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HUNGARY POLICY ALERT #3

Electoral code amended, concerns about further changes remain

Ahead of the upcoming 2022 parliamentary elections, the Hungarian governing coalition passed an amendment to the country's electoral code on 15 December 2020. The amendment introduces stricter conditions for parties to register national lists in the elections, which in practical terms seems to be forcing the parties of the democratic opposition to run on one joint party list. While adjustments to the electoral map were anticipated and are slowly overdue, the governing parties voted against the politically neutral proposal filed by the opposition that addressed the issue, even though it earlier enjoyed the support of Fidesz – KDNP. Blocking this amendment suggests that the governing parties have more far-reaching plans regarding the electoral districts, which they can easily pass as long as they hold a two-third majority in the parliament. As this raises concerns about prospective gerrymandering, following these developments will be crucial.



Election poster in Budapest for Viktor Orban, 2018. Source: nytimes.com (Adam Berry/Getty Images).

As 2020 is coming to a close, the agenda of the Hungarian parliament's last sessions are dominated by concluding debates and voting on pending legislative initiatives, among them on the [amendments to the electoral code](#) submitted to the parliament by the government on 10 November. The final set of amendments were put up to a vote and were adopted by the



governing coalition of Fidesz – Christian Democratic People’s Party (KDNP) with a two-thirds majority on 15 December 2020.

The most important change proposed by the government to the electoral code in November was the amendment of the rules regulating the registration of national party lists for the parliamentary election. 106 of the Hungarian parliament’s 199 seats are contested in single mandate electoral districts, while parties or party coalitions also compete for the remaining 93 seats on national party lists – thus giving citizens two votes in the elections. So far, national party lists could be registered if parties or their coalitions managed to nominate candidates for the elections in at least 27 single mandate districts across nine (out of the 19) counties as well as in the capital. The initial amendment of the government sought to increase the minimum number from 27 to 50, while leaving the number of counties where nominations are required untouched. By the time the amendment was brought to vote in the plenary, however, conditions were made even stricter. In line with the [modification](#) submitted in the committee phase by János Volner (independent MP) in order to be able to register a national list, parties now need to nominate candidates in at least 71 out of the 106 single mandate districts across 14 out of the 19 counties in addition to the capital.

The move was argued to address the problem of [so-called dwarf or fake parties](#), nearly a dozen of which competed in earlier elections without real social backing, deceiving voters, and gaining access to public campaign funding after filing just enough candidates required for national lists. Though the newly introduced stricter requirements make it harder for such parties to register national lists in the next elections and thus access public funding, their participation remains possible.

At the same time, the stricter conditions of the new amendment seriously impact the prospective plans and strategies of six parties of the democratic opposition (the Democratic Coalition (DK), Dialogue, the Hungarian Socialist Party (MSZP), Jobbik, Momentum and Politics Can Be Different (LMP), which [announced](#) in August that they would not compete against each other in single mandate districts and, after a pre-election process, would nominate only one candidate in the individual districts in order to stand a better chance of defeating the governing Fidesz – KDNP coalition in 2022. In light of the new conditions, if the six parties want to uphold their pledge, they will be forced to field candidates jointly and register a single national list. Though the parties have not openly refused the possibility of a single list before, they also did not reach an agreement yet on their own. The amendment passed in December, however, leaves no room for other options. Registering more than one national list is no longer mathematically possible without overlaps in the single mandate districts and without consequent competition. Meeting the challenge of fielding at least 71 candidates may also pose difficulties to smaller parties, like the satirical Two-Tailed Dog Party or the extreme right

Our Homeland Movement, which will need to expand their local organizational networks significantly in the coming year and a half to be able to pass the hurdle.

Following the submission of the government's amendments in November, the expectation was that the governing coalition would also file a proposal to make adjustments to the electoral map. As the [National Election Office earlier pointed out](#), the population size of several electoral districts in Pest county by now diverge more from the national average than allowed in the electoral code, and adjusting their borders would slowly be overdue, as according to the current regulations, the electoral map can no longer be changed in the year of the national elections and in the preceding year anymore. Minister of the Prime Minister's Office Gergely Gulyás, however, [announced](#) in November that the government was not planning on any such amendments unless the opposition also supported it. As the government made no such move nonetheless, opposition politician Tímea Szabó (Dialogue) submitted the politically neutral [proposal](#) of the National Election Office, which gained support in the responsible committee dominated by the governing parties. It subsequently was passed on to the plenary for a final vote. Though it seemed that there is a consensus, the governing majority in the end voted against this amendment addressing the electoral districts, several of which thus remain in breach of the legal requirements.

It is unclear why the governing parties opposed the latter amendment at the final vote, considering that they supported it shortly before in the committee. If the Fidesz – KDNP coalition only wanted to make changes to the electoral map that enjoys also the opposition's support, then the logical step would have been passing the filed amendment. The withdrawal of their support in the last moment, however, suggests that the governing parties have different plans with the electoral map. As long as they hold a two-third majority in the parliament, they will be able to grant themselves an extension and adjust the district borders in the coming year and a half as they please. Such bending of the rules would also not be without [precedent](#): the Fidesz – KDNP coalition adjusted the electoral map less than a year before the 2014 elections, as well, using its two-third majority. As the diverging districts in Pest county must be adjusted ahead of the 2022 elections, this will likely be the case again – in which case, it is highly unlikely that the government will leave the rest of the map untouched.

For an analysis of the initial amendments submitted in November, click [here](#).

The article was closed on 16 December 2020.

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