



The American Hungarian Federation

Serving the Community since 1906 - Fidelissimus ad Mortem

The Honorable Benjamin L. Cardin
United States Senate
Washington, D.C. 20510

July 12, 2011

Dear Senator Cardin:

The American Hungarian Federation ("Federation"), founded in 1906 and representing a broad cross-section of the Hungarian American community, has supported democracy, human and minority rights and the rule of law in Central and Eastern Europe. We applaud you for your work as Co-Chairman of the U.S. Helsinki Commission in strengthening these values in that region.

We, however, are concerned and perplexed by your statement, "Democracy at Risk in Hungary," published in the Congressional Record on July 6. We are concerned because several observations made therein are unwarranted and perplexed because they were made in connection with Hungary's unveiling a statue of President Ronald Reagan and dedicating the Lantos Institute in honor of the late Hungarian-born Holocaust survivor. Your statement recognizes these two events (evidencing strong ties to and friendship toward the United States), but then goes on only to harshly and inexplicably criticize a NATO ally and a democratic nation, which has amply demonstrated its commitment to freedom.

You seem ambivalent about the outcome of last year's elections when FIDESZ won an outright majority -- "not necessarily a bad thing," as noted in your statement. It was a democratic election with the voters casting their ballots for change given the mismanagement and scandals of the previous government. And while Jobbik won seats in parliament, it remains a small opposition party whose agenda is effectively stymied by the government.

You also express displeasure with Prime Minister Viktor Orban using his democratically won supermajority to implement change by, in your words, "push[ing] through one controversial initiative after another."* As an example, you refer to the new media law.

As Americans of Hungarian descent steeped in the First Amendment to the United States Constitution, it is our firm conviction that freedom of the press is a cornerstone of democracy and liberty. Our conviction is reinforced by the fact that many of our members or their parents rose up against and fled from Soviet tyranny or Nazi occupation and persecution. At the same time, it is our steadfast conviction that judgments made about a country whose liberty was denied for over four decades by the force of tanks, secret police and their collaborators in all walks of life, including the media, should be objective, fair, balanced and based on facts and not generalizations and speculation. Instead of referring to concrete examples of harm to media freedom, your statement notes that the media law "*could* be used to silence critical media and public debate." (Emphasis added).

Another example you refer to is the adoption of the "completely new Constitution." It was meant to be new. After Communism fell in 1989, the old Stalinist constitution had not been replaced but amended. While the European Commission for Democracy through Law (the "Venice Commission") expressed certain particular concerns relative to the new Constitution, it also stated that the Constitution "aims to meet the general features of a modern Constitution within the framework of the Council of Europe.

* No one would suggest that American democracy is in jeopardy because, for instance, the "controversial" health-care reform measure passed the House and Senate with every Republican voting no.

In particular, the Venice Commission welcomes the fact that this new Constitution establishes a constitutional order based on democracy, the rule of law and the protection of fundamental rights as underlying principles." We believe that these and similar conclusions omitted from your statement are also important to consider and weigh when judging the Constitution.

Your statement expresses concern about what you characterize is the "government's fixation on ethnic Hungarian identity and lost empire in ways that can only be seen as unfriendly by other countries in the region." You refer to the citizenship law that facilitates the acquisition of Hungarian citizenship by ethnic Hungarians in other countries, a law that is similar to laws of other countries, such as Slovakia, Romania, and many others.

This criticism is perplexing for a number of reasons. First, Hungary had never been an empire – until it was dismembered by the Treaty of Trianon in violation of the vaunted principle of self-determination, it was a self-contained, geographically and economically coherent and durable formation in the Carpathian Basin and boasting the longest lasting historical borders in Europe. When Hungarians fell under the domination of the Habsburg Empire, they rose up twice seeking to regain their independence.

Second, but for lack of respect for the minority rights of members of the Hungarian communities in states neighboring Hungary, the issue of Hungarian minorities would be moot. Intolerance and discrimination targeting any group (including Hungarians) based on ethnicity, nationality or religion is intolerable and should be condemned. Criticism should be directed at those who violate minority rights, not at the victims of discrimination or those who speak up on their behalf.

Finally, more than two decades after the collapse of Communism, Romania and Slovakia have yet to fulfill their promises to their ethnic Hungarians. Although both were accepted into NATO and the EU based, in part, on these promises, the irrefutable record demonstrates that their laws and practices continue to fail to conform to European and Western standards relating to human and minority rights and aggravate inter-ethnic tension.

In fact, the number of anti-Hungarian incidents and policies is rising steeply in Romania. These include, the denial of the Hungarian community's request for autonomy, threats and intimidation, refusal to restore the Babes/Bolyai University as a Hungarian institution and proposals to Gerrymander counties to reduce the ability of Hungarians to effectively participate in public affairs, especially in matters affecting them, and to enjoy their culture (*i.e.*, internal self-determination). The Federation's summary of these issues is attached hereto.

The discriminatory law restricting the use of Hungarian in the public sphere is still on the books in Slovakia. The Venice Commission criticized provisions of this law as being incompatible with international standards and reminded Slovakia that it is not absolved "of the obligation to comply with the provisions of the international conventions for the protection of national minorities."

In conclusion, we respectfully call upon you to meet with representatives of the Hungarian American community to discuss democracy in the region. We also urge that Romania and Slovakia be publicly and privately encouraged to build tolerant societies by respecting the rights of their Hungarian and other minorities and the rule of law. The Helsinki Commission should engage both to ensure that their minorities are not threatened by the forced assimilation of their culture and identity. This would promote genuine democracy in Romania and Slovakia, defuse tensions caused by discrimination and intolerance, eliminate the need for Budapest to speak out against discriminatory practices in those countries and promote United States interests in a Europe that is whole, free, stable and secure.

Sincerely,

Frank Koszorus, Jr., National President
Public Member of the U.S. Delegation of the 1989 Conference on
Security and Cooperation in Europe on the Human Dimension