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The Implications of Hungary's National Policy for Relations with Neighbouring States

Since its installation in May 2010, the majority government formed by the centre-right Hungarian Civic Union (FIDESZ) has been countering the legacy of the previous centre-left governments in most policy fields. One of the most visible changes can be observed in the approach towards the Hungarian communities living abroad, which shows an increased engagement with these communities and is gaining expression in what is called national policy. The policy aims to preserve Hungarian culture and feed a trans-border sense of cohesion among all those who regard themselves as Hungarian. Taking into account the size of such communities residing in the countries bordering Hungary, this policy inevitably produces certain effects beyond the minorities themselves, namely in the bilateral relations with these states.

The concept of the so-called national policy¹ of Hungary can be best comprehended if viewed in the specific context of the kin-state² with a population of around 10 million and approximately 2.5 million more living in autochthonous minority groups in the adjacent countries. If, in the 1990s, the priority of national policy was to assist in gaining minority rights, nowadays the objectives exceed minority protection and aim to prevent assimilation of the ever-diminishing Hungarian communities.

National policy originally constituted one of the three pillars of the foreign policy of post-1989 Hungary, beside Euro-Atlantic integration and good-neighbourly relations. With time, the accent gradually shifted towards European aspirations and with the accession to the European Union (EU) in 2004, both the orientation and instruments of foreign policy

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¹ While those subject to the national policy are all Hungarians living outside Hungary, this paper will focus on the autochthonous minorities in Central Europe, rather than the wider Hungarian diaspora in the world, which today consists mainly of descendants of Hungarian emigrants numbering approximately 2.5 million.

² The term "kin-state" is used in European legislation referring to a state that has a national minority living in another country. The minority group in this case is called "kin-minority".

needed reconsideration. The new Foreign Relations Strategy adopted in 2008 broke with the traditional three-pillar system and placed bilateral relations with neighbours and policy towards Hungarian minorities under one priority, that of regional policy. The document also emphasised that these two objectives are of equal importance. In practice, however, the underlying interests of the two policies do not always overlap, and as such, national and foreign policy seem at times to neutralise each other's efforts. Such internal dissonance can easily lead to tensions in the region.

National Policy of the FIDESZ Government

Since the early 1990s, Hungarian governments have been striving to address minorities living outside Hungary, and to create support channels. This policy was, however, developed rather intermittently, depending on certain varying factors: the nature of bilateral relations with the countries of residence, Hungary's international obligations, and domestic politics. In terms of this latter aspect, a more or less clear division can be observed, with the right-leaning governments (Hungarian Democratic Forum 1990-1994, first FIDESZ government between 1998-2002 and second, incumbent government led by FIDESZ) paying more attention to the issue than their social-liberal counterparts in power between 1994-1998 and 2002-2008. For instance, while the FIDESZ passed the so-called Status Law in 2001, enabling the issuance of Hungarian identity cards for out-of-country minorities, thus giving them access to certain benefits, in 2005 the then ruling social-liberal coalition successfully campaigned for boycotting the referendum on extending citizenship to Hungarian minorities. Upon its return to government, in 2010 one of the conservative FIDESZ's trump cards was to differentiate itself from its predecessors and promise to overhaul the national policy which had been played down throughout the previous eight years.

This major change of attitude towards Hungarian minorities was also expressed in the new constitution, which came into force in January. While the earlier constitution provided only that Hungary had the sense of responsibility for the fate of Hungarians living abroad and supported their contact with the motherland, the current one goes into more detail, stipulating that "Hungary shall bear responsibility for the fate of Hungarians living beyond its borders, and shall facilitate the survival and development of their communities; it shall support their efforts to preserve their Hungarian identity, the assertion of their individual and collective rights, the establishment of their community self-governments, and their prosperity in their native lands, and shall promote their cooperation with each other and with Hungary"³. In its opinion on the new Hungarian constitution the advisory body of the Council of Europe, commonly known as the Venice Commission, deems the term "responsibility" in this particular context "unfortunate" and with a potential to lead to conflict of "competences" between the Hungarian authorities and those of states of

³ "Article D" of *The Fundamental Law of Hungary*, 25 April 2011, www.kormany.hu.

residence of Hungarian minorities⁴. The document is also reminiscent of the “Report on the Preferential Treatment of National Minorities by their Kin-State”⁵ which concludes that “responsibility for minority protection lies primarily with the home-States”. This article of the constitution was also greeted with concern domestically, as it clearly indicates the intention of FIDESZ to go beyond policy changes and to oblige future generations to adhere to current political commitment to minorities.

The way for increased policy-making capacity was paved by re-devising the necessary institutional framework. First of all, the Ministry of Foreign Affairs handed authority over the national policy to a special State Secretary created within the Ministry for Justice and Administration, headed by the Deputy Prime Minister. New departments dealing with the wider Hungarian community were set up in several other ministries (e.g., the Ministry of National Economy, and the Ministry of National Resources). An inter-ministerial entity was also established, with participation of representatives of seven ministries, in order to coordinate all policies concerning minorities beyond the borders. Furthermore, the Hungarian Standing Conference (MÁÉRT), linking politicians in Hungary with their counterparts in the Hungarian minority groups, was reconvened after a six-year break. The House of the Hungarians cultural complex was also founded, operating inter alia the National Policy Research Institute. Externally, such institutional arrangements signal the ambition of increased dialogue with the representatives of the minorities over national policy-making. Internally, they forecast possible divergences between domestic and foreign policy.

One of the core elements of revising national policy was modification of the system of cultural and educational support for Hungarians beyond the borders, with the aim of achieving more transparency and efficiency in allocating funds. The budget for this purpose was increased from 2.4 billion HUF in 2010 to 3 billion HUF in 2011 (that is from an approximate €7.9 to €98 million). Financial support (of a rather symbolical value) for those attending Hungarian language schools or universities was extended to children in the kindergartens.

A different aspect of the national policy has to do with the support of the aspirations of Hungarian minorities for autonomy, be that cultural (on an individual basis) or collective. Autonomy is seen by the Hungarian government as the best way to ensure the preservation of the autochthonous communities while respecting the sovereignty and territorial integrity of the adjacent states. Support has so far consisted in promoting the issue on the EU platform, and via backing certain minority parties at the price of attracting much criticism both domestically and especially in the minority groups themselves. Any form of more

⁴ *Opinion on the New Constitution of Hungary*, European Commission for Democracy Through Law (Venice Commission), 17-18 June 2011, www.venice.coe.int.

⁵ *Report on the Preferential Treatment of National Minorities by their Kin-State*, European Commission for Democracy Through Law (Venice Commission), 19-20 October 2001, www.venice.coe.int.

forthright support could be easily misinterpreted by the central governments of neighbouring countries, and lead to diplomatic tensions.

The national policy measure with the most international resonance was the citizenship law passed in May 2010, which came into force in January 2011. The law facilitates granting of Hungarian citizenship to those who speak the language and once held Hungarian citizenship themselves (or can prove that their ancestors did so), even if they are not permanent residents in Hungary. These criteria apply to all Hungarians living in the neighbouring countries, an estimated 2.5 million people, and around the same number living in diaspora elsewhere in the world. While preferential granting of citizenship on historical grounds is by no means a novel practice in Europe,⁶ the Hungarian law incited certain concerns. The most commonly mentioned fear was mass emigration of the non-EU and/or non-Schengen citizens gaining Hungarian citizenship. By the end of 2011 such concerns had proved unjustified, as in the course of that year only around 250,000 applications were filed by the estimated 5 million people eligible (estimated number of autochthonous minorities plus the descendants of emigrants living around the world). Another question raised was that of democratic equality, especially in the case of immigrants aspiring to citizenship in Hungary, who remain subject to unchanged procedures, despite being residents and possibly tax-payers of the Hungarian state. It is also feared that dual citizenship would provoke nationalist tendencies, and as such, both political and social tensions. Furthermore, attaching passive voting rights to citizenship raised controversy. This means that non-resident Hungarian citizens will in future have the right to vote for general lists in Hungary, but without having representation in their own constituencies outside the borders of Hungary. A compromise regarding such partial electoral rights alleviated initial dismay about the out-of-country voters gaining too much influence over domestic politics in Hungary.

Bilateral Relations with Neighbouring States

Hungarians reside in all seven of Hungary's neighbour countries. The curious interaction of foreign and national policy has a traceable effect on bilateral relations in the case of those states with sizable Hungarian communities: Romania (1.2 million), Slovakia (500,000), Serbia (300,000) and Ukraine (150,000).

This tendency is most visible in relations with Slovakia, with whom the situation was already strained before 2010. Several of the national policy measures were adopted by the FIDESZ government in a moment of increased sensitivity for Slovakia, ahead of parliamentary elections in June 2010. As such, the outgoing centre-left government reacted with much irritation to the steps deemed by them nationalist and a direct attack on the sovereignty of Slovakia. In response to the citizenship law, Slovakia passed a counter-act voiding the Slovakian citizenship of those who voluntarily applied for another citizenship. The radicalism

⁶ Similar citizenship solutions are provided for kin-minorities by, for instance, Russia, Bulgaria, Serbia, Croatia, Poland and Romania

of this step came as a surprise, Slovakia being the neighbouring country in which citizens have practically the least concrete benefits from gaining Hungarian citizenship, as both countries are EU and Schengen-zone members. The centre-right government formed by Iveta Radičová promised to modify the act, which according to some critics goes not only against European values, but against the Slovakian constitution itself. Even though the Radičová cabinet was too short-lived to fulfill this promise, its achievement was to relax to a significant extent the tone of communication with Hungary.

It must be noted, that major disputes between Hungary and Slovakia mostly originate from before the FIDESZ came to power. The most notorious issue of contention has been the language law passed in Slovakia in June 2009 by the SMER-SNS-HZDS government, which restricted the use of minority languages in multiple areas of public life and introduced high fines for ignoring such provisions. A further issue was the declaration that then Hungarian President Sólyom László was *persona non grata*, upon the announcement of his intention to pay a visit to the Hungarian minority in Slovakia on the occasion of the Hungarian national holiday on 20th of August in 2009. Additional political and public resentment resulted from the four-year long legal case of an allegedly ethnically-motivated physical attack on a Hungarian woman in Slovakia.

While the past two years have undoubtedly brought about certain advances in bilateral cooperation (for instance building bridges over the Danube or the construction of a Hungarian-Slovakian interconnector, an element of the planned North-South gas corridor), the overall nature of Hungarian-Slovakian relations are to a certain extent defined by nationalist fears on both sides of the Danube, and such contentions are fed greatly by the national policy of FIDESZ. The brief period of tempering was unexpectedly concluded with the fall of the Radičová government in October 2011. The early parliamentary elections in March brought Robert Fico's centre-left SMER back to power, thus reducing expectations of further improvement in Slovakian-Hungarian relations. It is, however important to note that during its present term SMER is less likely to engage in historical-nationalist disputes with Hungary at the expense of strategic cooperation than during 2006-2010. The reason is that this time SMER is governing without the radical right Slovak National Party as a coalition partner.

Contrary to the experience of the past 20 years, which have seen much fluctuation in bilateral relations, and also taking into account that Romania is home to the largest Hungarian minority, Hungarian-Romanian relations during the past two years have been cooperative. They seemed to be affected to a lesser degree by Hungary's national policy than in the case of Slovakia. This is, on one hand, due to the congruent positions of the two countries in regard to several issues: the EU budget, energy security, integration of the Western Balkans, the EU Strategy for the Danube Region, etc. On the other hand, good communication between the two centre-right governments (both members of the European People's Party) and in particular between Romanian President Traian Băsescu and Hungarian

Prime Minister Viktor Orbán, also contributed to cordial relations. An increase in the dynamics of high-level visits was also beneficial, as the Hungarian government is at times criticised for dealing directly with the political elite of the Hungarian minority without involving the central authorities. Due to all these factors, none of the national policy measures of Hungary faced much opposition in Romania. Not even the citizenship law, since Romania is pursuing its own, similar policy towards the Republic of Moldova.

Nevertheless, the fall of the centre-right government in Romania in April, and the subsequent formation of a cabinet by the formerly oppositionist Social-Liberal Union (USL), places the future course of Romanian-Hungarian relations under a question mark. The centre-left alliance is known to have a far less compromising approach to the Hungarian community than had its predecessor. While in opposition, the USL criticised the government heavily, not only for concessions made to the Hungarian minority, but also for what they considered to be an overly close relation with the FIDESZ. The first sign of the turn in the Romanian authorities' stance on the Hungarian issue was initiating the revocation of the law passed in early 2012, establishing a separate faculty with Hungarian as a tuition language at the University of Medicine and Pharmacy in Târgu Mureş. This was followed by a diplomatic clash in early June, in a nationalist tone on both sides reminiscent of the early 1990s rhetoric. The conflict was incited by the refusal by Romanian authorities to permit the reburial of a Transylvanian Hungarian literary figure who was affiliated with the Hungarian pro-national socialist Arrow Cross party in the 1940s.

The Transylvanian Hungarian politicians also play a significant role for the dynamics of Hungarian-Romanian relations. The first important change in this respect is that the largest and oldest party, the Democratic Union of Hungarians in Romania (RMDSZ), is not a member of the government formed in May, and the new Romanian election law passed in May (replacing a mixed-proportional system with a majority one) also excludes prospects of its re-entering the government in the November elections. Since 1996 the RMDSZ has almost constantly participated in the government coalition, and has generally had a moderating effect on Hungarian-Romanian relations both domestically and externally. The second issue is the appearance of a third Hungarian party in Romania, the Transylvanian Hungarian People's Party (EMNP) supported by FIDESZ. Local elections on 10 June reconfirmed the supremacy of RMDSZ in terms of electoral support, and the party is careful to distance itself from the more radical tone of the two smaller parties. Nevertheless, FIDESZ support for the EMNP, which inter alia is vigorously campaigning for territorial autonomy, will certainly not be well-regarded in Bucharest.

Despite the numerous and compact Hungarian community living on its territory, Serbia did not impugn any of the national policy endeavours of Hungary. Serbia, along with Croatia, is also the most generous neighbouring state in terms of minority rights, due to the vast experience of kin-minorities of its own all over the Balkan peninsula. Nevertheless, majority-minority tension endures and incidents on the ground still occur. Such cases are easily

projected to the level of inter-state relations. Apart from such cases there is one instance which it is important to mention as an example of the FIDESZ government resorting to a foreign policy tool in a case clearly belonging to the area of national policy. In September 2011 the Serbian parliament passed a restitution law, which, based on the principle of collective criminality, denied the right to compensation for those who belonged to Yugoslavia's so-called aggressors during the Second World War (Hungarians are regarded as aggressors). FIDESZ demanded the revision of such discriminatory legislation in exchange for its vote in favour of Serbian EU candidacy. While the incident was smoothly sorted out at its time, the future course of Serbian-Hungarian relations stands some chances of fall-back under the presidency of Tomislav Nikolić, elected president of Serbia in May and who was previously a long-time member of the far-right Serbian Radical Party.

Out of all the neighbouring countries with a considerable Hungarian minority, Ukraine has had the most amicable relations with Hungary during the past two decades. As the Ukrainian government has never regarded the approximately 150,000-strong Hungarian community as a potential source of conflict, it has turned a blind eye to Hungarian national policy. Hungary in turn supports Ukraine's Europeanisation not solely on value-based grounds, but also out of security concerns. Issues causing much disturbance in relations with Slovakia, such as that of dual Hungarian citizenship, did not echo much among the Ukrainian political elite. Even though the Ukrainian constitution does not recognise double citizenship, neither does it stipulate any sanctions for those holding it.

Conclusions and Recommendations

While discord has surfaced in the recent dynamics of bilateral relations with all neighbouring states, the FIDESZ national policy can only be observed to be a direct cause of tension in the case of Slovakia. However, in this case the national policy (particularly the citizenship law) is also not the sole source of tension. The sole recent disagreement between Serbia and Hungary was swiftly mitigated, and not directly generated by a national policy measure but rather by FIDESZ's overall protective stance towards the Hungarian minorities. In the case of Romania and Ukraine, while national policy has both moral and practical significance for the Hungarian minorities (in Romania because of the large size of the community, in Ukraine, because the country is not an EU Member State), the FIDESZ policy has so far not deteriorated bilateral relations. In the case of Romania, this has been because of the cooperative attitude of the Romanian government and due to placing shared interests above minority issues. In Ukraine, it is because the small Hungarian community (as a proportion of the total population) presents no particular concern to the central government. However, it is important to note that the recent political changes in Slovakia, Romania and Serbia may well alter the current nature of relations with Hungary. In the case of all three of these neighbours, the new political elite seems less conciliatory towards the Hungarian minorities, and as such might also take a more confrontational stance towards Hungary. The FIDESZ government is, in turn, unlikely to reduce the current level of its

engagement with the kin-minorities for two pragmatic reasons beyond the ideological ones. Firstly, because national policy is one of the fields in which FIDESZ can highlight the most achievements which have the relatively homogeneous approval of the electorate. Secondly, reducing the current level of engagement would alienate a significant segment of its pool of supporters, to the benefit of the far-right Jobbik party.

In the light of such prospects, Hungary should reconsider the centre of gravity of its national policy and compensate for measures raising nationalist concerns through an extended economic aspect of the policy. The so-called Wekerle-plan currently in preparation promises to be a good step in this direction. It will be an economic strategy aimed at exploring horizons of cooperation between small and medium-sized enterprises in Hungary and in neighbouring countries. Creating such a network of economic partnerships, just as capitalising more on EU instruments of inter-regional cooperation (e.g., the European Grouping of Territorial Cooperation and Cross-Border-Cooperation programmes) are productive ways of supporting the well-being of kin-minorities. It is important, however, that such forms of cooperation should take place on a territorial rather than an ethnic basis: they should be designed for the benefit of the whole population residing in the region⁷ perhaps in collaboration with Romanian local authorities. While this is a less direct way of supporting minorities than that offered by the Hungarian national policy, it has a lower level of collateral damage in the sense of inter-state tension and inter-ethnic distrust. It leads to a win-win situation and fosters better understanding both domestically and externally. Finally, it serves another expressly common interest of both kin-states and states of residence: enhanced material well-being can motivate members of the minorities to stay and further develop their communities, rather than emigrating in search for a better living.

From a Central European perspective the possible deterioration of bilateral relations can be to the detriment of intra-regional cooperation in key fields such as economy and energy security. It can also have a negative effect on the image of the Visegrad Group (V4) countries which aim to construct a common position in EU-wide debates on issues such as enlargement, neighbourhood policy, and the future financial perspective of the EU (in the case of which all these states campaign for the same causes in the ongoing negotiations). Poland, in its capacity as holder of the upcoming V4 presidency, and if carefully preserving its neutrality in the event of any sort of Slovakian-Hungarian conflict, has an opportunity to provide added value as a potential cohesive force in the group. The presidency will serve as an excellent opportunity for both formal and informal mediation. Poland should also aim to mitigate potential inter-state conflicts in the wider region, by attributing increased attention to V4 cooperation with its neighbours. High level meetings with representatives of the

⁷ As suggested by "Recommendation No. 16" of *The Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations*, and the "Explanatory Note" published by the OSCE High Commissioner on National Minorities, June 2008, www.osce.org.

Western Balkans or in the so-called V4 Plus formula involving Bulgaria and Romania would (among other benefits) bring Hungarian politicians and their Romanian and Serbian counterparts to a single table, in the cause of issues of strategic cooperation that could take precedence over historical and nationalist disputes.

As for the European authorities, since the EU itself has a limited stock of legal instruments in fields such as minority rights, citizenship or language law, it should rely on the scrutiny and recommendations of the Council of Europe and the Organization for Security and Cooperation in Europe (in particular the High Commissioner on National Minorities) in dealings with Hungary and her neighbours, as it did in the case of evaluating the media law and the new constitution adopted by FIDESZ. Valuable points of reference in this respect are the Report on the Preferential Treatment of National Minorities by their Kin-State⁸ prepared by the Venice Commission, and the Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations⁹ published by the OSCE.

⁸ *Report on the Preferential Treatment of National Minorities by their Kin-State*, European Commission for Democracy Through Law (Venice Commission), 19-20 October 2001, www.venice.coe.int.

⁹ *The Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations*, and the "Explanatory Note" published by the OSCE High Commissioner on National Minorities, June 2008, www.osce.org.