

The effects of neoliberal social policy on the institutional selectivity of the Hungarian K-12 educational system from a socio-legal perspective

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ABSTRACT

There is a general consensus in mainstream education sciences and sociology that the Hungarian educational system has long been highly selective.¹ Although the majority of Hungarian society has high hopes that the educational system promotes social mobility, empirical studies show that the problem of selectivity has not been handled effectively, regardless of the multitude of changes in education policy in past decades.² It has become a very fashionable theme in the past few years to denounce the detrimental effects of neoliberalism on the educational system for this failing.³ We, however, argue that neoliberalism has only played a secondary role in the controversial evolution of educational policy, while its chief causes may rather be found in ambiguous education legislation.

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¹For example, Csapó et al. (2014); Ferge (2017); Pogátsa (2016); Róbert (2018); Zolnay (2016).

²Fejes and Szűcs (2018); Széll and Nagy (2018).

³Mészáros (2013); Tóth (2016); Tóth et al. (2018).

As a result of the aforementioned controversy, the impact of neoliberal economic policy on the institutional selectivity of education needs to be clarified. Accordingly, this paper aims to highlight the main patterns of how the neoliberal idea has affected education, as well as its side effects on social mobility.

KEYWORDS

democratisation, education and economic policy, equal opportunities, equal treatment, neoconservatism, neoliberalism, right to school selection, educational inequalities and COVID-19

1. INTRODUCTION

Although several pieces of work analysing the ideological background of educational policy have been published in Hungary in past decades, they have tended to approach the subject from the perspective of sociology or educational science and have focused less on the role of educational law. This paper aims to fill this gap by focusing its analysis on education law and its socio-political background. The paper mainly focuses on the potential connection between the neoliberal agenda and K-12 education⁴ in light of legislation and social policy. The aim of this paper is to highlight the socio-political and social consequences of the legislative changes in public education law over the last three decades.

On a methodological level, the paper employs analytical mapping to discover and scrutinise the causes of selectivity in education and its influence on social mobility. The authors' methodological conviction is best summed up in Lawrence M. Friedman's summary of the methodology of law and society: 'Looking at the way law and society relate to each other is an extremely important task for legal scholarship. No social scientist working today has any doubt that legal systems matter a great deal in society, or that legal systems are linked to their home societies.'⁵ According to Friedman, socio-legal researchers must answer two questions: (1) where does law come from; and, (2) what are the effects of law? The authors of this paper seek to answer these two questions by outlining the last thirty years of educational law. The chosen methodology aims to explore the current state of significant social issues while analysing the concepts behind policy decisions and legislative acts.⁶ Furthermore, the study evaluates its findings vis-à-vis the idea of social citizenship⁷ to depict the saddening significance of enduring selectivity on social integration.

To give a short summary, Hungary is a relatively young East Central European democracy with a thirty-year history of democratic politics that was preceded by a forty-year-long communist dictatorship. From the regime change of 1990 until 2010, German-style, coalition-based multi-party governance characterised the political system. The national politics of the country after the landmark election of 2010, when the right-wing FIDESZ party won the general

⁴K-12 education is the short name (first-to-twelfth-year classes) for public education before college.

⁵Friedman (2016) 1.

⁶Miles and Huberman (1994).

⁷Marshall (1992); Szalai (2007).



elections with a two-thirds majority, was substantially altered. After the elections, a mostly neoconservative, single-party-dominated democratic structure was formed by the newly elected political elite. All of these political transformations had considerable effects on the system of national education. When scrutinising this approximately thirty-year period in education generally, three larger periods can be discerned: a pre-neoliberal or democratising period from 1985 to 1990/1993, a neoliberal one from 1990/1993 to 2010/2012, and a neoconservative period from 2010/2012, which markedly differed from the previous two. As to the subdivision of Hungarian educational legislation, Árvai identifies four different eras from 1985 onwards.⁸ The Act on Education of 1985 (hereinafter referred to as 'EA') was still a product of the socialist state, but several progressive principles appeared among its rules, such as the decentralization of the public education system (decreasing control of the state party), increasing the autonomy of professional operations, awarding veto rights during the election of principals, etc.⁹ In connection with the political transformation, the democratisation of the act occurred in 1990. The period between 1990 and 1993 can be deemed the second era, albeit a rather interim one. In 1993, the Hungarian parliament passed a new act (Act on Public Education of 1993 [hereinafter referred to as the 'PEA']) which was in force until 2012 (partly until 2014), when the Act on National Public Education of 2011 (hereinafter referred to as the 'NPEA') entered into force. The era of the PEA is the third period; the fourth is the current one. Furthermore, we cannot view the nearly two decades between 1993 and 2012 as a consistent period. Szüdi, who also considers 1990 to be a boundary, reminds us of two relevant modifications of the PEA in 1996 and 1999.¹⁰ We should add to this list the crucial amendment of 2003. As Szüdi highlights, although the role of the PEA was securing a stable legal framework for education, it was amended every year.¹¹ Among these amendments, one was especially important (in 2015) that reorganised the system of maintenance, which was only established in 2011. This amendment founded a new institution called the Klebelsberg Institution Maintenance Centre, an organisation which dealt with the maintenance of public schools. With the establishment of this centre, the municipalities ceased to be maintenance authorities and the government exercised maintenance rights through this centre, meaning that all powers, including those of employers' rights, were concentrated in the hands of one person, the president of the centre. After this proved to be an unworkable solution the centre was reorganized to a coordinating organization (the Klebelsberg Centre) which still possesses most of the afore-mentioned rights through the school districts under it.¹²

This phenomenon can be explained by the fact that education is a sphere which affects almost the entirety of society; the government can easily reach a large group of voters through public education policy, which was particularly the case during the decades before 2010. The question of the fundamental rights connected to education, as well as the organisational and financial issues associated with education, are politically divisive. However, one principle seems to be a consistent element of the legal background: the right to education as a subjective right.

⁸Árvai (2013).

⁹Halász (2009).

¹⁰Szüdi (2001).

¹¹Szüdi (2001).

¹²Rónay (2018a).



Independent of the main characteristics and the ideological ties of a given government, securing equal access to the services of the entire system of public education was never in question.

Before we dig deep into the story of the last thirty years, it is necessary to clarify what the authors understand by neoliberalism and neoconservatism, as this terminology could be somewhat factious or even misleading. Regarding the ideological impact on educational policy, one cannot easily detect any differences between neoliberal and neoconservative policy. However, nowadays it is clear that neoconservatism is the main creed of Hungarian national cultural policy. The government's policies give more freedom and generous financial support to church-affiliated schools, indirectly encouraging families to enrol their children into religious educational institutions. As a result of this support, high-quality education is better ensured in religious educational institutions than in state-owned schools.¹³ Although the principles of the neoliberal and the neoconservative ideologies – at least on the level of slogans – are different, their results are the same. A good education is less accessible to families with a disadvantaged background, and the number of these excluded families is increasing.¹⁴ This means that equal opportunities are not realised in practice.

Although the educational inequalities in Hungary were serious even before the COVID-19 pandemic, the latter has only exacerbated the situation.¹⁵ Scholars worldwide agree and several research findings now show that access declined dramatically for most students.¹⁶ This trend typically hit the most vulnerable groups of society hardest. In addition, families without an internet connection or appropriate devices usually live in the most underserved parts of Hungary.¹⁷ The pandemic has again drawn attention to the fact that the gaps that exist between several social groups are reflected in educational opportunities, creating a loop that it is almost impossible to break out of.¹⁸

2. A SHORT OVERVIEW OF THE HUNGARIAN EDUCATION SYSTEM AND ITS CONNECTION WITH ECONOMIC POLICY THEORIES

The state-funded structure of the Hungarian K-12 educational system has not been altered significantly in recent decades, not counting the fluctuation in the mandatory school age and the length of vocational training.¹⁹ Public primary schools offer eight years of primary education, from the age of six to the age of fourteen. Secondary education consists of three different types of

¹³Neumann and Berényi (2019).

¹⁴Ferge (2017).

¹⁵The paper examined educational inequalities primarily in terms of inequalities arising from the socioeconomic status of students' families, and briefly addressed the issue of the inequalities arising from minority status. In addition, educational inequalities can arise from a number of other sources, such as gender, disability, and migration. However, the authors of this paper argue that until the issue of inequalities arising from social status is addressed in public education law, one cannot begin to tackle other forms of educational inequality.

¹⁶Popa (2020); Major et al. (2020).

¹⁷Hermann (2020); Koós (2020); Kovács Szitkay et al. (2020).

¹⁸Di Pietro et al. (2020).

¹⁹Ferge (2017); OECD (2018).



institutions: academic high schools, vocational high schools, and vocational schools. Both previous and current regulation make it possible to create training courses of either six or eight years in academic high schools (and lately in vocational high schools). In the former case, students begin secondary education at the age of 12; in the latter at the age of 10. In these types of secondary schools students ultimately take the Matura, which is the precondition for admission to higher education. Compared to the latter two types of school, vocational schools maintain a three-year training period followed by a professional exam, which does not make them eligible for admission to higher education institutions. A further difference between academic high schools, vocational high schools, and vocational schools is their connection to the teaching of general and cultural knowledge: the current Hungarian educational system clearly declares that this is not a task for the latter – it is not excepted that students in vocational schools should acquire this knowledge, which is yet again a sign of the lack of equal opportunities.²⁰ The mandatory minimum school-leaving age is 16 years. However, there was a sixteen-year-long period – between 1996 and 2012 – when the mandatory minimum school-leaving age was raised to 18 years.

As mentioned in the introduction, the Hungarian educational system has a very significant attribute which is referred to in nearly every scholarly paper on the topic: the selectiveness of the system.²¹ Although society traditionally has high hopes concerning the societal role of the educational system, especially the positive role of education in social mobility, empirical findings do not show that the educational policy of the last three decades was an indisputable success.²² It has become very fashionable in the last few years to denounce the detrimental effects of neoliberalism on the educational system for this failure. However, we think that the picture is much more complex and saddening than the related papers show.²³

From a human rights viewpoint, the progress of the national educational system is certainly neoliberal, taking into account the fact that the emerging political order of the 1990s professed its faith in the Western human rights system, which was mostly dominated by the neoliberal, Anglo-American political philosophy and political practice of the 1970s and 1980s.²⁴ This also meant a refusal to recognise the enforceability of social and economic rights.²⁵ Thus, the right to education never obtained a privileged place in the Hungarian rights regime. As will be shown in the following chapters of the present paper, the Hungarian rights discourse has adapted a model in which the welfare rights approach of the Western welfare state was predominantly abandoned, which also greatly contributed to educational inequalities.²⁶

As mentioned, blaming neoliberalism for the selectiveness of the educational system oversimplifies the real process of the thirty-year-old history of national educational reforms. Calling policy changes ‘continuous’ is not accidental. Hence, the chain of ill-considered and short-term ‘reforms’ and strategies are to blame for the mishaps of education, rather than the ideology of

²⁰Rónay (2018b).

²¹For example: Csapó et al. (2014); Ferge (2017); Pogátsa (2016); Róbert (2018); Zolnay (2016).

²²Fejes and Szűcs (2018); Széll and Nagy (2018) 57; Tóth et al. (2018).

²³Mészáros (2013); Tóth (2016).

²⁴Ferge (2017); Szalai (2007).

²⁵Juhász (1995); Juhász (2015).

²⁶Szalai (2007).



neoliberalism alone.²⁷ According to research published in recent years, both socioeconomic and ethnic segregation have increased in Hungary in recent decades. It should be stressed that although some desegregation efforts were made by the government between 2002 and 2010, these programmes did not have major social impact. In comparison, there has also been a backward step in educational integration since 2010. The main reason for this is the lack of uptake of integrated education and the consequent segregation of disadvantaged and Roma pupils in segregated schools.²⁸

If we seek to label the ideology behind the legal provisions of the last thirty years using a materialist perspective, it is true that neoliberalism is nearly the only palpable theory which could be applied to the quixotic educational system between 1990 and 2010.²⁹ After 2010, the ideological framework of education became more disturbing as the government's cultural ideology significantly changed into a nationalistic, neoconservative one, whereas the economic arrangements still resemble neoliberalism.³⁰

For the term 'neoliberalism' we accept the definition of Pogátsa, who characterises it as an economic theory which has its roots in the Austrian school: as a free market run by free men who are almost completely independent of the state.³¹ As a result, neoliberalism puts less emphasis on the system of education.³² From a neoliberal viewpoint, education is not among the primary duties of the state, as what kind of an education people opt for depends on their free will. As Angus notes, the 'important element of the neoliberal consensus is that schools and other providers of services are expected to be responsive to market discipline and to adopt an enterprising approach by anticipating and satisfying the expectations of education consumers.'³³ Thus, neoliberal policymakers conceptualise the financial options for participation in education as only dependent on each person's diligence: whoever work hards can earn enough money to ensure their own education.³⁴

The authors of this article share the view of Liebenberg that the aforementioned neoliberal educational policy causes serious 'income and resource disparities [which] result in the unequal enjoyment, not only of socio-economic rights, but also civil and political rights'. These disparities could lead to a 'vicious spiral of inequality as disparities in political power perpetuate unequal access to socio-economic rights which in turn deepen political inequalities'.³⁵ These neoliberal policies contrast with the more inclusive idea of social citizenship developed by Marshall.³⁶ The latter presupposes a stable welfare system which can provide not only first-generation human rights but also economic, social, and cultural rights. The existence of a

²⁷Halász (2007) 54.

²⁸Fejes and Szűcs (2018).

²⁹Pogátsa (2016); Vajda (2013).

³⁰Ferge (2017).

³¹Pogátsa (2016).

³²Howard and King (2008); Pogátsa (2016).

³³Angus (2015) 396.

³⁴Pogátsa (2016).

³⁵Liebenberg (2015) 418.

³⁶Marshall (1992).



universal and equal educational system which could help to stimulate equal opportunities for all is an inherent part of the Marshallian concept.³⁷ Although on paper Hungarian law has long embraced this idea of social rights, in reality it was the concept of neoliberalism which governed the shifts in education policy in the first three decades after the democratic transition, both in economic and cultural terms.³⁸

3. THE PRE-NEOLIBERAL PERIOD OF DEMOCRATIC TRANSFORMATION (FROM 1985 TO 1990/1993)

Before we elaborate on the cornerstones of the educational system in the last thirty years, it is necessary to introduce some background information about the structure before 1990. After the end of World War II, excluding a short democratic period from 1945 to 1949, the country was a Soviet-type communist dictatorship until 1989. Summarising the history of the socialist educational system, it is undisputable that it achieved noteworthy results in terms of eliminating illiteracy, enhancing gender equality, and making education from the primary to higher education level free for all.³⁹ These symptoms embedded the persistent and still-existing tradition of the gospel of education into national popular opinion.⁴⁰ Despite the considerable progress achieved in the first half of the communist era, sociological findings in the 1970s signalled some dubious tendencies with regard to educational equality, stating that, despite the official social policy of the state, the level of educational attainment was still mostly influenced by pupils' parental background.⁴¹ As Mihály et al. noted, selectivity based on social class already existed in Hungarian education before 1985.⁴² Moreover, they emphasised the growing burdens associated with the family, such as financing children's education.

In reaction to the resigned attitude of the state throughout the 1970s and 1980s, a new generation of education scientists was created and gained influence.⁴³ This academic circle was known for its advocacy of alternative pedagogies, free choice of schools, as well as greater professional and institutional autonomy, while their impact remained almost unmatched in forming educational policy. This may have made the infiltration of neoliberalism into crisis management arrangements possible. The new generation of pedagogical experts had a prominent role in the considerable liberalisation of the educational system in 1985 when the EA was enacted.

Unlike the regulations that followed after the political transformation, the EA did not mention the right to education as a guarantee of equal opportunities. The goal of the EA was individual development which would enable students to become good citizens of the socialist

³⁷Davy et al. (2013); Mori (2020).

³⁸Tóth et al. (2018).

³⁹Ferge (2017).

⁴⁰Radó (2001); Széll and Nagy (2018).

⁴¹For example: Ferger (1976); Ferger (1980); Gazsó (1976).

⁴²Mihály et al. (1984).

⁴³Radó (2001); Radó (2016).



state. In this context, the right to equal opportunities was not seen as a crucial element of education.

Regarding the connection between (public) education and transitory economic policy, some scholars approach this from the perspective of education. Around the beginning of the 1990s, the Hungarian economy was on the brink of financial failure, and the education sector was among those sectors in the direst situation. Therefore, the literature emphasised two aspects: first, the need for urgent intervention to stabilise the sector. This meant financial support for schools, the consolidation of teachers' wages, and infrastructural development. On the other hand, some experts recognised that the reorganisation of education was a necessary condition for fixing the national economy.⁴⁴

In parallel to the economic aspects of the transitory system of education, ideological elements also played a major role in the changes that occurred. Looking at the educational programmes of the major parties in 1990, we find three ubiquitous slogans in all of them: autonomy, democratisation, and decentralisation.⁴⁵ Although significant differences may be noted if one examines the entire content of these policy papers, it is obvious that all the transitory parties wanted to continue the process that started in 1995 which initiated the dissolution of the extensive, centralised, closely-state-controlled education system. All of these political organisations saw the future of education as existing within a more liberal, democratic, and decentralised system. The consensus among parties was a wish to eliminate hegemonic political ideology from schools and to reintroduce a moderate patriotism and optional religious education for students.⁴⁶ In analysing the related programmes, it becomes clear that education was a cornerstone topic for all political organisations, while more focused enquiry may shed light on the main differences between the conservative and the liberal sides. However, as Halász rightly observed, the never-ending urge to reform education did not allow these characteristics to unfold, and the disordered by-product of the first twenty years cannot be categorically identified with any political ideology.⁴⁷

Striving for greater freedom and autonomy in education surpassed any socioeconomic reflexions about the transitory educational programmes.⁴⁸ As discussed above, the young democracy inherited a somewhat unjust system from the previous political period. The new political class had to deal with serious socioeconomic inequity and the dissolution of the former centrally planned socialist economy, which in many ways shaped the means of education – especially the structure of secondary education. The absence of socioeconomic sensitiveness was manifest principally in the institutional negligence of equal opportunities, which only appeared on the horizon of educational legislation in the early 2000s.⁴⁹

According to Kozma, while in 1984 the former educational reform was grounded in thorough concepts, the codification of the public education act lacked such coherence.⁵⁰ The lack of

⁴⁴Kozma (1992).

⁴⁵Halász (2007); Halász (2015).

⁴⁶Halász (2007); Radó (2001).

⁴⁷Halász (2007).

⁴⁸Pogátsa (2016).

⁴⁹Halász (2007).

⁵⁰Kozma (1992).



consensus and of a clear conception resulted in no comprehensive change in the state education system, although the consequences of the reforms had many disputed, long-term structural results.⁵¹ Nevertheless, it is not surprising that it is in the area of financing where the signs of neoliberal economic policy are apparent in expert conceptions of the bill. These emphasise that it is necessary to have additional sources of income besides state financing, thereby making the role of the market more meaningful.⁵²

4. THE NEOLIBERAL ERA OF HUNGARIAN EDUCATION (FROM 1990/1993 TO 2010/2012)

As we saw above, equal opportunities were already among the goals of the EA, but with less emphasis. The rule that a right to education was guaranteed for everyone meant the disappearance of the differentiation between political classes rather than the abolition of inequality between social classes. Although the EA prescribed that the state should provide support to disadvantaged people, thereby promoting social equality, this did not mean that the state was liable to guarantee equal admittance or that education had the task of guaranteeing it. The promulgation of the PEA was a turning point. First, from studying the reform concept of the new act on public education it is clear that the experts approached the topic from the perspective of students and teaching. In spite of legislators' goodwill, it was still a crucial and unresolved question whether the state could provide high-quality education for every child. The reform concept used terms such as 'sectoral neutrality' in connection with financing, which leads to the introduction of the principle of the right to suitable education. This means that the authors of the concept thought that it was the duty of the state to secure the financial resources for the necessary quality of education, whatever the sector.⁵³ Therefore, it is not surprising that equal opportunities appeared in the PEA as the basis on which the exercise of the right to education could be ensured. Accordingly, promoting equal opportunities was not only a task of the state but the elementary substance of education, as the legislator had at last realised that education could be an effective means of overcoming inequality. As we shall see later, this approach ended when the NPEA was enacted. It is noteworthy that the importance of equal opportunity was declarative rather than realised in practice. In fact, there were two meaningful rules which were necessary elements of the freedom of education on the one hand, and helped in the fulfilment of neoliberalist principles on the other. One we have already mentioned: the free choice of schools. While under the EA this was an exception, the PEA declared that parents are entitled to the free choice of education or educational institution. This is a substantive difference. The expanded rights of parents meant that this choice could be based on ability, interest, religious or ideological belief, or national or ethnic affiliation.

Consequently, free choice of school generated a very competitive school system, where competition for pupils with better abilities started at the primary educational level.⁵⁴ This meant

⁵¹Radó (2016).

⁵²Péteri (1992).

⁵³Surányi (1992).

⁵⁴Berényi (2018); Loránd (2009); Loránd (2010).



that primary schools which had better academic results and were more liable to be situated in larger towns or cities could siphon off students from smaller municipalities. This led to geographical segregation between pupils and schools, as the least well-off families could not afford to commute to 'better' schools.

This phenomenon was strengthened with the introduction of six- and eight-year academic high schools, which operated in parallel to the traditional 'eight-plus-four' system.⁵⁵ These schools also lured students, often from better-off families with better learning outcomes, to these elite classes, contributing to the selectiveness of the system. The newly founded charter schools and church schools also had a similar effect on state education.

In addition to the previously mentioned rights, the PEA also introduced changes in the rules of school establishment. Originally, the EA did not make the establishment of schools (as well as kindergartens and dormitories) possible for anybody, except in some special cases. After an amendment to the EA in 1990, anybody could freely do so. The PEA not only declared that anyone had the right to establish an educational institution, but also regulated this among its principles and broadened it to include every type of educational institution: beside the state and local government (the minority self-government), church legal persons, business organisations, foundations, miscellaneous legal persons as well as natural persons were awarded the right to establish and maintain kindergartens, schools, colleges, pedagogical services, and pedagogical-professional services. Although the right to establish and maintain these institutions was equal, the conditions for it were not. Between 1993 and 1996, non-state (non-local-governmental) maintainers did not automatically have the right to funding, as it was necessary to conclude an agreement with the government to that effect.⁵⁶

The PEA's new policy of decentralisation in primary and secondary education meant that the previous ministerial management of these institutions shifted to the newly founded municipal councils. Today, it seems to be evident that this transformation occurred too early, as sufficient attention was not paid to the great financial differences that exist between these administrative units.⁵⁷ This reform is perhaps the biggest cause of the further expansion in the selectiveness of the system and the greater differences between state-funded schools.⁵⁸

Modifications of the PEA in the following years also contributed to the selectivity of the system. In 1996, a modification created the right to funding for non-state (non-local-governmental) maintainers, equal to that which local governments received for their school maintenance duties. Later, churches became entitled to additional funding.⁵⁹ Although neither equal opportunity nor the free choice of school was modified, the equalisation of the funding for maintainers affected equal opportunities indirectly. As opposed to the state (including local government) schools, which obtained funding only from the state, non-state schools had the opportunity to earn additional resources (or rather, state funding represented additional income). However, the goals of the regulation were based on the principles of liberalism and were not a result of neoliberal economic policy. These tendencies were strengthened in 1999 when

⁵⁵Halász (2000).

⁵⁶Szüdi (2001).

⁵⁷Halász (2007); Halász (2015).

⁵⁸Lannert (2008); Zolnay (2016).

⁵⁹Szüdi (2001).



parliament passed a modification which restricted the possibility for churches to conclude funding agreements with the government. According to Szüdi, this gave reason for concern because the new regulation harmed the principle of the equality of all maintainers and gave unequal treatment to several churches, while not providing additional funding for disabled students or minority education.⁶⁰ Moreover, this inequality among the non-state maintainers resulted in church-run schools obtaining better opportunities to offer a higher level of education, thus they increased their intake.

Between 2002 and 2010, under the socialist-liberal-led coalition administration, the neoliberal agenda was bolstered, although some signs of change were apparent from 1998.⁶¹ As a result, according to Radó, the influence of the educational elite of the 1980s on educational policy was lost and they were replaced by a younger generation of ‘expert’ politicians after the 1998 elections, when the formerly radical liberal and then liberal conservative FIDESZ party won the general elections.⁶² This generational turnover aimed to end prior malfunctioning and to establish a system of quality assurance in the field of education. These changes materialised in the renewal of central national curricula and the increasing impact of economics and OECD-based learning outcomes. The most important instrument for quality assurance would have been standardising public education at the same high quality in all public education institutions in the country. However, the national curricula specified the uniform requirement of obtaining the expected knowledge, and the law secured the transition between schools, thus theoretically it was a liberal regulation.⁶³

The intensification of ‘neoliberal’ educational policy from 2002 coincided with the electoral victory of a social liberal coalition and preparation for accession to the European Union in 2004. In line with Halász, we find that this was the second transition in education, as the new educational administration, led by the smaller liberal coalition partner, attempted to include new elements into the system with the accession process.⁶⁴ Approaching Hungary’s membership in the EU, parliament passed two important amendments in connection with the requirement for equal opportunities and equal treatment. Regarding their content, there are no significant differences between the two modifications. Summarising them, a new principle was introduced: the best interests of the child. This principle stems from Article 3 of the UN Convention on the Rights of the Child and sets out three basic requirements: participation, protection, and prevention. It especially included, on the one hand, the provision of an appropriate standard of services, and on the other, help in the development of ability and talent, and the development of personality and the continuous updating of knowledge. Furthermore, the amendment introduced the right to equal treatment as a general obligation and perspective in every activity related to students in school for the government, maintainers, school management, teachers, etc. This law was preceded by a memorable PISA survey in 2001 which highlighted the high level of

⁶⁰Szüdi (2001).

⁶¹Halász (2007); Halász (2015); Radó (2016).

⁶²Radó (2016).

⁶³Szenes (1997).

⁶⁴Halász (2007).



selectivity and exclusion in the system, and was also a precondition for accession to the European Union.⁶⁵

Even though the regulation and its appearance in educational rules could be considered progressive, the relevant literature point out that the practical effectiveness of the regulation was quite dubious.⁶⁶ Therefore, the modified PEA also declared that, according to the requirement of equal treatment, all children and students in public education have the right to receive the same level of care on equal terms with other persons in comparable situations. We can praise the legislators for the implementation of this principle. However, parliament failed to determine the means, tasks, and duties required for the realisation of this principle of the PEA. The aforementioned funding rules remained in force, and this meant that the unequal financial environment remained the same – thus how may we talk about equality at all? According to a study⁶⁷ undertaken in one of the most underdeveloped counties of Hungary, every third Roma family lacked the means to finance the education of their children. This research reported that the lack of financial resources resulted in many students not being able to take part either in obligatory or additional activities, such as visiting cultural institutions (e.g., museums, theatre, etc.).

High hopes for a socially equalising education were also supported by expectations about educational expansion that altered the landscape of the traditional learning settings of the twentieth century.⁶⁸ The emerging system of mass education promised a more mobile and accessible structure for the lower social classes, although it turned out that mobility in education and the educational life course only boosted the level of educational attainment but failed to bolster social integration.⁶⁹ It became apparent that the gospel of education brought mobility to the rigid system of last century's schooling, but this mobility also raised uncertainty concerning life course expectations, thereby contributing to the formation of the 21st century's most vulnerable class: the precariat.⁷⁰

Halász calls this period 'the term of deconstruction', characterised by 'the feeling of building something new but not really.'⁷¹ Similarly, Radó labelled it the era of 'industry development'.⁷² The effect of attempts to intensify social integration have been described as 'low capacity to implement equality policies that go beyond simple structural measures and try to reach the deeper layers of classroom-level pedagogical practices which are the root of low equality.' Despite the fact that in the first years of enthusiastic reform efforts many 'national development plans' were born from the managerial-type educational administration, results were minimal due to the high level of corruption and the lack of real control and tracking systems in implementation.⁷³

⁶⁵Halász (2007).

⁶⁶Halász (2007); Radó (2016).

⁶⁷Loss (2001) referred by Farkas and Budai (2009).

⁶⁸Széll and Nagy (2018).

⁶⁹Széll and Nagy (2018).

⁷⁰Standing (2014); Vajda (2013).

⁷¹Halász (2007) 77.

⁷²Radó (2016) 52–53.

⁷³Halász (2007); Radó (2016).



Compared to the effects and the emergence of the idea of the educational gospel in other countries in this period we find many similarities with the aforementioned results of the Hungarian system. Furedi described this period of education in the United Kingdom in the following way: ‘education had become the repository of adult society’s problems, this is one of the reasons why its role has expanded so dramatically [while] schools do not possess magical powers to fix [these problems]’. As a result, ‘when education becomes everything it ceases to be education’. These critiques of managerial-instrumentalist educational policy are certainly true about Hungary between 2002 and 2010, as the instrumentalist approach of the administration intended to put education in the service of modernisation and social integration, and therefore disregarded the main function of education. The national development plans were written by ‘educational experts’ who fruitlessly attempted to resolve many societal problems through the educational system, while ignoring its original intention and realistic capacity.⁷⁴

Although the system in this period in terms of educational politics most resembled the classical Anglo-American neoliberal educational system, it is again not apparent that it was neoliberal economic theory which played the most influential role in the process described above. It is certain that the instrumentalist and expert-driven approach is a clear example of the neoliberal handling of societal solutions,⁷⁵ and a saddening practice which ignored the concept of social citizenship. Despite its political ideology, the social-liberal administration was unable to discern that administrative intervention is insufficient on its own to solve societal concerns such as segregation or the selectivity of the educational system. The former were also incapable of realising that comprehensive educational reforms could not be introduced into a decentralised system in which the financial differences between municipalities are large, precluding poorer communities from maintaining high-quality schools.

5. THE PERIOD OF THE NEOCONSERVATIVE TURN WITH NEOLIBERAL EFFECTS (FROM 2010/2012)

The general election of 2010 ushered in a new era, not just for the political system but education as well, although the real turning point was 2012 when the new educational legislation (NPEA) entered into force. The conservative-nationalist FIDESZ-KDNP coalition abolished the decentralised system and reintroduced a strictly centralised one. Culturally, the new governing parties were on the opposite side to their predecessors and stood for a more traditional and conservative educational model.⁷⁶ The government’s education policy represented a different stance about the societal role of education. The minister of human resources, who is responsible for public education, stated that instead of the former system of equal opportunities the government would opt for ‘affectionate segregation’, which inferred that pupils from the least well-off social class are more likely to have less educational ability. Therefore, in order to promote their inclusion they would be educated in segregated classes.⁷⁷

⁷⁴Furedi (2009) 6.

⁷⁵van der Walt (2017).

⁷⁶Fehérvári and Híves (2017).

⁷⁷Ferge (2017).



As mentioned before, the passing of the NPEA meant a neoconservative turn in the legislation of public education. But in fact it did not mean a break with neoliberalism. The first conspicuous change was the disappearance of the reference to equal opportunity from the preamble of the NPEA. The term itself is not found in the text, and nor is the right to receive the same level of care as other persons in comparable situations. Other significant differences from the previous regulation are the changes in the permissible founders and maintainers of schools. Breaking with a long tradition, the state took these rights from local governments. It is interesting that the claimed reason for this measure was ensuring equality. According to the government, local governments under disadvantageous (financial) circumstances had not been able to secure the same level of resources as more well-off ones. This was of course correct, but the approach seems hypocritical, since the funding rules in the NPEA remained almost the same as in the PEA. As financial support for state schools was set at too low a level, differences appeared between state and non-state schools, while the differences among the former local government institutions grew in a negative direction. The new government secured a greater role for churches in the maintenance of both primary and secondary education, which made the financial situation of state schools worse.⁷⁸ Churches have mainly taken over schools in poorer areas of the country, which meant that a considerable amount of schools in smaller communities have been put under church maintenance. In many cases, churches – partly under pressure from parents – have chosen to take over schools with better students (better circumstances, better teachers). As the NPEA did not modify the right to free choice of school, children from more well-off families, mainly in rural areas, were forced to go to church-run schools, even though they were not religious themselves. Families living in the worst financial circumstances – Roma families in large numbers, but even more non-Roma families – have thus recently been crammed into state schools of lower quality.⁷⁹ The NPEA, therefore, creates serious inequality among children and – although this is not explicitly declared – indirectly contributes to segregation.

For further examples of the negative side effects of the changes in education, we may look at the state of vocational schools, as their development is one of the main promises of the right-wing educational government. Although officials tend to promote the revival of the esteem of vocational training, their success is quite ambiguous.⁸⁰ The pupils of these schools tend to come from the lowest social classes, and as such these schools only reproduce their former social status, similarly to in recent decades.⁸¹ The current state of schools is very diverse, but in general it can be stated that these schools, both structurally and educationally, are in the worst shape among the secondary education institutions.⁸²

Summarising the educational policy of the last years, it becomes apparent that the new government policy tends to promote conservative and nationalistic cultural changes in education, while from an economic point of view the new system still maintains neoliberal economic policies by reducing the role of the state in education.⁸³ It is worth highlighting that when

⁷⁸Zolnay (2016).

⁷⁹Pogátsa (2016); Tóth et al. (2018).

⁸⁰Makó et al. (2016).

⁸¹Fehérvári and Híves (2017); Liskó (2006).

⁸²Makó et al. (2016).

⁸³Pogátsa (2016).



Hungary was moving towards segregation, Germany and Switzerland started actively reforming their educational systems to reduce segregation. Although stratification and external differentiation aim to create homogeneous learning environments and foster students' performance, they deprive students in lower educational tracks of everyday socialization with peers who academically perform better and could serve as role models.⁸⁴ Despite the fact that public education is cost-free because there are no tuition fees, families have to cover costs such as those for equipment, travel to school, clothing, etc. or must ensure appropriate conditions for learning at home (internet access, smart devices and related accessories). This further limits the options for families already living in poorer financial circumstances.

On a more recent note, the government activities during the COVID-19 pandemic primarily focused on the reduction of in-school infections. Hence, schools were treated as possible loci of infection and accordingly locked down for months in Spring 2020. Secondary schools were also continuously closed from November 2020 onwards. Although the government communicated that schools and teachers would receive help with shifting to digital teaching, according to a recent research report the initiatives were more bottom-up and there is no indication of measures that explicitly target students and parents.⁸⁵ These are the only activities which the government implemented. The most underserved regions of Hungary did not receive any supplementary help to reduce the widening differences.⁸⁶ The government did not care about these students and did not introduce any programs to ensure they could catch up with better-off students.⁸⁷ An further important component of this problem is that most indigent families did not deem it necessary to get help with their children's learning.⁸⁸ Nevertheless, this phenomenon does not seem to be a specifically Hungarian problem, but more part of an international trend.⁸⁹

6. CONCLUSION

As Polónyi summarised in an overview of the last thirty-five years of Hungarian education history, it is saddening to see that one of the most serious problems remains the high hopeless financial circumstances.⁹⁰ These existed at around the time of the reform of 1985, just after the political transformation, and also in around 2010. At the beginning of the current decade, the financial crisis in education was explained, along with other factors, by the differences between municipal authorities. Richer (or less poor) local governments could support the development of schools or, in the worst case, maintain them at their former level. However, the local governments and institutions of undeveloped regions, including schools, went into debt, which resulted in them losing both their better teachers and most talented students. These tendencies also led to selection based on both the ethnicity and birthplace of students. The government reacted to the

⁸⁴Hadjar and Gross (2016); Hadjar and Uusitalo (2016); Backes and Hadjar (2017); Gross and Hadjar (2020).

⁸⁵Reimers and Schleicher (2020).

⁸⁶Hermann (2020); Kovács Szitkay et al. (2020).

⁸⁷Jakab (2020).

⁸⁸Engler (2020).

⁸⁹Doyle (2020).

⁹⁰Polónyi (2018).



aforementioned crisis with radical steps. They implemented a rapid and totally centralised transfer of schools from local governments to a central state institution. The argument for these changes was assuring equality. While centralisation made it possible to give more money to less developed schools, it also provided an opportunity to cover up segregation. The current law establishes the right for the government to enter into an agreement with any church to transfer to them the maintenance of schools. In effect, the churches claimed the better qualified schools and created conditions which are inaccessible to underprivileged families. Nevertheless, school selection is presented as a natural process based on the will of the family, not of the schools or the state.

It is also disheartening that the idea of social citizenship has been abandoned completely over the past few years. As selectivity remains the biggest deficiency of the system of education, it is hardly imaginable that the educational structure will integrate a more integrative pedagogical approach in subsequent years. Unless there is a significant change in educational policy ambitions, the current educational policy will continue to create serious and long-term lapses which will deepen educational inequality. Thus, there are no signs of positive changes on the horizon of national public education. Moreover, the pandemic has caused further damage, the effects of which might linger for decades,⁹¹ deepening societal inequalities and creating an even more selective educational system.

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⁹¹Hermann (2020).



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