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# Hungary, Trump, and the Rule of Law

*Péter Sztás, PhD.*

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*The U.S. elections, which took place on 5 November 2024, resulted in a landslide Republican victory. Donald J. Trump will return to the White House while the GOP won majorities in the House of Representatives and the Senate. Although polls before the election had anticipated a close result, the patriotic side beat progressives by more than seven million individual votes. Whereas most of the world watched the battle for the Oval Office with bated breath, Hungarian Prime Minister Viktor Orbán loudly and consistently proclaimed that he not only expected Trump to take back the presidency but heartfully wished him to do so. Thanks to Orbán's unwavering support towards Trump, the personal relationship between the two statesmen has become impeccable, especially during the Biden administration when U.S.-Hungarian relations hit rock bottom. What were the bilateral relations like earlier? How will the close alliance between Trump and Orbán develop in the future? Can Budapest become Washington's main Central European ally?*

**Even though Hungary is a member of the EU and NATO, the Obama and Biden administrations have been explicitly hostile towards it. If the new Trump administration were to do no more than restore the 2016-2020 status quo (by reinstating the 1979 U.S.-Hungary income tax treaty, lifting arms sales restrictions, and sending a new ambassador with a classical portfolio), there would be instant progress in US-Hungarian relations. However, the parties' willingness to cooperate seems to go beyond that. With the American President behind him, Viktor Orbán could be much more effective in strengthening his conservative agenda in Brussels, which until now had to swim upstream. Since it seems that personal commitment is the most important thing for Trump, Orbán's role can be significantly enhanced, not only in Washington's direction, but also toward Brussels.**

## The Place of Hungary in the CEE Region

Hungary lost the 20<sup>th</sup> century in almost every field. After World War I, nearly seventy per cent of its territory and sixty per cent of its population was taken away and divided among neighbouring countries.<sup>1</sup> Shortly after World War II, Hungary lost further lands and also its sovereign independence, without a real hope of regaining it. A few years after the war, in alliance with other socialist countries, Hungary formed the border region and the buffer zone between East and West. Although the legislature functioned, strategic decisions were made in the imperial capital, Moscow. In the bipolar world, the most significant difference between East and West was the democratic deficit of the socialist states, which had an impact at both individual and community levels. The unquestionable ruler of this world was the Communist Party, which was committed to realising its radical left ideology at all cost. People living under socialism have been severely restricted not solely in travel or business but also in exercising their fundamental human rights, freedom of assembly and expression. As early as 1956, the Hungarian people rebelled against totalitarianism, making it clear to the whole world that they wished not to go on living behind the Iron Curtain. They wanted to transform their suppressed country into a sovereign, independent, democratic state that would make its own choices and decide on its destiny. Unfortunately, at that time, no help arrived from the West and Hungary was left alone; the Soviet Union, because of its overwhelming military power, could put down the uprising rapidly and grip the rebel state for many decades. However, after the political events of 1989 and the disintegration of the Soviet Union in 1991, the nation-states of Central Eastern Europe (CEE) regained their independence. Hungary promptly

committed itself to democratic values and Euro-Atlantic integration. At the time, there was no doubt over where a free Hungary would turn. Hungarians had proved to be part of Western tradition long before the twentieth century; the anti-Islamic wars of bygone eras sealed this determination with blood. After the regime change, the nation had to make sacrifices again. There was a strong demand for this, both externally and internally. However, the Euro-Atlantic integration process did not occur overnight, as neither side was sufficiently prepared for it. The Western partners, which had never been affected by socialism, lacked the political will to absorb the problems of the CEE region, so they created demanding preconditions for those wishing to join them. Hungary, regaining its sovereignty which had been lost to the East, was thus almost immediately expected to offer it to the West. Nation states that had just escaped the yoke of totalitarian socialism, and which sought to be reborn, had to meet countless new expectations to gain admission through the gates of the West. All this happened with an outdated and collapsing economic system and a developing socio-political crisis.

## To Comply with the West

Establishing, maintaining and enforcing the written and unwritten rules of democracy was not enough to be admitted through the Western gates. To achieve inclusion, like other CEE countries, Hungary had to adopt the norms and suggestions of numerous governmental and non-governmental organisations that—under an international treaty or on a civilian basis—monitored almost all aspects of a country's functioning. These institutions simultaneously represent particular values and interests; compliance with them, therefore, entailed giving up a slice of sovereignty. As a result, liberation from the Soviets did not mean reaching the desired self-determination but a commitment—and indeed a surrender—to the West.

Due to ceaseless expectations, Euro-Atlantic integration did not go fast; it took over a decade to complete. In addition to the democratic functioning of the rule of law and market economy, the main precondition for joining NATO was for the acceding state to declare that it would not make territorial claims against other countries, to commit to a gradual increase in its annual military spending to two per cent, and to modernise its armed forces.<sup>2</sup> Hungary submitted to all requirements.

Accession negotiations with the EU took even longer than with NATO, as implementing the four freedoms of the Community—beyond the democratic rule of law—requires giving up distinctive features of state sovereignty (such as a separate customs policy), fully and completely implementing the EU legislation, and adjusting internal laws, rules and regulations to it. The acceding states had to constantly prove the existence of a functioning division of power and the practical operation of the system of checks and balances.

Hungary did all the homework it got from the West and passed the exams for every part. Entering the North Atlantic Treaty Organization and the European Union did not mean full equality at the time since most old members—including Austria and Germany but excluding Ireland—did not apply EU law on free movement to workers for the eight newly joined countries, including Hungary, for seven more years.<sup>3</sup> Despite all these inequities, by the middle of 2004, the former Warsaw Pact countries had returned home and had become Western again. Yet, even by then it was apparent that the process of economic reconciliation would be neither quick nor smooth. However, the fact that the democratic turn and achievements in Hungary, which have been proven countless times over the last thirty years, would eventually be called into question again was not expected by anyone.

## A Short History of U.S.-Hungarian Relations

The first U.S. diplomatic posting to the Hungarian Kingdom was in 1869.<sup>4</sup> After the First World War, an American Legation was opened in Budapest. During the Second World War, Hungary declared war, in 1941, on the United States. Since President Roosevelt was convinced that Budapest's move was only made under pressure from Berlin, the U.S. only returned the declaration in 1942. After 1945, relations began to normalise. Although the Hungarian freedom fighters begged for it, the United States did not provide military assistance against the Soviet Union during the 1956 revolution. However, many Hungarians were given the opportunity to flee the reprisals to the USA and start a new life there. In 1966, the Legation in Budapest was raised to Embassy status.<sup>5</sup> As a clear sign of improving relationships and a good fate, the Carter Administration saw that the Holy Crown of Hungary, along with coronation jewels, were returned to “the Hungarian nation”.<sup>6</sup> The priceless treasures had been placed in

American safekeeping after the Second World War and kept at Fort Knox until their return. The Support for East European Democracy (SEED) Act was adopted at the end of 1989. It aimed to support and assist Hungary and Poland in institutionalising political democracy and economic pluralism and to mobilise international financial institutions to provide resources to them.<sup>7</sup>

After 1989, Hungary promptly committed itself to democratic values and Euro-Atlantic integration. This commitment was adopted by the right-wing governments of József Antall and Péter Boross between 1990-1994 and the socialist-liberal government led by Gyula Horn between 1994-1998. During this period, maintaining democracy was the most important expectation from the West, while running the economy was the most difficult expectation to fulfil. Unlike in 1956, after the 'regime change', the United States supported Hungary's efforts to become a modern democracy. Trade relations gradually expanded, and Western companies began to invest in the Central European Region. The U.S. became one of Hungary's most important foreign investors, contributing to job creation and economic growth.<sup>8</sup> Cooperation was present in many fields of life. Besides business, cultural exchanges, conferences, and joint projects have enriched relations, fostering mutual understanding and respect between the two nations. Significant collaborations have developed between American and Hungarian higher education institutions. Many Hungarian students, researchers and sportsmen were offered the opportunity to study, conduct research, or prepare in the USA. As a result of such synergy, during the first Orbán government (1998-2002)<sup>9</sup>, Hungary joined the North Atlantic Treaty Organisation in 1999. At that time, the U.S.–Hungarian bilateral relations were excellent; President Bill Clinton hosted Orbán in the Oval Office.<sup>10</sup> Entering the military alliance further strengthened bilateral ties. Hungary regularly participated in joint military exercises and—under leftist leadership—contributed to international missions led by the United States, such as Iraq<sup>11</sup> and Afghanistan.<sup>12</sup> Relations have been proven excellent for many years.

Between 2002 and 2010, Hungary was led by a socialist-liberal coalition government. In 2004, with Prime Minister Péter Medgyessy in office, Hungary joined the European Union. However, shortly after the outbreak of the global financial and capital markets crisis, with PM Ferenc Gyurcsány in office, the country almost went bankrupt.<sup>13</sup> Gyurcsány resigned in 2009, but early elections were not called. The leadership was taken over by a government of experts headed by Gordon Bajnai as Prime Minister.<sup>14</sup>

Severe austerity measures and IMF borrowing somewhat consolidated the budget<sup>15</sup>. However, the Hungarian left has been suffering the political consequences ever since. In the 2010 parliamentary elections, the Hungarian right won a historic victory.<sup>16</sup> This was a great moment in Viktor Orbán's political career. After two failed elections, his party returned with unprecedented power, gaining two-thirds of the seats in parliament. Orbán described this large-scale victory<sup>17</sup> as 'the people's revolution in the polling booths'.<sup>18</sup> However, his situation was not easy: In 2002, he handed over the leadership of a regional front-runner country to a coalition formed by the Hungarian Socialist Party and the Alliance of Free Democrats, but in 2010, the country he got back was lagging, impoverished, and in a state of urgent vulnerability in every field.<sup>19</sup> Orbán made evident that the extent of the changes would be proportional to the size of the mandate he received from the people. This has not changed since, provoking strong criticism among the Western elites and the opinion-forming media.

The neoliberal social and economic policy represented by the previous progressive Hungarian courses (2002-2010) was followed by a robust conservative turn, including several radical, or as the government communication named it, 'unorthodox' elements. The new leadership inherited debt that reached 80.6% of Hungary's GDP<sup>20</sup>, much of which was external. The reduction of this debt and its transformation into an internal one was defined as a fundamental objective. International criticism towards the country and its leadership started parallel with the profit divestment measures. The new government obliged the banks, telecommunication and energy companies to pay<sup>21</sup> a special tax from their profits, mobilising a massive international lobbying force against the country's new leadership. In addition, measures such as the creation of a united pension scheme, the reduction of the powers of the Constitutional Court, the adoption of a new press law, the reform of the electoral system and the almost complete abolition of the private pension fund system were also fulfilled. For citizens living across the border with verifiably Hungarian ancestry, a decision was made to simplify their acquisition of Hungarian citizenship.<sup>22</sup> This caused resentment in the neighbouring countries, who were constantly afraid that Hungary would, at some point, try to get back the territories it lost in 1920. From 2010, in both words and deeds, the dominance of vaguely articulated but well-defined national interest came to the fore as opposed to the previous neoliberal model where the benefits had accrued to foreign businesses. However, all this caused such an international response and resistance that it left a

mark on the Hungarian Presidency of the Council of the European Union in the first half of 2011, diverting attention from its professional conduction. At the same time, Hungary's responses to the allegations fell on deaf ears. International critics called for the neoliberal status quo to be maintained, ignoring the fact that the people gave the political right a two-thirds majority in parliament precisely to change that.

International criticism continued rising in the summer of 2014 when Orbán, newly re-elected as Prime Minister, and having just begun his third term as prime minister, stated at a Transylvanian (Romania) free university meeting that '*democracy is not necessarily liberal. Something that is not liberal can still be democracy*'.<sup>23</sup> Political analysts immediately linked his declaration to Fareed Zakaria's 1997 study of illiberal democracies published in the Foreign Affairs columns.<sup>24</sup> In this paper, the renowned author argued that these democratically elected regimes routinely ignore the constitutional limits of their power and its practice, depriving their inhabitants of their fundamental rights and freedom. Since the ominous speech, the image of the desire for illiberalism has merged with the Hungarian Prime Minister in the world press, which he has been unable to get rid of ever since. The resonance of this phrase was so strong that Orbán was forced to return to the concept several times and interpret it. In a 2015 European Parliament debate, he said, '*Illiberal democracy sounds perfectly good in Hungarian, but in English, it sounds like a blood libel*'.<sup>25</sup> Two years later, also on the floor of the EP, he even joked about the concept, saying, '*Illiberal democracy is when liberals don't win*'.<sup>26</sup> In 2019, at his lecture at the same Transylvanian free university as earlier, Orbán exercised self-reflection on illiberalism again and reinterpreted his earlier thoughts—contrary to Fareed Zakaria's view—simply as a metaphor for '*Christian freedom*'.<sup>27</sup> However, even this did not find a sympathetic ear. The fact that the West sees a problem in the functioning of democracy in Hungary is unequivocally demonstrated by the reports of the European Union. In its 2020 *Rule of Law Report*,<sup>28</sup> the European Commission called for judicial independence, for compliance with the recommendations of the Group of States against Corruption (GRECO), for the government advertisements' interference with the media market, and criticised the legislation on the transparency of foreign-funded non-governmental organisations. The 2024 *Rule of Law Report*<sup>29</sup> criticises the judiciary, corruption and media pluralism. Today's debates concerning Hungary are heated and extreme, as witnessed in October 2024 at the Strasbourg plenary debate.<sup>30</sup> At the same time, the



fact that the Hungarian right has won four elections in a row with a constitutional majority shows that the population is not dissatisfied with the current state of affairs.

## Public Law, Rule of Law and Hungary

Although there has been a proliferation in the types of actors who influence the international system, with the emergence of non-state actors such as multinational corporations, non-governmental organisations, and international institutions, the state can still be considered the main and primary participant due to its original nature. International public law is created by the community of states; it is a set of norms and rules that can be considered the primary determinant of the relationship between them. The principle of international public law constitutes the sovereign equality of states. As a general rule, this primarily theoretical principle means that all states in the global community have the same rights and obligations despite the often astonishingly significant physical differences between them (e.g. military or economic strength). However, the reality is different. This is because the inequality-based, power-centred approach of the realist paradigm usually overrides theory. Like in wildlife, where it is rare for the wolf to realise that the rabbit also has the right to self-determination, dependence and the relationship between subordination and superiority can also be observed in interstate relations.

The rule of law can be considered a practical philosophical concept of law, which is one of the fundamental values of the European Union. Article 2 of the *Treaty on European Union* states: “*The Union is founded on the values of the respect for human dignity, freedom, democracy, equality, the rule of law and respect for the 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.*”<sup>31</sup> To ensure the continuity and preservation of these values, the institutions of the EU, in hand with NGOs, report on the member states regularly.

Hungary has been the subject of criticism from the USA for a long time, mainly due to the alleged lack of the rule of law. The Obama administration<sup>32</sup> was at the forefront of this. Regarding Hungary, besides expressing its opinion, the U.S. also wanted to intervene in the press situation by approving \$700.000 in support of the Hungarian ‘independent’ media.<sup>33</sup> Ultimately, this transfer was not made. Secretary of State Mike

Pompeo tweeted on 5 January 2021, *"The Obama administration treated NATO ally Hungary like North Korea – total cold shoulder. We've renewed important ties while urging respect for democratic norms"*.<sup>34</sup>

Barack Obama's Republican successor, Donald Trump, radically broke with his predecessor's Hungary policy, ending the constant criticism of the Central Eastern European country.<sup>35</sup> Moreover, the relationship between the USA and Hungary improved significantly during the four years.<sup>36</sup> The foundations for good relations were laid by Orbán in the summer of 2016, when, at the previously mentioned Transylvanian free university meeting, he claimed the following: *"I am not Donald Trump's campaign manager; I never thought that the thought would ever arise in my head that he would still be the best for Europe and Hungary out of the open options, I never thought that, but the situation is that I listened to this candidate, and I must tell you that he has made three proposals to curb terrorism. As a European, I could hardly have expressed better what Europe needs."*<sup>37</sup> Orbán stood by Trump even when almost the whole world was expecting the election of Hillary Clinton.<sup>38</sup> And yet, it is also a fact that Trump did not visit Budapest during his first term in office. Thus, George W. Bush is still the last U.S. President to come to Hungary<sup>39</sup>, and when he did so in 2006, Orbán was not the country's Prime Minister.<sup>40</sup>

After Joe Biden took over the Oval Office, in the reputation of Hungary in Washington sank to a new low. During the presidential candidate debates, the Democratic Party leader had branded Hungary as a 'totalitarian regime'.<sup>41</sup> Presumably, the fact that the Hungarian Minister of Foreign Affairs and Trade, Péter Szijjártó, responded to the remark in a sardonic video message, drawing attention to the suspected corruption cases of the then-presidential candidate Biden's son in Ukraine<sup>42</sup>, probably did not help the situation either.

At that time, Hungary was already blocking NATO-Ukraine meetings at the ministerial level because the ethnic Hungarians living in the Transcarpathian region of Ukraine were deprived of their right to learn at school in their mother tongue.<sup>43</sup> The Trump administration tolerated this Hungarian step, but Biden no longer did so. Despite Hungarian opposition and NATO standards, the NATO Secretary General convened a ministerial-level meeting of the NATO-Ukraine Committee in 2023.<sup>44</sup> Regular critiques of Hungary's domestic politics also returned to the routines of the times when Hillary Clinton led the State Department. In addition, in June 2022, the US government

terminated the Hungarian-American double taxation agreement.<sup>45</sup> This is an unprecedented step in the relationship between two allied states. It was also a provocative move by the Biden administration to send an ambassador to Hungary, David Pressman<sup>46</sup>, who was not interested in bringing the positions of the two parties closer together, but was acting as a viceroy with a kind of imperial attitude. Therefore, the outcome of the 2024 U.S. presidential election was not at all irrelevant for Hungary. The country has been under double pressure for years: on the one hand, the European Commission has been trying to make the Orbán government's position impossible, and Washington has been a partner in this so far. If the double pressure had continued, it could have caused severe problems for the Hungarian government. It is, therefore, not surprising that the Hungarian prime minister was a central reference in the 2024 U.S. presidential campaign. While Democratic candidate Kamala Harris described Viktor Orbán as a 'dictator'<sup>47</sup>, the Republican candidate Donald Trump referred to him as an 'exemplary statesman'.<sup>48</sup> The personal relationship between Trump and Orbán has become excellent in recent years. Orbán, as perhaps the world's only sitting head of government who has stood by Trump all along, loudly announcing that he looks forward to his return. In this light, it is worth looking at what links these seemingly different statesmen.

### Trump and Orbán: Different Life Paths, Same Goals

The life paths of Donald J. Trump and Viktor Orbán reveal both similarities and contradictions. One of the most significant contrasts is their journey into politics. Trump spent most of his life in the business and media world and became involved in public affairs only at the age of 70. In contrast, Orbán's path led directly from university to parliament. He has been a member of the Hungarian legislature continuously since 1990. Eight years later, he became the Prime Minister at the age of 35. Although both Trump and Orbán embraced liberal ideals in their youth, they later forged international reputations as conservative statesmen. Another parallel in their careers is that they both experienced failure after their first term as leaders but managed to recover. Orbán needed two terms—eight years—to return as prime minister, while Trump regained the presidency in just half that time. The political views held by the two are also highly similar. Both are followers of political realism, believing in the interest of a nation and the primacy of power. They are convinced that the traditions of the past must be

maintained and preserved. Neither of them believes in the ideals of an open society; in their politics, they champion the nation-state and the importance of borders. They consider good neighbourly relations to be important but not essential, and at the same time, they do not accept that anyone from the outside should interfere in a state's internal affairs.

Although many—including Ambassador Pressman—have accused Orbán of placing Hungary solely at the mercy of Donald J. Trump, the Democrats, since the beginning of the second Orbán government (2010), have seen Budapest as neither an ally nor a partner with which they were willing to cooperate. The depth of the gap between the two leaderships is illustrated by the fact that Washington has maintained the double taxation avoidance regulation even with Moscow, even as it has seen that the same be cancelled with Budapest. It is also important to note that Hungary's policy in recent years has neither been an undivided success in the Republican Party. One example is Republican Senator Jim Risch, a top Republican on the U.S. Senate Foreign Relations Committee, who stopped a \$735 million arms sale to Hungary in 2023 in response to Hungary's temporary blocking of Sweden's NATO accession.<sup>49</sup> Consequently, it can be said that winning Trump's friendship does not automatically mean getting into the heart of the GOP.

However, it is also clear that the future U.S. President respects the Hungarian Prime Minister and values his opinion. If what has been suggested during the campaign is to be believed, when it comes to a question regarding Europe, Orbán's perspective will be asked and considered. This potential 'Trump card' in Viktor Orbán's hands may mean significant leverage in his 'freedom fight' with EU bureaucrats, including top officials, who have constantly aimed to silence Orbán and suppress his views.

We see a concord if we examine the Trump-Orbán tandem from the perspective of critical affairs. On the issue of migration, it can be said that Orbán has already built the wall in the southern part of Hungary that Trump also began to create on the U.S. borderline with Mexico during his presidency. In the election campaign, Trump has continuously set Orbán as an exemplary leader who protects his country against illegal aliens. Moreover, Hungary maintains its migration policy despite being fined €200 million by the European Court of Justice this summer, with an additional fine of €1 million per day until it is modified. This is an unprecedented intervention by an EU body

into Hungary's internal affairs and sovereignty. Hungary decided not to submit to the judgment and not to pay it.<sup>50</sup>

Orbán was received by the President of Russia and China in early July, a few days apart. Shortly before that, he met with the President of Ukraine and, finally, with the then-presidential candidate in the USA. Likely no other European statesman today would manage to gain admission through all these gates, especially not at such a rapid pace. For this reason, it can also be assumed that Orbán may become an essential asset in Trump's plans. For Orbán, this could bring further international appreciation. At the same time, Trump has said countless times that he was elected President of the United States, not the President of the World. Where American national interests clash with Hungarian national interests—such as relations with Beijing or Moscow—friendship and Orbán's diplomatic sense can play a significant role. At the same time, Donald Trump is an experienced businessman who believes in the 'art of the deal'. It can be assumed that he will make a profitable deal with China and Moscow, giving Hungary the green light to do the same.

## Conclusions

Donald J. Trump has won a landslide victory in the U.S. presidential election. He promised significant changes, many of which he modelled on Hungary. Viktor Orbán was the first sitting politician in the World to admit that a Trump victory would be better for Europe. This happened in 2016. Nothing has changed since. The relationship between Trump and Orbán has become personal over the last eight years. Just like earlier, in 2024, Orbán was the most vocal supporter of the 45<sup>th</sup> U.S. president during the election campaign. Although Hungary and the United States differ in many ways, the population gave the same mandate in the recent elections: to build and maintain a classic nation-state and put it in the first place. The path is, therefore, familiar, and while Viktor Orbán may be able to help the American president with the experience gained during his 35-year political career, Donald J. Trump can give him a tailwind in matters where there have been only headwinds so far. There is a historic chance for American-Hungarian relations to peak, and it depends in no small part on the two leading players.

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