

Ideological Background of the Amendment Status Law Controversy in Hungary

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Four years have passed since the Hungarian Parliament approved the highly controversial Status Law on 19 June 2001, an act which was initiated by the Orbán government.¹ Hungary's neighbours and the European community, though, either barely accepted or simply rejected the law.² The frictions were further aggravated when the new Hungarian government, led from 2002 by the Hungarian Socialist Party (HSP), rejected the compromise signed by the Orbán government and the Romanian government in December 2001. After long negotiations with the concerned partners, only on 23 June 2003 did the Hungarian Parliament adopt new amendments to the Status Law, though the adoption did not mean full consensus among the partners. Slovakia, for example, continued to reject the law, refusing to have even the amended law implemented on its territory.³ Within Hungarian domestic politics, the opposition parties, especially the FIDESZ-Hungarian Civic Alliance (FIDESZ), categorically disagreed with any amendment to the original law. Consequently, the second, modified version of the Status Law was adopted only by a bare majority in the Parliament; 195 votes were cast for

¹ The official name of the law was *2001. évi LXII. Törvény a szomszédos államokban élő magyarokról* in Hungarian and *Act LXII of 2001 on Hungarians living in neighbouring countries* in English.

² Osamu Ieda 'Post-communist Nation Building and the Status Law Syndrome in Hungary' in Zoltán Kántor et al. (eds.), *The Hungarian Status Law: Nation Building and/or Minority Protection* (Slavic Eurasian Studies no. 4; Sapporo, 2004), pp. 3–57.

³ See: Osamu Ieda, 'The Hungarian Status Law and Slovakian Acceptance' in A. Duleba and T. Hayashi (eds.), *Regional Integration in the East and West: Challenges and Responses* (Bratislava, 2005), pp. 93–105; A határon túli magyarokra vonatkozó politikai feladatok végrehajtásáról <www.htmh.hu/kub_2004.htm>, accessed 15 January 2004.

the law by the Socialists and the Alliance of Free Democrats (AFD), while FIDESZ and the Hungarian Democratic Forum (HDF) cast 173 votes against it. In contrast, with the Socialist Party support two years before, the first version of the law passed almost unanimously.

In spite of the significance of the law, the parliamentary schedule of the plenary session on the law's amendments was unusually tight. Only one day, more precisely, one night, was provided for discussions on 16 June 2003. Because of the tight schedule, the plenary session on the bill lasted 'endlessly' through the night and until the following morning as speakers were permitted to make their statements with no time limitation.⁴ The Hungarian Parliament was, to begin with, *de facto* forced to finish the modifications of the status law by the end of June 2003, since it was expected that the Council of Europe would conduct the final opinion on the Hungarian Status law by that time, and the Council of Europe would, otherwise, have done it on the basis of the Status Law established in 2001.⁵

Hungary, therefore, had no choice other than to amend the law in accordance with the 'external pressure'.⁶ The Medgyessy government seriously recognised the necessity of the modification, describing it explicitly in the rationale for amending the bill.⁷ The Socialist

⁴ Felszólalási adatai, 76 ülésnap, 31–43, 2 June 2003, and 79 ülésnap, 334–378, 16 June 2003 <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004. Originally in Hungarian translated by the author (hereafter as well).

⁵ See, for example: Parliamentary statements of Mátyás Eörsi of the Free Democrats, Felszólalási adatai, 76 ülésnap, 31–43, 2 June 2003, of László Kovács and Csaba Tabajdi, the socialist party MPs, Felszólalási adatai, 79 ülésnap, 334–378, 16 June 2003 <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004.

⁶ Literally, this was expressed by Tamás Gábor Nagy, Fidesz MP, in the Parliament; 'egy külső nemzetközi vagy diplomáciai megfelelési kényszer' (an external international, or diplomatic pressure) <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004.

⁷ Általános Indokolás, Magyar Köztársaság kormánya T/4144 számú törvényjavaslat a szomszédos országokban élő magyarokról szóló 2001. évi LXII. Törvénymódosításáról <www.mkogy.hu/irom37/4144/4144.htm>, accessed 20 January 2004. This rationale mentioned two reasons why the amendment was needed; one was 'the status law stepped over the borders of the conventions established in the international laws and of the international treaties Hungary had accepted so far', and the other was 'the law makers of the status law did not pay necessary attention in the process of the law making to consensus with the concerned countries.' However, the document ended with such a remarks on these critical points as 'With this process, the purposes of the status law were

government perceived that if the Status Law were left as it had been, it would make the country's full membership of the EU risky, at least in the short run. For FIDESZ, in contrast, the Socialist way of amending the law was a total renouncement of the original purposes which the Status Law aimed to realise two years before with the national consensus.

The paper first examines the essential points of the 2003 amendments to the Status Law, and second, it looks at on what the political parties agreed or disagreed in the amendments. The explicit actors in the paper, thus, are the Hungarian political parties, though, they shall represent the 'European voices' and, needless to say, that of the Hungarians minorities living in the neighbouring countries as well. The paper wants, ultimately, to analyse the ideological background of the status law syndrome in Hungary. In other words, it will elucidate the logic and the perceptions of the Hungarian political parties, which were formulated between the two on-going regional integrations: the European integration and the national integration of the Hungarians beyond the state borders in the post-communist reconstruction of the nation states in Europe.

I. How was the Status Law Amended in 2003?

The original conception of the Hungarian Status Law was, according to FIDESZ, based on 'two principles, which we have made efforts to realise for years; one is national unification, that is, the understanding that the Hungarians abroad are part of the Hungarian nation. The other is the interpretation of the state sovereignty, and according to our view, assistance given by a kin-state to the kin minority abroad does not violate the sovereignty of the home state'.⁸ The amended law represented a substantial modification of these principles, which was symbolically reflected in the amended law's revised preamble. Namely, the objectives of the legislation were, according to the original version of the preamble, 'to ensure that Hungarians living in neighbouring countries *form part of*

misunderstood or interpreted wrongly. For the sake of that the legislation could serve its original purposes, it becomes necessary to amend the law in order to accord with the requirements of the international laws and the practices as well'.

⁸ Statement of Zsolt Németh, the state secretary of the Ministry of Foreign Affairs in the Orbán government, *Népszabadság*, 5 November 2001.

the unitary Hungarian nation,⁹ and to promote and preserve their well-being and awareness of *national identity* within their home country'. In contrast, the objectives in the new version were 'to ensure the well-being of Hungarians living in the neighbouring states, to promote *their ties to Hungary*, to support *Hungarian identity and their links to the Hungarian cultural heritage* as an *expression of their belonging to the Hungarian Nation*' (emphasis added). The modification appears clearly by enumerating the three objectives of the two laws as follows:

The original objectives were

- 1) to ensure that Hungarians living in neighbouring countries form part of the unitary Hungarian nation
- 2) to promote and preserve their well-being within their home country, and
- 3) to promote and preserve awareness of national identity within their home country.

The amended objectives were, in contrast;

- 1') to ensure the well-being of Hungarians living in the neighbouring states as their home states
- 2') to promote their ties to Hungary, and
- 3') to support Hungarian identity and their links to the Hungarian cultural heritage as expression of their belonging to the Hungarian Nation

The first objective in the original version, to create the unitary Hungarian nation, disappeared from the new version. Instead, 'ties to Hungary' was inserted as the second objective in the amended version. The second

⁹ The official English translation was 'Hungarian nation as a whole' instead of the unitary Hungarian nation. However, the Hungarian version of the law sounds differently from the official English wording, 'az egységes magyar nemzet', which is much closer to 'the unitary Hungarian nation'. This is why the author uses it in the paper. The FIDESZ government obviously tried to alter the appearance of the legislation so that the law would not be seen as provocative by the international society and the neighbours. The eventual English usage, however, emerged differently from the official translation. Günter Verheigen, EU commissioner, used the unitary Hungarian nation, and the scholars also prefer this one, since it reflexes better the original conceptualisation of the law; see: Introduction, in Kántor et al. (eds.), *op. cit.*, p. x.

objective in the original law, the well being or the benefits and services, became the first objective in the new law, having no significant change in wording. The third objective in the original version, that is, ‘national identity within their home country’, was divided into three parts: ‘Hungarian identity’, ‘cultural heritages’, and ‘belonging to the Hungarian nation’. These amendments reflected the diplomatic conflicts which the Status Law had provoked with neighbouring countries and with the European institutions. Needless to say, the creation of a unitary Hungarian nation in the original preamble and the frequent citation of this phrase in the statements by Hungarian politicians in the creation of the Status Law in 2001 reminded people in neighbouring countries of Great Hungarianism, or the ethnic trauma in the region’s history.

The Medgyessy government, considering the conflicts the Status Law had provoked with the neighbouring countries, struck the problematic phrase ‘form part of the unitary Hungarian nation’ out of the new legislation. Yet, a similar wording, ‘belonging to the Hungarian nation’ remained in objective 3’) in the amended law. However, this ‘Hungarian nation’ was restricted to the field of ‘cultural heritage as an expression of belonging’. The cultural identification of the kin minority with the kin-state was the upper limit of what the Hungarian government could introduce into the new legislation after the strong criticism by the neighbouring countries and the European society against the general, unlimited wording, *the unitary Hungarian nation*, which might be (mis-) understood as a political unification of the Hungarian nation, including the minorities in their home state.

The limitation to cultural identity also related to the second ‘principle’ of the original law. The Council of Europe’s Commission for Democracy through Law (the Venice Commission) examined the original law for its conformity with European laws and norms. Its report required Hungary to review the law in accordance with conventional limitations in unilateral provision of assistance to other countries’ citizens; that is, to avoid extraterritoriality over another sovereign country. The only acceptable exception to this rule is assistance in the cultural sphere, such as scholarships.¹⁰ The limitation to ‘cultural heritage’ was one of the most significant modifications in 2003 to the Status Law. This change resulted

¹⁰ The whole document of the report is available at <www.venice.coe.int/site/interface/english.htm>, accessed 20 January 2004.

in abandoning some important benefits and services in the law, such as social security benefits and health services (Section 7), labour rights in Hungary (Sections 15 and 16), and ‘grants to organizations in the neighbouring states’, specifically grants ‘e) to improve their ability to preserve their population and to develop rural tourism,’ and ‘f) the establishment and improvement of conditions of infrastructure for maintaining contacts with the Republic of Hungary’ (Section 18). Section 18 of the amended law clearly prescribed the disciplinary limitation of the assistances into ‘the preservation of the identity, mother tongue, [and] culture of Hungarian kin minority communities’. The original version, in contrast, extended the aims of the legislation as far as possible by introducing such a phrase as ‘promoting the goals of the Hungarian national communities living in neighbouring countries’.

The amended law introduced other restrictions in the scope of the law. Such phrases as ‘unless otherwise provided for by treaties’ (the first sentence in Section 1, the second sentence in Section 3, the b phrase of the second sentence in Section 19), ‘on the territory of the Republic of Hungary’ (the first sentence in Section 3, Section 12), ‘in accordance with the European Convention’ (the second sentence in Section 17), or ‘pursuant to international agreements’ (the third and fourth sentences in Section 27)¹¹ also were a response to the international ‘counsels’, especially those of the EU and other European institutions.¹²

Another big issue in the 2003 amendments concerned the Hungarian certificate. First, the certificate, which would identify the holder as a ‘Hungarians abroad’ and certify eligibility for the benefits, was condemned by the neighbouring countries for its discriminatory treatment of their citizens by ethnic criteria. The Venice Commission Report also pointed out that, ‘the document [Hungarian certificate] should be a mere proof of entitlement to the services provided for under a specified law or regulation. It should not aim at establishing a political bond between its holder and the kin-state and should not substitute for an identity document issued by the authorities of the home state’. Second, no specific criteria

¹¹ The amendment law changed the legal reference in Section 27, introducing ‘the provisions of this Act shall be applied in accordance with the *acquis communautaire* of the European Union’ instead of the original phrase, ‘the provisions of this Act shall be applied in accordance with the treaty of accession of the Republic of Hungary and with the law of the European Communities’. The reason of this replacement is to be examined.

¹² See: Ieda, op. cit. ‘Post-communist Nation Building’, pp. 31–37.

were given by the original Status Law to clarify which certificate applicants should be considered as ethnic Hungarian. In other words, the law gave no clear references on who was Hungarian. Third, the certificate was also criticised for including overly comprehensive personal data of the citizens of the home states.¹³ Fourth, the way of issuing the certificates might violate the state sovereignty of the home states due to its involving the kin minority communities as a quasi-official agency by their reference function (recommendation) on the ‘nationality’ of the applicants. In the view of the Hungarian government in 2001, however, the Hungarian certificate was essential to the legislation, since it would identify the beneficiaries of the Status Law as a part of the unitary Hungarian nation, and the creation of the unitary nation was the basis of their so-called ‘nation policy (*nemzetpolitika*)’, designed for the post-communist Hungarian political development. Thus, the Hungarian certificate was the symbol both of new nation building for Hungary and of the extraterritoriality for its neighbours.¹⁴

The new legislation took these problematic points into consideration in various ways. Regarding the first point, the Orbán government, though reluctantly, already adopted the counsel of the Venice Commission, stating that ‘as far as the practical implementation of the law is concerned, the Hungarian certificate certifies not the ethnicity, but the eligibility for the benefits and services’.¹⁵ The new version of the status law changed the name of the document from *certificate of Hungarian nationality* to *ethnic Hungarian card* in its official English version, though keeping the name in the Hungarian version unchanged (*magyar igazolvány*). This

¹³ The document should contain 1) the family and given names (also the maiden family and given names in the case of women) as it was used officially in the home state, and, in the case of persons of Hungarian nationality, in the Hungarian language as well; 2) the name of the place of birth as it was used officially in the home state and in the Hungarian language; 3) the date of birth and sex; 4) mother’s name as it is officially used in the home state and in the case of persons of Hungarian nationality in Hungarian as well; 5) a passport photo; 6) the citizenship or the reference to stateless status; 7) the signature in the entitled person’s own hand; and 8) the date of issue, the period of validity and the number of the document.

¹⁴ See, for example: the statement of the Romanian Minister of Foreign Affairs to the Venice Commission in 2001 <www.domino.kappa.ro/mae/presa.nsf/ArhivaEng/213755868EB51264C2256AEB00500FA0?OpenDocument>, accessed 20 January 2004.

¹⁵ The official statement of the Hungarian government on November 5, *Népszabadság*, 5 November 2001.

duality in the naming shows the ambivalent attitude of Hungarian lawmaking in 2003. On one hand, in accordance with the external counsels the new legislation inserted the sentence ‘The entitlement to benefits available under paragraph (1)–(3) will be certified by the ethnic Hungarian card’ [Section 8 (5)]. A general description was also given in Section 19 for this specific aim: ‘the entitlement of persons falling within the scope of Section 1 paragraph (1) and (2) to certain benefits available under this Act shall be certified by the ethnic Hungarian card’. Thus the new legislation emphasised the *technical* function of the certificate—‘to certify not the ethnicity, but the eligibility for the benefits and services’. Nevertheless, on the other hand, the legislation has kept the original intention for the card to identify the card holders as Hungarians, introducing a manoeuvred wording in order not to indicate a direct connection between the ‘nationality’ and the certificate; ‘persons specified in paragraph (2) sub-paragraph a) shall be entitled to an ethnic Hungarian card’ [Section 19 (3)], in comparison with the original one: ‘persons of Hungarian nationality falling within the scope of this Act may request a “Certificate of Hungarian Nationality”’ [Section 19 (2-a)].

In connection to the first issue, the second requirement, that is, to make the criteria clear for eligibility for the ethnic Hungarian card, or simply, for ‘Who is a Hungarian?’ deepened the ambivalence of the lawmakers when they included the explicit criteria into the legal regulation. An addition was inserted just after the paragraph of the ethnic Hungarian card, according to which the criteria for the eligibility for the benefits was nothing other than the Hungarianness of the applicants. The paragraphs prescribed three components of the criteria for Hungarianness:

- 1) ‘declaring themselves as of Hungarian ethnic origin’ [Section 19 (2-a), as a citation from Section 1 (1)],
- 2) ‘proficiency in the Hungarian language’ [Section 19 (3-a)], and
- 3) an official document on their ethnicity, specifically one of the following; i) state registration, ii) registered membership of a Hungarian organization in the home state, or iii) a church document [Section 19 (3-b)].

These criteria were originally designed by the Orbán government to respond to the criticism of the Venice Commission about the unclear definition of eligibility in the original status law.¹⁶

The Medgyessy government amended the wording so that the new law seemed to be in accord with the external requirements, though it kept the original ideas basically unchanged. For example, though the English version of the new legislation used the phrase ‘declaring themselves as of *Hungarian ethnic origin*’ instead of ‘declaring themselves to be of *Hungarian nationality*’, there was no change in the Hungarian version at all; ‘magát *magyar nemzetiségűnek* valló személyre terjed ki’ (declaring themselves as *Hungarian national minority*). Second, the new legislation significantly altered the relations among the three components of the criteria, replacing the problematic conjunction ‘and/or’ (*illetve* in Hungarian) between the first part of the components (self identity and language) and the second part (documents) with the simple conjunction ‘or’ (*vagy* in Hungarian). According to the original version of the criteria, the authority could require one of the three documents prescribed in i), ii), and iii) of Section 19 (3-b) *besides* the other two conditions (self-identity and language). In contrast, the new version could not require the additional documentation if the applicant showed his/her Hungarian identity and ‘proficient’ language ability. Finally, the new legislation still required as much information about the applicants as the old one did. The only ‘modification’ was the wording of a phrase ‘persons of Hungarian ethnic origin’ in the new version, instead of ‘persons of Hungarian nationality’ in the 2001 legislation. This simply reflected the modification in Section 1.

¹⁶ The criteria in the new legislation were almost identical with those which were given by the Hungarian Standing Conference (Magyar Állandó Értekezlet) in 2001. The Conference was established by ‘the Hungarian Nation’ with no regards of the political standpoints across the state borders. It was, according to the self-definition, the organisation of ‘the whole nation’, founded on 20 February 1999. The founding members included all the political parties in Hungary and all the Hungarian political parties abroad having representatives in the parliaments of the neighbouring countries to be concerned by the Status Law <www.htmh.hu/konferencia/990220_magyarsag.htm>, accessed 25 January 2004. The English version is <www.htmh.hu/konferencia/nyil_en.html>, accessed 25 January 2004. The Conference’s documents are available on the web site at <www.htmh.hu>, accessed 25 January 2004, or in Zoltán Kántor (ed.), *A státustörvény: dokumentumok, tanulmányok, publicisztika* (Budapest, 2002), pp. 136–165. Kántor et al. (eds.), *op. cit. The Hungarian Status Law* also includes all these documents in English.

To address the issue of ‘a quasi-official agency’, however, the regulation was substantially amended in order to avoid extraterritoriality. The old provision, which reads, ‘The evaluating authority shall issue the “Certificate of Hungarian Nationality” if the applicant is in the possession of a recommendation which has been issued by a recommending organisation representing the Hungarian national community in the neighbouring country concerned, and being recognised by the Government of the Republic of Hungary as a recommending organisation’, [Section 20 (1)] was struck entirely, and a new regulation was introduced: ‘The Hungarian diplomatic mission or consulate [...] shall issue a certificate to the applicant once the conditions set forth in Section 19 (3) are satisfied. [Section 20 (2)] [...] If evidence that the conditions set forth in Section 19 (3-b) cannot be supplied, the Hungarian diplomatic mission or consulate shall be entitled to request information from non-governmental organizations established by ethnic Hungarian communities living in the neighbouring states’. Therefore, according to the new legislation, the local Hungarian organisations were expected ‘only to provide information’ on the request of the Hungarian authorities, instead of functioning as an organic line of the official procedure to issue the certificates.

As seen above, the amendments in the new legislation were significant enough to give up some of the original principles of the lawmakers and the Orbán government, and these modifications were enabled by the change of government with the 2002 elections, since the Socialist Party did not give as high a priority to this agenda as the previous government. Nevertheless, the new version of the Status Law suggests that the Socialist government did not surrender totally the institutional assistance for kin minorities abroad, since a substantial part of the legislation, particularly the issuance of the Hungarian certificates and the regular financial assistance for the minority language education of Hungarians in neighbouring countries, were sustained as the original law had described. The assistance in education eventually was one of the hottest issues; it provoked serious friction with the related countries, especially the Slovak nationalists, including the Slovak National Party and the Movement for Democratic Slovakia, who primarily criticised the law over the educational assistance.¹⁷

¹⁷ Kántor (ed.), *op. cit. A státustörvény*, pp. 585–587.

Briefly, the Socialist version of the Status Law was, compared to FIDESZ's maximalist policy, neither minimalist nor completely opposite, but realistic, as far as the concrete contents were concerned.

II. How did the Hungarian Parties Share the Conception of the New Status Law Legislation?

A bare majority passed the amendments in 2003 (195 against 173). The political division between the socialist-liberal camp and the nationalist camp seemed quite obvious in the voting (see the voting pattern 3 in Table 1). However, the division is not so clear when examining the details of the discussions on the amendments. Table 1, summarising these factors, suggests rather consensus or multiplicity than two polar divisions among the parties. We need closer analyses on how the Hungarian parties shared the conception of the Status Law as a whole.

Table 1 on Voting Pattern and Opinion of the Hungarian Political Parties in the Status Law Legislation

Political Party	Voting Pattern			Main Issues in 2003		
	1 Status Law in 2001	2 Urgent Motion in 2003	3 Status Law in 2003	Unitary Nation (Nation as a Whole)	National Certificate (Ethnic Card)	Socio-cultural Assistance
FIDESZ (142*, 163)	YES (137)	NO (124)	NO (152)	YES	YES	YES
HDF (16*, 23)	YES (14)	YES (6)	NO (20)	YES	YES	YES
HSP (136*, 178)	YES (103)	YES (159)	YES (177)	NO	YES	YES
AFD (24*, 20)	NO (17)	YES (19)	YES (18)	NO	NO	YES

Note: The numbers in the political party cells indicate the parliamentary seats of each party in 1998 (with *) and in 2002 (without *), and other numbers indicate the votes casts of the parties at the agendas 1-3.

Source: <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004.

The second half of this paper illustrates the perception of the political parties which operated in the background of the parliamentary controversies, focusing not only issues of the Hungarian minorities, but also the relationship with the neighbouring countries, European integration, and the Trianon Treaty. This will shed light on the ideologies of the four major parliamentary parties (FIDESZ, HDF, HSP, and AFD) on the issue. Among the issues to be examined, the first three have formed the so-called Trinity of Hungarian diplomacy, which have functioned as the common basis of post-communist diplomatic policy.¹⁸ However, a common basis is not necessarily identical with the same priority or same understanding of the three components among the political parties. The history of the Status Law since 2001 suggests that the Trinity was barely functioning, no more definite or holy at all.¹⁹ Additionally, the history requires involvement of the fourth element in the examination of the Hungarian perceptions of diplomacy, that is, the Trianon Treaty, since the issue worked in both common and distinctive ways among the parties in the Status Law controversies.²⁰

1. Hungarian Kin Minority: The Antall Doctrine

József Antall, a leading HDF politician and the first Prime Minister of post-communist Hungary, left a ‘memorial’ statement at the beginning of his political career in 1990. He said, ‘Our government works for the 15 million Hungarians’,²¹ instead of for the country’s 10 millions Hungarian citizens. The statement, though criticised immediately and widely by the neighbouring countries for its revisionist sound and implicitly raising

¹⁸ See, for example: ‘Any political party in the Parliament has always shown the consensus on the trinity objectives—the [European] integration, the neighbourhood policy, and the policy for the Hungarians abroad—, which was formulated for the Hungarian diplomacy after the regime change’, in the official report, *A határon túli magyarokra vonatkozó politikai feladatok végrehajtásáról*, given by the Governmental Office for the Hungarians Abroad <www.htmh.hu>; or ‘We can characterise the diplomatic policy of the HDF government from 1990–1994 by the three pillars, and I am glad to hear that the AFD reminds the three pillars as inevitable among each other’, Ibolya Dávid, the leader of the HDF, *Félszólalási adatai*, 79 ülésnap, 334–378, 16 June 2003 <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004.

¹⁹ Tibor Gazsó, *Elzárlogosított jövő: a Medgyessy-kormány második éve* (Budapest, 2004), p. 330.

²⁰ Ieda, op. cit. ‘Post-communist Nation Building’, p. 31.

²¹ József Debreczeni, *A miniszterelnök* (Budapest, 1998), p. 224.

territorial issues, has remained part of the policy making considerations for all the mainstream parties in post-communist Hungary.²² The creation of the Hungarian-Hungarian Summit (Magyar-magyar csúcstalálkozó) in 1996 and the Hungarian Standing Conference (Magyar Állandó Értekezlet) in 1998,²³ involving all the related political forces in Hungary and in the neighbouring countries, were evidence of the effectiveness of this idea. On 2 June 2003, Károly Herényi, a Member of Parliament (MP) of the HDF, directly cited the statement in the preparatory session of the Parliament on the amendments to the Status Law:

[...] now we are discussing on which viewpoint the Hungarian Parliament should give the priority; the viewpoint of the Hungarians as a whole, that of the Hungarian nation, that of the Hungarians living beyond the state borders, or the international expectation. [...] Csaba Tabajdi, the opinion leader of the HSP, wearing a tricolour badge²⁴ on his breast two years ago, praised the Status law quite impressively, and named it as epoch making and distinctive in the modern history of Hungary. [...] The HDF is now in quite a difficult position, since the party had been always giving the first priority to the interests of the Hungarians as a whole. I am citing József Antall, who said that both of governmental and opposition parties should have one standpoint which is shared by the legitimate leaders of the legitimate organizations of the Hungarians living beyond the state borders as far as the issue is concerned with the Hungarians beyond the borders, the issue with the Hungarians as a whole. We will follow this today, as we have done it so far.²⁵

²² The new socialist-liberal government led by Ferenc Gyurcsányi also declared itself as a government for 15 million Hungarians; see: *Magyar nemzet*, 27 September 2004.

²³ The Conference included all Hungarian political parties in Hungary and in the six concerned countries, being established in the wake of the third Hungary-Hungary Summit, whose first meeting was held in 1996 at the initiative of the Hungarian government (the Socialist Party was majority at that time), the President of the Republic of Hungary, Árpád Göncz, elected from the AFD, and the Office for the Hungarians Abroad.

²⁴ Tricolour badge is the symbol of the independent Hungarian nation and is used to be worn at the national celebrations such as on the 15 March for commemoration of the independent war in 1848–49, on the 23 October for that of the uprising in 1956.

²⁵ Felszólalási adatai, 76 ülésnap, 31–43, 2 June 2003 <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004. Ibolya Dávid, the leader of the HDF, also cited the statement of J. Antall in the plenary session on 16 June 2003; Felszólalási adatai,

The Antall statement, accordingly, seemed to have been understood as a doctrine,²⁶ according to which, first, no decisions can be made about policies on Hungarians living abroad without consensus among the all political parties in Hungary and in the concerned countries (consensus discipline) and, second, the issue should be given the first priority over the others (priority discipline).

The first version of the Status Law worked as an acid test for the Antall doctrine, re-validating the doctrine more than ten years after its declaration. Csaba Tabajdi confirmed the effectiveness of the Antall doctrine even among the Socialists, stating in the same 2 June 2003 session:

Zsolt Németh [the state secretary of the ministry of foreign affairs in the Orbán government] reminded us of that we had a consensus once [in 2001]. Why did we have the consensus then? Because the Socialists voted for the Act, though the bill had numberless contradictions and problems. Nevertheless, the national interest was more important for us than the party interests.²⁷

The Socialist politician, however, ended the phrase with an additional, short message to the FIDESZ parliamentary members: ‘Now, it is your [FIDESZ’s] turn’. Namely, Cs. Tabajdi, using a comprehensive phrase, *the national interest*, interpreted his party’s standpoint as *consistent* and required FIDESZ to change the priority among the three pillars of the Trinity; that is, conversion from the national consensus of 2001 that focused on the kin minority policy to another national consensus in 2003 that prioritised European integration. The controversy over the amendments in 2003, though superficially and nominally over what legislation the Parliament should establish on kin minorities, eventually became about whether the country should accept the on-going integration

79 ülésnap, 334–378, 16 June 2003 <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004.

²⁶ Nándor Bárdi, ‘The History of Relations between Hungarian Governments and Ethnic Hungarians Living beyond the Borders of Hungary’ in Kántor et al. (eds.), *op. cit. The Hungarian Status Law*, p. 69. Bárdi’s definition of the doctrine, however, does not include the second component of the author’s definition.

²⁷ Félszólalási adatai, 79 ülésnap, 334–378, 16 June 2003 <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004.

in Europe with the full range of its norms, including those on kin minority policies. There were several perceived rationales for the amendment bill. One was the suspicious reaction of the West European agencies on the original law's conformity with European standards; another was the criticism of the Hungarian government's neglectful attitude toward consensus-making with its neighbours.²⁸ At any rate, the very tight time schedule of the plenary sessions for amending the Status Law suggests clearly that the only matter of concern was simply a Yes or No to the question of giving the first priority to the European integration instead of to the kin minority issue.

Cs. Tabajdi himself could be a follower of the Antall doctrine, even having deeply committed himself to the minority policy.²⁹ For instance, he wrote in one article:

The language is one of the most serious issues for the minorities in the Carpathian Basin and in Central-Eastern Europe in general. [...] Use of the mother tongue is the battlefield, where the social majorities try to assimilate the minorities through diminishing the minorities' use of their mother tongues.³⁰

The Socialist politician expressed, even explicitly, his positive perception on *nation building* and the *unitary Hungarian nation* in the plenary discussions on 16 June 2003:

We have more than 600 thousands of applicants [for the Hungarian certificates]. The status law has a factual function for the nation building, a function as a symbol, and the law will keep it. Let the people say whatever they want for their side. The law, however, will keep the function of the nation building. Though being symbolic, it has a function to encourage their self-organisation. It has and will keep the function to preserve the culture and the language. [...]

The nation can be a political nation in the French, Netherlandish, British, or American conception, but it can be also a nation in the

²⁸ General Rationale (Általános Indokolás) of the amendment law <www.mkogy.hu/irom37/4144/44.htm>, accessed 20 January 2004.

²⁹ Nándor Báradi, op.cit., p. 66, p. 75.

³⁰ Csaba Tabajdi, 'Nyelvi jogok határainkon belül és kívül' in *Kiút a csapdából? Nyelvi és nyelvhasználati jogok a Kárpát-medencében* (Budapest, 1998), p. 9.

cultural conception. We should not say that their conception has a higher value; nevertheless, Mr. Jürgens wanted to persuade it. Oh, God bless him, he was not successful. As far as the notion the nation is concerned, however, a new phrase was inserted [into the amendment law], that is, belonging to the Hungarian Nation. This is an important component. I do accept that it would be good if we could keep the unitary Hungarian nation in the cultural sense in the law. However, I am afraid that we could not manage it.³¹

The aforementioned statement of Károly Herényi could be more evidence for his sympathy to *the unitary Hungarian nation*. The governmental party, though officially denying *the unitary Hungarian nation* under the committee of the foreign affairs—‘The unitary Hungarian nation never existed for decades’—supplemented the sentence with the same remark as Cs. Tabajdi did, namely:

A Hungarian nation exists in the cultural sense, since the Hungarian national bodies have never separated from each other in this sense.³²

The HSP flexibly interpreted the nation, shifting the emphasis from one to another in accordance with the changing political agendas. Therefore, the party could not be a consistent follower of the Antall doctrine.

The Alliance of Free Democrats (AFD) never adopted this doctrine. They were against the Status Law in 2001, regarding it as anti-European. However, this did not mean that the AFD was indifferent to the issue of the Hungarian kin minorities. For example, Tamás Bauer, an AFD MP, stated in 2001:

The *best* solution is self-fulfilment in the place of birth, and preservation of Hungarian national identity in the place of birth. This is the case for the Swedes in Finland and the Germans in South Tyrol who successfully achieved the *ideal* solution (emphases added).³³

³¹ Félszólalási adatai, 79 ülésnap, 334–378, 16 June 2003 <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004.

³² The statement of Gábor Hárs, the vice president of the committee, Félszólalási adatai, 79 ülésnap, 334–378, 16 June 2003 <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004.

³³ Félszólalási adatai, 206 ülésnap, 357, 9 May 2001 <<http://www.mkogy.hu/internet/plsql>

In 2003, the party stated again the necessity of assistance to the kin minorities in the plenary session:

We shall remind ourselves of the idea, on which we all agreed in the 1990s; namely, we need a policy to help the kin minorities realising their well being in the birth lands, their constructing the birth lands according to their Hungarianness or the Hungarian culture, their creating the fortune, and their making themselves feel well. If we realised these aims, we have made a good legislation.³⁴

When the proposed amendments declared ‘to ensure the well-being of Hungarians living in the neighbouring states in their home states’ as the main objective of the new legislation, the AFD logically and ‘heartfully’ supported the legislation without reservation, despite its including the *de facto* preferential treatments for the ethnic minority language education and the provision of the Hungarian certificate, which were internationally controversial issues. European integration, in contrast, encouraged the free movement of human beings and regarded the preferential treatment for the ethnic minorities as discrimination as a rule. With this perspective by the Hungarian liberals on the Status Law, the AFD obviously shared the nationalist ideas with the other political parties. Sándor Lezsák, MP of the HDF, was, therefore, quite right when he once pointed out in the Parliament in 2001;

You may consider the Dezső Szabó as too conservative. I shall cite from István Bibó, who is regarded as a liberal thinker. He conducted a conclusion in 1946, according to which ‘It is almost impossible to realise the normal life of the minorities without political efforts. The political efforts, however, should be carried out by no other than the kin-state, namely, by us’.³⁵

The AFD was not disloyal to the Trinity, though they did not follow the Antall doctrine.

/internet_naplo>, accessed 15 January 2004.

³⁴ The statement of Mátyás Eörsi, Félszóalási adatai, 79 ülésnap, 334–378, 16 June 2003 <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004.

³⁵ Félszóalási adatai, 206 ülésnap, 335, 9 May 2001 <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004.

The FIDESZ was definitely loyal to the Antall doctrine in 2001, when the party kept the consensus with the Socialists over the Status Law and when the party kept the priority of the doctrine over the other pillars of the Trinity in the consultation and negotiation with the EU and the neighbouring countries,³⁶ although in the end it had to compromise with the foreign partners. In 2003, however, when the Socialists required the FIDESZ to accept the amendment of the Status Law, the party faced serious dilemma, since the two components of the doctrine were incompatible in the decision in question. In the end, the party took as a priority the issue of the kin minority, voting against the second version of the Status Law.

The HDF was also ‘in quite a difficult position’ (K. Herényi), stating:

The HDF agrees on acceptance of the unusual plenary procedure due to the urgency of the issue, and we will discuss the benefit law. However, we cannot adopt the bill as it is. [...] We expect that the government shall support our proposals which would recover the original objectives of the law.³⁷

This decision meant that the HDF factually gave up the Antall doctrine, since, as pointed out, the crucial topic of the bill was the priority change between the kin minority and European integration. In this context, to accept the urgency of the issue was identical to giving the first priority to the European integration, even though the party did not want to surrender their original priority position. This was the reason why the party expressed the situation as ‘difficult’, and why the dominant majority (16 out of 23) of the party’s MPs were absent or did not vote on the procedure issue in the plenary session.³⁸ One of the party MPs voted, but did it against the party decision (see voting pattern 2 in Table 1).

³⁶ See, for example: The governmental draft of the Status Law had included as Article 19, ‘Assistance to commercial organisations’, and Brussels doubted its paragraph’s EU conformity, since public assistance to commercial companies seemed clearly to infringe the rule of fair competition in the free market system. The detail of this argument is shown in the following section of ‘c. the European Integration’.

³⁷ Felszólalási adatai, 76 ülésnap, 31–43, 2 June 2003 <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004.

³⁸ The absentees included the party leaders, such as Ibolya Dávid and Sándor Lezsák <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004.

2. Relation with the Neighbouring Countries

One of the most serious criticisms against the Orbán government was the lack of consultation with the neighbouring governments before passing the Status Law in 2001, prompting a diplomatic crisis with them. Cs. Tabajdi pointed out this problem in the first law making process:

Today we discussed again and again the prior consultation with the neighbouring countries. We have to be very sensitive in how to adjust ourselves to the external world, because our country has just become independent as late as in the 1990s after the long interval of no factual state sovereignty since the age of King Mátyás. We ask the government to take the lessons so far into consideration and to have prior consultations with the neighbouring countries and the EU as soon as possible, so that no more problems would happen.³⁹

Another Socialist was also critical of the behaviour of the Orbán government, saying:

Notice is not sufficient for one country to do something in other countries. She is required to harmonize the interests with the countries. [...] According to the textbooks of history, notice is the way of great powers toward small countries, and in turn, small countries have given most consideration for harmonizing their interests with others. In this respect, Hungary seems to behave as if she were a great power against the neighbouring countries. In brief, it cannot be the most proper way.⁴⁰

Vilmos Szabó, also a Socialist MP, suggested that consultation with the neighbours should have been a necessity in 2001 and would have brought a close relationship with the neighbours instead of conflict:

I am convinced that we can solve the misunderstandings of the neighbouring countries which express their deepest concerns to the

³⁹ Felszólalási adat, 206 ülésnap, 440, 9 May 2001 <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004.

⁴⁰ The statement of Tibor Szanyi, socialist MP; Felszólalási adatai, 202 ülésnap, 422, 19 April 2001 <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004.

Status Law, since, as pointed out today also, Slovakia and Romania established their status laws in 1997 and 1998 respectively. Besides, other countries like Ukraine and Poland also put the same kind of law on the parliamentary agenda. So I cannot understand why the Hungarian government has lost the opportunities to take the initiatives. We sincerely ask the government to recognise the causes of the failures, to change the way, and to answer the requirements, questions, concerns, and suspicions without any reservations.⁴¹

These statements suggest that the style and the perception of the FIDESZ government regarding the neighbouring countries were too unilateral even for their colleagues in the Hungarian Parliament. The Socialist Party took into more consideration the diplomatic pillar of keeping good relationship with the neighbouring countries when they were the governing party after 2002. Namely, the Medgyessy government gave priority to the neighbouring countries, surrendering the universal implementation of the policy in the six neighbouring states. That is, the government gave up the formal implementation of the law into Slovakia.⁴² László Kovács, Hungarian Minister of Foreign Affairs, already indicated the possible various ways of implementing the law in his first statement in the plenary session on 16 June 2003, saying:

[...] the government of each neighbouring country has a different standpoint. To meet this situation, we found out a wording that ensured possibilities so that we could create an attainable and available solution to each country. The concerned organisations and parties of the Hungarian communities, by the way, agreed on this.⁴³

The FIDESZ government, in contrast, did not take the internal criticisms into serious consideration and paid no attention to each neighbouring country in 2001. Instead, the party might have requested its members to state explicitly their nationalistic perceptions against the

⁴¹ Felszólalási adatai, 206 ülésnap, 410, 9 May 2001 <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004.

⁴² See: Ieda, op. cit. 'Hungarian Status Law and Slovakian Acceptance', p. 100.

⁴³ Felszólalási adatai, 79 ülésnap, 334–378, 16 June 2003 <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004.

European integration and the neighbouring countries in the Parliament; for example:

Such a statement as ‘We should not take a risk with the status law for the European integration’ or ‘We should give up everything for the European integration’ reminds us of the slogans in the past, that is, ‘We should not endanger the good relationship with the neighbouring countries for the solidarity of proletariats or the internationalism’. Do we have to surrender the Hungarians living beyond the state borders for these aims? I myself say goodbye forever to them since they were in the past.⁴⁴

This attitude was very close to the radical nationalists of the Party of Hungarian Justice and Life (MIÉP, I. Csurka’s party), which was a parliamentary party in 2001 and tried to counter-attack the criticism from the neighbouring countries, referring to the historical ideology of antagonism: ‘They might, symbolically speaking, want to establish another Little Entente’.⁴⁵

The AFD’s attitudes toward the neighbouring countries were not straightforward. For one thing, the party criticised FIDESZ for the attitude that the party did not have any prior consultation with the neighbouring governments in 2001. However, the AFD itself perceived the neighbouring countries as a subordinate factor to West European integration. One AFD MP said:

The Slovak government will say No to this legislation in the future as well. We could discuss on the reasons why they do so. However, I do not mind the reasons, because the Slovak government will accept the law sooner or later, when the European mainstream

⁴⁴ The statement of László Pószán; Felszólalási adatai, 202 ülésnap, 424, 19 April 2001 <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004. Pószán was elected to the Parliament in 1998 and 2002 from the minor electorate in Debrecen city, and a member of the committees of education and foreign affairs in the Parliament.

⁴⁵ The statement of Zoltán Balczó, member of the party of Justice and Life; Felszólalási adatai, 206 ülésnap, 412, 9 May 2001 <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004.

supports the Status Law, and the Slovak government is left alone in the discussion on this issue [...].

Therefore, it is extremely important that no one could play a role with a significant political force against the law. If it would be successful for them to play a role against the law, and to organise the international assistance for them, it would result in preventing the law from implementation. [...] In my opinion, if the European mainstream agrees on this law, it will help the Republic of Hungary to make the law effective and workable, and will make her neighbouring countries sooner or later not to raise any more criticism against the law in the future.⁴⁶

The HDF had a reversed but similar perception of the neighbouring countries, regarding them as a dependent variable of the integration policy of the Hungarian nation in the Carpathian Basin. The party, keeping the Trinity formally as a rule, stated as follows:

The first is the European integration, the second is the construction of good relations with the neighbouring countries, and the third is the nation policy relating the Hungarians as a whole. Each one cannot function without the others. Missing one threatens the others' existence.

Practically, however, no attention was paid to the second factor, and the statement continued:

The HDF formulated a diplomatic policy in the period from 1990 to 1994 in the following way that the only historical reality is the EU membership insofar as [to realise] the reunification of the Hungarians living in the Carpathian basin.

Namely, the starting perception of the party's diplomatic policy was no other than a distinct mission given by the history:

⁴⁶ The statement of Mátyás Eörsi, MP of the AFD, *Félszólalási adatai*, 79 ülésnap, 334–378, 16 June 2003 <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004.

Trianon is the tragedy of the Hungarian nation, and it can be the most serious shame of the 20th century. After Trianon, we Hungarians know that the responsibility and the attitude should be specific for the country to follow in the international politics and in the European politics, because the state has been insulted by Europe and the world due to what the state suffered against her willingness.⁴⁷

These statements of the HDF leader, Ibolya Dávid, though relating also the next issues, suggests obviously that not only the neighbouring countries but also the European integration was a dependent variable of the Hungarian national integration policy in the Carpathian Basin.

3. The European Integration

Hungary was given officially, and not only once, consultation by the EU commission on the Status Law. In 2001, it wrote:

[T]he law was adopted by Parliament [...] without due consultation. [...] Some of the provisions laid down in this law apparently conflict with the prevailing European standard of minority protection, as determined in a report adopted on 19 October 2001 by the Council of Europe's Commission for Democracy through Law (Venice Commission).⁴⁸

In the following year the EU report also pointed out the problem was unsolved.⁴⁹ This criticism forced the Hungarian Socialists to reconsider the Status Law legislation and the rationale it clearly expressed.

The AFD, by contrast, pronounced their standpoint on the Status Law by adducing the West European criticism and negative repercussions. The party positively evaluated the amendments, such as discontinuing the eligibility of the benefits from the Hungarian certificates and the deletion of the phrase, 'the unitary Hungarian nation' from the law. It stated:

⁴⁷ Ibolya Dávid; *Félszólalási adatai*, 79 ülésnap, 334–378, 16 June 2003 <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004.

⁴⁸ Commission of the European Communities 2001 Regular Report on Hungary's progress towards accession, Brussels, 13.11.2001 SEC (2001) 1748, p. 91.

⁴⁹ Commission of the European Communities 2002 Regular Report on Hungary's progress towards accession, Brussels, 9.10.2002 SEC (2002) 1404.

If non-Hungarian people such as Romanians, Croatians, Slovenians, Slovaks, or Ukrainians who learn Hungarian language will be given assistance on the basis of the law, it can be, I am convinced, a national interest of Hungary. [...] Honestly speaking, the opinions of some British, Catalan, Italian, or Estonian liberal parliamentary members are closer to me than that of Zsolt Németh. Though we understand each other better in Hungarian on the level of language, I do not agree with him in spite of sitting closely. Therefore, I suspect that the unitary Hungarian nation would be the right expression. [...] I do not mind so much the deletion of the phrase. The deletion rather expresses a sort of faithfulness.⁵⁰

The Democratic Forum, on the contrary, did not recognise the criticism by the West European institutions as acceptable or legitimate, and instead refuted it:

The various international organizations have analysed the Status Law we established in 2001. None of them, however, raised a serious criticism against the law which would have obliged us to reconsider the basic disciplines of the law or to revise the law. [...] The Venice Commission grounded that the status laws are *per se* not discriminatory and they do not violate the basic disciplines of the international law. [...] Neither the EU commission nor the Council of Europe among the EU agencies dealt with the issue, and did not give any official statement on the issue. The first draft of the commission report, which was prepared by Eric Jürgens for the Council of Europe's Commission of Law and Human Rights, was retracted due to the deficiency of the contents.⁵¹

The HDF, therefore, questioning the definitiveness of the judgements by the West European authorities on the issue, and thus inducing the scepticism toward the European norms, insisted on the effectiveness of the Status Law. This way of justification, however, could give no ground to

⁵⁰ Mátyás Eörsi, *Félszólalási adatai*, 79. ülésnap, 334–378, 16 June 2003 <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004.

⁵¹ Ibolya Dávid; *Félszólalási adatai*, 79. ülésnap, 334–378, 16 June 2003 <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004.

the Status Law for its European legal compatibility. It was rather concluded from ‘the *specific* responsibility and attitude’ rooted in the Trianon trauma, as the party leader insisted.

The questioning and the scepticism toward European integration were characteristic for the FIDESZ as well. Zsolt Németh, the former state secretary, gave the following statement on the legal conformity of a paragraph in the government’s 2001 draft for the Status Law:

It was repeatedly required in the consultation with the EU that we should respect the disciplines of fair competition. However, on this issue there were misunderstandings and controversies, and we could continue exchanges of opinions regarding to the legal principles; namely, they should be concerned with the questions; for example, how indispensable the assistances to local industries were for the aim of preserving the national minority, or how contrary the assistances were against the fair competition. I will not explain this in the details now. At any case, we have accepted, for peace,⁵² the requirement to delete the related article of the draft, which clearly prescribed assistance to commercial companies.⁵³

The FIDESZ government, thus, struck the article and the words ‘commercial organizations’ off the law in order to ‘make peace’ with the EU. Instead, however, the government inserted the following paragraphs into the final version: ‘e. the enhancement of the capacity of disadvantaged settlements in areas inhabited by Hungarian national communities living abroad to improve their ability to preserve their population and to develop rural tourism; f. the establishment and improvement of conditions of infrastructure for maintaining contacts with the Republic of Hungary’ (Article 18, Paragraph 2). The Hungarian government implicitly but consciously kept their initial goals; that is, even commercial companies should be supported by the state-budget for the aim of preserving the Hungarian communities abroad. The FIDESZ government did not give up their ideology in exchange for fair trade in the

⁵² In Hungarian, *békesség kedvéért*.

⁵³ The ex-state secretary of the Ministry of Foreign Affairs, Z. Németh’s statement at the press conference on June 13, 2001 <www.kum.hu>, accessed 20 January 2004.

first version of the Status Law.⁵⁴ These paragraphs were struck off when the law was amended. It is essential to highlight the FIDESZ government's consistency in spite of the EU's tenacious criticism and their conviction in the law's fair exception from the general rules of the competitive market, and, by contrast, the deletion of the paragraphs by the socialist government in 2003.

The nationalist perception of the Hungarian uniqueness was the ground to reject the European intervention on the domestic affairs. For example:

It was often cited that Günter Verheugen criticised the law, however, I definitely emphasise again that his standpoint is not an official statement of an EU member state, though he can be a very important commissioner of the EU. [...] He reflects no international reality as the socialists repeatedly referred it. *We should take an internal obligation into much more consideration than an external, international, or diplomatic obligation* (emphasis added). [...] Is it the reality for us to give up our national interest, our national cultural identity when someone expresses his/her opinion, which happens to be opposite to ours? [...] We do not go around to international forums. We do not appeal other countries to the European courts. From now on, whom can the kin Hungarians rely on? [...since the status law was established,] the kin Hungarians have felt that they belong again to somewhere; the kin-state at last took the responsibility for them. However, now we are coming to where the kin-state easily gives up them due to a citation to the reality, the international expectation, or the European power centres.⁵⁵

The statement suggests that the Hungarian uniqueness (here the national cultural identity or the kin-state's responsibility for her kin minorities) should be given the priority as long as the European society does not lay down an ultimatum to the country.

⁵⁴ *Heti Világgazdaság*, 7 July 2001, p. 89.

⁵⁵ Tamás Gábor Nagy, MP of the FIDESZ; *Félszólalási adatai*, 79 ülésnap, 334–378, 16 June 2003 <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004.

4. The Trianon Treaty

The Trianon Treaty could be the most sensitive issue in the whole history of the Status Law, since in the post-communist transformations the nation and/or state reconstruction became an issue among the concerned neighbouring countries, which unavoidably challenged the legitimacy of the existing states and their borders. Second, just raising the issue of the Trianon Treaty helped to reactivate the traumatic perception of the past in Hungary as well as in the concerned countries. Ibolya Dávid, the HDF party leader, as seen before, indicated the specific responsibility and attitude of the kin-state, representing the most fundamental standpoint of Hungary in the issue. Another fundamental statement, mentioning clearly the connection between the law and the treaty, was given by Zsolt Németh in 2001;

The basis of our nation policy depends on how to realize the unification of the nation beyond the state borders. The Status Law is the answer of FIDESZ to this question. At the same time the Status Law is the answer also to the question having been ever unsolved. Namely, the question relates a solution with a perspective for the fate of the Hungarians abroad, and the law serves the most important milestone for it. The law helps a lot for curing the trauma our nation has carried for eighty years due to the Trianon Treaty, for finding out the only way out, and for giving relief from the situation regarded as despair.⁵⁶

A reference to the historical and ‘actual’ international agreement, concluded more than 80 years ago, was not exclusive to the FIDESZ-HDF camp in the Status Law controversy. During the plenary session on 16 June 2003, Gyula Horn, the prime minister of the previous Socialist government (1994-98), said he regarded the Status Law as a national issue and expressed his sympathy with I. Dávid’s statement relating to the treaty. Then, the ex-premier developed his perception on the treaty:

I believe that we have no need to argue with each other on that the Trianon Treaty and the Paris Peace Treaty was measurelessly unfaithful.

⁵⁶ Z. Németh’s statement; Felszólalási adatai, 202 ülésnap, 28 April 9, 2001 <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004.

It was catastrophic, malicious—it was, in deed, and terribly so—and very unfaithful in the end. We represented this standpoint even in the international conferences. [...] We emphasised this also in the occasion when the destiny compensated the Germans for their last decades at the end. The destiny has done the justice for them. To us, I do not know when the justice will be done. I am afraid that we could not expect it. [...] The Paris Peace Treaty, in practice, conserves the losses, which we suffered by the treaty, for long, long, eternally long period. At the same time, however, it brings an everlasting risk and source of a conflict to our relationship with the neighbouring countries. According to my solid conviction, none of the neighbouring countries secure thoroughly—my emphasis is on thoroughly—the rights of the Hungarian kin minorities which, otherwise, the international agreements prescribe. Nevertheless, we have to adjust ourselves to the European norms, and to take their requirements into consideration [...].⁵⁷

The former Socialist premier, although putting greater emphasis on international reality, shared the perception with the HDF leader on the Trianon Treaty as the starting point of the Status Law. Briefly, most political parties except the AFD were deeply motivated for the legislation by the historical, ‘unfaithful’ experience the Hungarians suffered almost a century before.

Conclusion

Based on the previous section, Table 2 suggests the diversity of the Hungarian political parties in their opinions and attitudes on the major diplomatic issues. If other items were taken into consideration, the diversity might be different. However, the negligible priority by most parties on relations with the neighbouring countries is clear in the Table. Even the one *Significant* of the Socialist Party could be questioned in light of the negotiations with the Slovak government on the implementation of the amended Status Law in the second half of 2003. The consensus between the Medgyessy and Dzurinda governments was not the result of

⁵⁷ Felszólalási adatai, 79 ülésnap, 334–378, 16 June 2003 <http://www.mkogy.hu/internet/plsql/internet_naplo>, accessed 15 January 2004.

the active initiation from the HSP, but the West European intervention. The turning point between the two governments, the meeting in Bratislava on 19 July 2003, was realised by the mediation of Rolf Ekéus, the High Commissioner on National Minorities of the CSCE.⁵⁸ Otherwise the negotiations would have remained deadlocked forever. Though evidence is not available on how the European organisations influenced the final agreement signed by the two parties in December 2003, future membership in the EU might have played a significant role for the two associate countries to reach the agreement in the end.

Starting in 2004, the implementation process in Slovakia teaches that the reproduction of the minority communities, the basic educational institutions in the minority language, could not be supported unless the concerned kin-state, home state and the kin minority communities cooperate together in every sphere.⁵⁹ After attaining EU membership in May 2004, how are the political parties and the peoples in the region formulating their perceptions toward the neighbouring countries and each other? The implementation processes of the Status Law could be another acid test for the post-EU accession perceptions and the fate of the regional cooperation in Central and Eastern Europe.

Table 2 on the Priority Perception of the Political Parties in Hungary on the Major Diplomatic Issues

Political Party	Trianon Treaty		Relation with Neighbours	European Integration
	(Unitary Nation)	Hungarian Kin Minority		
FIDESZ	F	F	N	O/N
HDF	F	F/S	N	S/O
HSP	S	S	S/O	S
AFD	N	O	N	F

F: Fundamental, S: Significant, O: Optional, N: Negligible

⁵⁸ A határon túli magyarokra vonatkozó politikai feladatok végrehajtásáról <www.htmh.hu/kub2004.htm>, 20 January 2004.

⁵⁹ Ieda, op. cit. 'The Hungarian Status Law and Slovakian Acceptance', pp. 104–105.