



Dynamics of (un)employment: Welfare experiences in Hungary

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About ETHOS

ETHOS - Towards a European Theory Of Justice and fairness is a European Commission Horizon 2020 research project that seeks to provide building blocks for the development of an empirically informed European theory of justice and fairness. The project seeks to do so by:

- a) refining and deepening knowledge on the European foundations of justice - both historically based and contemporarily envisaged;
- b) enhancing awareness of mechanisms that impede the realisation of justice ideals as they are lived in contemporary Europe;
- c) advancing the understanding of the process of drawing and re-drawing of the boundaries of justice (fault lines); and
- d) providing guidance to politicians, policy makers, activists and other stakeholders on how to design and implement policies to reverse inequalities and prevent injustice.

ETHOS does not only understand justice as an abstract moral ideal that is universal and worth striving for but also as a re-enacted and re-constructed 'lived' experience. This experience is embedded in legal, political, moral, social, economic and cultural institutions that claim to be geared toward giving members of society their due.

In the ETHOS project, justice is studied as an interdependent relationship between the ideal of justice and its manifestation – as set out in the complex institutions of contemporary European societies. The relationship between the normative and practical, the formal and informal, is acknowledged and critically assessed through a multi-disciplinary approach.

To enhance the formulation of an empirically based theory of justice and fairness, ETHOS will explore the normative (ideal) underpinnings of justice and its practical realisation in four heuristically defined domains of justice - social justice, economic justice, political justice, and civil and symbolic justice. These domains are revealed in several spheres:

- a) philosophical and political tradition;
- b) legal framework;
- c) daily (bureaucratic) practice;
- d) current public debates; and
- e) the accounts of vulnerable populations in six European countries (Austria, Hungary, the Netherlands, Portugal, Turkey and the UK).

The question of drawing boundaries and redrawing the fault-lines of justice permeates the entire investigation.

Utrecht University in the Netherlands coordinates the project, and works together with five other research institutions. These are based in Austria (European Training and Research Centre for Human Rights and Democracy), Hungary (Central European University), Portugal (Centre for Social Studies), Turkey (Boğaziçi University), and the UK (University of Bristol). The research project lasts from January 2017 to December 2019.

EXECUTIVE SUMMARY

This report is part of ETHOS work package 5 on justice as lived experience. It examines the perspective of those who at some point during their life course have experienced unemployment. The aim is to explore what people understand to be the relation between contemporary welfare states and social justice.

This research is based on documentary and policy analysis complemented with interviews. A total of seven people were interviewed. Almost all of them recounted a life course where the experience of regular work, public work, casual work, and unemployment intersected and alternated with one another. All experienced periods of unemployment which they tried to navigate as best they could. At the time of the interviews they either had a job or student status and were engaged in voluntary work. None was unemployed. Being unemployed was a past condition that they for the time being had left behind.

Because of their fragmented employment history, the result of a complex set of determinants such as disadvantaged social context and family history, at the intersection of coming from a Roma or refugee background, from a working class and rural background, their experience of insurance based unemployment and unemployment assistance, was always recounted and recalled as an interim phase which should be insignificant, invisible, not worth thinking about, or not able to talk about, not even among friends, as one of the people interviewed observed. Against the wider social backdrop where there is welfare for the rich and workfare for the poor the unemployment assistance has virtually disappeared for the past few years as it has become entirely meaningless in its function to offset in any way the loss of employment based income. The fact that public workers are counted as 'employees' instead of 'unemployed', that the vast public works programme has replaced and erased all other activation policies, shows a complete rejection and denial of the need and legitimacy of social assistance, of welfare provision for the unemployed. It is a dramatic situation that has been orchestrated for the past few years where provision for the unemployed has become virtually non-existent and thus large sections of Hungarian society have been ejected and rejected.

Only complex policy arrangements where more traditional policy measures are combined with other services and institutions, such as health and education, can be an answer to helping people find employment. As a first step, however, it is urgent to acknowledge and recognise the real and pervasive risk of unemployment, which threatens everyone, but particularly the more disadvantaged and vulnerable groups in Hungarian society such as the Roma, low-skilled workers, refugees, single parents, people with disabilities, older workers etc. Recognition can happen through the redirection of resources to a series of activating labour market policies and away from the public works programme. The capacities of job centres should be expanded with properly remunerated and trained staff able to assess the needs and skills of prospective workers. The insurance based unemployment allowance (now called the job seeking allowance) and unemployment assistance (employment substitute benefit/support) should no longer be merely symbolic and thus almost meaningless: their length and value should be considerably raised. Their currently stigmatising and degrading meaning would disappear once they prove meaningful and helpful in leading people back into employment.

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1. INTRODUCTION

This report is part of ETHOS work package 5 on justice as lived experience. It examines the perspective of those who at some point during their life course have experienced unemployment. The study is particularly interested in the welfare state as a means of inclusion (since access to the welfare state is a fundamental benefit of citizenship) and of exclusion (since access to some elements of the welfare state, particularly unemployment benefits, is associated with social stigma, compulsory work-related activities and marginalisation). In line with ETHOS guidelines, the 'welfare state' is understood to be an institution which provides benefits to all citizens of a particular state, regardless of whether they have contributed to the cost of providing them. It also provides specific benefits which are seen as meeting needs, rather than sums of money which can be used as the recipient pleases. The aim is to explore what people understand to be the relation between contemporary welfare states and social justice – if indeed they think that there is a relation at all. Is the welfare state an expression of social justice or is it a limitation of freedom? Does it promote equality or entrench discrimination?

To answer these questions, I analysed the retrenchment of the welfare state and its consequences on various social categories, based on documentary legal and policy analysis and quantitative data. Drawing on secondary literature, I also examined who was targeted as deserving and undeserving in political and media discourses. Unlike in ETHOS work package 4, the intention was not to provide an in-depth discourse analysis but rather an observer's overview of the debates.

This research is based on documentary and policy analysis complemented with interviews. A total of seven people have been interviewed. Four of these were Roma youth: three women and one man, all in possession of either a university degree or a baccalaureate. All of them had previously taken part in a four day long training session organised by an NGO in Budapest. The training prepared participants for employment on the primary labour market in the private sector. The main idea of the project was to facilitate the access of secondary level and university level educated Roma to quality, white-collar jobs at private companies, which are usually non-accessible for most of Roma. Another woman in her mid-fifties with primary education (Ani),¹ who was part of the public works scheme for five years before finding regular employment with the Budapest public utility gardening company, also agreed to take part in an interview. There were two other men interviewed: one young man with subsidiary protection status (Samuel) and an employee of an advocacy organization (Mark). Unfortunately it was not possible to interview social service personnel or social workers/client managers who would have provided useful material on processes of claiming unemployment-related benefits. Those I approached at the district office were required to respect a certain protocol according to which their superiors had authority over whether an interview could be granted or not. They referred me to their superiors, who in turn referred me to more superiors to no avail. When I tried through a less formal channel, I was kindly asked not to reveal that I was affiliated with the Central European University. For ethical reasons, including concern not to jeopardise my contact person's job I could not pursue the interview with the person working for a large state company that employs people with disabilities.

All those interviewed were working in Budapest at the time of the interviews (April 2019).

¹ All names have been changed to protect participants' privacy.

Most had left the villages where they were born and where their parents or family still lived. The exceptions were the advocacy organization staff member and the woman who worked in the gardening company who commuted for one hour to Budapest and back home, a travel arranged for a group who all came from the same village by the public utility gardening company (Főkert Nonprofit Zrt.). Three of the four Roma youth have settled down in the capital city, the fourth was born in Budapest.

2. RETRENCHMENT OF THE WELFARE STATE SINCE 2010

2.1. AUSTERITY MEASURES

The economic crisis hit the post-socialist states of Central and Eastern Europe (CEE) particularly hard due to their small, exposed and already highly indebted economies. In Hungary, the aftermath of the 2008 crisis brought even more radical retrenchment of the welfare state and coincided with the consolidation of an increasingly authoritarian neoliberal regime under the leadership of Viktor Orbán, in power since 2010. In October 2008 the country received external financing from the IMF and EU under conditions that required severe budgetary constraints. Hungary has been one of the European Union states which has experienced the most severe welfare state retrenchment during the crisis years, with real social spending decreasing by 13–14 percent between 2008 and 2012 (Organisation for Economic Co-operation and Development 2012). Social policy reforms have not been aimed at providing social protection to the most vulnerable groups of society and a reverse redistribution towards the wealthy has taken place since 2010 (Szívós and Tóth, 2013 cited in Szikra 2014: 488). The dominant features of crisis management in Hungary were a radically less progressive tax system (flat rate income tax which favours richer tax payers, combined with family tax credits targeting the rich) and cuts in redistributive state spending, most notably on the unemployed (Myant, Drahokoupil, Lesay 2013). In 2008, the focus of measures was on expenditure, with pay cuts for public-sector employees, equivalent to one per cent of GDP, the elimination of the 13th monthly pension for early retirees and a cap on the 13th monthly pension for other pensioners, equivalent to 0.2% of GDP. The indexation of selected social benefits was postponed or eliminated (0.2% of GDP), and other spending suffered a general reduction (0.5% of GDP) (Myant, Drahokoupil, Lesay 2013). In 2009, social spending cuts translated into cutbacks in universal provisions and social insurance (Matos 2013).

In 2009 and 2010, expenditure was reduced by 1.6% and 3.6% of GDP respectively, and measures included cuts in pensions and cuts in various social benefits. Public-sector pay was frozen for 2010 and 2011 and cut through the abolition of the 13th-month salary starting in 2009. Family provisions and pensions were the most resilient to dramatic changes, whereas unemployment benefits were more easily downsized (Matos 2013). Even before 2010, the year when the Orbán government came to power, the state's commitment to protect its citizens from the hardships caused by the economic crisis had weakened, particularly for the unemployed. Between 2010 and 2016, spending on social protection dropped to 20.6% of GDP, somewhat below the OECD average (21.0%). The resources of active labour market policies were channelled into the vast public works programme resulting in a decreased number of beneficiaries of the unemployment benefit system while the public works programme did not prove to be an efficient tool to encourage the return of the unemployed to the labour market (Scharle and Szikra, 2015). From 2012 onwards, the Hungarian government has made

job creation a key policy objective and has adopted various measures to stimulate employment, including tightening unemployment and welfare benefits, expanding the public works programme, and reducing tax rates and social contributions for some segments of the labour force (IMF 2013). However, as Szikra (2018) argues, instead of building and sustaining a Western European type of welfare state, the Hungarian government was set on establishing a 'work-based society'. Austerity measures targeted the workless and the most vulnerable groups, with the maximum length of the unemployment benefit reduced from nine to three months. Furthermore, entitlement to any social benefits or social assistance was conditional on compulsory participation in public works programmes, regardless of the educational level of the unemployed.

Writing shortly after the 2008 crisis Köllő (2011) states that in the aftermath of the crisis a relatively large part of the new unemployed were entitled to benefits. The proportion of the short-term non-employed receiving insurance-based benefits (UI) or unemployment assistance benefits (UA) increased by 10 percentage points while at the same time the share of those receiving pension or childcare fell by a similar magnitude. The proportion of job losers registered at labour offices also grew by about 10 percentage points (Köllő, 2011). However, despite relative improvements in the receipt of unemployment compensation the share of people who lost jobs receiving no assistance at all (in the form of UI, UA, pension or childcare benefit) remained high: about 40 per cent of the job losers (those who lost their job in the wake of the crisis) got no financial support in 2008–2009. The absolute number of the unassisted non-employed grew substantially, especially in July–December 2009 when many UI recipients exhausted their benefits. Furthermore, the proportion of people searching for a job increased substantially among the unassisted unemployed.

Assessing the policy measures after the 2008 crisis Köllő (2011) states that the Hungarian government's efforts focused on keeping employment as high as possible at the cost of reducing active support for the unemployed. This seems to be a relatively unusual approach. Köllő finds, using an ILO survey (2009b) that about 1/4 of the countries surveyed created public employment opportunities and/or assisted working time reductions, half of them provided additional cash transfers, 1/3 extended unemployment benefit, 1/3 introduced additional social assistance and protection measures and half of them increased their support to low-income households (Köllő, 2011: 63).

2.2. 'UNORTHODOX MEASURES'

The conservative coalition of Fidesz (Hungarian Civic Union) and KDNP (the Christian Democratic Party) laid the blame for the global economic crisis on the previous eight years of socialist governments and deftly used it to introduce and justify rapid interventions labelled as 'unorthodox measures'. This was a rhetorical ploy that distanced it from its socialist-liberal predecessors in virtually every sphere. Furthermore a two-thirds majority in Parliament provided the opportunity for the coalition to remove democratic constraints on executive power. Former democratic institutions have remained in place but substantial elements of democracy like participation, consultation and the protection of minority rights, have largely been eradicated (BS, 2012). Several social policy-related measures have been incorporated into the unilaterally adopted constitution (Fundamental Law, 2011) and 'Cardinal Acts' to ensure that changes would last beyond one political term. The extreme speed of the legislation is illustrated by the fact that more than 700 acts have been implemented within three years, including

the new constitution and cardinal acts (Hungarian News Agency, 2013). One of the most significant methods of avoiding public consultation has been the extensive use of private bills in Parliament to which procedural rules of consultation and proper debate in Parliament do not apply (European Parliament, 2013: 12). The majority of the politically important bills were promoted by individual Fidesz Members of Parliament rather than the government, including the Fundamental Law, as well as many of its amendments and most of the cardinal laws (e.g. EP, 2013; Scheppele, 2012 cited in Szikra 2014: 488). Special forms of the legislative process previously restricted to emergency situations such as natural catastrophes have been retrofitted into tools for rushing 'ordinary' legislation through. The pension reform, and, later the question of access to public information, all happened this way, taking just a few hours for acts to pass after being submitted (Dobszai, 2013, Szikra 2014). The earlier system of distribution of state funds to NGOs through a self-elected body (National Civil Fund) has been dismantled and replaced by a loyal leadership, and institutionalized consultation with civil organizations stopped (Szikra, 2014). Thus, it has become much harder for civil society, experts and trade unions to follow, influence legislation, while tripartite negotiations and civil consultation have been abolished entirely. The Prime Minister declared in the summer of 2010 that 'the two-thirds majority means that the population have legitimized the government's decision-making without the consent of the National Interest Reconciliation Council' (BS, 2012: 11; see also Neumann and Váradi, 2012: 44; Szabó, 2013: 210).

2.3. FAMILY AND NATION

The changes to the welfare state, although affecting the poorest to a disproportionate extent (Kósa 2012), according to Szikra (2014) cannot be solely interpreted in terms of a uniform neo-liberal pattern of retrenchment. In her reading the 'emergency' reforms (Inglot, 2008) of the past years are a mixture of neo-liberal, étatist and neo-conservative elements not seen elsewhere in the region (Szikra, 2014). The increased involvement of the state in the administration of nearly all policy areas is one of the main aspects as shown by the centralization of the primary education and the healthcare systems (with schools and hospitals taken over by the state from the municipalities in 2013), the rapid nationalization of the pension system and the takeover of public works programmes by the Ministry of Interior. The neo-conservative agenda is apparent in the field of education and family policies with the growing influence of churches, especially the Catholic Church. The ideological frame of policies is promoted through disparate means such as the new constitution and taking over an increasing number of kindergartens and schools (Szikra, 2014). The 'traditional family' becomes the central tenet of this ideology and it is explicitly opposed to gender equality and liberty to choose one's own lifestyle. The Fundamental Law abandons the idea of a secular state based on a pluralist society. Its 'Preamble' is a quintessentially ideological statement that emphasises the role of Christianity in 'preserving nationhood'. The key concepts used in the Fundamental Law are 'family', 'nation', 'work' and 'order', with the principle of equality blatantly missing from the text (Szikra, 2014) while several provisions are of an anti-egalitarian character (Kovács, 2012 cited in Szikra, 2014). Moreover, the Fundamental Law diminishes the scope of the Constitutional Court. It also abolishes the ex-post review of budget-related laws, including legislation on taxation and social insurance (EP, 2013: 12, cited in Szikra, 2014), which is of central importance from a social policy perspective. It can be argued that there is no constitutional control over a wide range of governmental activities any longer, including social policy legislation (Sólyom, 2013 cited in Szikra, 2014).

3. RETRENCHMENT AND WORKFARE

3.1. PREPARING THE GROUND: BEFORE 2008

Social insurance – with the exception of unemployment insurance² - existed in Hungary (as elsewhere in the region) for pensions (including funerals), work accidents and sickness benefits since long before the Second World War. Selective social assistance was quite underdeveloped under the previous socialist regime as the existence of unemployment and poverty was denied and individual misfortune was not really a concern for the regime.

Thus despite early acceptance of the ‘European model’, the socialist paternalist state is a legend. The main missing elements were democracy (its legal basis, civil participation), a lack of the spirit of care and compassion, and lack of concern about levels of adequacy. There remained in each country large uncovered areas of social risk. Hungary for instance was relatively effective in family policy, but help with obtaining first homes was missing, social work was practically banned, and provision for the unemployed was non-existent. The Hungarian state was very far from the paternalism of typical Western welfare states.

(Ferge, 2008: 144)

Unfortunately, after the transition, the social assistance system remained largely inadequate despite the creation of new laws and regulations. Levels of benefit were low, their administration defective and access often discretionary. Statutory workfare was spreading, and the “safety net” had holes (Ferge, 2002). Yet insurance-based unemployment benefits were at the start in line with relatively generous European standards (two years, 70% per cent or more of former income, etc). However, the first Orbán government (1998-2002) already regarded unemployment as the fault of the unemployed and in late 1999 an amendment reduced the unemployment benefit period from twelve to nine months. Another ‘passive’ measure was introduced by the Social Act adopted in 1993 in the form of the Income Compensation Allowance (ICA). This provided a flat-rate benefit, 80% per cent of the minimum pension, from the end of the insured period. It was originally available without a time limit. The first Orbán (1998-2002) government made the terms of unemployment provisions stricter. The replacement rate of the insurance benefit was lowered, and the ICA period was reduced to two years and was abolished in May 2000. To fill this new gap, a regular social assistance allowance, amounting to a maximum of 70% per cent of the minimum pension, was introduced in 1997 as a last element in unemployment provision. Afterwards (after 2000) the unemployed could continue to receive assistance from the local authority, but only if they undertook at least 30 days per year of public work (workfare) depending on availability of work. In 2000 only about 9000 persons participated in such programmes (Szociális Minisztérium/Social Ministry 2001).

Growing poverty in the aftermath of the transition required the development of social assistance. The most important legal regulation was the Social Act III adopted in 1993 and the Child’s Protection Act XXXI in 1997. Following the principle of subsidiarity, responsibility for meeting the basic needs of citizens was delegated to the local community. Therefore, most types of social assistance

² Unemployment insurance was introduced for the first time by the Act on Employment adopted in 1991.

were administered by the local authority, with the state refunding some important benefits in part or in full. This Act specified the statutory benefits in cash, in kind, and in the form of personal social services that local authorities had to provide. It also regulated the main aspects of the legal relationship between service providers and service users without, however, specifying the rules governing how these payments were to be indexed as it was apparently assumed that indexation was automatic since most types of assistance were tied to the pension minimum, which itself was indexed (Ferge, 2002).

The Social Act had the ambition, according to Ferge (2002), to cover all the benefits that do not belong to social insurance but this ambition was not fulfilled. The most important types of social assistance for adults were partly inherited and partly reshaped. Old age assistance (social assistance for senior citizens) had always existed, but its importance varied. It was more in demand when pension insurance had a smaller coverage. Occasional or crisis assistance (one-off and urgent payments or assistance in kind) was provided in exceptional crisis situations. From 1995 it could be provided with almost monthly regularity due to a tacit acknowledgement of the inadequacy of regular benefits. Care allowance for those caring for sick or disabled family members was also an inherited provision. It was offered to those caring for sick or disabled family members.

The income supplement benefit, introduced in 1993, was meant to complete insurance-based unemployment benefit. It was phased out in 2000 and replaced by a lower regular social assistance for unemployed people. From 2000, access to it was tied to 30 days' communal work.

On 1 January 2012 the unemployment benefit, now called employment substitute support, (FHT- foglalkoztatást helyettesítő támogatás) of disadvantaged, working age, long-term unemployed persons and their families, was reduced from its previous amount of the old-age pension to its 80%, i.e. from 28,500 HUF to 22,800 HUF. Eligibility criteria also changed. In accordance with (2) e subparagraph of article 36 of Act III of 1993 on Social administration and social provision, the eligibility for working age persons' allowance of persons eligible to employment substitute support must be terminated if, during their period of eligibility for support they failed to participate in public work, or failed to pursue gainful activity including a work relationship pursuant to the law on simplified work or household work, or failed to participate in a labour market programme, for at least 30 days, or failed to participate in a training course for at least six months as required by the Work Act (Act IV of 1991), or are not currently participating in such a course.

FHT is a type of social benefit where eligibility is based on needs rather than on having a work relationship. Those previously in employment receive sickness, old-age or disability benefit under the social security system. The FHT is a type of benefit that the state provides – along with other types of benefit, e.g. nursing fee, burial support for those who need it– under the social assistance system. The FHT is regulated in act III of 1993 on social governance and social benefits.

Housing allowance was to compensate for escalating housing costs. As defined by the Social Act in 1993 it was a means-tested benefit that could be claimed if housing costs exceeded 20 per cent of the household's income provided the household was not yet indebted, and the home conformed to 'normal' standards. Local governments had a wide margin of freedom in defining what 'normal' standards meant. The level of this benefit was so low that it could not become an efficient protection against the accumulation of debts (Ferge, 2002). In 2019 this benefit can be claimed from the local council by persons who have no property/wealth and whose income in case of a single member

household is below 250% of the minimum pension (1993 III.tv, 2016 CL.tv.). This amount can be given in kind or cash (often transferred to the utility company for the water, electricity, gas used by the household), but it is usually in kind, often in the form of fuel for heating. Sums vary between 10 and 20 EUR/household depending on the number and income of the family members.

3.2. CREATING AND EJECTING THE 'IDLE POOR'

The obligation of unemployment benefit recipients to participate in activation measures and the spread of 'work first' programmes are trends all over Europe in the last decade. Against an extremely low employment rate (61.2% of men and 50.6% of women aged 15–64 years were employed in 2011; Fazekas et al., 2013: 344 in Szikra 2014), Hungary was no different in this respect and several reforms to activate the long-term unemployed have been implemented since the early 2000s. Already prior to the 2010 Fidesz-government the former 'socialist' government pegged social assistance to public works in 2009 and paid the minimum wage to public workers (Duman and Scharle, 2011). The new Fidesz-led government set out to radically reform labour market policies. A new Labour Code that favoured employers in increasingly placing risks on them³ was adopted in 2011 (Szabó, 2013), and the length and the level of unemployment benefits were cut. The post-2010 Hungarian reforms have been quite distinct from the earlier reforms, however, due to the inordinate scale of cuts, the nearly total replacement of active labour market policies with a punitive public works programme and the fact that its principles have been included into the new constitution (Szikra 2014, 2017, 2018). As Szikra (2014) points out, the government's goal to establish a 'workfare society' (munka alapú társadalom) has been formulated against 'the decline of Western welfare states' (Orbán, 2012) with the aim to create one million jobs in ten years (Hungarian Government, 2011). The Fundamental Law reads 'Every person shall be obliged to contribute to the enrichment of the community to their best ability and potential'. Article 19 limits social rights to a 'set of risks' including unemployment, but only offers protection if it is 'not caused by citizens' own actions'. Furthermore, '[t]he nature and extent of social subsidies are to be determined according to "the usefulness of the beneficiaries' activities for the community'. The Constitution, however, does not provide information as to who determines the 'usefulness' of citizens' work (Szikra, 2018). Since the acceptance of the Fundamental Law in April 2011, citizens are entitled to social rights only if they fulfil their work responsibilities, a measure that excludes the 'idle poor' from social rights.

Unemployment insurance has been reduced from nine to a maximum of three months (modification of Act IV/1991), which is currently the shortest period within the European Union (Missoc, 2013). The level of social assistance, already frozen by the socialist Bajnai cabinet in 2009, has been reduced from a monthly 28,500 HUF (100 EUR) to 22,700 HUF (80 EUR) from January 1st 2012 arguably in order to "urge activation". This is an amount that barely covers about one quarter of the official "subsistence level". A recent piece of legislation forbids access to social assistance for more than one person within the family, pushing poor families into a devastating situation. Meanwhile, eligibility for both unemployment insurance and social assistance has become linked to at least one

³ Lehoczkyné Kollonay Csilla: „Génmanipulált újszülött – Új munkatörvény az autoriter és neoliberális munkajogi rendszerek határán” in Kun (5. lj.) 24–56. Available at https://jog.tk.mta.hu/uploads/files/13_Kun_Attila.pdf.

month of (public) work per year. Both of these benefits are linked to the acceptance of employment opportunities regardless of the recipients' educational levels or skills. If there are no employment opportunities, one is obliged to join the public works' programme for at least 30 days (Act CVI/2011). When failing to enter the public works' programme immediately when required, one risks being excluded from the social assistance system altogether. Besides the work-test, strict behaviour tests have been imposed upon benefit claimants and since January 2012, local governments can exclude unemployed people from social assistance and public works in case they fail to maintain their houses and gardens 'tidy' (Act III/1993). Szikra points out the eerie resonance with Hungary's totalitarian regime of the 1930s in connection with the original name of the new public works' programme, 'National Work Plan', when a programme with the same name was pushed through by the autocratic and anti-Semitic conservative politician, Gyula Gömbös. While the name was changed, the administration of the programme became the responsibility of the Ministry of Interior, just like the activation programmes of the 1930s and 1940s, a fact proudly acknowledged by the minister himself (Fekete, 2011 in Szikra 2014: 493).

3.3. EJECTED FROM REGULAR WORK CONTRACTS, EJECTED FROM THE SYSTEM

The amount spent on the public works programmes considerably increased at the same time as the overall spending on unemployment has decreased substantially and the capacity of job centres has been drastically cut (Elek and Scharle, 2011). The inefficient and punishing public works programme has become the most widespread 'activating tool' by 2013 in a context where public workers are not counted as "unemployed" but as 'public sector employees'. However, public workers, the vast majority of whom perform physical work in forestry, waterworks and local renovations, are not protected by the new Labour Code. A special 'public works minimum wage' was created at 70 percent of the national minimum wage. Paid weekly, rather than monthly, the pattern of the minimal wage copies the traditional remuneration of (agricultural) day-labourers, rather than regular labour contracts. Local authorities like some local feudal lords can deduct any due payments from the salaries of public workers and often those indebted for having failed to pay for public utilities (that can be water, energy, gas etc.) may see only a fraction of their salary at the end of the month. Thus it is not surprising that the rate of the registered unemployed not receiving any social assistance or benefits grew from 40 to 52 percent between 2010 and 2012 (Cseres-Gergely et al., 2013), and a growing number of unemployed are deciding not to register.

Another important measure whose aim was to increase the employment rate through the increase in the flexibilisation of the labour law was the 'Simplified Employment Act' (SEA) (Act LXXV/2010) was adopted in 2010. The 'simplified employment' system refers to two types of temporary work: casual work (in all sectors) and seasonal work in agriculture and tourism. One of the distinguishing features of simplified employment is the fact that a written employment contract is not a requirement. In case the employer wishes, or the employee insists on a written contract, they can use the contract form given as an appendix to the law. The applicable labour law rules are more flexible than the general provisions in the Labour Code. The tax payable after workers employed within the simplified employment framework is a flat-rate tax (a fixed amount per day per worker, the concrete amount depends on the type of the simplified contract). This makes the payroll calculations very simple, which abolishes the need for a highly trained payroll personnel. Due to the low common

charges, employees in simplified employment are not covered by full social security. They are eligible only for pensions, accident-related health services and unemployment benefits (SE Art. 10). Employers might use simplified employment to replace fixed-term contracts under the Labour Code and save the social security contributions. It has various disadvantages, such as tax rules encourage the employer to keep wages down around the minimum wage, and while working time rules are more flexible, sick leave and other unpaid leave is not guaranteed, and most importantly jobs are temporary with obviously low job security.

3.4. (R)EJECTING THE ROMA

After hundreds of complaints, the Hungarian Ombudsman investigated the public works programme and argued that the problems that most frequently arise are due to a lack of public work opportunities (Ombudsman of Fundamental Rights, 2012). As local governments are not obliged to organize public works for all the unemployed in their area, many people fail to meet the 30-days' attendance requirements, leading to their exclusion from social assistance. This loophole is abused by some mayors who have used this as a means to exclude the Roma from this programme. Roma women in Gyöngyös, a small town in North-East Hungary, for example, turned to the Ombudsman stating that they were excluded from the public works programme due to their 'wearing traditional costumes' at work (Ombudsman of Fundamental Rights, 2012: 2 cited in Szikra, 2014). Szikra (Ibid.) cites a human rights watch-dog that regularly reports on villages run by the Hungarian extreme right wing party, Jobbik, and claims that Roma are not given enough information about public works programmes and often face extremely humiliating conditions if they are included (Társaság a Szabadságjogokért (TASZ), 2013).

The government propagates the programme as a success story on account of public workers counted as 'employees' instead of 'unemployed', thus contributing to the slight increase of employment rates (62.5% for men and 52.1% for women in 2012 (Hungarian Central Statistical Office, 2013)). Yet, there has been no monitoring or evaluation of the Hungarian Work Plan and Szikra (2014) warns and research shows that the chance of unemployed people (re)entering labour market slightly decrease in villages with extensive public works programmes (Köllő and Scharle, 2011). The real winners of the public works programme have been local mayors who have access to cheap labour to do communal work, build gutters and so on (Koltai and Kulinyi, 2013). Schools and even emergency services have been reported to have fired public employees replacing them with public workers, thereby further decreasing the chances of effective and protected employment (Ombudsman of Fundamental Rights, 2012). Some argue that the increasingly harsh policy of Fidesz on public works serves to attract voters of the extreme right wing party (Jobbik) by fuelling anti-Roma and anti-poor sentiments (Gall, 2013; Rádi, 2013). According to Szikra (Ibid.) the greatest losers of this reform have been the long-term unemployed and especially the Roma as a consequence of the cuts in benefit levels and the looming threat of being ejected from the social assistance system as a result of local mayors' arbitrary decisions, with no chance for legal remedy. Such ejection means that the 'idle poor' are increasingly deprived of social rights to any financial assistance, state which otherwise perfectly aligns with the new constitution. This is especially a perverse turn of events, if one recalls that at the end of the 1980s over 80 per cent of Roma men had a full-time job. Now almost 80 per cent are without a job. 'For decades they climbed the civilizational 'ladder' with tremendous effort, only to fall with

dizzying speed after transition’ (Kemény, 2003 cited in Ferge, 2008: 50) rings truer than ever.

4. WELFARE RETRENCHMENT THROUGH DIVISION

4.1. INSIDE THE POLITY

4.1.1 FAMILY POLICIES: THE TRADITIONAL VIRTUOUS FAMILY

The social policy of the by now last three (Orbán) governments (2010 - present) has become increasingly polarizing, reinforcing and exacerbating divisions between the haves and the have-nots. This has been buttressed by an ideology that propagates this division in terms of the hard-working deserving and the idle undeserving. This is the most important organising principle of the social policy of these last governments (Szikra, 2018), with the circle of the underserving ever expanding to include children and disabled pensioners. Changes to the pension system and family policy show the all encompassing scope of changes that are punishing the poor. Hungary did not only experience the retrenchment of the welfare state after 2010 but also a perverse bifurcation whereby there is welfare for the rich and workfare, neoliberal austerity for the poor, an expansion of income for better-off families and shrinking protection for poor families. This is done according to Szikra (2018) ‘under the tacit assumption that decreasing or devaluing universal and means-tested benefits would prevent poor (and Roma) families from having more children’. Previous compensation for low-income earners has been terminated, and universal family allowance (received also by ‘non-working’ families) since 2009 has lost about 20 percent of its value. The new system of family-related payments, together with a decrease in unemployment benefits, has, at the same time, made a significant contribution to the polarization of society and an increase in poverty (Szívós and Tóth, 2013).

The replacement of civil servants, including school administrators, cleaning staff and so on, by cheaper and unprotected public workers has also become widespread, affecting women to a great extent (Ombudsman for Fundamental Rights 2012 cited in Szikra, 2013).

Early retirement pensions were stopped and the basic rule became that no one can receive old age pensions under the age of 62 after 2012. However, an exception is made in the case of women with 40 contributory years. What is quite telling is the fact that years of higher education do not count as contributory years, whereas time spent on maternity and parental leave does. This clearly shows the preference for women’s caring roles. This measure according to Szikra (2013) attempts to link pro-natalist family policy aims (caring for one’s own children and caring for the grandchildren) with the pension system.

Family policies, already quite central even before 1989, have considerably gained in importance and become more emphasized during the last three governmental cycles reinforcing and buttressing the pro-natalist and highly inegalitarian ideology of the government. The family policies of the Orbán government reflect a new, reverse pattern of redistribution. The introduction of the extremely generous family tax allowance explicitly targets better-off families at the expense of the poor. A family with one or two children now pays 10,000 HUF/month/child (35.7 EUR) less tax, and a family with three or more children has gained 33,000 HUF/month for each child (117 EUR) (Inglot et al. 2012). To be able to claim the maximum tax allowance, a gross income of close to 500,000 HUF

(1,600 EUR, or twice the average income) was needed in 2012. At the same time, as financial assistance for low-income earners was stopped, low-income earners, about 40 per cent of the population (including families with children), lost out, and another 40 per cent (those in higher up the income scale) gained through the new taxation and tax allowance system, while the middle 20 per cent experienced no significant change. Single mothers fare poorly due to the new legislation, as their income is lower than that of families with two earners or a single-income family where the husband has a high income. This badly impacts on women who want to divorce. If the children remain with them, they may be eligible for the tax allowance. However, if their income is much lower than their husband's they stand to lose a large amount of money. Thus the new legislation can work to keep married couples together through financial incentives, increasing the economic dependence of women on their husbands (ibid. 5-6).

The review of the United Nations' Committee for the Elimination of Discrimination against Women (CEDAW Committee), based on alternative reports from civil organisations, states that the Hungarian government's 'orientation may represent a regressive approach to gender roles' and that 'this orientation increases prevalence of gender stereotypes by portraying women mainly, if not exclusively, in the role of mothers and caregivers' (UN, 2013: 2). The Committee notes that the Council for Social Equality among Women and Men (a consultative body that included the most relevant women's organisations) has been suspended and thus consultation between the government and women's organisations and gender experts was stopped (Szikra, 2013).

4.1.2. DIVIDED THROUGH HOUSING

In the wake of the global financial crisis (GFC) Hungarian housing policies present a perverse bifurcation between strong provision for the middle and middle-upper class and a feeble almost non-existent assistance for the low-income group.

The crisis caught the housing market totally unprepared and the most significant shock after the GFC was in the FX mortgage stock. Between 25-30 percent of households had mortgage loans. Debt in foreign currency-denominated (FX) mortgage loans skyrocketed when the exchange rate of the HUF plummeted, and banks raised the interest rate to offset expected losses. As an emergency rescue measure an early FX loan repayment scheme in Swiss Francs (CHF) allowed borrowers who had obtained loans denominated in CHF before 2008 (when the CHF was trading at around HUF 150-180) to repay their FX mortgages in full at an exchange rate of just HUF 180 to the Swiss Franc, and this at a time when the CHF was trading at HUF 235-250. A similar scheme was applied to EUR and YEN-based mortgages. Through this early repayment scheme (2012/2013) 20-25 percent of borrowers, the majority of them from the better-off group, paid back their loan at a discounted rate while the remaining borrowers already worse-off than those rescued were left on their own with many of them unable to continue paying back their debts and thus defaulting on their loans.

Hungary, like other CEE transition states, has a very limited amount of social housing stock. In Hungary 3% of the stock is owned by municipalities which continue the privatisation of their dwelling stock in the absence of a national housing policy. Low income people cannot afford to buy these flats, and cannot pay the high rents either and many of them end up homeless. The criminalisation of rough sleeping, the illegal demolition of informal settlements and anti-scavenging ordinances passed by the

8th district of Budapest, the 'model' district in being the first to come down harsh on homeless people, policy later to be widely emulated, in the fall of 2010, all illustrate the extremely harsh treatment of those without property who find themselves on the streets. In November 2010, Parliament passed legislation that defined the purposes of public spaces, and authorised local authorities to pass ordinances prohibiting their usage for any other activity. For example, in April 2011, the local authority of Budapest passed an ordinance that made it illegal to 'use public spaces for habitually residing there' and to store belongings used for such activity (e.g. blankets, mattresses, etc.) in public spaces. The ordinance imposed a fine of up to 50,000 Forints (or 178 euros) for such activities. In November 2011, Parliament passed legislation that made the violation of any local prohibition on residing in public spaces twice within six months a misdemeanour, punishable by up to 60 days of imprisonment or a fine of 150,000 Forints (534 euros). Hungary's Constitutional Court struck down this legislation but in November 2012 the government added a new section to its proposed constitutional amendments that allows for laws to be passed that criminalise homelessness and removes the power of the Constitutional Court to review this kind of legislation (Misetics, 2013).

The European Federation of National Organisations Working with the Homeless (FEANTSA) has issued several press releases on the Hungarian situation.⁴ Leading international human rights organisations, Amnesty International (2012 country report on Hungary) and Human Rights Watch,⁵ also denounced the criminalisation of homelessness in Hungary. It is notable that the European Union remained silent on the issue (in particular, both the Fundamental Rights Agency as well as the European Commissioner for Employment, Social Affairs and Inclusion refused to denounce publicly the punitive measures, despite several requests by Hungarian organisations to do so). On 15 October 2018, the new provisions of the Act on Petty Offences entered into force rendering living in a public space illegal anywhere in Hungary. Accordingly, homelessness became punishable by community service work or by confinement, depending on the decision of the court. People could be penalised if they 'use the public space habitually' (meaning that the person lives, or carries out his/her everyday activities there), and if they did not leave the public space after the police ordered them to do so, or if they did not accept to be taken to an over-crowded homeless shelter, or if it was already the third time this happened to that person. In June 2019 the Constitutional Court declared that the ban on habitual residence in public space was not against the Fundamental Law.

The housing policy of the Hungarian government actively assisted the build-up of a crisis-prone housing finance market against a larger backdrop of the transnationalization and EU convergence of the financial sector. It paved the way for the mortgage lending boom and bust, while subsequently engaging in far-reaching interventionist policies to unmake some of its devastating consequences for indebted house-owners. The rescue measures it adopted targeted the most prosperous and left behind those in real need of support and rescue.

⁴ See www.feantsa.org.

⁵ See <http://www.hrw.org/news/2012/04/16/hungary-revoke-law-criminalizing-homeless>.

4.2. FENCING THE POLITY: CREATING THE FIGURE OF THE ‘MIGRANT’

Hungary is not a target country for asylum-seekers and as a result of a highly restrictive refugee policy it has become practically impossible to obtain refugee status in Hungary. In January 2017 the Immigration and Asylum Office, renamed National Directorate-General for Aliens Policing since 1 June 2019 granted international protection to 21 asylum-seekers (eight obtained refugee status, 13 received subsidiary protection), while it rejected 803 applications despite the fact that the majority of applicants (79%) came from conflict areas: 16% from Syria, 40% from Afghanistan, 22% from Iraq and 1% from Somalia. Thirty eight per cent of applicants were children and 30% of them were women.

Hungary witnessed the most significant refugee wave in its post-democratic transition history in 2015, when authorities registered more than 177,000 asylum-seekers. Numbers decreased considerably after the closure of the southern border in mid-October 2015. A legislative amendment that came into force on July 5th 2016 has also played a large role in the drop in numbers. The law authorised police to forcibly move any migrant caught within 8 kilometres of the border fence to the Serbian side of the border. These individuals could not submit their asylum-application and thus did not figure in the statistics.⁶ The Immigration and Asylum Office (BÁH) made a total of 210,271 decisions in 2015 and 2016. Ninety six of all procedures (claims) were suspended usually because the applicant left the country for an unknown location after the registration. Out of the 8,532 meaningful decisions only 940 were positive and 89% of applicants were rejected.

On 20 June 2018 Hungary approved a package of legislation called the “Stop Soros” law, which criminalized the provision of aid to undocumented immigrants and asylum-seekers.

In the Standard Eurobarometer survey of May 2016, 28% of Hungarians believed immigration was one of the two most important issues facing Hungary. With this result immigration was ranked the third most important issue after health/social security (37%) and unemployment (29%). Six months later, in November 2016, 30% of Hungarians still considered immigration to be a pressing issue for Hungary, moving it to second place after health issues by three percentage points. The perception of terrorism also changed with immigration. Four per cent of respondents considered terrorism to be among the two most important issues for Hungary in May 2016, but eight per cent did so in November 2016. With regards to long-term trends, Tárki’s survey found that by early 2016 the level of xenophobia had risen to record levels in Hungary and the share of people in favour of immigrants had practically fallen to zero.⁷ More than half of Hungarians (53%) responded that the country should not accept any asylum seekers at all.

The government and the government-controlled public media and commercial outlets that are under Fidesz orchestrated a wholesale campaign that had at its centre the demonised figure of the ‘migrant’. The campaign was not merely a rhetorical ploy designed to win votes and discredit assumed enemies, but entailed legal measures in the form of decrees, laws and bills, which have negatively affected the lives of many asylum seekers, altered the perception of many Hungarian citizens about

⁶ Political Capital: Policy research and Consulting Institute
https://www.politicalcapital.hu/hirek.php?article_read=1&article_id=1034.

⁷ TÁRKI: Csúcsot döntött az idegenellenesség, és elfogyott az idegenbarátság, 4 April 2016. Available online at http://www.tarki.hu/hu/news/2016/kitekint/20160404_idegen.html.

people in need of protection, and instilled fear and instigated hatred against ‘the migrant’. The nature of the alleged threat has taken different forms, including loss of national culture, unemployment, terrorism and the creeping deprivation of Hungary’s sovereignty by migration promoting forces.

In a speech delivered to the assembly of the Hungarian diplomatic corps on August 25, 2014, Mr Orbán promised ‘rock-hard official and domestic policy not supporting immigration at all.’⁸ The Prime Minister’s interview after the Charlie Hebdo attack in January 2015 brought a change. It indicated that everyone, whether protection-seeker or not is undesirable. ‘Economic immigration is a bad thing in Europe. One should not regard it as useful because it only brings trouble and dangers to the European people, therefore it has to be stopped—this is the Hungarian position. We do not want to have significant minorities with different cultural traits and backgrounds; we’d like to retain Hungary as Hungary.’⁹

But the whipping up of anti-migration sentiment began in earnest with the 2015 refugee inflows. *Traveling in Europe’s River of Migrants* was the title of a series of New York Times (NYT) articles in the summer of 2015 with NYT journalists documenting the journeys of migrants and refugees fleeing the Middle East and pushing their way through the Balkans to Hungary and further to Western and North Europe¹⁰. One of the articles was headed ‘Budapest’s Keleti Train Station Has Become a de Facto Refugee Camp’ referring to the by now iconic picture of hundreds of people waiting in the station for trains to take them out of Hungary to their chosen destination. However, many were stranded for several days at the train station after being barred from boarding trains because they had no papers. Following this disappointment, many of them started on foot towards Austria.¹¹

The campaign of anti-immigration rhetoric continued with the 2016 ‘national consultation’¹² on ‘terrorism and immigration’. It asked questions such as: ‘Do you think that Hungary could be the target of an act of terror in the next few years?’ and ‘Do you agree with the view that migrants illegally crossing the Hungarian border should be returned to their own countries within the shortest possible time?’ It also asked whether, in contrast to Brussels’s lenient policy, the government should introduce harsher regulations including that ‘migrants illegally crossing the Hungarian border could be taken into custody.’¹³ The term refugee was not used in any of the questions, but it was made clear that ‘migrant’ and ‘illegal immigrant’ referred to those people who reached Hungary through the Western Balkan route (Nagy, 2016:1054).

⁸ Brief summary of Mr. Orbán’s speech to the Hungarian diplomatic corps: Józán ésszel és bátorsággal kell képviselni az országot, KORMÁNYZAT, 25 August 2014, <http://www.kormany.hu/hu/a-miniszterelnok/hirek/a-leggyorsabban-novekvo-eu-s-orszagok-koze-fogunk-tartozni>.

⁹ HVG, Hungarian weekly, quoting the Hungarian News Agency MTI. Orbán: azdasági bevándorlóknak nem tudunk menedéket adni, HVG.HU (January 2015).

¹⁰ See <https://www.nytimes.com/interactive/projects/cp/reporters-notebook/migrants/budapest-s-keleti-train-station-has-become-a-de-facto-refugee-camp>.

¹¹ See <https://www.theguardian.com/world/2015/sep/06/keleti-station-budapest-refugees>.

¹² See <http://www.kormany.hu/en/prime-minister-s-office/news/national-consultation-on-immigration-to-begin>.

¹³ The possible answers offered were: ‘Yes, I would fully support the government; I would partially support the government; I would not support the government’, i.e. two in weak or strong support of the government, one neutral (neither support nor opposition). Weak or strong disagreement could not be expressed.

The prime minister stated: '[f]or us [Hungarians], migration is not a solution, but a problem... not medicine but a poison, we don't need it and won't swallow it.'¹⁴

Through its campaign the Fidesz-led government slowly and meticulously created the figure of the (imagined) illegal migrant, arriving in an unlawful manner and with evil intentions, against whom Hungary and Europe has to be defended thus replacing and erasing the figure of the person in need of international protection and assistance. The government was intent on adopting an asylum regime which is deliberately designed to deter immigrants and to weaken judicial oversight with a view to removing those who are temporarily present in Hungary to third countries and divert people to neighboring countries in this way pretending that the 'refugee problem' has been 'solved'. The 2016 August judgment in the Ibrahimi & Abasi v. SSHD case gave a clear and crushing assessment of the Hungarian asylum system.

Care is of course required: political rhetoric does not necessarily translate into action particularly in a state governed by the rule of law. Whilst not all of the reforms to the Hungarian asylum rules are relevant to the facts of this case (such as the border reforms) the broader context is of a state that is prepared to adopt an asylum regime which is deliberately designed to deter immigrants and to weaken judicial supervision with a view to removing those who are temporarily present in Hungary to third countries. In these circumstances [...] the presumption that Hungary qua EU Member State adheres to the *acquis communautaire* and can be relied upon to respect relevant international law and ECHR rights of the Claimants cannot carry much weight. The objective facts suggest otherwise.¹⁵

A series of amendments, adopted by the Hungarian Parliament at an extraordinary session, on September 4, 2015¹⁶ introduced a specific regime for asylum-seekers who cross the fenced external border, depriving them of basic human rights guarantees, and according to Nagy (2016) in essence, introduced a state of exception. The new rules were developed as a legal framework for the newly erected fence at the Hungarian-Serbian border.¹⁷ The sweeping amendments, affecting ten different Acts, including the Asylum Act, the Criminal Code, the Borders Act, and the Act on Construction, allowed authorities to disregard laws including rules on the environment, on construction of new buildings, and on criminal procedures. In these fields, as well as in land use, the government secured itself exceptional powers and became empowered to declare a 'crisis situation caused by mass immigration' (Nagy, 2016:1047). In addition the government has repeatedly violated the Act¹⁸ which obliges the government to publicize bills for public comment before their adoption. Both UNHCR and

¹⁴ Viktor Orbán at a press conference with Austrian chancellor Kern. Hungarian Prime Minister Says Migrants are 'Poison' and 'not needed', The Guardian (26 July 2016), <https://www.theguardian.com/world/2016/jul/26/hungarian-prime-minister-viktor-orban-praises-donald-trump>.

¹⁵ Ibrahimi [2016] EWHC § 159.

¹⁶ 2015. Act CXL. On the amendment of certain acts in connection with the mass immigration. Published in the Official Journal (Magyar Közlöny) on 7 September 2015, in force since 15 September 2015.

¹⁷ The date of the entry into force of the amendments and the closure of the border with the fence was the same: September 15, 2015.

¹⁸ Act CXXXI of 2010 on the public participation in the preparation of laws.

domestic non-governmental organizations have heavily criticized this practice as it paralyzes the watchdog function and excludes channeling in expert views as well as practitioners' knowledge.

The discourse that has been ongoing since 2015, aimed at presenting all irregular migrants, including asylum seekers, as 'illegal', led to a further contradictory amendment of the Asylum Act in 2016. Act XXXIX of 2016¹⁹ took away all integration assistance including regular financial assistance and support in finding accommodation, from recognised refugees or beneficiaries of subsidiary protection. The justification of the measure by the government was 'to decrease the social services to ... those granted international protection as by this measure it can be avoided that the so called economic migrants submit asylum applications in Hungary, exclusively in hope of a better life'.²⁰ The length of permitted—and supported—stay in the reception center after recognition to enable people to find work and a home was cut in half, from sixty to thirty days. Furthermore, a compulsory review of the status of refugees has been introduced. After three years, the authority must, in every single case, review whether the conditions of recognition still apply. The same exercise is to be repeated with the same frequency in respect to the beneficiaries of subsidiary protection. Before this change, the latter group had already been subject to review, but only every five years.

At the beginning of 2018 the government stepped up its campaign and opened a new front with a new slogan called 'Stop Soros' against immigration and the Hungarian-American businessman George Soros, who founded the Central European University and who expressed his support of migrants²¹. The topic of immigration became even more controversial ahead of the 8 April 2018 national election in Hungary and it was further strengthened when the Hungarian government approved strict regulations on foreign-funded NGOs (the unofficial translation of the Helsinki Committee of the new proposal to punish NGOs that help migration²²) on 13 June 2017.²³ Because of

¹⁹ Adopted on May 10, 2016, published on May 20, 2016 and entered into force (in respect of the asylum provisions) on June 1, 2016.

²⁰ Bill T/9634, at 46.

²¹ Reuters, 14.02.18: Hungary submits anti-immigration 'Stop Soros' bill to Parliament. Politico, 18.01.18: Hungary steps up anti-Soros crackdown ahead of election. EurActiv, 21.02.18: Hungarian MEP: Orbán targets Soros because he is 'the perfect enemy'.

²² <https://www.helsinki.hu/wp-content/uploads/Stop-Soros-package-Bills-T19776-T19774-T19775.pdf>.

²³ The Hungarian law introduces new obligations for certain categories of NGOs receiving annual foreign funding above HUF7.2 million (approx. €24,000) to register and label themselves in all their publications, websites and press material as 'organisations supported from abroad', and to report specific information about the funding they receive from abroad to the Hungarian authorities. These organisations face sanctions if they fail to comply with the new reporting and transparency obligations. The Commission concluded that this law does not comply with EU law for the following reasons: 1) it interferes unduly with fundamental rights as enshrined in the Charter of Fundamental Rights of the European Union, in particular the right to freedom of association; 2) it introduces unjustified and disproportionate restrictions to the free movement of capital, as outlined in the Treaty on the Functioning of the European Union; and 3) it raises concerns as regards the respect of the right to protection of private life and of personal data. The European Commission's First Vice-President Frans Timmermans had already expressed concerns as regards the draft law's compatibility with EU law during a debate at the European Parliament in April 2017. The Commission also discussed the matter in two of its meetings also in April. The European Commission decided on 13 July 2017 to send a letter of formal notice to Hungary for its new law on foreign-funded NGOs, adopted in June 2017. The letter of formal notice is a first official request for information

the approval of this law and the refusal to comply with refugee quotas, Hungary is facing legal actions from the European Commission.

In general, the law on asylum seekers provides access to social welfare for beneficiaries of international protection and does not make any distinction between refugees and subsidiary protection beneficiaries.²⁴ Therefore, beneficiaries of international protection are entitled to limited public health care and unemployment benefit, amongst other entitlements e.g. family allowances, sickness and maternity benefits. Social welfare is provided to beneficiaries under the same conditions and on the same level as for nationals.

Nevertheless, there are several forms of social assistance offered by the local government, which require the beneficiary to have already a certain number of years of established domicile. The rules set out by local governments can vary. For example, pursuant to decrees of local governments only those people who have been residing for a certain number of years in the area of the local government and can prove it through an address card²⁵ are entitled to apply for social housing provided by local governments. Beneficiaries of international protection cannot comply with the requirement immediately after they get out of reception facilities or transit zones. Furthermore, job seekers' benefit requires at least 365 days of coverage (being employed or self-employed) in the last three years, again a requirement that beneficiaries of international protection find impossible to comply with. Social assistance is provided by either the competent district government offices or the local governments. They also suffer from the general inadequacies of the administrative system and from the language barriers because there are no interpreters provided to refugees or persons with subsidiary protection.

5. WORKING THE SYSTEM FROM THE MARGINS: INDIVIDUAL LIFE TRAJECTORIES

5.1. MOBILITY HOUSING ALLOWANCE: REGISTERED JOBSEEKER BY CHOICE?

Two of the young Roma women interviewed made use of the mobility housing allowance. The company where they had found their jobs accommodated their request and prepared their work contract accordingly. This kind of housing benefit is restricted to registered jobseekers actively looking for a job for at least 30 days prior to application. Applicants' permanent residence must be at least 60 km from the workplace. This housing benefit is paid for one year. The maximum sum one is around 300 EUR (100 thousand HUF) for an entire flat, or lower for a single room. In Budapest those who apply

and the first step in an infringement procedure. Hungarian authorities were given one month to respond. See <https://www.helsinki.hu/wp-content/uploads/Stop-Soros-package-Bills-T19776-T19774-T19775.pdf>.

²⁴ Ministry of Human Resources, Tájékoztató a szociálisellátásokról, 2017, available in Hungarian at: <https://csaladitudakozo.kormany.hu/download/f/54/c1000/HSzoc%20f%C3%BCzet%202017.pdf>. For a summary, see US Social Security Administration, Social Security Programs Throughout the World; Europe 2018, September 2018, available at: https://www.ecoi.net/en/file/local/1446674/1788_1539610282_hungary.pdf.

²⁵ An address card is a card issued in addition to the ID card and it displays the address of the card holder. It is one of the most important identification documents without which one is unable to, for example, use public health services, open a Hungarian bank account etc.

for this benefit must be able to find a job that pays enough to afford paying the extremely high rents that have come to characterise Budapest for the past few years. Only those who pay their rent via bank transfer are eligible, those who pay by cash are not eligible. One needs to apply for it at the district or county government office and it depends on the availability of funds in that district. Payment of rent must be certified at the district office on a monthly basis. One of the other risks is that one needs a signed lease contract without knowing in advance whether the application for mobility housing benefit has been successful. Both youth who were receiving this housing allowance when I spoke to them would soon be no longer entitled to receiving it and were already making arrangements to replace the missing contribution. One who was working as a line manager in a large retail chain told me that she would be taking up a second job as a cleaning woman to replace the missing housing allowance. The other had negotiated a better paying position in the bank where she worked. While both were working in white-collar jobs in the private sector their salary barely covered the costs of living in Budapest.

Kate is a young Roma woman in her late twenties and has been working for a bank in Budapest for around eight months. Kate had grown up in a village in one of the poorest regions of the country. She comes from a Roma working class family with a mother with eight years in formal education, a brother with disability and the father deceased at the time of our interview. Despite her considerable disadvantage compared to her middle-class peers she had achieved a university degree in economics. She became a doctoral candidate in economics and later was offered the position of assistant professor in economics. However, while she found her work at the university far more rewarding intellectually, the money she earned and the limited career prospects deterred her from pursuing an academic career and she quit and took up a front of office position in a bank. She wants to prove that she is able to meet up expectations in the competitive private sector: 'I wanted to prove that I can stand my ground in the competitive (market) sphere as well'. However, she became disillusioned with her first banking job as she felt she did not receive proper recognition for her professional performance, only her sales performance was recognised.

She emphasises her determination to succeed in any circumstances throughout our interview. Despite warnings from friends and acquaintances that she will meet people who will not respect the terms of the contract, she went to Austria during the summer and took up a job in an Austrian hotel where she worked as a dishwasher and occasionally as a waitress. She speaks both German and English, languages she studied at university. She says was lucky with the Austrian employer and met only helpful people and nobody wanted to take advantage of her. However, she found the work demeaning, and felt she did not belong there. She recalls how her fingers swelled as she could not bear the rubber gloves any longer during the dishwashing, the tight places where one had to carve out a working space for themselves and how hard it was to lift the big containers in the kitchens. But she is proud of having worked there for two months and not quitting after a couple of days. While still in Austria, she started looking for another job in Budapest reasoning she would be in a good position to bargain for a higher salary having worked at the headquarters of a bank in the capital when she returns to the smaller provincial town close to the village where her mother and brother live. While some of her friends tell her that her time in Austria is an unhelpful career break, she points it out that without her Austrian earnings she would not have been able to pay the deposit for renting a flat in Budapest.

Kate was determined to find a job as soon as possible after her stint in Austria: 'I did not want to be in a situation that I do not have a job'- she admitted (Kate, a young Roma woman).

She started looking for jobs already in Austria and stayed in touch with the NGO where she had previously taken part in a training course. It was this NGO that told her about the mobility housing benefit and she decided to apply for it. In order to qualify she had to become a registered jobseeker, that is, temporarily registered as unemployed. When I asked her how she felt about this, she said that if an opportunity arose one must take it, and she saw the mobility housing benefit on these terms. She did not see herself as unemployed, but as an active jobseeker for thirty days who fulfils a required condition and who is ready to take the chance that comes into her way. A bank in Budapest offered her a job and she took it. When I interviewed her, her mobility housing benefit was coming to an end and she needed to find a cheaper place to rent and a better paid job to make up for the sum previously provided by the mobility housing benefit. When we met she had just managed to secure a new position at the bank where she worked, and she hoped this would pay better than her former position meaning she would be able to afford to stay in Budapest.

Kate's life course shows that she has trained and disciplined herself into becoming the ideal worker, a neoliberal subject par excellence, - able to take risks, independent, highly educated, purposeful, single-minded and ready to assume sole responsibility. As she herself stated 'I do not want to be dependent on anyone, not even on my partner. Even if I have to solve things on my own without a partner, I want to be able to provide for myself'. She stated 'That is why I am like this, a pushy person/eager beaver. I want to be able to provide for my family, my mother and brother'.

When speaking about workplaces she said: "They do not take into consideration where you come from. And it does not count that I have two (tertiary education) diplomas. They just keep parroting that 'job experience' is what really matters".

While she is convinced of her merits and qualifications, of the work she has invested in acquiring these and her desire and determination to succeed is unquestionable, she cannot help but admit that succeeding and making the best of the job market is not a level playing field. She mentions an acquaintance who also moved to Budapest from the countryside but who does not need to worry about how she will pay for the rent as her father pays for it. Kate does not have this luxury.

5.2. FROM PUBLIC WORKER TO MANAGER

Andrea comes from a mixed Roma and Croatian working class family from the Southern part of the country. She attended the famous Gandhi Romani gymnasium and would have liked to go to university and study media and communication. For financial reasons instead some ten years ago when she finished school she enrolled in several short-term trainings supported by the labour office and worked as casual labourer, waitress, or as a public worker first at the local swimming pool together with her mother, later at the local council first doing outdoor jobs and then administrative work in the office as a public worker. In this way she came to learn a lot about public administration. She got a public work

job at the local council helping the mayor run the public work in the village and later setting up social cooperatives²⁶.

Andrea received the maximum available from the mobility housing benefit. She jokingly recalled that the clerk who dealt with her application was from her village and they knew one another, hence she received all the support she needed to submit a compelling application. Apparently not that many people made use of the housing mobility benefit as few people were aware about its existence. She became a public relations manager at one of the multinational retail companies in Budapest after having spent several years in the countryside as a public worker herself and later as the right hand of the mayor first overseeing and organising public work and then helping set up social cooperatives.

In her account public work could be either an opportunity or a dead-end street where people get stuck and from where there is no possibility of advancement, which is a proper job. According to Andrea's account in her case public work was an opportunity insofar as it helped her get a good job. She presented herself to me as someone who made good use of public work, and she often emphasised her individual merit, desire and determination to get the most out of it and not be satisfied with what public work offers. She was slightly dismissive of those who showed no effort to work harder than needed as a public worker and who did not aim to get a proper job and leave behind the world of public work: 'It is not that they are bad people, but it is in their heads that they are public workers and won't do more. They got totally sucked in by public work. Out of fifty people you barely find four who would want to advance. It is very hard to drag people out of doing nothing all day.'

While she stated that public work was neither good or bad, and that in her case she could move forward, she also pointed it out that once people took up public work they would rarely find a way out of it or they would rarely switch to a proper job. As Andrea recounted if a job was offered local businessmen were in trouble finding people to work for them as all people were caught in public work. She named a lack of initiative and a general torpor that seemed to engulf and sink people into perpetual public work as reasons for why people did not move on. 'Public work sucks in people and when local businesses would need people there is no one willing to work for them.'

This very torpor and the hopelessness that came with it were the same reasons why she decided to leave. Just like Mark, she was afraid that she could be trapped in public work for ever. While she picked up several skills as a public worker she also saw that if she had stayed in her village she could not do much more than work at the local council, if not as a public worker herself, then someone overseeing the local public work programme:

²⁶ In the Hungarian model of the social cooperative the mayor is the boss and members' pay is the same as in the public work system and despite the name they are pretty much the same as a public worker. The number of co-operatives has dramatically risen over the past few years, though few rest on co-operative principles. The co-operative law was modified so local councils can be co-op members. The idea was that when the local council received machinery, which could be anything, a tractor, or a tile cutting tool, depending on the profile of the productive activity that the local council started as part of the public work programme, because it was also a co-operative member, this machinery could be used by the entire co-operative. However, co-operatives are removed from the jurisdiction of the labour code and a new regulation applies to them (tagi munkavégzés) meaning members do not have to be paid the minimum wage and practically receive the same amount as public workers.

Those who can, pack their things and leave. I do not see forward here. It is as if I had been shot in the head. I will turn thirty slowly here in the middle of nowhere. It is good that now and then I go out for a coffee with my mother, but when should I leave this place if not now?!

5.3. I DID NOT WANT TO BE A PUBLIC WORKER LIKE MY PARENTS

Mark is a Roma young man aged 25 who at the time of the interview was studying to become a social worker. He pointed out that he was exceptional having made it to university given he had come from extremely disadvantageous circumstances. As a Roma he was classified as a pupil with special learning difficulties when he started school, and he was placed in a segregated class reserved for Roma children. It was only many years later that he managed to get to a different school and had the chance to sit for a baccaureate. He did this for three consecutive years until he got the necessary points to qualify for a university place.

My mother went to lower-primary school for two years, my father for eight years. I grew up in a Roma settlement. People either worked in the factory nearby, or as part of the public works or as seasonal labourers in orchards. Out of 150 people three of us have a baccaureate: me, my girlfriend and brother. To survive the days 98% of the people work for the waste collecting company. They lift waste bins all day.

To earn money Mark worked as a seasonal labourer between March and September when there was no school, during the holidays. He had a very low opinion of public work, claiming that it was hard to escape from it once one had started: 'Once you start it, it is hard to stop. If you work as a public worker you have a sure fifty thousand HUF, why would you leave this?' Lack of qualification in addition makes public work a dead-end for many of those who join the public work program. As Mark sees it, public work is for those who have no other options, and a lack of a better education narrows choices considerably 'Public worker is someone who has no other possibility, who has no qualification'. Looking at the people around him, and most importantly at his parents, who had been in public work for a long while, he did not see them find a different job, regular employment somewhere else. For many of these people there was no 'somewhere else' and there were no other jobs locally apart from the public work programme. 'From public work there is no possibility of advancement. Where to?' 'What motivated me was that I did not want to live like my parents do.'

Mark was adamant he did not want to become a public worker. Instead he took up seasonal work. Seasonal work (as simplified employment, see above) allowed him greater flexibility as it meant he could work for a couple of days, or weeks and then stop when needed. Seasonal work in his case could be better accommodated to studying in Budapest, and now and then volunteering at a foundation helping Roma youth. Public work, according to his account, was a dead-end rut where one sank with no possibility of getting out. For this reason for him taking up seasonal work was the preferred route before, hopefully, finding regular employment once he completed his studies.

5.4. NO WORDS FOR BEING UNEMPLOYED

Julia is a twenty-nine year old Roma woman. She starts by saying that she has not yet fulfilled her childhood dreams. She does not have a secure living, does not have her own flat, does not have a mortgage, she has not yet married and has no children, and has no partner. She has a BA and an MA degree in communication and sociology. Her parents moved from the poorer east-north region of the country to Budapest where she was born. Her parents are working class people, the father is a self-taught successful musician and the mother is a seamstress. She has always been encouraged to study and during her studies she never had to work but was able to dedicate all her time to her studies thanks to her parents' support.

My mother is a gypsy girl but she was never raised just to be a stay-at-home mother. At our home as well there were higher expectations to be the best and reach the goal you have set yourself even if you must sweat blood. We did not have to work with my brother (a lawyer now) as students, we lived at home, we lived in relative prosperity, a lower-middle class life.

Julia has worked at several Roma foundations, and has been an intern at the US embassy. While she has submitted more than one hundred job applications in the end it was thanks to her wide social network of Roma people that she managed to find a job at a foundation helping Roma youth. At the time of our interview she had a one-year job contract with the possibility of extension and she was extremely happy about being able to work in a job whose values she shared and in which she could believe.

However, for half a year she was without work but she did not register as a jobseeker. Technically she continued to be self-employed/individual entrepreneur who could opt for a favourable tax form (KATA). If she were to register as a jobseeker she would lose this possibility for the next two years, which she did not want. Being a self-employed person on KATA allowed her to take up short-term job offers and project work, if necessary as well as regular and long-term employment. She also acknowledged that her self-employed status at times did not prevent her employers from taking advantage of this situation when she fell ill or when she wished to go on holiday and was pressured into continuing to work despite being ill or being entitled to a holiday. For her being out of work for half a year was a traumatic experience in her words. She managed to make ends meet during that half year thanks to her savings from the previous jobs. She thought of herself as a lucky person who always managed to somehow get by. However, being out of work was an uneasy feeling and she recalled having heard from relatives about how humiliating it was to be summoned to present themselves for all sorts of jobs as public workers. She said it was a traumatic experience not to receive any reply or feedback on her job applications for months. Yet, she did not share her worries and experience of being out of work with anyone. It was virtually impossible for her to talk about it even with her friends. She exclaimed 'people do not speak about the experience of not having a job while there are people around me who are unemployed'. At the same time she felt she deserved and was entitled to the job seeking allowance based on her former employment and it was unfortunate that she could not make use of it because of her self-employed status.

5.5. PRIVATE COMPANIES: THE ROAD TO EMBOURGEOISEMENT

Jack, pseudonym, at the time of the interview was a staff member of a foundation that offered various training programs on Roma inclusion. Our interview was about one specific training program for the employment on the primary labour market of Roma people. The short training's goal was to enhance access of secondary and university level educated Roma to white-collar jobs at private companies which are usually non-accessible for most of the Roma in Hungary.

He described the white-collar jobs at private companies, whether working at a call centre, as an accountant, a bank clerk etc. as 'a means of a secure long-term embourgeoisement, of achieving of a middle-class status'. He emphasised the importance of being able to think in a bourgeois, middle-class way about the future. What he meant by this was first of all the ability to plan long-term which a good salary could make it possible allowing people to take mortgage loans, and purchase houses and establish and provide for their families. He contrasted the civil and public sector jobs from the private sector, where the latter in his view was more performance oriented than the former. He spoke about a general anti-private sector, anti-multinational company attitude among the Roma, which he also characterised as a post-socialist attitude. He also remarked that there was a strong tendency among the Roma people to feel the need to give back to the community where they come from, which often meant choosing the profession of a social worker, or working in education where one could help Roma youth or Roma people in general. This orientation often coincided in his experience with a tendency to view the business sector as 'an evil thing'. His views resurfaced in some of the opinions and experience of the Roma youth interviews for this research, but with some caveats. Two of them took up jobs in the private sector and were determined to make a career there. The 'middle-class status' however at the beginning at least was still a remote promise as both Andrea and Kate were highly dependent on the mobility housing support which they could claim for the duration of one year and without which they could not have stayed in Budapest despite being employed in the private sector. Mark and Julia, indeed, were more inclined in choosing a career, as a social worker, for example, where they could give back to and help their communities of Roma people. And they were indeed in a more precarious situation having to juggle longer and more frequent periods of joblessness, having less security and more short-term jobs compared to those who opted for the private sector with regular 'middle-class' jobs, which, however, still could mean a precarious life against escalating housing costs that a job in banking could not yet offset, as shown by Kate's example.

5.6. UNEMPLOYMENT ASSISTANCE FOR THOSE WHO BELONG TO 'US'

Ani is a woman in her mid-fifties living in a small village in the southern part of the country. She got married at seventeen and raised four children and hence is eligible for early retirement in a couple of years. She worked as a bookbinder in a factory in the nearby town, then in the early 2000s as a delivery postwoman for nine years in her village finally quitting for health reasons. 'I did not become unemployed because I wanted to. My health got worse'. After nine months as unemployed (unemployment insurance was later cut from nine months to three months under the modification of Act IV/1991) she lived on social assistance for a short time and then became a public worker for four and half years. She worked for two years outside on the streets, cleaning and gardening and for two and half years as a cleaning woman in the mayoral office. While she emphasises she was comfortable

with the work as a public worker as she likes gardening she confessed she was at times looked down upon as a public worker by the elderly of the village. As she pointed out she did a lot of gardening at home as well and grew vegetables, so her work as public worker in this respect was not much different from what she did at home. Yet, she managed to get used to being a public worker eventually becoming a team leader. However, she found it harder and harder to deal with those who according to her did not want to work: 'All sorts of people turned up for public work in the morning. Then they disappeared during the day. They did not take the work seriously, they got the money no matter what'.

When she became unemployed she found it unusual not to go to work, but she was not ashamed, as she put it: 'It was my own decision to quit the job as my health deteriorated'. The village was quite big and as a delivery person she had to walk a lot which she felt she could not do anymore after nine years. Later she had to take up the public work that she was offered. She did not have to work eight hours a day so she could do the housework as well. Then one day she spotted a job advert. She asked her children to phone the number but they forgot. As she recounted to me while she was not too familiar with mobile phones she gave it a try and managed to make the phone call and got through to the Budapest Public Gardening company. She got the job. At the time of our interview she had been working for seven months and commuting to Budapest every day on a bus that collected people from her neighbouring village. She was the only person from her village to have taken up this job. She told me that she had to get used to working in a team of forty-five people and while during the first two weeks she felt like running away, now she proudly told me that she was very content to do this job. She would commute every day for one hour each way. She said she liked her colleagues, her job and on top of that she earned three times more than her remuneration as a public worker. She also mentioned that the people in this job were quite different from the public workers she had worked with in her village.

When I asked her about who was deserving of welfare support she replied: 'Everybody out of work should be entitled to some support. Even if it is a small sum, those who do not have anything else. How else to survive?! There are people who cannot work either because of their own fault, or not, nobody knows this for sure but them' (Ani, woman in her late fifties).

In her responses and accounts she implicitly claimed that people are to a certain extent responsible for the situation they are in but she also immediately qualified her statement and remarked that it is difficult to assess the extent to which they are to blame. In her own life she saw that there were occasions when she could not work even though she would have liked to if it were not for her health. She could also list several factors that made it difficult for her to find regular employment: the village she lived was far from available work, she saw herself as too old for many jobs, or lacking in the appropriate qualifications.

When asked about who would deserve support her answer contained a hierarchy of some sort where pensioners, people with disabilities came first. 'They should all be supported. Pensioners, they deserve it as they have worked all their lives. People with disabilities, I hear there are job openings just for them' (Ani).

She also included the Roma minority stating that if they work then they do deserve support. 'I have no problems with Roma. There are Roma in the neighbouring village, here as well two families. I have never had any conflict with them. One can get on well with them. They are humans just like us.

If they work, they deserve support'. When I asked her if refugee people and people migrating to Hungary should be also considered, while her answer was positive, she also added: 'There are enough people here as well who are looking for work. I would rather support them than those from elsewhere.'

The deserving in Ani's responses are those who belong to the Hungarian nation. While she did not think that refugees do not deserve support she thought it important to prioritise those who as she put it 'belong to "us"', which includes everybody regardless of ethnic belonging or ability to work. As she stated above she believed Roma people should also qualify for support.

5.7. BELONGING AS A REFUGEE

Sami is a young man from Eritrea. He is a refugee and has the status of subsidiary protection. He has been in Hungary for several years having left home about ten years ago. As discussed above a compulsory review of the status of refugees has been recently introduced and after three years, the authority must review whether the conditions of recognition still apply. The same exercise is to be repeated with the same frequency in respect to the beneficiaries of subsidiary protection. Before this change, the latter group had already been subject to review, but only every five years. Sami had just been under review as beneficiary of subsidiary protection before we sat down for this interview. He found the review process revoltingly unjust because the entire interview consisted of questions about his time back in Eritrea as if he had not spent more than five years in Hungary. He expressed outrage that nothing was asked about his activities, his work and his participation in Hungarian society over the past five years. In his opinion he had done everything in order to become part of Hungarian society. Moreover, as he argued as an activist he had been engaged and committed to making this society a better society. In many respects, he thought he had done more than many a Hungarian citizen concerning civic duties and civic engagement. Yet, the immigration authorities in his opinion disregarded his efforts, and dismissed this part of his life entirely. He emphasised that he had been working hard, that he had been paying his taxes, and that he never ever applied and would not apply in the future either for any sort of social assistance. It was a matter of pride and dignity for him to be able to find work and regular employment and not to depend on benefits.

6. CONCLUSION

As many others have also noted (see Ferge, 2015) public work and unemployment assistance can alternate several times in the lives of individuals even within the same year. Almost all the people (six out of seven: except for a programme staff of a Budapest NGO) interviewed recounted a life course where the experience of regular work, public work, casual work, and unemployment intersected and alternated with one another. All of them experienced periods of unemployment which they tried to navigate as best they could. At the time of conducting the interviews all the people interviewed either had a job or had a student status and were engaged in voluntary work. None of them was unemployed at that time. Being unemployed was a past condition that they for the time being had left behind. Because of their fragmented employment history, the result of a complex set of determinants such as disadvantageous social context and family history, at the intersection of coming from a Roma or refugee background, from a working class and rural background, their experience of insurance based

unemployment and unemployment assistance, was always recounted and recalled as an interim phase which should be insignificant, invisible, not worth thinking about, or not able to talk about, not even among friends, as Julia, one of the people interviewed observed.

The time of being unemployed appeared in these accounts as virtually not that different from the condition of being part of the public work program or being a casual or seasonal worker as on many occasions it alternated with these and precariousness was an aspect that was common to all. For all the people interviewed work was an unquestionable source of pride and self-esteem. And work they did, although not in well paid, secure, steady jobs. Whether at home raising children, or doing volunteer work, or cleaning the streets as public worker they all performed work. But not every kind of work has been equally recognised and valued, with stigma attached to public work, unemployment assistance, and hence often the people I have interviewed themselves were unable to talk to me or to their friends about those times when they were public workers, or unemployed although not idle. Regular employment, however, was perceived and experienced as totally different. For all of the people interviewed, regular employment meant a higher status and all of them strived to reach this. It was clearly a higher status than being a public worker. All of them had some knowledge and experience of public work. Either as direct participants, as public workers themselves, or as the children or relatives of public workers. Public work meant several things for different people. Vidra has already (2012) pointed to the significant difference in the approach a particular local government takes toward public work, and what the general assessment of the aim of public work is in that community. Local social conditions, and what image the local government, and specifically the mayor form about the poor, the Roma, and poverty play an important part (Vidra, 2012). According to the people I interviewed public work was not something simply bad or good. It meant several things for various people. For some it was experienced as a misfortune or fate that befell more generations within their family and out of which a younger generation tried to escape. Or, quite the opposite public work was described as a step towards gaining a full time job. For those who were at some point public workers the experience was perceived in more positive terms. They could and had to explain, rationalise and situate public work as a meaningful experience, as a source of dignity as well. For children whose parents and relatives were caught in public work, however, this was more like a warning, a threat which they were determined to escape. For those as well who could leave behind the world of public work and get a regular and better paid job, this experience of once being a public worker could be recounted as a success story, where one managed to beat the circumstances and make it. On many occasions, however, one could not escape an undertone of shame even though at times, this was quickly brushed off. For Andrea, a young woman of mixed Roma and Croatian background in her early thirties public work was a necessity turned into opportunity, which she nevertheless was quick to leave behind as soon as possible, to become acquainted with the workings of public administration. Working alongside the mayor of the village she came to know how public work functions, how public administration works, she took part in the application process to several public tenders and later helped set up social cooperatives. This administrative experience coupled with various trainings helped her eventually leave the countryside for Budapest and find work as public relations manager at a multinational retail chain. Moving from the village to the capital city was not a goal that she had consciously set for herself years earlier. Her varied employment experience led her to finding this move as the next logical step for her to take. Based on her account it emerged that unemployment was all the time around the corner even if she narrated it as just a short, interim condition that she skilfully

used to navigate her way in the labyrinth of temporary jobs towards finding the next suitable work that best suited her current experience and expectations.

Self-employment which is ideologically presented and sold as part of a supposedly more efficient entrepreneurial culture, was, however, variously experienced and perceived as a mixture of constraint, necessity and opportunity as recounted by Julia. It is encouraged through all sorts of more or less favourable tax schemes, which however, can be best pooled and used if one occupies a privileged, middle-upper class position in a wider social network of successful, financially more independent people with various links to smaller or larger companies, or state enterprises. Otherwise, as Julia's situation shows, it is at best a bridging gap, a future promise in the absence of a steady full time employment, and it can clash with the requirements and obligations of social security based unemployment support derived from regular employment.

Against the wider social backdrop where there is welfare for the rich and workfare for the poor the unemployment assistance has virtually disappeared for the past few years as it has become entirely meaningless in its function to offset in any way the loss of employment based income. The fact that public workers are counted as 'employees' instead of 'unemployed', that the vast public works programme has replaced and erased all other activation policies, shows a complete rejection and denial of the need and legitimacy of social assistance, of welfare provision for the unemployed. It is a dramatic situation that has been orchestrated for the past few years where the provision of the unemployed has become virtually non-existent and thus large sections of the Hungarian society have been thus ejected and rejected.

Only complex policy arrangements where more traditional policy measures are combined with other services and institutions, such as health and education, can be an answer to helping people find employment. As a first step, however, it is urgent to acknowledge and recognise the real and pervasive risk of unemployment, which threatens everyone, but particularly the more disadvantaged and vulnerable groups in Hungarian society such as the Roma, the unskilled or low-skilled workers, the refugees, and single parents, people with disabilities and older workers etc. Recognition can happen through the redirection of resources to a series of activating labour market policies and away from the public work programme. The capacities of job centres should be expanded with properly remunerated and trained staff able to assess the needs and skills of prospective workers. The insurance based unemployment allowance (now called the job seeking allowance) and the unemployment assistance (employment substitute benefit/support) should be no longer merely symbolic and thus almost meaningless: their length and value should be considerably raised. Their currently stigmatising and degrading meaning would disappear once they prove meaningful and helpful in leading people back to employment. Such interventions cannot be but part of a concerted and complex set of policies.

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