

Viktor Orbán's views on the death penalty could push Hungary further to the margins of EU politics

 blogs.lse.ac.uk/europpblog/2015/06/03/viktor-orbans-views-on-the-death-penalty-could-push-hungary-further-to-the-margins-of-eu-

6/3/2015

Abolishing the death penalty is a precondition for membership of the European Union and opposition to capital punishment forms one of the key elements of the EU's human rights policy.

Gergő Závecz writes on recent statements by the Hungarian Prime Minister, Viktor Orbán, in which he expressed support for opening up a debate on the subject. He notes that while Hungarian public opinion appears supportive of reinstating the death penalty, Orbán's precise motivations in raising the subject are unclear.



On 28 April, after [being asked](#) about a homicide which had happened a few days earlier, Viktor Orbán, the current Hungarian Prime Minister, 'spoke in favour of keeping the issue of the death penalty on the agenda', and claimed that other methods introduced for deterrence are not sufficient enough. Two days later, János Lázár, a Minister heading the Prime Minister's Office, [expressed](#) that the PM only wanted to initiate a debate on the death penalty and that there is no aim to reintroduce it. He added that Orbán assured Martin Schulz, President of the European Parliament, about his intentions.

On 8 May, in one of his regular interviews with public broadcaster Kossuth Radio, the Prime Minister [claimed](#) that a debate on the possible effects of the death penalty should be started; that it would be better to give back the choice on capital punishment to EU member states; and that he is only in favour of the death penalty if other ways to protect citizens are not effective enough. Finally, on 19 May, Orbán [argued](#) in the European Parliament that as with other values and issues, the death penalty can and should be the subject of debate and that the rules on the matter can be changed, as with any other set of rules. However, he also emphasised that Hungary complies with existing EU rules.

The claims made by the Hungarian PM received high EU-wide attention in both the political sphere and in the media. A Council of Europe official, its [Human Rights Commissioner](#), and leading EU politicians, such as [the European Commission President](#), [the Commission First Vice-President](#) and [several EP party leaders](#) condemned the death penalty. A debate on the situation in Hungary was [held](#) in the European Parliament partly because of Orbán's related statements. A similar debate on the meaning of what was said took place between [the Guardian](#) and [a Hungarian Government Spokesperson](#).

The death penalty and its perceptions in Hungary

The last year when capital punishment was used in Hungary was 1988. It was [abolished](#) in 1990 by the Constitutional Court ([Decision 23/1990](#)). In the following years multiple international norms were [adopted](#) by the Hungarian Parliament (Sixth and later Thirteenth Protocol to the ECHR and Second Optional Protocol to the ICCPR) prescribing the abolition of capital punishment. In 2004 Hungary joined the EU where all member states [signed and ratified](#) international norms against the death penalty (the last one being [Latvia](#)).

It is difficult to uncover trends in public opinion on the issue of capital punishment in Hungary as it has rarely been included in public opinion polls. However views appear to be more or less stable: citizens seem to be divided but rather in favour of the death penalty. An Ipsos poll in [1991](#) put support for the death penalty at 77 per cent, while polls conducted by Tárki in [2001](#) (64 per cent) and [2002](#) (60 per cent) showed similar levels of support, as did a [2007](#) poll by Medián (63 per cent) and a [2013](#) poll by Iránytű (55 per cent in ordinary circumstances, but 66 per cent in special cases).

To put the Hungarian levels in context, the [2008 wave](#) of the [European Values Study](#) shows that Hungary had the highest levels of support for the death penalty after Latvia among 47 countries: 52 per cent of the Hungarian respondents scored 6 or higher on a 0-10 scale. The figure below shows how views differed across supporters of different Hungarian political parties, with Jobbik voters being more in favour of the death penalty than supporters of other parties. However, partisanship did not have a statistically significant relationship with this attitude based on a chi-square test for independence.

Figure: Views on the death penalty in Hungary by political party (2008)



Note: Figures are from the [European Values Study](#). Only parties in the current parliament are shown – some of the current parties did not exist in 2008. For more information on the parties see: [Fidesz](#); [Christian Democratic People’s Party \(KDNP\)](#); [Hungarian Socialist Party \(MSZP\)](#); [Jobbik](#).

Party-level attitudes have a similar spread to those of citizens, with Jobbik the most supportive of the death penalty; however, overall the views of parties are more hostile to capital punishment than the views of voters. Generally speaking, the opposition parties – [Politics Can Be Different \(LMP\)](#), the [Hungarian Socialist Party \(MSZP\)](#), [Together \(Együtt\)](#), [Dialogue for Hungary \(PM\)](#), and [Democratic Coalition \(DK\)](#) are against the death penalty, while [Jobbik](#) is for capital punishment.

However, this general picture is more nuanced than it appears. First, only two parties considered the issue to be important enough to discuss it in their party manifestos prior to the 2014 elections: [DK](#) and [Jobbik](#). Secondly, within the leading coalition of Fidesz and the Christian Democratic People’s Party (KDNP), there are opposing views: some members of Fidesz are for capital punishment (e.g. [János Lázár](#)), while some others are against (for instance [György Schöpflin](#), MEP). The KDNP is firmly [anti-death penalty](#), and have [emphasised](#) that they do not support any form of taking another’s life (euthanasia, abortion or wars).

Finally, changes over time should be taken into account. [Historically](#), the cultural left in Hungary has been against capital punishment, while the right has been divided on the issue. However, there have been [cases](#) when this was not true: for instance, in 1996 Gyula Horn, who was Prime Minister at the time, [considered](#) holding a referendum on the subject, and [personally supported](#) the reintroduction of capital punishment. Orbán offers another example: when [answering](#) a question in the Hungarian Parliament in the wake of a murder in 2012, he referred to the international

norms and rules signed by Hungary to explain why a debate is not appropriate on capital punishment.

Why now?

Debates on the death penalty [get stronger in Hungary after murders](#) – for instance, Orbán also [raised the issue](#) in 2002 after eight people were killed in Mór in a bank robbery. However, as noted above, in 2012 he referred to international norms when asked about capital punishment. So the logical question is why he has changed his mind recently on the appropriateness of a debate.

There are many plausible arguments stemming from both the governing and opposition sides of Hungarian politics. When asked about Orbán's words, politicians and opinion leaders from the governing side have tended to give general answers focused on the [public will](#) of citizens, the historical [lack of a referendum](#) on the subject, [freedom of speech](#), and the notion that European elites do not want a debate on the death penalty since they are [afraid](#) of mass public opinion.

However, these arguments do not give an answer for the question on the current appropriateness of such a debate. Most recently, on 26 May the Prime Minister [argued](#) in the Hungarian Parliament that the debate on capital punishment should be initiated since the EU wants to force Hungary to abolish life prison sentences without parole. Thus, according to Orbán, a step forward should be taken instead of approaching the issue from a purely defensive perspective.

On the side of the opposition, party figures and critics usually raise three interrelated narratives when discussing the PM's recent words. First, they are aware that [given](#) a majority of Hungarians support the death penalty, it seems to be an issue in which Orbán can show that he agrees with the citizenry and can easily gain votes. Secondly, [current trends](#) and [multiple by-elections](#) show a decreasing support for the Fidesz-KDNP coalition, and a growing vote share for opposition parties, especially for Jobbik. Many analysts [think](#) that Fidesz has attempted to attract a section of Jobbik's supporters by adopting similar rhetoric and by citing its favourite topics – even Gábor Vona, Jobbik's Chairman, has [formulated](#) a similar account. Finally, some figures have characterised the issue as an attempt [to divert attention](#) from political scandals and [highly contentious](#) laws on National Tobacco shops.

Ultimately, the reintroduction of capital punishment is an issue which has appeared on a recurring basis in certain EU countries. Alongside Hungary, it is frequently cited by [western European far-right parties](#) and in [post-communist Europe](#) – even by [more mainstream parties](#). However, given both the national and the European context, such as Orbán's [statements on immigration](#), [economic tensions](#) and [disagreements about foreign policy](#), it is perhaps unsurprising that the reactions to the Hungarian Prime Minister's words have been much harsher than usual.

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Note: This article gives the views of the author, and not the position of EUROPP – European Politics and Policy, nor of the London School of Economics.

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