

THE STATE OF CIVIL SOCIETY AND THE FUNCTIONING OF DEMOCRACY IN THE VISEGRAD COUNTRIES

STAV OBČANSKÉ SPOLEČNOSTI A FUNGOVÁNÍ DEMOKRACIE V ZEMÍCH VISEGRÁDSKÉ SKUPINY

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Abstract

This text examines the role of civil society in the Visegrad Group countries (Poland, Czech Republic, Slovakia, and Hungary) and its impact on democracy. Since 1989, civil societies have evolved significantly, becoming crucial to public life. Despite challenges like financial issues and political pressure, NGOs in these countries play a vital role in promoting democratic values and human rights. The findings confirm that civil society is essential for sustaining democracy, demonstrating resilience and adaptability.

Keywords: civil society, NGO, democracy, Visegrad Group

Abstrakt

Tento text zkoumá roli občanské společnosti v zemích Visehrádské skupiny (Polsko, Česká republika, Slovensko a Maďarsko) a její dopad na demokracii. Od roku 1989 se občanské společnosti významně rozvinuly a staly se zásadními pro veřejný život. Navzdory výzvám, jako jsou finanční problémy a politický tlak, hrají nevládní organizace v těchto zemích zásadní roli při prosazování demokratických hodnot a lidských práv. Zjištění potvrzují, že občanská společnost je nezbytná pro udržení demokracie, prokazování odolnosti a přizpůsobivosti.

Klíčová slova: občanská společnost, nevládní organizace, demokracie, Visehrádská skupina

Introduction

The state of civil society and the functioning of democracy in the Visegrad Group countries (Poland, the Czech Republic, Slovakia, Hungary) are closely linked. Civil society entities have played a significant role in the entire process of systemic transformation in the Visegrad Group countries, creating an active civil society, public sphere and later the third sector (Kancik-Kořtun, 2022, p. 103). In the Visegrad Group countries (Poland, Slovakia, the Czech Republic, Hungary), non-governmental organizations (NGOs), social movements and other forms of civic activity have a significant impact on local politics and thus on local and state democracy. Civil society plays a significant role in shaping local governance and

decision-making processes. Civil society is defined as a set of organizations and institutions independent of the state that work for the public interest. Civil society can also be defined as a community whose members actively participate in public life, striving to achieve common goals and interests. Theories of civil society emphasize its role in promoting democracy, transparency and civic participation. Civil society operates in accordance with the liberal concept of legal order, the aim of which is to protect the freedom, property and life of the individual, and the role of the state is to guarantee these rights (Bednarczyk, 2001, p. 36–37). In Central and Eastern Europe, civil society developed dynamically after the fall of communism, contributing to the democratization

and modernization of these countries. Civil societies are characterized by the ability to self-organize and act independently of state institutions. The main characteristics of civil society are:

Civic activity - citizens engage in various forms of social activity, such as volunteering, participation in non-governmental organizations, associations and social movements.

Independence from the state - civil society operates independently of state structures, although it can cooperate with them, while citizens themselves initiate actions for the common good.

Self-organization - members of civil society can organize themselves independently in order to achieve specific goals, without the need for involvement on the part of the state authorities.

Pluralism and diversity - civil society is characterized by a variety of forms of action and views, which favors openness to dialogue and cooperation.

In this context, it is also necessary to pay attention to the functions of civil society and NGOs, which should be recognized as:

- Control of power - civil society performs a control function towards the government, monitoring its actions and ensuring compliance with the principles of democracy and human rights.
- Civic education - civil society organizations conduct educational activities, increasing civic awareness and promoting active participation in public life.
- Building social capital - through joint actions and cooperation, civil society builds trust and social bonds, which strengthens social cohesion.
- Solving social problems - non-governmental organizations and civic initiatives often take action to solve local problems, such as social assistance, environmental protection or local development.

The aim of this article is to analyze the impact of civil society on the state of contemporary democracies of the Visegrad Group countries. The research is based on an analysis of literature and case studies, included in a comparative analysis. The research technique used is participant observation (the author of the article carried out research fellowships in Hungary, the Czech Republic and Slovakia). Non-governmental organizations (NGOs) are a key element of civil society. They operate independently of state institutions and engage citizens in various initiatives for the common good, and thus NGOs implement the functioning of civil society. NGOs play a significant role in shaping local policy, influencing government decisions, educating citizens and mobilizing the community to act, and thus the state of democracy.

Civil Society in Poland

Civil society in Poland has undergone significant evolution since the political transformation in 1989. Currently, civil society in Poland is well-developed

and includes a wide range of non-governmental organizations (NGOs), associations, foundations and social movements. NGOs in Poland operate on the basis of the following acts:

1. Act of 24 April 2003 on public benefit activities and volunteering (Dz.U.2024.1491 t.j.) – regulates the general principles of operation of non-governmental organizations, including the principles of conducting public benefit activities and volunteering.
2. Act of 7 April 1989 - Law on Associations (Dz.U.2020.2261 t.j.) - specifies the principles of establishing, operating and closing associations.
3. Act of 6 April 1984 on foundations (Dz.U.2023.166 t.j.) - describes the principles of establishing, operating and closing foundations.

In Poland, we can recently observe an increase in the number of non-governmental organizations. Currently, there are over 120,000 registered NGOs, which indicates growing civic activity, most of which actively participate in local initiatives. We are therefore dealing with increased participation in civic budgets, as more and more cities are introducing participatory budgets, enabling residents to directly influence local investments. Another positive trend is the development of volunteering among Poles who engage in volunteering activities. This may indicate growing social awareness and the willingness to act for the benefit of other citizens. Negative trends in Polish civil society include financial challenges, as many organizations struggle with financial problems, which limits their possibilities of operation, and increasing social polarization, where growing political and social divisions may hinder cooperation and dialogue within civil society. Civil society in Poland has demonstrated great resilience and adaptability, which gives hope for its further development. Maintaining its independence while building constructive relations with state institutions and the private sector will be key to the future of civil society in Poland.

Non-governmental organizations play an important role in shaping policy and making decisions at the local level in Poland. The main tools that influence this process include participation in the legislative process. Non-governmental organizations can participate in creating law at the local level through:

- Public consultations - NGOs can participate in public consultations organized by local government units, thanks to which they can express their opinions and suggestions regarding draft resolutions and ordinances.
- Legislative initiative - in some cases, non-governmental organizations can initiate draft resolutions, which are then considered by municipal, district or provincial councils.

NGOs often conduct information activities aimed at influencing the decisions of local authorities

through information campaigns (NGOs can conduct information campaigns that increase public awareness of important issues and mobilize citizens to act) and meetings with decision-makers (NGOs can organize meetings with representatives of local authorities to present their position and proposals for solutions to social problems). Non-governmental organizations often cooperate with local governments in implementing various projects and initiatives. An example of such cooperation may be the implementation of social projects, because NGOs can implement projects financed by local governments that aim to improve the quality of life of residents, e.g. educational, health or cultural programs. It is also worth paying attention to the existing public-private partnerships, where non-governmental organizations can create partnerships with local governments and the private sector to jointly implement projects for the benefit of local communities. NGOs also play the role of guardians of democracy, monitoring the actions of the authorities and ensuring that the rights of citizens are respected. The main role should be considered to be the monitoring of public expenditure. NGOs can analyze the budgets of municipalities and counties to ensure that public funds are spent in accordance with their intended purpose and in a transparent manner. Another example may be the control of the implementation of public policies, because NGOs can assess the effectiveness of the implementation of public policies and present their recommendations for their improvement. NGOs play an important role in civil society, influencing decision-making at the local level and contributing to the development of the community.

There are many well-known non-governmental organizations in Poland that deal with civic affairs and politics. Here are a few of them:

- Helsinki Foundation for Human Rights (HFPC) (Helsińska Fundacja Praw Człowieka) - works to protect human rights and civil liberties, also conducts human rights monitoring and legal education (Helsinki Foundation for Human Rights).
- Batory Foundation (Fundacja Batorego)- supports the development of democracy, civil society and social equality, is known for its grant programs and activities for transparency and honesty in public life (Batory Foundation).
- Amnesty International Poland (Amnesty International Polska) - part of an international organization that fights for human rights around the world, in Poland it runs campaigns for freedom of speech, refugee rights and counteracting discrimination (Amnesty International Poland).
- Klon/Jawor Association (Stowarzyszenie Klon/Jawor) - conducts research and analysis on the non-governmental sector in Poland, publishes reports and data that help understand the role of NGOs in society (Klon/Jawor Association).

- Watchdog Civic Network ((Sieć Obywatelska Watchdog) - promotes transparency and accountability of public authorities. Conducts activities for access to public information and monitoring of administrative activities (Civic Network Watchdog).

The Law and Justice government (2015–2023) introduced several laws and actions that made it difficult for non-governmental organizations to function in Poland, e.g.: Act of 15 September 2017 on the National Institute of Freedom - Centre for the Development of Civil Society (Dz.U. 2017 poz. 1909); Act of 1 March 2018 on counteracting money laundering and terrorism financing (Dz.U. 2018 poz. 723). However, when the Civic Coalition took power, together with Trzecia Droga (an alliance of the Polish Coalition centered around PSL with Poland 2050) and the Left, it co-created the third government of Donald Tusk, which was sworn in on 13 December 2023. Currently, we can see a change in the trend to a positive one.

NGOs in Poland face a number of challenges and problems that may affect their effectiveness and ability to achieve their goals. The main ones include: financing (many NGOs struggle with the problem of dependence on a single source of financing, which leads to financial instability, a lack of continuity in fundraising and difficulties in obtaining funds for long-term projects are becoming common); outflow of volunteers and experts (organizations experience an outflow of volunteers and specialists to the corporate sector, which weakens their ability to implement activities); lack of specialist knowledge (NGOs often lack specialist knowledge in the field of management, fundraising and conducting marketing activities, which limits their effectiveness); transparency and bureaucracy (problems with the transparency of granting subsidies, especially at the local government and national level, and complicated bureaucratic procedures hinder the activities of organizations). The challenges indicated require NGOs to be flexible and innovative in their approach to management and fundraising.

Civil Society in the Czech Republic

Civil society in the Czech Republic is dynamic, diverse and encompasses a wide range of non-governmental organizations, civic initiatives and individuals who actively participate in public life. There are approximately 130,000 non-governmental organizations operating in the Czech Republic, most of which are actively involved in local and national initiatives. NGOs in the Czech Republic operate on the basis of several key acts that regulate their activities and legal status:

1. Act No. 89/2012 Coll., the Civil Code (Zákon č. 89/2012 Coll., občanský zákoník). This act regulates legal forms such as associations, foundations and trust funds, as well as public benefit companies. The principles for their

establishment, functioning and dissolution are specified in the Civil Code.

2. Act No. 248/1995 Coll. on public benefit companies (Zákon č. 248/1995 Coll., o obecně prospěšných společnostech). This Act specifies the conditions for the establishment and operation of public benefit companies providing public benefit services.
3. Act No. 586/1992 Coll. on income taxes (Zákon č. 586/1992 Coll., o daních z příjmů). This Act regulates the tax obligations of non-governmental organizations and provides them with certain tax reliefs if they meet the conditions of a taxpayer who is a public company.
4. Act No. 218/2000 Coll. on budget principles (Zákon č. 218/2000 Coll., o rozpočtových pravidlech). This act regulates the provision of subsidies from the state budget to non-profit non-governmental organizations.

These acts create a legal framework that enables non-governmental organizations to function effectively and contribute to the development of civil society in the Czech Republic.

NGOs in the Czech Republic actively participate in the legislative process. There are several ways in which they can influence legislation and political decisions. Aneta Pinková (Pinková, 2012) points out in particular that:

- a) some NGOs are explicitly listed in government regulations as so-called mandatory comment slots, which means that they must be consulted if the draft law concerns their area of activity;
- b) NGOs can participate in the work of various advisory bodies and committees, where they have the opportunity to express their opinions and comments on proposed laws and policies;
- c) NGOs often participate in public consultations, during which they can submit their comments and suggestions on draft legal acts. The participation of NGOs enables broader involvement of civil society in the law-making process. The involvement of NGOs in the legislative process contributes to greater transparency in the creation of law and policy. In conclusion, it should be stated that non-profit non-governmental organizations play an important role in shaping local governance and decision-making processes as:

- Advisory and working bodies - non-governmental organizations participate in advisory and working bodies established by ministries and other central administrative authorities, these bodies help to create policies and strategic documents (Úřad vlády České republiky, 2022: p. 11).
- Creation of documents - non-governmental organizations participate in the preparation and approval of important documents affecting public administration and the local community, their participation includes consultations, public

discussions and commenting on proposals (Úřad vlády České republiky, 2022: p. 21)

- Strategic partnerships - the strategy of cooperation between public administration and non-governmental organizations for 2021–2030 sets the goals and direction of this cooperation, the document emphasizes the importance of non-governmental organizations in mediating citizens' participation and their involvement in decision-making processes (Úřad vlády České republiky, 2022, p. 21; Úřad vlády České republiky, 2021).

There are several non-governmental organizations in the Czech Republic dealing with civic affairs and politics. The most famous are:

- Foundation for the Development of Civil Society – NROS (Nadace rozvoje občanské společnosti) - supports the development of civil society and the Czech non-profit sector (Nadace rozvoje občanské společnosti)
- Transparency International Czech Republic (Transparency International Česká republika) - an organization focused on fighting corruption and promoting transparency in public administration (Transparency International Česká republika).
- Amnesty International Czech Republic (Amnesty International Česká republika) - part of an international organization dedicated to protecting human rights and promoting justice (Amnesty International Česká republika).
- Regeneration (Oživení) - focuses on promoting transparency and accountability in public administration and fighting corruption (Oživení).
- Association for Democracy Assistance and Human Rights (České centrum pro lidská práva a demokracii) - an accompaniment of Czech non-governmental organizations that promote democracy, human rights, civil society, the rule of law and good governance (České centrum pro lidská práva a demokracii).

These organizations play a key role in promoting civil rights, transparency and democratic values in the Czech Republic.

NGOs in the Czech Republic, as well as in Poland, face several significant problems that affect their activities and effectiveness, including: financing (the lack of stable sources of financing is one of the biggest challenges, organizations have to rely on short-term grants and donations, which makes long-term planning and implementation of projects difficult); bureaucracy - the administrative processes associated with obtaining funds, especially international ones, are complicated and time-consuming, and outdated regulations on public collections also constitute an obstacle; lack of legal solutions that could support NGO activities, such as the possibility of writing off 1% of tax to a selected organization, which is available in other countries of Central and Eastern Europe, such as Poland.

Civil Society in Slovakia

Civil society in Slovakia includes many non-governmental organizations (NGOs), associations, foundations and social movements. In 1989, one of the key issues was regulating the relations between the state and the third sector. The process of social transformation and modernization lasted about ten years, with the aim of clarifying that civil society is not only the third sector, non-profit organizations, volunteering or citizenship, but also various associations, foundations, movements and civic initiatives (Macháček, 2008, 82). NGOs in Slovakia operate on the basis of several legal acts that regulate their establishment, functioning and obligations. The most important legal acts in force include:

1. Act No. 346/2018 Coll. on the Register of Non-Governmental Non-Profit Organizations and on Amending Certain Acts (Zákon č. 346/2018 Z. z. o registri mimovládnych neziskových organizácií a o zmene a doplnení niečých zákonov), contains legal acts stating that non-governmental organizations: must be registered in the register of non-governmental non-profit organizations; are obliged to publish annual reports containing information on their activities and financial management; must publish information on their sources of financing, especially if they receive financing from abroad.
2. Act No. 83/1990 Coll. on Civic Associations (Zákon č. 83/1990 Coll. o združovaní občanov) – regulates civic associations, which are the most common form of non-governmental organizations in Slovakia.
3. Act No. 34/2002 Coll. on Foundations (Zákon č. 34/2002 Z.z. o nadáciách) – concerns foundations managing assets intended for public benefit purposes.
4. Act No. 147/1997 Coll. on Non-Investment Funds (Zákon č. 147/1997 Z.z. o neinvestičných fondoch) – regulates the activities of non-investment funds supporting public benefit activities.
5. Act No. 213/1997 Coll. on non-profit organizations providing public services (Zákon č. 213/1997 Z.z. on non-profit organizations providing services in the public interest) – applies to non-profit organizations providing services in the public interest.

Non-governmental organizations (NGOs) in Slovakia can participate in the legislative process. Their participation is important to ensure that laws and policies reflect the needs and interests of civil society. NGOs are involved in the legislative process in various ways:

- Commenting on laws - NGOs can submit comments on draft laws during public consultations, thus influencing the final shape of the legislation (hnonline.sk, 2024)
- Lobbying - NGOs often lobby for changes in legal regulations that could positively affect their areas

of activity. The process includes meetings with members of parliament, submitting motions and organizing campaigns supporting legislative changes (topky.sk, 2024)

- Participation in working groups: NGOs are often invited to working groups and committees preparing draft laws and policies. Their professional knowledge and experience are a valuable contribution to creating effective legislation (topky.sk, 2024).

In Slovakia, there are several examples of effective lobbying by non-governmental organisations that have had an impact on legislative processes and public policies:

- Transparency International Slovakia, TIS (Transparency International Slovensko) – actively involved in lobbying for greater transparency and regulation of lobbying. For example, their study “Lobbying in Europe: Hidden Influence, Privileged Access” identified shortcomings in Slovak lobbying legislation and proposed specific measures to improve transparency (Transparency International Slovensko).
- Via Iuris – the organisation focuses on strengthening the rule of law and protecting human rights. Via Iuris successfully lobbied for changes to the Freedom of Information Act, which led to improved public access to information about the activities of public institutions (Via Iuris).
- Ekopolis Foundation (Nadácia Ekopolis) – committed to environmental protection and sustainable development. Their lobbying has contributed to the adoption of several environmental laws and policies that support nature conservation and reduce environmental burdens (Nadácia Ekopolis).

These examples show how NGOs can effectively influence legislative processes and contribute to improving public policies in Slovakia.

Although NGOs have the ability to influence the legislative process, they also face challenges. For example, recent proposals to regulate NGO lobbying have raised concerns about a possible limitation of their ability to communicate effectively with public officials (24hod.sk, 2024). Non-governmental organizations in Slovakia face the same number of issues that may affect their effectiveness and ability to carry out their activities. The main issues include:

- Changes in legislation. Recent proposals to regulate lobbying and label NGOs as “foreign-supported organizations” have raised concerns about possible limitations of their activities. These changes may increase administrative burdens and complicate operations (spravy.rtvs.sk, 2023).
- Administrative burdens. New transparency and reporting requirements may be difficult for smaller NGOs to meet, which may lead to increased administrative burdens and the

depletion of resources that could otherwise be used for their main purposes (hnonline.sk, 2024).

- Financial constraints. Funding constraints and the introduction of financial flow controls may seriously threaten the ability of NGOs to fulfil their missions. Many organisations rely on foreign grants and donations, and new regulatory measures may jeopardise these resources (Amnesty International SK, 2024).
- Political pressures. NGOs often face political pressure and efforts to limit their influence, especially if they deal with sensitive topics such as human rights, corruption or environmental protection. This pressure may lead to restrictions on their activities and a reduction in their ability to operate effectively (amnesty.sk).

It is worth noting that civil society also plays an important role in Slovakia, especially in the context of fighting corruption and promoting good management practices. In 2022, there were about 50 thousand non-governmental organizations operating in Slovakia. Civil society in Slovakia is also involved in civic education and promoting social activity. Examples of active organizations that play an important role in promoting democracy, transparency and protecting human rights in Slovakia are:

- Transparency International Slovakia (Transparency International Slovensko) - played an important role in the fight against corruption in Slovakia, conducting educational campaigns and monitoring the activities of public authorities. Their reports and analyses contributed to increasing transparency in public administration. ← Slovak Governance Institute (Inštitút pre dobre spravovanú spoločnosť) – has implemented numerous research and educational projects that have contributed to improving public management and promoting good administrative practices.
- Pontis Foundation (Pontis Foundation) – supports the development of civil society through numerous philanthropic and educational projects, including programs supporting social entrepreneurship.
- Amnesty International Slovakia (Amnesty International Slovensko) – focuses on the protection of human rights and works to raise awareness of human rights and combat their violations.
- Institute of Public Affairs (Inštitút pre verejné otázky) – conducts research and analyses in the field of public policy, democracy and civil society. It publishes studies and organizes discussions on current social issues.

The development of civil society in Slovakia has faced significant political pressure under Robert Fico, especially during the second Fico government (from April 4, 2012 to March 22, 2018). A certain hope for regaining the image and reputation of civil society organizations was the election in 2019 of Zuzana Čaputová, a lawyer and social activist,

as President of Slovakia, who expressed her willingness to cooperate between the government and civil society organizations (Kancik-Koltun, 2021, p. 65–66). However, the third government of Prime Minister Robert Fico, in office since October 25, 2023, has adopted a very critical stance towards NGOs that are perceived as harming the government. The authorities have announced a reduction in support for such organizations, which may lead to a significant reduction in available funds. NGOs must therefore struggle with the problem of an unfavorable image in the eyes of the public and a lack of trust. In some cases, NGOs are perceived as tools of foreign interests, which may weaken their position. Prime Minister Robert Fico recently spoke out on the subject of non-governmental organizations (NGOs), proposing a law that would designate some NGOs as “foreign agents.” The proposal is inspired by the U.S. FARA (Foreign Agents Registration Act), which requires organizations funded from abroad to be designated as foreign agents (spravy.rtvsk, 2024). The Slovak prime minister says such a law could help combat disinformation and increase transparency in NGO funding. He believes that organizations receiving funding from abroad should be required to publish this information and label themselves as foreign agents (spravy.rtvsk, 2023). However, the proposal has raised concerns among NGOs and experts who warn that it could limit the activities of civil society and reduce the credibility of these organizations. Critics also point out that similar laws in other countries, such as Russia, are used to suppress independent organizations and restrict their activities. In fact, non-governmental organisations in Slovakia face a number of problems and challenges that affect their functioning and ability to fulfil their mission. The main issues are: legislative constraints – recent draft laws, e.g. those that would designate organisations receiving more than €5,000 from abroad as “foreign-supported organisations”, can significantly increase bureaucratic burdens and stigmatise NGOs, and thus such regulations can restrict their activities and limit their ability to raise funds (Amnesty International, 2024); financial challenges – many NGOs rely on grants and donations, which can be unstable and insufficient, and a reduction in funding, especially from foreign sources, can seriously jeopardise the ability to achieve their goals (Amnesty International, 2024a); administrative burdens – increased transparency and reporting requirements can be difficult and time-consuming for smaller organisations, which can also discourage volunteers and reduce the effectiveness of their work (topky.sk, 2024); political pressure and stigmatisation – NGOs that are critical of the government or deal with sensitive topics can face political pressure and stigmatisation. This can lead to a reduction in their activities and a decrease in public support (Amnesty International, 2024); lack of awareness and public support – many

NGOs struggle with a lack of public awareness of their work and importance, which has an impact on their ability to attract volunteers and financial resources (topky.sk, 2024). These challenges require NGOs to constantly seek new ways to improve their efficiency, transparency and ability to raise funds. Despite these challenges, many NGOs in Slovakia continue to actively work for local communities and promote democratic values, and thus try to find ways to overcome the difficulties they encounter.

Civil society in Hungary

Hungary has a civil society with a rich historical tradition, although it has faced many challenges and problems in recent years. Civil society in Hungary includes various non-governmental organizations, social movements and civic initiatives that work to protect human rights, transparency, environmental protection and other important social issues, and there are about 60,000 registered civic organizations and associations in Hungary. In the twenty years since the transformation, civil society in Hungary has functioned very well and developed, but after Viktor Orbán and the Fidesz party came to power in 2010, the level of civil society began to deteriorate significantly, and the authorities took further steps to effectively control civil society (Kancik-Kořtun, 2024: p. 232). Under Viktor Orbán's rule, civil society in Hungary has been struggling with increasing political and legislative pressure. Viktor Orbán's government has introduced a number of laws that hinder the activities of NGOs, including the Transparency Act for Foreign-Funded NGOs, which was ruled incompatible with EU law by the Court of Justice of the EU. Citizens have increasingly begun to doubt the civic sector, regardless of Hungarian politics, and the internal contradictions of representative democracy in Hungary are leading to a decline in trust in the state (Potulski, Horvath, 2022: p. 49).

The activities of Hungarian NGOs are regulated by the 2011 Civil Code (2011. évi CLXXV). The Act specifies information on association, legal status of public benefit, and the functioning and support of civic organizations. The Act regulates the framework for the creation, operation and support of civic organizations, i.e. foundations, associations and public benefit organizations, which are established on the basis of the Civil Code.

Hungarian Prime Minister Viktor Orbán has repeatedly expressed criticism of non-governmental organisations (NGOs) and civil society. The Prime Minister has accused foreign-funded NGOs of working for foreign interests and attempting to influence the country's politics. Amnesty International's report, *Backs to the Wall: Civil Society Under Pressure in Hungary*, details the serious challenges Hungarian NGOs face due to government actions. Key points include: sustained government attacks – Hungarian NGOs have been subject to sustained government attacks, hampering their activities and having a chilling effect on

freedom of association; public accusations and legal action – politicians have made accusations against NGOs, leading to legal proceedings that threaten to close them down; and erosion of civil society space – government actions have eroded the space for civil society, making it difficult for NGOs to function effectively (Amnesty International, 2015).

In 2017, the Law on Transparency of Foreign-Funded NGOs (2017. évi LXXVI) was introduced, which required NGOs to register and disclose their sources of funding. The adoption of the Law on Foreign Funding of NGOs in Hungary in 2017 was met with wide international criticism. The European Commission initiated proceedings against Hungary, claiming that the law violated EU law. Hungary ignored the Commission's opinion, which led to the referral of the case to the Court of Justice of the EU. In June 2020, the Court ruled that the law introduced discriminatory and unjustified restrictions, violating the principles of the free movement of capital and fundamental rights such as the right to respect for private life, protection of personal data and freedom of association (Łakjkowska, 2020). The Hungarian parliament annulled the law in 2021, but the new NGO transparency regulations are still controversial, as they introduce an obligation to publish annual reports by the State Audit Office (ASZ) for organizations with an annual balance sheet total exceeding HUF 20 million, and the regulations do not apply to religious, sports and national organizations.

Another „Stop Soros“ Act (jogaszvilag.hu, 2018) was passed by the Hungarian parliament in June 2018, where its aim was to restrict the activities of NGOs that help illegal immigrants. The law introduces penalties for individuals and organizations that support illegal immigrants and prohibits the settlement of foreigners in Hungary. It has been criticized by human rights organizations and international institutions for restricting civil rights and freedom of association.

Viktor Orbán has repeatedly emphasized that his government aims to limit the influence of NGOs on the country's politics. In his speeches he criticizes liberal values and promotes a conservative approach to governing the state (Borino, 2024). Examples of non-governmental organizations play a key role in promoting human rights, social integration and democratic values in Hungary, the main ones include:

- Hungarian Helsinki Committee (Magyar Helsinki Bizottság) - this organization defends human rights, offering legal assistance to refugees, asylum seekers and victims of human rights violations.
- Hungarian Civil Liberties Union - HCLU, TASZ (Társaság a Szabadságjogokért) - focuses on the protection of civil liberties, with particular emphasis on freedom of speech, the right to assembly and the protection of privacy, works to protect human rights and civil liberties, independently of political parties and state institutions.

- Amnesty International Hungary (Amnesty International Magyarország) - the local organization Amnesty International campaigns for the protection of human rights and draws attention to violations.
- Átlátszó (Átlátszó) – an independent investigative journalism organization that focuses on exposing corruption and financial abuse, especially in the context of EU funds. Átlátszó plays a key role in informing the public about irregularities and promoting transparency.

Civil society and NGOs in Hungary face a number of serious challenges, including: restrictive legislation, such as the 2017 “Lex NGO” Act and the 2018 “Stop Soros” Act, which impose strict requirements and penalties on NGOs, especially those receiving foreign funding or helping migrants

(Gall, 2021; Hungarian Civil Liberties Union, 2020); NGOs often face smear campaigns, public accusations, and legal actions by government officials and pro-government media aimed at discrediting and hindering their work (Amnesty International, 2018); new regulations require NGOs to undergo financial inspections and publish detailed reports, which increases administrative burdens and potentially discourages foreign donations (Gall, 2021); the overall environment for civil society is becoming increasingly hostile, making it difficult for NGOs to operate freely and effectively (Amnesty International, 2018). These challenges combine to undermine the ability of civil society organisations to function and promote human rights and democratic values in Hungary.

Conclusion

Civil societies in the Visegrad Group countries play an important role in shaping democracy. Non-governmental organizations (NGOs) and social movements engage in various initiatives, from protecting human rights to environmental protection. Civil society is the foundation of modern democracy, enabling citizens to actively participate in shaping social and political realities. Undoubtedly, we see differences in the political and legal contexts in the Visegrad Group countries, but NGOs and social movements in these countries contribute to promoting transparency, civic participation and good governance practices. Although civil societies in the analyzed countries share common goals, such as promoting transparency, human rights and civic participation, they face different challenges depending on the political and social context. Civil society in Poland, Slovakia, the Czech Republic and Hungary play a partial role in shaping local governance and decision-making processes. In Poland and the Czech Republic, civil society is relatively strong, although they face challenges related to bureaucracy and financing. In Slovakia and Hungary, civil society organisations have to cope with greater political pressure and legal restrictions.

In the analysed V4 countries, civil society, through its organisations, plays a fundamental role in shaping and maintaining the proper functioning of democracy at the local and national level. This influence is evidenced by:

- civic participation – civil society promotes civic activity, which leads to greater involvement of people in democratic processes. Citizens participate in elections, public consultations and other forms of participation, which strengthens democratic institutions;
- control over power – civil society organisations fulfil a control function over the authorities, monitoring their actions and holding them accountable. Thanks to this, governments are more transparent and accountable;
- education and awareness-raising – civil society organisations educate citizens about their rights and obligations, which increases social and political awareness. This in turn leads to more informed and responsible participation in public life;
- solving social problems – NGOs and other civil society actors often engage in solving social problems, which helps build social trust and strengthen social bonds;
- citizen representation – NGOs represent the interests of various social groups, including those that may be marginalized or underrepresented in traditional political structures;
- cooperation with authorities – civil society organizations cooperate with authorities at various levels, leading to a better understanding of social needs and more effective public management.

With the exception of the Czech Republic and Poland, all Visegrad Group countries face challenges related to the reduction of space for civil society. The rise of populism and nationalism, as well as attempts to centralize power, pose a serious threat to independent social initiatives and democratic values. The analysis of civil societies in the Visegrad Group countries allows us to understand how diverse and complex the democratization processes are in the analyzed countries. Civil societies, despite the difficulties they encounter, demonstrate great resilience and the ability to adapt, which gives hope for their further development and strengthening their role in shaping democracy. Maintaining their independence and building constructive relations with state institutions and the private sector will be crucial for the future of civil societies in the Visegrad Group countries.

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