing institutional legacies moderating but not eliminating this effect. Houle and Kenny (2018) document that populist governments systematically dismantle checks and balances – executive constraints, judicial independence, and legislative oversight. Kenny (2020) shows that populists consistently target press freedom, using delegitimisation rhetoric to eliminate institutional accountability. Funke, Schularick and Trebesch (2022) demonstrate that populist leaders are associated with worse economic outcomes in the medium run. Fekolli and Cela (2024) confirm, specifically for the EU, that right-wing populism is most directly linked to institutional capture of the kind documented in this paper. Hungary's trajectory under Orbán is consistent with all these findings and represents the most comprehensive documented illustration within an EU member state.

There is an important lesson here for democratic theory and for European institutional design. Bermeo's insight that democracies die by 'a thousand cuts' rather than by coup is powerfully illustrated by the Hungarian case. Each individual action taken by Fidesz between 2010 and 2026 – each constitutional amendment, each court restructuring, each media acquisition – could be presented as legally valid and even necessary. It was the cumulative pattern, visible only when the full trajectory is laid out as we have done in this paper, that revealed the authoritarian project beneath the legal surface.

This also points to an important lesson for European integration more broadly. The acquis communautaire was designed to lock in institutional gains – rule of law, judicial independence, property rights – as permanent features of EU membership rather than transitory achievements of accession. That a member state could so thoroughly reverse those gains while remaining within the Union, continuing to draw on structural funds, and exploiting EU membership as a legitimating shield, represents a failure of the EU's enforcement architecture that the incoming Magyar government's reform agenda will need to help address. Saravakos et al. (2021a, 2021b) demonstrate that EU accession generates improvements in both economic and political freedom operating primarily through

the conditionality mechanism – and that these gains are real and measurable. Hungary's data provide a mirror image: a country that first benefited from exactly those mechanisms and then dismantled their product through deliberate institutional rollback. The scale of the reversal, documented in this paper, defines the outer boundary of what successful reconstruction would need to achieve.

The incoming Magyar government faces a formidable reconstruction task. Restoring judicial independence, rebuilding media pluralism, reversing electoral gerrymandering, and rebalancing the relationship between the state and civil society will require not only political will but constitutional majorities and sustained reform effort. Whether the new majority will use its own supermajority to rebuild rather than to reconcentrate power is, as of this writing, the central question in Hungarian politics. The data presented in this paper document the scale of the challenge.

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