

“LANDSCAPE AFTER BATTLE”

ON THE MARGINS OF THE HUNGARIAN PUBLIC EDUCATION ACT

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Protests by teachers' and students' NGOs and civil disobedience movements have drawn attention to the fundamental deficiencies of the Hungarian public education system. The controversial so-called „*Status Law*”, which provoked intense debates, redefined the careers of teachers (called national career path model - see below) and the whole organisation of public educational system. The most significant dilemma of the legislation act is how to interpret the constitutional right to education and the autonomy of public education. In answering this question, it is necessary to point out the government's intention and the wide social/political debate that also emerged behind the government decree on child protection and has resulted in the exclusion of LMBTQ-themed learning materials from school textbooks. The latter has led to the need to wrap LGBTQ books in the youth literature section of bookshops. Why and how have education and child protection issues become politicised and ideologised in Hungary?

Introduction

Since 2022, the dissatisfied teachers' unions and civil society have tried to put pressure on the FIDESZ-KDNP government through various forms of protests, including strikes, warning strikes, demonstrations and civil disobedience. The reasons of the protests were very complex. They have discussed, among others, the failure to introduce a career model for teachers, low salaries, a high level of centralisation of the public education system, the amount of teaching materials and the insistence on outdated teaching methods. The growing dissatisfaction has pointed to the need for a new legislative act.¹ Until the *Status Law* was passed, the Government had reacted to the crisis situation by restricting protests.

1. Legal background of the Hungarian Public Education System

From a legal point of view, the starting point for the analysis is that Hungarian Government has enjoying *excessive regulatory power* that was first acquired in the spring of 2020, due to the pandemic situation. The

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¹ The right to education is enshrined in the Fundamental Law (Article XI (1) Fundamental Law and in 2011 a law on national education was passed (see: Act CXCV of 2011. on national public education) In: [https://net.jogtar.hu/jogszabaly?docid=A1100190.TV \(15.10.2023\)](https://net.jogtar.hu/jogszabaly?docid=A1100190.TV (15.10.2023))



Government has been maintaining a „rule by decree” system, lately using the war in Ukraine, which it extends every six months, so in effect we have had more than two years of government by decree.

During this period, a number of constitutional amendments and legislative acts in different important social interests issues have been enacted. The European Commission in its *Rule of Law Report* has criticised the extended regulatory power: „...it has been using its emergency powers „extensively”... for purposes that not related to the ground for the state of danger.²

The first response to the protests was the government decree 36/2022 (11.II.), which entered into force the next day and restricted the right to strike. It should be also mentioned that the *Act VII. of 1989 on Strikes* prescribes that if the parties cannot agree on the level and the conditions of minimum services, the unions appealed to the court to establish the minimum services.³ In contrast the Government decree determined the necessary minimum services such a high level, that made the strike practically meaningless and deprived it of its true function. (The decree provides that the 50 % of students’ classes and all classes of final-year students must still be held; the day spent on strike would be deducted from the striking teacher’s salary.)

According to Hungarian Helsinki Committee the government used its regulatory power in *abusive manner*:

- a) The decree violated *teachers’ right to strike* as enshrined in the Fundamental Law of Hungary and protected by Article 11 of the European Convention on Human Rights when it restricted their right to strike without a legitimate aim, in an arbitrary and disproportionate manner.
- b) The decree prevented teachers (the unions) from seeking *meaningful judicial remedy*, as the court they finally turned to could only conclude that since the level of necessary minimum services had been determined in a government decree, it was not any more in the position to decide on the issue otherwise. This amounted to the *violation of the right to fair trial* as

²The Government has used its emergency powers extensively. As of 1 June 2022, the Government terminated the second ‘state of danger’ it declared in January 2021 in response to the COVID-19 pandemic. During the reporting period, Parliament authorised the Government to further extend the applicability of the Government’s emergency measures until the end of the pandemic-related ‘state of danger’. The Government went beyond the Parliament’s authorisation when it issued emergency measures to regulate matters unrelated to the COVID-19 pandemic. **It also used its emergency powers to overrule judicial decisions, thereby limiting the right to strike and media freedom.** On 24 May 2022, Parliament adopted the **Tenth Amendment**, allowing the Government to declare a ‘state of danger’ in case of an armed conflict, war or a humanitarian catastrophe in a neighbouring country. On 25 May 2022, the Government declared another ‘state of danger’ under the amended Article 53 (1) of the Fundamental Law, in view of the armed conflict and humanitarian catastrophe in Ukraine and with a view to averting their impact on Hungary. On 8 June 2022, Parliament adopted Act VI of 2022, authorising the Government to extend applicability of emergency measures until 1. November 2022. In: European Commission, 2022. *Rule of Law Report*, https://commission.europa.eu/system/files/2022-07/40_1_193993_coun_chap_hungary_en.pdf 26. (25.10. 2023).

At present, the Government has extended the state of danger until 25. November 2023, on the basis of the Fundamental Law’s authorisation (author’s note).

³ Art 4 (3): The level and conditions of service that are still sufficient may be determined by law. In the absence of a statutory provision, the level and conditions of the minimum service must be agreed in *pre-strike negotiations*; in this case, the strike may be maintained if the parties have concluded an agreement or, failing that, if a final decision of the labour court has been made at the request of either of them, the level and conditions of the minimum service have been determined. In: *Act VII. 1989 on Strikes*. <https://net.jogtar.hu/jogszabaly?docid=98900007.tv> (15.10.2023)

enshrined in the Fundamental Law and in Article 6 of the European Convention on Human Rights... In addition, this legislative step also went against the UN Basic Principles on the Independence of the Judiciary, which sets out that there *shall not be any inappropriate or unwarranted interference with the judicial process*.⁴

In protest at restrictions on the right to strike two teachers union submitted a constitutional complaint against Government Decree. The Constitutional Court declared it inadmissible.

In the spring of 2022, some teachers went on civil disobedience. In order to organise the school-leaving examinations, the government cemented the violation of teachers right to strike on a statutory level. It reintroduced the restrictions included in the government decree in Art. 14-15 of Acr V of 2022. In July 2022 the opposition members of Parliament have appealed to the Constitutional Court in posterior norm control. In their petition referred to the violation of 1) right to strike, 2) freedom of expression and 3) right to a fair administrative procedure. The petition was rejected: „...according to the Act on National Public Education, public education insritutions primarily serve to ensure children's fundamental right to education and to proper physical and mental development. The fundamental rights of children can be achieved through the active conduct of the state. In the contested Act, the law-maker, in differentiating between the minimum service levels that are still sufficient, took into account the rights of children with different needs (e.g. children about to graduate from school, pupils, kindergarren children, children with special educarional needs, etc.). The Constitutional Court found that the restriction of the right to strike in the public education institutions was made for legitimate purposes, to the extent necessary and in a balanced manner, i.e. proportionately, taking into account the fundamental rights and constitutional values to be protected in contrast with it. *The functioning of public education institutions, and thus the rights of children, are legitimate objectives for restricting the right to strike*. Therefore, the provisions of the Act regulating the provision of services that are still sufficient are in line with the provisions of the Fundamental Law, and the Constitutional Court rejected the petition for a posterior norm control of the conformity of the Act with the Fundamental Law.”⁵

The last step before the adoption of *Status Law* was to modify the rules on dismissal. The 4/2023 (I. 12) Government Decree changed the rules of how can dismiss employees of public education instrution for violating labour obligations. It is extended the deadline of extraordinary dismissal from 15 days to long months. The employer has the right to dismiss a worker with immediate termination until 1 August 2023 if the employee takes part in civil disobedience. The Decree could be applied *retroactively* if the employer

⁴Hungarian Helsinki Committee: *Curtailing the rights of teachers in Hungary. How the Government used legal tools to crack down on teachers asking for improvements in the public education system*. on 23. March 2023. *Executive summary*. 4-5.

⁵Decision 1/2023. (I. 4.) AB of the Constitutional Court. [II/01665/2022 \(mlkab.hu\)](https://mlkab.hu/II/01665/2022) (download: 16.10.2023).

was informed of a violation of a labour obligation before the decree entered in force, provided that at the time of decree's entering into force less than 15 days.

The government's intentions are clear: with a 2/3 majority in parliament and extended regulatory power, it restricts constitutional rights by decree, without taking into account the opinions of the parties (civil society) to the protest. During these months, not only social organisations and trade unions protested, but also the Hungarian Academy of Sciences intervened on the state of Hungarian public education. In its two resolutions summarised the reasons for the unsustainable situation and proposed remedies. The guidelines applied to the political/professional and social actors responsible for the development of the education system. On the one hand, it can be seen that the public education is a sub-system of social policy in which there has been a very significant *loss of confidence* since the transformation of the political regime. The debates on education have become *politicised*, with professional arguments being outweighed by the political affiliations of the parties involved. As a first step, a *new social contract* is needed to define:

- a) the common vision for the future and determines the tasks, the duties and the responsibilities for achieving it.
- b) the place and role of public education in the Hungarian national strategy responding to the challenges of the 21st century.

To realize this, a new approach is required, which can be promoted through *commitment and dialogue*. The Hungarian education will only be competitive and able to respond to the challenges if it established a *well-developed, effective, equal opportunities and long-term stable public education system*.⁶

- c) To make teaching an attractive career and raise the *quality of public education*, *teachers must be given professional autonomy*. This can only be provided by good professionals, well-functioning teaching staff and public education institutions, and appropriate professional quality standards. Salaries should be performance-based. Teacher training at universities *must be strengthened* to ensure a supply of teachers.
- d) Our country needs a thorough *reorganisation of the public education system*, a public education development programme that covers all electoral cycles, which, in addition to nurturing outstanding talents, also fulfils the objectives of increasing social cohesion and catching up. This can only be guaranteed by a shared social consensus.⁷

⁶ The Resolution of the Presidency of the Hungarian Academy of Sciences on the situation of public education and the necessary improvement tasks. (20.12.2022.). In: https://mta.hu/mta_hirei/az-mta-elnoksegenek-allasfoglalasa-a-kozoktatás-helyzeterol-es-a-fejlesztesehez-szukseges-teendokrol-112639 (20. 10.2023.)

⁷ Ibidem

This also means that many elements of the teachers' unions' protest can be found in the resolution of the Academy's Presidency. The Academy was severely critical of the organisation of public education, the lack of autonomy and, above all, the need to develop a national education programme based on a wide-consensus. This also implied a reconsideration of the whole reform-programme of the public education.

2. The so-called „Status Law” and its consequences

The circumstances of the adoption of the Status law, which the opposition calls *vengeance law*, are already questionable. On 2 March 2023, the Ministry of Internal Affairs published a draft law on the legal status of those employed in public education and the amendment of certain related laws with a 10 March 2023 deadline to submit opinions in the framework of public consultation. The Hungarian Helsinki Committee in its Recommendation called for the removal of legal restrictions, including the right to strike, the extraordinary dismissal or immediate termination of employment (decree 4/2023 (II.12)); and the freedom of expression of teachers. The Recommendation suggested extending the consultation period for Draft Status Law and the representatives of consultation.⁸

On 26 April, a day after police fired tear gas at protesters outside the Prime Minister's residence, negotiations were starting between the two trade unions (PDSZ, PSZ) and the State Secretary for Education at the Ministry of the Interior.)⁹ On 6 June, the Minister of Interior sent the draft to Parliament. On 16 June, opposition and the government debated the draft for more than 18 hours. (On 22 June, the FIDESZ majority adopted the final version of the draft. Although the opposition had proposed more than 40 modifications without voted by the majority.

The Status Law introduced complex and profound changes in the status of public education staff and the functioning of educational institutions. The change primarily concerned the legal status of education workers, the maintenance, employer- and financial competences of the education system. However, the „demarcation line” is only partially drawn with the adoption of the Status Law.

The essential difference is found between the situation before and after 2013. In 1990 local governments became responsible for the provision of primary and secondary education in Hungary. Though private (church and non-church) schools are also present, the majority of schools were owned, funded and run by local governments. The state budget contributed to the cost of education through a formula funding system

⁸ Hungarian Helsinki Committee: Curtailing the rights of teachers in Hungary.... Executive summary, op. cit., 11-12.

⁹ Diákok és tanárok tüntettek a Karmelitánál a rendőrség a könnygázt is bevetette. (Students and teachers protested at the Carmelite and police used tear gas.)

https://hvg.hu/itthon/20230424_Diakok_es_tanarok_tuntetnek_a_Karmelitalan_a_rendorseg_konnygazt_is_bevetett_ELO (30.10.2023)

based on the number of students studying in public schools in the municipality, and some other variables.¹⁰ In 2013 the central government took over public schools from local governments. This reform has changed the funding and governance of schools and reshaped the rules and practice of education governance. One of the declared policy goals of the reform was to improve the large disparities in the distribution of school resources and quality, related to differences in fiscal capacities of local governments.

The law, in force since 2013 and adopted by the FIDESZ-KDNP government with a 2/3 parliamentary majority, has implemented rapid and strong centralisation.¹¹ Educational institutions (schools) were run by a central organization, the Klebelsberg Institution Governance Centre (abbreviated as KLIK). In the first phase of the reform, local government rights were abolished. The rights and powers (including employer rights, the choice of teachers and school personnel, or the autonomy in dealing with everyday management problems, purchase order placements, etc.) of headmasters or principals diminished drastically. Eight-year basic schools providing elementary and lower secondary education are generally operated by the local branch of KLIK. Secondary schools including vocational schools, vocational secondary schools and academic secondary schools offering non-vocational 'academic' upper secondary education programs are usually operated by the county centre school district in each county¹².

In the second phase of the reform the central unit was remodelled: the Klebelsberg Centre (Klebelsberg Központ or KK) organizes the work of school districts and provides supervision and professional guidance to them, but the decisions are made by the individual school districts themselves. This change was at the same time a further step in centralization (as the number of school districts was reduced drastically), and a massive decentralization as well, as their responsibilities and degree of autonomy greatly increased.¹³

The centralisation also extended to the choice of school teaching materials. The freedom to use a licensed textbook was severely reduced, and the number of approved textbooks was cut drastically. This meant that the government saw the development of a learning programme that prioritised Christian, conservative and national values as the primary task of educational management. It ignored efforts by some teachers' unions to promote competence-based education and to reduce the quantity of the teaching materials. (The government regularly ignores the causes of Hungarian students' increasingly poor results in the PISA tests.¹⁴)

¹⁰ HERMANN, Zoltán – SEMJÉN, András: *The effects of centralisation of school governance and funding on inequalities in education Lessons from a policy reform in Hungary*. KRTK-KTI WORKING PAPERS, Institute of Economics Centre for Economic and Regional Studies, 2021/38. 3. In.

¹¹ see: National Public Education (Act CXC of 2011); and a law (Act CLXXXVIII of 2012) on the taking over of the control and funding of some education institutions from local government by the state. In. HERMANN, Zoltán – SEMJÉN, András: op. cit., 4.

¹² HERMANN, Zoltán – SEMJÉN, András: op. cit., 4-5.

¹³ Ibidem

¹⁴ Hungarian students at the age of 15 scored lower than the OECD average in the 2018 PISA (Programme for International Student Assessment) survey in all three areas tested (reading, mathematics and science), and the survey showed that their "mean levels of basic skills are significantly below the EU averages and have declined since 2009": In. Hungarian Helsinki Committee: *Curtailing the rights of teachers in Hungary.... Executive summary*, op. cit. 2.

The most important point of the Status law is that it abolishes the status of public servant for teachers, and introducing the status of *public education employee*. Teachers are informed before the entry into force that their status as a public servant will be terminated and will have to declare whether they wish to transfer to the status of public education employee. Those who do not accept the new legal status will be exempt from the obligation to work from 1. November 2023.

It is introduced the possibility of disciplinary proceedings against teachers. The period of resignation is increased from 2 to 3 months.¹⁵ The teachers may be transferred to another place of work within the same district (if they have to travel up to 3 hours round trip), except for teachers whose children are in primary school or younger, or who are pregnant, raising children alone or caring for dependants.¹⁶

The number of substitutions has been increased from 26 hours per week to 30 days per year. Up to now, it has been the board of education that has adopted the organisational and operational rules, the pedagogical programme, the annual work plan and the house rules, but now it has only the consultative right except for the house rules. An important restriction is that only if the trade union organisation is above 10%, there is a possibility to conclude a collective agreement.¹⁷

It is now possible to terminate classes or groups because of a teachers' strike and transfer children to another school. The school year can be extended until 15 July.

3. The case of „wrapped books” and the protection of children

Another important and discussed issue, which partly concerns the situation of public education, is also worth mentioning. The controversial *Anti-paedophilia Act* (LXXIX. 2021) and the subsequent amendment of the government decree (n. 2010/2009) involved the textbooks of public education and restricted the choice of teaching materials. The former prohibits the „display or promotion” of homosexuality or gender reassignment in educational material or TV shows for people under 18.¹⁸ The government decree 473 of 2021 (III.6.) prohibits or restricts the publishing of LGBTQ books: „1) Art. 20/A: „No product portraying a deviation from the identity of one's gender at birth, gender change, or self-serving sexual content, as well as products depicting or promoting homosexuality may be distributed within 200 metres of an entrance to an educational institution, child and youth protection institution, church or other place of worship. Art. 20/A: The same products may only be marketed separately from other products in closed packaging.”¹⁹

¹⁵ Act LII of 2023 on the New Career system of Teachers, Art. 54 (3)

¹⁶ Act LII of 2023 on the New Career system of Teachers, Art. 68 (4.)

¹⁷ Act LII of 2023 on the New Career system of Teachers Art. 144 (4)

¹⁸ Art. 5/A §. Act LXXIX of 2021

¹⁹ Government Decree 473/2021 (VIII. 6.)

According to the law, the teaching material that deals with or relates to LGBTQ issues is not allowed in public educational institutions. The bookshops must sell all books with this content in closed packaging, unless there is a school or church within 200 metres, because there they cannot sell books with LGBTQ content at all. (The government decree was applied this year, Libri bookstore received a fine of 1,000,000 ft /2 625 EU/ and Lira bookstore 12, 000,000 ft./31.500 EU/).²⁰

Why is problematic and highly controversial these legislations? From legal view point the text is not clear. This is why Lira has appealed to the court. They argued that the text of the government decree contains a grammatical error, i.e. the comma between packaging and separation is missing, and therefore it is not clear what constitutes a legal obligation to comply with the law. Indeed, the bookstore interpreted the text of the legislation as meaning that products in sealed packaging must be sold separately, while products not in closed packaging must not.

In fact, one significant approach to the interpretation of legislation is grammatical/logical analysis. One of the famous studies by the American philosopher Lon Fuller - *The Morality that makes Law possible* - argues that the law is made impossible to follow if the text of the law is not clear and unambiguous.²¹ This, it should be added, also threatens the principle of legal certainty, since the meaningless text, the inconsistency, is problematic from the point of view of the judicial application.

However, we must also examine the text of the legal norm in terms of the legislator's intention (legislative goals). What is the legislator intending to protect and is the value it is protecting in accordance with the convictions of society or not? The current situation is *one stage in a long-term process*. The 9th Amendment of the Fundamental Law declared, - in the context of state of danger -, that the father is male and the mother is female.²² The reasoning of the amendment can be summarised as follows: the western ideology is changing

²⁰12 millióra bírságotlák a Lírát, mert nem fóliázott be egy könyvet. (Lira was fined 12 million for not wrapping a book)

https://hvg.hu/kultura/20230713_12_milliora_birsagoltak_a_Lirat_mert_nem_foliaztak_be_egy_homoszexualitast_megjelenito_konyvet (31.10.2023)

Currently, a similar political and social debate is unfolding in connection with the World Press photo exhibition opening at the Hungarian National Museum. Dóra Dúró, a representative of the Mi Hazánk Movement, has taken the initiative to restrict access to the exhibition because some of the photos contain LGBTQ content. Her initiative was supported by the Minister of Culture, and the Museum's Council of Curators decided not to allow people under the age of 18 to visit the exhibition. However, the museum is not a public authority and cannot control or sanction those who do not comply with this provision. (author-note).

²¹ Fuller in the legal system distinguished eight correlative kinds of legal excellence: (1) the requirement of generality; (2) the promulgation of the rules; (3) the prospective application of law; (4) the clarity of laws; (5) avoidance of contradictions in the laws, that is, consistency in laws is necessary; (6) avoidance of laws commanding the impossible; (7) the constancy of law through time, that is, avoidance of too frequent changes in the law; (8) the congruence between official action and declared rule, that is, prevention of discrepancy between the law as declared and the law as actually administered. These eight principles of legality constitute the inner morality of law. In: FULLER, Lon: *Az erkölcs, amely lehetővé teszi a jogot. (The Morality that makes possible the Law.)* In: *Szabadszöveg József: Lon Fuller. Fejezetek a jogbölcseleti gondolkodás történetéből*, Bíbor Kiadó, Miskolc, 1999. 239. ISBN: 9638103209

²² Article L) (1) of the Fundamental Law shall be replaced by the following provision:

“(1) Hungary shall protect the institution of marriage as the union of one man and one woman established by voluntary decision, and the family as the basis of the survival of the nation. Family ties shall be based on marriage or the relationship between parents and children. The mother shall be a woman, the father shall be a man.” In: *Opinion No. 1035/2021 CIDL-REF (2021) 045*. European Commission for Democracy through Law (Venice Commission), *Hungary Ninth Amendment to the Fundamental Law*

in a way that necessitates guaranteeing the child's right to self identity. According to the legislator intention the child's identification is based on Christian culture, and Hungary's constitutional identity. The marriage is the union of one man and one woman. It is the right of the parents to bring up the child, which cannot be directed to the opposite sex at birth.

The referendum, which was held at the same time as the 2022 general election, was also the subject of a series of questions drawn up by the government to test the public opinion on the rejection of LGBTQ and gender issues, with reference to child and family protection.²³ The referendum was rejected because it did not get the required number of votes. In addition to another 2/3 electoral victory, it sought to minimise the significance of the referendum's invalidity.²⁴

This means that the government keeps LGBTQ issues on the agenda. Since the so-called Anti-Paedophilia law, it has tried time and time again to find social consensus to tighten the law. It has done so by amending the constitution. This was followed by an invalid referendum and then fines under a government decree. While the system of "rule by decree" is working well, influencing the public opinion is not. It should also be noted that in government propaganda, the different meaning of the words: gender, feminism and LGBTQ is obscured, and a large part of the population is not even conscious of this. Communication is highly reduced and bipartite. What is not Christian and conservative is wrong. In such a dominant worldview, the diversity, the tolerance and dissent are seen as dangerous. The government's solution is the centralisation and the heavy sanctions. However, it is worth reflecting on what children and young people will grow up to be if they receive one side and exclusive values. In addition, the category of "child under 18" is extremely wide. The reality of a child is different from that of an adolescent. A young person with the experiences in everyday life that "I can't go to a museum or, I can't read a book in a bookstore because it contains "dangerous topics and stories", what he or she will think about politics, culture and

and Explanatory Memorandum. In. [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CIDL-REF\(2021\)045-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CIDL-REF(2021)045-e) (download 31.10.2023)

²³ Questions of referendum (03.04. 2022):

Do you support holding information events on sexual orientation to minors, in public education institutions without parental consent?

Do you support the promotion of gender-reassignment treatments to minors?

Do you support the unrestricted exposure of minors to sexually explicit media content, that may influence their development?

Do you support showing minors media content on gender changing procedures?

The percentage (%) to each question are as follows: agreed: 1) 7,06% 2) 4,08% 3), 4,67% 4) 4,83%

against: 1) 92,32% 2) 95,92% 3),95,33% 4) 95,17%

(the percentage of valid votes for all four questions: 47%) -

Országos népszavazás (National Referendum) In.

<https://vtr.valasztas.hu/nepszavazas2022> (download 31.10.2023)

²⁴ Regarding the invalidity of the referendum, the Prime Minister concluded: "...the result is not a political mandate, but a political obligation that the government must implement... We have achieved a great result with the referendum, never before have so many people voted in one direction in any referendum,"

In. https://hvg.hu/itthon/20220406_Orban_Viktor_sajottajekoztato (25.10.2023)

different ways of thinking? How will they be able to reflect, think and critically interact with the world? It should learn all this at school.

Conclusions

It seems that the Hungarian public education (and child protection) is a wicked problem. With a 2/3 parliamentary majority and decree government, all legislation can be amended quickly and easily. The government will use all legal tools to impose its own values in child-raising and education. This is embodied in the exclusivity of Christian and national values since the first parliamentary elections in 2010. Such a majority does not require that a different set of values from the government's position be taken into account. When draft legislation is discussed, opposition aspirations and the trade unions and social organisations representing them are not included in the interest negotiations. This is manifested in a strong centralisation of education policy and a radical reduction of professional autonomy. Dissent is demonised, essentially framed in terms of enemy images, which is reflected in legislation advocating the distribution of LGBTQ books. It ignores not only the provisions criticised by trade unions, but also by professional organisations, scientific institutes and legal organisations, and the proposals made to eliminate them. One reason for this legislative process is naturally the parliamentary majority. On the social side, it is clear that there is a profound lack of trust in social institutions and organisations. The teachers' unions, and opposition parties *are not able to set goals that would unite and mobilise the large masses of teachers and citizens* who dissatisfied with the public education but represent a multiplicity of viewpoints.