

CIVILITICS,  
AS THE SCIENCE OF POPULAR  
SOVEREIGNTY



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## PREFACE

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The primary task of civilians in the 21<sup>st</sup> century is to maintain a livable world. Only the thinking human can preserve and pass on to the next generation the God-given richness of nature.

The task requires rationality, strength, operations based on public benefit, for which the history of the past two thousand years provides sufficient and beneficial experience.

As a starting point, societies need a system, a governing leadership. In democratic circumstances, gaining control of governance is the result of political battles, where the rule of law will be adhered to. Gaining power by violence, e.g. coups and counter-revolutions belong in the category of political criminality.

Democratic societies have accepted the primacy of politics, and have legalised the competition for power by parties with differing philosophies. The basis of the legal structure of post-election society was created by the support of the majority of citizens.

Let's stop here to ask the following: do civilians, as the bearers of popular sovereignty, have a guiding science that could counter the advantage of parties operating based on political science? The answer is no. Thus, citizens of nations need a branch of science that, at the time of elections, would provide a reliable guarantee that power will end up in good hands. This science may be civilitics.

Knowledge and distortion of political science nowadays serves party politics, and often takes advantage of the gullibility of human nature. If, for example, a fair government is based on the three branches of power, in other words the system of checks and balances, then a precursor to the optimal operation of this system could be the parallel existence of politics and civilitics.

The basic interest of civilians is to see through party politics and to objectively evaluate the various parties' competition for power. An analysis of the historic and recent activities and performance of parties for the public good may help with this evaluation.

In the 21<sup>st</sup> century, the establishment of the science of civilitics is of primary importance. It is on this basis that the actions of citizens provide an optimal direction for the operation of national and European civilization.

Within civil society, opinions about parties are divided. It can also be seen that the majority's vote and opinion is closest to social fairness. We believe that those who find themselves in the minority can be integrated, out of solidarity, into the larger winning community. We do not believe that people can be neutral in their behaviour when it comes to politics. Our conviction is that passivity is also a sign of commitment, which is aligned with the will of the majority of society. We openly hold that by following the values of Christian civilization, we have to serve our national sovereignty and identity. While we believe in subsidiarity, we also believe that it can only be restricted through self-control.

The EU cannot exist without 'civilian spiritual national defenders' organised in all 27 member countries. Freedom of speech is a right of every citizen and cannot be restricted. The goals and directions of our civil mission is clear: we are in favour of the reforms of EU institutions and of dismantling Brussels' ivory tower of bureaucracy, and our goal is to ensure that major issues affecting EU citizens can only be decided through direct consultation with the public (referenda, public consultations).

We are working to enact an amendment to the law on civil initiatives in the EU, as we cannot tolerate the almost insurmountable hurdles faced by public initiatives of the EU's population.

We have sent a constructive proposal to the EU on how to handle the migrant crisis and protect the common border of our continent.

Our civilian mission, while it establishes the science of civilitics, promotes the decisions and clear insight by Europeans and Hungarians for good causes by disseminating knowledge and taking concrete actions.

*Dr. László Csizmadia*

## THE CONCEPT OF A CIVIL SOCIETY

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Freedom of the citizen is guaranteed by individual and collective rights. A citizen is not only an individual, but also a member of a nation and a society. Citizens take part in various communities, which, together, make up civil society – or a society of citizens. The civilian, thus is not a lonely Robinson acting only based on his or her individual rights and obligations, but also a member of a community, part of a society.

We will now turn to the issue of civil society. Our first question is: what is civil society?

Civil society is independent from the modern state, oriented toward public life, and is made up of freely acting civilians, individuals and groups. Society, in its broadest sense, is made up of two parts:

a) Private society is the sphere in which private actions are performed that constitute the everyday lives of individuals, family, cultural and leisure activities, etc.

b) Civil society, which includes the public life and activities of citizens. This includes lobbying, and the activities of associations, foundations, unions, movements, the press, civic initiatives, etc. This is the sphere of society that exercises control over the government.

Civil society does not exist on its own: its existence can be understood in its relationship to the state. Civil society and the state form a symbiosis: there is no (democratic) state without an independent civil society, and there can be no independent society without a state.

### *The historic 'formation' of civil society*

When examining the formation of civil society from the point of view of political history, it can be stated that the concept of civil society and the state were not separated up until the 18<sup>th</sup> century, from which time civil philosophy began to divide them. In the pre-capitalistic Middle Ages, the state and society formed a sort of a unified whole: within feudal circum-

stances, the state's power hierarchies surfaced in societal relations as well. Society, economy, and culture were all merged in the state: the state was the dominant sphere, while society was subjugated.

In the 18<sup>th</sup> century, as capitalism and civilian society developed, English, Scottish, American and French authors started to write about a civil society independent from the state. Scottish authors such as Ferguson or Adam Smith demanded that civil society be separated from the state and be regarded as a separate entity, mainly for economic reasons. For them, capitalism, the independence and autonomy of entrepreneurship was the deciding factor: the entrepreneur can produce profit only if he is independent from the state, and if the state does not interfere with his activities and does not take away his profit.

The Englishman Locke focused on the relationship between governance and civil society; in the US, Paine described the importance of civil society as opposed to despotism and oppression; while France's Montesquieu talked about the importance of sharing power.

The idea of separating civil society from the state emerged with the era of capitalism. The primary interest of the bourgeoisie was to have an independent scope of action, free from the interference of the state. This is the basis of liberalism as well, and although the desire to be independent is based on economics, it was originally dominated by legal and political aspects, primarily because the legal independence of civil society provided the guarantee for the bourgeoisie's economic freedom.

By the 19<sup>th</sup> century, civil revolutions, the US War of Independence, and incremental changes in England led to the emergence of civil society, which gained its legal independence from the state. Accordingly, fundamental and civil rights were gradually recognized – at least in the West European and North American regions. After the legal, constitutional separation of the state and society, the economic side of civil society also gained the attention of political thinkers, since after the legal, constitutional autonomy, market and entrepreneurial autonomy also became instrumental in preventing the state from economically interfering with the activities of the civil bourgeoisie.

These changes were also highlighted by two German philosophers, Hegel and Marx. They both spoke of civil society (*bürgerliche Gesellschaft*), albeit each in a different way. For Marx, civil society was equal to bour-



geois society, and he focused on the entrepreneurial citizen. He did not see the non-economic, political significance of civil society, and since he vehemently rejected capitalism, he did not see the positive, democratic aspects of civil society.

Hegel approached the issue from a different starting point. For him, civil society was more than the economy – it also included the various institutions of society, the cultural sphere, the courts, education, the police, etc. To Hegel, civil society occupies a place between the family and the state, and carries a moral function as well. (Hegel, 1971)

The question is: whence the moral function?

Hegel's answer is that civil society is larger than the individual. Within it, community appears as a unified whole, thus civil society is the connecting thread that allows the individual to sense and understand real community and the nation, thereby reaching the state. This also means responsibility towards the community, national affairs, and establishing norms other than those held by the state's actions. Civil society then forms a bridge between individual selfishness and the state – a thought which has also been discussed from different viewpoints by various authors, e.g. Saint-Simon, Tocqueville, Durkheim, Tönnies and Parsons.

Of course, Marx rightfully assumed that civil society was indeed the original base on which capitalism developed, and where the free circulation of property could flourish. (Property was released from the limitations of ancient and middle-age societies' state-centric limitations.) It is a fact that civil societies require the presence of a bourgeoisie (i.e., an economic actor or an entrepreneur), but in addition, it is also the ground of the citizen, the citizen, embodying the responsibility of the community. This is not a coincidence, since the 'security' of the entrepreneur can only be realised through the state's restrictions and control, but this requires a 'citizen's mentality', which is more than bourgeois selfishness. In other words, the existence of the thinking citizen is a prerequisite to the freedom of the entrepreneurial citizen.

Two aspects of the citizen emerge at this point:

- a) the bourgeois, the economic citizen, the entrepreneur,
- b) the citizen, the citizen, the communal, moral entity.

Stepping beyond Hegel, we can state that civil society in its modern sense is the world of citizens, citizens, who think in communities, fol-

low moral norms, and are directly connected to the state and control its activities.

Naturally, a bourgeois entrepreneur can also be a citizen, and should be one, too, and vice versa, citizens can also be entrepreneurs at the same time. These days, there are ample examples of entrepreneurs acting as citizens and vice versa. But the main characteristic of modern times is still that entrepreneurial people separate themselves from civil society and base their operations on their own logic. According to modern usage, the world of the 'market' and 'investors' have become distinct from the world of moral citizens with a responsibility towards the community, the former being governed by its independent logic and decision-making mechanisms. Furthermore, it can be said that a triad of the state, civil society and the market (the economy) has emerged, and as a latest trait, market players (financial funds, banks, international financial institutions, investors, global financial groups, etc.) do not hold responsibility towards the community power but are, to the contrary, endeavouring to gain control of the state and civil society.

This is the challenge of the 21<sup>st</sup> century. Due to the overextension of the market and its global thirst for power, the strength of civil society and of the state – as well as how effective and institutionalised the relationship between the two spheres – is crucial. We can say with great certainty that these two spheres and the effectiveness of the relationship between them serve as guarantees for the maintenance of democracy and liberty. However, the organisation of civil society has the greatest significance. We can state the latter because the state is also interested in the well-being of the community and the community of nations, and aims to achieve the common good; still, due to the existence of state power monopolies, power can be seized by 'political adventurers' even in democratic circumstances, who divert the state from the path of responsibility for the common good, and propel the political system and public life towards authoritarianism and autocracy.

On the other hand, civil society is the example par excellence of community. It does not have the power that would divert it towards authoritarianism and autocracy. *Its primary function is to provide the state with moral control, to limit the state from expanding its power, and to cooperate with it in order to enforce the rules of democracy and to achieve the common good.* Civil so-

ciety is democracy in itself: democracy can only be created by a well-functioning civil society. In other words, democracy is the embodiment of a civil society based on well-defined moral and normative principles within the state. The crucial significance of civil society stems from the above – it is at once the guarantee of democracy, the protector of the democratic state, and the restrictor of the market’s thirst for global power.

Let us now turn our attention to the relationship between civil society and the state. As a starting point, the relationship between civil society and the state is mutual, neither can be placed above the other. (We should note here that extreme, dictatorial political movements emphasise the role of the state while anarchists and radical liberals do the same with civil society.) The state is not always ‘evil’, just as civil society is also not always totally ‘good’. There is no question that in, e.g. Poland of the 1980s, the civil Solidarity movement stood against Jaruzelski’s police state, and in that respect, civil society was on the side of ‘good’. But counterexample can also be found: In India, the state and politics have been working among democratic circumstances for decades, while ‘civil society’ continues to live in a medieval caste system offering none of the civic independence, equality and liberty. In this case, it is rather the state which is ‘good’. We have sought to point out with these examples that the existence of a civil society is not a guarantee for the state to work well, and conversely, a state committed to the common good and democracy cannot always solve problems in a society which is bogged down in accumulated and lingering problems inherited from the past. A stable and lasting democracy can only develop where a well-built, detailed and institutionalised civil society forms the basis of a state that adheres to democratic and moral principles. *The basis is, thus, civil society, which on the other hand, would not be viable without a democratic state based on the rule of law, which is dedicated to the common good.*

The legal and constitutional independence of civil society from the state, without which it would not exist, has become a reality, and is evident in modern democracies. There is another challenge, however, as highlighted by German philosopher Jürgen Habermas. According to Habermas, modern societies fall into subsystems, with no links between them, and these systems colonise the so-called ‘life world’ (which we can think of as civil society), infiltrating and ruling over it. As a result of this process, ‘power-free communication’ is lost. Habermas adds that state-

run political dictatorship is not only dangerous to civil existence, but also the almost invisible 'socialisation' of the state as well, with which it manipulates civil society, and inserts a 'statist logic' into civil communication (Habermas, 1993).

This serves as a warning that in modern democracies, civil society does not need legal protection – although that may happen in some countries –, but instead requires protection so that it can retain its autonomy and image. It can be seen especially in the new democracies of Central and Eastern Europe that while states, governments and parties have declared the independence and autonomy of civil organisations, they also want to be present in various informal ways to define the goals of civilians, what devices they should use, the topics of their public discourse, etc. Influence can take various forms, from financial dependence to offering civilians political roles. This is dangerous because the civilian sphere may become a pseudo-civilian society, only independent from the state on paper, but in reality under the influence of political parties and governments. In this case, if the state informally does away with the 'power-free communication' of the civil sphere, then civil society will become political. Accordingly, it will begin to resemble the state, losing its supervisory, moral and community-oriented function, which is the most important guarantee of democracy.

It should be emphasised that the independence of civil society is not only dependent on legal and constitutional factors, but also on financial ones. It is important that the mechanism of the redistribution of state funds to help civil organisations – without which the civil sphere cannot function – be neutral and transparent. It is also important that parties and governments should not interfere with the inner life of civil society, *civil society cannot become the echo of the state. Rather, it should shape independent and autonomous discourse regarding the goals, agendas, conflicts and dialogues between the state and the civil sphere.*

### *Civil society in the West and in Central and Eastern Europe*

A basic question to which we do not know the answer yet is if a civil society can be established in Central and Eastern Europe similar to the one in Western Europe, since the two regions' histories are dramatically

different. In Western Europe, democratisation was a bottom-up process, i.e. first society gained strength and became independent from the state, then forced the state to become democratic and to lay the foundations of the rule of law. However, in Central and mainly in Eastern Europe, it has been a top-down process: after the collapse of the Soviet Union, the opposing elites democratized the state, held free elections, introduced a multiparty system, a new constitution, etc. And it was only after the democratisation of the state that civil society, the citizens' political culture started to slowly develop.

It is very likely that these historic characteristics will not change easily, whether the political system is called dictatorship or democracy. This is especially true for Eastern Europe. In the case of Central Europe, the situation is different: the development is 'mixed', since in this sub-region, civil movements have always had more room to move than to the East. There were certain traces of a civil society up to WWII, but it is a fact that forty years of communism brought destruction in this area as well. In Central Europe, it will be decided in the present and in the future, to what extent societies will be able to establish a political culture similar to the West.

Modern Western political science, based on Western experiences, emphasises four important elements of civil society. These are:

- Civil society defends the independence of citizens from the state, protects their freedom, their assets, their rights. This separation from the state is the traditional liberal concept, going back to Locke.

- The second: civil organisations contribute to the solutions of social conflicts, promote the recruitment of the elite, and take the burden off the state by providing certain functions (solidarity groups, social net, public services, etc.). This thought, based on pluralism, emphasises the relationship between society and the state.

- The third element emphasises that the operating organisations of society are the schools of democracy. This thought, coming from Tocqueville, and also adapted by others, states that civil society provides a normative, participating and personal contribution to the strengthening of democracy, and develops characteristics in citizens like tolerance, mutual recognition, compromise, trust, honesty, and reliability (without which democracies can hardly exist). (Tocqueville, 1993)

- The fourth element emphasises that civil society widens the articulation and aggregation of social interests in a so-called pre-political (vorpolitisch) space, whereby disprivileged and hard-to-organise groups are given an opportunity to express themselves in public. As a result, hidden social conflicts become agendas (agenda-setting) and become manageable. In this approach, democracy and civil society are closely tied together.

We should add that the existence or absence of civil society and political culture is basically the existence or absence of democracy, since these are the same terms. How can democracy as the power of the people be imagined as other than the people are organised, represent their own interests, and take part in decisions about themselves? If it is not like this, then it's simply power of the political elite, or the democracy of the political elite (formal, electionbased democracy), and that requires a different interpretation. As Linz and Stepan stated: without the state, there is no citizenship, and without citizenship, there is no democracy. (Linz-Stepan, 1996)

Let's see now what is the situation in Central and Eastern Europe, twenty years after the changes of the systems.

As mentioned, communism, lasting several decades, practically abolished civil society and culture, where there was any in the works, in Central Europe. In Eastern Europe, in the Eastern Balkans, and mainly in Central Asia, conditions with traces of a civil society and culture simply lived on, while conditions of subjugation, and its consequences can be clearly observed between the two regions. German politologist Wolfgang Merkel writes: the emergence of civil society is a difficult and long-lasting task, and the first twenty years clearly show that the lack of citizen culture and activities rooted in civil society present a difficult problem (Merkel, 2010). This is also proven by the fact that parties and political organisations enjoy little trust amongst people - as opposed to in the West -, and that includes trust in the rule of law as well, which is significantly lower than in Western Europe. This is a valid problem, since trust in the rule of law is a central question of the legitimacy of the democratic system.

It is important to emphasise that there is a clear difference between Central Europe and the Central European sub-regions. While civil societies exist in Central Europe that are a bit less developed, although not opposing democracy, than those in Western Europe or the US, as we head east, we find that there didn't exist any civil societies at all, and also,

we find little support for democracy. In Eastern Europe, and to a greater extent in the Caucasian and in Central Asia, it's not about underdevelopment of democracy, it's more like an antidemocratic mentality that we can observe. To put it another way, in this sub-region, there is a culture of submission, or a hybrid culture, to which authoritarian systems stand closer than democracies. In Central Europe, however, we find underdeveloped civil societies that turn towards democracies, looking to the West, tolerating democracy and accepting it even if not everything works well in it, to say the least. It is possible that Central European democracies will never resemble, as far as civil culture is concerned, say, to Sweden or Germany, England or the Netherlands, but these countries can still be interpreted within the framework of democratic orientation.

We can add that the EU membership by the Central European, and the aspiration for EU membership by the Balkan countries mean a strong commitment to the values of a democratic society, which of course also includes the establishment of an efficient and well-working civil society as well. It can be thus said that the validity of a civilian code of ethics refers to both the civil societies and citizens of Western European and the EU-oriented countries.

### *Civil society in Hungary*

In Hungary, like in Poland and the Czech Republic, civil society started to appear in the 19<sup>th</sup> century. The age of dualism was, from this viewpoint, a kind of "golden era": in those decades, cultural life flourished, associations and sports clubs sprung up, there was a vivid press, as well as artistic and scientific movements, so the "original accumulation and institutionalisation of capital" can be observed.

This continued after the tragedy of Trianon, on a mere 93 thousand square kilometres, in the shadow of the threat of another war, and continued till the years after the war, until the communist takeover.

It is a fact though that the communist and socialist dictatorships between 1948-1949 and 1989-1990 broke civilian society to its pieces. This was apparent from an institutional as well as a mental viewpoint. From the institutional viewpoint it meant that institutions of civil society were

closed or liquidated (from religious orders and sisterhoods to civilian associations to politically active movements, etc.), but even more severely, independent citizen-like thinking was rooted out from people's heads. This modern era culture, especially its first stage, the Rákosi era, basically did away with the separation of state and society, and the state, again, exercised complete control over the civil sphere, it swallowed it up, and did not allow it to operate based on its own laws.

Although after the defeat of the 1956 revolution, the Kádár era loosened the grip of the dictatorship, this showed in the fact that people could enjoy a bit more freedom in their private lives. But still, nobody could be a real citizen, a free and independent civilian, a member of the nation, although people were allowed to experience some joy as consumers. One of the biggest sins of the Kádár era was perhaps that it created a false illusion of civil existence, and this attracted 'lukewarm' masses and kept them relatively satisfied. This, however, is a great disadvantage from the point of view of today's democracy and civil society, because no such rejection or, if you wish, hate, built up in people against dictatorships which could have become an active energy at the dawn of the new era in 1989, and would have made it possible that bottom-up movements spring up in order to establish democracy, thereby creating the bases for a civil society.

This, unfortunately, did not happen: the atomised masses were reduced to consumers not able to involve civilian forces in the political changes and the democratisation, thus creating first an elite democracy, but without a well-working civil society. (It should be noted here that in most Central European and EU democracies the underdevelopment of civil societies could also be observed, albeit to varying degrees in the various countries.)

This happened despite the fact that, as the Kádár system's crisis deepened, in the second half of the 1980s, a host of civilian, public, and not so public organisations, new unions sprung up. After 1988-1989, though, another turn of events occurred: new opposition parties surfaced, and the thinking of elite groups, controlled by these parties gained prominence as the political changes and democratisation in Hungary moved forward. The oppositional and political elite expressly and decisively favoured the state during the political transition over the civilian movements. They chose not to cooperate with the civilians, but preferred to



sit down with the party state elite to define the framework of the future law-based state, and to decide what role the old and new elites might play in this new order.

As a result of this process, the leaders of the civilian movements started by joining political parties, as the civilian movements were liquidated or ceased to exist. This made the competing party elites the driving forces, while social participation, the integration of citizens and civilian matters became secondary.

What can explain the surprisingly swift 'elitisation'?

There are two reasons. One is that, as mentioned before, in the Kádár era, society became fragmented, people became consumers and were not interested in acting like citizens.

But this is not a sufficient explanation, since at the dawn of the political changes, several civil organisations and movements appeared in the public sphere. The second reason stems from the behaviour of the elite of the opposition: this elite could have decided to turn towards the civilian sphere, the citizens – or if you like, towards the masses – and also to enter into negotiations with the state or with its elite. As it happened, the elite of the opposition chose the second approach: it turned towards the party state elite, which it viewed as its primary partner. It became clear that especially the liberal elite of the opposition viewed society and people as 'amateurs', not able to grasp 'highbrow' subjects – as opposed to its own professionalism.

As a result, the political transition in Hungary ended up being so peaceful, negotiated, and bargained that the new democratic law-based society had no real roots or basis in civil society. *The democratic state was formed, without democratic citizens.* In a paradoxical way, the political elite instrumental in the political changes also contributed to the fact that Hungarian society and its citizens have remained Kádár-era private citizens (and not even really consuming citizens, as they have lost their jobs due to the economic crisis, and their income has shrunk rather than increased). Instead of a civilian society, a private society has come into existence, with atomised citizens with no movements, no organisations, and no institutions to create a symbiosis with the state and politics.

This is problematic because liberty and democracy can be imposed from above without the process of embourgeoisement and a civil society

(through deals among the elite and foreign support), but it is almost impossible to consolidate or stabilise it. As we mentioned before the Western example is exactly the opposite of the Hungarian, and that of the other Central and Eastern European countries, since in those, embourgeoisement served as the basis of civilian society and the democratisation of the state, while in Hungary, the process started with the state.

But the state cannot solve everything alone, nor is that its task: citizenry and a civil society can only be built from the bottom up, as the result of a long, hard process. The first fifteen years of the new political regime proved that the 'state' civilian society did not exist, or at best, was shaky and on the verge of collapse. On top of that, any emerging civil attempts were further limited by the new – and the surviving Kádár-era – elite's suspicion of civilian initiatives, whether they were national referendum attempts, popular initiatives or other similar movements. The elite seemed to raise, again and again, the critique of lack of professionalism, or worse, amateur, plebeian populism in these attempts, and therefore tried to suppress them.

In summary, it can be stated that the Hungary's old and new elite united in suppressing civil initiatives. Their influence was so decisive that civil society did not emerge in the first few years after the change of the regime in Hungary.

The more marked era of the awakening of civil society started in 2009: that is when the *Civil Összefogás Fórum* (Civil Union Public Benefit Foundation, CÖF) appeared, which drew a crowd of more than 200,000 for a Palm Sunday demonstration to Heroes' Square. There had not been so many people gathered there since Imre Nagy's reburial in 1989. CÖF, which held several demonstrations in quick succession, stood against the leftist post-communist government, which was afraid of losing its power. It held onto its political and moral base established at the time of its establishment in 2006, and continued along these lines, although its activities did not stop here.

After the two-thirds victory by the right in 2010, CÖF expanded its activities, and started wide-ranging public and political work to build a national network. It held round-table discussions, then got in touch with the appropriate bodies of the government, and took part as an equal negotiating partner in drafting parliamentary bills. CÖF's activities have inspired other civil initiatives, whether real or imaginary, since 2010,

and civilian organisations on the other side of the political spectrum also surface from time to time. A central viewpoint of CÖF's work is that it has built a symbiotic relationship with the state, which is based on a mutual discussion of political and technical issues in various areas. It should be added that CÖF has also built a relationship with other Central European – mainly Polish – civil organisations, and has appeared in various institutions of the EU and the European Parliament. It is noteworthy that another organisation, *Civil Együttműködési Tanácskozás* (Civilian Cooperation Council, CET), was formed next to CÖF. It aims to build cross-border connections and organise joint appearances between civilian organisations. CÖF has now grown into a national umbrella organisation that carries out not only intensive public activities (see the organisation of Peace Marches), but professional activities as well.

It can be said that in recent years, but especially since 2009, civil society has started to build and organise itself from the bottom up, spontaneously. This reorganisation has a strong moral and political component, which is a direct consequence of the political and public challenge that Hungary faced in the second half of the first decade of the 21<sup>st</sup> century. It can be presumed that the emerging Hungarian civil society will remain markedly focused on politics and morality, which is bound to dissipate as we move forward, while professional issues are expected to gain more focus, since otherwise there is a danger of it becoming too political and becoming a political party. Among NGOs, the leading force, CÖF, has already moved towards political issues worthy of the public's attention. It is still uncertain, however, where the political battles and trenches in Hungary will lead civil society: towards further splits and division, or a consolidation based on professionalism and sound public policy.

## THE MORAL FOUNDATIONS OF CIVIL SOCIETY

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In Hungary, civil political culture had to be rebuilt after severe historical distortions. After the regime change, it was only after the fires were put out that careful attention and sound judgment could be devoted to the consideration of the *civilian lifestyle*. In earlier historic times, politics did not allow the individual to approach political spheres and used force to break the branches of civil initiatives. In this atmosphere, Christianity also withdrew from the social and political spheres, and was only permitted to be practiced in private. Thus, the individual citizen was given the message that ‘social-political affairs are centralised, and it is dangerous for the individual to make too much noise in these areas’. Hungarian society as a whole must re-learn the culture of social participation, civilian lifestyle, and political participation.

In the philosophy of Aristotle, the human being is a *zōon politikhón*, a social animal living in cities and communities, while in Christianity, he is a reflection of the Holy Trinity, thus by definition a social being striving for love. *The two most influential roots of Europe, Greek culture and Christianity, state that personal relationships are crucial to humanity, and the main principles are love and cooperation.* The human being is portrayed primarily not as a selfish, lonely, struggling, amoral being, but as one who was born to love and be loved (Antigone, Jesus Christ); thus, value-based cooperation is in the interest of both the individual and the community.

### *Civilian self-esteem*

Personal dignity means that *people value themselves*: each person is an infinite wonder, an individual and a rich world. This richness of each person is a resource for all of us – if the individual is lost, a whole world is lost. Recognition of the self-value of the individual, thus psychological well-being, is the basis for social equality and religious conduct as well. According to Christianity, humans were created in the image of God,

their personal dignity is a mystery, and each human being carries the divine spark within, and thus they (and their main anthropological concepts) cannot be defined without God. Personal dignity is the first step towards the culture of a civilian way of life that is based on philosophy and theology. Self-worth *in itself means the capacity to be loved*: everybody is worthy of love and respect due to his self-worth. It is important to emphasise this as we move towards a future where performance is valued above all in the workplace; in aesthetics, physical beauty; and in a profit-oriented economy, profitability. The civilian way of life intends to emphasise, before any evaluation or judgment, the dignity of the person, and the worth of the individual above all other values. Several historical tragedies have resulted from the fact that personal dignity was not held supreme above all other values, when people were identified with their background, skin colour, or performance, and faced discriminatory treatment.

Personal dignity *starts from the inside*, and radiates outwards to others. People must realise that the self is a value that cannot be given away, sinfully wasted, or carelessly thrown away. According to Kierkegaard's existential philosophy, wasting our own self is the true sin.<sup>1</sup> Humans must respect their own impartiality, wonder, dignity, prominence above the animal world, and their historical privilege. The individuality found within ourselves, our role in existence, in family, at work, and our individual characteristics must be respected. Not enough is said of *self-valuation, fair valuation, of authentic self-love*, although this true self-worth promotes respect from others. As well, he who has no self-worth will not respect others either. The civilian life therefore includes a true self-worth, which extends to relationships near and far, to family and society as well. Thus, with strong civil self-worth, we cannot fall prey to governments, economic interests, and foreign ideologies.

Personal self-worth deserves *our respect* not only in ourselves, but in others as well: the individual possesses, before any talent or shortcoming, his own inherent value which deserves respect. We are born, by the law of nature, endowed with personal dignity, which does not come from

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<sup>1</sup> Nyíri, Tamás: *Development of philosophical thinking*. Szent István Társulat, Budapest, 1991, pp. 405–412.

people, nor can it be taken away by people. It cannot be diminished or lost and it is the same in all individuals. According to Christianity, it is given together with the image of God. It does not depend on attraction, skin colour, religion or sex. Although it is stated in the Universal Declaration of Human Rights of the UN, the Human Rights Charter of the EU, and the Constitution of Hungary as well, various insidious, less obvious factors still infringe upon human dignity in the areas of law, work and politics. Civil society is distinguished by the *sensitivity* with which these dignity-eroding relationships are discovered and fought against. Degrading work circumstances, crippling lending practices, and damaging media come to mind. Thus, the goal is not only securing personal dignity, but also, in a wider sense, *cultural respect*. As law is a part of culture, the main goal of a civil way of life is therefore not of a legal nature, but cultural. Respect for individual dignity also means respect for humanity; its rejection leads to inhumanity in all areas of life. Thus, politics, economy, science, art, religions cannot be void of respect for human dignity 'in the name of freedom'. *That which seeks to be independent of man becomes inhumane*. The civil way of thinking takes a personal approach: no inhumanity can be committed in the name of scientific, artistic or religious freedom.

The right to self-determination is part of personal dignity. According to philosophy, *human beings rise above the animal world by their personal being, this is what makes them autonomous, and enables them to be self-determining*. As humans have the capacity to think and to have free will, they are able to act autonomously. This elevates them above the animal world, freeing them from biologically-driven determinism, contrary to animals. Although it is up to the natural and social sciences to study these aspects of biological determination, philosophy and theology continue to emphasise that humanity is endowed with not only a physical, but also a metaphysical nature. Philosophy and theology protect human liberty (and thus responsibility) from the overbearing scientific yoke. Every human being is capable of thinking and loving, is able to control his impulses and needs, his personality is irreplaceable and unique, he is able to create cultures and pray, he can remember and plan the future. To this theology adds: in every person lives God's image, and we are all invited to join in unity with God. The dignity of self-determination, thus on one hand lifts us above the animal world, but on the other hand

limits other people's actions against us. Kant's categorical imperative states that *no one should serve as a means in the hand of another*.<sup>2</sup> When a person identifies with his most important life decisions, he can and must do that with autonomous self-determination. Examples of these life decisions are the choice of worldview and faith, decisions about one's marital status, career, whether to become a parent, and the right to belong to a community. Personal dignity is not transferable: nobody can be happy instead of me, therefore nobody can make absolute decisions about me. This is a *privilege as well as a burden*. Therefore I must ensure that I do not become a means to an end. We have to maintain personal dignity: I cannot become somebody's copy, I have to preserve my own unique path. I must refrain from becoming a slave: to chemicals (alcohol, drugs, medication), pleasure (comfort, sexuality, gambling), work, ideology, or a party. As part of this human dignity, we cannot treat either ourselves or others inhumanely. Respect for individual dignity prohibits all forms of slavery, human trafficking, labour exploitation, sexual abuse, torture, humiliation. Human dignity is the basis for the radical equality and brotherhood of humans, the culture of civilian thinking, therefore preserving our basic values should be our foremost concern, since their distortion will escalate into our social, economic and political life.

The citizen with a sensitive conscience will therefore be able to recognise in time any *tendencies towards objectification*, and will fight for individualism on both the personal and the social level. A person cannot be a means to an end, a mere object, to be used or sacrificed in the name of the collective: not in medicine, not in industry, and especially not in criminal acts and terrorism. Thus emerges the primacy of the individual's own dignity, unique richness, colourful personality – these are the elements of a good community. What follows from this is that the state should be 'customer friendly' for citizens (with respect to administrative matters, job creation, family support). Citizens are not just statistics, not only voters, but humans as well.<sup>3</sup> Branches of science researching the individual must be aware of the dangers of objectification: based on their scientific method, no matter how much they research the separate

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<sup>2</sup> Kant, Immanuel: *Metaphysics of Morals*. Gondolat Kiadó, Budapest, 1991, pp. 105–295.

<sup>3</sup> Zsifkovits, Valentin: *Politik ohne Moral?* Veritas, Linz, 1989, pp. 80–87.

parts of the human, they cannot disregard the whole of human dignity. Genetics, medical experiments, psychology, quantitative sociology, political science, etc. must not view the human being as a piece of data, a body, a consumer, or a political voter. To reduce people to data or mere numbers is to recall the darkest days in history. *Science must contribute not to objectification, but on the contrary, to personalisation.* Civil organisations play a big part in ensuring that the ‘personal touch’ is alive and well: with quiet, everyday work, active community life, scientific work, and if needed, by standing up for them through emphatic action. The ultimate goal of development in society must be the individual, because *it must conform to the human being, and not the other way around.* Civilian thinking wants to see the person before things; all social, cultural, scientific planning is for the benefit of the individual. In these processes, the citizen wants to take part in initiating responsibility and irreplaceable creativity, both in person and together with their communities.

### *Civilian columns: basic values and rights*

Certain basic rights stem from personal dignity and the dignity of the community, which have served as guiding stars throughout history. *Humanity continually progresses towards knowing truth and recognising values.* According to the theory of knowledge, prior to concrete, thematic knowledge, there is an a-thematic suspicion, reaching out towards ‘wholeness’. Assigning themes to values is also a progressive process. There are values that are constantly emphasised throughout human history and others that blossom slowly. Personal dignity, honour, respect of life, family, community, liberty, morality, and work are the most important basic values. *Beyond the overly individual values and rights, community values and rights also become important.* Thus, not only individuals have rights, but also families, the community and the nation as well. Civil thinking seeks to be sensitive to the balance of personal and community rights and obligations, we cannot desire the extreme of individual selfishness nor the violence of collectivism. In society, thus, personal and community values must constantly be emphasised, so that personal and community lifestyles may develop along the path of truth. Values, namely, always serve the future.



From an epistemological perspective, the *conservative* and the *progressive* are not separate, since in knowledge everybody is both at the same time. Things we have recognised in the past as truths, as well as true realisations, are remembered by everybody as truths, thus, in this sense, everybody is a conservative. At the same time, everybody who is alive has a future: open to new things and development, thus in this sense, everybody is progressive as well. In getting to know values, there is legitimate conservatism, which holds on to values known to be good and proven to work. It is also legitimate to talk about progress, since it is a path towards learning the truth about humanity and its communities in ever greater depth. Such new values are more sensitive environmental protection, attention to the global community, cultural tolerance, more sensitive privacy policies, and the need for global communication.

Human rights stem from the basic value of personal dignity. We understand more and more of the miracle of the individual, and we shape that into moral and legal rules, but this process is unfinished: the human individual remains an infinite source of wonder.<sup>4</sup> Basic human rights which proceed from personal dignity can be reached in two different ways: through a spiritual, speculative path inching forward, or through a historic and empirical path. That is, through thinking and experience, the two paths reinforce each other. Sometimes, going forward in history, cornerstones become clear, and based on them our intelligence leaps forward, to protect the good in advance and to protect us from taking the wrong path. Defining human rights is an *unfinished process*: given the richness of the individual, and the many faces of history, a definitive and final list of the basic human rights cannot be satisfactorily completed, summed up for once and for all. As humanity progresses through history, it defines human rights as sign posts, which it then does not want to infringe. As if saying after great tragedies, '*never again*'. Thus, basic human rights are reflections of a natural law that precedes a positive legal system. Natural law is an infinite source of wisdom, from which more and more treasures are brought to the surface, which are then shared with all the peoples of the world. When defining basic human rights, civil movements, civil thinking, and within it, the good elite, gain

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<sup>4</sup> Frivaldszky, János: *Law of Nature*. Szent István Társulat, Budapest, 2001, pp. 306–312.

utmost importance: everybody can contribute to the social discourse, but according to epistemology, not everybody is equally right. This is the elite's privilege and burden.

The need for human dignity and the validity of basic human rights is universal: it applies to all humans, regardless of skin colour, nationality, sex, performance, and regardless of whether it is recognised by the local political and religious establishment. These basic human rights are not bestowed by the state, nor are they lost with the change of the state, by their nature, they precede the state. They are eternal and untouchable, and cannot be changed arbitrarily by the individual or by the state, and can only be restricted if other, similarly important principles are threatened.

Substantively speaking, *the basic bodily and spiritual frameworks* pertain to the core of the individual. In order for a person to live in personal dignity, his vital basic needs must be met – the right to life, the right not to suffer bodily harm, mutilation, sexual or other types of violence. Everyone is entitled to food, water, a home, medicine. As members of the community, people are entitled to love and be loved, to respect and be respected. As part of one's mental and spiritual life are the basic liberties (freedom of religion, speech, assembly, and thought), the right to work, to culture and to have a family. As a transcendent being, every person is entitled to practice religion freely. With regards to the shape in which this substance appears, there is, of course, a certain historicism: what we mean by 'humane circumstances' changes over time and across continents. Dilemmas of development also call for definitions. In human genetics, data protection, reproductive medicine, in expanding forms of media, new issues arise in which the scope and value of human dignity must be protected.

To emphasise that democracy is 'neutral' is an abstraction. It must be emphasised that *democracy is committed to basic human values, and is thus not neutral*. Whoever argues for it being 'neutral' should also allow racism, all kinds of extremism, insofar as the population held those 'values'. Not one sane democracy is 'neutral'; on the contrary, they are all committed to basic human values and basic rights. A person emphasising his 'value neutrality' is not neutral, since that is exactly what he regards as a value – in other words, this is a self-annulling philosophical statement. If a politician, or a public figure speaks about 'neutrality', that just proves

his unsuitability: how could he then prioritise various interests, and how would he vote on the budget? Those emphasising the ‘neutrality’ of their values also have values, albeit hidden, making them dangerous and unsuitable because we cannot know what values they really represent. The frequently cited ‘neutrality’ actually means ‘non-alignment with any denomination’. The worlds of politics, civil organisations, and art can be independent from ideology, party or religion – but cannot be independent from basic human values.

Acts committed against human dignity are among the most serious crimes, which cannot be remedied by mere ‘good intentions’. These are deeds that violate personal dignity – and thus the community – the most. Examples of these are intentional homicide, mass murder, unlawful imprisonment, human trafficking, slavery, prostitution, inhuman exploitation, interfering with genetic identity, deadly experimentations, terrorism, etc. Their common dark core is that they use the other party as a means to an end, they humiliate the other person and the community. If humanity tolerates that, it can happen to any of us tomorrow. The most serious crimes are thus called crimes against humanity and they never lapse.

Communal existence is an inherent part of human dignity. We can live together by recognising one another’s personal dignity. Indeed, African and Islamic human rights statements claim that the UN’s Charter focuses too much on the individual, and does not take the community into account. Family, and the community also have rights towards the individual: it can be rightfully expected that the individual should help his family, work in the community and take part in social life. It is rightfully expected that he takes care of his children, elderly parents, works and pays taxes proportionately in order to safeguard the culture and values of this community. While previously human rights charters tended to be protective (guarding the basic rights of the individual from dictatorial interventions by the state, which is understandable after world wars and dictatorships), today’s statements also want to emphasise the community-building aspects of human rights. Thus, we cannot talk about the basic rights of the individual, independent from everything else, but we must consider the other person and the community. Humanity is not made up of many independent individuals, with everyone jostling to secure their individual interests,

where everybody is at war against everybody, but a large community, where other communities and peoples must be respected (especially the poor), as well as future generations. We either win together, or lose humane life together. The significance of civilian organisations is huge: *they strengthen the individual in the community*, the cooperation of individuals, and the common enrichment of one another. This is much needed when new generations enter a life that was affected by dictatorship, or where liberal selfishness had a profound effect on their upbringing.

### *Are all religions equal partners?*

One of the 20<sup>th</sup> century's greatest theologians, Karl Rahner<sup>5</sup> stated markedly: a Christian is not a special case of human existence, but strives for the totality of human existence itself. A Christian is not a human first so he can be a Christian, but strives for the totality of human existence in Christ. A Christian is religious so he can be a human. Christianity's great struggle for the definition of the 'person', for the deepening of the philosophy and theology of love, for personal and social justice, for the naming of the utmost sins is not an end in itself: it aims to serve humanity as a whole.

When civilian thinking aims to bring humanist values and basic rights to the surface, and implement them in all walks of life, religions can act as its partners. Religions believe that man's life is not an absurdity, not just a link in a chain of random events. Religion does not seek to be the opiate of humanity, its purpose is not to cripple, but to enrich. *Thus, civilian culture supports and cooperates with churches and religions, since true religious thinking is in its interests, as it is also true reflection upon humanity and society.* This is also true the other way around: not only can religions contribute to clear civilian thinking, but true civilian thinking can also filter out certain religious thoughts. There may be elements in certain religions that will be questioned by the 'innermost core of the person'. No one can, in the name of any religion, incite others to perform acts of terrorism, racism, mutilate women, or buy children for sexual services.

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<sup>5</sup> Rahner, Karl: *The Foundations of Faith*. Agapé Kiadó, Szeged, 1998, pp. 321.

In certain 'religions', it may happen that parents teach hatred, or that in the name of a religion they found a financial 'church', or incite people to perform ritual terroristic or suicidal acts. The criteria of the 'innermost core of the person' has a cleansing effect on the practice of religion, since not all religious instructions or practices serve the highest good of the person – certainly, falsehoods which cripple people, families and society cannot be left unheeded.<sup>6</sup>

Most religions are partners in civilian thinking: God cannot be regarded as a competing force who wants to harm humanity. According to most religious leaders, it is impossible to at once serve the glory of God and to at the same time kill or maim others. God enhances a humane life, rather than competes with it. However, there can be extreme religious practices and fundamentalist convictions, which are dangerous to individuals and communities. *Civilian thinking is not afraid to call these by their name, nor is it afraid to take action against them.*

### *The anthropology of brotherly cooperation and competition*

One of the greatest enemies of civilian thinking is selfishness and authoritarianism. Greek and Christian roots hold that individuals live in their relationships. Many factors contributed to the establishment of the individualistic image of humanity, which has had bitter consequences for the individual and society as well. This 'core' thinking goes back all the way to Aristotle who held that what is important is the core essence of existing things, relationships are secondary – although life in the *polis* and participation in public affairs is important. In the Middle Ages, Boethius emphasised a strong concept of the individual, saying that the individual is an indivisible personality that stands on its own, and differs from everybody else (*individuum in se, et divisum ab omni alio*). It means a slab of granite that appears to be independent from everything else does not rely on anybody else, it is not attached to others by strands of love, and is not interested in the community. The overly strong concept of the individual does not emphasise a person's social side, as it favours

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<sup>6</sup> Küng, Hans: *The Ethics of World Religions*. Egyházfórum, Budapest, 1994, pp. 85–93.

egoism, rivalry and uninhibited competition. The Age of Enlightenment separated the concept of human nature from its transcendent aspects, as its thinkers sought to decipher from the biological nature what is natural for humans, as if the laws of evolution (selection, survival of the fittest, strong self-preservation) were natural in the human world as well. The forced collectivism of the Nazi and communist dictatorships was followed by extreme liberalism and individualism. Today we can feel the effects of all of this: authoritarianism, extreme liberalism, selfish individualism.

Thinking in terms of the civil way of life aims to counter-steer against this. The basis for this is *the philosophical re-thinking of the concept of the 'person'*. Relational anthropology, where relationships are not secondary but primary, replaces substantial-individualistic anthropology. Christianity has always emphasised, based on the theology of the Holy Trinity, that love is an inherent part of humanity. Relational anthropology emphasises simultaneously the uniqueness, mystery and social nature of the individual. Distorted anthropology affects all walks of life: including the family, economic, political, religious and cultural dimensions. It causes tremendous suffering on both the personal and social levels if humans are portrayed as basically selfish, uninhibitedly competitive, and unable to form lifelong relationships. In personified thinking, dialogical and social thinking is highlighted instead of egocentric behaviour. Human beings are not social for reasons of competitiveness or self-preservation, but primarily because they are family-centred, social beings. *Severe errors in distorted ideological anthropologies affect society if people are only portrayed as selfish and competitive beings, as unable to cooperate or engage in amicable competition.* The evolutionary approach aims to explain human behaviour based on competition in the animal world, as being dominated by 'selfish genes' and 'evolutionary competition', where man's main goal is self-preservation, selfishness and physical security. Emphasising the primacy of competition is the crucial mistake of liberalism, as if competition, 'the invisible hand of the market' would solve the problems of creating a humane life. A tree is known by its fruit: the inadequacy of these insufficient ideologies and one-sided natural scientific views is confirmed by the sour fruit which they bear.

The personalised thinking of civil life holds that the human being is an unparalleled value, a unique wonder, with his own special richness.

The richness of the whole community and social life is made up of the richness of each person. As a result, civil thinking holds important universally human moral norms which are true for all of us, and then is able to hold the unique richness around us as values. The postmodern slogan of pluralism sometimes seems to serve as an excuse from universal humane values. Abuse, family tragedies, and international terrorism have demonstrated in dramatic terms that, *before any pluralism can be justified, common moral norms stemming from the nature of humanity must be emphasised*. It can be said that, prior to any competition and diversity, we are all brothers and sisters, and human nature is primarily characterised by cooperation. This is also confirmed by evolutionary psychology, as well as by economic philosophies based on brotherly cooperation.<sup>7</sup>

According to the axiom of justice, *'the same must be dealt with as same, the different must be dealt with as different'*. If individual dignity is the same for all, then it should be respected in every person in the same way. If there is a difference in performance, respect for law, health status, opportunities, then fairness requires that we recognise this difference. Accordingly, more salary is due to those who work harder, the freedom of criminals can be restricted, and social minorities should be given additional assistance in achieving equal opportunities. In human co-existence, there is a place for competition, but it should be a competition of fellow human beings, not enemies. No competition or differentiation can ignore basic human rights and respect for the individual. The overly emphasised competitiveness along with the 'use it and throw it away' consumer attitude have infiltrated human relationships, for which we now pay a painful price. Brotherly relations, solidarity and respect lead to a more truthful future.

### *Marriage, family, mid-sized communities*

Marriage is an institution voluntarily entered into by a man and a woman, based on love, and serving as the basis of the family. Marriage and family are important to the individual, society and the church as well, since it is the most basic cell of human co-existence. *Families do not live, however, in*

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<sup>7</sup> Bereczkei Tamás: *Evolutionary Psychology*. Osiris Kiadó, Budapest, 2008, pp. 44–103.

*a vacuum, but in a given society, where influence is mutual.* Stable families are the building blocks of a stable society, and a stable society will strengthen families as well. The opposite is also true: family and society can also weaken each other. As a result, the interest is mutual: a family-friendly society, workplace and media are in the interest of marriages and families, and stable families are in the interest of society. No healthy and strong society can be built from damaged families.

In the culture of civilian thinking, *the protection of families and the building of a family-friendly society* are of primary importance, while family-destroying tendencies cannot go unchecked. Civilian thinking aims to protect the basic cell, the family, and also the social circumstances conducive to family life. Special attention must be given to preparation for family life, establishing family ties, practicing fidelity, and the healing of family crises. All grass-roots initiatives, civil movements, science, and the church are important allies in keeping marriages and families stable. Marriage, the private dimension of marriage and its ‘value neutrality’ have been overemphasised in this age of extreme liberalism. Even though there is a certain sensitivity and respect for the intimate sphere, it is still misleading to claim that the social dimension is completely absent. *To separate family life from society is an abstraction.* However private issues of love, marriage and family may be, they are also more than that, for humans are social beings, and their private affairs always have a social consequence. A good private life has an effect on social welfare, performance at work and cohesion of the community, while crises in one’s private life have decidedly severe, material consequences in performance at the workplace and in the health of a society. From the perspective of psychology, a healthy marriage and family have a tremendous impact on the psychological health of the individual, therefore enabling him to be a resource to others in human relationships, at the workplace and in social life. As family matters are often among the causes of the mental illnesses burdening individuals and society, the mental health of marriages and families is in the public interest. Research done by Mária Kopp<sup>8</sup> confirms that stable marriages and family life considerably contribute

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<sup>8</sup> Kopp, Mária – Kovács, Mónika (eds.): *Quality of Life in Hungary around the Millennium*. Semmelweis Kiadó, Budapest, 2006.



to good health and quality of life. Civilian thinking is characterised by 'tolerance and respect of the intimate sphere', but behind the slogans, it does not want to abandon families, or leave social processes uncontrolled. If one cannot 'go against the current', then social support for marriage and family life is important in the culture of civil thinking. Rewarding family-friendly workplaces is a nice and important initiative, along with family-friendly government policies, church family events, and the many colourful cultural events displaying family values. That is why civilian courage must be employed to fight against those lending practices, working hours, advertising, media and public budgets that cripple families. If, for any reason, the cohesion of the family is damaged, whatever can be saved should be saved on moral grounds: attempting to restore the unity of the family, and if that is not possible, family members, single parents and blended families should be provided with moral and legal assistance.

*Mid-sized communities are painfully absent from Hungarian society.* That is where civilian thinking plays a truly crucial role. Today, there are two types of communities: fragmented nuclear families and anonymous large communities (parties, churches, sports club fans). Mid-sized communities between the two are missing, although they have an important role to play in the organic structure of society. Eliminating mid-sized communities which have cohesion and take a moral stance is one of the first things that dictatorships do, which is why they have disappeared and are not missed today. *Those who have never known their positive effect do not miss them.* Civilian movements, religious communities and subcultures, however, sensitively indicate how important it would be to revive these medium-, 'polis-sized' communities. According to evolutionary psychology, human relationship systems are ideally suited to about 150–200 people, as being the number of relationships that we are able to actively manage.<sup>9</sup>

These are communities of varying sizes, civil movements, religious communities functioning as bridges between the individual and the state. They are extremely important for the future. On the one hand, the extended family surrounding the individual is shrinking, although there is a need for supporting communities. Those with similar views and opinions often end up in the same communities, thus in terms of

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<sup>9</sup> Bereczkei Tamás: *Evolutionary Psychology*, pp. 44–103.

forming worldviews and building on shared strengths, smaller communities, civilian movements and churches will continue to be important. Cultural life is important for the spread of scientific knowledge, small businesses, as well as certain subcultures, last but not least for the practice of religion. Medium-sized communities are still personal, they are not anonymous masses, but offer more than small nuclear families. They offer opportunities to make contacts, engage in good conversation and exchange opinions. The thirst for good conversation, dependable companionship and the heated exchange of opinions are all signs of the individual having been left alone in forming his opinion. On the other hand, the government, the state, must also rely on connecting bridges, so that it can have access to individual opinions. Whenever mid-sized communities say something, it can have a greater impact than individual initiatives. A government alienated from its voters is doomed. It is, however, in the interest of any government to have mid-sized communities, because they can act like a bridge in taking broad, sweeping ideas and plans to the 'field', to the people, to the individual. The government is never just a simple puppet of the people – it has its own will, morality and plans which it seeks to communicate to its voters. For example, even an excellent policy programme to promote a healthy diet will be ineffective if it is only brought to the people through books and virtual channels.

### *Key civilian terms: subsidiarity and solidarity*

The two most important key terms of the culture of civilian thinking are subsidiarity and solidarity. It is difficult to make people realise this in Eastern Europe. On the one hand, communist dictatorship and, on the other, the sometimes over-centralising EU, seem to take away the individual initiative, as if it were the task of the 'centre' to care of everyone in a paternalistic way. The other extreme can also be seen in Anglo-Saxon culture, which gives little role to the state, and shifts an excessive burden onto the shoulders of self-care.

Subsidiarity means a grass-roots, independent initiative both at the personal and the community level. The principle of subsidiarity means that problems should be solved at the level where they surfaced, inter-

vention on higher levels should be kept to a minimum, but necessary help should be provided. *Civil initiative and subsidiarity are among the most important social organisation principles: people achieve goals through their own endeavours, out of their own initiatives.* Christianity also holds these principles as important in its social teaching: ‘what individuals are able to realise out of their own strength and abilities should not be taken away from them and given to other communities; in the same way, what can be done by a smaller community organised at a lower level should not be given to a community organised at a higher level; the normal order of society should not be undermined, since all social activities shall help, based on their core principles and inner strength, the various parts of the whole, but those parts should never be allowed to disintegrate nor be merged with one another.’<sup>10</sup> It would be foreign to social organisation if that which people can do out from their own efforts and initiative were to be removed from their authority. Subsidiarity is the opposite of the paternalistic, etatistic and communist societies, as it clearly encourages individual thinking, joint initiatives, and the utilisation of one’s own competences. Higher-level organisations must, thus, help lower-level ones – leaders and the centre should not be expected to do everything, i.e. jurisdiction and responsibility are shared, and the different tiers of power share the work among them. The principle of subsidiarity expressly wants people to solve their problems in their own communities, out of their own initiative. The principle of subsidiarity knows that at the local level, certain opportunities and difficulties can be seen and solved in a more competent way by the local community. In this sense, it also means the proportionality of power and responsibility.<sup>11</sup> It requires creativity, freedom of association, cooperation and competent action. Excessive centralisation, autocracy, paternalism, and an unreasonable level of state presence is the opposite of subsidiarity. As Demmer posited: private initiative and civilian courage constitute the essence of democracy. Thus, community policing initiatives, voluntary fire services, local environmental protection, smaller economic communities, and help for the underprivileged can be solved at the local level. Larger organisations

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<sup>10</sup> XI. Pius: *Quadragesimo anno* 79.

<sup>11</sup> Article 5.

and higher levels must only help to the degree that allows medium-sized initiatives to succeed. Citizens are willing to work for, value and make sacrifices for an initiative if they feel that it is their own.

Awakening the spirit of *volunteerism* is indispensable for subsidiarity. Volunteering is an action carried out through one's own will, either individually or in groups, without any material compensation. Although volunteering does not bring any direct material profit to the actor, it is still beneficial from the point of view of the community. This can be a completely spontaneous initiative (e.g. painting a day-care centre), but it can also happen in the form of a non-governmental, non-profit organisation as well. *Beyond the measurable material benefits, the spirit of volunteerism is also key for civil culture.* It is of special importance in the socialisation and education of our youth. For those starting out on their careers, it offers the advantage of a chance to try out skills within a context of shared responsibility. It is very helpful in preventing depression and passivity: if someone has been unemployed for a long period, or sick, tends to close down or is suffering from severe mental problems, volunteering can have a therapeutic effect, since it makes individuals feel useful again by enabling them to develop their talents in the community. In an aging society, well-educated and relatively healthy retirees can also continue to make contributions – it would be a waste not to build on their knowledge and energy. Volunteering facilitates cohesion in society by promoting a spirit of giving, community and help instead of profits and self-interest. In this sense it adds to social capital, and functions as a resource. In addition, since it cannot be built by mere governmental measures, civil movements, churches and voluntary organisations play an important role. The state can legislate the legal status of volunteerism,<sup>12</sup> but is not able to create generosity and love, since those exist between individuals.

There are situations though where *the state can fill in the gaps.* We cannot always rely on personal initiative or the market's 'invisible hand'. Sometimes the state must help in economic development, when smaller communities are unable to launch developments from their own resources. State intervention may be needed in severely unjust or disadvantaged circumstances, where peaceful, just and humane conditions must be

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<sup>12</sup> Act LXXXVIII of 2005 on Public Interest Volunteer Activities.

created quickly and efficiently. Action is also crucial in crisis situations where immediate and effective help is needed.

Apart from subsidiarity, solidarity is just as important for future generations. Solidarity is, in its wider sense, the community feeling of a group or society motivated by shared goals; while in a stricter sense, it is made up of mutual obligations and help, through which each member of the group stands up for the group, while the group stands up for all its individual members. Never before in history have connections between people and nations been as close as they are today, where technology brings the remote areas close, both virtually and in reality as well. *This global connection means a challenge and opportunities as well with regards to solidarity.* Individuals, nations and communities have always known that they are closely connected, but technology, travel and global communication now allow for much more intensive relationships. Globalisation offers an opportunity to even out severe inequalities in the world, allows us to get to know each other, and to cooperate more effectively. Solidarity is a personal virtue which encourages us to share our goods with others: not a sense of futility or vague participation, but practical help, since we are all responsible for each other. Globalisation is an opportunity to make economic-political structures that *support solidarity* rather than serve the purposes of exploitation and oppression.

### *Civil conscientiousness, civil courage*

Conscientiousness is very characteristic of civil thinking: the individual does not want to be a victim of any reigning government, fleeting trend, or of a fundamentalist religion. It is in the interest of civil culture to have conscientious people, since they have high standards, are *inherently good* and are *resilient against* sin and dictatorship.

The conscience has been held in highest regard throughout human thinking and history. According to Socrates, the inner voice of the spirit constitutes a greater obligation than enjoyment or public opinion. St. Augustine considered it to be 'the voice of God', to which one must listen to at all costs. According to M. Heidegger, it is the 'voice of my true self, which if I ignore, I commit a sin against myself'. K. Demmer

says that it is the inner forum, where man is in total control of himself. According to Christian theology, the conscience is an inner sanctuary, where one is alone with God, where true callings are heard, and where no one else may enter.

The dignity and freedom of conscience have entered the various human rights charters and from them, into fundamental laws as well. *Freedom of conscience includes two rights: I cannot be forced to act against my conscience* (which is applicable without restrictions), *and others cannot stop me from acting on my conscience* (which can be limited for reasons of e.g. the common good, or the lives of others). On one hand, I cannot be forced to act against my will, no one can force their views onto another. The insight into truth is free. No person, religion, or social order can force its views onto conscience: it is a place where the individual is free to see the truth. So if a person does not agree with something, he can speak out on conscientious grounds (freedom of speech), take action with others towards some common good (freedom of association), believe freely in God (religious freedom), and refuse participation in certain deeds. In this respect, conscience is the refuge of freedom: the conscientious decision steps back from the facts and limitations of the world. No matter how limited freedom may seem in certain situations, we are always aware, in our innermost being, of our inner freedom. Throughout history, countless Christian and civilian martyrs have attested to this with their blood: *'they can have my life, but they cannot have my consent'*. This dignity of conscience is also a critique of the naturalist anthropology which views the individual's actions as being at the mercy of natural processes, neurological and genetic dispositions, psychological upbringing, individual and social constraints. The protection of conscience is thus the protection of fundamental human rights.

It is not often mentioned though that freedom of conscience is limitless inwards (no one can bring a thought into our innermost being by force), but *can be limited* outwards. While freedom of insight into the 'innermost' is limitless, action on the 'outside' may be limited. Although I have the right to follow my conscience, *if that is incorrect, others also have the right to stop me, based on their own conscience* (e.g. in acts of terrorism). Everyone's conscience has the same dignity, but they are not equally right. We respect conscience, but truth even more: *the dignity of immature*

or false conscience cannot claim the same rights as truth. The dignity of conscience is starting to gain more and more recognition, more and more people refer to their conscience – sometimes even going against generally accepted rules of human behaviour. In these cases, it seems as if respect of conscience turns into *authoritarianism* while being camouflaged as a reference to conscience.

Conscientiousness is thus important for civil thinking: in our own conscience, *we are able to experience the deeper truth, which human laws are only able to approximate with words.*<sup>13</sup> The connection between law and conscience is basically ‘relatedness’. Good laws stem from good conscience, thus people have a moral obligation to obey them. Not abiding by the law can only be exceptional and requires legitimation. The basic stance is abiding by the law. In the case of doubt, the law should be followed. In constitutional law, laws passed by the constitutional court and by the majority take precedence, while the burden of proof is on those who think otherwise. *Civil laws serving the common good bind one’s conscience as well:* taxes must be paid, work must be performed within the boundaries of the law, and democracy must be secured. If political respect stays within constitutional and moral limits, serving the common good, then all people have the obligation to participate in the common good.

So to create and uphold good laws, good conscience is required as well. Beyond the rationality of codification, conscience forms, athematically, the wholeness of the truth. As conscience reaches out towards a more complete truth, it is a competence that improves legislation: which is precisely why a democracy must rely on the extended knowledge of conscientious people. Primarily, the best actors in democracy, in the life of the parliament, economy, culture, are not those who are ‘law-abiding’, but those who are also conscientious. *Proper consciousness education is in the interest of the state,* and moral studies at schools, religious studies and professional-ethical studies are especially important.<sup>14</sup> The conscientious elite moves public life forward in every area, it is conscience that can be progressive and innovative, so that development is truly humane (and not

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<sup>13</sup> Polányi, Mihály: *Science and Man: three studies*. Argumentum Kiadó, Budapest, 1997, pp. 44–67.

<sup>14</sup> Schockenhoff, Eberhard: *Wie gewiss ist das Gewissen?* Universitätsverlag, Freiburg, 2003, pp. 13–55.; Demmer, Klaus: *Angewandte Theologie des Ethischen*. Universitätsverlag, Freiburg 2003, pp. 243–290.; Römelt, Josef: *Jenseits von Pragmatismus und Resignation*, Regensburg 1999, pp. 55.

only technological and financial). In a democratic system conscientious and charismatic leaders are extremely important, since the pluralism of world views, people of varying levels of maturity, and parties with various agendas and interests require leaders. Ethics knows this: *in a democracy, all opinions can be voiced, but not all opinions are equally mature*. The assessment of ethical and legal considerations depend on age, schooling and wisdom. In order to make democracy work, it is important to emphasise basic values and leaders with personal maturity. The elite plays an important part: they must be able to grasp the truth in its complexity, dig deeper into it, and they must be able to present arguments to others.<sup>15</sup> In order to establish a strong identity, one must emerge one's self in the richness of tradition, if one wants to move forward, one must argue in the crossfire of opinions. Such an identity is ready for true dialogue in a pluralistic society: it may be tolerant, but can also enter into debates. Such a person will not give up his convictions for a cheap consensus, and also has the courage to lead a different lifestyle and to think differently. A citizen with such a strong identity and conscience will want to reinforce the good in society: he is ready to defend his values whether through elections, national consultation, peace marches, or by taking a stand internationally.

On the other hand, a conscientious citizen carries real value in a democracy because it is conscience that can stand up against unjust laws: conscience knows about the natural moral law, and it will not cite 'I was acting on orders' as an excuse. Accordingly, conscience is the bastion of resistance. *Democracy has thus pointed to conscientious people: pointed them out in development, and in the presence of setbacks. In a democracy, conscience demands not only loyalty, but also resistance*. The controversy as to whether one should follow human laws or human conscience is as old as mankind. Sophocles' Antigone (5<sup>th</sup> century B.C.) follows her conscience rather than the king's bad law. Democracy needs its citizens who are more demanding in their morality, who not only follow civilian law, but also take part actively in creating better laws. It is not good if in globalisation, local interests are not given a voice, or if in a society, some voices are too strong, and the voices of special status groups are stronger than their

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<sup>15</sup> Böckenförde, Ernst: *Recht, Staat, Freiheit. Studien zur Rechtsphilosophie, Staatstheorie und Verfassungsgerichte*. Frankfurt, 1991.



real significance. In a bureaucratic society with no conscience, a hidden, anonymous pressure develops behind the scenes which we suspect comes from special interest powers.

Conscience has the right and obligation to resist where a certain law is thought to be unjust. *A law is unjust if it does not meet requirements of fundamental human rights and of the constitution, that is the natural law of morality – accordingly, it is immoral and not binding.* Conscientious resistance based is a very sensitive issue, and each situation must be examined carefully. In general, we can say that *the competences regarding the right and obligation to resist are split in a democracy.* The higher someone is in a hierarchy, the more someone knows the solutions, the bigger the responsibility for resistance. Thus, in all societies, elites have a special responsibility. In every society, the elite has a decisive role in thinking, lifestyle and struggle, and cannot remove itself from the responsibility. It must look for the voice of publicity, cooperation, and peaceful alternative solutions. Thus, in order to improve an unjust law, the legitimate way (parliament and courts) must be followed first of all. If that is not successful, resistance can be escalated to further levels: to start with, one must examine *how to remove one's self from the purview of the law* (e.g. civilian service instead of armed service). Then the method of positive resistance must be considered: *the objective can never be to overthrow the democratic and legal order or the parliament – whoever wants that is already fallen, illegitimate and immoral.* When organising resistance, consequences such as burdening innocent parties must be reckoned with. As a last resort, in a democracy, *only peaceful resistance can be morally justified.* After legal means, non-violent resistance can come next. The apostles of non-violent resistance, Gandhi and Martin Luther King spoke a lot about the fact that it is not passive tolerance, but a courageous fight which aims to change the way of thinking. Non-violent resistance may take the form of gatherings or strikes. Limiting the personal freedoms of an individual is never an accepted solution (e.g. the imprisonment or arrest of the plant manager or factory owner), and destruction is also unacceptable (breaking shop windows, damaging equipment). A blockade that limits free movement of the individual is also immoral; traffic can be slowed, demonstrations are allowed, but the individual's freedom to self-determination cannot be taken away. In a democracy, a hunger strike raises severe dilemmas, as does self-immo-

lation, which although apparently a peaceful protest, is actually violence committed against one's self, which is hard to justify morally.

Conscientiousness and *civil courage* are democracy's elixirs of life. Conscientiousness digs deep into grasping truth that general legislation cannot access. Civil courage means the courage to represent this in a marked and creative way, to form an opinion, and to peacefully compare them with other opinions.<sup>16</sup> Civil courage means individual initiative and courageous handling of conflicts – which is a key virtue for the future. For democracy's development and to prevent a relapse, the courage of individuals is important, and it is also important that citizens gather in civil organisations. Civil courage will keep democracy on a good path at both the individual and the community level.

A democratic state requires that all participate to the best of their abilities in ensuring the common good. This sometimes means that one has to be able to work together with the community, the majority, but sometimes also stand up to the majority in support of the word of conscience. Truth is not automatically on the side of the majority. In participatory and deliberative democracies, citizens are expected to recognise the truth and stand up for it. In democracies there is a constant play between majority and minority opinions. To make democracy work, a majority opinion is needed. But we also know that the majority is not automatically always in possession of the truth. Truth is not simply a matter of majority vote. The achieved consensus may be the result of power struggles, historic necessity, or human frailty. Truth cannot become a toy in political calculations. Democracy deals with the fairness of processes, but a fair process does not automatically result in finding the truth. Majority opinion assumes that the truth is on its side, but that does not mean either more or less. We can inch closer to truth through majority opinions, but the voice of the minority must be closely listened to: there are ethical considerations and forward-looking statements whose truth does not depend on voting.

We can say that *thinking citizens with initiative serve the interest of democracy*, since the world is too wide, and the truth is often too complex – there is

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<sup>16</sup> Demmer, Klaus: *Christliche Existenz unter dem Anspruch des Rechts*. Universitätsverlag, Freiburg 1995, pp. 176–211; Autiero, Antonio: *Ethik und Demokratie*. Freiburg 1998, pp. 121–141.

a need for pluralistic insights and for thoughts to be expressed freely, but leadership is also needed, since diverging options may lead to confusion and anarchy. In a society, not only the marked expression of individual opinions are needed, but consensus as well. The fine relationship between agreement and disagreement is the elixir of democracy. We know that consensus is not an abstract process, but a result achieved by real, live, thinking human beings who reach agreements, bringing their own backgrounds, ethics, religions, philosophy, and life experiences with them. It is an abstraction that principles, ethics, and worldviews clash – essentially, it is always thinking people who drive discourse and the search for consensus. *Thus, a civil society appreciates charismatic personalities who can promote quality consensus.*

*We cannot miss that which we do not know...*

The culture of civilian lifestyle is not well known. We know of the forced collectivism of dictatorships, the sometimes authoritarian loneliness of individualism, the preferences to party politics, and we increasingly see fundamentalist religious beliefs. The absence of mid-sized civil communities acts like a real vacuum, as civilian conscientiousness and the independence of civilian courage are absent. We cannot miss that which we do not know. That is why it is difficult to build up civilian thinking, a civilian lifestyle, and civilian culture. But if we can revive their strength and vividness, they can become the real elixir of democracy.

## REGULATION OF CIVIL SOCIETY

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The most important Hungarian regulations with regards civil society are the following:

- Hungary's Fundamental Law (constitution);
- Act V of 2013 on the Civil Code (hereinafter: Civil Code);
- Act CLXXV of 2011 on Freedom of Association, Non-profit Status and the Operation and Support of Civil Organisations (hereinafter: Civil Act).

In 2010, the Hungarian state wanted to re-regulate the civil sphere. To this end, Parliament passed Act CLXXV of 2011 on Freedom of Association, Non-profit Status and the Operation and Support of Civil Organisations (Civil Act), then Act CLXXXI of 2011 on the Registration of Civil Organisations by the Courts and Related Procedures (*Cet.*). A government decree was also passed and two decrees of the KIM (Ministry of Public Administration and Justice) which resulted in a significant change in the legal environment of the civil sector.

One of the most important changes introduced by the new Civil Act is a redefinition of 'public benefit', and thus, the conditions for receiving 'public benefit' status. With regards to public benefit companies, new requirements had to be met by 31 May 2014 for them to keep their status. The Civil Act also modified the rules of the 1% donations by taxpayers as well. The Act on Voluntary Activities for the Public Benefit changed at one point as a result of the Civil Act: as of 1 January 2012, not only public benefit organisations, but all non-governmental organisations may employ volunteers as per the Act on Voluntary Activities for the Public Benefit. The new Civil Code that completed the amended legislation attempted, in 2013, to harmonise the regulations of the Civil Act.

Three organisational models may be found among civil society organisations:

- 1) *Civil company*: formed by natural persons for non-commercial purposes to synchronise their community activities. This company may be formed by an agreement (articles of association as defined in the Civil

Code). It is not a legal entity, and thus, does not have legal capacity (which means it cannot own assets, so the natural members of the civil company are liable for any damage caused; it has limited rights, and may assume limited obligations), and cannot carry out business or commercial activities.

2) *Association registered in Hungary* – except for parties, unions, and mutual insurance companies. Associations are legal entities, so they can have their own assets, dispose of rights and assume obligations just as a natural person. They can also sue and be sued.

3) *Foundation* – except public foundations and party foundations.<sup>17</sup>

Freedom of assembly is a basic right to which everyone is entitled; everyone has the right to found or join organisations and communities. The conditions and rules for joining civil organisations are set forth in the founding document of the organisation (articles of association, founding document, charter).

A court with a scope of authority and jurisdiction defined in a separate law registers each civil organisation, and their details are made public (including deleted data), can be viewed by anyone, and anyone may make notes of these data. The attendance sheet of the founding meeting of the association and the membership list are not public, however.

In Hungary, civil organisations may carry out the (public benefit) activities defined as the basic objective – which the organisation defined in the founding document – or may carry out commercial activities to this end as well. It is important to emphasise that civil organisations cannot be founded for primarily commercial activities, thus they are not profit-oriented. If it can be established that an NGO, in a given year, primarily carried out commercial activities, the national tax office may launch an investigation and may apply sanctions.

In Hungary, civil organisations may generate income in the following ways:

- a) associations: through membership fees, foundations: payments from the founders, or assets donated to the foundation by the founders;
- b) income from commercial activities;
- c) subsidies from the public budget, in various forms (e.g. through tenders, EU structural funds, etc.);

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<sup>17</sup> Foundation (legal entity): the founder offers assets for a specific legal cause.

- d) income from public benefit contracts (the civil organisation carries out a public benefit task for compensation, based on a contract);
- e) donations from other organisations or private individuals;
- f) income from investments;
- g) other income not included in a)–f).

For associations and foundations, it is possible to acquire the legal status of ‘public benefit’ company, which the given organisation must apply for. The public benefit status will be established and registered by the courts in the given jurisdiction. All activities that directly or indirectly serve the achievement of the public benefit activity defined in the founding document, thereby contributing to meeting the common needs of society, are deemed to be of public benefit.

For some organisations, public benefit status is established by law. In other cases, legal regulations must be met in order to acquire public benefit status. The law states that a company carrying out public benefit activities can be classified as a public benefit company in Hungary if it has the necessary resources to meet the requirements of society and individuals, and its social support can be established. The elements of this definition (carrying out public benefit work, resources, social support) are defined in detail by law, not leaving much room for interpretation. According to current regulations, civil organisations can only take advantage of their public benefit status after two years. Public benefit organisations are regulated differently, and although having the status has several advantages, there are several strict regulations which do not apply to non-public benefit companies: e.g. public benefit civil organisations have to meet significantly more administrative requirements and must meet more stringent rules for the sake of transparency.

### *Relevant case-law of the Constitutional Court*

Freedom of association is regulated by Act CLXXV of 2011 on Freedom of Association, Non-profit Status and the Operation and Support of Civil Organisations, which states that everyone is entitled to freedom of association. On this basis, everybody has the right to found or join organisations and communities.

There are currently some limitations which may prohibit their foundation, similarly to the previous statute. The organisation cannot infringe the provision of the Fundamental Law, whereby no one's activities may seek to seize or wield power in a violent manner, exercise such power exclusively, may not entice another to commit a criminal act, may not limit or infringe others' freedom, and may not be directed at founding a military organisation.

Regulations pertaining to the founding of associations are set forth in the Civil Code, after Act CLXXV of 2011 came into force on 1 January 2012. Act IV of 1959 and Act V of 2013 define the conditions required to found an association, how freedom of association may be practiced, the mandatory contents of the founding document, membership rules and the termination of the association.

Decision no. 27/1993 of the Constitutional Court<sup>18</sup> found, for several reasons, the MT Decree 83/1982 (XII. 29.) on Art, Industrial art, industrial art, photographic art, and industrial design to be unconstitutional.

According to the Constitutional Court, the decree violated registration rules, the formal rules of founding documents, the supervisory process of social organisations, and the rule that states that a social organisation is responsible for its own debt with its own assets. It should be noted that it is regulated in a ministerial decree, although according to the Constitutional Court, this could only be regulated in an Act of Parliament.

There have been several constitutional decrees with regards to chambers or professional associations. Petitioners have questioned the constitutionality of chamber membership requirements, saying that they violate the constitutional right to freedom of association.

The Constitutional Court's decision no. 22/1997<sup>19</sup>, questioned the law chamber membership, while in the Constitutional Court's decision no. 38/1997<sup>20</sup>, petitioners requested the review of the constitutionality of Act XVI of 1994 on Business Chambers. Among these were also Con-

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<sup>18</sup> <http://public.mkab.hu/dev/dontesek.nsf/0/57FFBD592514E4A4C1257ADA0052B270?OpenDocument>

<sup>19</sup> <http://public.mkab.hu/dev/dontesek.nsf/0/C22A4ED39D5FA029C1257ADA0052A846?OpenDocument>

<sup>20</sup> <http://public.mkab.hu/dev/dontesek.nsf/0/CA9020B323ECCCD0C1257ADA0052A04F?OpenDocument>

stitutional Court decision no. 39/1997<sup>21</sup>, in which petitioners requested the review of the constitutionality of Act XXVIII of 1994 on Hungarian Medical Chambers.

According to the Constitutional Court, mandatory membership in the case of the Hungarian Medical Chamber, due to its special tasks and scope of activities, does not infringe on freedom of association. According to the reasoning of the decree, mandatory membership does not affect the doctor's right to found or join a professional or other social organisation or union. The constitutional judges all based their decisions on the same principle: under the Constitution and the Act on Freedom of Association, citizens may form associations for specific purposes. This is a right that everybody is entitled to, which primarily means the freedom to choose the purpose of the association, the freedom to found the organisation for that purpose, the freedom to join such an organisation and the freedom to leave it.

A professional chamber on the other hand is not a social organisation. Since it is a public body formed based on a legal regulation, its tasks and operational order are defined by law. The two are not the same, thus mandatory membership does not infringe on the right of the freedom to join an association. This decision was supported by the European Human Rights Court as well. It was stated that the infringement of freedom of association as defined in Article 11 of the European Court of Human Rights Charter cannot be established if chamber membership is made mandatory.<sup>22</sup>

As to mandatory membership, the Constitutional Court pointed out that forming an association as per the constitutional order does not automatically mean that mandatory membership is constitutional. The fact that forming the public association is mandatory does not necessarily mean that it is impossible not to join the association. This is corroborat-

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<sup>21</sup> <http://public.mkab.hu/dev/dontesek.nsf/0/B2743198F3D7F5E5C1257ADA005285A6?OpenDocument>

<sup>22</sup> The medical chamber is a public law institution founded by the legislator and connected to the government structure; the chamber supervises medical practice, and has substantial authority. Because of this, the chamber cannot be regarded as an association. The chamber and along with it, membership in the chamber, and the subjugation to the bodies of the chamber do not affect freedom of association, in its cause or effect. - ECHR ruling in Van Leuven and de Meyere, 23 June 1981.



ed by the Civil Code as well, which states that mandatory membership in a public association may be prescribed by law. Mandatory membership does restrict some constitutional rights, whether it is freedom of association, the general freedom to act, or the freedom to choose one's profession.

When examining mandatory membership, it must be decided whether it is necessary to form a public association for the given activity, and whether the related burdens of doing so are proportionate with the ends of the association. According to the Constitutional Court, public associations may operate based on mandatory membership as well, or without it, just as associations may prescribe mandatory membership.<sup>23</sup>

As for the supervisory right over civil organisations, the Constitutional Court examined Article 3 (2) of Gov. Decree 124/1990. (XII. 30.) on labour supervision in its decision no. 30/1991<sup>24</sup>, which grants the supervisor rights to protect the founders and officers of unions in order to maintain the rules on the execution of the measures questioned by the union. It was declared that the supervisory right over social organisations can only be practiced by the Public Prosecutor's Office. No others can do so, even if it appears to protect the interests of the organisation concerned. The Constitutional Court held this regulation to be unconstitutional because the given government decree contradicts a higher-ranked statute, namely the Act on Associations.

In Constitutional Court decision no. 1395/E/1996<sup>25</sup>, it was stated that Parliament did not pass a law on the compensation of civil organisations, although it allowed for churches to reclaim property confiscated by the state. The Constitutional Court stated that churches named in this law cannot be compared with other civil organisations, but only with legal entities of similar functions, importance and autonomy, whose right to property is also closely tied to a certain fundamental constitutional right.

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<sup>23</sup> The section of Act XLI of 1997 on fishing was often criticized because it prescribed mandatory membership in the organisation founded based on freedom of association, since only persons may receive government-issued fishing licence – and this the right to fish – who are members of a fishing organisation.

<sup>24</sup> <http://public.mkab.hu/dev/dontesek.nsf/0/17320804B3B38DC8C1257ADA00527ED5?OpenDocument>

<sup>25</sup> <http://public.mkab.hu/dev/dontesek.nsf/0/97211E1E93B8AAA9C1257ADA0052AFEB?OpenDocument>

The associations in question organised themselves along well-defined interests, while the primary purpose of churches is the practice of religion, and thus a public task. To practice this constitutional right, churches must own property, thus they have the right to own assets to carry out this function.

In summary, it can be stated that the Constitutional Court based its decisions on its own interpretation of freedom of association, construing freedom of association as a fundamental right, meaning not only the freedom to found organisations, but also the freedom to choose the purpose of the organisation, the freedom to join the organisation, and the freedom to leave the organisation as well. There are only a few Constitutional Court decisions where no reference was made to the Act on Associations, or other legal regulations, and where the decision was based solely on what is written in the Fundamental Law (constitution). In almost every case, reference was made to the special legislative provisions.

### *Civil organisations in the European Union*

In the course of the evolution of the European Union, the relationship between the EU and civil organisations have been continuously developing. This is due to the fact that the EU involves civil society to an ever greater degree when defining policies in various areas. During this process, the EU has attempted to define civil organisations, i.e. what organisations can be regarded as NGOs or civil organisations.<sup>26</sup>

The EU is based on democratic principles and values, but due to shortcomings in its institutional system, it is not able to represent the interests of each individual. During the decision process, the electoral will manifests itself indirectly, and citizens have a limited view on processes. It is also a problem that decisions are made at the EU level, while implementation is at the member state level.<sup>27</sup>

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<sup>26</sup> Kákai, László: *Civilian society and civil organisations from the viewpoint of social and political sciences*. Human Resources Ministry, 2013.

<sup>27</sup> Reisinger, Adrienn: *Social participation at the local, territorial and EU level*. Széchenyi István Egyetem, Kautz Gyula Gazdaságtudományi Kar, 2011.

The document 'Communication from the Commission on Promoting the Role of Voluntary Organisations and Foundations in Europe'<sup>28</sup> defines voluntary organisations as those forming a group of people working together for a given purpose.

Characteristics:

- formal or institutional operations;
- no dividends paid on operational profits;
- independent, they define their own operational and organisational rules;
- the organisation and its managers do not work for profit;
- their goal is to serve the common good.

Opinion 851/99D/GW<sup>29</sup> published by the Economic and Social Committee of the EU in 1999 listed those to be regarded as civil society organisations. Based on that, civil society organisations are as follows: labour market participants, i.e. social partners (unions, employers' organisations), social and commercial players not regarded as social partners, NGOs (which bring people together for a common cause), community organisations, and community organisations with membership and defined activities (e.g. youth organisations), as well as religious communities.

In 2000, the European Committee published the document COM (2000)11 on the enhanced partnership between the European Commission and non-governmental organisations. This document focuses on NGOs, and defines them as organisations that are formed not for profit, but voluntarily, and whose work is performed by volunteers. They are characterised by formal and institutional operations, which, according to the document, answer to their funders and members, have a founding document, are independent, and pursue unselfish values and goals. NGOs can be of various types, based on their operations and activities. In this document, the Committee used the term 'NGO', which was adapted in later documents as well.

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<sup>28</sup> Communication from the Commission on Promoting the Role of Voluntary Organisations and Foundations in Europe. COM (97), 241 final. European Committee, Brussels, 1997.

<sup>29</sup> [http://www.eesc.europa.eu/resources/docs/ces851-1999\\_ac\\_en.pdf](http://www.eesc.europa.eu/resources/docs/ces851-1999_ac_en.pdf)

As to the ability of civil organisations and citizens to protect interests and influence decisions, the Code (CONF/PLE (2009) Code 1)<sup>30</sup> of the International Conference of Civil Organisations held in October 2009, is an important document.<sup>31</sup> According to the document, an organised civil society and civil organisations contribute significantly to the development of democracy and human rights. The Code states: in recommendation no. 14 of 2007 of the European Council<sup>32</sup>, such organisations are defined as *'self-governing associations or organisations that were founded by their founders or members for not-for-profit purposes'*. As to the practical policies of civilian participation, the term refers to organised civil society, including the voluntary and non-profit organisations, associations, communities and lobby groups based on location or special interests. According to the document, the main activities of civil organisations are social justice, human rights, democratic rights and the rule of law. They support a variety of social goals, and basically want to improve the lives of people. The participation of social organisations in the political decision-making process varies in the different phases. The Code differentiates between four degrees of participation: information, consultation, dialogue and partnership.

One of the tools in the hands of European civil societies is the 'civilian initiative', which is regulated by Regulation (EU) 211/2011 of the European Parliament and of the Council.<sup>33</sup> This regulation states that, according to the Treaty on European Union, each European citizen has the right to, through a civil initiative, participate in and shape the public life of the European Union. According to the regulation, legislation on civil participation must be simple, so that citizens are encouraged to participate in these processes. Civil organisations have various levels of embeddedness in various countries, in the social and economic fabric of society, therefore there are many different relationships between the state and civil society. Let us list a few examples from various countries.<sup>34</sup>

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<sup>30</sup> <http://www.eesc.europa.eu/resources/docs/code-of-good-practice-for-civil-participation-in-the-decision-making-process-en.pdf>

<sup>31</sup> <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A52000DC0011>

<sup>32</sup> [https://www.coe.int/t/dghl/standardsetting/cdcj/CDCJ%20Recommendations/CM-Rec\(2007\)14E\\_Legal%20status%20of%20NGOs.pdf](https://www.coe.int/t/dghl/standardsetting/cdcj/CDCJ%20Recommendations/CM-Rec(2007)14E_Legal%20status%20of%20NGOs.pdf)

<sup>33</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:065:0001:0022:hu:PDF>

<sup>34</sup> Kákai László: *Civilian society and civil organisations from the viewpoint of social and political sciences*. Human Resources Ministry, 2013.

In France, civil organisations have grown in importance over the past 20 years. The number of these organisations increased during the 20<sup>th</sup> century from 40,000 to 730,000, and as mentioned, this increase has been uneven: between 1995 and 1997, three times more organisations were founded than between 1975 and 1977. At the beginning of the 2000s, associations carrying out commercial activities employed about 1 million people, that is 5% of the French workforce. In France, non-profit organisations play a significant role in the area of live-in social services and public education (at the end of 2011 there were about 2,700 foundations in France.)

The number of foundations increased about 60% between 2001 and 2010, and in terms of assets, the increase was of 72%.<sup>35</sup>

In Germany, the operational costs of the sector make up about 4% of the GDP (the corresponding figure in France is 3%). At the beginning of the 1990s, there were 10,000 foundations, while in 2001, there were 544,701 registered associations, which means about 6.6 active organisations per citizen. Most organisations – similarly to the French example – are active in sports, culture, leisure activities and social services.

It may be surprising, but in Germany fewer associations are related to education and scientific research than in France. (In 2015, there were more than 21,000 foundations in Germany, and more than 70% of them were founded after the reunification.)<sup>36</sup>

At the turn of the millennium, there were about 80,000 foundations and 85,000 associations in the Netherlands. In Europe, the Dutch non-profit sector employs the highest percentage of employees (12.5%). (By 2013, the number of foundations in the Netherlands was 220,000.)<sup>37</sup>

In England, at the start of the 1990s, there were 175,000 registered charitable organisations, and their number is now near half a million together with the volunteer and community organisations. More than half a million people worked in the sector at the beginning of the 2000s, that is 2.2% of the British workforce (much lower than the French data),

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<sup>35</sup> <http://philanthropy-impact.org/article/ten-things-you-probably-didn%E2%80%99t-know-about-philanthropy-france>

<sup>36</sup> <https://www.stiftungen.org/en/knowledge/german-foundation-statistics.html>

<sup>37</sup> Cagney, Penelope – Ross, Bernard: *Global Fundraising: How the World is Changing the Rules of Philanthropy*. AFP/Wiley, 2013.

but by 2012, almost 800,000 people worked in the sector. The number of charitable organisations has been decreasing, but their number is still exceeded 160,000 in 2010 (i.e. there were 2.6 such organisations per citizen).

In *Finland*, the number of civilian organisations exceeded 100,000 in 1997. It is interesting, and shows the high level of organisation of the not-for-profit sector that task-oriented, sector-specific civil umbrella organisations work at the federal level, the number of which exceeds 2,000. (Currently, about 75-80% of the Finnish population are members of volunteer organisations.)<sup>38</sup>

In *Sweden*, 160,000 civil organisations with more than 32 million members are rooted in the working class movement, in a democratic culture that favours organisations with large memberships. Each adult Swedish citizen is, on average, a member of four organisations. Not only the foundations, but also the associations must be legally registered, and the work of this latter is taken very seriously.

In *Spain*, in 2010, there were 200,000 organisations, about 15% of which were active in the social services sector: 29,000 such non-profit organisations employed about 400,000 people. The civilian sector employed about 3.6% of the active population in 2010. Apart from that, there is a significant number of volunteers as well. While in 2008, 873,000 volunteers were active in the non-profit sector, in 2010, their number reached 1 million, i.e. about 5% of the active population was taking part in volunteer activities.

In *Italy*, because of the lesser level of secularisation, the situation of the sector is a bit more contradictory. Churches still have a strong position against the state, and this surfaces in practice in the fact that church institutions have been declared state-owned, while they are still in fact run by the churches. The most important branches of the small-sized not-for-profit sector are social services, primary and secondary education, which is still largely under the influence of the church, and professional organisations. (At the end of the 1990s, there were 3,000 foundations in the country, and about 4,700 by the end of 2005.<sup>39</sup> In 2011, their number reached 6,200.)<sup>40</sup>

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<sup>38</sup> [http://ec.europa.eu/citizenship/pdf/national\\_report\\_fi\\_en.pdf](http://ec.europa.eu/citizenship/pdf/national_report_fi_en.pdf)

<sup>39</sup> <http://euforistudy.eu/wp-content/uploads/2015/07/Italy.pdf>

<sup>40</sup> [http://www.efc.be/country\\_profile/italy/](http://www.efc.be/country_profile/italy/)

In *Slovakia (and until 1992, in Czechoslovakia)*, the civil sector started to develop after the collapse of the communist dictatorship, and most of these organisations were founded after the political changes. In 1994, there were only a couple of hundred such organisations in Slovakia, in 2006, more than 26,000, and by 2010, their number reached 40,000.

In *Poland*, at the end of the 1970s, civil organisations received a boost, helping the establishment of the Solidarity movement. In 2012, the number of organisations – according to official Polish data – were around 100,000, of which about two-thirds were active. Of these, 11,000 were foundations, while 89,000 were associations. Compared to the number of organisations, the number of those employed in the sector is relatively small (only 1% of all employees). The reason for this is the relative undercapitalisation, which is shown by the fact that most of the revenues of these organisations (65%) are made up of public and corporate sponsors. About 8,700 foundations in Poland had the legal status of ‘public benefit company’ in June 2015.<sup>41</sup>

At the end of the 1990s, about two-thirds of the revenue of the not-for-profit sector came from state subsidies in Germany, while these figures were only 40% in Britain, and 43% in Italy.<sup>42</sup>

According to research, if we take into account active and inactive public benefit foundations, in 2015, there were seven European countries with more than 10,000 such organisations registered: Germany, Poland, Hungary, Spain, Sweden, Switzerland, and the UK. With about 20,000 in Germany, 18,000 in Poland and 16,000 in Hungary.<sup>43</sup>

It is the firm opinion of CÖF-CÖKA that it should be examined how foreign support to these organisations in Hungary could be made more transparent. We see examples for this type of regulation and central guidelines e.g. in the US and Israel. To this end, Act CLXXV of 2011 on Freedom of Association, Non-profit Status and the Operation and Support of Civil Organisations should be modified along the following principles:

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<sup>41</sup> <http://www.cof.org/content/poland#Summary>

<sup>42</sup> <http://www.nosza.hu/kutat/REVkutatatas/Igazdasag/>

<sup>43</sup> <http://dafne-online.eu/wp-content/uploads/2015/10/European-Foundation-Sector-report-2015.pdf>

- As part of a modified act, the manner in which foreign support is received should be streamlined; this should only be possible by bank transfer.

- There should be a contract between the donor and the receiving organisation (hereinafter: contract), which should be made public on the home page of the supported organisation, or in another, transparent way (*transparency clause*).

- A copy of the contract between the donor organisation and the supported organisation should be sent to the state secretariat in charge of civil affairs.

- The exact manner in which the donation is used and the method of payment should be specified in the contract.

In Hungary – as opposed to Russia and other less democratic countries – human rights activities can carry out their work freely, all 80 human rights activist organisations (100,000 together with the foundations) may express their opinion in order to reach their objectives.

Their arguments and opinions are often taken into consideration and built into the legal practice. It should be mentioned that several human rights activist groups who call themselves ‘liberal’ have been invited to join the Human Rights Working Group of the Ministry of Human Resources and its various sections.



## THE UNITY AND DIFFERENCES OF CITIZENS AND THEIR COMMUNITIES

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People make up civil society as individuals and in groups. This constitutes a multifaceted system of relationships, where public life and public morals serve as the framework for promoting the interests of their family and their country. Civil activism is helped by real democracy, and the rule of law serves the interests of real democracy and the people. Civil society, together with all citizens, is the possessor of power at any one time. In democracies, it transfers its power and its trust, for a specific time, to the government elected through parliamentary elections.

Representatives of the public power are servants of the people, whose obligation it is to put up with and indeed request the active participation of members of the community when handling public affairs. A common thread of civilitics and politics is the unity and struggle of opposing ideas. Civilitics is varied and serves the public in many different ways. Civilian communities are present in society as independent subcultures. Individuals and citizens can decide freely whether they want to join a given community. The objectives of the selected civilian communities are well-defined, and ensure that the civic rights of individuals are guaranteed. National communities cannot on the other hand be freely chosen, since the motherland is the determining factor. At most, it is a community which one can leave.

Civilian citizens cannot be party-neutral, since in a democracy, parliamentary elections make it possible to cast their votes for the competing parties. Abstaining from voting is, on the other hand, also a political statement.

The people are the real holders of power, while the various parties compete for that power. Citizens can thus separate the nation's interest from the parties, and the boundaries of a given ideological 'ism'.

Civilitics gives advice, behavioural guidance and motivation to members of the same social environment, and dealing with the same issues in life. Thereby it cracks the monopoly of party politics.

The purpose of civilitics is to secure support for good government, and the constructive assistance of those in power by the trust of the people. But it is also taken into consideration that opposition movements are analysed during the government cycles, and it is checked whether or not their activities aim to promote the common good.

The three main ingredients of civilitics and politics are formally identical, but differ in their contents. The three main ingredients are interest, will and power.

- The interest of politics emerges in the form of parties, while civilitics serves the public interest.
- Political will serves the interests of the supporting memberships, while civilitics aims to serve the common good.
- Politics focuses on seizing power, while good governance aims at ensuring the continuity of governance.

*What is more important: the ideal or reality?*

Due to the importance of the exercise of power, with the participation of politicians, most societies have reached democracy and the rule of law, which made participation in elections a right for political parties. Party interests also appear as group interests, making it almost impossible to find our way in their maze. Certain parties try to adapt well-known ideologies and 'isms', trying to reach many social groups, while masking their incomplete, glossed-over message.

Civilians of the 21<sup>st</sup> century have lost faith in mutant, failed ideologies hoarding together promises that embody selfish political interests. Fewer and fewer people think that there is a left and a right in politics in a classical sense. Increasingly, people believe that artificial and forced ideologies are inadequate means for providing guidance to social development.

The political world in the 21<sup>st</sup> century has changed. The citizens of this century are not content with bread and circus. As well, extreme political views no longer enthrall members of society, because they entice fear. And fear cannot be the governing force of democracies.

More and more politicians recognise the significance of dialogue with citizens. There is an increasing number of citizens who want to actively

participate in forming their own lives. Party ideologies, and 'isms' speak less and less to voters, and the myth of everlasting truths no longer rings true. History has proven that there is no ideology which, if followed, would bring about paradise on earth. Most people are interested in their history, present and future. Their decisions are based on their options guaranteed by society that can also be implemented in practice. The survival of the nation, and a sustainable life is the most desired promise which cannot be overwritten by ideological influence.

Following a 'focus of individualism' and selfishness leads to the destruction of society and nature. We can see this when we observe the lessening of the importance of the concept of democracy, and when thirst for power delivers a false democracy in the form of money and military power to gain world dominance.

A change of paradigm is needed. The distorted pyramid of power must be placed back upright again. This is not possible without waking up the citizens of the nations. Voting citizens cannot be satisfied to accept, sitting in their armchairs before their TV sets, that others shape their fate without asking them. In the future, the spiritually developed active civil world will get stronger, and will be not only socially sensitive, but also able to recognise its national interests. People gathering in civil communities can regulate the activities of the government of the day. Volunteer civil associations, foundations and individuals defending the spirit of the nation will not only be defending and further developing their nation, but also the values of Western and Christian civilisation. Their socially active role will pay off, because those theoretical ingredients will be put in place that will result in the emergence of civilitics as an independent discipline.

Civilians living as a nation have the right to connect and keep in touch with their elected officials on an ongoing basis. Civilians are not free-riders in the world of politics. Instead, it is political parties that will have to buy tickets on the train of human fates from the ticket office of civilians.

### *Justice: a dream or necessity?*

Justice has been a primary desire of humankind since ancient times. As we live our lives together, a recurring question arises: what is just and

what is not? Judgment of the actions of those in power depends on the good or bad nature of their deeds. In general, civilian society believes that justice walks hand in hand with the maintenance of order and the governance of the system for the common good.

Sovereignty of the people is the basis of civilitics. The sovereign people create their nation by forming a community. Democracy makes it possible to carry out public policies based on consensus. A frequently returning and disputed element of this topic is how majority and minority interests work in practice. It is an accepted fact that the rule of law and democracy ensure, through election cycles, the supremacy of the people's power through the delegation of that power.

It should be made clear that the government elected at any one time is backed by the majority of voters, which provides legitimacy for the practice of such power. Active and constructive civil majority, like current governing, work in symbiosis to guarantee a just society, and if needed, contributes to defending it.

The opposition parties regard a good government as being unbearable, since it is contrary to their thirst for power. Acts based on party politics do not hesitate to twist reality if it serves their interests. It can happen that in the judiciary, court decisions are handed down which are biased towards a given party. It can be seen that the protective role of active, highly educated people increases. The voluntary appearance of those acting on the basis of their conscience can be evaluated at all times based on their work for the nation and the public good. To cite Mihály Babits: 'this is the job of the true writer...' namely, to 'keep alive on this earth the respect and presence of pure morals and logic'. Attacks by writers paid by Judas-types betraying their nation can never be justified. Acts of treason against the nation along party politics are sinful acts.

In Europe, the Hungarian Movement of Spiritual National Defenders is a new colourful factor. Members of this community are speaking out for national sovereignty, identity, and subsidiarity, and do so with responsibility and commitment. To cite the words of István Bibó: 'the progress of humanity has always been the result of those seeking the truth and doing the work'.

## *The metacommunication of politics*

We civilians hear about the political and economic events of the world every day. If we forget to listen to the radio, or switch on the TV, then the internet provides us with an overabundance of information. Politics and party politics reach us everywhere. Advertisements, dailies and weeklies carry messages to civilians near and far. The news and its commentaries influence our minds, feelings, and create an often confusing background.

The purpose of communications about the fast-moving world and our narrower environment is to change the way we think, and thus our actions. Various interest groups are trying to gain people's attention. This also demonstrates that metacommunication is a political activity directed at obtaining power. Party politics is the radiation of those sharing the same views, and includes the totality of their actions.

Within the framework of the rule of law respecting democracy, plurality gives an opportunity to found parties, but also makes it possible to enforce the various differing wills of citizens. In every election cycle, parliamentary elections allow the people to decide which party or party coalition shall govern. The will of the majority of the voters is a reflection of party popularity, which is likely to be based on a good program, and the trust already earned or extended.

The decision of the voters or the support of the governing party will ensure stability if it is based on the votes of the majority. The opportunity of governing gives the winner an advantage, since it is judged by the nation-building work carried out during the cycle. Completion of the promised programme is a precondition of re-election. If the society's support increases, or stays the same, it shows support for good government, so the good work may continue.

It is worth examining the role of the opposition. The question arises as to whether a constructive attitude can be expected of them. This type of positive behaviour would be an indication of political culture. The main question is what is their primary objective. We can see that the behaviour of the opposition aims to regain power. Their behaviour focuses on criticism and political attacks, which results in more damage than benefit. Activities aiming to hunt the leaders of the governing party are merely a form of substitution, just like the path of unrealisable promises, which

cannot lead to victory. The opposition, compromising itself for so many years, merely makes its own situation worse, especially if it is helped by foreign sister parties and ideological friends to damage the nation.

It is a fact, however, that both the opposition and the daily actions of government demand that voters remain vigilant and constantly give feedback. The authentic control of government and party politics can only be carried out by the people of the given country. Voters will judge their own situation based on their circumstances, since they can directly see the improvement or worsening of their life circumstances. It is clear that the main interest of the governing party, the parties and the opposition is to seize and hold power. If these interests become selfish, we will accept as a proven fact that civilian control towards them cannot be avoided. It is the obligation and duty of civil society to make government correct its own mistakes, to monitor the behaviour and operation of the opposition parties, and to monitor the constructive civil activities. This is a responsibility and requires volunteer work.

It is worth looking at the operation of the European Union. We should highlight the governing work of the bureaucratic elite of the Union. The manner in which they handled the migrant issue is to be rejected.

The neoliberal elite in Brussels has departed from the path defined by the people of the European Union. Not like Mother Teresa, who was the emblematic figure of Christian solidarity and love, who helped the poor by spreading God's mercy to all corners of the world.

Chancellor Merkel, the representative of the self-interest solidarity aiming to preserve power, did not choose the true Christian way. Her path is backwards, her personal mission did not reach those in need in Africa and the Middle East, did not bandage the bodies of those injured by bullets, did not put water into those mouths parched with thirst. We could quickly see through her pseudo-Mother-Theresa role. Mother Teresa travelled the world, tirelessly gathered donations and took them to those in need. As the messenger of God's mercy, she carried out her work inspired by the Holy Spirit and assigned to her by the Creator.

*Willkommenskultur* is a misguided 'declaration' which allowed Muslim forces into the one-way street of the Christian God. The result: persecution of Christians and social chaos.

It has become clear that the millennia-old Western civilisation based on spiritual communities does not tolerate the insertion of foreign bodies. It is a false prophecy that Islam can be transplanted into the body of Christianity.

Political and economic interests have their limitations while love in the name of solidarity can be borderless. European citizens can now experience the difference between the politically motivated 'help' à la Merkel, and the mission of Christian mercy and love.

Europe is suffering because of the faulty decision of a woman, who was, for a long time, an example of how to lead Germany in an ideal way. But Merkel fell into the net of big financial powers who, in order to implement their plans to rule the world, and build on human vanity, use Europe's many successful people as tools. They convinced the Chancellor to become, on the tailwind of the strong German economy, Europe's unelected, single-person leader. At first, the tactics of the financial magnates seemed to work. The European Union's two contra-selected leaders, Schulz and Juncker have served as sidekicks, who can thank their lives in Brussels to the German Chancellor. It is thus not an accident that they slavishly do everything that their 'creator' requests.

The fate of the Union cannot depend on the whims of a lady and some money bags standing behind her who are seeking global power. (More and more of us believe that.)

Europe's peoples have awakened. The community of those taking a stand against ultra-liberalism and terror democracy is gaining strength. It can be felt that respect for the Chancellor is waning, but also hundreds of thousands of citizens are demanding the reform of the rusty leadership style of the Union. People protest loudly against their fate being decided upon by power-hungry politicians. The financial lobbies in European politics would like to privatise Europe's economy and by 'temporarily' stationing their military, the soil of the continent as well.

The antidote to this obvious conspiracy may be the peaceful but determined stance of the Central European peoples. The democratically elected leaders and prime ministers of the V4 countries know that after WWII their country lived under repression. They were at the mercy of the Soviet Union, because they paid the price for the peace of the West.

Our freedom, regained in 1989, is precious. To keep our nations' independence is our primary goal. Also, Europe's sovereignty and identity are not for sale. The allied nations of the Union will, based on their culture, find an answer – one that serves the public good – to all problems. False 'guardian angels' are not needed.

Brexit is a severe loss to the EU. The leadership of the Union is responsible for this loss, but they present it as a victory. Thanks to them, our defence capabilities have worsened. Our existence is threatened by the hordes of economic migrants, with terrorists within their ranks. The imminent economic bankruptcy of Greece and Italy, the two countries that are supposed to defend Europe's Schengen borders, make us exposed as a result of the immigration policy of the bureaucrats in Brussels. Turkish blackmail is largely ignored by NATO's strongest member, the US, who does so burning with shame.

What are we waiting for?

Europe's countries must each have a strong army, to increase the defence capacity of their countries, and if the continent should be at risk, we can show deterring force together with NATO's forces.

The Hungarian government was the first in the EU to initiate a referendum on the rejection of the mandatory acceptance of foreign migrants. We have to decide about the future of our nation, this is not the time for party politics, only for a Hungarian-Hungarian alliance.

Why?

Because foreigners attacking our wives and daughters in dark alleys will not ask us before their brutal deeds whether we voted yes or no.

Mankind has been practicing politics for thousands of years. The desire to rule puts an immense institutional burden upon people. Artificial democracy dilutes the substance of democracy, using its wide range of devices to maintain its spurious role. The movement of parties following interests of a globalised world are defined by the ambitions of money magnates to rule the world. Every day, we see attacks on the sovereignty and identity of nations and countries. The war of interests between the superpowers has increased, and there are more and more local wars. The intention to rule the world by large financial forces can not only be felt, it can also be seen. Power, now held in ever fewer hands, can only be stopped by joining the forces of civilians.



The identity of the people are defined by local, regional and national attachments. Throughout history, it has been proven that in a world driven by politics, countries seeking imperial power try to weaken the representation of local communities as much as possible.

For them, the best citizen is one who is not able to act.

Civilians should not be political factors, their fate will be decided in 'higher' places – such is the claim of politicians whose life purpose is none other than to rule over others.

This is true on a continental scale as well, since it can be seen that in our times, national borders disappear, and the global expansion of financial power is gaining strength.

If in the areas of civilisation, views held by the state and church are examined, the meaning of neither will be questioned. There is fighting and war in many places between political power and local religious forces. If the struggle is local, it will attract less attention. The situation is different if certain religious leaders think themselves strong enough to eliminate the separation of church and state. In this situation they also want to possess power, act violently against the thinking of free people, and put their 'isms' into practice.

Europe's people can stay strong and its economy can continue to be at the global forefront if it follows the force coming from the roots of Christianity, which gave us a millennia-old civilisation. The basic demand of the civil world is that world peace must triumph over the thirst for power at all costs. The 21<sup>st</sup> century may mean the turning point, where it is not the exploiting power-holders that dominate, but the will to live of the civil world. It should be mandatory for those living today to ensure a secure outlook and life opportunities for future generations. The horrors of the past – after the fall of obsolete empires – must be put behind us.

The civilians of the world are always exposed to new but recurring influences. Besides political and economic colonialisation, religious expansion has also started, which goes sometimes hand in hand with terrorism. The spread of any religion by force shall be denounced. Defence against it is mandatory. The modern-age migration into Europe, with the added factor of differing religions, is a forceful attack that can lead to the decline and loss of Western civilisation based on Christianity. The

number of churches and believers are decreasing, while the number of mosques are increasing and the determination of their visitors results in a deadly embrace for Christian civilisation.

An institutionalised form of caesaropapism is emerging – the Islamic State, whose sole goal is the merging of religions and political power, and the proselytisation of Muslim teachings.

Sovereignty, identity, and subsidiarity are, in themselves, defensive concepts, and represent a nation's unique values. The voluntary, partial transfer of these values may give meaning to the creation of large alliances. Large alliances may only resort to the transferred rights, and primarily serve economic and defence interests.

### *Individual civilian attitude*

Individual civilian existence begins with birth and is God-given. From that moment on, politics follow humanity like a shadow.

At the same time, most people think they do not have to directly react on a daily basis to the various, often opposing political statements. Why bother, they say, when – especially in democracies and within the framework of the rule of law – they can exercise their obligation as voters during parliamentary elections by appointing their representatives. Later, if they feel that the political and economic processes are working against their social interests, they will have the opportunity to respond.

This general attitude must be changed.

This is not easy, since the parties fighting to gain and keep power and party leaders protective of their economic interests try to keep those civilians away who are gradually beginning to stand up for their interests. The reigning government, if it stays true to its programme, and listens to people's opinions, can prevent the rise of opposition parties during the election cycle. Effective cooperation between the government and civilians can be a crucial instrument in these efforts.

We know today that parties are primarily motivated by the will to gain power, and that they are not concerned with general moral principles. They see the end as the means. It is increasingly becoming a reality that the original meaning of the so-called classical democracy has shifted. The

democracy with the mentality of 'this is it, whether you want it or not' is winning, which leaves the term in its classical sense diluted and empty.

The era of ideas and 'isms' which dominated up until the 21<sup>st</sup> century has been replaced by the worldwide expansion of powerful financiers. The hunger of financial capitalists has become uncontrolled. In this worldview, man is only a tool, a machine – no less and no more than an automaton. If the owners of money can continue to direct people towards the conveyor belt of stupidity, then sooner or later the concept of the 'nation' will also fade. People will become slaves, and world citizens will all wear the same uniforms.

Civilians can still stop the maniacal attempt of financiers to gain control of the whole world. This stop will come in the form of civilians in sovereign nations working together with leaders who carry out their tasks based on the trust placed in them by their nation, and who form a voluntary alliance with like-minded nations and their leaders. The bottomless stomach of the lords of the money world already points to an incurable illness. The diagnosis of this illness is well-known, and this will not be changed by a new mutant, because the last stage of the progression of the disease will be the death of the empire. The destruction of the world empire may occur in the form of the whole world burning.

Representatives of the background power of money give instructions, invisibly, from behind a curtain. Lining up behind the strongest state, the US, acting as world police, they march forward towards their goals. Classical economic and financial terms have been made obsolete, money has become an independent player, and the production results of the economy have shrunk, in a speculative manner, into a secondary factor.

Financial capital has searched for and found its strongest ally: the military power of the state that it governs. In our world, the ruling power is with the financial powers and their dependent military. They have pocketed the leaders of the world.

Politics, governed by money and military power, searches every day for those weak points where it can increase its influence. In a clandestine manner, it has tried to implement a new type of colonialisation, eyeing the countries in the Middle East and Africa. Europe's military is weak, and although its economy is strong, the European institutional system that is supposed to lead the continent is operating in an unsatisfactory way.

The Russian-Ukrainian crisis cracked the wall of European peace, and reminds the countries of Europe of the two world wars of the 20<sup>th</sup> century.

Asia is propelled by classical economic development, and its enormous population presents great potential. Cheap labour has attracted the most modern technology. India and China have especially learned, at the state level, the lesson of how to further develop the latest technology.

Attempts of stealth financiers in hiding have clearly shown up in recent history. America failed in Vietnam, Afghanistan and Iraq. Their plans to build an empire in these areas have, for now, been put on hold. A new method became necessary, which was started by the Arab Spring, where the US attempted to export unwanted democracy into countries that have been socialised in a different environment.

Apart from political and economic events, the response by civilians in these countries were largely neglected. We can say that events occur beyond the scope of control of civil society, but increasingly, things are being brought to the surface. Throughout history, people's reactions to their rulers could never be suppressed. The colonised have always risen up against the colonisers. Most people, wherever they may live, prefer peace and freedom. We can be sure that most people of the US support peace and security. The mothers of a nation cannot allow their sons' blood to be sacrificed for the interests of a narrow social class who wants the power to rule.

In 2010, Hungary shook off the disingenuous system of neoliberal power. In the past 6 years, it has shown an example of how it imagines the fate of its own people as well as those living in Europe. Our citizens are starting to understand that their lives and the future of their children are more important than enrichment from the exploitation of their brethren and the environment. Human life that can be sustained for centuries prohibits, under Christian morals, the uncontrolled consumption of the fruits of the land. We must seek harmony with our fellow citizens, and with our God-given natural environment.

How is this possible? The answer is simple, but it is firmly rooted in the primacy of the determining power of civil society. It is supported by the family, which is the smallest spiritual and economic unit in every nation.

The meaning and substantive content of democracy, in the sense of the Greek word, must be protected, in view of the supremacy of morality and the rule of law.

Emphasis must be on the defensive tasks of the national armed forces.

We must accept Chancellor Helmut Kohl's thesis on solidarity, which states 'help those in need, so they can help themselves'. So that they can live where they were born and build a better future for their countries.

The task of civilians in the 21<sup>st</sup> century is to return the upside-down social pyramid to its proper foundations. Priority must be given to the will of nations to live, and for peace between the societies of the Earth, meanwhile the robbing of the Earth's resources must be stopped, and we must strive to maintain it for future generations.

Without the control of the civilian world, allied institutions that were founded to govern the various continents cannot operate either – such as the European Union.

The 3<sup>rd</sup> millennium after Christ poses new challenges to humankind. Besides guarding the interests of civilians of the nations, citizens must follow political and economic events daily, and remind their leaders that the assigned power by the people is for a specified time only. Whether the assigned trust is extended will depend on the quality of government. A basic precondition of good government is that the free citizens of society, in cooperation and in harmony with their elected government, in the spirit of solidarity, handle the state's finances based on strict moral and legal principles. The basis of this is the taxpayers' money coming into the treasury.

To restrain those hiding behind private banks wanting to rule the world with their money is the task of the state. The speculative and uncounted money ending up in certain individuals' pockets is a hotbed for corruption and a virus to democracy. Apart from the state-owned National Bank, those commercial banks should be given opportunities whose operations can be controlled with appropriate capital injections. The upper limit of the dividends of private shareholders must be limited based on the moral principles of fair prosperity. Banks operating based on this principle pay the remaining profit into the treasury, thus realising the fair banking service that is supervised by the tax authorities, while the increase of the income of the treasury widens solidarity, and brings people a better life.

The question how those wanting to enter the empire of money can enrich themselves has been asked throughout history. The answer is

simple: from the exploitation of the civilian world. Money in itself is not a means of production – those getting richer by shuffling it around can live off others as parasites. When we talk about establishing the upper limit of individual enrichment, we are not undermining the value to society of talent and work invested. While getting rich is not a sin, its proportion must be controlled by the government acting upon the will of the people.

The above may sound utopic, since money and the power of money people have reached a size that requires restraint, albeit only step by step. Solidarity is at least as important in society as freedom. In order to build harmonious relationships between people, the proportion of the poor must be decreased, and human prosperity based on morals and voluntary solidarity that serves the state's interests must be established.

### *Protecting the status of people's sovereignty*

In Hungary, the referendum, a democratic feat, is a usable option. Civilians have shown that they are able to take their fate in their own hands, and if needed, keep it in their own hands as well. Parties have, on the other hand, whether they wanted to or not, shown their real selves.

Active and 'leave the thinking to others' laidback citizens give a lot of work to society on the road to the further cohesion of society.

The status of the people's sovereignty, the handling of power with an owner's mentality demands responsibility. This asset, which is becoming more valuable every day, must be protected. The task is gaining a wider and wider scope, since we cannot disengage from most events in the world. We can feel these effects in the most important issues affecting our nation, and influencing the lives of our families as well.

Based on one thousand years of history, one human desire is to triumph above another. Mammon is an effective means to this end in our fast-paced world.

The individual human being, when emerging from his hut, can see and hear, and can sense that the history of the 21<sup>st</sup> century is being decided beyond the scope of his control, and he does not have the chance to participate in writing the script. At the time, colonialisation started with

Columbus's ships, while in our time, capital and the money machinations of the banks are conducted on the ether. They no longer have to conquer unknown continents: the goal now is to rule the whole world.

We can say that today, this is the 'public bad' at a global level. If there is no opposition, if the citizens of the nation do not wake up, do not take action, and if they merely accept that their fate is being decided by career politicians and bureaucrats, then the world of stupid money is upon us.

The countries of Central Europe look to the European Union as the promise of the future, but national societies cannot be bought and sold as products.

The result of the referendum in Hungary is an open letter to Brussels and the people of Europe. Active civil citizens stand on three legs: God, family, and the nation, in that order. We, Hungarians, insist on our fate and will stand by it.

Criticism of the Hungarian referendum coming from Brussels, Luxembourg or other party interests are the statements of cowards. They, in their own countries, limit their own democracy by not daring to ask their own people in a referendum. Hungarians should only deserve criticism if in their own country, those wanting to take in migrants were more than 50% of voters, and if there were 98% 'yes' answers. As they know this is impossible, they go against the will of the majority of the people. We Hungarians, on the other hand, say that cowards have no homeland, which also applies to the cowardly leader of any people.

*Think, create, impact!*

The restricting of the communal identity of European civilians endangers the foundations of classical democracy. Leading bureaucrats in Brussels have decided that Europe's citizens must be kept away from influencing their own fate. Let us be deaf, numb and unable to act! The way of representative democracy has been frustrated with the help of the European Parliament, and by playing fractional party politics.

They have succeeded in directly deteriorating the representation of citizens of the nations. The European Parliament and the European Committee (the latter of which already thinks of itself as a federal gov-

ernment) disregard the real political, economic and social conflicts and the people's will, and repeatedly passes dictatorial decisions.

The outdated substantive elements in the Treaty of Lisbon do not follow the fast-paced events in the world today. They are unable to give answers to the new type of events. This does not bother the European Committee and the European Parliament, because they have seized the right to legislate, and, getting around the constitution of the Union, have started legislation on their own. Legislation in stealth mode is contrary to the basic ideals of the Union, because the institutions of the European Parliament and the European Committee are not constitutional bodies. They cleverly take advantage of the fact that the European Council cannot give enough time to the countries, due to the busy schedule of the prime ministers, to thoroughly discuss the profound issues faced by their countries and their people.

It is also not a coincidence that with regards to the migration catastrophe affecting European civilisation, there was no valid statement issued by the European Committee at the beginning. This is how it is possible that in the European Council, prime ministers are still dealing with endless discussions. In the European Union, the bastion of democracy, high ranking officials categorically reject the only valid stance regarding the migration situation, which is the referendum respecting the will of the people.

They regard the citizenry of the European nations as minors, or worse, fools, who do not have sufficient capacity to take their own fate in their own hands.

The institutionalised system of the EU makes it possible for some people or some Union leaders serving them to make decisions on the future of the European citizens without asking them. The situation is so factual that Chancellor Merkel, with her invitation letter to the migrants, endangers the thousand-year-old civilization of Europe, and causing the demise of its original population. The contra-selected career politicians keep thanking Merkel for their appointments, blindly following her on the wrong path. It is obvious that the German Chancellor, backed by the economic power of her country, has taken control of the Union. This fact is thought-provoking for civilians of the Union.

The news media, run by the powerful financial circles, lashes out daily, and if we do not protect ourselves, we will be the next target.



The legal regulation of civil initiatives makes it almost impossible for civilians to act effectively, and to freely express their opinions on the future of the Continent. The passing of this law was a dirty, pseudo-democratic job. One of the first tasks of the near future will be the fundamental changing of the legislation on civil initiatives, and the creation of a solution that is based on the opinion of the people.

It is the European civil society's unavoidable task to remedy the pseudo-democracy in Brussels with the effective help of the European people. Direct civilian control must be exercised in a determined and well-supported manner. The thirst for world power by a few megalomaniac politicians must be kept in check.

The greatest strength of civil society is self-organisation. Civilians organised into associations can provide a counterbalance to those abusing their power. The nation states built on classical democracy, among them especially the members of the European Union, can never threaten another sovereign state. At the same time, the local values of civilization that emerged in the course of the history of the nations cannot be changed forcefully by issuing commands. Joining the EU, besides the recognition of equality, occurred after the preconditions for accession were met. Previously non-regulated, new economic, political and social factors can be evaluated by the states independently, trying to regulate them in a mutually acceptable way.

The wheel of history keeps turning. The EU's legislation must be reformed. Only legislation which is based on consensus among the members of the Union is acceptable. New regulations are expected to last, because they will also be approved by the parliaments of the member states. Detailed, written interpretation of the legislative instruments will ensure that no double standards are allowed. The essence of legislation, full consensus and the approval by local parliaments is important because later parliaments as a result of the periodic elections should not be entitled to overwrite or reinterpret the decisions of sovereign states.

The decision competencies at the level of the Union and the nations should be clearly defined and separated. Not even the principles of democracy at the national or union level shall overwrite the principle of sovereignty!

CÖF-CÖKA calls upon the civilians of Hungary and Europe to engage in well-defined action. Let us form a defensive alliance to defend our con-

continent's Christian civilization. Let us make Brussels understand: 'nothing about us shall be done without us'! We are already working on founding the Civil National League of the Union. As a grass-roots movement, driven by the will of the patriotic daughters and sons of the nations. We wish to address our questions of fate as a large family. Let us define the tasks of our constructivism and the basic tenets of our opposition. Our starting point shall be respect for God, Family and the Nation. Our goal is to protect the sovereignty and identity of Europe, defensive outwardly and constructive inwardly. Let us support the common good, as we also recognise and reject the appearance of the 'common bad'.

## A FEW BASIC TENETS OF CIVIL SOCIETY

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A few conceptual and theoretical foundations of the workings of civil society.

1. Civil society is made up of active citizens interested in public life.
2. Civil society cannot exist without a democratic state; the relationship between civil society and the state is characterised by equality and partnership.
3. Civil society is legally and constitutionally independent from the state; it defines its operations freely, based on its own goals and decisions.
4. Civil society defends, against the state, the independence of its citizens, protects their freedoms, their assets and rights.
5. Civil society is the basis of democracy; the power of the state originates from and returns to civil society.
6. Civil society is the school and playing field of participatory democracy.
7. Civil society and the groups of citizens comprising it control the state; they make it accountable to the standards of legal, political and normative expectations.
8. Civil society renders the state accountable for the moral requirements of social groups, and to the community of nations.
9. Civil society – as the source of power – has the right to and must stand up against a state that is distant from democracy, its norms and morals, and that is seeking to stifle civil society.
10. Civil society is the connection between the individual and the community, society, the nation and finally the state. During this process, the selfish individual becomes a responsible citizen of the nation.
11. Civil society, working together with the state, strives for the common good.
12. Civil society does not fight for power, but for the management and solution of social conflicts, and to assume some of the functions that cannot be solved by the state, and to influence public life based on democratic values and norms.

13. Civil society voices its opinion through professional organisations, and negotiates as an equal partner with the state, if the state passes legislation affecting the operation, activity, or legal and institutional environment of civil society. It expects and demands that no decisions be made by the state without it with regards to matters impacting civil life.

14. Organisations of civil society build cross-border relationships including with the institutions and forums of the European Union.

15. Civil society strives to control the 'European state' at the level of the European Union, and to make it accountable at the international level on issues of democratic norms.

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