

Beyond Institutional Adaptation: Legislative Europeanisation and Parliamentary Attention to the EU in the Hungarian Parliament

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ABSTRACT

While studies of the formal adaptation of parliaments to the European Union (EU) have dominated legislative scholarship in the last two decades, there is a growing interest in the substantive impact of the EU on legislative production and parliamentary behaviour. We contribute to this research agenda by exploring the effects of Europeanisation on the national parliament of one democratically backsliding EU member state, Hungary. Comparing periods marked by Europhile and Eurosceptic parliamentary majorities between 2004 and 2018 shows that governmental attitudes towards the EU are not reflected in parliamentary law-making and that parliamentary attention is mainly influenced by the level of Europeanisation of the policy field. This shows that backsliding governments do not generally oppose greater integration and underscores the necessity to distinguish between rhetorical Euroscepticism and Eurosceptic legislative action.

Keywords: European Union, Parliaments, Euroscepticism, Hungary, Democratic backsliding

1. Introduction

How national parliaments deal with the European Union (EU) has received considerable attention over the last decades because of the lasting suspicion that

European integration might lead to constitutional and political developments undermining legislative powers. The perhaps most obvious sign of national parliaments 'losing out' due to supranational integration is that a substantial part of domestic legislation goes back to the EU's legal impact (Töller, 2010). If legislating—a core task in Bagehot's classic catalogue of parliamentary functions—moves to the EU level, what should national parliaments do?

Unsurprisingly, EU-triggered deparliamentarization was met with fierce resistance by national parliaments trying to diminish their disadvantage vis-à-vis executives and the EU. More than two decades of research provide rich documentation and ample evidence of national parliaments' adjustment to supranational integration (O'Brennan and Raunio, 2007; Winzen, 2017, Auel *et al.*, 2015). Three reparliamentarization strategies proved to be particularly important. First, parliaments have strengthened their formal institutional positions vis-à-vis their governments. Since the late 1950s, all national parliaments have established European Affairs Committees (EACs) to oversee their government's activities. This process accelerated after the Maastricht and Lisbon Treaties, which delegated policy-making powers to the EU and granted national parliaments further participatory and scrutiny rights. Second, national parliaments also got increasingly involved in networking in the EU's multilevel system. Not only did they establish closer contacts via inter-parliamentary fora such as the Conference of Community and European Affairs Committees (COSAC), which brings together members of the EACs of the national legislatures. They also became more active at the EU level, showing presence by establishing their own offices in Brussels, forging closer ties with MEPs (Wonka, 2017) and building up administrative capacities to deal with the EU back at home (Högenauer *et al.*, 2016). Last but not least, after the Lisbon Treaty, national parliaments started using the 'Early Warning' mechanism, which allows them to interfere with EU-level decision-making when they act collectively (Cooper, 2019). In summary, the literature suggests that even if only slowly, national parliaments' increasingly proactive behaviour has helped them become more involved in the policy process both at the EU and the domestic level.

While the (formal) institutional adaptation of national parliaments to the EU is increasingly well understood (Auel *et al.*, 2015; Högenauer *et al.*, 2016; Winzen, 2017), we know less about how this process relates to the Europeanisation of legislation and the behavioural changes these developments have on party groups or individual legislators and vice versa (Winzen, 2021). We define Europeanisation as the EU's influence on the member states' polity, politics and policy dimension, leading to differential pressure on domestic actors to adopt European rules—or to resist them (Börzel, 1999). This contribution brings together three literatures that dealt with the Europeanisation of national parliaments but did so from different angles. One strand of this literature has focused on the institutional adaptation of national parliaments and asked which measures parliaments have taken

to scrutinise EU decision-making (Winzen, 2017). A second one has observed the Europeanisation of the content of legislation (Töller, 2010; Brouard *et al.*, 2012), while a third investigated changes resulting from the Europeanisation of parliamentary actors, including party groups, individual parliamentarians or parliamentary administrations (e.g. Kinski, 2021). Studies in this tradition have often focused on ‘parliamentary attention’ and analysed the development of interest in EU topics within national legislatures (Navarro and Brouard, 2014; Palau, 2019; Sciarini *et al.*, 2019; Sierens and Brack, 2020).

While one could assume these literatures to be closely interlinked as they share the same object of analysis, there is, in fact, rather limited exchange and cross-fertilisation between the involved scientific communities. This article offers one first step towards such an integration. In a first step, we conceptualise parliamentary Europeanisation by highlighting the interaction between the institutional, legislative and behavioural dimensions. Second, we fill an empirical gap by analysing a Central and Eastern European (CEE) parliament, which have received relatively little attention in EU-focused parliamentary studies (but see Strelkov, 2015; Papp, 2019; Schweiger, 2021; Borońska-Hryniewiecka and Grinc, 2022). More concretely, we provide a remedy through a longitudinal study of the Hungarian parliament, which holds relatively strong formal rights in scrutinising the government in EU affairs without using them (Ilonszki, 2015). During the early 2000s, this was explained by low Euroscepticism and the lack of incentives Hungarian MPs to get active in EU affairs (Buzogány, 2011). However, this has changed since 2010 when the Eurosceptic Fidesz party returned to power under the leadership of Viktor Orbán. Our longitudinal study traces the development of the Hungarian parliament from an EU-friendly one to one that is dominated by one of the most Eurosceptic parties in the EU.

The Hungarian case study is particularly relevant because it connects the literature on national parliaments and the EU with the on-going discussion about democratic backsliding and the weakening of parliaments (Ilonszki and Vajda, 2021; Sebők *et al.*, 2023). Focusing on legislative quality, Sebők *et al.* (2023) acknowledge that EU competences might potentially reinforce legislative backsliding because selective stakeholder access at the EU level can overlap with weakening formal powers of parliament due to executive aggrandisement typical to backsliding regimes. Our focus on the Europeanisation of law-making and parliamentary attention highlights the role of party attitudes in this process and leads to a counterintuitive finding.

As a consequence of its EU-critical rhetoric over the past 12 years, there is no doubt in the academic literature that Fidesz is a Eurosceptic party (Danaj *et al.*, 2018; Greiling, 2019; Csehi and Zgut, 2021). The Chapel Hill Expert Survey clearly shows the party’s increasingly critical stance on the EU after 2010, so that in 2019 Fidesz was considered more Eurosceptic than the radical right-wing

Jobbik (see Supplementary Appendix). Also, the Hungary chapter in Routledge's Handbook on Euroscepticism (Styczyńska, 2017) describes Fidesz as Eurosceptic, highlighting government communication that likens Brussels to Moscow, messages blaming the EU for economic difficulties, and an anti-EU campaign linked to migration, culminating in the 2016 quota referendum. The European Union, constantly presented as a negative actor and a threat to the interests of the Hungarian people, is one of the most common enemy images used by the Orbán government (Szabó and Szabó, 2022). What is more, Fidesz's shift towards Euroscepticism can be seen in the party's positions on the EU and voter attitudes. Critical attitudes towards European integration show statistically significant correlations not only with right-wing self-definition but also with support for Fidesz (Bíró-Nagy and Szászi, 2022). Counterintuitively, however, our findings show that the footprint of the Eurosceptic Fidesz did not affect the Europeanisation of law-making. Parliamentary attention to the EU has increased over time, particularly in policy fields that are strongly Europeanised, but this process is not driven by government parties or by Eurosceptic parties in general, as the literature suggests (Senninger, 2017; Rauh and de Wilde, 2018). Our explanation highlights the need to differentiate between rhetorical Euroscepticism and Eurosceptic legislative action. Our results show that despite hostile political rhetoric, Fidesz has been much less Eurosceptic in terms of legislative action.

The article is structured as follows: We conceptualise the Europeanisation of national parliaments and formulate hypotheses concerning legislative production and parliamentary attention. We then present the research design and data, which is based on the Hungarian Comparative Agendas Project (CAP). Sections 4 and 5 examine empirical evidence on legislative production and parliamentary attention, respectively. The final section concludes and provides an outlook for further research.

2. Beyond institutions: legislative Europeanisation and parliamentary attention

There are three ways in which EU effects on national parliaments are conceptualised in the literature on democracy in the EU's multilevel system. First, the national parliament's role as guardians of democracy at the national level is influenced by shifting sovereignty to the supranational level in the EU's multilevel system. Adjusting to these changes requires formal reforms of parliamentary work routines, such as strengthening the scrutiny rights of parliaments, and enhancing their rights to receive information about EU-related policy processes. Second, the Europeanisation of national parliaments also occurs indirectly through the Europeanisation of policies. As a substantial part of legislation adopted in parliaments is influenced by EU law, parliaments have to respond to the changes in the substance of parliamentary work. This means executive-legislative cooperation

or relations with interest groups must also include multilevel considerations. Finally, Europeanisation also affects political actors, who must adjust their behaviour in response to the EU's influence. Such adjustments might consist of the Europeanisation of political parties (Ladrech, 2008), but are also related to individual MPs' considerations of Europeanisation and strategically responding to potential changes in their representational work (Kinski, 2021).

The three dimensions of the Europeanisation of national parliaments are strongly interrelated. Party groups and MPs respond to the institutional adaptation of legislatures, which adapt to the increasing inflow of EU-influenced legislation. Most research has focused on one particular segment of parliamentary Europeanisation: institutional adaptation. Institutional adaptation is relatively easy to observe, is stable over long periods, and can be compared cross-nationally (Winzen, 2017). However, it only 'measures institutional opportunities rather than changes in parliamentary behaviour' (Palau, 2019, p. 2). The merits of institutional comparisons notwithstanding, researchers often emphasise the limitations of this perspective (Raunio, 2009; Winzen, 2021). There has been an important development in the literature towards analysing parliamentary reactions in practice recently (Gava *et al.*, 2017; Högenauer, 2017; Rauh and de Wilde, 2018). In what follows, we focus on two dimensions of parliamentary Europeanisation that received less attention in this context: the Europeanisation of law-making and parliamentary attention.

2.1 *The Europeanisation of law-making*

Research on the Europeanisation of legal output is closely related to scholarly debates about the EU's democratic deficit. Jacques Delors—the former European Commission President—statement made in the 1980s predicting that 'in ten years, 80% of the legislation related to economics, maybe also to taxes and social affairs will be of Community origin' is often taken as a point of departure in these debates (Töller, 2010). For supporters of European integration, a high degree of Europeanisation demonstrates the EU's relevance. During electoral campaigns, the European Parliament (EP) has regularly highlighted the high proportion of laws of European origin to raise the profile of EP elections. On the other hand, Eurosceptics regard this as evidence of the European 'superstate' threatening the democratic institutions of the Member States. In the academic world, the proportion of Europeanised law production has triggered debates about empirically measuring it. Brouard *et al.* (2012) helped to streamline this debate by showing that the predominance of laws of European origin is far from the Delorsian 80 per cent; it varied between 10 and 30 per cent in most member states (1986–2008). At the same time, legislative Europeanisation has shown substantial cross-time, cross-policy and cross-country variance. One powerful explanation for these

differences is the policy positions of government parties (König and Mäder, 2012), from which we can derive the expectation that the EU-related attitudes of governments in charge of the transposition of EU law will influence legislative Europeanisation. Thus, we expect proportionally fewer laws of European origin to be adopted under more Eurosceptic governments (H1).

EU norms are defined at the EU level and then integrated into the Member States' political structures, public policies, and public discourse. A comprehensive understanding of Europeanisation also entails that the process itself can be grasped not only by observing mandatory EU legislation ('passive Europeanisation') but also when a government proactively changes policies based on EU trends, goals, and recommendations—a process referred to as 'active Europeanisation'. Thus, the EU can significantly impact national policy even when it does not have the competencies to make binding regulations (such as regulations, directives, and decisions). The European Commission has a long history of encouraging the development of public policies at the national level by evaluating the Member States' policies, and monitoring and promoting certain practices through country-specific recommendations, the European Semester being one prominent example (Rasmussen, 2018). This calls for a differentiation between active and passive Europeanisation. Laws including active and passive elements of Europeanisation, are termed 'mixed' laws. We will examine the development of active, passive, and mixed laws during the 2004–2010 and 2010–2018 periods. We expect the share of active and mixed Europeanisation laws to increase during more Eurosceptic governments (H2).

Legislative Europeanisation also varies across policy fields (König and Mäder, 2012) due to the division of policy competencies between the EU and the Member States (Brouard *et al.*, 2012). We assume that in policy areas where the EU's role is merely supportive, the proportion of laws of European origin will decrease under more Eurosceptic governments (H3).

2.2 *The Europeanisation of parliamentary attention*

While research on the Europeanisation of policies focuses on material changes in legislative output, studies of Europeanisation of parliamentary attention emphasise the effects this process has on parties or individual MPs. Scholarship in this tradition has analysed parliamentary attention in parliamentary speeches held in plenaries (Rauh and de Wilde, 2018) or parliamentary committees (Karlsson *et al.*, 2021). Other studies have examined parliamentary questions as tools to keep control or raise attention to EU affairs (Navarro and Brouard, 2014; Högenauer, 2017; Senninger, 2017; Palau, 2019; Sierens and Brack, 2020). This research suggests that—together with the institutional and administrative resources available to parliaments—government status and party position regarding EU integration as crucial variables explaining differences (Kinski, 2021). Due to the supranational

character of EU decision-making, which is strongly biased towards executive actors, opposition parties hold stronger incentives to control the government than in cases unrelated to EU affairs.

Similarly, much of the literature holds that Eurosceptic parties are more likely to engage in debates about the EU (Gattermann and Heffler, 2015; Huysmans, 2019). Along these lines, Sierens and Brack (2020) find that Belgian opposition parties predominantly use EU-related parliamentary questions, while Senninger's (2017) study of parliamentary questions raised by Danish opposition parties shows that particularly Eurosceptic parties emphasise EU matters. We thus expect opposition parties (H4) and Eurosceptic parties to raise more EU-related issues in parliamentary speeches (H5).

In normative terms, parliamentary scrutiny should prioritise controlling those EU policies, which affect core state powers (de Wilde and Raunio, 2018). In practice, however, parties and MPs often follow issue saliency strategies and focus on those policies where they can or would like to claim ownership. Policy variation is thus likely to influence parties' strategies when raising parliamentary attention. As mentioned above, there are substantial differences in the Europeanisation of policies: While EU policies only weakly affect some fields, competencies are shared between the EU and member states in others. Following the normative argument by de Wilde and Raunio (2018), we thus expect parliamentary attention to be high when policy competencies are shared between the EU and member states or are at the EU level (H6).

3. Research design and data

We test the above hypotheses by exploring legislative output and parliamentary attention given to the EU in the Hungarian parliament (*Országgyűlés*). While our focus is on the Europeanisation of law-making and parliamentary attention, our research design considers the third dimension of parliamentary Europeanisation discussed above—institutional adaptation—constant over the analysed period (Ilonszki, 2015). Information on legislation and parliamentary attention comes from the Hungarian Comparative Agendas Project (CAP), which we recoded by focusing on the period after Hungary's EU accession (2004–2018).

Four variables identify the laws of European origin, examine active and passive Europeanisation, classify EU competencies of a policy field and, in the case of parliamentary speeches, determine EU-relevant content. We have included all laws adopted during four parliamentary terms (2004–2006, 2006–2010, 2010–2014, 2014–2018). Filtering the database allowed coding policy areas using CAP methodology to identify the EU's 'footprint' on the Hungarian legislation. Following Brouard *et al.*'s (2012) selection criteria, laws of European origin *refer explicitly to the EU* in wording or reasoning and mention European integration in some way

(the EU itself, an EU institution, recommendation, procedure, etc.). In the first step, we determined whether each law refers to the EU in any form, using 21 EU keywords used in [Brouard *et al.*'s \(2012\)](#) case studies.¹ However, the occurrence of these keywords does not necessarily mean that the law is indeed of EU origin. Therefore, in the next step, we examined all laws containing at least one keyword and coded whether that the law is indeed of European origin (1) or that the text mentions the EU in passing (0). EU Member States' motivation for adopting legislation identified as a law of European origin was divided into three categories: (i) active, (ii) passive and (iii) mixed laws. Finally, we also evaluated the EU competencies using the CAP database's policy classification. Based on the 23 policy areas included, all laws were categorised as follows: (i) exclusive competence, (ii) shared competence and (iv) supporting competence. Focusing on the period between 2004 and 2018, we processed 2512 laws using double-blind coding. The method used by [Brouard *et al.* \(2012\)](#) examines all laws with equal weight, and does not weight them according to the extent to which different laws contain European content. Dictionary-based analysis is a good way to identify not only the laws that need to be implemented, but also the laws where the soft effect of Europeanisation is prevailing. Even so, the dictionary-based method has its limitations. There is a possibility that the Europhile majority may invoke the EU to legitimise laws that do not originate from the EU. In contrast, a Eurosceptic majority may hide the true origin of the law when it is an EU initiative.

CAP data were also used to measure parliamentary attention, our second empirical focus. Following similar studies ([Sebők *et al.*, 2017](#), [Papp, 2019](#)), we analysed the so-called 'before agenda speeches' (*napirend előtti felszólalás*) held during six parliamentary terms between 1998 and 2018, which yielded 5094 speeches with an average length of 647 words. Before agenda speeches combine features of parliamentary questions and parliamentary speeches as they are asked with weekly regularity, address issues of urgency, and capture changes in issue attention dynamically. Importantly, they are not parliamentary tools predominantly used by the opposition to scrutinise government activities like parliamentary interpellations ([Sebők *et al.*, 2017](#), [Papp, 2019](#)). Our data include the full text of the parliamentary speech, the MP (or groups of MPs) asking them, their party affiliation and the given policy field coded according to CAP policy codes using double-blind coding. As mentioned above, we selected speeches that explicitly referenced the EU or EU policies, including questions of policy implementation at the national or local level.

¹The 21 keywords are as follows: European Union, EU, European Community, EC, European Economic Community, EEC, Common Market, Single Market, European Market, European Coal and Steel Community, ECSC, European Atomic Energy Community, EAEC, Euratom, European Monetary Union, EMU, European Monetary System, EMS, directive, Community law and European law.

Our explanatory variable is the position of Hungarian political parties regarding the European Union, which was hypothesised to influence the adaptation of legislation and parliamentary attention. Using data on Euroscepticism from the Chapel Hill Expert Survey (Bakker *et al.*, 2021), we differentiate between a period dominated by pro-EU Socialist-led governments (2004–2010) and the Eurosceptic Fidesz-led governments since 2010–2018. [Supplementary Table 1](#) provides detailed information on evolving party positions.

4. Europeanisation in the Hungarian parliament

4.1 Laws of European origin

The laws adopted between Hungary's accession to the EU and the 2018 parliamentary elections show that the EU affects a significant part of Hungarian bills but not the majority of legislation. The overall proportion of laws of European origin was 38% in Hungary over 14 years (Figure 1). The extent of Europeanisation of Hungarian legal output is high compared to other member states. This is at 12% in Finland and the Netherlands; 15% in Italy, 18% in France, 25% in Austria, 26% in Germany, 29% in Luxemburg and 35% in Spain were the proportions of laws of European origin in the national case studies (Brouard *et al.*, 2012). These data are comparable to the Hungarian data we use in this article because our analysis starts in 2004, i.e. after Hungary's EU accession; one condition for membership was exactly transposing the *acquis communautaire* before that date.

Our expectation that EU government party attitudes will impact the proportion of European-origin laws has not been substantiated. During the two pro-EU

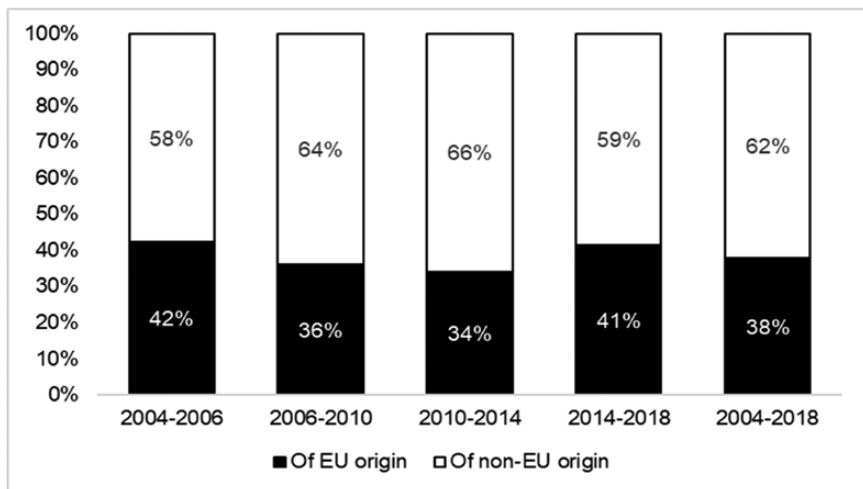


Figure 1 The proportion of laws of EU origin in the Hungarian Parliament, 2004–2018

government cycles, the percentage of laws considered Europeanised was 42% (2004–2006) and 36% (2006–2010), while in the case of the second (2010–2014) and third (2014–2018) Orbán governments, the two rates were 34 and 41%, respectively. Thus, no significant differences can be observed between pro-EU and Eurosceptic governments. Comparing the Socialist- and Fidesz-led governments did not affect the share of Europeanised laws. By 2010, 39% (362) of the 937 laws adopted by left-wing governments had a European origin, compared with 37% under the Orbán II and III governments after 2010 when 588 of 1575 laws had a European impact. It should be noted that during the time of the Fidesz-KDNP governments after 2010, the legislative output of the Hungarian Parliament increased strongly. Between 2004 and 2006, the Hungarian Parliament passed 352, and between 2006 and 2010, 585; and by the end of the Orbán II government, there were 846, and between 2014 and 2018, 729 legal regulations were adopted. It follows that numerically more laws of European origin were adopted after 2010 (2010–2014: 286; 2014–2018: 302), during the Eurosceptic Orbán governments than before, although it should be added that in the case of Socialist-backed governments, the investigated period was shorter. Nevertheless, the share of EU-origin laws remained relatively stable. Excluding the brief period before the 2018 election (when only four laws were passed by parliament), there is a maximum of 8 percentage points difference from the 14-year average over the years: the share of Europeanised laws did not fall below 31% in any year, and never went above 46%. In this respect, 2017 was a peak year, with almost every other law showing European origin; however, in numerical terms, the Hungarian Parliament passed the most Europeanised laws in 2013 (103).

4.2 *Active and passive Europeanisation*

EU law encompasses acts of different legislative strength. Although the overarching legal principle is the primacy of EU laws over national ones, not only mandatory acts (directives, regulations, decisions) are transposed but also non-binding acts (recommendations, opinions). We consider legislation to be ‘active’ when a Member State draws up laws of European origin of its own accord and ‘passive’ if it derives from a binding legal act. Thus, active and passive Europeanisation are both present in the legislation of a Member State. When analysing legislative motivation, we find the binding side of the European influence, i.e., the proportion of laws categorised as passive, to be much higher than the proportion of active and mixed legal regulations (Figure 2). In the 14 years since Hungary acceded to the EU, 9% of the laws have resulted from proactive Europeanisation (19%, if ‘mixed laws’ are also included).

Active and mixed legislation tend to reflect the behaviour of a government, as they are not (or are only partially) mandatory laws stemming from Member

States' spontaneous adaptation to the European public policy context. Hypothesis H2 assumed that among legislation with a European origin, the proportion of active Europeanisation laws would be higher during the 2004–2010 pro-European Socialist governments than during the Eurosceptic Orbán II and III governments. This assumption was not fully confirmed, although there are differences between the various government cycles. The proportion of active and mixed laws was highest between 2004 and 2006 (14 and 16%), which may have been a combined result of Hungary's recent EU membership and the EU-friendly attitude of the Socialist-led governments. By the time of the Gyurcsány II (2006–2009) and the Bajnai government (2009–2010), however, the level of proactivity declined to such an extent that the proportion of active and mixed laws was 3 and 4 percentage points lower, respectively, than during the Eurosceptic Orbán II government. From 2014 on, however, the negative relationship of the Orbán III government to the EU may have had a more substantial impact on the legislation, as the proportion of active and mixed Europeanisation laws dropped significantly (but only to the level where it was in the 2006–2010 term: 14%). Taken together, we find no striking difference between the Europhile Socialist and Eurosceptic Fidesz governments when looking at full cycles. Due to the strong predominance of passive Europeanisation, the government's proactivity is only behind 5–14% of all laws of European origin (14–30% if mixed laws are included) in each election cycle.

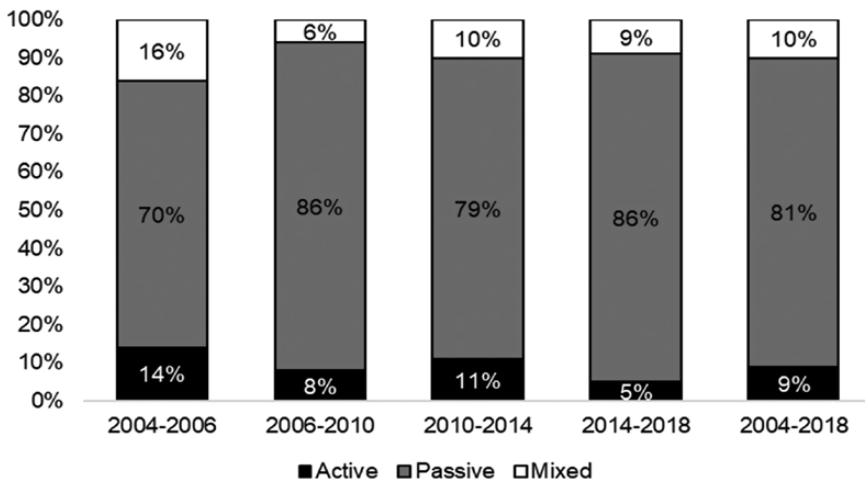


Figure 2 The proportion of active and passive laws of European origin in the Hungarian Parliament, 2004–2018

4.3 *Laws of European origin according to public policy areas*

Table 1 shows significant EU influence on Hungarian legislation in areas with strong competencies. This effect is evident not only in policy fields of exclusive competence but also in areas of shared competence. The best measure of Member State proactivity is in policy areas where the EU has only supportive competencies because it is here where the EU may not adopt binding legal acts that would require harmonising the Member States' laws and regulatory or administrative provisions.

Regarding the whole 2004–2018 period, in terms of legislative Europeanisation, environmental policy was at the forefront (62%), where, in a unique way in all policies, the proportion of laws of European origin never fell below 50%. Agriculture ranks second (56%), and energy policy (53%) is also a highly Europeanised policy area. Unsurprisingly, EU's foreign policy and foreign trade laws, which fall under

Table 1 Laws of European origin in the Hungarian Parliament according to policy areas (2004–2018)

Policy field	Laws of European origin						Competence of the EU in the relevant field
	2004–2010		2010–2018		2004–2018		
	#	%	#	%	#	%	
Environment	17	59%	33	63%	50	62%	Shared
Agriculture	21	58%	33	54%	54	56%	Shared
Energy	16	61%	26	48%	42	53%	Shared
Foreign trade	16	57%	9	45%	25	52%	Exclusive
International affairs	48	49%	47	48%	95	49%	Exclusive
Banking and Finance	52	63%	61	39%	113	47%	Shared
Transportation	27	46%	38	42%	65	43%	Shared
Health	14	43%	17	38%	31	40%	Supporting
Immigration	4	26%	9	50%	13	39%	Shared
Law and crime	33	32%	69	39%	102	36%	Shared
Macroeconomics	30	33%	61	38%	91	36%	Shared
Social welfare	7	27%	15	42%	22	35%	Shared
Labour and employment	11	26%	18	38%	29	32%	Shared
Technology and science	6	22%	19	33%	25	29%	Shared
Education	9	24%	13	29%	22	27%	Supporting
Government operations	24	23%	60	29%	84	27%	Supporting
Civil rights and liberties	11	34%	11	22%	22	27%	Shared
Public lands and water	5	23%	19	28%	24	26%	Shared
Housing	3	19%	14	29%	17	26%	Shared
Defence	7	31%	11	20%	18	23%	Shared
Culture and entertainment	1	17%	5	19%	6	18%	Supporting

Source: Own calculation based on recoding the Hungarian CAP legislative database.

the exclusive competence of the EU, are ranked fourth and fifth: the increased EU influence in the field of foreign policy was the result of the entry into force of the Treaty of Lisbon in 2009 which laid the foundations for closer cooperation and established, among other things, the High Representative of the Union for Foreign Affairs and Security Policy, the European External Action Service (EEAS) as well as the EU's diplomatic corps. In addition, finance and transport policy can also be considered highly Europeanised public policy areas.

Policies with supporting competence are found in the second half of the ranking. Interestingly, health is ranked eighth (40%), even though the EU cannot adopt binding legal acts in this area. It is also noteworthy that the EU had considerable influence in the field of education policy (27%), and there is legislation of European origin under both Socialist and Fidesz governments also in cultural policy. However, the most important aspect of our research was whether, in those areas of policy where the EU has a supporting competence, the adoption of laws of European origin under the Orbán government was significantly reduced or even eliminated, or not. Our data indicate that no such change occurred after 2010 compared to previous years.

4.4 Parliamentary attention to the European Union

The distribution of 'before-agenda' parliamentary speeches between 1998 and 2018 shows that a relatively high share of them references the EU, with an increasing tendency over time (Figure 3). The percentage of speeches with EU content

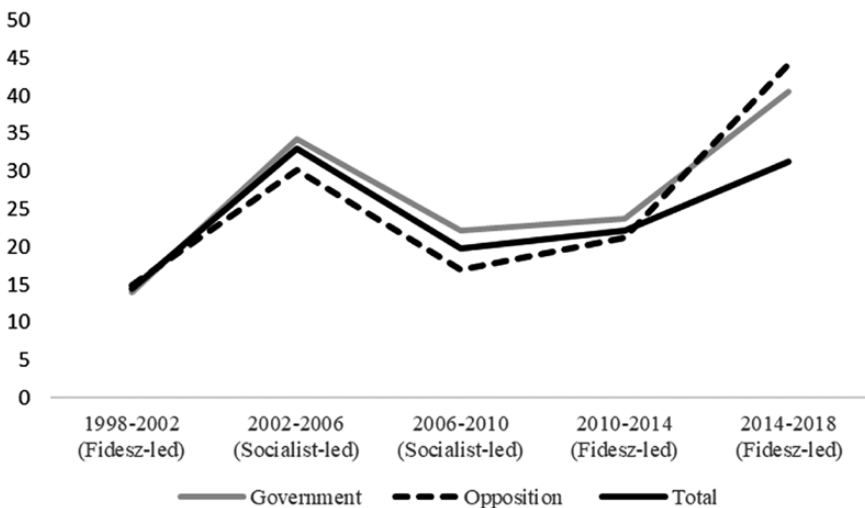


Figure 3 The share of Europeanised parliamentary speeches per parliamentary term (1998–2018)

was at 15% in the first legislative term analysed (Orbán I), climbed to an early peak when Hungary entered the EU in 2004 and started to rise again when Fidesz re-entered government office in 2010. While the legislative term 2002–2006 was still partly dominated by the pre-accession process to the EU, the following one was defined by a domestic crisis following the leaking of an internal speech by the Socialist prime minister and the eruption of several corruption scandals. From 2010 on, Viktor Orbán's increasingly Eurosceptic Fidesz dominated the Hungarian parliament, commanding large majorities (Csehi and Zgut, 2021). During pro-EU Socialist-led governments, government parties dominated the Europeanisation of parliamentary attention. This was also true during the Orbán II government (2010–2014), while during the two other governments led by Viktor Orbán (I and III), opposition parties were more active in holding speeches with EU references. Being in the opposition between 2002 and 2010, Fidesz showed a somewhat lower profile than socialist and liberal MPs of the government parties. After Fidesz formed a government with its satellite party, the Christian-democratic KDNP, in 2010, its share of speeches increased (Table 2). However, during the Orbán III government, the opposition parties, which included at the time strongly pro-European opposition parties, such as the social democratic MSZP and the green LMP, but also Eurosceptic Jobbik have taken over the initiative to raise parliamentary attention to EU issues in the Hungarian parliament. Taken together, we thus find no clear evidence of the Euroscepticism nor the 'government position' hypothesis in the literature.

Table 2 shows the changing patterns of parliamentary attention regarding policy areas. Agriculture, energy, environment and international affairs have dominated the agenda before EU accession. While these policies maintained a high profile after Hungary's EU accession, macroeconomics and immigration-related questions became strongly Europeanised afterwards. The 2006–2010 parliamentary term was dominated by the economic crisis that hit Hungary before the global turmoil in 2008/2009. Immigration—a weakly Europeanised policy field—became prominently discussed concerning the EU due to the Fidesz-led government contesting EU migration policies after 2015.

Comparing Table 2 with information about the Europeanisation of laws in different policy fields in Table 1 confirms that parties' attention follows the level of EU competencies rather closely. For example, while over 50% of environmental legislation in Hungary goes back to an EU effect, attention given to this policy was also high. In contrast, policies such as health, education and social welfare, which are weakly Europeanised, receive much less attention (see Supplementary Figure 4a and b in Supplementary Appendix). This suggests parliamentary scrutiny is strongest where EU competencies are high. One important exception is immigration policy which underwent politicisation due to the Fidesz government's reluctance to go with EU migration policies after 2015. Beyond this exception, the

Table 2 Before agenda speeches with European content in the Hungarian Parliament according to policy areas (1998–2018)

Policy Area	1998–2002	2002–2006	2006–2010	2010–2014	2014–2018	Total
Macroeconomics	23.81	35.44	31.91	33.86	38.00	33.72
Civil rights	25.00	13.89	7.04	8.86	27.27	10.45
Health	25.00	13.64	13.25	6.67	0.00	10.43
Agriculture	26.67	67.31	44.00	29.41	42.86	46.84
Labour	0.00	0.00	12.50	17.39	14.29	13.68
Education	10.00	26.09	10.96	7.25	18.37	12.95
Environment	12.50	66.67	25.00	35.71	18.18	26.79
Energy	33.33	25.00	11.76	30.00	53.33	30.36
Immigration	—	—	—	33.33	67.19	64.71
Transportation	14.29	33.33	11.11	22.22	0.00	20.69
Justice and crime	0.00	7.69	12.86	10.91	15.38	10.71
Social policy	0.00	17.65	11.36	11.32	6.67	11.11
Housing	11.11	35.29	27.27	21.05	14.29	23.66
Commerce and industrial policy	0.00	13.33	23.08	22.67	30.77	21.97
Defence	28.57	20.00	0.00	16.67	50.00	18.92
Science and technology	6.67	50.00	15.38	0.00	50.00	19.05
Foreign trade	—	—	100.00	—	—	100.00
International affairs	46.43	73.42	61.40	57.03	53.70	60.12
Government and public administration	12.86	28.70	12.20	12.60	22.92	16.47
Public lands and water management	0.00	0.00	0.00	33.33	—	25.00
Culture	0.00	30.00	33.33	16.67	14.29	20.59

Source: Own calculation based on recoding data from the Hungarian CAP database. The entries show shares of before agenda speeches with an EU focus in relation to all speeches.

Hungarian parliamentary system fulfils the normative expectations voiced by [de Wilde and Raunio \(2018\)](#), who argued for focused and specialised parliamentary scrutiny on those policy fields where the EU has a more substantial influence.

5. Conclusion

Research on the Europeanisation of national parliaments has mainly focused on the EU's influence on parliamentary powers and executive-legislative relations ([Winzen, 2021](#)). A large number of studies analysed the institutional adaptation of parliaments by describing the establishment of EU affairs committees and, after the adoption of the Lisbon Treaty, the participation of national parliaments in the scrutiny of EU policies through the Early Warning System. Largely disconnected from this literature, the Europeanisation of law-making and parliamentary attention has also received scholarly attention. This article argues that these three literatures should be combined to provide a more comprehensive view of the

Europeanisation of parliaments. We have illustrated the benefits of such a comprehensive view by providing a case study of the Hungarian parliament, which has received limited attention in the literature on parliamentary Europeanisation.

Our study explored how EU policies affected Hungarian legislation, parliamentary attention, and how governments influence those with different political positions towards the EU on the Europeanisation process. We found the proportion of Europeanised laws in Hungary to be relatively high compared to other EU member states (38% between 2004 and 2018), for which there is data from comparable studies (Brouard *et al.*, 2012). Our results show that the government's attitude towards the EU does not influence the proportion of laws with an EU origin, as there was no significant difference between the Europhile Socialist-led and Eurosceptic Fidesz-led governments in this respect (H1). Active and passive laws of EU origin were adopted to about the same extent during parliamentary terms, regardless if Europhile or Eurosceptic governments dominated them. However, more detailed annual-level data indicates that from the Orbán III government onwards, the Hungarian government's proactive attitude decreased in parallel to increasing Euroscepticism (H2).

Nevertheless, observing the entire period of 2004–2018, our hypothesis regarding the link between the extent of Europeanisation and EU policy competencies has not been confirmed (H3). Contrary to what the literature expects, under the Eurosceptic Orbán governments, Europeanisation of law-making has not decreased in policy areas where the EU has only supportive competencies. We thus conclude that the EU had an impact on policy-making in Hungary through legally binding and non-binding tools throughout the 2004–2018 period, even in times characterised by conflicts between the Hungarian government and the EU institutions.

Our results show that Euroscepticism has relatively little bearing on legislative activity in the Hungarian context. It is, therefore, important to distinguish between rhetorical Euroscepticism and Eurosceptic legislative action. Our results show that, below the surface, Fidesz has been much less Eurosceptic in terms of legislative action, at least until 2018. This distinction not only helps to interpret the Orbán government's activities between 2010 and 2018 but also provides a key to understanding political situations such as the Hungarian government's actions in relation to sanctions against Russia over the Russian-Ukrainian war. The Orbán government has run an anti-sanctions PR campaign but voted for all sanctions in Brussels.

In the post-2010 period, the share of laws of European origin remained broadly similar to the pre-2010 period, with both European and Hungarian legal output increasing compared to the previous period. The legislative activity of the Hungarian Parliament increased after 2010 (Boda and Sebök, 2018), and the number of basic adopted legislative acts was also higher in each year between 2010 and

2018 than in any year between 2005 and 2009 (Eur-Lex 2023). It is important to add that our research did not only identify laws adopted to transpose European law but also those that refer to a European origin, but are not required to be adopted.

Concerning parliamentary attention to the EU, we found no overall pattern in how parliamentary speeches with EU content are used in the Hungarian parliament (H4 and H5). Still, there is evidence that the Europeanisation of legislative production and parliamentary attention are closely interrelated: Hungarian political parties follow domestic strategies in their parliamentary attention and pay more attention to more Europeanised policy fields (H6). Concerning the differences between governments, only the Orbán II government (2010–2014) has been more active than opposition parties in Europeanising parliamentary attention. Europhile parties, both in government and in opposition, were more involved in referencing the EU. Our findings thus provide partial support both to [Sierens and Brack \(2020\)](#), who find opposition parties to use more EU-related parliamentary questions in Belgium, but also to [Rauh and de Wilde \(2018\)](#), who found an ‘opposition deficit’ as government parties were more active in attracting attention to EU affairs. In this case, we find similar explanations to [Palau \(2019\)](#) for the Spanish Cortes, where government MPs use EU-related interventions to ‘claim credit’ for their government in EU policies. The important difference is that Fidesz MPs use the parliamentary arena to defend their parties’ increasingly conflictual relationship with the EU.

While the ‘illiberal’ restructuring of Hungary’s political system since 2010 has led to the side-lining of the parliament ([Ilonszki and Vajda, 2021](#); [Sebők et al., 2023](#)), these are signs that Fidesz is willing to use the parliamentary arena strategically in its “sovereignist” ([Varga and Buzogány, 2021](#)) confrontations with Brussels. In a recent speech, Viktor Orbán claimed that ‘national parliaments must be given the right to halt the EU’s legislative process if they believe that it undermines national powers; in other words, a “red card” system must be introduced.’² This stands in stark contrast to Hungary’s very limited usage of the Early Warning System over the last decade ([Ilonszki, 2015](#)) but shows that while increasing Euroscepticism does not affect legislative Europeanisation, it might trigger effects on the behavioural—and in the longer term—potentially also on the institutional side.

Further research should look at this development more closely, for instance, by enquiring about individual parliamentarians’ drivers of attention with an EU focus. More fine-grained differentiations of the content of parliamentary speeches could also provide insights and show whether questions mainly address practical implementation-related issues or focuses on contesting the European integration

²<https://primeminister.hu/vikstories/viktor-orbans-address-conference-entitled-free-thirty-years>.

process in rather general terms. This would also allow us to complement the emerging picture about the role of parliaments in backsliding democracies.

Supplementary data

Supplementary data are available at *Parliamentary Affairs* online.

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Conflict of interest

The authors report there are no competing interests to declare.

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