

IVÁN HALÁSZ

Dual Citizenship as an Instrument of the Hungarian Policy Towards the Nation?

The issue of dual citizenship has been stirred up Hungarian public life the past few months. Although this institution, as one possible policy solution regarding the nation, first arose a few years ago, it gained real currency only after the December 5, 2004 referendum. Is dual citizenship, however, a real solution to the problems of Hungarians living abroad? What exactly are these problems: minority protection, social, psychological or maybe travel-related issues? From a slightly different angle, we can ask whether there are any strong arguments against voting “yes.”

In order to answer these questions, some notions need to be clarified. The first and most important question to be answered refers to the (possible) aims of the institution of dual citizenship.¹ The second question asks whether the aims of the referendum can be regarded as truly legitimate. This latter issue is of course a subjective one, depending to a large extent on one’s personal and political disposition.

The institution of dual citizenship and the protection of minority rights

First we must state that dual citizenship is not an institution meant to protect minority rights, i.e. it does not belong among the traditional minority protection tools. The protection of all minorities is primarily the task of the state in which minorities reside, as the state exercises jurisdiction over them. In fact it is up to this state to decide what rights it grants to the segment of its population which differs from the rest according to some criteria. Beyond this, the kin-state can exercise direct or indirect pressure, through international organisations, on the state in which the minority lives. It can speak on behalf of its mi-

¹ On the problem of Hungarian citizenship see Tóth Judit: *Státuszjogok*. [Status rights] Lucidus: Budapest: 2004.

minorities living abroad. It can even give facilities to co-nationals living abroad,² but they cannot do any more without seriously encroaching the basic provisions of international law, since – despite globalisation and integration – the ideal of national sovereignty is still strongly held.³

Dual citizenship does not provide new rights in the country in which the minorities live, aside from the potential freedom of movement, meaning persons of dual citizenship can change their domicile more easily. Mass emigrations, however, can unexpectedly and radically solve the minority question by simply causing it disappear. The only group who might be pleased with this solution would be the nationalists of the majority nation interested in nation–state homogenisation. The kin-state can of course strive to obtain more rights for its co-nationals through international agreements, but it can do so currently without obliging the home country to react.

But why doesn't dual citizenship represent a higher level of rights in the home country if respectable states protect their citizens living abroad? The reason is that if the given dual citizen retains the citizenship of his or her homeland, the country possessing imperium can, in theory, completely disregard that one of its citizens may also possess a citizenship received from another country.⁴ This is an established practice in the field of dual citizenship. It also means that in the case of Romanian–Hungarian dual citizenship, the Romanian State may rightfully disregard foreign citizenship of one of its citizens. It does not mean that the other country cannot speak out on the behalf of the respective person, but it cannot go much further, at least until the person in question possesses the citizenship of his or her “homeland.”

Therefore, from the point of view of minority protection, the belief that if hundreds of thousands of Hungarians living abroad became Hungarian citizens, Hungary would be able to do much more for them, is a dangerous path. States generally provide rights to the citizens living on each other's territory in the frame of bilateral relations on the basis of reciprocity. A citizen of a country therefore enjoys about as many rights on the territory of another, as a citizen of

² On facilities given to co-nationals living abroad see Halász Iván – Majtényi Balázs – Szarka László (eds.): *Ami összeköt? Státustörvények közel s távol*. [What binds us? Status laws of neighbouring and far away countries] Gondolat: Budapest, 2004.

³ Majtényi Balázs: Utilitarista kisebbségvédelem? A státusdiskurzus a nemzetközi szervezetek előtt. [Utilitarian minority protection? The status discourse at international organizations] In Halász–Majtényi–Szarka (eds.): *Ami összeköt?* op.cit. 11–26.

⁴ Art. 2. paragraph 2. of law nr. LV/1993 on Hungarian citizenship provides that “Hungarian citizens that are simultaneously citizens of another state shall be considered Hungarian citizens from the point of view of Hungarian law enforcement, unless the law provides differently”.

the latter would enjoy in the former. This holds especially for employment, enterprises and real estate acquisitions, but can also refer to other aspects of life as well. Reciprocity is a fully accepted practice in international relations. The situation is different in the field of human/minority rights. These rights are due not only because the countries involved have formed an agreement, or because the state considered as the kin-state generously grants them and expects the same from its partners, but because the persons and communities in question are entitled to them as humans and minorities.

In the history of Central European peoples, the principle of reciprocity has already been applied once, during the Second World War. The Slovak Republic, according to its constitution, granted the local Hungarian minority as many rights as Slovaks living in Hungary at that time. True, in practice this solution improved the situation of the two minorities living under nationalist and non-democratic regimes a little, but it also made them objects of extortion trapped in their own situation. In the 1990's, Hungary followed a minority protection policy that (duly) did not include these practices, especially as the different communities living in the countries of the Carpathian basin are of various sizes and types.

There is, however, one aspect in which the extension of Hungarian citizenship to persons of Hungarian ethnic origin living abroad would ensure extra rights as compared to the current situation, these are the rights enjoyed in the kin-state. In this respect, granting Hungarian citizenship to Hungarians living abroad would provide a comfort that would mend the sad situation of feeling inferior in two countries; in their homeland as belonging to the Hungarian minority, and in Hungary as incoming or immigrating foreigners. It is questionable whether we can speak of extra rights in this case, as formally the "new" citizens would not be given any more rights than the "old" ones. When we speak of so-called "extra rights" we might, but not necessarily refer to the measure of their contribution to public funds and the reciprocity of the rights enjoyed.

Therefore, the institution of autonomy, along with steadfast anti-discrimination regulations, continues to be the most effective legal means of minority protection. Of course, autonomy and dual citizenship can coexist and function well together. For minorities living in larger numbers on contiguous territories the territorial form of autonomy offers a possible solution, and for those scattered, perhaps self-government based on personal autonomy. Autonomy is the means that provides not only legal protection for persons belonging to a minority, but also the right to dispose of resources, to ex-

perience their national identity and to exercise the rights associated with this identity in a truly collective fashion.⁵

Problems of the rhetoric of national reintegration

What good does dual citizenship serve then, if its institution cannot be sustained by an argument based on protecting the rights of minorities living abroad? One alternative is the rhetoric of national reintegration. Were we to accept the legitimacy of this argument, two problems would immediately arise. First, the institution of dual citizenship refers only to personal and not territorial reintegration. Mobile and real estate properties abroad belonging to dual citizens would still fall under the jurisdiction of the home state, as jurisdiction over the respective territory would not change with the granting of a second citizenship. Taxes would still flow into the treasury of the state exercising its authority over the territory. True “reintegration” nationalists would probably not be content with this. The second problem involves defining national reintegration. Does it mean the gathering of all citizens in a single territory (e.g. by supporting immigration to the mother country, as in the case of Israel)? Or, in a territorially enlarged nation-state (as irredentists of different nations generally imagine)? Or, does it aim only for a symbolic spiritual and legal bond functioning as a potential umbrella? The more radical forces encouraging national reintegration however, those most likely considering the second alternative, must be aware that dual citizenship does not solve this problem for reasons previously mentioned. Those thinking in terms of the first or third definition may see granting Hungarian citizenship en masse as a real solution. But this in itself is not enough, as encouraging immigration presupposes a support system, while the third alternative remains rather fuzzy.

One cannot say that there aren’t any examples of granting dual citizenship en masse without encouraging territorial changes or immigration, as this is the path Croatia tried in part to take in the 1990’s. The newly independent Croatian State granted Croatian citizenship generously and easily to members of the Western and overseas Diaspora as well as to Croats living in Bosnia-Herzegovina. If the former was an effort made under the pressure of Croatia’s enemies in the hope of ensuring financial and spiritual help of Diaspora groups, in the latter case we are dealing with an unexpected “product” of an interrupted radical “national integration” project. In a certain period of the Yugoslav war, under the pres-

⁵ On these issues see Majtényi Balázs – Vizi Balázs: Introduction. [Introduction] In Majtényi Balázs – Vizi Balázs (eds.): *A kisebbségi jogok nemzetközi okmányai. Dokumentumgyűjtemény*. [International documents of minority rights. A collection] Gondolat: Budapest, 2003.

idency of Franjo Tujman, Croatia wanted to acquire land in neighbouring Bosnia-Herzegovina inhabited by Croats. They did not succeed, but the strong relationship between the mother country and Herzegovina Croats persisted, and found expression in the bond of citizenship. Croats with Croatian citizenship living abroad participate in the public life of the mother country institutionally, as there are a given number of deputy seats reserved for them in the unicameral parliament.⁶ This, however, is an unexpected and peculiar consequence of a very particular period of ill memory.

Historic reparation or something else?

In recent debates the opinion that granting dual citizenship would represent a form of historic reparation has also been voiced. Perhaps many Hungarian citizens feel this way, and from the point of view of national solidarity this phenomenon is indeed salutary. But what is the true meaning of reparation in this case? Who does it imply, those who immediately suffered? We must remember that after the First World War, the Hungarian State was quite limited as concerns the formation of large-scale Hungarian communities abroad. Of course we must not forget that justice is not really a historical category. History, as life itself, generally does not run its course along this line. One might feel outraged or saddened by this, but it is not worth wasting too much time over. In the legal field, however, justice is a relevant category,⁷ indeed, it plays or can play a major role. Therefore, the issue is worth looking at in more detail.

The duty to repair an injustice can be interpreted in two ways. First, as the responsibility of the state having caused some damage, and retroactively attempting to make amends for it (e.g. Germany tried to compensate the victims of its actions during the Second World War). From this point of view, Hungary can see itself as doing justice to those persecuted by different Hungarian authoritarian regimes, to those deported or exiled etc. But the reparation of an injustice can also be interpreted as a general, moral imperative towards the victim, regardless of the perpetrator. In this sense, Hungary can indeed strive to partially carry out justice to those living abroad, but it cannot be held accountable with the same strength as those who caused the injustice itself.

⁶ It is interesting to note that during the presidential elections held in early 2005 the central election committee visited Bosnia-Herzegovina to inspect the correctness of the vote there.

⁷ See for example John Rawls: *A Theory of Justice*. Cambridge, Massachusetts: Harvard University Press, 1971.

The question of justice can of course be approached from another angle, from the point of view of the permanent, general historical responsibility of the Hungarian State and its ruling elites. After all, the Treaty of Trianon also had its causes – like the irresponsible and unjustly beginning of the First World War and the short sighted, and often unfair, Hungarian policy of forced assimilation during the Austro-Hungarian monarchy. The latter can also be understood as the “crime” that the Hungarian State now seeks to repair. The Hungarian State may also “owe” reparations for not doing much for Hungarians abroad prior to 1989. This may be partly true, however, we must also take into account the country’s limited sovereignty and avenues for action, as well as the reasonable fear of repeating the mistakes of the inter-war elite whose radical revisionist policies, along with other factors, plunged the country into a tragedy worse than the First World War. It is also worth considering to what extent present generations and politicians are responsible for actions (or inaction) of the past. The Hungarian State may therefore owe reparations for earlier crimes or negligence in the field, but these reparations may take multiple forms rather than a single solution. Finally, its policy of protecting and supporting the rights of Hungarians,⁸ with all its flaws and deficiencies may be regarded as such reparation.

Dual citizenship and the policy of warranting equal opportunities

An additional criterion that could be introduced in “legitimising” the institution of dual citizenship is the policy of ensuring equal opportunities, and eliminating handicaps arising from minority status. According to the Hungarian policy towards the nation, this aim is best served by the so-called status law, passed in 2001 and significantly amended in 2003.⁹ The essence of the status law does not lie in the protection of minority rights, since the act only mentions that the Hungarian State should provide protection for the communities of co-nationals living abroad once. This of course does not mean that there are insufficient grounds for a “protectionist policy” in the Hungarian legal system, i.e. the 3rd paragraph of art.6. of the Hungarian constitution. The so-called “national responsibility” clause states that the Republic of Hungary feels responsible for Hungarians living abroad. This “feeling of re-

⁸ On the policy towards Hungarians see Bárdi, Nándor: *Tény és való*. [Fact and truth] Kalligram: Pozsony, 2004.

⁹ On the different aims of the Hungarian status law see Szarka László: A magyar kedvezménytörvény identitáspolitikai céljai. [The identity political aims if the Hungarian status law] In Halász Iván – Majtényi Balázs (szerk.): *Regisztrálható-e az identitás?* [Can identity be registered?] Gondolat – MTA Jogtudományi Intézet: Budapest, 2003. 235–251.

sponsibility” can well include concerns over Hungarians abroad and the taking an active stance to protect their interests in home and abroad.¹⁰ We must also mention that there are several status, or facility-law type, acts around the world containing references to protection, for example, the respective Bulgarian law of 2001, the Slovenian act of parliament of 1996, and the Russian law on compatriots passed in 1999.¹¹ The Russian act perhaps contains the strongest wording (probably as a tool to preserve some element of the Russian imperial past and position of great power), but also confers Russia’s dedication to this issue.

The essence of the status law can be summarized in three points: developing a voluntary register of Hungarians living in neighbouring countries,¹² creation of equal opportunities via educational and cultural allocations, and the institution of new forms of communication and contacts. The great advantage of the status law is that its provisions can promote the maintenance, and perhaps further development of the Hungarian-language cultural and communicational sphere in the Carpathian basin. This is not an aspect to be overlooked as European integration and globalisation increases the pressure to accommodate wide-spread languages such as English, German and French languages. We can also expect unfavourable changes in the social status of certain small or medium-size languages. The “fashionableness” of English, its increasing social prestige as a status symbol for successful strata, will increase pressure on less wide-spread languages. In this “fight”, the number of persons speaking a certain language will play an important role, since the willingness to learn a language or preserve it hinges in part on this.

What new possibilities can dual citizenship bring into this field as compared to the status law? Saying “none” would probably be an exaggerated simplification, since dual citizenship still represents important comparative advantages and possibilities for those in question – easier travel, the possibility of higher earnings and increased mobility in the mother country and perhaps some social benefits. Some of these advantages, but not all, may be gained by amending the status law.

¹⁰ For more details on this issue cf. Halász Iván – Majtényi Balázs: A Magyar Köztársaság alkotmányának „nemzeti felelősségi klauzulája” – egy értelmezési kísérlet. [The “national responsibility clause” of the Constitution of the Republic of Hungary. An interpretation] In Halász – Majtényi – Szarka (szerk.): *Ami összeköt?*, op.cit. 93–104.

¹¹ Halász Iván: A határon túli nemzetársokról való gondoskodás modelljei Kelet- és Közép-Európában. [Models of attending to co-nationals living abroad in East-Central Europe] In Halász – Majtényi – Szarka (szerk.): *Ami összeköt?* 63–64.

¹² See details in Halász – Majtényi (eds.): *Regisztrálható-e az identitás?*, op.cit.

Moreover, if mass dual citizenship were to be instituted, the further uses and functions of the status law would have to be seriously reconsidered. A sweeping majority of “yes” votes in the referendum would have resulted in a paradigm change to the present policy of facilities given to Hungarians abroad. Until recently, a Hungarian citizen living abroad could not apply for a Hungarian certificate. Moreover, one lost the certificate when taking up residence in Hungary. If the referendum had resulted in a definite “yes” however, possession of the certificate would have presented an advantage in the process of obtaining citizenship. This is the case in Slovakia as well, where the possessor of a Slovakian certificate is given priority in naturalization.

One can ponder, what would have happened to “status Hungarians” wishing to become Hungarian citizens after a successful referendum? Under the present status law, two statuses cannot be possessed at the same time. The financial-allowance side of the issue could have been dealt with more or less, since after the 2003 amendment of the status law, the educational allowance was not strictly connected to the Hungarian certificate. Putting the question differently, would the two categories – the certified and uncertified Hungarians – continue mass dual citizenship? The latter case could induce a dangerous movement among the “inner” Hungarian society, as a Hungarian politician with “too strong national feelings” has already suggested introducing certificates within Hungary.

Dual citizenship and solidarity

What arguments remain which would justify the institution of dual citizenship? The most conclusive is national and social solidarity, primarily among those co-nationals who suffer due to their territorial and minority position. This is a very important consideration that could counterbalance the dilemmas discussed above. No one can deny that Hungarians living in sub-Carpathian Ukraine, hit by the country’s general social and economic collapse in the 1990’s, who do not have the prospect of European integration in the near future, need the help of fellow Hungarians from their mother country. The same applies for the Hungarians of Voivodina, worn by and persecuted in the modern Balkan wars. Israel helped the black Jews of Ethiopia and the Jewish masses emigrating from the Soviet Union during the regime change in a similar manner. Following the Second World War, the German Federal Republic helped Germans secluded in or expelled from the east. These actions were primarily “humanitarian”, although they did possess a nation-building and unification dimension as well.

In helping the communities of Voivodina and in Ukraine (and in Romania in the event of repeated postponement of the country's EU accession), the kin-state could go perhaps go a little further. Granting dual citizenship to these communities and accepting them en masse to the mother country might be regarded as a "humanitarian" act. Hungarian communities in states which have already joined the EU (Austria, Slovakia, Slovenia), or have living standards comparative to that of Hungary (Croatia and Slovakia), or possess the political, economic, cultural and demographic potential to overcome their currently difficult situation in mid-term (Romania) present a different case. The problem in Voivodina and in Ukraine is that official Hungarian policy did not address their specific social and political problems, nor their anxieties caused by the process of European integration. The policy of treating the Hungarian communities of the Carpathian basin in a similar, if not the identical, manner failed to a certain extent in this respect. But returning to the original question, given the current state of affairs is it possible to develop a strategy of differential treatment towards the two most endangered Hungarian communities? Through dual citizenship, probably not, but perhaps through another venue.

Migration and social consequences of dual citizenship are difficult to predict. Those warning mass immigration often disregard the fact that emigration is not always an easy choice, practically or spiritually. They also overlook the fact that some immigrants could bring new profits and not just expenses. Furthermore, people generally decide to emigrate only when they have lost all future prospects in their homeland, or when their close relatives (children, siblings, etc.) have already emigrated. Even in countries where dual or foreign citizenship exists on wider scales, immigration generally occurs only when the home situation becomes desperate, as in the case of Argentineans of Italian origin during the recent economic crises, or white British subjects living in Robert Mugabe's Zimbabwe.

During the political debate, a compromise solution emerged known as the "foreign citizenship" status. While not given much attention, this does not in actuality grant citizenship. And, although this was not the key issue of the December referendum, the tendency to make such suggestions seems dangerous. The spirit of the Hungarian constitution, and rightly so, prohibits differentiating between citizens. Foreign citizen status would therefore be an answer to many pressing problems, but the precedent created by instituting it – i.e. by creating two types of citizenship – is not a very promising legal phenomenon. The creation of citizens of the Hungarian nation, or nation-citizens, in Hungarian and in European law is a rather bizarre idea, especially considering

its “home” implications. Furthermore, it seems inappropriate to create a spectrum of status categories via Hungarian law apart from the categories of citizen and “person of Hungarian status living in a neighbouring country”. Legal trends discourage developing a variety of statuses through new laws, rather legal trends, such as the British example, favour uniformity and simplification. Therefore, rather than a batch of temporary solutions, the institution of ordinary citizenship seems a much better and clearer choice.

We can therefore affirm that the preferential extension of Hungarian citizenship to Hungarians and their families living abroad would solve some, but not all of their problems. It would not bring significant changes to the field of minority protection and equal opportunities, or in demographic and immigration policies, but would bring about a change in the process of nation building. Although little has been said on this matter (even in this paper), the extension of citizenship would certainly affect the composition and facet of the Hungarian polity to which the law would also have to react, sooner or later.

It is obvious that instituting dual citizenship could have meant a certain paradigm shift in Hungarian policy towards the nation. It could have increased its alternative, multi-polar nature, i.e. its plurality. A wide range of career-models and personal solution-types could have emerged for members of Hungarian communities abroad. What would this mean in practice? For example, those who want to make a living in their homeland could do so with the support of the status law or the creation of a “Homeland-programme”. However, those who wanted to radically change their lives could immigrate to Hungary or, possibly another EU country by easily obtaining Hungarian citizenship. Those to whom all this is not important could go on living their lives as earlier, relying on themselves and their smaller community, and not applying for facilities for which someone else would pay. The combination of scenarios appears endless. Yet, all of this depends on the will and support of the current Hungarian citizens and decision-makers. It must also be mentioned however, that these alternatives could also be achieved without granting non-residential Hungarian citizenship.

After the referendum

As all phenomena, the December 5 referendum on dual citizenship bore both positive and negative consequences. True, mostly negative effects became visible in the campaign –strengthening national or welfare chauvinist demagogu, political entrenchment, excommunication of opponents from the community of moral or responsible people, conscious misleading of voters, disguising real fears, emphasising unimportant details etc. The whole affair, however,

had two very important positive effects. First, regardless of the outcome, there has not been a referendum attracting this much popular interest in Hungary for quite some time. It forced people to clarify their own point of view regarding the issue of Hungarians living abroad, or, in a larger frame, of national and social solidarity. Second, the question on which the referendum was called, and the campaign leading up to it, pressed political and administrative elites, as well as the specialists in the field to try and re-think the Hungarian policy towards the nation. This proved quite expedient, especially considering the qualitative changes brought about by Hungary's accession to the European Union in economic, social, political and psychological spheres.

As of present, it seems that the debate surrounding the referendum on dual citizenship did not end with the announcement of the results, somewhat propelled by the general bad mood following the vote and pressure from political groups abroad. In government circles, a seemingly coherent strategy of crisis management is taking shape. It is worthwhile to take a closer look into the premises of this strategy.

The premises of this strategy can be found in the January 6, 2005 letter of Prime Minister Ferenc Gyurcsány to the political leaders of Hungarians abroad. In this letter, Gyurcsány draws a sharp distinction between the responsibility the Hungarian State feels towards Hungarian citizens forming the political nation of Hungary, and responsibility towards the Hungarian nation as a whole. The two responsibilities bear different consequences, and, according to the document, the government wishes to maintain this distinction in the future. The Prime Minister's letter also states that citizenship presupposes an active relation between state and citizen. In this relationship, the letter argues:

“A key role is played by everyday life experienced inside the borders, permanent residence, payment of taxes, participation in public affairs, exercise of political rights, i.e. the careful balance of rights and duties. The exercise of rights and the fulfilment of duties towards the state cannot be separated; these concepts cannot be interpreted independently of each other. Hence our conviction that the necessary prerequisite of Hungarian citizenship is living and permanent residence in Hungary.”¹³

This formulation clearly shows that Hungarian citizenship cannot be granted without settling in Hungary. Subsequently, any debate on extending political rights that may have risen following a “yes” vote on the referendum also lost its grounds. The author of the letter and his circle of advisors con-

¹³ Letter of Prime Minister Ferenc Gyurcsány to political leaders of Hungarians abroad, January 6, 2005. www.magyarorszag.hu

sider the Hungarian nation a cultural and historical entity. At the same time they also regard it as a community that can justly expect the help and support of the mother country, especially when in times of need.

The letter removes itself from the situation prior to the referendum campaign debates by clearly promoting living in the homeland. It says the following on the issue: “The most important goal of the Hungarian state is to help Hungarians abroad preserve their communal identity in their homeland, in co-operation with the political nation in which they are a minority, preserving at the same time an unhindered connection with the mother country to which they are bound by language, culture and tradition”. The connection between the mother country and Hungarian communities abroad is therefore interpreted in a linguistic, cultural and traditional sense, without any insinuation “political” binds. Furthermore, according to the intentions of the letter, communities abroad must not be uprooted from the political communities in which they live and are still socialized.¹⁴

The whole letter therefore draws a sharp distinction between the community of the citizens of Hungary and the linguistic and cultural Hungarian nation. At the same time it also declares that contacts must be facilitated to the maximum: “It is our premise then that Hungarians continuing to live in their homeland must not feel internal, psychological boundaries between experiencing their identity and finding their ways in life, and that their free movement between the mother country and the homeland must not be impeded physical boundaries either”. Should they wish, however, to break with their minority life and emigrate to the mother country and therein apply for Hungarian citizenship, the mother country must ensure a fast, easy, and equitable process. This does not contradict the aforementioned distinction between the political and the cultural-linguistic community; active presence and residence in the country defines the first, linguistic, cultural and traditional elements the second.

The prime minister’s letter also lists in a generalized form the actions he means to take to help Hungarian communities abroad in the spirit of the above premises. These are summarized in five points which have received a great deal of media attention: the Homeland Programme, the long-term national visa facilitating ingress and regress, a fast and equitable granting of citizenship to those wishing to permanently immigrate, support for auton-

¹⁴ On the conceptions of state-nation and cultural-linguistic nation see in more detail Kántor Zoltán (ed.): *Nacionalizmuselméletek (szöveggyűjtemény)* [Theories of Nationalism. An anthology] Budapest: Rejtjel, 2004.

omy-aspirations when the local Hungarian community demands it, and the creation of a constitutional status for Hungarians abroad.

The letter is worth analysing from an additional point of view, that of the logic and rhetoric of national reintegration. This aspect has unfortunately been much too prominent in the referendum campaign, despite its problematic justification and uses. We have already discussed the theoretical problems of this logic; therefore it suffices here to point out the Prime Minister's reaction to the issue. The elements of the rhetoric of reintegration do not emerge at any point in the letter, since, as already mentioned, it adopts a stance of differentiating between cultural and political concepts of the nation. In the cultural sense, the Hungarian nation has never ceased to be united (at least to the extent that other nations in the region are), therefore there is nothing to "reintegrate." The promotion, furtherance, and facilitation of contacts do not belong to the category of reintegration. And, if someone should wish to integrate (or reintegrate) into the political community of Hungary, he or she must, according to the letter, re-settle in Hungary and participate in the political and economic life of the mother country. Participation in the cultural life does not require emigration, as has not been suggested elsewhere. On the contrary, the letter urges those in question to not let their Hungarian cultural ties and connections prevent them from integrating into the political community of their home country. This is a rational and realistic conception.

The January 6, 2005 letter can be regarded as a document establishing the principles of the Hungarian policy towards the nation. Despite its conciseness, it points out important basic principles, and outlines and explains possible paths and tools. This programmatic character may or may not have been intended, but in either case it is an interesting enterprise. Only practice will reveal whether it was only a rhetorical exercise meant to ease tensions, or a document defining the policy of the coming months and years. It will be therefore be interesting to follow the realisation of the measures summarized in the five points.

Conclusions

Extending Hungarian citizenship to Hungarians abroad cannot be regarded as *the* right instrument to express the Hungarian policy towards the nation, or as a completely misplaced one. As all other solutions, it must be treated according to its own merits. The real question is what aim it is meant to achieve, and how it expresses the realistic and equitable aims of the Hungarian policy towards the nation. The ideal, moral aim is primarily that of helping disadvantaged people overcome their adverse circumstances. Solidarity with the

afflicted is generally considered a positive human value, and is hence difficult to question. If, therefore, dual citizenship would solve the problems of the hardest struck Hungarian communities from Voivodina and Ukraine (and possible others), it proves difficult to find serious theoretical and moral arguments against it. It would prove meaningful to preferentially extend citizenship in this area then, as this would greatly contribute to the personal success and accomplishments of those living in severe conditions. It would, of course, be considerate to discuss the issue with the leaders of the countries involved, even if relevant international law does not require Hungary to do so.¹⁵ At present it seems that the international political setting and the relative cordiality of bilateral relations could even facilitate this.

The next substantial argument, one that seemingly means no offence to anyone, would be the maintenance of a common Hungarian cultural and communicational sphere. In the context of European integration and globalisation, this aspect gains more importance than that granted at first glance. We must not forget that globally, the significance and social prestige of the widespread languages (especially English) is increasing, and simultaneously the appeal and prestige of national languages which largely contributed to the social modernisation of the past two centuries is declining. Although Europe probably will not return to the linguistic atmosphere of pre-18th century, we must be aware of the dangers haunting small and medium languages. In this “linguistic community competition” it is not at all irrelevant whether a language connects and binds a one, ten or fourteen-million-member community. This in turn may have significant economic consequences (for example, in literature, publishing, learning languages etc.). The maintenance and cultivation of a larger cultural-communicational sphere fits well into the cultural conception of the nation, and does not blur the extant dichotomy with political conceptions. The conscious blurring of this difference is a very sensitive issue and can cause many problems. From the point of view of maintaining a cultural-linguistic-communicational sphere however, the dual citizenship is not truly relevant as we can speak of a single Hungarian (cultural) nation as it is. A much more important role could be assigned to a well developed cultural, educational and communications strategy, the proper frame and logic of which is that of the status law.

Translated by Vincze Hanna Orsolya

¹⁵ See, for example, the opinion prepared for President Ferenc Mádly by prominent constitutional and international legal experts. The arguments found here emerged in the position of the president regarding the facilitated granting of Hungarian citizenship. www.keh.hu – közlemények (communiqués).