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EU membership comes with obligations

The aim is not to isolate Hungary. It is to prevent one government from hollowing out European standards from within

These days, Viktor Orbán might be lying awake at night — but that's not because he's wrestling with deep philosophical questions about democracy. No, for the first time in years, the Hungarian prime minister and chair of the ruling Fidesz party, has reason to worry about an election. Polls are tightening, opposition energy is building, and Peter Magyar, a former Fidesz insider, has emerged as a serious challenger. This is an unfamiliar and unsettling situation for Orbán, a leader who spent years reshaping Hungary´s institutions in his favour, dismantling democratic checks and balances along the way.

When illegitimate power feels threatened, distraction is the go-to survival strategy: fearmongering, smear campaigns, disinformation. 'Flood the zone,' as the right-wing extremist strategist Steve Bannon calls it. In recent weeks, Hungary has witnessed a firework of such political diversions: troops deployed at the border with Ukraine. Reports of a sex-tape meant to smear Peter Magyar — that never materialised. Increasing intimidation of journalists and critics. The aim is clear: dominate the headlines, control the narrative, drown out uncertainty.

A Trojan Horse

Over the past 16 years, Hungary's political playing field has been systematically reshaped: electoral laws have been rewritten, districts redrawn, oversight bodies remodelled, media access and public resources tilted toward the governing party. By itself, each of these steps may seem technical; together they produce what observers call a system that is 'free, but not fair.' The European Parliament has called it an electoral autocracy.

Moreover, several recent rulings of the European Court of Justice showed that some of Orbán's interventions are clearly illegal. For example,

Hungary was found to be in violation of EU law when it forced the independent broadcaster Klubrádió off the air. This measure was no accident. No bureaucratic oversight. It was a deliberate assault on media freedom. Similar distortions are visible elsewhere. In several elections, opposition parties combined won as many – and sometimes more – votes than Fidesz. Yet the electoral architecture turns narrow pluralities into dominant parliamentary majorities. Hungary is neither a dictatorship nor a healthy liberal democracy. It is a hybrid system. One where democratic pretence exists but where the institutions are calibrated to entrench those in power.

Orbán's disruptive tactics extend well beyond Hungary. Consequently, what is at stake is not only Hungary's democracy but the credibility of the EU as a community of values. In Brussels, Orbán has repeatedly blocked financial support for Ukraine and delayed sanctions against Russia, forcing last-minute summits and compromises. Agreements painstakingly negotiated among 26 member states are reopened because Budapest refuses to sign. In February, Hungary used its veto power to halt a €90 billion financial support package for Ukraine and to delay additional sanctions against Russia. Budapest conditioned its approval to the restoration of Russian oil deliveries through the Druzhba pipeline via Ukraine, effectively turning the issue of energy transit into leverage in the dispute with Brussels and Kyiv. These actions play into the hands of Putin and put Europe's security at risk.

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How long can the European Union tolerate systematic breaches of its founding principles by one of its own member states? And what options are there to deal with the Trojan Horse that Hungary has become? Several responses are being discussed in Brussels. They range from 'Huxit' to stripping Orbán of his vote. Some options are more realistic than others.

Some argue that because of repeated breaches, Hungary should simply leave the Union. Yet the EU treaties contain no mechanism to expel a member state. And even if a forced 'Huxit' were possible, it would not weaken Viktor Orbán — it would weaken the Hungarian people. The European Union is not an alliance of governments — it is a union of citizens. And millions of Hungarians continue to believe in European values. They deserve protection, not abandonment.

Hungary's politics thrives on confrontation with Brussels. It is the fuel

that keeps Orbán's regime running. An expulsion would hand him the ultimate narrative: Hungary as the victim of foreign interference. It would cement, not dismantle, his domestic power structure.

More fundamentally, expelling a member state because it is sliding toward authoritarianism would contradict the very idea on which the European Union was founded. The EU was created to bind European nations together in a community of common values and laws, precisely to prevent democratic backsliding and nationalist isolation from tearing the continent apart again.

The real question is therefore not whether Hungary should remain in the EU. It should. The question is how the EU can defend its principles while keeping the door open to Hungarian society.

Finding a loop hole

Paying Orbán off clearly didn't work. And, it seems, it may even have been illegal. In December 2023, the European Commission released €10.2 billion in previously frozen cohesion funds for Hungary just days before EU leaders were due to decide on opening accession talks with Ukraine — a step Orbán had threatened to block. The move was widely seen as an attempt to buy off Hungarian resistance.

Since then, the Advocate General at the European Court of Justice has concluded that the Commission should not have released the money because key rule-of-law conditions had not been met. If the Court follows that opinion, it would confirm what many suspect: something as fundamental as the rule of law has been reduced to a bargaining chip in the big compromise machine that is the European Union.

Still, the European Union is not powerless. Its treaties already contain mechanisms designed to respond when a member state systematically undermines the union's values: the most far-reaching instrument is Article 7 of the EU Treaty, often described as the Union's 'nuclear option.' It allows member states to suspend a country's voting rights if there is a serious and persistent breach of EU values such as restrictions of judicial independence or media freedom. Proceedings against Hungary have been ongoing since 2018. In theory, Article 7 could strip Orbán off its vote in the Council. In practice, however, such a step requires unanimity among the other member states, making it politically extremely difficult. The governments of Slovakia or the Czech Republic may hesitate to set such a precedent.

Financial conditionality has proven to be a far more immediate lever.

Tens of billions of euros in EU cohesion and recovery funds for Hungary have already been frozen because of rule-of-law concerns. The aim is not to punish Hungary but to ensure that European taxpayers' money does not bolster corrupt networks or enable the undermining of judicial independence. Yet loopholes remain, and political pressure has sometimes led to funds being released prematurely. If conditionality is to remain credible, it must be applied consistently.

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A more structural solution would be to reform how the EU takes decisions in foreign and security policy. Today, most decisions require unanimity, giving every member state an effective veto. Moving to forms of majority voting would make it harder for a single government to block sanctions or aid packages.

The obstacle, however, is obvious: abolishing unanimity itself requires unanimity or even changes to the EU treaty. Many governments fear losing control over core sovereignty questions, and member states such as Hungary have thus strongly opposed such reforms.

Defending the rule of law is not anti-Hungarian. It is pro-European. Hungary's current situation ahead of the election makes consistency from Brussels even more important. Polls suggest growing support for the Tisza movement led by opposition candidate Péter Magyar. Weakening conditionality now would strengthen the incumbent. Clear boundaries, by contrast, signal that European principles are non-negotiable. The aim is not to isolate Hungary. It is to prevent one government from hollowing out European standards from within.

For almost 16 years, Viktor Orbán has exploited every crack in the Union's legal framework and politics. The more divided Europe appears, the stronger his leverage becomes. Each veto, each delayed decision, each reopened compromise sends the same signal: extortion works and a Union that constantly bends to obstruction slowly erodes.

Europe must finally make one thing clear: membership comes with obligations. And those obligations are not for sale.



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