

## Fidesz: the year ahead

*Fidesz is experiencing a slight tailwind going into 2013, reinforcing an already relatively strong position. After the Constitutional Court scuttled its main strategy for keeping the biggest risk factor, disaffected voters, at home during the election, however, the strategic choices available to the governing party for the remainder of its term are also more significant electorally. One obvious option is a piece of budget populism. Splurging a bit after years of recession might be welcomed by a financially depressed electorate. This scenario is of course limited by the still pressing debt problem, but the government will likely use whatever latitude it has. The government might moreover decide to become a bit more conciliatory, seeking to change its divisive image. That is not a certainty, however: some incumbents have fared better with polarisation, and this may be the last time Fidesz has access to a constitutional supermajority, which is a major temptation to wreak some more havoc.*

Over the Christmas break, Fidesz' re-election effort was dealt a huge blow by the Constitutional Court, which found the voter registration scheme adopted in the context of the new Act on Electoral Procedure unconstitutional. Fidesz' most combative ideologist, the president of the Hungarian Parliament, László Kövér, lamented the Court's politically motivated decision, oblivious to the irony that Fidesz' nominated the majority of judges on the current Court. Politicised or not, it is true that the Court did not mince words as it ruled against the government on this issue, noting that the registration scheme constitutes an undue burden on citizens' suffrage that the government had failed to justify.

There are signs that taxpayers will pay dearly for the Constitutional Court's decision to let the "idiots", as a Fidesz politician referred to the masses of voters Fidesz would have preferred to see at home during the elections, near the ballot box again in 2014. In line with previous elections, when governments have sought to - and usually failed - to secure re-election with lavish spending and promises of even more - Fidesz, too, appears inclined to open the bourse for some publicly funded campaign spending.

### ***Spend all***

If you can't keep them at home, then you must buy them off to make sure they enter the voting booth with a slightly better disposition than most people tend to have now, with Hungary seemingly incapable of leaving the enduring crisis behind and the stagnation making itself felt in the pocketbooks, too.

Shortly after the Court's decision the idea of an additional, 13th month of pensions popped up. An additional monthly pension is a perennial hit of Hungarian populist politics, with both major parties having promised it at one time or the other. The previous MSZP government even introduced it, only to abolish it once the budgetary situation went out of control.

Though many of its methods were dubious at best, Fidesz has managed to keep the budget deficit in check thus far. There are growing doubts whether it will be able to do so in the short to medium term, however, and part of the concerns pertain to anticipated election spending. However, Fidesz has its own unique measures to ease the burdens of voters

before the elections without spending the state's money: they spend the money of the multinational companies. After forcing the mostly foreign-owned utility companies to cut the household energy prices by ten percent in January, the government plans to reduce the costs of gas, water and energy with another 10+10 percent within a year.

## ***Consolidation or confrontation?***

Fidesz is expected to increasingly subordinate its politics to the real or perceived needs of an electoral victory in 2014, but there are at least two different ways in which this could play out. One theory is that Fidesz will translate into practice the previously announced policy of "consolidation", that is it will move away from controversial policies and seek to portray itself as a party that is best capable of bringing some level of peace into the heavily divided Hungarian social and political realm. That may be a tough sell in the case of those who have actually paid attention to Hungarian politics over the past years, but political memories are notoriously short, and an adept use of the year and a half ahead might actually do the trick. Some signs in this direction are Fidesz' tactical retreat on its higher education reform and Antal Rogán's declaration that though it could enact voter registration in spite of the Constitutional Court's ruling, it won't use the raw force of its supermajority to do so. These might be construed as signs of a more conciliatory Fidesz going into the 2014 campaign.

Yet Fidesz has often chosen a course of confrontation at critical junctures in the past, and it may decide again that with the huge numbers of disaffected voters who are likely to stay home, it may profit more from energising its remnant base with a polarising campaign. As we pointed out repeatedly before, the "remnant" camp remains quite formidable in size, leaving Fidesz well ahead of all competitors. In fact, the long drought of declining poll numbers appears temporary halted for the governing party; its popularity has slightly risen both among the electorate at large and likely voters. With the opposition thus far unable to rouse the vast masses of undecideds, Fidesz remains best positioned to win an overwhelming majority of single-member constituencies, and with that the election, too.

## ***The quandaries of losing a supermajority***

Some additional factors point in the confrontational direction as well. Even if Fidesz were tempted to pursue some strategy of social appeasement, there is the problem of the vanishing two-thirds majority: even in the case of a still likely victory, Fidesz is near certain to lose its two-thirds majority. The current supermajority is like a genie, though the limitation is not for the number of wishes the owner has, but rather in terms of time: it stands to expire in the spring of 2014. When it's gone, Fidesz will no longer have recourse to easy fixes for problems that require a two-thirds majority, nor will it be able to shape the constitutional order at will. In short, the remaining 14-15 months may be Viktor Orbán's last chance to finalise his vision of Hungary.

In the past, many details of this vision have proven controversial, and it appears that that may continue to be the case. Two recent examples immediately come to mind, and they both illustrate the potential untenability of any effort at appearing less divisive. Being dissatisfied with the Court's recent decisions - and especially the impugned decisions' references to the Court's previous, pre-Fundamental Law (i.e. Fidesz' new constitution) jurisprudence - the governing party now contemplates a constitutional amendment that

would completely annihilate two decades of constitutional jurisprudence and forbid the judges to refer to previous case-law. Similarly, while it has reconciled itself to the fact that registration would be too hot to pass in the context of 2014, Fidesz' politicians are now publicly musing about the possibility of adopting a law that would introduce it in 2018 - without a constitutional majority to override a decision, even an opposition victory in 2014 would leave voters and the current opposition parties with the major problems that registration implies - and the corresponding electoral advantages for Fidesz.

Fidesz starts 2013 with a massive and slightly growing edge, but also a very obvious and huge Achilles heel: vast numbers of disaffected citizens with no clear political preferences but potentially rousable by the prospect of punishing a government that has left them bereft of hope. The billion forint question is of course how Fidesz can consolidate its edge and keep the disillusioned folks at home without registration. It is far from clear whether at this point the government has a clear electoral strategy for 2014 and it is possible that we will spend 2013 veering between conciliatory gestures interrupted by hardline, divisive interest assertion.