



The American Hungarian Federation

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HUNGARY UNDER THE MICROSCOPE: GENUINE CONCERN OR POLITICS?

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The American Hungarian Federation (Federation), founded in 1906 as an umbrella organization, is an independent, non-partisan entity representing a broad cross-section of the Hungarian American community. From its founding, the Federation has supported constitutional democracy, human and minority rights and the rule of law in Central and Eastern Europe (CEE). The Federation also supports good American/Hungarian and trans-Atlantic relations.

This statement is occasioned by the recent avalanche of unmerited criticism directed at Hungary that appears to be motivated and inspired by politics. In other words, it appears clear to us that an institutional pretext, *i.e.*, that Hungary's center-right government is allegedly undermining democracy, is actually being used to wage a political campaign to negate the voting public's clear and overwhelming choice of this government in the 2010 internationally recognized free and fair elections.

The Federation's concern is not with the legitimate political debate surrounding any changes to the constitution but rather with the insinuations that the process itself was somehow not democratic. One can agree or disagree with the outcomes, but to question the institutional integrity of the process ironically strips the credibility of the very democratic procedures at play that could be used to establish other outcomes by other elected governments as well.

As a result, all Hungarians of whatever political persuasion should feel some unease over the damaging image of the nation as a whole being projected to the world by its irresponsible detractors. They would have the international community believe that the legislative package passed by the two-thirds parliamentary majority achieved by the conservative government in the last election is somehow illegitimate and that the population is complicit by accepting it.

That is why the Federation urges and calls for objectivity and evenhandedness bereft of partisan politics when judgments are made about the state of democracy in Hungary and the region. Hungary has a revered history of standing up for freedom against great odds, and it is not to be defamed through political expediency.

U.S. ROLE IN STRENGTHENING DEMOCRACY AND DEMOCRATIC INSTITUTIONS

The United States must remain engaged in CEE on an evenhanded basis to help strengthen democratic institutions and the stability that derives from democracy. With the exception of NATO's enlargement, attention soon drifted away from CEE. Some quickly lost sight of the economic, moral and spiritual damage left in the wake of close to fifty years of Communism that had been imposed on the region by Soviet bayonets. Free elections were held and therefore nothing more needed to be done, seemed to be the attitude shared by some decision and opinion makers.

Despite great strides toward freedom, democracy and democratic institution building throughout the region, there is work to be done, as, for example, is evident from intolerant attitudes and discriminatory policies directed at the Hungarian minorities in some of the countries neighboring Hungary – an issue that is largely ignored by many of those who are now among the most outspoken critics and proponents of the absurd notion that democracy is in serious jeopardy in Hungary.

HUNGARY IS JUSTIFIED IN SPEAKING UP ABOUT INTOLERANCE AND DISCRIMINATION DIRECTED AT HUNGARIAN MINORITIES

Despite the less than exemplary record of countries neighboring Hungary when it comes to the treatment of their Hungarian minorities,* Hungary has been inexplicably criticized for taking reasonable measures consistent with international norms and practices, *e.g.*, citizenship, to assist the members of the minorities in their legitimate, justified and democratic efforts to preserve their distinctive culture. At the same time, some of the loudest critics who aver that democracy is in danger in Hungary are silent when it comes to minority rights violations affecting Hungarians living in other countries in the region -- violations that can be quantified.

Criticism is directed at the wrong party. But for the 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, therefore, should be directed at those who violate minority rights, not at the victims of discrimination or those who speak up on their behalf. Respect for minority rights would not only be consistent with democracy – an important goal for the U.S. also -- it would eliminate the need for Budapest to speak out against discriminatory practices in those countries.

HUNGARY HAS BEEN AN IMPORTANT AND VALUABLE U.S. ALLY

A successful war against international terrorists requires steadfast and genuine friends, which Hungary has been ever since it regained its independence. Indeed, the first Orban government assisted NATO in the alliance's Kosovo campaign, despite considerable danger this posed to the vulnerable Hungarian minority in Vojvodina. Also, by refusing permission to Russia to fly over Hungarian airspace, the Orban government frustrated Russian plans to seize Pristina airport. As a member of NATO, Hungary has been a good, important and strategic U.S. partner in Iraq and Afghanistan. It also recently gave assistance in freeing two American journalists in Libya. Hungarians are supportive of efforts to combat international terrorism and are committed to transatlantic values.

As noted earlier, Hungary has recently been harshly, and many Hungarians believe, unfairly criticized. On January 21, up to 400,000 Hungarians exercised their democratic rights and rallied in support of their country and government. It is imperative that the U.S. should now address those democratic-minded Hungarians who support the current government and are bewildered by what they perceive is an absence of evenhandedness toward Hungary today. It is in the interest of the United States that the perception of biased judgments, as unjustified as this perception may be, be dispelled so as to prevent the alienation of an important U.S. ally and the undermining of friendly bi-lateral relations.

This is not an academic question because even before the fall of the Berlin Wall, many of these voters have been steadfast supporters of a Washington-led NATO, in contrast to former enemies of NATO. There is a chance, however, that if the perception of bias is not dispelled, these disappointed long-time friends of America may adopt more cynical attitudes and thus weaken the alliance. Such a development would damage U.S. interests, as it is beyond dispute that a successful war against international terrorists requires steadfast and genuine friends.

CRITICISM MUST BE EVENHANDED

The Federation issues this statement not because it believes that no steps could be taken to strengthen democracy, democratic institutions and Hungary's economy or that no mistakes have been made. It is not suggesting that every critical comment is solely meant to disparage Hungary. Rather it believes that much of the international criticism is not evenhanded or based on facts but on generalizations and speculation, *i.e.*, what might happen as a result of the new laws as opposed to what has happened. The criticisms often reveal a lack of understanding of Hungary's history and the character of its people who have repeatedly sacrificed and demonstrated their commitment to freedom, as in 1956 when they rose up against Soviet tyranny. And much of the criticism, in fact, appears to be politically motivated. Suggestions in furtherance of the vaunted goal of strengthening democracy must be free of even a hint of political partisanship and must be grounded in principles and objective analysis.

Putting the internal affairs of democracies established on the western parliamentary model, such as Hungary, under a microscope is highly unusual and requires rigorous analysis. If the microscope is brought to bear to evaluate the actions of the government, the two questions that always must be asked are as follows: do those actions transgress in any substantial manner the established institutional norms practiced by a consensus of democracies around the world? And do they transgress the democratic norms established within the country being discussed itself?

When that level of analysis is applied to the previous Gyurcsany government, which triggered large scale protests, the excessive use of force against peaceful demonstrators and even riots with its admission that "we [*i.e.*, the government] lied in the morning, at noon and at night," one does not necessarily find the institutional legitimacy of Hungarian democracy called into question.** Rather one finds serious political questions arise about that government's trustworthiness and effectiveness. A similar analysis should be applied to the current government. Has it breached in any substantial way institutional norms of democracy as practiced around the world in its various forms?***

The legislative agenda of the Fidesz government, while perhaps politically controversial, does not rise to the grave level of putting "Democracy at Risk," as averred by some. There has been robust, critical discussion in Hungary's media about every aspect of the key laws in question that Parliament has passed, no state repression of the opposition's right to publicly criticize and object, and no state efforts to deny the opposition its democratic right to peacefully win over the public to its side in the next elections. In addition, other demonstrators have freely expressed their anti-government opinions, while foreign commentators, especially critics and those from the left, have given interviews, and critical assessments have been published in the Hungarian media.**** On winning the election, the opposition can introduce

its own legislative agenda, and if it has enough support in the electorate as Fidesz did, it can enact its own changes to the constitution as well. Those are core elements of democracy well in play in Hungary today.

ARE WE WITNESSING GENUINE CONCERN FOR DEMOCRACY OR PARTISAN POLITICS?

Many of today's critics ignore the facts noted in the previous paragraph, painting instead a distorted picture of Hungary. The lack of evenhandedness manifests itself in two ways. First, the intensive and sometimes unfair criticism has been directed at Hungary only since the ruling coalition won the elections in 2010 – elections internationally recognized as free and fair. The sources of such criticism often are the political opponents (and their supporters) of the current ruling parties who were overwhelmingly defeated in the elections in 2010. The combination of such selective criticism and exaggerated assertions points to political motivation and bias.

Second, demonstrable human rights violations and intolerance toward Hungarian minorities living in countries neighboring Hungary are ignored, even though anti-minority policies, practices and attitudes erode democracy.

One must begin with the fact that the 2010 election was thoroughly democratic, with the voters casting their ballots for change given the mismanagement, scandals and corruption of the previous Socialist government. And while Hungarian democracy had been restored just two decades ago, the criticism often draws faulty conclusions because it is based on incomplete or erroneous information, at times resembling the politically motivated utterances of the opposition political parties and their supporters. In order to be credible, the review of the state of democracy in Hungary, to the extent such intensive and selective review is necessary at all, must be evenhanded and objective and free of political partisanship.

An example leading one to reasonably conclude that some of the criticism is actually motivated by politics, not exclusively principles, is the August 8, 2011 "open letter on the oppression of freedom of religion in Hungary," submitted by 15 individuals in connections with the Act on the Right to Freedom of Conscience and Religion ("Religious Law"). All of the signers had been closely associated with the Alliance Free Democrats party and outspoken political opponents of Fidesz. Some were MP's or ministers and the party was a coalition partner of the Socialist led government for the eight years prior to the Fidesz government. One would not know this by just looking at the stated affiliations appearing in the letter. In the last democratically held elections the voters rejected this party which is now defunct.

And then there are instances where the criticism is premature. For example, some of the most outspoken critics could not wait for the courts to rule on the constitutionality of the religious, media and criminal laws before writing off democracy and the rule of law. Yet, on December 19, 2011 the Constitutional Court annulled parts of those laws.

Another example of the lack of evenhandedness was the one-sided criticism surrounding 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 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. 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.”

These and similar facts and conclusions are also essential to consider and weigh when judging the Constitution, democracy and freedom in Hungary, otherwise the comments lack credibility and can hardly be deemed objective, politically neutral or intended to help Hungary.

CONCLUSION

While democratic institution building should be encouraged and debated, they should be done based on facts, and in a fair, unbiased and evenhanded manner. This review process, including criticism, must be bereft of partisanship (or even the appearance of partisanship) and undertaken solely in furtherance of promoting Western values, not political expediency.

*For instance, Slovakia has adopted discriminatory language and citizenship laws and refuses to exonerate Janos Esterhazy, an unsung hero of the Holocaust who was the only member of Slovakia’s parliament to vote against the deportation of Jews in 1942. Romania refuses to grant its Hungarian minority’s legitimate request for autonomy, restore the independent Hungarian university in Cluj-Napoca/Kolozsvár or provide restitution to all churches/religious organizations for property confiscated by the previous Communist regime.

**Interestingly some of the current critics appeared far less concerned about the state of democracy following those events, leaving the impression of bias.

***And what are the democratic norms that are alleged to have been violated and are the judgments applied evenhandedly? For instance, Great Britain’s democracy is not challenged because it has adopted the first-by-the post rule – a rule that can result in a majority of voters playing no part in determining the outcome of an election and single party majority governments.

Another example can be found in the conclusion of a recent study (*Hungarian Media Laws in Europe: An Assessment of the Consistency of Hungary’s Media Law with European Practices and Norms*) by the Center for Media Communication Studies, Central European University. The Center, which not surprisingly is critical of Hungary’s media law, admits that there are “key deficiencies in a number of other European countries that may inhibit press freedom in ways that also do not conform to European free-press norms.” But those other countries are still deemed to be democratic and not subjected to the same intense scrutiny and hostility that Hungary has been since 2010.

Hungary’s recently enacted law on religions has been criticized for being restrictive. Maybe it is and amendments may be in order, but the latest State Department’s *Annual Report to the Congress on International Religious Freedom* notes similar restrictions in other European countries while not averring that democracy has been put at risk. The Report, for instance, notes that Austria only has 14 officially recognized religious societies.

**** In an interview published in a Hungarian pro-opposition weekly an American academic with no official standing astonishingly held out the prospect of the legitimate and freely elected Hungarian government being removed by democratic or other means.