

**FRAMING OF HATE: A HUNGARIAN CASE-STUDY  
OF THE POLITICAL DISCOURSE ABOUT  
BIAS-MOTIVATED CRIMES**

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## Abstract

In my thesis I look at how the Hungarian government reflects on hate-motivated crimes and how the discourse reflects on the underlying phenomena of hate crimes, such as anti-Gypsyism, anti-Semitism and homophobia. I investigate whether the discourse about hate crimes is constructed in a way that it sends a symbolical message through the expression of different forms of condemnation. Furthermore, I examine whether hate crimes in the political discourse are more likely to be framed as structural problems or as individual criminal cases and whether there is a difference in the communication merely on the basis of the protected characteristics. To address these research questions, I use qualitative content analysis and discourse analysis to capture how the government talks about hate crimes and the underlying phenomenon.

The thesis concludes that it seems that the Hungarian government is more likely to take a symbolical path in the communication about hate crimes and underlying phenomena with expressing its condemnation against hate crimes. On the other hand, the analysis suggests that the Hungarian government recognizes that anti-Semitism is an emerging problem, but only occasionally recognizes it in the case of racial violence, while homophobic violence is not recognized at all. Finally, the difference between the different protected characteristics is presented in the entire discourse. The discourse is undoubtedly positive in the case of Jewish people, less clear about Roma and there is no real discourse regarding to homophobia.

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## Introduction

In the European Union and North-America increasing attention is paid to hate crimes as a structural and emerging problem; structural because it is rooted in phenomena such as racism, anti-Gypsyism, anti-Semitism, homophobia, xenophobia and emerging because of the increasing case numbers. Not only the legislative and political answers, but hate crime scholarship has also evolved in the last ten years (Perry 2009).

However, in Hungary, it seems there is no genuine social and political intention to deal with these crimes. While in the UK the number of cases is around 40,000 annually for a population of 63 million, in Hungary, with a population of 10 million, only a dozen cases appear in the official statistics (“Hate Crime Reporting” 2014). The low number of cases does not mean that hate crimes are a rare phenomenon in Hungary, but it is attributable to two reasons: hate crimes are under-reported<sup>1</sup> and under-recorded<sup>2</sup>. Hate crimes are an everyday problem in Hungary; if we look only into the under-reporting side, based on the victimization surveys it seems that 99.7% of hate crimes are not reported (Dombos 2013; J. van Dijk 2005).

Based on the nature, effects and extension of hate crime, it should be a burning issue for the political elite, who may play an important role in the reproduction and prevention of racism, and in combating intolerance and discrimination. Political discourse and decision making on these issues necessarily effects not only the entire elite, organizations but both the majority and minority population (T. A. van Dijk 1993). In the same way as professors control the scholarly

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<sup>1</sup> Victims do not even report the crime, therefore the authorities do not become aware of the crime.

<sup>2</sup> There are two main reasons for under-recording: firstly, omissions by the authorities like ‘misqualification’ when the police disregard the motivation during the investigation, and secondly, problems which are attributable to the data collection systems and its anomalies.

discourse, journalists control media discourse, lawyers control legal discourse, politicians control policy and other public political discourses.

In the light of all of these, in my thesis I look at how the government reflects on hate-motivated crimes and how the discourse reflects on the underlying phenomena of hate crimes, such as racism, anti-Gypsyism, anti-Semitism and homophobia. The main motive of the project is to advance our knowledge and to extend the understanding of the discourse about hate crimes, especially its framing in political discourse.

Hate crimes are criminal acts committed with a hate or bias motive. The first element of a hate crime is the act that constitutes an offence, for instance, assault, threat, murder and property damage, under criminal law (OSCE ODIHR 2009). The second element is the hate or bias motivation. The term ‘bias’ is more often used by international documents (OSCE Ministerial Council 2009b), because in several cases the offender might not hate the victim, but is motivated by bias, by some negative attitude towards the victim because of her protected characteristic, in other words, her membership in a specific group (Lawrence 1999; Berard 2010). This negative attitude is based on the personal characteristics of the victims; the perpetrator chooses the victim because of a particular characteristic, such as race, ethnicity, national origin, religion, sexual orientation, or disability (OSCE Ministerial Council 2009b).

The starting point of the thesis is that hate crimes differ from other criminal acts in several regards. It is often said that hate crime laws and politics have a symbolic nature (Jenness and Grattet 2001; Beale 2000), which partly derives from the impacts of hate crimes. Because hate crimes have a significant impact on three different levels: on the individual victim, on the victim’s (protected) group, and the whole society. In relation to the protected groups “there is

a particularly strong symbolic value to adopting and enforcing strong hate crime laws” (OSCE ODIHR 2009).

In parallel with the symbolic nature of the act, hate crime politics have some symbolic significance, because they are designed to transmit the symbolic message to society that criminal acts based upon hatred will not be tolerated in a democratic society (Jenness and Grattet 2001). The symbolic nature connects to the acknowledgment of hate crimes as social problems. The consequences of hate crimes show that these are not isolated individual cases, but embodiments of deeply rooted social problems. These crimes go hand in hand with their underlying social phenomena. As OSCE also points out, “hate crimes do not occur in a vacuum; they are violent manifestation of prejudice” (OSCE ODIHR 2009, 21).

Based on all of these, it should be an important issue for the political elite, who may play an crucial role in the reproduction and prevention of racism. They are an elite group that control or have access to many types of public discourse, have the largest stake in maintaining white group dominance and are usually most proficient in persuasively formulating their ethnic opinions (T. A. van Dijk 1999). The OSCE participating States acknowledged that political representatives can play an instrumental role in “taking the lead in combating intolerance and discrimination and promoting mutual respect and understanding” (2009a). In addition, as a vicious circle they clearly influence how society and victims think about state institutions and their trust in state institutions because political discourse and decision making on these issues necessarily effect not only the entire elite, various organizations but both the majority and minority population (T. A. van Dijk 1993).

Additionally, the political elite sees the mass media as a convenient channel for transmitting messages they want to be conveyed to influence public opinion and government-issued media releases are viewed as one of the most important public relations tool and the public relations industry's most common tool for disseminating information to the media (Fynes-Clinton 2013). Therefore, government-issued media is an important tool for sending symbolic messages not only to the victims, the victims' group, but to the entire society, expressing the social value of equality and fostering the development of such values.

In the light all of these, the research focuses on the government discourse about hate crimes in Hungary. I will investigate whether the discourse about hate crimes is constructed in a way that it sends a symbolical message. In other words, I will investigate whether the political elite tend to express its condemnation, sending the message to the (potential) perpetrators and the society that these kinds of acts are not tolerated in a democratic society. The second research question focuses on the acknowledgment of hate crimes and the underlying phenomena. I will be studying whether hate crimes in the political discourse are more likely to be framed as structural problems or as individual criminal cases. The third research question that I will explore in thesis is whether there is a difference in the communication merely on the basis of the protected characteristics.

To address these research questions, I will use qualitative content analysis and discourse analysis to capture how the government talks about hate crimes and the underlying phenomenon. Content analysis helps to identify the recurring themes and topic in the government communication, while with the help of discourse analysis these themes and topic can be placed in the Hungarian context.

Government-issued press releases, as naturally occurring data (Perakyla and Ruusuvouri 2011), are the source of my research, since they are viewed as one of the most important public relations tools and the public relations industry's most common tool for disseminating information to the media. The investigated period is from 25 June, 2010 to April 22, 2015. The reasons for choosing this time span are twofold. The conservative and the Christian democratic parties achieved a two-thirds majority (in 2010) required to modify major laws and the constitution. On the other hand, during the first and second Orbán governments, besides having a majority, several events occurred (for instance the series of attacks against Roma people, the most serious homophobic crime or the new Criminal Code) that justify the choice of the given period. Therefore, this period offered the government several opportunities to express its position about hate crimes affecting a wide range of protected groups and to implement relevant measures.

The thesis follows the following structure:

The first chapter clarifies the concept of hate crimes, provides an overview on issues related to hate crimes such as the law enforcement problems in hate crime procedures and the statistics of bias-motivated crimes and describes the Hungarian context. Finally it discusses the symbolic nature of hate crime law and politics in general in order to provide additional argument to justify the research. The following chapter explains the methods, which will be used in order to answer the research questions. Finally, the last chapter introduces the analysis and the conclusions.



## Chapter 1: Literature review and theory building

### 1.1 Definition of hate crimes

The concept of hate crime and its underlying phenomena, such as racism, anti-Gypsyism, anti-Semitism and homophobia constitute the core of the analysis. Consequently, it is necessary to clarify this complex concept that allows and even calls for the inclusion of a broader social sciences scrutiny into the analysis of this very specific area for legally tackling sensitive and politicized issues arising in multiethnic societies.

Hate crimes are criminal acts committed with a hate or bias motive. The first element of a hate crime is the act that constitutes an offence under criminal law. Common offences are assaults, threats, arson, murders, and property damage. The second element is the hate or bias motivation (Berard 2010; OSCE ODIHR 2009; Dinók 2015a). Therefore hate crimes are crimes determined by the motive rather than the act; they are more about bias and prejudice than hatred. The literature and the international documents often use the term ‘bias’, since in several cases the offender might not hate the victim, but is motivated by bias, by some negative attitude towards the victim and the group she belongs to (Lawrence 1999; Aisaka and Clune 2013; Berard 2010; OSCE ODIHR 2009). Additionally, this negative attitude may not necessarily be rooted in the perception of the perpetrator, but may be rooted in social prejudices. The perpetrator may intentionally select a (supposedly) vulnerable (Woods 2008) victim for gaining ‘easy money’ or ‘respect’ within his peer group.<sup>3</sup>

However, despite using the term ‘hate’ does not necessarily mean that the feelings have to reach the level of hatred; it is sufficient if the perpetrator has hostile feelings toward the victim. If we used the general meaning of hate – ‘an extremely strong dislike’ (*Cambridge*

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<sup>3</sup> Consider a man who is looking to prove his masculinity to his friends and chooses to assault an Amish man because he believes that the Amish will not fight back by virtue of their pacifist commitments.

*International Dictionary of English* 1995) – in the case of bias motivated crimes, then we would restrict the application of the definition only for the most extreme hate-motivated cases. That is why I use the term ‘hate crime’ and bias crimes are used interchangeably.

As the above mentioned approaches to the definition have already suggested, there is no shared global approach to the definition of hate crime. Therefore, specific definitions of hate crime differ under domestic laws; statutory definitions of hate crimes differ somewhat from state to state (Jacobs and Potter 2001). The Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Co-operation in Europe (OSCE)<sup>4</sup> gives one of the most comprehensive definitions (OSCE Ministerial Council 2009b):

*A) Any criminal offence, including offences against persons or property, where the victim, premises, or target of the offence are selected because of their real or perceived connection, attachment, affiliation, support, or membership with a group as defined in Part B.*

*B) A group may be based upon a characteristic common to its members, such as real or perceived race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or other similar factor.*

In accordance with the OSCE’s hate crime definition, hate crime is a criminal offence against persons or property. The victim does not need to belong to a certain group, it is sufficient if the perpetrator considers a victim as a member of the group. The OSCE decided to use an open-ended list, since it provides a list about the most common protected characteristics and use the term ‘other similar factor’ in order to leave space to the extension of the list.

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<sup>4</sup> The OSCE is the world’s largest regional security organization with 57 States (Hungary is among the Participating States). The Organization has a long history of dealing with hate crimes. The OSCE Ministerial Council has established ODIHR, which serves as a collection point for information and statistics on hate crimes and makes this information publicly available.

## **1.2 Protected characteristics**

One of the core elements of the definition of hate crimes is protected characteristic. A protected characteristic is a characteristic shared by a group, such as race, nationality, ethnicity, religion, gender, sexual orientation, gender identity, disability (OSCE ODIHR 2009). The justification of the establishment of hate crime law is that the above-mentioned certain characteristics of people are such essential features of one's personality that carry the need for special protection. These are the so called 'protected characteristics'. On the basis of these protected characteristics, there must be no discrimination between persons or groups having protected characteristics and other persons or groups in a similar situation – with certain exceptions, when the aim is the elimination of inequality of opportunities based on an objective assessment of an expressly identified social group. The scope of protected characteristics varies over time and location and according to social and political conditions (Balogh and Pap 2011; Balogh, Dinók, and Pap 2012; Pap 2013).

The lack of global definition implies that there is no shared global approach either to who/which groups should be protected by hate crime laws. The negative attitude is based on the personal characteristics of the victims; the perpetrator intentionally chooses the victim because of her real or perceived particular characteristic, such as race, ethnicity, national origin, religion, sexual orientation, or disability (OSCE ODIHR 2009). Thus hate crime laws do not require more than the intentional selection of the victim because of a particular characteristic, but the victim does not need to actually belong to the given protected group. For instance, in Germany, Marinus Schoberl, a 16-year old boy, was tortured and killed by assailants who believed he was Jewish (OSCE Ministerial Council 2009b). In Hungary June 2015 during the migrant crisis, a Hungarian citizen of Cuban origin and his girlfriend were attacked because the perpetrators thought that he was a 'migrant' (444.hu 2016).

The different experiences and the political and social structure of the given state lead to different scopes of protected characteristics. However there are ‘classical’ or ‘usual’ features, such as race, skin color, national or ethnic origin, religion, sexual orientation, gender, and disability. For instance, the American experiences regarding slavery and the oppression of the Afro-American people justifies ‘race’ as a protected characteristic – while in Europe the persecution of Roma, and in the today’s situation of a growing number of attacks against Muslim and immigrants justifies the protection of these groups (Pap 2013; Dinók 2014). Data of a total of 43 responses from the OSCE Participating States shows that they collect data on the following victim categories: ethnicity/origin/minority 35 states; religion 35 states; race/color: 34 states; sexual orientation 20 states; citizenship states; gender 15 states; language 13 states; disability 13 states; transgender people 9 states; and other 15 states (OSCE ODIHR 2010).

But the legislator must give careful consideration to how it regulates the scope of the protected characteristics. Since a poorly selected regulation may undermine the expressive value of punishing hate crimes. Hate crime law expresses that racial harmony and equality are among the highest values in our society (Lawrence 1999). But for instance, with providing protection for extremist football hooligans (as a group which members are tied by certain characteristic, namely, the love toward one football club) or the majority population besides the historically oppressed groups that experienced injustice, suffer and loss, the regulation does not explicitly express that racial harmony and equality are among the highest values.

### **1.3 Significance of hate crimes**

The starting point of the thesis is that bias crimes differ from other criminal acts in several regards. It is often said that hate crime laws and politics have a symbolic nature (Jenness and Grattet 2001; Beale 2000), which partly derives from the impacts of hate crimes detailed below. Hate crimes have significant impact on three different levels: on the individual victim, on the

victim's (protected) group and the society. In relation to the protected groups "there is a particularly strong symbolic value to adopting and enforcing strong hate crime laws" (OSCE ODIHR 2009).

First, bias crimes impact on individual victims is more severe. One of the most comprehensive studies in the field of hate crime victimization was conducted by McDevitt, Balboni, Garcia, and Gu (McDevitt et al. 2001). The study surveys a comparable group of violent bias and non-bias assault victims identified from law enforcement and advocacy agency legal records. The victims of bias crimes recorded statistically significant higher levels of depression, nervousness, lack of concentration, and unintentional thinking of the incident. The authors also asked how safe the victims feel after the crime. Bias crime victims are significantly less likely to feel safe (McDevitt et al. 2001). According to the British Crime Survey, higher proportions of victims of racially motivated crime, compared with victims of non-racially motivated crime, reported being 'worried' or 'very worried' about future victimization (worry about rape provides the exception to the trend, as equal proportions of minority ethnic respondents were worried about future victimization, irrespective of whether or not they were victims of racially motivated crime.) (McDevitt et al. 2001; Iganski and Sporidoula 2009).

Second, hate crimes affect the whole group and not only the victim. The victim experiences the incident as a message that her group is of inferior value. The victims are interchangeable in the case of these crimes. As McDevitt et al. point out, interchangeability means that any individual who possesses, or is perceived to possess, a specific trait could equally be selected as a target (McDevitt et al. 2001). The victim has symbolic significance for the perpetrator, he chooses the victim because of her certain characteristic, he does not treat the victim as a person, but reduces her personality to a certain real or perceived trait (Utasi 2011). Therefore the victim is

considered as a simple incarnation of the hatred group; the crime is directed toward the collective, and not simply the individual victim. Many scholars emphasize that hate crimes are ‘message crimes’ that emit a warning to all members of the victim’s community (Craig-Henderson 2009; Perry and Olsson 2009). They are a message crime, because the victims are not targeted as individuals, but as the incarnation of the group. Consequently, such crimes send a message to the victim and the entire community that they are not welcome, they do not belong to society, and every member of the community could equally be a target (Dinók 2015b).

Finally, in parallel with first two dimensions of the hate crimes’ effect, the third area is societal impacts. Patterns of violent hate crime can serve as indicators and (somewhat) early warning signals of social or ethnic conflict, because they might escalate to intergroup aggression (OSCE ODIHR 2009). Hate crimes, therefore, can damage the fabric of society and fragment communities. Therefore, hate crimes call into question the basic concept and self-understanding of modern pluralist societies, which is based on the notion of individual human dignity. As Perry and Alvi (Perry and Alvi 2015) point out hate crime throws into question not only the victim’s and the community’s identity, but also national commitments to tolerance and inclusion. Bias motivated crimes undermine the freedom that forms the foundation of an open and tolerant society. The persistence of hate crime is a challenge to democratic ideals. Bias-motivated violence is not just a precursor to greater intergroup tension, but is an indicator of underlying social and cultural tensions. In this interpretation, “hate crime is but one indicator that enshrined ideals of freedom and equality are illusory” (Perry and Alvi 2015, 59). In addition, anxiety triggered by the victimization of a group can easily erupt retaliatory violence, and may lead to aggression (Perry and Olsson 2009).

Hate crimes affect – by their nature – not only the individuals, and the entire community, but ultimately the society. Therefore special attention to hate crimes is urgently desirable for hate crimes, and not only from a criminal law perspective, but from a human rights point of view, since they violate the principle of equality of treatment and non-discrimination (Perry and Olsson 2009). In the light of all of these, special attention is needed from the perspective of discourses about hate crimes, especially by the main political actors.

#### **1.4 Law enforcement problems in hate crime procedures**

Police officers as ‘gatekeepers’ of the criminal justice system and the decisions made by them “are crucial in determining what, and how much of what, ultimately comes to the attention of the rest of the justice system” (Hall 2010, 155). The lower ranks officer who first met the crime, therefore he makes decision about the motive. This decision determine whether a crime becomes a hate crime or not, whether they start to investigate into the motive or not (Hall 2010). On the other hand, police officers are not only considered as decision-makers, but as policy-makers as well. Lipsky (Lipsky 2010) argues that ‘street-level bureaucrats’ such as the police have policy-making roles. He states that even if they are considered as low-level employees, “the actions of most public service workers actually constitute the service ‘delivered’ by the government. Moreover, when taken together the individual decisions of these workers become, or add up to, agency policy.” (Lipsky 2010, 3) On the other hand, of course the major dimensions of public policy are shaped (and constrained) by political elites and political officials. However changing a prescriptive policy does not necessary lead to real changes. Transformation of police policy into effective practice is a complex and vulnerable process that the high-level policy makers have to keep in mind (Hall 2010). All of these suggest that law enforcement problems in the field of hate crimes effect not only the individual victim and perpetrator who will receive a lower punishment for a less severe crime, but these problems have serious impact on the policy level as well.

The Hungarian Working Group against Hate Crimes<sup>5</sup> looked into the most critical issues of law enforcement through specific cases in which the participating organizations provided legal help (Dombos et al. 2013). Based on the analysis the most common problem is under-classification. Under-classification means that the bias motivation is disregarded during the procedure and a more lenient provision of the Criminal Code is applied (for instance instead of violence against a member of a community assault is applied).

### **1.5 Hate crimes in numbers**

In the following sub-section I will explain the major issues around hate crime data collection, in order to demonstrate the real magnitude of hate-motivated crimes that justify the need for special attention to be paid to hate crimes and the role of data collection in hate crime politics.

The official statistic – in some countries – may suggest that hate crimes are not an everyday problem, but the related research – especially victim surveys (European Agency for Fundamental Rights 2013b; J. van Dijk 2005) – show that only a small number of cases appear in the official statistics. The low numbers is attributable to two reasons: hate crimes are under-reported and under-recorded. Under-reporting means that the victims do not even report the crimes, therefore the authorities do not become aware of them. On the other hand, there are two main reasons for under-recording: firstly, omissions by the authorities like ‘misqualification’ when the police disregard the motivation during the investigation, and secondly, problems which are attributable to the data collection systems and their anomalies.

Most states collect some form of data on hate crimes by the police and/or public prosecutors and the judiciary. The Participating States submit data on hate crimes to ODIHR every year.

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<sup>5</sup> A coalition of Hungarian NGOs and individual experts. See more about the Working Group: <http://gyulotellen.hu/about-us>



Based on the information provided on hate crimes, in 2013 the following numbers of crime were recorded<sup>6</sup>:

<b>Country</b>	<b>Number of recorded cases</b>
<b>Austria</b>	110
<b>Belgium</b>	375
<b>Canada</b>	1,140
<b>Croatia</b>	35
<b>Denmark</b>	110
<b>Germany</b>	4,647
<b>Hungary</b>	43
<b>United Kingdom</b>	47,986
<b>Norway</b>	238
<b>Slovakia</b>	7

However, as it has been mentioned, hate crimes are usually under-reported and under-recorded. The number of recorded cases of hate crimes simply indicates incidents acknowledged by the authorities as hate crimes or reported by victims (OSCE ODIHR 2012).

The FRA’s European Minorities and Discrimination (EU-MIDIS) survey shows that more than one in four respondents in Europe considered themselves to have been a victim of racially motivated crime over the 12 months preceding the survey (European Agency for Fundamental Rights 2012). Another FRA survey shows that 26 % of the respondents experienced some form of anti-Semitic harassment and 4 % experienced physical violence or threats of violence because they are Jewish in the 12 months preceding the survey (European Agency for Fundamental Rights 2013a). In order to explain what these percentage means Dombos (2013)

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<sup>6</sup> The reason why I present the numbers from 2013 is that the 2014 data are not fully available yet.

used an illustrative example. Based on the European Crime and Safety Survey (EU ICS) data on Hungary (J. van Dijk 2005) 1 % of the respondents experienced some form of hate-motivated crimes between 2001 and 2005. In parallel, 3.3 % of car owners became victim of car theft. The Hungary official statistics within the same period shows that 42,329 car theft and 42 hate crimes (violence against a member of a community) were recorded. Based on Dombos' estimation (Dombos 2013), 99.7 % of the hate crimes were unreported or unrecorded within the given period, therefore thousands of hate crimes remained “invisible” for the authorities. All of these show that hate crimes constitute a real everyday problem.

The second group of reasons for the low numbers is under-recording. Problems resulting from under-recording can be divided into two groups: different kinds of law enforcement problems (such as under-classification or failure to take police action) and problems resulting from the data-collection system. Based on the European Union Agency for Fundamental Rights' (FRA) (2012) Hungary is a country with limited data collection. It means that data collection is limited to a few incidents and to a limited range of bias motivations, and the data are rarely published. The data collection mechanism explains the low numbers, since even the reported and investigated crimes “disappear” in the system. For instance, in the case of homicide, the malicious motive includes the bias motive, but if there is no separate data collection for bias motivation within bias motive, the crime will not appear in the statistic as a hate crime.

As a consequence of underreporting and under-recording of hate offences, violence remains invisible for law enforcement authorities, for lawmakers, for public policy decision makers, and for the general public. Therefore, lack of data limits the ability to highlight the extent of this type of violence, while lack of information about where and when offences tend to take place restricts the possibility of preventing occurrences of hate violence. In addition, it makes it

difficult to raise awareness among decision makers on the need to adopt laws to protect victims from hate violence (Loudes and Paradis 2008). These show the importance of data collection. Because, as CEJI<sup>7</sup> points out, collection and analyzing data provide the stakeholders with a powerful tool. Additionally “credible data provides the facts needed to advocate for improved public policies to prevent and combat hate crime as well services that respond the needs of victim” (“Guidelines for Monitoring of Hate Crimes” 2012, 4). All of these show that hate crimes indeed constitute structural and emerging problem that must be taken seriously by the political elite.

### **1.6 Hate crimes in Hungary – contextualization**

The present sub-section provides an overview about the Hungarian hate crime law and the most important event concerning hate crimes that shaped the timeframe of the research. These events are considered as “critical junctures”, because they created moments when actors (both minority groups and legislators) have a relatively high level of agency. The events introduced under this subheading are the most important ones concerning hate crimes in Hungary. Due to their legal and political significance, they stand out from the last 25 years of the Hungarian democracy.

#### **1.6.1 Regulation of hate crimes**

In Hungary, the term ‘hate crime’ does not appear in the Criminal Code (CrC.), but there are provisions that include the bias motivation in some form. There is one *sui generis* hate crime provision in the CrC. In the case of a *sui generis* offence the acts committed with hate-based motivation constitute a specific category of offences, by redefining the conduct that is already a criminal act as a specific crime. *Sui generis* offence is similar to another existing offence; the legislator uses an existing offence, such as assault or disorderly conduct, and basically reformulates it with the bias motivation. The *sui generis* hate crime provision, ‘violence against

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<sup>7</sup> A Jewish Contribution to an Inclusive Europe <http://www.ceji.org>

a member of a community', prescribes more severe punishment than similar acts of violence (disorderly conduct, threat, assault) without a hate motivation.

Besides the substantive offence, there are specific enhancement-type<sup>8</sup> provisions. For instance, the provisions of assault (Article 164) and homicide (Article 160) include an aggravating circumstance called malicious motive when somebody commits a crime with a base reason or with a base purpose (Dinók 2015a). Therefore this aggravating circumstance does not explicitly apply the bias motive, but the malicious motive includes the bias motivation too.

Besides these provisions, there are certain provisions that criminalize the verbal (or other kinds of) expression of hatred, such as incitement against a community (CrC. Art. 332), violation of the freedom of conscience and religion (CrC. Art. 215.), use of totalitarian symbols (CrC. Art. 335), theft or criminal damage against religious or consecrated objects or cemeteries and other burial sites (CrC. Art. 370(3) b; Art. 371(3)(bb)), public denial of the sins committed by the national socialist and communist systems (CrC. Art. 333).

### **1.6.2 The presence of hate crimes in Hungary**

Hate crimes are an everyday problem in Hungary; if we look only into the under-reporting side, based on the victimization surveys it seems that 99.7% of the hate crimes are not reported (Dombos 2013; J. van Dijk 2005). Jewish people, Roma people and the LGBTQI community are most often the victims of hate crimes in Hungary (Dombos 2013), therefore the research focuses on this three protected groups.

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<sup>8</sup>If, for instance, the Criminal Code provides that murder committed on racial motive is punishable by a minimum term of 10 years' imprisonment; without the penalty enhancement the minimum period is five years.

Although hate crime can scarcely be called a new phenomenon in Hungary, the term has come into currency especially in the last decade, following a series of well-publicized incidents directed at Roma, Jews and LGBTQI people and following other above detailed events. I consider some of these events as “critical junctures” in terms of hate crimes. Critical juncture in this context means moments of high contingency where actors (both minority groups and legislators) have a relatively high level of agency (P. Hall and Taylor 1996), like for instance the attacks against the Roma community or the adoption of the new Criminal Code. Therefore this period offered several opportunities for the government to express its position about hate crimes with the wide range of protected groups and implement relevant measures. Especially, because in 2010 (and 2014) the conservative and the Christian democratic parties achieved a two-thirds majority required to modify major laws and the constitution, so they were in the position to propose and implement the necessary changes. Therefore, the following paragraphs provide a detailed list of these “critical junctures” that shaped the timeframe of the research.

The first “critical juncture” took place in 2008 and 2009, when a series of nine attacks against members of the Roma community occurred across Hungary, which claimed six lives (Amnesty International 2010). The violent attacks were referred to as the most serious series of crimes in the history of the Hungarian forensic by the Parliamentary Committee for National Security (Parliamentary Committee for National Security 2009). The perpetrators were identified and arrested in 2010 June; the court proceeding started in March 2011 (Amnesty International 2010) that attracted considerable public and media interest; the judgment was delivered in August 2013 by the court of first instance and final judgment was delivered in January 2016 (Working Group against Hate Crimes 2016b).

These crimes and their aftermaths are considered as critical juncture by their nature. Because similar high-profile cases, for instance in the USA and in the United Kingdom, diverted the attention to the question of hate crimes. The murder of James Byrd<sup>9</sup> “immediately became a matter of national concern, promoting public condolences by the President and widespread calls for a new federal hate crime law” (Lawrence 1999, 2). In the United Kingdom, the murder of Stephen Lawrence<sup>10</sup> led to the Macpherson Report (Sir Macpherson 1999) and changed the legal landscape (Travis 2013). After years of campaigning of the parents the home secretary announced a judicial inquiry by Sir William Macpherson into the police investigation of Lawrence’s death (Travis 2013). In 2005, the Home Office published a research (Foster, Newburn, and Souhami 2005) that assessed the impact of the Stephen Lawrence Inquiry. As the report admits, the publication of the Inquiry was one of the most significant events in British policing in the last decade and it appears to have been an important lever for change in the police service, “not least the general excision of racist language, together with other positive developments in relation to the reporting, recording and investigation of hate crimes” (Foster, Newburn, and Souhami 2005, 97). Consequently, these high-profile cases may be identified, as triggers for the implementation of hate crime laws and expression of strong condemnation. In the light of the examples mentioned, it seems that few years after a high-profile case, the political elite tend to deal with the issue.

In 2011, “members of the Civil Guard Association for a Better Future (Szebb Jövőért Polgárőr Egyesület), a paramilitary radical right-wing group closely associated with the radical right-wing parliamentary party Jobbik and the dissolved Hungarian Guard (Magyar Gárda) started »patrolling« and marching in towns with significant ethnic tensions (including Gyöngyöspata

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<sup>9</sup> In 1998, in Jasper, Texas, James Byrd, a forty-nine-year-old black man, was beaten and tied to the back up a truck and dragged nearly three miles to this death (Lawrence 1999).

<sup>10</sup> In 1993, Stephen Lawrence, a nineteen-year-old Black British man was murdered in a racially motivated crime while waiting for the bus (Sir Macpherson 1999).

and Hajdúhadház), claiming that they were providing citizens of Hungarian origin with protection against »Gypsy criminality« (Hungarian Helsinki Committee 2011, 1). As a consequence of the marching, around 250 Roma women and children were transferred from Gyöngyöspata by the Red Cross for a couple of days. The whole series of events received wide international media attention (Hungarian Helsinki Committee 2011). The case led to the amendment of the former Criminal Code (Act of IV of 1978 on the Criminal Code). Therefore, the political elite not only had a high level of agency, but it also was able to use it.

In August 2012, the most serious homophobic hate crime was committed in which the victim was killed with twenty stabs, including one in the eye. The court sentenced the defendant to life imprisonment for murdering out of homophobic motives. As one of the largest and most active Hungarian LGBTQI organizations, the Háttér Society (Háttér Society 2014) points out the case is the first known murder case in Hungary where the courts found homophobic hate an aggravating circumstance. This case constitutes a critical juncture for the same reason as the attacks against Roma people, since this was the most high-profile case in respect of the LGBTQI community.

However, not only high-profile cases can create moment when actors have an opportunity to act, but lobby groups or international situation may create opportunity for the elite to take steps. For instance, in January 2012, five Hungarian NGOs established the Working Group against Hate Crimes “to join forces for a more effective approach against hate crimes” (“Working Group Against Hate Crimes” 2012b). FRA mentions the Working Group among the European good practices, since the Working Group and the National Police Headquarters meet twice a year, on the basis of the Working Group’s initiative, that meets twice a year (2016). The

establishment of the Working Group and its persistent lobby activity could have encourage the political elite to address hate crimes.

Additionally, in 2012, the new Criminal Code was passed and entered into force on July 1, 2013. The new Criminal Code extends the groups covered by hate crime provisions to include sexual orientation, gender identity and disability. The Working Group against Hate Crime<sup>11</sup> (2013) prepared a set of recommendations to the Ministry of Public Administration and Justice, in which it made a comprehensive proposal for hate crime regulation within five priority areas. The Working Group's activities cover areas such as research, training, and legal representation of the victims. For instance, as a result of its lobbying efforts, in the new Criminal Code, the provisions on hate speech and hate crime explicitly mention protected groups based on sexual orientation, gender identity and disability. In 2013, the Working Group prepared a detailed legal commentary on the most important hate crime provisions ("Working Group Against Hate Crimes" 2012b). Based on the original proposal of the Criminal Code and its final version, it seems that Working Group's comments were considered and partly taken into account.

The international situation also created opportunity for the political elite to act. In 2012, the Victims' Directive (2012/29/EU) of the European Parliament and of the Council of 25 October 2012 was a big step forward for victims of crime. The Victims' Directive – establishing minimum standards on the rights, support and protection of victims of crime – obliges EU Member States to ensure that "victims, in accordance with their needs, have access to confidential victim support services, free of charge, acting in the interests of the victims before, during and for an appropriate time after criminal proceedings" (European Agency for Fundamental Rights 2014, 5). The deadline for the transposition was November 2015.

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<sup>11</sup> Working Group against Hate Crime. <http://gyuloletelen.hu/about-us>



In 2015, over one million people made their way to the EU, either escaping conflict in their home country and in search of better economic prospects (“Refugee Crisis - Humanitarian Aid and Civil Protection - European Commission” 2016), which affected Hungary as well. The Hungarian government received criticism for its refugee policy. In 2015, the government introduced its anti-immigrant billboards campaign (Thorpe 2015) and later that year the government ordered the construction of a fence on the 175-kilometre long border with Serbia, with the explicit aim to divert refugee and migration flows from this border (Hungarian Helsinki Committee 2015). Later in the same year, new Hungarian legislation fundamentally reshaped the asylum system and prevented refugees from having access to international protection in the country (Hungarian Helsinki Committee 2015). As the European Commission against Racism and Intolerance (ECRI) (2015) points out, the Hungarian “Migration Strategy refers to the negativity, intolerance and suspiciousness against migrants and also to the fact that the Government has done little to generate community understanding, awareness and acceptance of migrants” (2015, 29). While migrants are not among the protected groups studied, the crisis is definitely a critical juncture that may influence the framing of the three groups investigated.

In February 2015, the government presented a proposal for the new Criminal Procedure Code. The Working Group against Hate Crime prepared a set of recommendations, in which it made a comprehensive proposal for the higher level of protection for hate crime victims (Working Group against Hate Crimes 2015).

In March 2015, Hungary took over the Chairmanship of the International Holocaust Remembrance Alliance (IHRA) for 12 months (IHRA 2015), which is likely to significantly influence the government communication about hate motivated acts and the Holocaust. More specifically, it is expected that such a symbolic and important political position could trigger

changes in the framing of hate crimes and the underlying social phenomena, especially anti-Semitism.

### ***1.7 Commitment to combat hate crimes; the politics of hate crimes***

Following the clarification of the concept of hate crime and its importance, in this sub-section, I will discuss the symbolic nature of hate crime law and politics in general in order to provide additional argument to justify the research.

As it was explained above hate motivated acts have a clear symbolic nature. In parallel with the symbolic nature of the act, hate crime politics, including the adoption of legislation, have symbolic significance, too. Therefore, the first research question focuses on this symbolic nature; whether the political elite tend to express its condemnation, to send a message to the (potential) perpetrators and the society that these kind of acts are not tolerated in a democratic society or not. The research partly focuses on the issue that the Hungarian government is more likely to take this symbolical path and express its condemnation against hate crimes and support toward the victimized groups. Additionally, the symbolic nature also connects to the acknowledgment of social problems, and to the second research question. The consequences of hate crimes show that these are not isolated individual cases, but embodiments of deep-rooted social problems. These crimes go hand in hand with underlying social phenomena, such as anti-Semitism, anti-Gypsyism, racism and homophobia. Hate crimes are signals – by their nature – of structural problems in the society. Therefore, this chapter provides the theoretical foundation for the investigation of the acknowledgement of the structural, social problems, too. Finally, the chapter intends to summarize the role of the political elite in shaping the political discourse and to show how politicians control political discourse. Additionally, the chapter explains how the effect of this control influences the society's approach to hate crimes and the underlying phenomena.

### 1.7.1 Hate crimes as symbolic politics

Just like hate motivated acts have a clear symbolic nature, hate crime politics have a symbolic significance, too. First, the nature of anti-discrimination law and its connection to hate crime support the argument that hate crime politics is symbolic, as well. Hate crime laws are best viewed as a criminal justice system parallel to the laws that prohibit discrimination. In language, structure, and application, the majority of the nation's hate crime laws are directly analogous to anti-discrimination civil rights laws (Anti-Defamation League 2012; Szajbély 2009). As Paludi et al. point out (2011) anti-discrimination legislation may create a clear social norm that discrimination is societally unacceptable. Therefore it carries an important symbolic message that these acts are condemned by the society. Additionally, it is often said that hate crime law has an expressive dimension too (Jenness and Grattet 2001; Berard 2010). Just as hate crime is an expressive act, so too is hate crime legislation an expressive statute. It sends a message to its intended audience about what is to be tolerated (Perry and Alvi 2015).

Messaging through politics is not a new phenomenon, and antidiscrimination law is not the only field where symbolic politics exist. For instance, Edelman (1985) distinguishes between political activity, such as legislation, that can convey only symbolic reassurance. The theory of symbolic politics provides an explanation for the political salience of different issues that might have little tangible importance, but evoke intense emotions (Beale 2000). Beale (2000) holds that hate crime law is a classic example of symbolic politics. Hate crime legislations express not only a strong social condemnation of bias crimes, but they imply a “general affirmation of the societal value of the groups targeted by hate crimes, (...) a recognition of their rightful place in society” (Beale 2000, 1255) and reinforce the community's commitment to equality among all citizens (Beale 2000).

Other scholars, like Jenness and Grattet (2001) emphasize also that hate crime policies are partly justified on symbolic grounds. They are designed to transmit the symbolic message to society that criminal acts based upon hatred will not be tolerated in a democratic society. Jacobs and Potter (2001) also argue that hate crime legislation is best understood as symbolic politics. Furthermore they argue that hate crime laws are symbolic statements requested by advocacy groups for material and symbolic reasons and provided by politicians for political reasons (2001). There is a social and political consensus that racial, religious, and gender prejudice is wrong. In parallel, politicians specialize in symbolic pronouncement. Therefore, supporting hate crime legislation gives them the opportunity to put themselves on record as opposed to criminals and prejudice and in favor of tolerance. Fundamentally, “hate crime laws are symbolic statements requested by advocacy groups for material and symbolic reasons and provided by politicians for political reasons” (J. Jacobs and Henry 1996, 65).

Through this symbolic nature, hate crime law sends messages to – at least – three different audiences: lobbyists, voters and offenders (J. B. Jacobs and Potter 2001). The first audience is lobbyists who desire hate crime legislation. The second audience is the voters to whom politicians want to communicate via hate crime legislation. Communication about hate crimes provides politicians an opportunity to say to the mass audience that “we condemn prejudice and bigotry in the strongest and most solemn way” (2001, 68). Not surprisingly, the third audience is offenders and potential offenders. The message for them – partly through the deterrent effect – that it is not allowed to commit and is not worth committing hate-motivated crimes, which are not tolerated in a democratic society.

### **1.7.2 Acknowledging hate crimes as a social problem and the politics of hate crime**

As it has been mentioned, the symbolic nature also connects to the acknowledgment of hate crimes as social problems. As OSCE points out, “hate crimes do not occur in a vacuum; they

are violent manifestation of prejudice” (OSCE ODIHR 2009, 21). The effects of hate crimes suggest that hate crime cases are not individual cases, but rather embodiments of structural problems like widespread racism, xenophobia, anti-Semitism, anti-Gypsyism, homophobia and transphobia. Therefore, based on the nature, effects and extension of hate crimes, they should be a burning issue of the political elite, who can play an important role in the reproduction of racism. They are one of the elite groups which control or have access to many types of public discourse, have the largest stake in maintaining white group dominance and are usually the most proficient in persuasively formulating their ethnic opinions (T. A. van Dijk 1999).

Witte (1994) provides a model for comparative analysis for supporting the argument that racist violence (or any kind of bias-motivated violence) is a social problem and not just an individual case. The model also shows what kinds of path can a government takes in acknowledging hate crimes as social problems. In the case of “occasional recognition” (Witte 1994, 99), when the racist violence as a social problem is denied, the incident is handled by the judicial machinery without further state action. If the racist violence is recognized as a social, structural problem in society, then the state responses are inevitable (Witte 1994). In the latter case, the racist violence is placed on the public agenda.

Carole Sheffield’s definition of hate crime also support that hate crimes are rather structural problems that individual cases: “hate violence is motivated by social and political factors and is bolstered by belief systems which (attempt to) legitimate such violence.... It reveals that the personal is political; that such violence is not a series of isolated incidents but rather the consequence of a political culture which allocates rights, privileges and prestige according to biological or social characteristics” (Sheffield 1995, 438). Therefore hate crimes connect to politics in a sense that they are rooted not only in the social, but the political culture, too.

However, we must bear in mind that acknowledging the existence and magnitude of hate crimes may be equal to acknowledging the existence of racism in the country. As Endre Bócz (2010) says in his autobiography – written about his forty years’ service at the Hungarian Public Prosecutor Office –, the prosecutor’s offices and courts always avoided using the relevant hate crime law, because its application would have meant that they admitted the existence of racism in Hungary.

### **1.7.3 The political discourse about hate crimes**

In the light all of these, we suggest that the political discourse of hate crimes is important. This was even admitted by the OSCE participating States, who acknowledged that political representatives can play an instrumental role in “taking the lead in combating intolerance and discrimination and promoting mutual respect and understanding” (2009a). In addition, as a vicious circle they clearly influence how society and victims think about state institutions and their trust in state institutions. As van Dijk (2001) points out, in the same way as professors control the scholarly discourse, journalists media discourse or lawyers legal discourse, politicians control policy and other public political discourse. Those who have more control over more discourse are also more powerful. According to Berkowitz (1997), policymakers see mass media as a convenient channel for transmitting messages they wanted conveyed to influence public opinion and government-issued media releases are viewed as one of the most important public relations tool and the public relations industry’s most common tool for disseminating information to the media (Fynes-Clinton 2013). Therefore, government-issued media is an important tool for sending symbolic messages not only to the victims, victims’ group, but the entire society and to express the social value of equality and foster the development of such values.

Since hate crimes are strongly related to their underlying social phenomena, such as racism, van Dijk's (2002) findings about racism are also valid in the case of hate crimes: "the discursive reproduction of racism in society is not evenly distributed over all members of the dominant majority" (T. A. van Dijk 2002, 148). He emphasizes many times that elites play a special role in this reproduction process. It does not mean that elites are more racist than nonelites, but they have special access to, and control over, the most important fields, such as politics, education or media. Therefore they have access to and control over public discourse. As the ideological leaders of society, the members of these groups establish common values, aims and concerns (T. A. van Dijk 2002).

Governments are regularly deeply involved in the discursive practices of policy debates, decision making, and legislation about pressing "ethnic issues" (T. A. van Dijk 1993), such as illegal immigration or minority unemployment. This kind of political discourse and decision making on these issues necessarily effects not only the entire elite, organizations but both the majority and minority population (T. A. van Dijk 1993). As Dijk (T. A. van Dijk 1999) points out discourse may serve as platform for denials of racism and as long as a problem is denied, the critics are ridiculed, marginalized or delegitimated. That is why the acknowledgment of hate crimes and the underlying social phenomena is important. Because denial can have a reverse effect and denial may reproduce anti-Semitism, anti-Gypsyism, racism, homophobia and xenophobia.

## Chapter 2: Methodology

In this chapter I will explain the methods, which will be used in order to answer the research questions. I will use qualitative content analysis and discourse analysis to capture how the government talks about hate crimes and the underlying phenomenon. Content analysis helps to identify the recurring themes and topic in the government communication, while with the help of discourse analysis these themes and topic can be placed in the Hungarian context. Additionally, critical discourse analysis helps to study the ways in which texts reproduce power and inequalities in society (Perakyla and Ruusuvouri 2011).

Bearing in mind that methodology is always theoretically loaded (Silverman 2013, 120), it is important to say a few words about the underlying theoretical models which shape the recent research. The analytical approach chosen to the data is discourse analysis, therefore, because of the nature of discourse analysis, the entire research tends to be open to the constructionist model (Silverman 2013, 110).

As Carney (1972) points out, content analysis is used for the objective and systematic description of the manifest content of communication (1972). It is a suitable method for the first part of the analysis, since it is a practice for “pattern-fitting” (1972, 24–25) that involves comparing a complex set of interrelated words to identify a mode of perception or reasoning. The research also intends to make inferences by objectively and systematically identifying specified characteristic of messages (Carney 1972), through the technique of content analysis.

The other analytical approach of the thesis is discourse analysis, which is an interpretive and constructivist form of the analysis (Halperin and Heath 2012). It is interpretive in a sense that it assumes that people act on the basis of beliefs, values or ideology that give meaning to their



actions. On the other hand, it is constructivist, because it assumes not only that people act on the basis of meaning, but that these meanings are socially and discursively constructed (Halperin and Heath 2012). Therefore, the aims of the research are also twofold: to reveal meanings through the examination of the discourse and to uncover how discourse practice constructs meanings through government-issued press releases (Halperin and Heath 2012).

Government-issued press releases, as naturally occurring data (Perakyla and Ruusuvouri 2011), are the source of my research. The set of documents that is germane to my research question (Halperin and Heath 2012) is government-issued media release, including all of the ministries, between the period of 25 June, 2010 and April 22, 2015. The documents are available and accessible in Hungarian on the following websites:

- 2010–2014: <http://2010-2014.kormany.hu/hu>
- 2014-2015: <http://www.kormany.hu/hu>

The reasons for choosing this time span are twofold. The conservative and the Christian democratic parties achieved a two-thirds majority required to modify major laws and the constitution. On the other hand, during the first and second Orbán governments, besides the majority, several events occurred – the “critical junctures” mentioned – that justify the choice of the given period. Therefore this period offered several opportunities for the government to express its position about hate crimes with the wide range of protected groups and implement relevant measures.

As explained by Neuendorf (2002), in the 2012-2016 time period, the population of the texts was identified by key search terms. It is a standard method in textual analysis that a population is defined by criteria (keywords) by the researcher. For instance, it was used by Breen (1997)

when he searched the NEXIS database for all major news paper's articles during a three years period that included certain key search terms.

The keywords used are: hate, hate crime, bias, bias motivated crime, anti-Semitic, anti-Semitism, Jewish, racism, racist, Roma, Gypsy, Gyöngyöspata, Tatárszentgyörgy, homosexual, gender identity, sexual orientation, LGBTQI, Budapest Pride, Pride, violence against a member of a community, hate speech. Since during the data collection it turned out that there is a very large number of texts, where the words Roma and Gypsy are mentioned, but in a context that has nothing to do with the present research (e.g. in the context of culture without even mentioning the prejudices, bias, racism),<sup>12</sup> the key words have been supplemented. The words Roma and Gypsy were searched in the frame of advance search: Roma AND hate, Roma AND violence, Roma AND crime, Roma AND exclusion, Gypsy AND hate, Gypsy AND violence, Gypsy AND crime, Gypsy AND exclusion. This resulted in the following population: 2012-2014 – N: 80; 2014-2016 – N: 115.

Qualitative text analysts tend to study documents in their entirety, but the recording unit can be smaller (Halperin and Heath 2012). Since the texts analyzed tend to contain different topics that are not even connected to hate crimes or the underlying phenomena, the recording units chosen are themes. Because the “boundary of a theme delineates a single idea or single assertion about some subject” (Halperin and Heath 2012, 321).

As Halperin and Heath (2012) recommend it, I selected a representative sample of the material to investigate and analyze, from the document population of overall 195 press releases. As Krippendorff (2004) points out the universe of available texts is usually too large to be

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<sup>12</sup> The research focuses on the framing of hate crimes and the underlying social phenomena. But the so called “Roma issue” is a much broader topic which includes questions like integration, poverty, education, social inclusion, unemployment. The key words helped to decrease the population for texts that are strongly related to the research.

examined as a whole, so content analysts need to limit their research to a manageable body of texts. Limited set of data may introduce the specter of sampling bias, but it is possible to collect data by means of sampling plans that minimizes such bias. Probability sampling techniques are designed to ensure that all sampling units have the same chance to be included in the sample.

Therefore after considering the different probability sampling techniques – such as random, systematic, stratified, varying probability, cluster (Krippendorff 2004) – I decided to use multistage sampling and used different kinds of sampling technique in order to minimize sampling bias. First stratified sampling (Krippendorff 2004) was used based on the keywords, then random sampling in each subpopulation (strata). There were strata (e.g. Roma and violence or LGBTQI), where only one or two texts were found, therefore, they were included without random sampling. Otherwise, I paid attention to proportionality of the texts. Proportionality was ensured by including the texts from every strata in a number that reflects the strata's size within the entire sets of text. The texts were listed under the certain key search terms (strata) in chronological order (divided under the two separate units of time) and selected by the use of a dice. For instance, in the case of “hate” there was a large number of texts, while in the case of “anti-Semitism” only one third of the “hate” themes' text. Therefore, in the case of hate every six texts was a cluster, while in the case of “anti-Semitism” every three texts. This helped to eliminate the risk that some period would be underrepresented, because there are texts from every month within the sample. Since the research focuses on the general patterns in the government discourse, it is highly unlikely that the communication would change radically within the given two- and three-week periods.

As it has been mentioned, the press releases are in Hungarian, but since I am bilingual, the texts were not translated and were analyzed in the original language (Hennink, Hutter, and Bailey

2011, 214). The web pages contain English news, too, but not all of the relevant news is translated into English. The Hungarian version of the site provided a more extensive list of the relevant texts.

Based on Hennink et al.'s (2011) recommendation, one-third of the data (selected from every theme) were used to develop codes. Codes refer to an issue or an idea. During the coding procedure both inductive and deductive codes (Hennink, Hutter, and Bailey 2011) were used. Deductive codes originate from the researcher, for instance derive the theoretical framework and from the previous professional experience in the field, such as the codes of hate crime, anti-Semitism or racism. Inductive codes come directly from the data, such as the codes of Hungarian nation, Judeo-Christian and Jobbik. Then I created a list of all codes relevant to the study (codebook) and used them in the sample to label the segments of the text. After the code development based on one-third of the data, the entire data set was analyzed by using the codes listed in the codebook (Hennink, Hutter, and Bailey 2011).

### *Limitations*

Like every method, both content and discourse analysis have their own limitations. Content analysis is a purely descriptive method, which describes what is there in the text, but may not reveal the underlying motives for the observed pattern. However, the other method used, namely discourse analysis, helped to reduce the disadvantages of content analysis. On the other hand, discourse analysis is a deconstructive reading and interpretation of the texts. Therefore, by its nature it is based on constructed meanings. There are almost limitless discourses and no way to count them, both because new ones can always emerge and because boundaries are always contestable. However, based on the frequency of the emerging topics, the research tried to cover the most prominent parts of the discourse.

Another possible limitation of the research is that search of the relevant releases is conducted through keywords. Selecting search terms is always arbitrary, but in order to rise above this problem I tried to create as comprehensive a list of search terms as possible. The overlaps of texts based on the keywords shows that it was not a major limitation.

Among the limitations of the data analysis, the most important one is that in the case of Jewish and LGBTQI community a wide range of texts was covered, while in the case of Roma the texts had to be limited. There were texts to a large extent that mentioned Roma, but they have nothing to do with hate crimes. The Roma integration is a very important political question in Hungary due to its large Roma population. Therefore it produces large extent of press releases. But the scope of the research and the word limits did not allow to fully cover this question. However, Roma in the context of racism, anti-Gypsyism and hate crimes were covered by the creation of a comprehensive keyword list.

### Chapter 3: Analysis and results

The following chapter will introduce the analysis and the results of the analysis. The first part of the analysis, the code development, is based on the recommendation of Hennink et al. (2011). The first fundamental tasks were the selection of codes and series of codes from the codebook and search data for each segment of the text where the codes were mentioned. For instance, condemnation and anti-Semitism were among the most frequent codes, so the entire data set was read for finding the segments where these codes were mentioned. But it was done so with all of the codes listed in the codebook. Then I read these texts to extract and develop an understanding of the framing of hate crimes and underlying phenomena. The consistency of the data search was ensured by the consistency of the coding. Consistency in coding can be ensured by a detailed codebook with clear codes and definitions, by continuing code development until saturation (when new codes do not emerge anymore) and by applying the codebook during the coding. After considering the different data search strategies – search by code, topic and subgroup, and analytic search – I searched by both code and topic (Hennink, Hutter, and Bailey 2011). In the case of all codes and topic the analysis followed the structure that Hennink et al. (2011) provides, starting with thick description and comparison, turning to categorization and conceptualization. The search by topics helped the categorization, since the use of topics partly involves identifying codes with similar characteristics and grouping them into meaningful categories. Finally, this led to the identification of the broader topics that emerge from the data (Halperin and Heath 2012). After this objective and systematic process, the analysis focuses on the constructed meanings of the discourse and proceeds to derive generalization using inductive logic, with the aim to describe any regularity in the political discourse (Blaikie 2009, 19). Therefore this strategy helps to answer the question what political representatives say about hate crimes through one special case study, whether they frame it as a structural problem or the manifestation of individual crimes.

I will provide an overview of the analysis based on the topics identified breaking down by the four-year period, based on the first and second Orbán governments. Topics emerge from the data and are broader categories that involve several codes (a narrow issue or idea). All the three research questions will be investigated in light of these topics. So these topics help to answer for the question whether the Hungarian government talks about hate crimes and the underlying phenomena in a way that sends a symbolic message; whether hate crimes in the political discourse are more likely to be framed as structural problems or individual criminal cases; finally whether there is a difference in the communication merely on the basis of the protected characteristics.

### ***3.1 Analysis of the texts between 2012-2014***

#### **3.1.1 Symbolism**

The first topic of the analysis is symbolism. Symbolism as a topic emerged based on the first research question (whether the discourse is framed in a way that sends a symbolic message) and based on the developed codes. Symbolism as a theme is a broad concept that covers issues that might have little tangible importance, but evoke intense emotions. Symbolism in the context of hate involves codes like commitments against phenomena related to hate crimes, condemnation of and rejection to certain acts, zero tolerance, taking actions against certain phenomena, providing protection, tragedy, and Hungarian nation. These are frequently mentioned codes in the texts. For instance, condemnation and taking actions against hate crimes appear 20 times, Hungarian nation appears 10 times. These symbolic codes appear in almost every text in various compositions. Besides the first research question, symbolism helps to answer to the third research question. Because symbolism seems to appear different ways in the case of the different protected characteristics.

In order to provide a better comprehension, I shall illustrate the codes with examples, which

also show the most frequent context where they appear. Commitments against phenomena related to hate covers paragraphs emphasizing that the Hungarian government is committed to the respect of life, which means that it must not happen again that any fellow citizen loses her life because of anti-Semitism, Nazi ideology or racism. The condemnation of certain acts related to hate crimes indicates sentences, for instance, the Hungarian government condemns anti-Semitism and all form of racism. Similarly, the government rejects every form of anti-Semitism. Zero tolerance is used repeatedly to refer that Hungary practices zero tolerance of anti-Semitism. Zero tolerance is not defined and first time appears in June 2012 in the government discourse as politics of zero tolerance. Tragedy refers to the Holocaust every time, while the Hungarian nation mostly indicates sentences that emphasize the Jewish people's Hungarian identities and citizenships.

As the codes implied, symbolism the most frequently appears in the case of one protected group, the Jewish people. Turning to the second task of the analytic cycle, to the comparison<sup>13</sup>, it shows that symbolism is frequently (within most than half of the investigated texts) intersects with codes related to this protected characteristic, such as Holocaust, anti-Semitism. The texts can be clustered around protected characteristics: Jewish, LGBTQI and Roma people are addressed in different variations. In the context of Jewish people, the symbolical condemnation of anti-Semitism is always presented, while in the case of Roma people the symbolism is not always presented. After the judgment delivered by the court of first instance in the attacks against Roma, the symbolism is not expressed in the form of condemnation, but focuses on the legal protection. Based on the text the judgment sends a message that the perpetrators of racist crimes cannot escape from the punishment, and the government does not tolerate any groups with

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<sup>13</sup> Comparison allows the researcher to further explore issues, identify patterns and begin to notice associations in the data. It helps to uncover issues in the data and to identify the nature of links between these issues (Hennink et al. 2011).



forces of fear to take actions against any ethnic or cultural group and these “trouble-makers” will be punished by law. Actually, this is the only one case, where unidentified “groups” as perpetrators appears in the context of condemnation. In other texts, the condemnation is directed against acts or ideology. Directing the charges of racism toward a group tend to follow the logic of racism denial, as it will be explained later, in the frame of the topic of denial.

Sometimes the symbolism regarding Jewish people intersects with Roma, and it covers both anti-Semitism and racism. Two times, another group appears in connection with Jewish and Roma people. Within the symbolic rejection of these phenomena Hungarians are also mentioned. For instance, the government protests and takes action against all manifestations of hate speech and racist behavior inciting hatred which stigmatize groups based on their ethnic or racial affiliation, be those Gypsy, Hungarian or Jewish. This follows the Hungarian – in my opinion incorrect – judicial practice, in which Roma people were found guilty of hate crime against Hungarians (“Romas Sentenced for Hate Crime Against Hungarians” 2012). There were three hate crimes cases that received huge media attention, in which Roma people attacked non-Roma people and the court found them guilty for violence against the member of the Hungarian community. The reason why I hold that this is an incorrect practice is that the hate crime law is supposed to protect oppressed minorities and not the member of the majority. Actually, the press release coincides in time with procedure in the case where Roma people were sentenced. It may be a coincidence, but more likely that the government want to give additional strength to the new direction of case-law, since this new practice received much criticism. There were only three cases in Hungary overall – Miskolc, Sajóabony, Tavasmező (Jovánovics and Pap 2013) –, but the discourse suggests that it is a structural problem and need to be mentioned and condemned.

If we look into the data in terms of protected characteristics, it seems that the codes of anti-Semitism and racism appear frequently (68 and 21 times) and intersect 9 times. Although, they never intersect with homophobia. There is only one text that talks about “Jewish, Roma or people with other identity or origin”, which may cover gender identity and sexual orientation. In the case of LGBTQI people, condemnation – and symbolism overall – appears only one times and does not mention the homophobic motivation. After the Budapest Pride two well-known Roma activists were attacked and the government expressed its condemnation “regardless whether the government agrees or not with the event [Budapest Pride]. (“Budapest Pride - Az Emmi Elítéli a Bántalmazást [Budapest Pride - Ministry of Human Resources Condemns the Assault]” 2013).” Therefore symbolism is rare in the case of LGBTQI community, which complies with the entire discourse about LGBTQI rights, as it will be explained. The most frequent codes within the LGBTQI-related texts are the followings: Christian root, values, tradition, constitution, family, marriage, patience, conditional condemnation, and subsidiary issue. This indicates that LGBTQI people are discussed in the frame of these codes that relates to historical values and tradition. In the context of hate crimes, LGBTQI people are represented only once in texts. But it does not say anything about the homophobic motivation, only about an assault that happens after the Budapest Pride. The government expressed its condemnation and implied that it disagrees with the Pride Festival. Otherwise, the topic of LGBTQI is discussed in the context of the Hungarian constitutional regulation and tradition. The LGBTQI issue is specifically discussed as a “private issue”. In the Hungarian constitution (Article L) family is based on marriage between a man and woman and the parent-child relationship. The Prime Minister mentioned in connection with same-sex marriage that Hungary has clear constitutional regulation that follows a four thousand-year old Judeo-Christian tradition what the government would like to maintain. Therefore marriage and family means man and woman, and “one from both gender: one man and one woman”. The

discourse is that LGBTQI people have rights, they are not discriminated and they do not appear in the discourse as victims of hate motivated crimes or any form of homophobia or transphobia. The Debrecen case (mentioned homophobic murder) or any other case does not appear in the government discourse. The lack of information can be meaningful, too. In the investigated period the Working Group against Hate Crime registered 15 hate crimes committed against LGBTQI people (Working Group against Hate Crimes 2016a), but the government discourse does not say anything about this protected group in the context of discrimination, oppression, homophobia, transphobia or violence.

Actually, the exact term “hate crime” appears two times and both are related to the legislation in the context of the new Criminal Code that amended the relevant provisions. However, there are paragraphs and expressions that implies hate crimes. Hate, anti-Semitism, racism, racist crime, inciting to hatred and hate speech are frequently occurring terms in relation with symbolism. However, when it comes to the actual hate-motivated crimes, for instance, through specific cases, either “hate crimes” or the relevant provision are not mentioned. There are two exception: the attacks against Roma people, where the term “racist crime” and “racially motivated murder” are used and the – below mentioned – Sajóhídvég case, where the text indicates that there was suspicion that incitement to hatred were committed. However, the series of attacks were declared as racially motivated crimes by the court and being presented in the national and international public discourse as racially motivated crimes. Other individual cases that appear in the texts:

- In Hatvan, somebody painted a swastika on the houses of Roma people.
- In Kaposvár, the several graves of the Jewish cemetery were destroyed.
- Two participants of the Budapest Pride were attacked after event.
- In Sajóhídvég, the Magyar Gárda (far-right organization) distributed flyers contain arrow

crosses (fascist symbol) and swastikas and threatening Roma families with the elimination of their families.

These are highly likely to constitute hate motivated criminal offences. While the frame in which they appear is: racist behavior which discriminate or stigmatize people based on ethnicity or race; act that violate human dignity; anti-Semitic expression; inciting to hatred based on ethnicity; threaten; assault; property damage. The framing of hate motivated crimes in this context tend to be very similar to the problems that are expressed regarding the enforcement of hate crimes, especially to the misqualification of these crimes when the police disregard the hate motivation of the crime. The first element of the hate crimes, the bias motive, is underemphasized, and the second element, the “ordinary” criminal offence is in the focus. Consequently, if the bias motivation is disregarded, the discourse tends to be focus on these offences as individual cases. Without the hate, racist or anti-Semitic motivation, these are “only” assaults, threats and property damages and not the embodiments of a structural problem.

When it comes to the symbolic communication about these cases, the general condemnation and rejections is presented, especially in the Kaposvár case, which was an example of anti-Semitic hate crime against property (the government takes action against every extremist, racist and anti-Semitic act and does everything to prevent these and similar attacks). This also fits into the framework of the discourse about Jewish people and anti-Semitism. Since in the discourse about anti-Semitism the different forms of condemnation appear more strongly and more frequently. Actually, anti-Semitism and symbolism intersect 40 times. The individual texts as wholes clearly show the difference between the discourse on anti-Semitism and anti-Gypsyism. If we just look into the structure of texts it shows the difference. Another interesting difference in the intersection is that Hungarians as protected characteristic appear only in relation racism and hate crime against Roma (Sajóhídvég case), but not directly in the context

of Jewish people.

While in the LGBTQI case: the government was appalled by the news that two people (mentioned by their name) were assaulted; condemns every case when participants of a demonstration are assaulted regardless whether the government agrees or not with the event; hope that the police does everything in order to catch the perpetrators. The lack of symbolism and the fact that victims are referred by name create an impression that it is one individual case that has nothing to do hate crime of homophobia at all. Additionally, the context is quite important in this case, since the victims were not only participant of the Pride Festival, but well-known activists in the field of Roma rights and one of them has Roma origin, too.

### **3.1.2 Past-present contrast, acknowledgment and achievements**

The next topics are what I called past-present contrast, acknowledgment and achievements. Past-present contrast indicates paragraphs where discourse separates the past Hungary (before 2010, before the first Orbán government) and recent Hungary. The reason why it is closely relates acknowledgement is that hate crimes and the underlying phenomena admittedly existed before 2010. Acknowledgement means that the government admits in some form that hate crimes or the underlying phenomena exist.

Additionally, past-present contrast and acknowledgment are closely related to achievements, since the acknowledgment of hatred, anti-Semitism or anti-Gypsyism in the past followed by indicating the recent Hungary's achievements and success. For instance, the Prime Minister talks about how the "history has taught the Hungarians that anti-Semitism must be recognized" ("Speech by Prime Minister Viktor Orbán at the 14th Plenary Assembly of the World Jewish Congress" 2013) and the today's government politics felt that it was its moral duty to introduce Holocaust remembrance day in schools and establish Holocaust Memorial Day. Another

example is the government's reaction to the Tavares report: the government especially rejected the report's findings related to anti-Gypsyism and anti-Semitism. The government claims that "the report is »conspicuously silent« about the fact that the serial murders against Roma were committed during the term in office of the previous and not the present government and that the Orbán-government has introduced several measures against hate speech, anti-Semitism and anti-Roma sentiments" ("The Government Has Prepared Its Official Position on the Tavares-Report" 2013). Additionally, the Prime Minister holds that human dignity was not protected until 2010. These are closely related to denial, as it will be explained under the topic of denial.

However, the protected group of LGBTQI people has a very different pattern in this discourse. As the topic of symbolism already showed, there is no existing discourse about homophobia or transphobia. Consequently, the past-present contrast is also different. In the case of this group, past serves as justification for the present discourse. The Prime Minister's arguments against same-sex marriage are: "the fact is that we are protecting a four thousand year old tradition. We can argue about whether this tradition should be maintained, but I would ask that you accept one thing. This is a four thousand year-old tradition. 2000 years in the Jewish culture and 2000 years in Christianity. We would simply like to preserve this tradition, and therefore I do not understand why any MEP should think that our right to this tradition in Hungary could possibly be restricted. The Hungarian constitution is not against anybody, but also speaks clearly ("Prime Minister Orbán's Closing Speech in the European Parliament" 2013)". It not only looks for justification in the past, but introduces the codes of tradition, value, religion that are only interlinked with LGBTQI people. These topics are typically used in the discourse of the defense of religion and family against homosexuality (Natividade and de Oliveira 2013).

### 3.1.3 Denial and Jobbik

The discourse about past-present contrast and acknowledgement take a very special meaning

with the topic of denial, which is very complex topic. Denial simply cover cases when the political elite create a framing in which the existence of racism, anti-Gypsyism or anti-Semitism is denied either implicitly or explicitly. It was even considered whether it is a topic in itself or rather a major pillar of the discourse analysis. As van Dijk (1999) points out discourse plays a prominent role in the reproduction of racism and it is particularly true for the forms of elite discourse, since the elites control or have preferential access to the major means of public communication, e.g. through political discourse (T. A. van Dijk 1999). And different form of denial of racism in the political discourse can lead to the reproduction of Anti-Semitism, racism or homophobia.

The connection between denial and Jobbik is that denials may also transfer the charge to others, as it happens in the investigated texts. This form is denial that marked by the topic of Jobbik, could be also identified as the discourse of “not we but they”. The examples may clarify this topic; therefore, I will provide some examples from the texts. The texts contain several times that the government excluded the possibility for a coalition with Jobbik. Additionally, the Prime Minister holds that the Jobbik MPs regularly have unacceptable comments in the Parliament, but the Prime Minister also said he expresses his rejection every times to those comments, since the government has a zero tolerance politics regarding to anti-Semitism. The Prime Minister also hold that Jobbik is real and growing danger and if Hungary wants to protect democracy, then the government has to be dedicated against Jobbik. According to van Dijk (1999) transferring the charges to others is a typical form of denial. Instead of admitting the existence of racism, or admitting a party’s members racism, political elite tend to acknowledge the existence of racism or anti-Semitism by attaching them to another political actor, as it happens in the case of Jobbik.

An interesting example for the past-present contrast, acknowledgement and denial relation is the following part of the Prime Minister's speech: "Let us think back for a moment what the situation was in Hungary, it was so long ago, or rather the difference is so large between the situation then and the situation now, that we can hardly remember it: uniformed paramilitary organisations marched freely around the streets of Budapest and rural Hungary with no police action whatsoever; they shot Roma citizens in the back, Roma children; they committed serial murders based on race not once, but again and again. (...) Increasingly fewer police and higher levels of violent crime. (...) I can tell you that there was anything but order and public safety. This was the world we lived in. Three years have passed and there's no sign of it" ("Prime Minister Viktor Orbán's Speech at the Conference Entitled 'National Interest in Focus'" 2013). This paragraph is based on the similar logics than the discourse about Jobbik, but instead of Jobbik the previous government is the target of the charges. It acknowledges that there was racism before 2010, but there is no sign for it in 2013, which is another form of denial. It is strongly related to the entire past-present discourse that has been mentioned. The reactions to the Taveres report rejects the charges of anti-Gypsyism by claiming that the most serious anti-Gypsy crimes happened before the first Orbán government.

Another example was mentioned above in the context of the attack against Roma people under the topic of symbolism. The condemnation in that case was directed toward unidentified racist "groups" who are trouble-makers. But the law provides protection against these groups. By selectively attributing racism only to the extreme right (or previous governments or other groups), the government at the same time defines itself as being not racists. After all, discrimination is officially prohibited by law, and punished by the courts (as it is declared in the texts). Therefore there is no problem, and Hungary is a tolerant country. There may be incidental acts of discrimination, but that does not make our society or country racist (T. A. van



Dijk 1999).

### **3.2 Analysis of the texts between 2014-2016**

The reason why the period was separated is that even if there are overlapping topics, the discourses take different path, especially because of the IHRA Chairmanship. Additionally, as it will be introduced, there are new topics in the period of the second Orbán government.

#### **3.2.1 Symbolism**

Symbolism is less frequently and differently represented in the second period. The government took over the Chairmanship of IHRA, which significantly influence the government communication about the Holocaust. Therefore condemnation appears in the context of Holocaust. In connection to the Holocaust the government points out its obligation to protect every citizens from “murderous intents” and take action against every endeavor that jeopardize democracy. The politics of zero tolerance also appears a couple of times. However one time the symbolism appears in a more extensive form in this period and explicitly mention hate crimes: there must not leave any space for either verbal or physical discrimination based on race or religion. Therefore hate speech and hate crime against the members of community must be punished as the Hungarian law does so. In the context of the Tatárszentgyörgy case, which was one of the attacks against Roma, the government expresses that hate motivated crime cannot be tolerated.

The code ‘Holocaust’ is the most frequently (10 times) interlinked with symbolism, due to the Chairmanship. Additionally, the Roma Holocaust received attention in this period, since one of the main objectives of Hungary was to raise the Roma Holocaust as part of the program. Therefore the two protected groups intersect more times. However, these codes and topics never intersect with homophobia.

When it comes to the protected characteristic, Jewish people are less represented in the context of symbolism. Symbolism regarding Jewish people rather manifest in the form of the acknowledgment and condemnation of the Holocaust. Roma are represented in a more ambiguous way than earlier. Roma appear as untapped resources and in the context social inclusion, but at the same time a new topic appears in the discourse connecting to migration. Hungary received strong criticism regarding its migrant policy, because the government strongly against the mandatory EU migrant quotas. Codes of migration and Roma intersects, because the government developed a frame in which the reason for its rejection to migrant quotas that Hungary cannot receive migrants, because it has to take care of the integration of 800,000 Gypsy people. This kind of discourse is the opposite of the discourse about Roma that appears in relation to the IHRA Chairmanship. While in latter context Roma are untapped resources, in the context of migration they are framed as a problem for the country that must be solved.

LGBTQI people have a very similar representation to the previous term. The most frequents codes within the LGBTQI-related texts are the followings: Christian roots, Judaeo-Christitan roots, values, tradition, constitution, family, marriage, subsidiary issue, migration and terrorism. In the context of hate crimes, LGBTQI people are not represented at all.

A newly emerged topic is migration that interlinks with all the three protected characteristics, but creates different discourses regarding the protected characteristics. Migration intersects codes like terrorism, crime, anti-Semitism, homophobia, Jewish, Judaeo-Christian, Roma, Hungarian nation, traditions, values, Roma integration, Roma inclusion. Migration has an obvious negative connotation in Hungary and its rejection is framed as a necessarily step in

order to protect the Hungarian nation, the Hungarian traditions and the nation's minorities. The Prime Minister said that "if you take masses of non-registered immigrants from the Middle East into your country, you are importing terrorism, crime, anti-Semitism, and homophobia ("BILD Interview with Hungary's Prime Minister Viktor Orbán: „The Voices Coming from Berlin Are Coarse, Rough, Aggressive“" 2016)". The foreign minister undertook a similar communication when he talks about the prevention of anti-Semitism by keeping the migrant in their home country. In the discourse migration is clearly paralleled with anti-Semitism by claiming that migrants "import" anti-Semitism into the country. Additionally, migration is rejected on the basis of Judaeo-Christian worldview and values. These codes are also interlinked with the LGBTQI community. As it has been introduced earlier, the government wants to maintain the four thousand years old Judaeo-Christian traditions that is incompatible with same-sex marriage. In the discourse migration and LGBTQI rights related questions are rejected on the same symbolic ground. So traditions serve as basis of rejection of same-sex marriage and migration, as well. But at the same time migration is rejected to prevent homophobia. The discourse in this form is contradictory.

The term "hate crime" also appears in this time period. The series attacks against Roma people are also (indirectly) acknowledged as hate motivated crime. The Ministry of Human Resources remembered the victims of murder and expressed that hate motivated crimes are not tolerated. In another text hate crimes appear in the context of judicial system. First, it is expressed that hate speech, crime against the members of community, incitement of hatred must be punished as the Hungarian law does so. Second, state secretary admits that violence against the members of communities is a serious crime, either it is against a person belongs to a minority or majority. So the Hungarian judicial practice, in which Roma people were found guilty of hate crime against Hungarians arises again.

### 3.2.2 Past-present contrast, acknowledgment and achievements

The past-present contrast appears, but only in the context of Holocaust. The government discourse – due to the IHRA – places a strong emphasis on the Holocaust and the role of the country and its citizens in the Holocaust. In parallel recent Hungary is framed as the Chair of IHRA and “the biggest success of IHRA so far”. The data shows that success is the most frequently relating code to IHRA (appears 15 times).

In the case of LGBTQI people, the past-present contrast is the same as in the previous term: past serves as justification for the present discourse. The arguments are not only the same, but even stronger. An example from the Prime Minister speeches: “We believe that family forms the basis of a nation, and it must be protected. We make it clear that only one man and one woman can marry and start a family”. (...) [Homosexuals] may do whatever they want to, but they cannot enter into marriages recognised by the state” (...) If a person lives with another and they do not want children, they are not preserving the thousand-year-old Hungarian tradition, according to which men and women marry. (...) This is not an issue of human rights, but of calling a spade a spade” (“Hungary Cannot Be Forced to Accept Migrants” 2016). Finally he added that these are the rules in Hungary that “nobody wants to change” (“Hungary Cannot Be Forced to Accept Migrants” 2016). At another time the Prime Minister says, in accordance with the family policy, that instead of demographic issues the “energy and money are being devoted to other things and to debates which have much less to do with reality: gender debates, same-sex marriage, and we could certainly mention quite a few others. These are all important things which may be dear to our hearts, but they are nonetheless only secondary.” The deputy prime minister with regard to a question about Budapest Pride answered that he does not deal with other privacy and does not care. The message and discourse are clearer in this period. Homophobia is not an issue in Hungary, except when migrants bring into the country. There is

no discourse about LGBTQI people in the context of hate crimes. The discourse is oppressed in the case of LGBTQI rights.

### **3.2.3 Denial and Jobbik**

Denial is a very strong feature of the discourse in the frame of the second Orbán government's communication. The connection between denial and Jobbik exists in this period and more explicit. Jobbik members are anti-Gypsy, they talk about Gypsy with full of hatred, they create a discourse that incites to hatred. This kind of discourse obviously transfer the charges of racism to Jobbik (T. A. van Dijk 1999). Additionally, another aspects of denial – the “not we but they” argument” – may have controversial affect on racism. Based on the texts, most of the Hungarian residents turn away from those who follow or support anti-Semitic, racist or any other ideologies that excludes others. Additionally, the majority of the Hungarian citizens condemn all form of xenophobia and racism. Hungary is not anti-Semitic, “we are proud of our diverse culture”. There are isolated anti-Semitic phenomena, but without influence but there is no reason for any concern, because the largest Central European Jewish community is having its cultural renaissance. All of these supports the idea that denial, in general, is a part of the strategy of positive self-representation (T. A. van Dijk 1999). The fact that these statements under the topic of denial were used in the frame of international conferences and other events, mostly related to the IHRA Chairmanship, and in interviews to foreigner journals.

### **3.2.4 Prejudices against Hungary, Europe and Hungary**

Another newly emerged topic is prejudices, but not against the protected groups, but against the Hungarian government and Hungary. Actually prejudices are not even mentioned by the government in the context of the protected characteristics. The Minister of foreign affairs holds that it is difficult to overcome the prejudices against Hungary and he feels that “we are” unfairly treated by the international community.

Hungary's democracy score is constantly downgrading (Greskovits 2015) and based on Greskovits' indexes Hungary is an extreme example of backsliding of democracy, or with other words, extreme example of destabilization and reverting to semi-authoritarian practices. So the Hungarian government received strong criticism in the last couple of years that created a new discourse in which Hungary is subject of prejudices and injustice. In relation with the migrant – Roma discourse, the government even goes further on this path. As it has been mentioned, Roma are the reason why migrants cannot be received in Hungary. Because of this frame, the government received quite strong criticism. The reaction for this criticism from the Minister of Justice was that he rejects the charges of racism, because he just spoke up in the interest of the Roma integration. In order to support that he is not racist, he presented a medal that he got from “a Roma leader who is his friend”. First, it is a clear manifestation of denial when it is a move in a strategy of defense and part of the strategy of positive self-presentation, as van Dijk (1991) explains it.

## Conclusion

The main motive of the project was to advance our knowledge and to extend the understanding of the discourse about hate crimes, especially its framing in political discourse. As it has been mentioned, based on the nature, effects and extension of hate crimes, they should be a burning issue for the political elite, who may play an important role in the reproduction and prevention of racism, and in combating intolerance and discrimination, and who control the political discourse and decision making on these issues necessarily effects not only the entire elite, organizations but both the majority and minority population (T. A. van Dijk 1993).

In order to answer the research questions, I have used qualitative content analysis and discourse analysis to capture how the government talks about hate crimes and the underlying phenomenon in the government-issued press releases.

The topic of symbolism strongly contributed to answering the first research question, namely whether the discourse about hate crimes in Hungarian politics is constructed in a way to send a symbolical message, or in other words, whether the political elite tend to express its condemnation, sending a message to the (potential) perpetrators and the society that these kind of acts are not tolerated in a democratic society. In the light of the analysis, the Hungarian government is more likely to take a symbolical path in the communication about hate crimes and underlying phenomena with expressing its condemnation against hate crimes. The government expresses its commitments against phenomena related to hate, it condemns anti-Semitism and all form of racism. Furthermore, the politics of zero tolerance is repeatedly emphasized. However, the symbolic messages appear more frequently between 2012-2014 than the 2014-2016 period. This is the first period of the Orbán government, before the IHRA Chairmanship. After taking over the Chairmanship of IHRA the government discourse tends to

focus on the Holocaust, therefore condemnation appears in the context of the Holocaust. As Jacobs and Potter (2001) point out, communication about hate crimes usually provides politicians an opportunity to say to the mass audience that they condemn anti-Semitism, racism and homophobia. The Orbán government took this opportunity and expressed its condemnation of anti-Semitism and racism, but not homophobia in the case of the LGBTQI community. The Hungarian government communication also targets Jacobs and Potter's (2001) third audience, the (potential) perpetrators, sending the message that it is not allowed to and is not worth committing hate-motivated crimes, which are not tolerated in a democratic society.

The second research question, namely whether hate crimes in the political discourse are more likely to be framed as structural problems or individual criminal cases, was mainly answered on the basis of the topics of past-present contrast and acknowledgement. Based on Witte's (1994) framework, which shows what kinds of paths a government can take in acknowledging hate crimes as social problems, it seems that the Hungarian government recognizes that anti-Semitism is an emerging problem, but only occasionally recognizes it in the case of racial violence, while in the case of homophobic violence it does not recognize it at all.

The framing of hate-motivated crimes tends to be very similar to the problems that are expressed regarding the enforcement of hate crimes (in the case of all three protected characteristics), especially to the misqualification of these crimes when the police disregard the hate motivation of the crime. The first element of the hate crimes, the bias motive, is underemphasized, while the second element, the "ordinary" criminal offence is in the focus. Consequently, if the bias motivation is disregarded, the discourse tends to focus on these offences as individual cases. Without the hate, racist or anti-Semitic motivation, these are "only" assaults, threats and cases of property damage rather than the embodiments of a structural problem. Thus, the lack of the



acknowledgment of the bias motivation implies that these crimes are framed as regrettable individual cases. This form of the discourse supports that the way politics and society approach the severity of hate crimes necessarily affects the work of state institutions, such as the police and prosecutors. In addition, as a vicious circle they clearly influence how society and victims think about state institutions and their trust in state institutions. Based on the analysis, the direction of the influence could not be established, but the coincidence of the discourse and practice shows that this approach exists on all of these levels and in all the sectors.

Additionally, the analysis shows that the government occasionally uses the term ‘hate crime’ and its synonyms in its communication. There are only two contexts where hate crime as a concept appears: the attacks against Roma people, where the term “racist crime” and “racially motivated murder” are used, and in the case of the new Criminal Code. The court declared that the series of attacks against Roma were racially motivated crimes, which were presented in the national and international public discourse as racially motivated crimes. Other than this case, there is no genuine discourse about hate crimes.

However, we cannot forget the fact that acknowledging the existence and magnitude of hate crimes may be equal to acknowledging the existence of racism in the country. Actually, the government discourse does acknowledge it, but only regarding the past. They claim that these phenomena existed before 2010, but the current government has done everything to reeducate the public and prevent such incidents. The discourse in this form intersects with van Dijk’s (1999) theory, which holds that when the political elite want to say something negative about minorities, “they will tend to use denials, disclaimers or other forms that are intended to avoid a negative impression with their listeners or their readers” (T. A. van Dijk 1999, 180). The elites in these cases tend to refer to themselves as a group: for instance in the press releases they assert

that, we Hungarians are not racist. Additionally, the denial of anti-Semitism, racism and homophobia may manifest in transferring the charges to others, to the previous government and to *Jobbik*.

The third research question is whether there is a difference in the communication merely on the basis of the protected characteristics. This research question seems to have a vertical dimension through the other two questions, because there is an obvious and prominent difference between the frames of the different vulnerable groups in every investigated context, such as symbolism, past-present contrast or acknowledgement. Thus, this means that difference between the different protected characteristics is presented in the entire discourse.

The symbolic message is the clearest relating to Jewish people. The symbolical condemnation of anti-Semitism is always present and Jewish people have a quite positive framing in the discourse. On the other hand, the symbolical message about Roma people is not always so positive, or is very differently presented, and the framing of the Roma community is quite ambiguous. In the case of the attacks against Roma, the symbolism is not expressed in the form of condemnation, but rather focuses on legal protection. In compliance with van Dijk's (1999) theory, the reason why this is problematic is that this is another form of denial. If the political elite communicates in terms of legal protection and states that discrimination is officially prohibited by law and punished by the courts, then it suggests that there is no problem, and there is nothing else the government can do. This is a tolerant country where there may be incidental acts of discrimination and hate crimes, but that does not make the society or country racist.

However, the most surprising frame arises in the context the LGBTQI community.

Condemnation – and symbolism overall – appears only once and does not mention the homophobic motivation. But the lack of symbolism complies with the entire discourse about LGBTQI rights and community. It is a question if we can talk about an LGBTQI community at all, since only homosexuality appears in the government communication. The symbolical message about homophobia and transphobia, and about homophobic and transphobic crimes does not exist. Instead, the LGBTQI community and its rights are framed by topics typically used in the discourse of the defense of religion and the family against homosexuality (Natividade and de Oliveira 2013).

Regarding the difference between the protected characteristics, the present research could be extended in the future with an even larger pool of texts containing every text regarding Roma. As it has been noted among the limitations of the data analysis, there were a large number of texts that mentioned the Roma, but they have nothing to do with hate crimes. The scope of the research and the word limits did not allow to fully cover the question of Roma representation in its entirety. Roma in the context of racism, anti-Gypsyism and hate crimes were covered by the creation of a comprehensive keyword list. With covering the entire set of texts of Roma, the framing of anti-Gypsyism may be investigated in a larger coverage.

Additionally, since the topic of migration seemed to produce interesting intersections, it would be worth elaborating on the protected characteristics of migrants. The research planned to focus on the three protected characteristics mentioned, and migration emerged only during the analysis. Therefore, because of the word limit and the original research plan (thus, the keywords do not contain any words referring to migrants), I decided stick to the original plan and did not involve migrants.

In conclusion, the discourse about hate crimes, at first sight, is appropriate for sending symbolic messages, but deeper critical analysis shows that the discourse is constructed in a way in which racism, homophobia and transphobia may be reproduced by the political elite. In a way, this shows that the government acts on the basis of beliefs, values and ideology that give meaning to their actions. On the other hand, this discourse practice constructs meanings through the government-issued press releases.

## Appendix

The list of press releases analyzed:

### 2012-2014:

1. April 19, 2011. A cigány honvédek éppen olyan jól teljesítenek, mint bárki más
2. June 4, 2012. Tiltakozás a sajhídvégi rasszista szórólapos akcióval szemben
3. July 23, 2012. Elfogadhatatlan a kaposvári zsidó temető sírjainak megrongálása
4. August 24, 2012. A Belügyminisztérium válasza az Ide tartozunk! Roma közösségi Hálózat petíciójára
5. October 12, 2012. Készül a jogász szakma is az új Büntető Törvénykönyvre
6. November 21, 2012. Németh Zsolt: a gyűlöletre uszítás merénylet a nemzet ellen
7. January 29, 2013. A kormány ígérete szerint 2013 a konszolidáció éve lesz
8. March 21, 2013. A magyar kormány tiltakozik, ha az emberi méltóság sérül
9. April 17, 2013. Die Welt interjú Orbán Viktorral
10. April 17, 2013. A Belügyminisztérium elítéli az antiszemitizmus és a rasszizmus valamennyi megnyilvánulását
11. May 3, 2013. Nem vagyunk antiszemiták
12. May 6, 2013. Zéró tolerancia az antiszemitizmussal szemben
13. May 15, 2013. Elkészült a kormány hivatalos álláspontja a Tavares-jelentésről
14. May 22, 2013. Takács Szabolcs tiranai tárgyalásai
15. May 29, 2013. A kormány mindig fellépett az antiszemita jelenségek ellen
16. June 3, 2013. Orbán Viktor előadása a Nemzeti érdek című konferencián
17. July 3, 2013. Orbán Viktor válasza a képviselői felszólalásokra az Európai Parlamentben
18. July 7, 2013. Budapest Pride – Az EMMI elítéli a bánatlmazást
19. August 6, 2013. Balog Zoltán közleménye a romagyilkosságok ügyében hozott ítélet kapcsán
20. October 1, 2013. Magyarország nem tűri a gyűlölet semmilyen formáját
21. October 1, 2013. A magyar állam is felelős volt a holokausztért
22. October 5, 2013. A kultúrának a romaintegrációban betöltött híd szerepéről beszélt Balog Zoltán Franciaországban
23. December 10, 2013. Az emberi jogok a közvetlen környezetünkben kezdődnek
24. December 30, 2013. Nyilvánvaló az Európai Unió távolodása a keresztény gyökerektől
25. February 4, 2014. Megkezdődik a romagyilkosságokat túlélő sértettek kárenyhítésének folyamata
26. February 23, 2014. Öt éve történt a tatárszentgyörgyi kegyetlen gyilkosság
27. March 18, 2014. Németh Zsolt: Az antiszemitizmus egyszerre demokráciaellenes és magyarellenes

### 2014-2016:

1. June 9, 2014. Orbán Viktor beszéde a Tisza István-szoborcsoport újraavatásán
2. August 4, 2014. Reagálás az érpataki polgármester akciójára
3. August 18, 2014. Megérkezett Irakba a magyar segélyszállítmány első része
4. November 17, 2014. Die Welt interjú - "Úgy érezzük, igazságtalanul bánnak velünk"
5. December 12, 2014. Uniós biztosokkal is találkozott a család- és ifjúságügyi államtitkár a brüsszeli tanácsülés margóján
6. January 27, 2015. Csírájában kell elfojtani a más népek elleni gyűlöletet

7. April 7, 2015. Budapesten és Debrecenben tartja idei közgyűléseit a holokauszt emlékezési szövetség
8. October 5, 2015. Antiszemitizmusról és muzulmán ellenességről is szó volt az Alapjogi Kollokviumon
9. May 18, 2015. A kormány sikertörténetként tekint Debrecenre
10. May 22, 2015. Szombat a Szolidaritás jegyében
11. May 26, 2015. Közösen vagyunk felelősek a romákért
12. June 11, 2015. Torz kép alakul ki Magyarországról a német és nemzetközi sajtó tudósításai révén
13. June 16, 2015. Az államnak részt kell vennie az emlékezetpolitika alakításában
14. July 9, 2015. Milliárdos lehet a viharkár
15. August 2, 2015. A romákat segíteni kell a felemelkedésben
16. August 6, 2015. Igazi menekültekhez nincs szükségünk kvótára
17. October 16, 2015. Aki a menekültekben a holnap munkaerejét látja, az összetéveszti a foglalkoztatáspolitikát a menekültpolitikával
18. October 29, 2015. Az államnak kötelessége megvédeni minden állampolgárát
19. November 6, 2015. Orbán Viktor beszéde a Budapesti Demográfiai Fórumon
20. November 16, 2015. Az EU-nak meg kell tudnia védeni határait
21. November 24, 2015. Kovács Ádám Zoltán helyettes államtitkár részvétele a 8. Emberi Jogi Fórumon
22. November 26, 2015. Az illegális bevándorlás és a terrorizmus kéz a kézben jár
23. December 3, 2015. A nemzetiségek támogatása pozitív üzenet a környező országoknak
24. February 23, 2016. A tatárszentgyörgyi gyilkosság áldozataira emlékeztek
25. February 25, 2016. A döntés nem Európa ellen szól, hanem az európai demokrácia védelméért
26. March 4, 2016. Orbán Viktor köszönetet mondott Horst Seehofernek a megértésért
27. March 7, 2016. Magyarország a magyar és európai értékeket védelmezi Brüsszelben is
28. March 8, 2016. Magyarország átadta a Nemzetközi Holokauszt-emlékezési Szövetség soros elnökségét Romániának
29. April 22, 2016. Orbán Viktor interjúja a Kossuth Rádió „180 perc” című műsorában
30. May 1, 2016. Senki nem kényszerítheti Magyarországot migránsok befogadására
31. May 11, 2016. Völner Pál a kormányzati elszámoltatásról

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