

Constitutionalism under a trial?–Impact of Hungarian Constitution of 2011 (2)

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On April 25, 2011, the new Constitution of Hungary, named the Fundamental Law, was adopted and entered into effect on January 1, 2012. This constitution has been criticized by scholars, media and civil society organizations because of its defects which undermined basic principles of democratic constitutionalism.

In this article, we will focus on factors, which caused to enact this “unconstitutional Constitution”. In our view, its major cause closely related to the way, in which the transition to political pluralism, market economy and construction of the rule of law state took place. The democratic republic failed to create a fairer social order and discredited a project of liberal state-building among Hungarian citizens. From this constitutional “Back rush”, we will be able to draw some lessons, which enable us to maintain modern constitutionalism under economic globalization in the 21st century.