

ISLANDS OF POWER: POLICY MONOPOLIES IN PRACTICE DURING THE SECOND ORBÁN GOVERNMENT

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Author's Declaration

I, the undersigned György Márk Kis hereby declare that I am the sole author of this thesis. To the best of my knowledge this thesis contains no material previously published by any other person except where due acknowledgement has been made. This thesis contains no material which has been accepted as part of the requirements of any other academic degree or non-degree program, in English or in any other language.

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Abstract

The thesis introduces and analyses mechanics of policy monopolies, a less known phenomenon in the subdiscipline of policy dynamics. Building on the works of Frank Baumgartner and Bryan Jones, and utilizing a mixed methodology of qualitative and quantitative assessments, the research examines two, deeply connected topics in contemporary Hungary. As a prerequisite for the case study, the hegemony of the legislative Economic Affairs Committee is evaluated, based on legislative data. The results show, that the Committee, involved in a large part of the policy processes, exhibits textbook efforts of jurisdictional struggles, striving to control more venues than what originally was intended for it. With the necessary axioms set up, the case study of the utility price ceilings implemented between 2012 and 2014 shows a significant amount of homogenization of arguments concerning prices set by the government. The research produces evidence for the lack of policy arguments concerning the issue. On the contrary, antagonistic scapegoat-type arguments prevail as dominant ones; framing the otherwise deeply technical issue as a simple political debate, where both supporters and opponents are incapable of compromises due to the highly volatile nature of the debate.

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Introduction

Policy monopolies have always dominated the political arena; researchers just didn't take them into account. In the brief half century history of policy sciences, Baumgartner and Jones were the first, who actually started examining them (1993). Since then, though the literature is not something that can be called "vast", researchers interested in policy dynamics have spent time describing these monopolies. But a serious gap in research still exists: how do these monopolies, or equilibrium policy images behave under different circumstances and what is the methodology for analyzing them in short periods. Covering part of this gap is the goal of this thesis. With a mixed methodology, qualitative data analysis is combined with big data type statistics to uncover the policy images under daily politics. Identifying indicators or describing possible effects on society would greatly help the move forward towards a mysterious phenomenon called "good governance".

With this perspective I show the latest monopoly in contemporary Hungary, an especially dominant one (if one may call any monopoly dominant with a smaller research timeframe than decades).¹ After an explanation of policy monopolies and showing how the Hungarian National Assembly's Economic Affairs Committee is a hegemonistic subsystem (which is obviously a prerequisite for the evaluation of policy monopolies), the case study of the utility price ceilings will be a prime example of domination in the political arena with the use of one dimensional arguments, lacking policy expertise, and only exhibiting the widescale use of "scapegoating". Qualitative and quantitative assessment of legislative documents, memos and transcripts of the

¹ The two-third majority of the Fidesz-KDNP coalition made it especially proper, to examine this country and timeframe.

plenary debates show evidence, that spin doctor-politics are back in fashion, pushing back policy arguments in the warehouse of the “Policy Market”.

The Importance of Dealing with Policy Monopolies

Policy monopolies are the public policy equivalents of economic monopolies. When subsystems in the legislature or the administration are able to frame an issue in a certain way, through blocking opponents of this view and upholding their status quo for a significant amount of time. Of course these subsystems might survive changes in governance, when all the major parties are interested in upholding their status quo for as long as they can. Researches about how monopolies work provide us information concerning shifts in government attention, agenda setting and monopolized policy decisions.

The discipline of public policy is not only about writing briefs and memos. It was conceived as a method of examining formal and informal regulatory decisions of the administration and the government, looking at policies, instead of politics. The area of policy dynamics was conceived, to provide an opportunity through longitudinal studies, to break through the impasse characterizing political science in the 1980's (Baumgartner and Jones 1993, 3). The inspection of policies, looking at how they were conceived, gives a lot more information than we would imagine. Combining large scale econometrics with case studies, using a longitudinal analysis provides us with the opportunity for a meticulous analysis of policy structures and institutions.

Policy sciences are experiencing a breakthrough. According to their website, as of now, more than twenty countries (including Hungary) and a few states from the US have started collaborating within the confines of the Comparative Agendas Project. Research teams from all over the world dig through their country's legislative past, to categorize every single bill, act, interpellation, hearing, budget line etc. according to almost identical codebooks, based on the specific item's issue content. This research

not only gives the possibility of comparing policy activity throughout countries, but shows us much information about domestic events as well.

In part of this thesis concerning jurisdictional struggles, I will utilize methodology laid down by Frank Baumgartner and Bryan Jones throughout several of their shared works (1993, 2002, 2015). When looking at policy issues and jurisdictions, I will use version 22.0 codebook and coding practices of the Hungarian branch of Comparative Agendas Project, which I'm a member of since the beginning in 2013. This methodology distributes bills for example, in more than two hundred subtopics, organized in 21 major topics, based on the policy issue content.

Policy Monopolies

Issues of any kind have their own characteristics, perceptions, and peoples' opinions about them. When two opposing perceptions of the same issues meet in policymaking, a decision will be made favoring both or only one, at the expense of the other. The prevailing or dominant stream is not just an opportunity for the victor to shape decisions, it is also an opportunity to control the perception of that very issue. Take the maintenance of a large standing army as an example: it can be framed as an economic issue (the military complex creating jobs), as a foreign policy issue (maintaining or reaching dominance through sheer force), as a cultural-educational issue (compulsory military service educates young men), obviously as a defense issue (the ability to defend ourselves) and many more. The dominant framing of an issue in a particular way for a long time, is called a policy monopoly. Policy monopolies benefit certain groups, may it be the government or an interest group. They were conceptualized earlier as "iron triangles" (Lowi 1969), pointing to the firm, single venue hegemonical institutional backgrounds, such as the military-industrial complex in the mid-20th century. The iron triangle was successful in framing the question of military arms manufacturing and budgetary appropriations for several decades as a necessary and beneficial thing.

Framing was described in depth by Frank Baumgartner as the main tool for controlling a policy's image, which in turn creates and controls the understanding of an issue, how people "understand and discuss it" (1993, 25-26, 31). The changes in policy images and tones in turn can expand or contract the issue and the attention around it (ibid, 35-36). Images of policies are simultaneously present, with different groups supporting different images. These images (and indirectly interests groups) compete with each

other, trying to assert dominance over all other interpretations, thereby creating regulatory leverage.

Policy images are "causal stories", logical interpretations of events happening or planned to happen (Stone 1989). The political actors formulate these stories the same way one would expect an author to begin a novel: setting up a background, inventing important characters and events, all this in order to appeal to a designated group (which in our case is not romance novel enthusiasts, but groups with socio-political labels, such as poor, xenophobic, or leftist). A meticulous language follows these efforts, creating a discursive frame in which the creators of the particular image try to keep the debate about the policy in question – one might say the initiating actors try to be on the offense continuously.

As Baumgartner and Jones noted, "policy images are always a mixture of empirical information and emotive appeals" (1993, 26). The emotive aspect is called the tone of the policy image. This tone is mainly responsible for creating sentiments and feelings in people interacting with the policy. A new medicine can be viewed as a cure for some disease; another tone could emphasize its disadvantages elevating cancer risks. The tone contributes greatly to policy images (also to the equilibrium of subsystems), and to policy monopolies.

People holding public office and certain subsystems decide about policy changes. The legal jurisdiction of the legislature's committees on the one hand is regulated mostly by the standing orders; these are formal, albeit subjective guidelines for the responsible person [commonly the Majority Leader (US), the Speaker (UK, Hungary), the Assembly's First Secretary (Soviet systems) and so on], how to distribute bills among the committees. On the other hand informal, supralegal arrangements are also present in the forms of claimed jurisdictions, which follow the notion of "might is right". Certain

legislative bodies (committees, subcommittees and such) at times wish to increase the venues they can exercise control over, thereby influencing the political and policy arenas. This venue shopping or jurisdiction vindicating can be assessed by the subdiscipline of committee statics.

In recent times, several research groups and scholars started using the methodology of looking at committee statics, policy dynamics, regulation jurisdictions and so on. Liesbet Heyse et al. looked at policies breaking through government barriers (2006); several groups looked at their own country's budget dynamics and agenda-setting dynamics, such as Peter John in the UK (2006; 2011), Baumgartner and Emiliano Grossman in France (2009), or even European Union politics (Borghetto et al. 2012; Breeman 2006; Princen 2007). However, literature about monopolies is quite scarce. One can find a compelling amount of information and case studies about various monopolies throughout modern history (Baumgartner and Jones 1993; 2002; 2015), but the mechanics themselves are explained to a lesser degree.² It is crucial to understand the mechanics of policy monopolies in order to acquire the skills necessary for the interpretation of legislative data.

Creation of Monopolies

The creation of monopolies is possible in two ways: it can be deliberate or natural. Deliberate monopolies are designed and upheld by hegemonical institutions, such as powerful committees and administrative organizations (e.g. a "know-it-all" Ministry). This hegemonical background is responsible of controlling the venue and designing the framing of an issue, thereby creating the monopoly and maintaining it. A strong executive control over the legislature and the administration can result in this, where

² The main body of the literature was and is created by Frank Baumgartner and Bryan Jones, they are also the editors of several article compilations; hence the dependence on their former work.

these hegemonical institutions are deliberately designed in a way to serve as an executioner of the government's regulatory intentions.

Hegemonical subsystems can be natural as well, such as ones controlling public administration, virtually directing themselves. If work is effective and problems arise only on a few occasions, then oversight will be slight. This creates the possibility for these very institutions of controlling certain issue areas, which are otherwise hidden from the public as deeply technical issues.

Technical issues however can be at the forefront of the public agenda and still behave as a monopoly. Where expert information and knowledge is required for safe and effective decision-making, it is easier to create and uphold a specific framing. A famous example is nuclear energy. Even superficial debates about nuclear issues require a substantial amount of specialized knowledge, excluding the majority of the population.³ Baumgartner and Jones showed in 1993, how the United States nuclear energy tone shifted in a matter of years, from a positive perception, to an overwhelmingly negative one; all this while attention experienced a landslide rise, with congressional committees fighting over jurisdiction and claiming oversight at every instance possible.⁴

Maintenance and Stability of a Monopoly

Monopolies are maintained effectively, since they are inherently stable and unchallenged – hence the term "monopoly". Political and policy systems and most actors desire stability, which is a must for their long-term existence. The policy system is stable, because those participating share the same values (Baumgartner and Jones

³ Of course we should not forget decisions and statements supported only by ideology.

⁴ As seen in the nuclear energy policy example, low attention can also be a cause and facilitator of monopolies. When the public (and even decision makers) are simply not interested in an issue, it becomes the victim of those who are actually interested.

1993, 19): democracies are stable, if the majority of people seek democracy; dictatorships are stable when the significant majority agrees on not revolting; the institution of compulsory military service is stable as long as most people agree that it is necessary for some reason.

In 1993, Baumgartner and Jones proposed the use of the punctuated equilibrium theory in explaining policy change. The theory (widely used in other areas) claims, that the macro level stability of a system is composed of short to medium term stable periods with sudden, intense punctuations of change. The same explanation is valid for policies examined by Baumgartner and Jones (various policies and budgets): the status quo is unchallenged for a while, then something remarkable happens to the policy (e.g. a monopoly is broken down, perceptions change, ideologies change etc). This creates a landslide around the policy, in line with the Schattschneiderian negative mobilization concept observable in virtually any country: opponents of the status quo mobilize in a previously unseen manner when their interests are in danger, disrupting the equilibrium, but at the same time creating a new one.

Maintaining a monopoly is easy, one only has to exclude the most people possible, especially those who disagree. This *bon mot* might sound trivial, but policies boil down to two basic questions: *who decides about an issue* and *what is the prevailing perception about the said issue*? If we want to lengthen the partial equilibrium before the next punctuation comes, we can fine tune the distribution of intensities of preferences (Baumgartner and Jones 1993, 19), invoke the phenomenon of "expert knowledge", keep popular participation low (e.g. by keeping the issue one dimensional) or strengthen the institutional background and rely on the equilibrium induced by it (Riker 1982, 189; Shepsle 1979), i.e. dominate votes.

Destruction of a Monopoly

With the discreditation of incrementalism and the emergence of the punctuated equilibrium model, it is evident that monopolies are not fine-tuned over time or accustomed to new environments, but literally collapse, similarly as a three-legged stool falls to the side when one leg is kicked out. The collapse might give way to another monopoly, or simply let interest groups with equal strength debate about the issue.

A change and the destruction of a monopoly is particularly volatile, when positive mobilization occurs. Positive mobilization (also called positive feedback mechanism) is a self-reinforcing process, which "accentuates, rather than counterbalances a trend" (Baumgartner and Jones 2002, 13). One can experience this phenomenon, when manifestation of every single step along the feedback pathway yields instantly positive returns. The process is unpredictable (ibid, 14), due to its cascade-like nature, and is strengthened by some actors more than others, such as the „feast or famine” media reaction (Baumgartner and Jones 1993, 20).

Mobilizing indifferents is one way for destroying a monopoly, while the other is venue shopping. Venue shopping is the activity, where advocates and supporters of one particular viewpoint try to reach their goals by exerting pressure on other venues than the current monopoly is controlling. This was first noted by Schattschneider (1960), who argued that private interests will aspire to use those venues, which provide them advantages, rather than the ones keeping them back. The first models of this were set up by Baumgartner and Jones (1993), who viewed as strategic choices, not just ad hoc ones.⁵

⁵ It is important to distinguish between venue shopping and claiming jurisdiction. The former one is about one issue, and the phenomenon of reaching out to other venues by opponents of the status quo; the latter one is the action or tendency of a regulatory subsystem (e.g. committee) to expand its jurisdiction in an informal way, thereby claiming or strengthening a hegemonical position.

Efforts to destroy a monopoly can be more successful if utilizing agenda setting and attention distribution concepts. The government and the administration, though highly effective power structures, have their limits as well. High capacities of multitasking and parallel processing of issues are the norm, focusing on a few policy areas according to a government's prevailing ideology (Jones and Baumgartner 2005, 38-39). The "fire alarm oversight" of the government reacts, when issues penetrate the daily routine (Jones 1994). Utilizing blind spots of the administration is the very idea behind venue shopping, i.e. working in the micro level, while the government is burdened by administering problems surfacing on the macro level. However if the issue reaches the macro level, the government will be forced to react and the negative feedback will most likely take place, if the venue shoppers failed to gather enough momentum.

Research Structure

Research Questions: Do the utility price controls designed by Fidesz conform to the requirements to be categorized as a policy monopoly? Does this supposed monopoly change in structure and how does the change occur? What are the institutional circumstances behind this particular monopoly?

Proposition 1: The Economic Affairs Committee behaves as a hegemonical subsystem.

In order for a policy monopoly to be firm, stable institutional background is needed *per definitionem*. Framed as an economic issue, the utility price controls are supported by the Economic Affairs Committee inside the Hungarian National Assembly. The proposition is to be broken down into separate pieces, each examining a separate aspect of the EAC. Rational choice theorists (though excluding the role of ideologies), like Kenneth Shepsle (1979) and William Riker (1982) have laid down the groundwork for the discipline by looking at the institutional background, and equilibria induced by them.

Proposition 2: The Economic Affairs Committee claims jurisdiction from several other committees as well.

The Economic Affairs Committee is a powerful one. It has subcommittees for public procurements, energetics, telecommunications, transportation and infrastructure, housing policy, and several others; though these subcommittees virtually never held meetings (as seen from the memos and data on the parliamentary website). In the Hungarian legislative system, committees have the right to introduce bills and modifications for the National Assembly to be discussed in the plenary. A wide range of jurisdictional authority and a set of tools provide leverage for the committee; what

matters in this situation is the possibility of vindicating jurisdiction from other committees, a sign of internal power struggles. In order to examine the utility price controls effectively, one needs to know the institutional background, how the price ceilings were established in the legislature and what deliberations were voiced during the debates.

Proposition 3: The EAC is highly dismissive towards opposition initiatives.

The government easily maintains domination over economic issues with a comfortable 68% majority in the committee. Evidence for this proposition would further strengthen the argument, that for monopolies to be maintained successfully, a hegemonical institutional background is needed.

Proposition 4: The Utility Price Control is a policy monopoly.

The utility price controls in contemporary Hungarian politics are one of the most salient issues. It is useful to see, whether the government tries to create a policy monopoly with the use of homogenic arguments, framing the issue as a one dimensional problem, clearly defining “good” and “bad” stances towards the issue.

The framing of the opposition is also important, since the analysis of opponents’ arguments increases comparability for one, and also takes the interacting political forces into account: how one side reacts to the other.

Legislative Policy Dynamics in Hungary

As Fidesz was elected in Spring 2010, their two-third majority in the National Assembly gave them a possibility to centralize decision making. Opponents of the government frequently cited the so called "bulldozer politics" as a major source of disintegration of the democratic political culture (Tallián 2013). It is compelling to think that parliamentary committees (which serve as a gatekeeper in Hungarian legislature) will only become instruments of power for the government itself. Due to the importance of committees, it is crucial to research statics and dynamics of them. Due to the high salience of economic issues among the Hungarian people (see Appendix 1), I chose to survey the Economic Affairs Committee. Looking through introduced bills and the memos of the committee's meetings, there is ample resource for determining whether the committee works in a hegemonical way, facilitating the emergence of policy monopolies.

The Committee System in Hungarian Legislature

In the Hungarian National Assembly, bills introduced have to be debated and considered fit for the plenary by parliamentary committees. The Speaker has the authority to distribute bills to committees, several of them if needed. This way the Speaker (and naturally his staff) holds a significant power over controlling the venues. Besides dealing with bills handed in by the President of Hungary, the government, or any Member of Parliament, the committees can themselves introduce new bills and modifications for bills.⁶

The committees function as gatekeepers in this process, with virtually all of the legal intentions flowing through them if they wish to become more than just edicts or

⁶ Modifications of existing acts are technically acts by their own right in Hungary.

declarations. Formal bills are accumulating at the Speaker's office, which distributes the bills along committees, whose job in turn is to grant or restrict further access in the process. Granted access does not mean that it will become a policy for sure, it only gives the opportunity for general and sometimes detailed debate and discussion in the plenary. For those bills however, which did not make it through the meeting of the committee, this means the end of the road. They can be handed in again, but a firm denial in the first place is a strong sign of not letting through the bill for the next time.

The black box model of politics (Easton 1965) can be adapted for illustrating the legislative aspect of the policymaking process, as Figure 1 shows. Policymaking and regulation

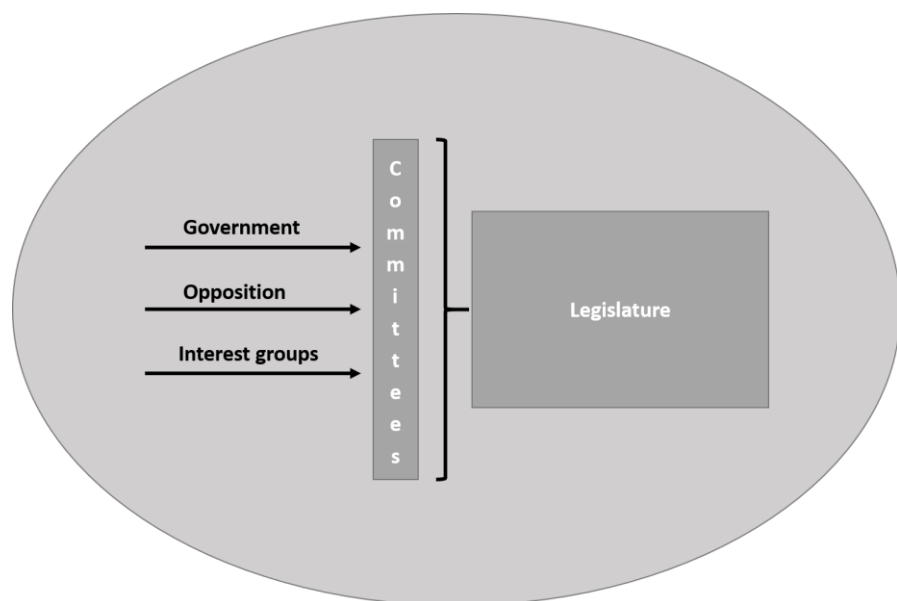


Figure 1

intentions come from the government, the opposition or various interest groups and civil society as well. The committees stand as gatekeepers, deciding who can gain access to the actual policymaking-legislative process. Committees are not just gatekeepers, but follow up with the process and modify the policymaking intentions according to their own interests and taste, until it reaches the plenary, and even there they voice their majority and minority opinions, which might affect even the final vote in the plenary. The plenary serves as a "trapdoor", releasing accepted intentions into the legal and administrative system.

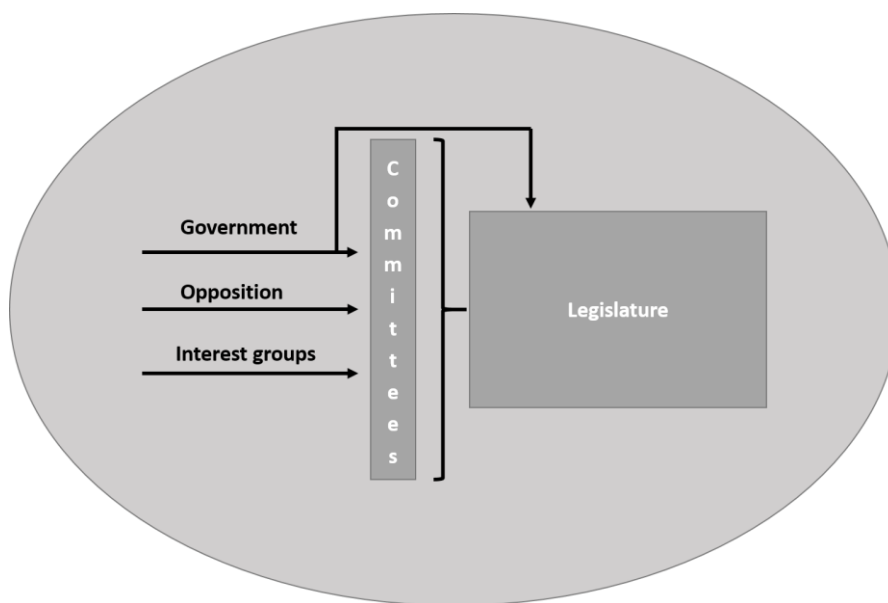


Figure 2

This black box model of course works differently as the fusion of the majority faction and the government changes, as can be seen on Figure 2. In countries where the aforementioned

actors regularly fuse together (common in parliamentary systems with centralized parties), the government can easily control the legislative process (by the appointment of loyal MPs into committees), thereby creating an effective method of barring opposition initiatives (and competing policy interpretations as well); and giving the government (and indirectly every supported interest) multiple entry points to the legislation through committees. However in party systems or electoral cycles where fusion is unlikely, the government needs to negotiate with the legislature, given the latter's more autonomous role. In this situation, committees are much more independent and have a greater role in policy formulation, not only as gatekeepers, but also as sources of interests – regardless of whether those interests are their own or belong to interest groups.

This dual role of committees makes them affluent. A significant portion of the process is under their control, and the right to hand in their own bills makes them a prime target for influencing, therefore we can judge the quality of governance to a great degree just

by analysing committee dynamics and individual committees' work (which I will do so with the Economic Affairs Committee). Committees became subsystems, which the successive governments most certainly would like to exercise control over.

While they may be the executioners of government intentions, committees may also have their own ideologies. Members may have different goals with certain issues and different viewpoints in certain situations. Furthermore, interest groups will surely try to convince committee members of the group's own truth. If many of these intentions are parallel in the committee, even a significantly different setup is possible, than what the government desires.

The Economic Affairs Committee (EAC)

The Economic Affairs Committee generally deals with economic issues, housing policy, energy policy and transportation. Jurisdiction is a semi-formal phenomenon, with tradition and pure reason (and of course the personal consideration) helping the Speaker distribute bills. There is no formal regulation for the policy area where committees can hand in a bill, which makes the intentions of claiming jurisdiction be fulfilled much easier. Therefore, there is a fine line between obligatory paperwork and vindicating jurisdiction. Many times committees have to issue standard or complementary approvals for a bill, even without actually discussing any sections or modifiers. These processes blur jurisdictional borders and make research significantly harder.

For mitigating the possible problems, one must apply care to the different types of committee documents. Two types of committee actions are important when looking at jurisdictions (and the claims): committee modifiers and complementary committee approvals.

Committee modifiers are issued by the committee (more precisely: the majority of it), due to a wide range of causes. These modifiers can correct grammar and spelling mistakes, be technical for the sake of legal coherence and they can actually modify the bill. What is important to look at here, what does it actually modify. It is not exceptional, when the Economic Affairs Committee provides economic and fiscal assistance to a bill (e.g. defines certain fiscal terms). But when this committee modifies the security requirements of an inland sewage treatment facility, and these kind of modifiers are not uncommon, that is a traceable proof of internal power struggles for expanding jurisdiction (and therefore control over more of the legislation).

Complementary committee approvals are a list of all the introduced modifiers discussed and voted on by the committees in charge. The same circumstances hold here, as explained above. It is fairly easy, therefore difficult to notice, to frame an issue from the economic side. The same phenomenon holds with tax authority: it seems natural to have economic subsystems control tax issues, but at the same time these are jurisdiction intrusions of high scale.

Party faction	No. of committee members	Perc. of groups in the comm.
Fidesz	18	60%
MSZP	4	13.3%
Jobbik	3	10%
KDNP	2	6.7%
LMP	1	3.3%
independent	2	6.6%
Total	30	100%

Table 1. Party affiliation of EAC members. (Note: government affiliated factions are highlighted in light orange.)

As Table 1. shows, during the 39th cycle (i.e. between 2010 and 2014) the *Fidesz-KDNP* coalition followed general mandate ratios among MPs to distribute committee membership. Together Fidesz and KDNP possess a two-third majority not only in the

plenary but in most of the committees as well.⁷ Memos of all of the 197 general meetings of the committee members are available, creating the possibility to judge the quality of lawmaking in the committee not only by just looking at the party distribution within and jumping to biased conclusions.

A distinction needs to be made here concerning different types of legislative texts. The first type inspected in this thesis are the ones debated in committee meetings. These are bills which are distributed by the speaker, and receive regular and complementary committee approvals (the latter containing information about the modifiers). These show tendencies about the Speaker's habits of distributing bills, but they do not give us clear cut evidence of the informal changes in jurisdictions.⁸ In return, valuable data can come from these documents explaining the black box of committee politics.

The second group is documents introduced by the committee, such as the approvals and modifiers of the committee. The information extracted from these documents can indicate jurisdictional struggles in the committee system, and trends concerning the independence of the committee and possible hegemonical behavior of its majority.

Bills Debated by the EAC

In total, there were 383 bills debated in the committee during the years 2010-2014; that is 30% of all the 1278 approved bills. This signals even without comparison, that the Speaker distributed bills generously among committees. A quick look at the parliamentary website confirms this suspicion: rarely does a bill have less than three assigned committees, regardless of how narrow and specific the topic of that bill is. If

⁷ This is important, since a modification for a bill has to be supported by at least a third of a committee to be even considered fit for vote. This means that in Fidesz two-third committees, every single opposition and independent members have to support an opposition introduced modifier to be sent into the plenary (without the formal support of the committee of course).

⁸ The problem of a longitudinal analysis in this case is that it is nearly impossible to control for the personal habits of different Speakers, taking even daily politics into account.

there is even a slight possibility of mixed topics, the Speaker distributes the bill to other venues as well.

I have coded said documents based on the Comparative Agenda Project Codebook v22.0. From the occurring major topics 2 (rights and liberties), 3 (health), 4 (agriculture), 7 (environment), 9 (immigration), 12 (law, crime and family issues), 23 (cultural) occurred as not naturally inside the economic, transportation, IT and energy venues, or they have their own committee.

Major topic distribution in debated bills

MT	Frequency	Percent
1	106	27,7
2	6	1,6
3	7	1,8
4	2	,5
5	22	5,7
7	13	3,4
8	40	10,4
9	1	,3
10	27	7,0
12	8	2,1
14	28	7,3
15	54	14,1
17	13	3,4
18	6	1,6
19	2	,5
20	45	11,7
21	2	,5
23	1	,3
Total	383	100,0

At first sight, these bills make up for 10% of all debated bills. After the clearing of bills which were not accepted (voted down or revoked), this rate increases up to 11.9%, meaning bills the committee did not let through were actually in a committee related topic. It is important to deal with not accepted bills for the sake of the hegemonical proposition.

Crosstabulation of bill acceptance

		accepted			Total
		yes	no	recall	
introducer	government	185	26	3	214
	Fidesz	78	3	7	88
	opposition	0	79	2	81
Total		263	108	12	383

Lambda (acceptance as DV): ,337***; Cramer's V: ,578***

None of the opposition introduced bills went through, while 4 percent of the non-recalled Fidesz and 14 percent of the non-recalled government bills experienced the same. The tendency is visible even without statistical measures, showing a total majority dominance of the committee during the four years. The 14 percent rejection of government bills hints at a level of sovereignty of the committee, elaborated later with other data.

Taking a step back and looking at the major topics (after a qualitative clearing of bills which are in the mentioned major topics but still are economic issues), we find that 7% of the accepted bills are actually outside of the committees jurisdiction, the bills being of agricultural, environmental, immigration, law & order, and cultural nature, without a keen focus on any economic, transportation, IT or energy area.

For example, bill T/10328 received several modifiers, both from the economic and the criminal perspective.⁹ While it is not rare to find committees declaring that they have no jurisdiction over a modifier, therefore they are abstaining from voting on that particular modifier; the EAC takes a step forward and debates all the modifiers, even the ones about a change in the Penal Code and ones defining terrorism.¹⁰

For another bill, T/5539, the EAC even rejects a modifier about copyright infringements.¹¹ After that, it goes head on to contradict the committee actually controlling the Cultural Heritage venue, rejecting a proposed modifier about the creation of a symbolic database of Hungarian cultural heritage. This internal struggle can be seen several times throughout the modifiers of this bill.

Bills Introduced by the EAC

Throughout the four year cycle, the EAC introduced several hundred documents: committee approvals for the plenary debate and own modifiers. In this section I will mostly focus on the latter, for which there is a simple reason. This sample is free from the effect of the Speaker distributing bills, so it is easier to see the internal struggles of committees.

There were 238 modifiers introduced by the committee, 25% of them in major topics 3 (health), 4 (agriculture), 5 (employment), 7 (environment), 9 (immigration), 12 (law & order), 21 (land and natural resources); not normally associated with the EAC. After a close examination, 4% of the modifiers seem to be outside the EAC's jurisdiction.¹²

⁹ Modification of existing anti-terrorism and money laundering procedures.

¹⁰ After a non-representative survey in committee memos, seems like that the Customer Protection Committee is especially honest with its own jurisdiction regarding various modifiers.

¹¹ Creation of an act concerning the hungaricums, unique Hungarian cultural trademarks.

¹² Four percent may not be seen as a significant amount, but keep in mind this is only the EAC's modifiers. In the committee approvals, one can find roughly three-four times more jurisdictional friction about modifiers introduced by other committees or MPs.

This includes modifier T/10748/10 for example, where the Committee recommended the extension of the government's discretionary authority over certain areas of metal trading.¹³

Apart from modifiers, jurisdictional struggle can be seen several times throughout the cycle. Committee approvals list the opinion of committees with regard to the different modifiers. The Economic Affairs Committee contradicted other committees several times, namely the Local Government Affairs and Local Development Committee, the Sustainable Development Committee and the Customer Protection Committee; all of them otherwise controlled by Fidesz. This is a clear sign for pressure inside the committee system.

It is evident from the data seen and interpreted above, that the Economic Affairs Committee is a highly hegemonic subsystem, controlling its own jurisdiction and vindicating others', at least to a degree. This nature of the EAC and the high salience of economic issues in the population make the utility price controls a prime subject for a case study.

¹³ There are a few occasions, where the Economic Affairs Committee introduces modifiers which seem to create benefits for the government in terms of authority. In modifier T/13478/10/28, an omnibus bill, the Committee recommended the extension of governmental authority over several jurisdictional areas; regardless of the actual topic.

The Utility Price Ceilings

One of the biggest governmental actions in the 2010-14 cycle was the implementation of utility price ceilings. These regulations set ceilings for overhead costs at a flat rate for Hungarian households, the ceilings were lowered at every new wave and gradually expanded for every household expenditure concerning utilities (such as canned gas, waste disposal fees etc). The actions taken had their negative effects on companies, but Fidesz created a tool which let them dominate the political arena and the public agenda (see Appendix 1).

I hypothesize, that during the legislation of the several waves of the price ceiling, the Economic Affairs Committee was able to set up a policy monopoly due to a one dimensional framing of the bills and the exclusion of opponents who would have liked to address other concerns as well. This chapter will contain the qualitative and quantitative assessment of the committee memos, modifiers, and the included justifications in these documents and the price ceiling bills itself, may they originate from Fidesz or the opposition. These comparative possibilities give a keen advantage over solely looking at the issue in longitudinal terms.

Overview of the waves

Though far-right opposition party Jobbik vouched for utility cost controls previously, Fidesz implemented this idea as their own. The first wave came in late 2012, when ministerial edict 78/2012 NFM issued by the Minister of National Development lowered the price ceiling on distance heating, electricity and gas by 10% for residents. The ceiling was expanded to several other utilities in the summer.

The second wave was implemented in early November, when the costs of distance heating, electricity and gas were further lowered by 11,1%. During the General Election

campaign, the third wave was decided upon (just seven weeks before Voting Day, 6th of April, 2014); it issued a lowering of gas costs by 6,5% from First of April; electricity costs by 5,7% from First of September and distance heating costs by 3,3% from First of October.

Though not similar, the regulation of bank account costs were categorized as "fiscal utility lowering" as well by the government, which is prevalent in the bills' title.

Parliamentary data

Nine bills were introduced as some form of utility bills by Fidesz, namely 10383, 10896, 11205, 12491, 12713, 12846, 12977, 13138, 13629.¹⁴ Of these, 12713 is a political declaration voted on and issued by the National Assembly, voicing concerns of the Assembly about the supposed political pressure exerted by the European Union's bureaucracy.

The opposition (with the obvious intentions of changing the discourse) introduced several modifiers for the above mentioned bills and introduced seven of their own. None of these were were let through by the committees, while 13677 is in a state of "legislative limbo", where the committee for which the bill was issued did not even discuss it.

A certain haste can be seen when looking at the days between the bill's introduction and its acceptance by the plenary. 859 acts were passed in the course of four years, with an average 33 days spent in the legislative process. On the other hand, utility bills got voted on (successfully of course) only in an average of 22 days.¹⁵

¹⁴ Because of looking at the legislative process, not the actual acts, bill numbers are used instead of using legal citation.

¹⁵ Sadly the difference of means is not significant, due to the low number of observations. However, the upper bound of the 95% confidence interval for utility bills and the lower bound for all bills are not superimposed.

Governmental framing of the issue

One can imagine a virtually endless number of possible images for a governmental action like the utility price controls. It has its fair share of economic circumstances, budgetary possibilities, social differentiating between the beneficiaries, customer protection and so on. My goal in this section is to look at all the government introduced bills, their modifiers and the debates around the bills both in the committee and in the plenary, and classify the arguments of Fidesz MPs. The weight and frequency of arguments will be calculated in relation to each other, thereby producing valuable data on the longitudinal changes in framing.¹⁶ Line diagrams stacked up to 100% will show the distribution of main types of arguments.

Five distinct argument types were used:

1. Anti-provider: the price controls are needed to take back what the profit hungry service providers have taken from the people. It is morally right to do so, since these companies (many multinational) were realizing extra profits.¹⁷
2. Anti-socialist: shame on the socialists for increasing energy prices during their previous eight years.¹⁸ They failed to lower the prices before, and as of now they work against the price controls, lobbying against it in Brussels.
3. High prices – big savings: due to the high prices of energy, we have an obligation to do something. Lowering the costs will provide a surge in the disposable income of Hungarian families, who otherwise have to pay 25-50% of their wages on utilities.

¹⁶ A computer based sentiment recognition was considered, but due to the lack of a proper political dictionary and stoplist, it is more meaningful and detailed if I read through all the related texts and qualify the contents (the transcripts of roughly 30 hours of live speech debates).

¹⁷ Extra profits mean a morally wrong type of profit. After a while, Fidesz started arguing for a non-profit utility sector and this term was abandoned in the arguments.

¹⁸ A frequented expression by the government and its supporters in the 2010-14 electoral cycle. When faced with criticism, they pointed back to the Socialist governments between 2002 and 2010.

4. Sovereignty: we have a basic right as a sovereign nation to lower our utility prices. We must fight Brussels, multinational companies and any enemies who wish to bar us from succeeding.
5. Customer protection: after legislating the price controls and related measures, service providers will not be able to mess with the people. Their conducts will be supervised meticulously, and the imposed strict rules will be enforced for the benefit of the people.

The first wave (T/10383-T/11205)

In the first wave of the price controls (excluding the ministerial edict), the main arguments were not clearly hierarchical, as Figure 3 shows. The first three arguments were evenly distributed, while sovereignty and customer protection were lagging behind.¹⁹ Customer protection had a small punctuation during 10896, when technical details of the first wave had to be specified, mainly in the field of customer protection. Surprisingly, the everyday political squabble between Fidesz and the socialists stopped for a moment and they focused on policy (at least to a degree). Nonetheless, as the table shows, the anti-socialist

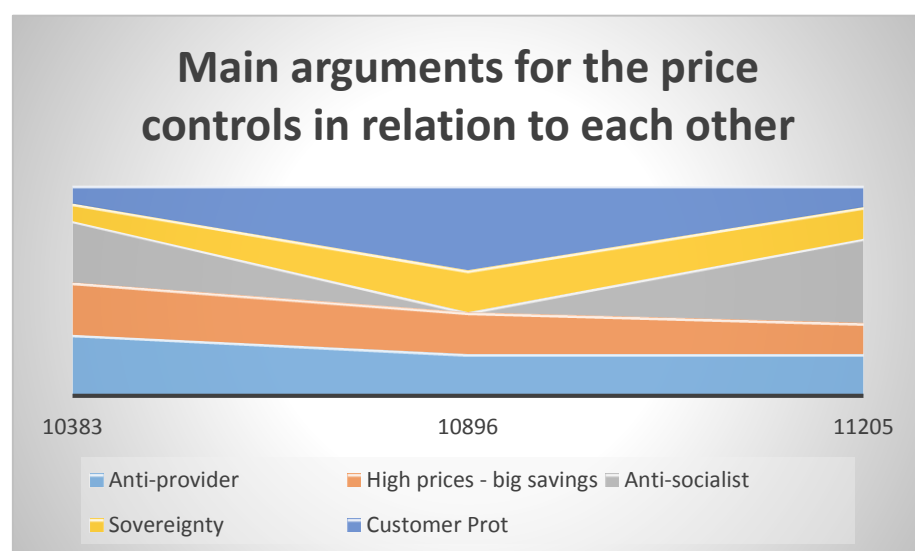


Figure 3

¹⁹ These arguments did not get to the top of the hierarchy. Customer protection generally enjoyed a firm last place, but it was more evenly distributed than the sovereignty argument, which only had a surge at the 12713 political declaration.

shaming arguments came forth right as the technical problems were solved and the expansion of the price controls were on the agenda with T/11205.

Looking at the two big newspapers' front pages during the first wave, it seems that the generally social democrat *Népszabadság* was much less interested in number of articles compared to the rightist *Magyar Nemzet*, but still handled their articles of a much higher importance (more articles with pictures and lead paragraph).²⁰

The hegemonical dominance of Fidesz over the Economic Affairs Committee can be shown precisely with the analysis of some modifiers of T/10383. Socialist modifiers included T/10383/1, willing to expand price controls over manual waste disposal (in areas where sewer systems have not been built). The EAC's majority did not let this modifier through, instead introduced bill T/11205 later during the summer, actually proposing the same expansion. One could argue that they created impact assessment studies in the meanwhile, but in the 2010-14 cycle, Fidesz provided none if its bills with impact assessment (though the valid lawmaking procedural rules require it).

The same happened to Socialist modifier T/10383/2, which would have rephrased the original bill to include apartment complexes as well. The modifier was voted down, and during the same process, T/10383/9 was proposed by the Committee (more precisely, the majority of the Committee), containing the same changes, but now labeled as a committee modifier, not an individual (and Socialist) one.

All these above mentioned cases provide an insight into the continuous efforts of the Fidesz majority to dominate a committee and therefore the lawmaking process.²¹

²⁰ Difference of means significant at the $p < .001$ level.

²¹ The rejection of more than twelve percent of government introduced bills weakens the notion, that committees are simply the executioners of government intentions.

The second wave: (T/12491-T/12846)

The second wave of price controls included another cut in the utilities, a political declaration and a cut in bank account withdrawal costs as well (termed „fiscal utility price controls”).

The main arguments for this wave were still revolving about shaming the Socialists. During the EAC discussion of the bill, Fidesz-members (even the president of the committee) argued for the necessity of the price controls, because Socialists let prices soar between 2002-2010 more than the global rates would have indicated. The intellectual depth of the debate was indicated, when the president of the committee even mentioned, that "he is grateful for the ceiling holding out", after the Socialist vice president finished his comments (GIB/79-3/2013., 14).

The second wave consisted of a political declaration as well, concerning the political pressure of the European Union bureaucracy against the price controls. It is telling, that the main arguments even here were directed against Socialists [the first three paragraph of the declaration deals with the faults of the previous Socialist governments, while the other half asks the government in the name of the National Assembly to defend the price controls from the attacks coming out of Brussels (P/12713)].

Main arguments for the price controls in relation to each other

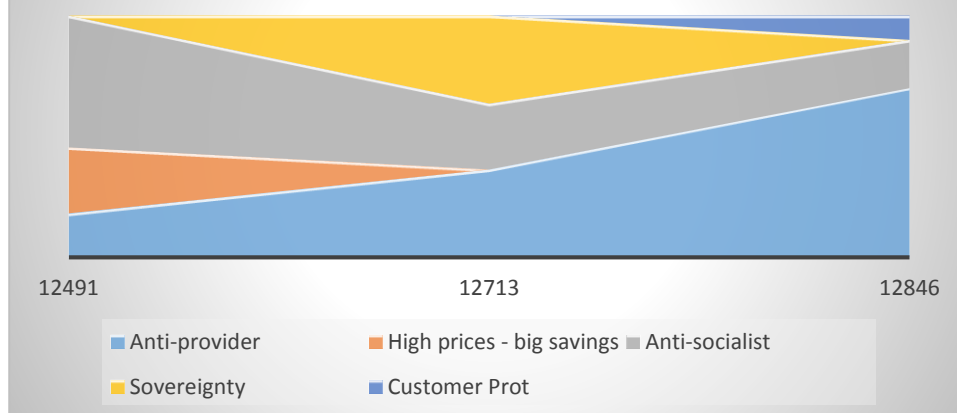


Figure 4

The arguments against the providers were naturally strong, as it can be seen from Figure 4, and they were gradually

getting stronger, when T/12846 was introduced, cutting back the costs of bank account withdrawals. The bill (later act) provided two free withdrawals for every citizen up to 75.000 Hungarian Forints per transaction. The government categorized this as a fiscal utility, which is even prevalent in the title of the bill.

It is not surprising to see the arguments against the conducts of banks and financial institutions. What is surprising that the share of the anti-Socialist image stayed consistent even when discussing rises in bank account handling costs of the past few years. This gives us a hint that a significant, constant part of the image is "bashing" the Socialists.

The almost third wave: technical modifications (T/12977-T/13138)

Before the third wave was voted on in Spring 2014, bills 12977 and 13138 were introduced, contributing to the customer protection aspects of the policy. 12977 contained the precise rules how utility bills should look like (even color codes, precise format etc).

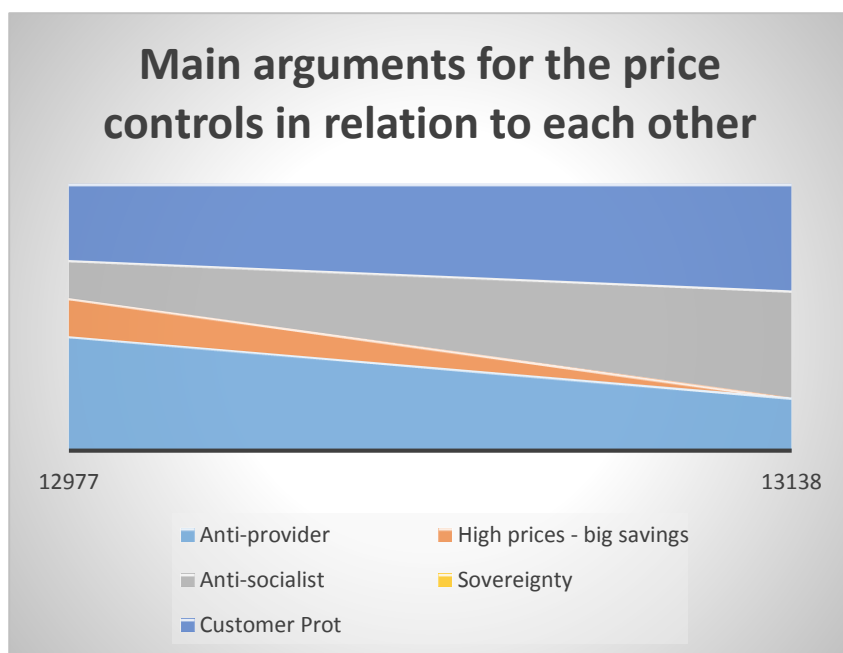


Figure 5

What is surprising to see on Figure 5, that the technical, expert proficiency arguments are unable to reach a majority in the debates, failing to dominate the negative arguments. The anti-provider and anti-Socialist arguments

are still frequented base arguments and quick rebuttals.

The third wave: (T/13629)

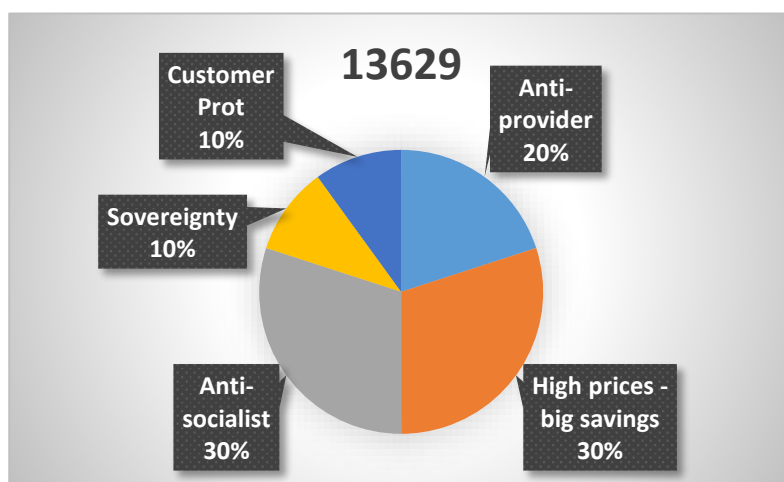


Figure 6

During the campaigning for the 2014 General Election, Fidesz MP Szilárd Németh (who introduced all of the utility bills) presented the third wave in early February. The bill would introduce a cascading price control,

different dates for different utilities. The bill itself received considerable attention amidst the campaign. Main arguments (shown in Figure 6) were still the anti-provider and anti-Socialist ones, which together still dominated the arena. Though the "high prices" argument in itself was strong during the debate, it revolved around the notion that

prices in 2010 were high, so the argument was more of a retrospective one. In this sense, the present discussion was framed much more by the „anti-„ arguments.

General review of governmental framing

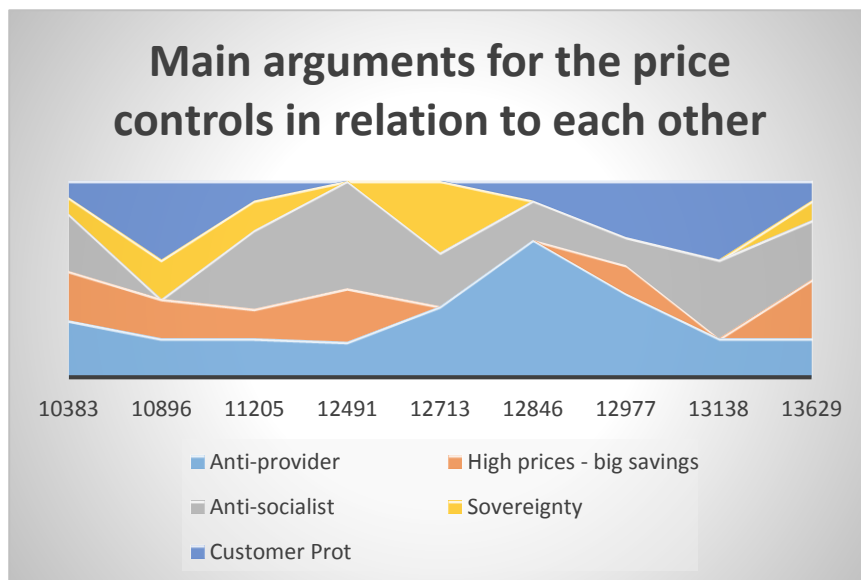


Figure 7

During the course of the price controls starting in early 2013, the government used mostly anti-provider and anti-socialist arguments (see Figure 7). These are the two lines of thought which

can be connected with each other, and summarized as the "antagonistic argument" (shown on Figure 8). The image of the price controls is the built up using mainly this argument: *we need the price controls, since Socialist governance was bad in terms of quality, and now they support those companies, whose only goal in the market is to realize immoral profits*. The issue is filled with numbers (e.g. prices at different times), technical terms (e.g. purchasing power parity); the framing is a useful guideline for supporters and undecided to understand the issue and the political events. It also serves as a target mark, designating political and market actors responsible for perceived problems (i.e. scapegoating).

The tone is also set by the starting point of the arguments: against something.²² In present-day Hungary, negative feedback can be successful, since political participation

²² Opponents termed the events as „utility wars”, referring to the frequently used martial terminology in the discussion of problems by Fidesz.

is much more influenced by political affiliation, than socio-demographic indicators (Kern-Szabó 2011, 28). Kern and Szabó found, that the classical indicators, such as age, wealth, education etc. are just secondary compared to political indicators, such as the ability of someone to choose a party to support and the clear presence of

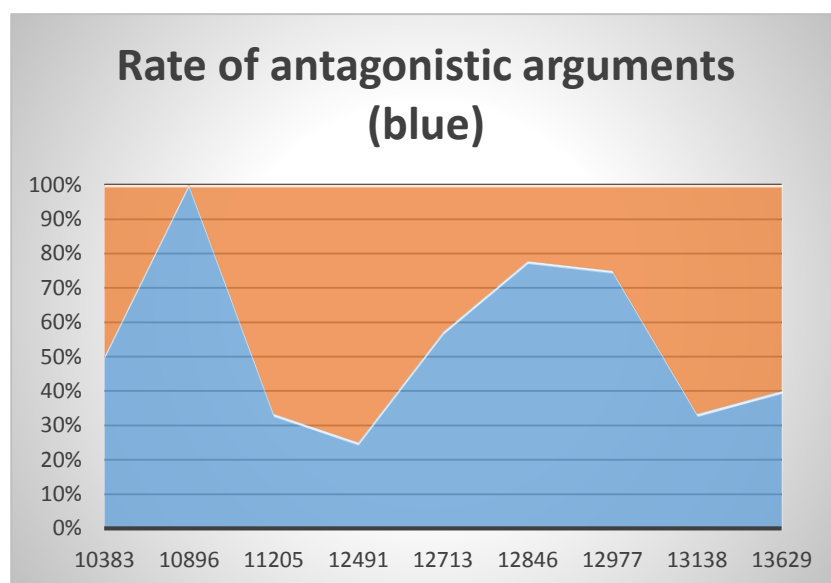


Figure 8

separation between the contents of party programs (ibid). These findings were replicated by several authors, such as Kmetty-Tóth (2011); and are accepted as a major axiom in today's participation studies.

Apart from the 10896 technical modifier bill's anomaly, antagonist arguments enjoyed a comfortable majority throughout the inspected period. The issue become one dimensional, there is no middle ground.

Opposition framing of the issue

I've examined the opposition arguments as well for the thesis. Though the opposition cannot be treated as a homogenous entity, their arguments are much the same apart from the anti-establishment Jobbik's "one against all" mentality. Opposition bills were left out from the analysis, to increase comparability, and for the plain fact, that these bills did not even make the plenary and all but one were not even debated in the committee meetings.

The opposition arguments voiced over the course of the price controls were as such:

1. Grew more previously – Not enough: energy and utility costs grew much more between 2010 and late 2012, than the controls are cutting back. Therefore the controls are just a clever bluff, people need more.
2. Anti-Fidesz: Fidesz is only using the controls as a means of collecting prospective votes, not as a tool to help people in a moral way. Fidesz-governance is horrible, the country is in ruins.
3. Social Differentiation: the flat rate of controls give those rich people help, who do not need it, and fails to give enough for those who need it the most.
4. Energy Efficiency: instead of pouring money out the window, finance green developments and energy efficiency programs; these would be the real utility controls.
5. Unsustainable: the budget cannot bear the subsidization of state-owned energy companies in the long term. Furthermore, many utility companies in the spheres of waste disposal, distance heating, chimney sweeping and wastewater disposal are operated by small entrepreneurs and local governments. They will be out of business and a lot of people will be out of service soon.

There is less to be said about opposition arguments, partly to their heterogeneity, partly to the worse coverage of opposition notions in the population. There are no visible correlations between government and opposition arguments, hinting at the possibility of these framing tools following their own path rather than mobilizing against each other. Opposition arguments are heterogeneous (see Figure 9), with a general Anti-Fidesz line emerging as the dominant one after the T/12713 political declaration. It can be clearly seen how different argumentation lines were slowly succumbed under the perceived efficiency of the opposition's own scapegoating.

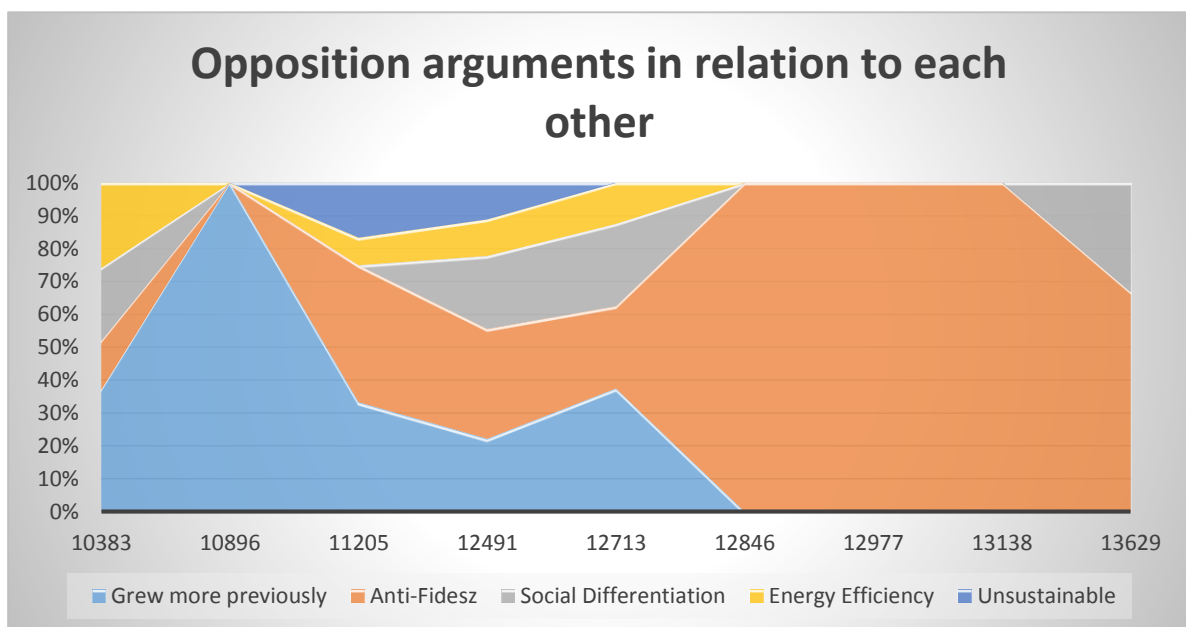


Figure 9

Conclusions and Take Aways

The policy monopoly of the utility price ceilings is present as a one dimensional, non-economic issue, and it is easy to follow its creation. A hegemonical subsystem, like the Economic Affairs Committee serves as a fruitful source for a policy monopoly to emerge from. The EAC is dominated by MPs loyal to the government, effectively blocking every single opposition initiative; even if opposition modifiers for a bill would only correct grammatical mistakes and improve legal coherence, the government majority rather blocks these and introduces said modification as their own. The president of the EAC regularly steps outside the boundaries of leading the meeting and actively participates in the debates.

The Economic Affairs Committee also proved to be an initiator of jurisdictional struggles inside the legislative committee system. Though the Speaker and his staff graciously distribute bills to the committees, this does not prevent the EAC from vindicating jurisdiction from other committees (especially the Local Government and the Customer Protection ones, with occasional ventures into the jurisdiction of the Justice Affairs Committee).

The findings fit together, marking the role of the EAC in the legislative process humongous. Of course one could criticize the methods on the basis, that policy monopolies are generally examined using legislative data spanning several decades. However, for this thesis, my methodology is based on both the mentioned data and both the qualitative and quantitative assessment of framing, spanning the course of fifteen months. The methods and conclusions are valid by scientific standards; and the need of creating an alarm system for noticing monopolies early is a prerequisite in the further development of governance studies.

APPENDIX 1 - The Public Agenda During the General Election

Campaign of 2014

Agenda polling was not widespread in Hungary during the previous electoral cycle. Nézőpont Institute (a for profit private company) and the Social Research Institute of the Academy conducted representative agenda polls starting in October 2013 for the Academy and one month later for Nézőpont. They conducted polling on a monthly basis, though in the Academy one, December and January are merged together, as well as February and the first half of March.

The aforementioned institutes use similar methodology, they've both used closed question surveys, at the end of omnibus questionnaires. There are two major disadvantages concerning this methodology: first, some issues can simply be left out (though the Academy based questions on newspaper coverage²³); second, otherwise unknown issues may be selected by the subjects, just because they were mentioned earlier in the questionnaire. Regardless of these possible problems, we have no options other than these and the media to uncover public agenda.

²³ Issues presented on the front page of Hungary's two main political newspapers, the social-liberal Népszabadság and conservative Magyar Nemzet.

	Nézőpont	Academy	Print mediums
November	utility price ceilings	utility price ceilings	economic situation
December	utility price ceilings	utility price ceilings	upcoming elections
January	utility price ceilings	utility price ceilings	utility price ceilings
February	utility price ceilings	Gábor Simon-scandal	upcoming elections
March	utility price ceilings	Gábor Simon-scandal	upcoming elections

Table 2. Top issues in agenda polls and print political mediums by sources.

As we can see from the public agenda table presented above, the population is highly centered around economic matters, namely the general economic situation, loans taken up in foreign currencies, Paks power plant, and mainly in the utility price ceilings. These are mainly economic matters, or they are specifically framed as economic matters.

From the gathered data – though extrapolation of these findings is not a peculiarly stable thing – we can see, that the general population cares deeply about economic matters. Even in the campaign period, non-media resources tell us that the utility price ceiling, which was one of the most memorable actions taken by the government and what thematized public discussions to a great deal, is an issue on a highly elevated position. The utility price ceiling never fell below 56% in the inspected timeframe, which means that even in months characterized by a lack of attention from the government towards the price controls (meaning the implementation of a wave was finished but no new wave was announced), such as December 2013 and January 2014, people still regarded it as a major phenomenon affecting their everyday life.

APPENDIX 2 - List of Parliamentary Committees

1. Economic Affairs Committee
2. Local Government Affairs and Local Development Committee
3. Constitutional, Justice and Legislative Affairs Committee
4. Budget Committee
5. Agricultural Committee
6. Health Committee
7. Human Rights, Ethnic, Civilian and Religious Affairs Committee
8. Defense Committee
9. Youth, Social, Family Issues and Housing Committee
10. Educational, Scientific and Research Committee
11. European Affairs Committee
12. Sustainable Development Committee
13. Customer Protection Committee
14. Cultural and Media Committee
15. Foreign Affairs Committee
16. Sport and Tourism Committee
17. Employment and Work Affairs Committee
18. National Belonging Committee
19. National Security Committee
20. Immunity, Conflict of Interest and Mandate Affairs Committee

APPENDIX 3 - Promising results on apathy

Even without the high salience of various issues in the population, it is not well known how policymaking processes affect the population in various manners. In previous chapters, I mentioned the mysterious “good governance”, which will never be an objective truth, but parts of it could be investigated. I hold that public policy, as a democratic discipline, should strive to provide research findings to help democracies and transitional states acquire better circumstances and be able to improve the policymaking processes to create a better future for the most people possible. In this manner, I collected various institutional trust ratings and participation indicators from the period 2010-14 (Medián 2014), and chose to run correlation and regression models on said numbers. The theoretical background comprised of Hungarian researches, pointing out sources of participation and trust in contemporary Hungary.

Based on Kern and Szabó (2011), and Kmetty-Tóth (2011), it is supported with firm data that in Hungary, political participation can be explained more by political indicators, than by socio-demographic ones. Trust is also indicated by political indicators and information acquired from the media (Szabó 2014, 5). The most volatile trust measures (Parliament, Government, Parties) were higher for government supporters, than opposition supporters on a structural level (ibid, 15). Though these findings are not surprising for anyone living in Hungary, it is important to take into account, for the effective use of control measures.

The three mentioned trust measures show a high level of correlation with each other, and show no specific cyclic movement as participation or interest in politics does. After controlling for the effects of political cycles, I looked at correlations and regression

models with the Monopoly Index.²⁴ Controlling for various political indicators, the Monopoly Index shows a strong correlation in forecasting models with trust measures and participation measures. In regression models, there are signs for possible inverse or quadratic relationships between the participation of survey respondents and the strength of the MI.²⁵ The nonlinear case would exhibit a curious case of alternating feedback mechanisms through a short span of time. If the quadratic relationship has validity, then it could show how there is increased apathy (lack of trust and participation) when a policy image prevails over others, but people are still eager to vote and participate when the image is fragmented or when it is completely homogenous.

The case of participation and trust is important, since the relationships here (if they are existing in the first place) tend to go unnoticed. When the equilibrium is punctuated, economic and legislative effects are easy to research: just think of the economic consequences, when the beneficial image of a product or service (such as pesticides, fossil fuels etc.) is broken down and a cautious, negative tone takes its place. One can see the effects of this in prices, investments and jobs, but researchers rarely go for underlying effects of changes in highly salient topics. This is the very reason why looking into statistically non-significant trends is important, even if these assessments yield no firm evidence.

²⁴ The index consisted of the rate of dominance in utility price controls arguments, then later expanded with media coverage of the issue.

²⁵ The findings were statistically not significant, due to the small number of inspected data. An expansion of the analysis would decrease the p-value based on my experiences.

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