

MINORITIES

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Hungary and the Hungarians Living Abroad: a Historical Outline*

This study aims to present the governmental and political background in Budapest against which the birth of the Status Law can be examined: the circumstances, potential and ideas existing before 1989, the Hungarian nationality policies of the three successive governments of the 1990s, and the system of relations between Hungarian national politics and Hungarian minority politics, which underwent significant changes up to the end of the 1990s.¹

1. CIRCUMSTANCES AND POLITICAL PROCESSES BEFORE 1989

1.1. Hungarian national minority groups living beyond the borders of Hungary constitute minorities created via the 1920 Trianon Peace Treaty. According to statistical data from 1910, members of these communities created by force² totaled 3.5 million, while it is now less than 2.5 million. Population loss, which can be interpreted within the framework of parallel nation-building endeavors of Hungary and its neighbors, can be attributed to migration

* An extended version of this article will be published in: Z. Kántor, B. Majtényi, B. Vizi, I. Halász, O. Ieda (eds.): *The Hungarian Status Law: Nation building and/or Minority Protection*. Hokkaido University in Sapporo: Slavic Research Center, 2004.

¹ By Hungarian national politics I mean the politics of a relevant state or government is meant, whereas Hungarian minority politics refers to the political activity of a Hungarian minority living beyond the borders of Hungary.

² In a historical sense, these are communities (created by force) which were excluded from the process of building their own nation through political processes and which, in the subsequent period of 80 years, became committed communities or residual communities in that their minority elite simultaneously produced responses to the nation-building challenges of their motherland and of the majority state where they lived, as well as to the modernization demands of their own society.

to the mother country, assimilation, the Holocaust, as well as a decrease of natural population growth.³ Following fundamental changes in the 1950s and 1960s, a similarly significant deterioration can be observed in the indices of social statistics and social positions of the Hungarian minority, such as in its ratio within urban population and its level of urbanization, as well as in its level of schooling, and in its occupational structure.⁴

With more extensive opportunities of migration, these trends have become stronger during the past decade. It has turned out that these are not mere consequences of political campaigns, but represent interacting processes causing changes in the structure of society, while intensifying each other's effects. The number of Hungarians in Slovakia decreased by 46,000 between 1991 and 2000, which can chiefly be attributed to assimilation processes.⁵ Only one-tenth of this decrease can be explained by natural population decrease and hidden migration. Yet, in opposition to the situation in Slovakia, the following distribution of factors responsible for a decrease of 193,000 Hungarians living in Romania can be identified: natural population decrease around 40%, migration 50%, changing nationality 10%.⁶ Paradoxically, in Yugoslavia population censuses have revealed a lesser degree of population loss among Hungarians (50,000) than forecasted (90,000).⁷ The deci-

³ The most important works of the extensive relevant literature include: Kocsis, Károly: Magyar kisebbségek a Kárpát-medencében [Hungarian Minorities in the Carpathian Basin]. In Bihari, Zoltán (ed.): *Magyarok a világban: Kárpát-medence* [Hungarians in the World: The Carpathian Basin] Budapest: Cebe, 2000. 13–29; Varga, E. Árpád: Az erdélyi magyar asszimiláció mérlege a XX. század folyamán [The Balance of Transylvanian Hungarian Assimilation in the 20th Century]. *Regio*, No. 1, 2002. 171–205; Gyurgyík, László: *Magyar mérleg: A szlovákiai magyarság a népszámlálási és népmozgalmi adatok tükrében* [Hungarian Balance: Ethnic Hungarians in Slovakia according to population census and demographic data] Pozsony: Kalligram, 1994.

⁴ Explicitly treated in the chapters of the relevant countries in Kocsis, Károly – Kocsisné Hodosi, Eszter: *Magyarok a határainkon túl. A Kárpát-medencében*. [Hungarians beyond our Borders: In the Carpathian Basin] Budapest: Tankönyvkiadó, 1991. as well as in Szarka, László: A városi magyar népesség számának alakulása a Magyarországgal szomszédos országokban (1910–2000) [Developments in the number of Hungarian urban population in the neighboring countries of Hungary, 1910–2000]. *Kisebbségkutatás*, No. 4, 2001. 57–67.

⁵ Gyurgyík, László: A szlovákiai magyarság létszámcsökkenésének okai [Causes of the decrease in the number of ethnic Hungarians in Slovakia]. In Gyurgyík, László – Sebők, László (eds.): *Népszámlálási körkép Közép-Európából 1989–2002* [Population census survey in Eastern-Europe, 1989–2002] Budapest: Teleki László Alapítvány, 2003. 46–61.

⁶ A scholarly debate on the causes of ethnic Hungarian population decline was published in *Magyar Kisebbség*, No. 4. 2002. 3–110.

⁷ Sebők, László: A 2002-es jugoszláviai népszámlálás előzetes eredményeinek ismertetése és elemzése [Preliminary results and analysis of the 2002 population census in Yugoslavia]. In *Népszámlálási körkép ... op. cit.* 118–134.

sive causes here are also natural population decrease and migration, chiefly to Hungary. Quite evidently, these are long-term processes that cannot be addressed by political campaigns or “action plans to save the Hungarian nation” initiated either by the minority community or by the kin-state.

If we consider the *functioning* of these communities, we can distinguish three sub-types:

a.) Functioning communities of ethnic Hungarians in today’s Austria, Slovenia, and Croatia can only be interpreted within the conceptual framework of diaspora research. Characterized by a growing inability to reproduce themselves, these chiefly rural communities are actually *scattered communities*, where an aged Hungarian population represents a small minority even within its settlements, often lives in mixed marriages, and uses the majority language even in its everyday public communication.

b.) As a result of changes over the last ten years, migration to Hungary affected the middle and professional classes of the Hungarian minority living in the Ukraine and Yugoslav Voivodina. Ethnic Hungarians in these regions lead their lives in *local, rural communities* with a thinning professional class of their own. These *local communities* are becoming increasingly homogeneous; those who have convertible knowledge or skills leave their native soil and an increasing ratio of those who stay live in *rural, agrarian communities*.

c.) Only in the case of Romania and Slovakia can we speak of *minority fractional societies* with existing and socially structured systems of institutions. There is a significant difference between the two countries regarding future generations, which is not only a mere statistical issue. There is a sharp difference in terms of social integration. The Hungarian minority in Slovakia is much more integrated, from economic and cultural aspects, into Slovak society than the Hungarian minority in Romania is into Romanian society. This fact can be attributed to the different levels of civic development, and the historical and cultural characteristics of these two countries.

The structure, or sphere, which has been ambitiously termed as the “system of institutions of Hungarian minority” or “minority Hungarian society” for the past ten years, has continually tried to organize itself into some kind of system, if for nothing else, at least for the sake of influencing the distribution of funds coming from Hungary. This network does not operate as merely a virtual organization, but operates in various *subsystems*. These include: *organizations for political interest representation, political parties, positions in local authori-*

*ties, civil society, independent forums (media) of the minority, cultural institutions and institutions producing professional knowledge and know-how, and church institutions.*⁸

The relations of these six subsystems, or more accurately the relations of the interests of the elites leading them, determine the responsive nature and capacity for integration and modernization of these communities. As opposed to the majority societies, here there is a definite lack of state institutions, appointment carried out by political elections, and no clear constitutional system of legal relations.

1.2. Hungarian nation politics of the governments in Budapest can be divided into eight periods from the end of World War I to present:

1: from 1918 to 1941 – a period between the two world wars characterized by a revisionist view of the future;

2: from 1938 to 1944 – national politics from a majority position during World War II;

3: from 1944 to 1948 – a period characterized by a lack of means to influence national politics;

4: from 1948 to 1968 – a period of the propaganda of automatic resolution of the issue based on the principle of internationalism;

5: from 1968 to 1986 – a period of developing the ideology of dual-loyalty and of minorities assuming a bridging role;

6: from 1986 to 1992 – attempts in Hungary to handle the problem institutionally;

7: from 1989 to 1996 – creation of a system of Hungarian institutions beyond the borders of Hungary;

8: a period starting in 1996 with the creation of Hungarian Standing Conference (HSC) and continuing with the passing of the Status Law in 2001 and onward – political institutionalization of Hungarian-Hungarian relations and the integration of the system of cultural institutions of the Hungarian nation perceived in ethnocultural terms.

⁸ Of these sub-systems, the functioning of the sphere of political interest representation is treated in Kántor, Zoltán: *Kisebbségi nemzetépítés. A romániai magyarság mint nemzetépítő kisebbség*. [Minority nation-building. Hungarians in Romania as a nation-building minority] *Regio*, No. 3, 2000. 219–241; a model for the minority forums (media) was drawn up in Papp, Z. Attila: *A kisebbségi nyilvánosság sajátosságai* [Characteristic features of the minority media]. In Fedinec, Csilla (ed.): *Társadalmi önismeret és nemzeti önanonosság Közép-Európában* [Social self-recognition and national self-identity in central Europe]. Budapest: Teleki László Alapítvány, 2002. 189–206.

Between the two world wars Hungarian national politics was determined by the desire for revision, basically a *revisionist view of the future*. Among various versions, the restoration of historical Hungary was the idea most vocally represented through social organizations. This was the period when the aims of Hungarian national politics showed the least deviation from long-term foreign political objectives, since there was a consensual desire for revision in Hungary and among Hungarians living abroad.

During World War II (from 1938/1940/1941 to 1944), owing to the presence of large nationality groups on the increased territory of the new country, in lieu of Hungarian national politics, we can rather speak of *national politics conducted from a majority position*. The Hungarian standpoint held before, i.e. that the handling of the minority issue could be implemented through the creation of national autonomies, was removed from the agenda and the emphasis was put on further development of the 1868 Nationality (Minority) Law.⁹

Period characterized by a lack of means to influence national politics (from 1944 to 1948). During the peace negotiations following the end of World War II Hungary had no political allies to support its endeavors to achieve legal protection for Hungarians living beyond its borders.

Period of the propaganda of automatic resolution of the problem. From the 1950s the political standpoint concerning the cause of Hungarians living beyond the borders was determined by two basic principles. On the one hand, the nationality issue was considered an internal affair of each socialist country, at least according to the internationalist dogma. On the other hand, according to the official phrasing, with the victory of Marxism–Leninism, national conflicts will also be resolved, since they were a reflection of class oppression of the bourgeoisie and the feudal ruling classes.

The rediscovery of the problem took place in the second half of the 1960s, starting from 1964.¹⁰ An ideological-political survey of the issue was undertaken in 1968 by the Agitation and Propaganda Committee of the Central Committee of the Hungarian Socialist Workers' Party [MSZMP in Hungar-

⁹ This concept is summarized in Teleki, Pál: *Magyar nemzetiségi politika* [Hungarian national politics] Budapest: Stádium, 1940. The document was republished by Ablonczy, Balázs: *Teleki Pál – Válogatott politikai írások és beszédek* [Selected Political Writings and Speeches] Budapest: Osiris, 2000. 395–414.

¹⁰ This process is summarized in Arday, Lajos: *Magyarok a szomszédos államokban – külpolitikánk változása* [Hungarians in the Neighboring Countries – Changes in our Foreign Policy]. Manuscript, Library of the Teleki László Foundation, Kv. 1992/1040.

ian abbreviation] when it discussed relations maintained with Hungarian literary life abroad.¹¹ It was established that “through its traditions and language, this culture is a constituent part of the entire Hungarian culture. For this very reason, with greater care than before, we should cultivate our ties with the culture of Hungarians living in the neighboring socialist countries and we should also feel responsible for the development of these cultures.”¹² Officially, the ideology of *dual-loyalty* was endorsed: national minorities (national minorities in Hungary and Hungarians living beyond the borders) were seen to be culturally linked to their own national culture and, through their citizenship, to the culture of the country in which they live.

It is hard to separate the process of *institutionalization* from the re-emergence of the problem. A conceivable level of this process was the *institutionalization of scientific research*. In 1968 Hazafias Népfront [Patriotic People's Front] asked for a comprehensive report on the cultural situation of Hungarians living beyond the borders. In 1972–73 the Central Committee of the Hungarian Socialist Workers' Party ordered a several thousand-page overview of the cultural relations between Hungary and its neighbors. Then in 1985, as a response to memoranda submitted by intellectuals, the Institute for Hungarology was created to conduct research on Hungarians abroad.

At the level of party politics the Political Committee dealt with the issue in 1976.¹³ The unpublicized draft resolution finalized in 1977 acknowledges that the nationality issue is an internal affair of every country, but deviations from Marxist-Leninist norms of national politics can be indicated to the party leadership of the neighboring countries. The document urges an extension of Hungarian-Hungarian relations, with exemplary attention to be paid to the problems of nationalities living in Hungary, and the raising of issues through international channels. Although the document acknowledges that this problem is an internal affair, it acknowledged that “it is also a question of foreign policy for Hungary”.¹⁴ From this point on, references with increas-

¹¹ MSZMP KB Agit. Prop. Biz. ülése 1968. március 26. [The meeting of the Agitation and Propaganda Committee of the Central Committee of the Hungarian Socialist Workers' Party on 26 March, 1968]. Magyar Országos Levéltár [Hungarian National Archives], hereinafter abbreviated as MOL, 288. f. 41. csop. 91.

¹² *Ibid.* 2.

¹³ The Political Committee discussed a proposal prepared by Frigyes Puja, Minister of Foreign Affairs, on 20 December 1976. Following the discussion, János Berecz, Head of the Foreign Affairs Department of the Central Committee reworked the proposal dated 20 January 1977. MOL, 288. fond 5. csop. 707. 6c. 29–48. f.

¹⁴ *Ibid.* 9.

ing frequency were made to Hungarians living in neighboring countries in various forums.

The situation changed in 1986–87 with the publication of the three-volume *History of Transylvania*.¹⁵ The final point of the communicational process was the statement made by Mátyás Szűrös (Foreign Affairs Secretary of the Central Committee of MSZMP) in January 1988: Hungarians living beyond the borders of Hungary form a part of the Hungarian nation. This statement had a relieving effect primarily among Hungarians living beyond the borders. (This was one of the developments viewed as symbolic in Hungary, but considered as real political acts in the target communities.) The associates of Mátyás Szűrös, Csaba Tabajdi and Imre Szokai, in an article which generated great public interest in February 1988, elaborated that *issues concerning the Hungarian nationality beyond the borders constitute an inescapable part of Hungary's neighborly relations*.¹⁶ In fact, following this article the institutionalization of Hungarian national politics started with the creation of the Office for National and Ethnic Minorities in Hungary and the Government Office for Hungarian Minorities Abroad (GOHMA). But this already belongs to the seventh period, when, after 1989, a Hungarian system of institutions was gradually created and by the mid-1990s two things had become clear: a) there were no partners in the political elites of the majority nations for the implementation of national autonomies envisioned in a consocial model; and b) the system of minority institutions couldn't be sustained from the resources of the Hungarian minority alone. The eighth period in Hungarian national politics is definitely marked by the strategic steps taken by the governments in Budapest in relation to these two problems.

2. HUNGARIAN NATIONAL POLITICS OF GOVERNMENTS IN BUDAPEST AFTER 1989

2.1. Before comparing the Hungarian national politics of the Antall, Horn and Orbán governments,¹⁷ I address the following question: What are

¹⁵ Köpeczi Béla (ed.): *Erdély története*. Budapest: Akadémiai Kiadó, 1986.

¹⁶ The article Tabajdi, Csaba – Szokai, Imre: Mai politikánk és a nemzetiségi kérdés [Our politics today and the nationality issue] and its reception are published in Tabajdi, Csaba: *Mérleg és számvetés. A magyarságpolitikai rendszerváltás kezdete*. [Balance and drawing an account. The beginning of the system change in Hungarian national politics] Budapest: Codex Print, 2001.

¹⁷ In this topic I rely on two fundamental studies: Tóth, Judit: Az elmúlt évtized diaszpórapolitikája [The diaspora-politics of the past decade] In Sík, Endre – Tóth, Judit

the generally accepted basic principles of Hungarian national politics in Hungary that have been shaped since 1989?

For the past decade a *consensus* has been reached among *Hungarian political parties* at least on a theoretical level concerning some of the issues of Hungarian national politics. One may say that, as concerns the issue of European integration, this issue has “apparently” enjoyed the widest agreement among political parties. The common view of the parties can be summarized as follows:

a) *It is not the location of the borders, but their quality that must be changed.* Only MIÉP (Party of Hungarian Justice and Life) has taken an ambiguous stand in this respect. If we take a closer look, however, it comes to light that standpoints also differ in relation to issues of granting employment opportunities, permanent residence and visas for ethnic Hungarians.

b) *Hungarian minorities of the neighboring countries are entitled to have their independent system of cultural institutions in the countries where they live.* There is also a basic understanding among the parties that cultural autonomy could be the framework for this. But as regards the path leading to this autonomy, opinions differ in Hungary, as they do among elite groups beyond the borders. There are groups that expect autonomy on the basis of “natural law”, whereas others believe it is feasible only through continual, step-by-step building of institutions.

c) *The principle of treating the representatives of Hungarian political life beyond the borders as equal partners.* The implementation of this principle is very difficult. This is partly because the political weight of the partners is not equal – a politician of the Hungarian minority beyond the borders frequently finds himself or herself in a position of asking for help in or from Hungary.

d) *The interest representation of the Hungarian minorities beyond the borders in international forums is always the task of the actual Hungarian government on the basis of international legal norms.* Regarding this issue, Hungarian politicians behave as if Hungary has already been provided with a protective power status through the basic agreements reached between Hungary and its neighbors. However, this has not been recognized so far by other, non-bilateral, agreements.

e) *The support of Hungarians living abroad is an integral part of the actual state budget of Hungary and the structure of public foundations on a continuous basis.* There

(eds.): *Diskurzusok a vándorlásról* [Discourses on Migration] Budapest: Sík, 2000. 218–251; and Mák, Ferenc: *Az új nemzeti politika és a Határon Túli Magyarok Hivatala, 1989–1999* [New national politics and the Office of Hungarians Beyond the Borders, 1989–1999]. *Magyar Kisebbség*, No. 3. 2000. 237–293.

is no consensus, however, in this respect and a serious debate has not yet been started upon the decision-making mechanisms regarding the distribution of funds, strategic target programmes and monitoring of utilization.

2.2. Hungarian national politics of the Hungarian governments

2.2.1. The Hungarian national politics of the *Antall government* (1990–94) was fundamentally determined by two factors. On the one hand, a place had to be found for the problem in governmental work and an appropriate institutional framework had to be constructed. On the other hand, this government had to bluntly face the trio of priority issues for Hungarian foreign policy: Euro-Atlantic integration, relations with neighboring countries, and Hungarian national politics – and achieve a delicate balance among them. The Hungarian national politics of the Antall government may be summarized in three goals: a) Based on international human rights and minority protection norms, assume the task of *diplomatic protection* of the Hungarian minorities. b) Based on west European examples, *create a central European model that will set an example for handling the minority issue*. This endeavor determined the concept of minority law in Hungary: instead of recognizing cultural and language rights for the individual, they created a system of minority self-governance.¹⁸ Simultaneously, the Hungarian parties abroad developed their concepts of autonomy and co-nation status.¹⁹ c) The third decisive factor was what later became known as the Antall doctrine: *No decisions can be made about issues of Hungarian national politics concerning Hungarians living abroad without hearing and considering their own opinion*.²⁰

2.2.2. From the outset, the *Horn government* (1994–98) did not consider handling the cause of Hungarians living beyond the borders as a historic and national mission, but instead based its rhetoric on constitutional and per-

¹⁸ The relevant argumentation can be found in Bíró, Gáspár: *Az identitásválasztás szabadsága* [The Freedom of Choice of Identity] Budapest: Osiris-Századvég, 1995. 15–48, as well as Tabajdi, Csaba: *Az önazonosság labirintusa: A magyar kül- és kisebbségpolitika rendszerváltása* [The Labyrinth of Self-Identity: Systemic Change in Hungarian Foreign and Minority Politics] Budapest: CP Stúdió, 1998. 609–714.

¹⁹ A theoretical summary besides the cited work of Bíró can be found in Molnár, Gusztáv (ed.): *Autonómia és integráció* [Autonomy and Integration] Budapest: Magyar Szemle, 1993; the concept of Miklós Duray is discussed separately in Szarka, László (ed.): *Határon túli magyar autonómia koncepciók, 1990–1995* [Concepts of Hungarian Autonomy beyond the Borders, 1990–1995] Budapest: MTA KKI, forthcoming

²⁰ This, naturally, did not constitute a right of veto.

sonal responsibility.²¹ As opposed to the good-intentioned and ambitious initiatives of the Antall government, which often failed to take the facts of international reality into full consideration, the Horn government's Hungarian national politics were characterized by an endeavor to be concrete and pragmatic. The most characteristic features of their politics were the following: a) Due to competition in relation to European integration and tense relations with neighboring countries, *issues concerning Hungarians living abroad couldn't – even seemingly – endanger the stability of the region.*²² Thus, this issue was placed in the sphere of interest of foreign policy and subordinated priorities of integration. b) These were the circumstances under which the *basic agreements* with Slovakia and Romania were signed.²³ These involved obligatory steps, which did not significantly influence the political situation of Hungarians abroad. Nevertheless, they freed Hungarian foreign policy from the danger of being labeled as one “endangering stability”.

2.2.3. In order to understand the Hungarian national politics of the *Orbán government* (1998–2002), we must consider two features that differed from those of the previous governments. On the one hand, the geopolitical weight of Hungary changed in the region in the second half of the 1990s due to the use of the Tászár Military Base by US soldiers and Hungary's joining NATO. On the other hand, FIDESZ politicians had not been socialized (and specialized) in handling conflict, as opposed to the older intellectual-politician generation, which had been socialized in the struggles within the party apparatus and in the fight for reform during the 1970s and 1980s. Since the debate on the Hungarian–Romanian basic agreement, in which Viktor Orbán integrated the political Right by directing public discourse at history and at the future and leaving the Left, whose thinking remained on the level of practical techniques and actions, at a loss for an answer, FIDESZ has relied on and also benefited from its skills in showing a vision of the future. Setting

²¹ This government regarded Hungarians living abroad primarily as a disadvantaged group, and only secondarily did it consider them as “part of the Hungarian nation”

²² A detailed summary of this dilemma and the foundation of the concept of modernization and economic support are given in Lábod, László: *A határon túli magyarság és a gazdasági együttműködés* [Hungarians living beyond the borders and economic cooperation] *Társadalmi Szemle* No. 11, 1993. 67–73.

²³ Treaty on Good-neighboring Relations and Friendly Co-operation between the Republic of Hungary and the Slovak Republic. 19 March, 1995; Treaty between the Republic of Hungary and Romania on Understanding, Cooperation and Good Neighborhood. 16 September 1996.

out from this, I characterize the Hungarian national politics of the Orbán government by the following: a) As opposed to the traditional approach of Hungarian foreign policy based on “realistic” policy-making within the system of relations existing between great powers, and relying on connections with certain, strong international factors, this government represented a “constructivist” view, according to which conditions are in a state of constant change, and in which Hungary must actively participate. The government’s pivotal point was the most efficient representation possible of national interests, both in the process of European integration and in regional relations. b) FIDESZ regarded the problems of Hungarians abroad *not* as a *burden*, but as a natural fact.²⁴ This issue was regarded by the party as one of the *core issues*, and also a successful one as such, because the Left was at a loss in terms of a proper response.

3. PRELIMINARIES AND FOCAL POINTS CONCERNING THE DEBATE ON THE STATUS LAW

In this section I would like to clarify the situation of Hungarian minority and regional politics from which the concept of the Status Law derived, and to survey the decisive elements of the debate about the law.

3.1. *Strategic orientation* in the mid-1990s: by 1994–95 it had become clear in all the four countries where Hungarian minority organizations had developed a concept of autonomy that they could not be implemented in the short run. The majority political classes unambiguously rejected these demands. It seemed evident for the minority political elites that they should abandon their permanent, symbolic actions in favor of autonomy in order to prevent provoking further propaganda campaigns hostile to minorities. They would have had to face the national propaganda machineries and governmental apparatuses of Mečiar, Iliescu and Milošević without enjoying the support of the opposition of the respective countries, not to mention those of Hungary.

The concept of co-nation was further developed by Miklós Duray (Slovakia – Hungarian Coalition Party) and Csaba Lőrincz (an expert of FIDESZ) in order to *implement national integration involving a systematic approach to nationality policy*. Csaba Lőrincz’s starting point was based on the necessity

²⁴ The party apparatus of FIDESZ involved the greatest number of persons coming or descending from beyond the borders or having personal relations with Hungarians living beyond the borders.

of a possible legal notion, which would embrace the Hungarian minority living in a given country. In order to facilitate the granting of the Schengen visa, he proposed an organization, the membership of which might provide such positive discrimination.²⁵ In 1996 Viktor Orbán asked the government to support the autonomy concepts of the Hungarian minorities and their involvement with a right of veto in preparing international agreements that might affect them. Orbán wanted to tie Hungary's support of neighboring countries, in terms of their joining the European Union and NATO, to improving the situation of Hungarians beyond the borders.²⁶ This is where we can find the roots of HSC. This is also closely related to the concept of co-nation, which grew out of autonomy plans. The laws required for this, however, must be drafted by legislation in Hungary.

They envisioned national autonomy not as being represented by a one-off legal act, but as social self-building. In political practice they wanted to gain support from the newly developing sphere of Hungarian entrepreneurs living beyond the borders, and church personalities playing a decisive role in providing social care. Nevertheless, the support of the "politics of the basic agreements" was at least as important. During the debate on the Status Law, Tamás Bauer and János Kis highlighted this element as an alternative strategy to be followed as opposed to the Status Law concept.²⁷ This strategy aimed to handle the situation of the Hungarian minority in a given country by exerting pressure through the minority mixed committees to be established as a result of the basic agreements.

In the second half of the 1990s, after the signing of the Hungarian-Slovak and Hungarian-Romanian basic agreements, significant changes occurred in Hungarian national politics of neighboring countries as election results and European integration began to assume priority positions. A discriminative political approach was replaced by *integrative Hungarian national politics*. The practice of integrating Hungarian minority elites seemed to prevail in Slovakia, Romania, Ukraine and Serbia. On the other side of the

²⁵ Lőrincz, Csaba: *Nemzeti érdekek érvényesítése Magyarország csatlakozása során az euró-atlanti államok közösségéhez* [Representation of national interests in the process of Hungary's joining the community of Euro-Atlantic states]. In Kántor, Zoltán (ed.): *A státustörvény: dokumentumok, tanulmányok, publicisztika* [The Status Law: Documents, Studies, Articles]. Budapest: Teleki László Alapítvány, 2002. 185–206.

²⁶ Lőrincz, Csaba–Németh, Zsolt–Orbán, Viktor–Rockenbauer, Zoltán: *Nemzetpolitika, '88-'98*. [Nation-politics] Budapest: Pro-Minoritate, 1998.

²⁷ Kis, János: A kisebbségi kérdés az új világrendben. [The Minority question in the new world order]. *Beszélő*, No. 4, 2002.

process Hungarian minority Hungarian minority parties joining coalition governments or granting their external support to the governing party represented political elites.²⁸

3.2. In the mid-1990s, in parallel with the narrowing of practical opportunities regarding the future of Hungarian minorities, *new relations* developed in the process of Euro-Atlantic integration and national interest representation in the Carpathian Basin. In the second half of the 1990s, after the signing of the basic agreements, as a result of NATO membership and the upswing of its economy, Hungary's weight significantly grew in the region. This was the second time in its 20th-century history that Hungary arrived at a position of initiative from the point of view of enforcing its national interests,²⁹ given that it had become a member of a military alliance embracing Europe and, at the same time, one of the most promising candidates of a political alliance. In this situation, the FIDESZ government, pursuing its own concept of nationality policy (in particular with the Status Law) *took up a pro-active position, as opposed to the re-active neighborhood-policy practiced so far in the form of crisis management.*

In the meantime, minority protection and national autonomy, accepted as a future project, also underwent significant conceptual changes. After 1989, until the signing of the basic contracts, both majority and minority politicians renewed the trend of thinking mainly in terms of a legal and security-policy framework. In the debates and programmes of the second half of the 1990s, the *socio-political side of minority protection prevailed.* This is also quite evident from the path-finding concepts mentioned above, which were meant to give simultaneous answers to the questions of integration into the motherland and into the home country, and to the organization of the minority's own society.

Below I examine the debates about the Status Law from this aspect.

3.3. Concerning the Status Law, the *debate* focused on concepts, the impact of the law and the techniques of its implementation.

²⁸ Kántor, Zoltán – Bárdi, Nándor: The DAHR [Democratic Alliance of Hungarians in Romania] in the Government of Romania from 1996 to 2000. *Regio*, 2002; Szarka, László: A szlovákiai Magyar Koalíció Pártjának kormányzati szerepvállalásáról. *Regio*, No. 4, 2000.

²⁹ The first such situation developed in the second half of the 1930s. It led to the first and second Vienna Awards and Hungary's commitment to Germany.

The concept was developed gradually over years, but became a central issue of public discourse only from 2000. Between 1996 and 1998, the establishment of *Autonómia Tanács* [Autonomy Council]³⁰ for the institutionalization of Hungarian–Hungarian relations and a *concept developed for handling the Schengen problem*³¹ emerged in connection with utilizing the increased relative geopolitical weight of Hungary in the wake of its NATO integration. At the same time, developing the institutionalization of Hungarian–Hungarian relations appeared in the ideas of Miklós Duray³² and in those of the MVSZ (World Organization of Hungarians), which had worked out a concept of *external citizenship* and represented it in the legislative process.³³ In the debates following the announcement of the Status Law (on 31 October, 1999),³⁴ one of the conceptional aspects of argumentation was the granting of *status* or *favorable treatment*. Should the law grant a special new legal status or should it grant favors to Hungarian minorities? In 2000/2001 the ideas of *national reintegration* and “*contractual nation*” replacing the concept of “*mosaic nation*” were published but never publicly debated.³⁵

In FIDESZ politics, as represented by Zsolt Németh, the communication of unity within the programme of the “reunification of the nation” was in the foreground (instead of the development of stability within the nation, as urged by minority politicians: an image of a multi-centered nation).³⁶ In

³⁰ *A Polgári Magyarorszáért [For a Civic Hungary]*. In Lőrincz, Csaba et al.: *Nemzetpolitika '88-'98*.

³¹ Lőrincz, Csaba: *Nemzeti érdekek érvényesítése Magyarország csatlakozása során az euró-atlanti államok közösségéhez* [Representation of national interests in the process of Hungary's joining the community of Euro-Atlantic states]. Manuscript, TLA Kv. 2379/98.

³² Duray, Miklós: *Az egyetlen demokratikus kibontakozási lehetőség az önkormányzatok megerősödése* [Strong local authorities as the only opportunity for democratic development]. In *Változások küszöbén*, 185–201.

³³ Borbély, Imre: *Szerződéses magyar nemzet, szerződéses magyar nemzetszerkezet* [Contractual nation, contractual Hungarian nation structure]. In Bodó, Barna (ed.): *Romániai Magyar Évkönyv* [Annual of Hungarians in Romania], Temesvár – Kolozsvár: Szórvány Alapítvány – Polis, 2001. 11–25.

³⁴ Report of *MTI* (Hungarian News Agency) about Viktor Orbán's press conference.

³⁵ The term “mosaic nation” comes from Sándor Csóri. The term “contractual nation” was the title of a presentation held by Zsolt Németh at the third HSC meeting, but in reality this was an evaluation of the situation of foreign politics. The essence of the concept was summarized in the above-cited writing of Borbély and by the article Szarka, László: *Szerződéses nemzet* [Contractual nation]. *Magyar Nemzet*, 20 November 1999. In more detail by the same author: *Mozaiknemzetből szerződéses nemzet* [Contractual nation from mosaic nation]. *Európai Utas*, No. 36, 1999. 76–78.

³⁶ Németh, Zsolt: *Bontsuk le a nemzetet megosztó korlátokat* [Let us demolish the barriers dividing the nation] *Magyar Nemzet*, 5 January 2001.

this sequence of debates on the internal concept, the idea of systematizing the *existing legal framework into a strategically well-considered structure* emerged, but had no political support.³⁷

Regarding *the social effect of the law on Hungarian minorities*, the focus of attention was whether the law would increase or decrease the migration of Hungarians from the neighboring countries. Debates on *international* effects dealt with the relations of the European Union and Hungary, or, more accurately, the process of integration, as well as the changes in neighborhood policy. An over-discussed problem of the latter was whether there had or had not been any preliminary agreement.³⁸ As opposed to this, the key issue was how effectively Hungarian foreign policy was able to represent its interests under the new European conditions. In this respect a Euronationalist standpoint clashed with a standpoint representing the norms of a united Europe.³⁹ The discussion about the effects of the law *in Hungary* raised a demand for a deeper rethinking of the concept of nation (ethnocultural community vs. political community).⁴⁰ On the other hand, the future image creation of the

³⁷ Tóth, Judit: Sem nemzetpolitika, sem kisebbségvédelem [Neither nation policy nor minority protection]. *Magyar Kisebbség*, No. 1, 2002. 103–112.

³⁸ Most frequently cited Tamás, Gáspár Miklós: A magyar külpolitika csődje [The bankruptcy of Hungarian foreign policy] *Népszabadság*, 30 June 2001; Bakk, Miklós: Két nemzetkonceptió európai versenye zajlik [The European contest of two conceptions on the nation] *Magyar Nemzet*, 7 July 2001.

³⁹ The former standpoint sees Euro-Atlantic integration as a more efficient implementation of national interests, whereas the other puts the emphasis on taking over Western values facilitating modernization.

⁴⁰ The two standpoints are primarily indicated by the writings of Tamás Bauer and Zoltán Kántor. Kántor, Zoltán: A magyar nemzetpolitika és a státustörvény [Hungarian nation-policy and Status Law]. In *A státustörvény*, op. cit. 291–307; Bauer, Tamás: A hazátlanság tartósítása [Preserving the absence of a homeland]. In *A státustörvény*, op. cit. 449–452.

Hungarian political Right could be dealt with through the debate about the Status Law.⁴¹

3.4. After indicating the focal points of the debate, three *basic dilemmas* must be highlighted.

The theoretically most exciting part of the issue constitutes a group of *approaches to the concept of nation-state*. It was Tamás Bauer, who most markedly represented the standpoint that Hungarians living beyond the borders, being citizens of other countries, form a part of these countries' political communities. The Status Law may interrupt this process of integration. As opposed to this view, Zoltán Kántor, Béla Bíró and others argued that Hungarian minorities had not participated in Slovak, Romanian, Serbian, Ukrainian, Croatian and Slovenian nation-building and, in spite of being integrated politically, they remained outsiders in these endeavors. In reality, this standpoint represents the future image strategy of the "beyond the borders" political life of the 1990s, which considered the Hungarian minority a separate political community and a supporting pillar. Bauer was right in saying that the level of integration is a key issue within a given country. This does not depend on the Status Law, but on potential paths of social mobility within a given society and on the price to be paid for taking them. From this point of view, the situation is entirely different in Slovenia and Slovakia as opposed to that in Romania and the Ukraine, where „paying attention to Budapest” is of great importance. The Status Law can be interpreted in the context of this process as introducing the national aspect to culture and identity of existence.

As a response to the assumption that the Status Law reflects a step backward to ethnic communities existing before the modern state, Zoltán Kántor, Miklós Bakk, George Schöpflin and Brigid Fowler elaborated the notion that the Status Law represented a step beyond the concept of nation state: a post-modern statehood as opposed to a Westphalia statehood, and a diversity of regions and cultures in a united Europe as opposed to a European Union of nation states.⁴² If we separate the concept of Status Law from the political, public discourse surrounding it, then Bauer is right in saying that, as

⁴¹ Borbély, Zsolt Attila: A státustörvény mint a magyar (re)integráció eszköze [The Status Law as a means of Hungarian (re)integration]. *Provincia*, No. 5, 2001.

⁴² See the articles of the authors published in *Magyar Kisebbség*, No. 1, 2002, as well as Schöpflin, György: A magyar státustörvény: politikai, kulturális és szociológiai kontextusok [The Hungarian Status Law: political, cultural and sociological contexts] In Kántor, Zoltán (ed.): *A státustörvény: Előzmények és következmények*, 9–17.

a result of the Status Law, *an ethnicity-centered concept of nation has been consolidated as opposed to a citizenship-centered one.*

Here we can observe the presence of a non-repeated professional view from the autonomy/co-nation debates of the 1990s: from a Hungarian viewpoint, the concept of a Slovak, Romanian and Serbian nation-state was considered as ethnocratic, as opposed to the west European concept of nation-state, which developed from an absolutist state model through a process of democratization. In the former, the emphasis is on ethnocracy and state-building nationalism, whereas in the latter structure it is on citizens comprising the nation, who enjoy equal rights and assume responsibility for domestic conditions. The latter is a state with civic values, and the creation of a co-national relationship could serve its establishment by pushing the ethnocratic elements of the given central European state formations into the background.

This debate deriving from different viewpoints can also be conceived as a debate between an approach regarding the nation as permanent and as one with a distinct boundary (describable with a political and cultural system of concepts) and a view rooted in nation-building and nationalism (as endeavors to enforce national interests). In addition, the representatives of the latter view interpret the activities of the Hungarian elites beyond the borders as part of minority nation-building.⁴³ Paradoxically, politicians and government experts arguing for the Status Law ignored this view, although it was supportive of the law. And, similarly to the law's critics, they interpreted (unitary) nation as a concrete and permanent reality and did not put the accent on nationalism as a diverse and colorful system of integration of forms of national existence. They happened to neglect the Hungarian results of studies on nationalism over the past ten years. Zoltán Kántor, Miklós Bakk and George Schöpflin, who played an important role in the debate, could not convince the participants to utilize these results. In other words, such attempts failed to create a modern conceptual (and professional political) framework around the text of the law. There was no political acceptance for this.

⁴³ Zoltán Kántor represents this standpoint in the debate. He bases several of his writings on this approach. The most comprehensive treatment of this view is given in Kántor, Zoltán: *Kisebbségi nemzetépítés*, op. cit; Kántor, Zoltán: *A státustörvény: nemzetpolitika vagy kisebbségvédelem új megközelítése?* [Status Law: nation-policy or a new approach to minority protection?] *Magyar Kisebbség*, No. 1, 2002, 3–20.

3.5. In the course of the law's preparation, the government compared the Hungarian initiative of *laying of professional foundations for the law* to similar laws of other countries. With this they considered the matter done. There was no professional discourse on a wider scale⁴⁴ involving diaspora migration, which is regarded as a worldwide phenomenon, or the Westphalian vs. post-modern state model in the context of the European Union. No professional conferences were held during the elaboration of the law, where, if not amendments, but at least a system of arguments could have been worked out to control the course of the debate from Hungary.⁴⁵ Domestic professional meetings were only held after the phrasing of the text of the law, in which only lower-rank representatives of the Ministry of Foreign Affairs and the GOHMA participated. Conciliation around the law were started by a group with little experience in public administration and no experience in law codification, thus there was no such leading expert personality who could have resisted actual (party) political ideas (thereby defending professional efficiency).

Domestic legal analyses of the text of the law (in studies by Balázs Majtényi and Judit Tóth) also prove that in all decisive issues, *political logic* gained the upper hand over *professional logic*.⁴⁶ This professional preparation made it clear that the “cause of the nation” is rooted in socially given situations and, therefore, it is a function of actual political wills today in Budapest.

⁴⁴ Not even the rather poor English translation of the law was consulted with experts doing research on national minorities and nationalism.

⁴⁵ It is rather characteristic that Adrian Năstase, the Romanian Prime Minister, published an entire volume in English in connection with Status Law: Năstase, Adrian – Miga-Beșteliu, Raluca – Aureescu, Bogdan – Donciu, Irina: *Protecting Minorities in the Future Europe*. București: Monitorul Oficial, 2002. Either the pre-election or the post-election government apparatus did not support an English language volume of the Hungarian experts.

⁴⁶ Tóth, Judit: Sem nemzetpolitika, sem kisebbségvédelem [Neither nation-policy, nor minority protection]. *Magyar Kisebbség*, No. 1, 2002. 103–112; Majtényi, Balázs: A szomszédos államokban élő magyarokról szóló törvény vitás jogi kérdései [Controversial legal issues of the law concerning Hungarians living in the neighboring states]. *Magyar Kisebbség*, No. 1, 2002. 74–79.