From Status Law to Citizenship: The Redefinition of the Hungarian Nation Concept

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Chapter 7
Introduction

In recent years, scholarly research increasingly came to focus on kin state policy which engaged in nation building across the borders and sought to reconstruct the nation following the collapse of communism. I intend to contribute to this research by using Hungary as a case study for transnational nation building. Hungary has implemented a new kin state policy since 2010 which is based on nation building across the borders and the institutionalization of relations to the ethnic kin through dual citizenship and voting rights. The government had for the first time since 1990 the opportunity to redefine the nation along ethno-cultural lines as it received a two-third parliamentary majority in 2010, 2014, and 2018. An analysis of Hungarian kin state policy contributes to understanding how Eastern European countries grappled with the redefinition of the nation following the collapse of communism. It shows the long process that led to dual citizenship and voting rights for ethnic Hungarians.

The concepts of nation and ethnic identity are crucial to understanding Hungary’s kin state policy. The question of ethnic identity has in recent years become a focus of discussions not only in Eastern but also in Western Europe where the ethnic identity has undergone major changes as a result of migration from outside Europe.

Under the new Hungarian state policy, the concept nation moved to the center of “nemzetpolitika” national policy and
sought to mobilize political support around the unitary nation concept. Egedy Gergely (2015: 79-94) The concept of nation took a center place not only in Hungary but among the Eastern European nations which embarked on the path to democracy. “In fact, the ‘national’ idea (i.e., the idea that social and political organization should center on nation building and national sovereignty) became the most powerful common characteristic of postcommunist transitions, overshadowing alternative social and individual organizing principles, such as liberal democracy, universalism, nonnational forms of regionalism, and pan-Europeanism.” (Csergő and Goldgeier, 2004:270)

The attempt to unify the nation across the borders, has been described as an expression of “transsovereign nationalism” (Csergő and Goldgeier 2004) or “transnational nationalism” (Pogonyi 2014) (Egedy Gergely, 2013) The Hungarian government adopted a transnational strategy because the options of building a classical nation state or the repatriation of ethnic Hungarians were judged as unrealistic. The idea of border revision was not an option in the current international order, the “velvet divorce” of Czechoslovakia and the Baltic States’ regaining independence were exceptions. A new policy emerged that focused on the rights of the ethnic kin and sought to institutionalize ties to them through citizenship rather than seeking to change the borders. (Waterbury 2009) The reunification with the ethnic kin was to take place across the borders in a borderless Europe in which the rights of the ethnic kin are protected by international treaties and by European Union institutions. (Pogonyi, 2015) The expansion of the nation beyond the country’s borders fits into the Hungarian government’s national identity construction and sense of ethnic affiliation as well as its vision of European integration and a future borderless Europe.¹ Hungarian kin state policy embraced transnational nation-building under the motto

¹ A Nemzeti Ügyek Politikája
that not the borders, but the quality of the borders must be changed.\(^2\) (Csergő 2007) (Csergő and Goldgeier 2013)

As Myra A. Waterbury sums it up: “Since the fall of communism, we have in fact witnessed a new paradigm in which contemporary state policies concerning populations across the border in Eastern Europe are increasingly framed by the language of rights and citizenship, and the institutionalization of trans border cultural, political, and economic networks rather than active policies to change borders or reclaim populations.”\(^3\)

(Waterbury 2009) Szabolcs Pogonyi describes the Orbán government’s strategy toward the ethnic kin as “national reunification beyond the borders in the rhetoric framework of a borderless Europe in which individuals may cultivate transnational ties and minority rights (including cultural and territorial autonomy) /and/ are safeguarded by international treaties.” (Pogonyi, 2015, 91)

I argue that in post-communist Central and Eastern Europe, nationalism serves as one of the fundamental organizing principles of nation states that proved to be the most important nation-building force. Despite lip service to internationalism, nationalism survived and was, except for Hungary, even promoted under communism and erupted with great force with the advent of democracy. A revival of ethnic identity took place as states rediscovered their ethnic roots and new states were founded that engaged in nation building. Rogers Brubaker speaks of “nationalizing” states and the reframing of nationalism in the 1990s. (Brubaker 1996) (Brubaker 2006) Democratic

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transition and independence were widely seen as a nation-building project. Many of the post-communist countries sought to reconstruct narratives about the nation by strengthening their ethnic identity through the inclusion of their ethnic kin abroad in the nation. (Brubaker 1996) (Brubaker 2006)

The new Hungarian policy defined the “single Hungarian nation” as the fundamental framework for the community which encompasses all ethnic Hungarians, those in the kin-state, the Carpathian basin, and the diaspora scattered all-over the world. The borders of the Hungarian nation were designated as the sphere of influence of Hungarian educational, cultural, and church institutions which played a key role in organizing Hungarian life in ethnic Hungarian communities. Financial support to ethnic Hungarian communities abroad was greatly increased and new forums were set up for regular consultations between the kin state and the ethnic kin. The major goal of the kin state policy was defined as helping ethnic Hungarians preserve their ethnic identity and stay in their homeland. (Nemzetpolitikai Eredmények 20110-2018 :52)

The responsibility of the Hungarian state for the fate of Hungarians abroad was enshrined in the new constitution, the Fundamental Law of 2011 which entered into force in 2012. The Law declared that there is one Hungarian nation which includes Hungarians abroad and that the Hungarian state is responsible for their well being.4

While earlier Hungarian attempts to institutionalize relations to the ethnic kin such as the Status Law (2001), evoked official protests from neighboring countries and from EU institutions the reactions to dual citizenship nine years later were, except for Slovakia, muted. (Kymlicka–Opalski 2001) By 2010, dual citizenship became the norm in most East-European countries as many kin-states used dual citizenship with non-resident voting rights

as a tool for nation-building across the borders. (Pogonyi
2017:3)

Hungary’s case is unique in Eastern Europe because it is a largely ethnically homogenous country which has a high number of ethnic kin across the borders. Kin state policy takes a special place in Hungarian politics because Hungary lost two-thirds of its territory because of the Treaty of Trianon of 1920 and over 3 million ethnic Hungarians found themselves the citizens of neighboring states often along the Hungarian border. The loss of its territory presented a great trauma for Hungary and the situation of the ethnic kin in neighboring countries has since been a source of great concern for all Hungarian governments prior to and after communism.

Since Trianon Hungarian minorities were subjected to great pressures of assimilation which reached new heights under communism when they could no longer turn to the kin state to help them. Under the communist era they were left without the support of the kin state and even their existence was hardly acknowledged officially. After 1990, the Hungarian state begun to develop a strategy to promote the rights of Hungarians abroad and supported their wish for collective rights and a form of autonomy in the region where they lived. Despite the support of the kin state, no progress had been made toward achieving a form of autonomy and the number of ethnic Hungarians continued to decline.

The concept of the nation has often been a subject of polemics in Hungarian politics. The controversy has historical roots which reach back to at least to the beginning of the 20th century but was dormant under communism. In the late 1980s and at the time of the 1990 parliamentary elections, the problems of ethnic Hungarians in neighboring countries and the question of who belongs to the nation was raised again. Different interpretations of the concept of nation reemerged and a competition over the legitimate interpretation of the nation began. The definition of the nation relates to the sensitive topic of how the Hungarian political elite sees itself and envisions its future. Political parties
regard the redefinition of the nation as vital to their self-definition and to the institutionalization of the Hungarian state on a national basis. (Bárdi, 2004, 2013) The differing visions over shaping the relationship to the ethnic kin and the interpretation of major events in Hungarian history created a cleavage between the political camps. Questions of national identity and boundaries between ‘us’ and ‘them’ loom large in political life and, to a considerable extent, continue to structure party competition. (Wimmer, 2013:9)

I argue that since the democratization the nation concept that the various Hungarian governments used played a key role in shaping kin state policy. Governments that considered ethnic Hungarians as part of the unitary Hungarian nation assigned greater role to ties to the ethnic kin. Conservative governments tended to give priority to promoting the interests of Hungarian minorities in foreign policy stressing their relevance in bilateral relations to the home states and on EU level. Left and liberal governments took the view that the ethnic kin are part of the political nation of the countries where they live and gave relations to neighboring countries and European integration priority over the interests of the ethnic kin. The controversy over the concept of nation and the role of the ethnic kin in it delayed the adoption of a new constitution as well as the institutionalization of relations through dual citizenship by ten years compared to most of Hungary’s neighbors.

The controversy over who belongs to the nation has been repeatedly used to further political interests and to create cohesion in the respective political camps. The Hungarian population was exposed to rival national discourses, one for the inclusion of co-ethnics into the national community from the conservative side, the other for excluding them. (Kiss, 2018). One example is the discussion over the Status Law in 2001 under the first government led by Alliance of Young Democrats Hungarian Civic Alliance (Fidesz) (1998-2002) which allowed the issuance of Hungarian identity cards and granted
preferential treatment to ethnic Hungarians in neighboring countries. (See below) The other prominent example is the failed referendum over the question of dual citizenship three years later. The conservative opposition camp campaigned in favor of the Status Law and the dual citizenship while the left-liberal camp opposed them. The left liberal political camp argued that ethnic Hungarians and other foreigners would take away jobs and social benefits from the Hungarian population. It was able to influence public opinion and the referendum was not valid because of low turnout. This reflected the ambivalent attitude of the Hungarian population toward the ethnic kin and illustrated that it is difficult to rally support for the cause of Hungarian minorities. The failure of the referendum and the political campaigns surrounding it deepened the division between the political camps and highlighted the controversy over who belongs to the Hungarian nation. The ethnic kin abroad were very disappointed over the results of the referendum and interpreted it as a sign of lack of solidarity on the part Hungarians living in the kin state. Following the referendum, the concept of a unified nation that includes ethnic Hungarians abroad and the need to help the ethnic kin gained a new urgency in the conservative camp. The dual citizenship also served to compensate for the feeling of guilt for the 2004 referendum.

In the parliament, however, most opposition parties voted for the Status Law and for the dual citizenship. They followed the government’s course because they had no alternative program to offer to the ethnic kin and were wary that a rejection would be used by Fidesz to label them anti-national. At the same time, the political discourses of the left-liberal opposition repeatedly questioned the idea of the unitary ethno-cultural nation and focused on the differences between Hungarians in Hungary and in neighboring countries.
The situation of the ethnic kin in neighboring countries shaped Hungarian kin state policy. At the advent of parliamentary democracy 28 years ago Hungarians placed their hopes in democracy and the EU to provide guarantees for the survival of ethnic Hungarian communities. Ethnic Hungarians set up their own political parties and cultural organizations and formulated their demands vis-à-vis their home states and the kin state. Since the democratization, minority rights in education and language use expanded and minorities could take part in political life. Fundamental laws on minority rights and guarantees for collective rights are, however, still missing in home countries with large Hungarian communities. All ethnic Hungarians in neighboring countries see autonomy, self-government through their own institutions, as the way of survival for their communities. This aspiration enjoys the support of the kin state but is rejected by most home states. Ethnic Hungarian minorities feel that neither national nor international legislation guarantee them the rights to ensure their survival as ethnic communities. The influence of EU institutions, its requirements on minority rights as a condition for EU membership, were not enough to stem assimilation.

The lack of international consensus over what a minority is and Western examples of minority regimes applicable to kin minorities made it difficult to secure legal guarantees for ethnic minority rights. For autochthonous ethnic minorities, the growing migration to Western Europe poses new challenges because EU minority policy increasingly focuses on the human and individual rights of migrants and their integration.\(^5\) (Leggewie, 2013)

Most ethnic Hungarians in neighboring countries welcomed dual citizenship because they felt part of the ethno-cultural Hungarian nation and their Hungarian identity could gain recognition following loss of the Hungarian citizenship of their

ancestors through the 1920 Trianon Peace Treaty. By the spring of 2018 over 1 million Hungarians who live outside Hungary received Hungarian citizenship.

The dual citizenship of ethnic Hungarians gave new impetus to the examination of the role of dual citizenship in Eastern Europe, an area of research which has largely been neglected especially in the West. The motivations of ethnic Hungarians for adopting Hungarian citizenship became the subject of numerous studies. Surveys found that for most ethnic Hungarians Hungarian citizenship was in the first place a marker of ethnic identity even in non-EU countries where Hungarian passports served as a gateway to the Western labor market. (Pogonyi 2017) Scholars found that ethnic Hungarians regarded dual citizenship as an expression of a sense of responsibility of the kin state toward the ethnic kin and an attempt to compensate for past injustices and for the ethnic kin`s disadvantaged position in the home states.

**Research Questions and Methods**

At the heart of this thesis is the development of Hungarian kin state policy which led to the institutionalization of relations to the ethnic kin through dual citizenship and non-resident voting rights. This amounted to a redefinition of the nation to include ethnic Hungarians who live outside Hungary and possess the citizenship of another state.

I argue that starting from 2010 transnational nation building and the ethnocultural nation concept decisively shaped the views about the Hungarian nation and changed the perceptions of Hungarians of themselves. In Hungary, increasingly not only those came to be regarded as members of the Hungarian nation who lived on the territory of Hungary but also ethnic Hungarians abroad. (Bárdi 2018)
The introduction of dual citizenship and non-resident voting rights received much media attention and highlighted the situation of ethnic Hungarian minorities. The problems of ethnic Hungarians were given publicity and aspects of their nation-building presented as a tool for the survival of their community in the face of the nation-building project of the majority which sought to assimilate it. (Brubaker, 1996) (Kántor 2014) (Bárdi 2018)

Central to my analysis are the nation concepts used in Eastern and Western Europe at a time when the role of traditional nation states is changing, and transnational forms of nation building are on the rise. One can detect two diverging attempts to redefine the nation in Europe, one along ethno-cultural lines in Eastern Europe and the concept of nation in Western Europe which envisages a postnational era where nation states and nationalism no longer play a decisive role.

This thesis seeks to answer the following questions:

1. What developments led to the institutionalization of relations to the ethnic kin? What role did the nation concept used by various governments play in kin state policy?

2. How does the new kin state policy influence the views of Hungarian political parties and public about the ethnic kin abroad?

3. How do dual citizenship and non-resident voting rights influence the ethnic identity and political activity of ethnic Hungarians in the home lands?

4. What factors influence the success of the reconstruction of the Hungarian nation to include Hungarians who live outside the borders?
I examine Hungarian kin state policy in the “quadratic nexus” of the kin state, the ethnic kin, the home states, and the European Union and international organizations. (Smith, David J. 2002).6

On the domestic level, since the democratic transformation the kin state sought to monitor the condition of its ethnic kin and felt obliged to help it reach its basic aspirations, collective rights and a form of autonomy in the region where it lives. At the same time, the place of Hungarian minorities in the concept of nation has caused controversy between the political camps and has been used to damage political rivals. Political parties used the issue of ethnic minorities alternately to present themselves as the protector of the interests of the nation or as a threat to the Hungarian population’s standard of living. Since 2010, the Hungarian government shaped its kin state policy along the ethno-cultural concept of the nation and institutionalized relations to the ethnic kin.

The situation of ethnic Hungarians in their homelands is crucial to understanding why dual citizenship was offered to them and why many of them welcomed it. Ethnic Hungarians are greatly disappointed that the democratization failed to bring legal guarantees for basic minority rights and a form of self-government to secure the reproduction of their communities. Hungarian citizenship is widely seen as a proof of ethnic Hungarian ethnic identity and as a compensation for the pressures of assimilation that ethnic Hungarians have been experiencing. I examine the common aspirations of ethnic minorities and their quest for autonomy. A key question is how dual citizenship and voting rights influence the ethnic identity and political activity of ethnic Hungarians in their home lands.

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6 László Marácz, for example, speaks of “the nationalizing state, other language groups, the external linguistic homeland or kin state of these groups and the supranational forums.” László Marácz, Transnationalizing Ethno-linguistic Hungarian Minorities in the Carpathian Region: Going Beyond Brubaker et al. (2006)1 Transylvanian Society – Volume 13, Special Issue 3 • Focus on Transylvania
The interests of the ethnic kin to build self-standing parallel societies may clash not only with the nation-building efforts of the home state but also those of the kin state. Another vital question is whether the new kin state policy fulfills the goal of protecting the rights of ethnic Hungarians and keeping them in their home lands.

One cannot understand the interactions in the “quadratic nexus” without examining the historical background of the region. I look at the quadratic nexus in the framework of historical institutionalism which examines how past events influence current policy and point to signs of continuity and change over time. This approach can be used to examine the Hungarian debate over the concept of nation which has historical roots that reach back to the early twentieth century. (Huntington 1996) (Skocpol 1997) (Csizmadia, 2017)

The relationship of the ethnic kin and of the home states to the kin state and are still overshadowed by the memory of Trianon. Ethnic Hungarians welcomed dual citizenship because they regarded it as the kin state’s attempt to compensate for their disadvantaged position in the home states. The home states often interpret the efforts of the kin-state to help the minority in its nation-building as a threat to their sovereignty. The fear of irredentism plays a key role when the home states refuse to give guarantees for minority rights or reject the idea of autonomy.

Relations between the home states and the kin state impact the situation of the ethnic kin. The Visegrad Group (V4) which includes the Czech Republic, Hungary, Poland and Slovakia has promoted cooperation among East Central European countries. (http://www.visegradgroup.eu/). The issue of minority rights has, however, repeatedly strained Hungary’s relations to the home states more so under conservative governments who tended to raise the issue of minority more often than left-liberal governments. Tensions occurred when Hungary raised the issue of minority rights in reaction to measures in the home states or
enacted legislation that affected ethnic Hungarians across the borders. The home states contended that their treatment of Hungarian minorities is exemplary and regarded measures by the kin state to improve the situation of the ethnic kin as unnecessary interference in their internal affairs. The home states repeated used the “Hungarian card” in election campaigns to attract the support of majority voters. The dispute in 2010 between Hungary and Slovakia over dual citizenship created tensions in bilateral relations as well as between ethnic Hungarians and the majority.

The influence of international actors such as the European Union, the Council of Europe, the OSCE was considerable following the collapse of communism when they set conditions for post-communist countries for joining Western organizations. Since then they can only exert normative pressure and are not able to enforce laws on minority rights. Although Hungary has since the democratization attempted to influence EU law and international legislation to promote the protection of its ethnic kin it made little headway since the rights autochtonous minorities were hardly on the international agenda. There is still no generally accepted definition of minorities which would serve as a basis for working out a framework for minority rights.

I use the concept of nationalism defined by Rogers Brubaker as a social process under which both the majority and the minority seek to organize and institutionalize society along ethnic lines to analyse the relationship of the kin state, kin minority and the home state (“triadic nexus”). Under this approach, it is acknowledged that the three actors are engaged in nationalism in order to create and maintain the cultural identity of the nation or the national minority. (Brubaker, 1996) Nations, majority and minority, pursue their own nationalizing projects to preserve their identity and culture. (Kántor 2014)

The framework of nationalism helps explain the kin-state policy of Hungary and Eastern European nations. It regards nationalism as a major driving force in Eastern Europe that
influences the behavior of the home state, kin state and national minority. The efforts of the kin state to support its ethnic kin and to establish a legal or political relationship to them by granting them citizenship reflects nationalism. The nationalism of the home states clashes with the nationalism or nation building of the kin state and the minority. The “nationalizing” nationalism of the home states (Brubaker 1996) aims at de-nationalizing the minority and resists efforts by the minorities to reproduce their ethnic identity.

I use the dichotomy of the ethnic and civic or political nation which is widely employed in Western and Hungarian scholarly works to explain Hungarian kin state policy and to illustrate the differences of approach in the two parts of Europe. The ethnic conception of the nation regards the ethnic kin abroad as part of the cultural nation. For ethnic Hungarians the ethnic concept of the nation is essential since the survival of their communities depends on their ability to maintain their ethnic identity. The civic approach includes all those in the conception of the nation who live on the territory of the state regardless of ethnicity. Consequently, the ethnic kin are part of the political nation of their home states whose major responsibility it is to take care of them.

Research Sources

I examine a wide variety of data sources, census, opinion surveys, election results. An analysis of party documents and government programs as well as parliamentary and political debates throws light on the political processes behind Hungarian kin-state policy. I use numerous publications, programs, manifestos and statements of various Hungarian governments to evaluate kin state policy. The backbone of my research are the numerous books on the concept of nation and nationalism published in Hungary and Western Europe. The topic is examined across disciplines as varied as anthropology, political science and sociology. Transnational nation-building and dual citizenship, the core of the Hungarian government’s
kin state policy, has been the focus of a great number of Hungarian and international studies. Nation-building and dual citizenship has as a rule been treated from the Western perspective of the political and not of the ethno-cultural nation. I believe that Hungarian kin-state policy and its reception on the international level can only be grasped through the concept of nation that is used to interpret it. The Western European views of the nation and ethnicity are reflected in the views of EU institutions and influence the type of minority regime the EU endorses. These views are also contained in the relevant documents on minority rights by international organizations which at the same time reveal that the EU uses different minority rights standards toward aspiring and member states.

Articles in the Hungarian language media in Hungary and in neighboring countries offer important sources of information situation of the ethnic kin and the programs of ethnic Hungarian parties. (I relied on the daily press surveys of the Hungarian media in neighboring countries compiled by State Secretariat for Hungarian Communities Abroad and the Civitas Europica Centralis foundation.) I analyzed statements on minority policy by the home state governments. I conducted interviews with political and academic elites in Hungary and in neighboring countries to learn what they expect from the new kin-state policy. I used the numerous surveys conducted by research institutes in Hungary and abroad to show the views of the Hungarian population and of ethnic Hungarians in neighboring countries on dual citizenship and ethnic identity.

Overview of the thesis

The first part of the thesis deals with the definition of minorities, and the stance of minority rights in the international arena and the EU. There is no universally accepted definition of minorities which gives states a lot of leeway in adopting their own
definitions of what constitutes a minority and which groups they recognize. I define Hungarian minorities as national minorities who were forced into a minority situation because the borders moved around them. Since the separation from the kin state ethnic Hungarians continued to speak the same language and share similar traditions and maintained a strong sense of national identity.

International treaties and soft laws on minority rights serve as references and it is up to the nation states to define whom they consider as minorities and what rights they grant them. Increasingly the focus has been on the internationalization of minority protection. While all countries which joined the European Union had to accept norms on minority protection, after accession, the EU is not able to formulate “demands” on minority rights or to enforce respect for minority rights.

The second part examines the situation of Hungarian minorities in their homelands, their common aspirations, strategies for survival and the role of autonomy in the preservation of ethnic identity. There is consensus among ethnic Hungarians that they are part of the Hungarian cultural nation because they never left out of their own will. For ethnic Hungarians, Trianon is not only a loss of territory but a threat to their existence as Hungarians. The major issues of contention that all Hungarian minority communities share are language rights and the right to self-government in the areas where they live. The latter is deemed by the minority and the kin state as crucial for the cultural reproduction of minorities and is rejected by most home states because the memories of Trianon of are still present and fears of irredentism alive.

The strategies for minorities to adopt in relation to the majority can be divided into the integrative and the consociational or accommodational models. The first seeks to integrate minorities into society through participation in the majority government.
The integrative approach aims to reduce ethnic cleavages and increase interaction between the majority and minority. The emphasis is on loyalty to the common political community which produces a common civic identity which transcends ethnic cleavages. The second consociational model seeks to institutionalize the ethnic cleavages and limit the interactions to the political elite. Here it is acknowledged that the minority needs protection against the homogenizing efforts of the majority and can build up its own parallel society where it enjoys some sort of self-government.

The third part is devoted to the concepts of nation and nationalism. Most nationalism theories revolve around the concepts of the ethnocultural and the civic nation both of which are very controversial among scholars. Under the ethnocultural concept of the nation, the legitimacy of the nation is derived from cultural or ethnic traditions. Under the civic concept, the emphasis is on loyalty to the common political community which produces a common civic identity which transcends ethnic cleavages. The development of nation concepts in Hungary historically included both the ethnic and civic concepts and the two conflicting concepts continue to shape scholarly discourses even today. Changes of regime brought with them new interpretations of the identity of the nation which made it difficult to reach consensus over the nation concept and the interpretation of historical events.

The legacy of communism still influences Hungarian society and its relationship to the ethnic kin. The Kádár regime avoided the topic nation and the existence of Hungarian minorities in neighboring countries. It adopted for decades an “anti-national” attitude and brand marked national attitudes as backward. The “anti-national” and national attitudes still divide Hungarian scholars and political camps. The controversy centers around
whether ethnic Hungarians should be considered part of a unitary Hungarian nation or whether their interests were better served if they were considered as separate parts of the cultural nation who have historically more common with their homelands as with Hungary.

Following the collapse of communism, the evolution of nation concepts began that encompassed ethnic Hungarians as part of mosaic communities rooted in the Hungarian cultural nation as well as the members of a unified a Hungarian transborder nation that is spread out throughout the world.

Closely related to the ethnocultural or civic nature of the nation are the much-contested concepts of ethnic identity or ethnicity. Ethnicity is regarded either as something constant which each individual and national group has, or as essentially constructed which can be changed. In Eastern Europe ethnic identity played a key role in the reconstruction of the nation while in Western Europe its role diminished against the background of growing migration from outside Europe. For Hungarians who lived their lives as part of the minority ethnic identity played a key role if they were to survive and reproduce their culture. They are reminded of their ethnic identity in their quotidian struggles with the majority as they seek to exercise their basic rights such as speaking their mother tongue.

The fourth part is devoted to the kin state policies of various governments since the first democratic elections. While the first democratically elected prime minister called himself “in spirit” the prime minister of the Hungarian nation including the ethnic kin in neighboring countries, his follower considered himself only the prime minister of Hungary that is of the people who live on the territory of Hungary. In 1998 the government changed, and the unitary Hungarian nation became the basis of kin state policy.
The first step was taken to institutionalize relations to the ethnic kin with the status law which granted ethnic Hungarians an identity card and benefits in Hungary. The failed referendum of 2004 over dual citizenship deepened the cleavages between the political camps and caused great disappointment among ethnic Hungarians. From 2002 to 2010, the Hungarian government again saw itself primarily as the representative of those who live in Hungary.

In the fifth part of the thesis, a chapter is devoted to the history of dual citizenship from its rejection to its widespread acceptance. Transnational citizenship or dual citizenship was promoted by the process of disintegration of the traditional nation state based on the trinity of nation, state and territory. Transnational nation building came into being following the wave of democratization in Eastern European countries in the 1990s and received a boost through European integration and globalization. Most home states granted their ethnic kin across the borders dual citizenship and voting rights in order to strengthen their ethnic identity. The reactions to the introduction of Hungarian dual citizenship were muted. Only Slovakia reacted to Hungarian dual citizenship by passing legislation which stripped dual citizens of their Slovak citizenship. In most Western European countries dual citizenship also became the norm, but it was granted primarily to migrants to promote their integration into Western society and had the effect of weakening the ethnic identity. This led to the development of protective nationalism which sought to safeguard the traditional national culture and to ensure its reproduction.

In the sixth part of the thesis, I discuss the framework of the new national policy which introduced in 2010 when Fidesz received a two-third parliamentary majority. The new policy
placed the concept of nation in the center and enshrined in the new constitution the ethno-cultural nation concept. Strongly increased financial aid and various economic programs were implemented to help Hungarian minorities preserve their ethnic identity in their home countries. The government started economic programs which target the regions where ethnic Hungarians live. The financial aid to ethnic Hungarian communities often exceeded the sum ethnic Hungarians received from their home states.

The most important Hungarian-Hungarian forum the Magyar Állandó Értekezlet the Hungarian Standing Conference (MÁÉRT) was reconvened in 2010 after a six-year break under Prime Minister Gyurcsány. The Conference meets annually and serves as a forum of discussion for Hungarian and ethnic Hungarian politicians.

In the seventh part of the thesis the focus is on the relationship of ethnic Hungarians and ethnic Hungarian parties to the kin state. I discuss how the introduction of dual citizenship and voting rights without residence brought a strategic change in the relationship of the kin minorities and the kin state. Ethnic Hungarian parties sought to adjust or readjust their strategy to consider that their voters are also voters of the transborder political nation. While some members of the ethnic Hungarian political elite criticized dual citizenship because of the influence it gave to the kin state over ethnic Hungarian communities, most ethnic Hungarians welcomed it and the ethnic Hungarian parties helped in implementing its provisions.

In the next subchapter, I discuss the role of ethnic Hungarians as voters in Hungary. In March 2018 there were one million ten thousand new ethnic Hungarians citizens. In the two national elections that dual citizens could participate in 2014 and 2018, they voted overwhelmingly for Fidesz. A major motive was
gratitude for receiving the citizenship. Under the electoral system, ethnic Hungarian non-resident voters can only cast their votes for the national list and they are likely to win one or two mandates depending on the number of registered voters.

Ethnic Hungarians became potential constituents for Hungarian parties and part of internal Hungarian politics. Most Hungarian opposition parties sought to cater to the needs of ethnic Hungarians to gain their votes. The issue of voting rights for ethnic Hungarians was used by the oppositional party Demokratikus Koalició led by former Prime Minister Gyurcsány to campaign against the government. This resonated with the followers of the party and even beyond since voting rights for the ethnic kin are still rejected by most of the population. At the same time, an increasing number of Hungarians see ethnic Hungarians in neighboring countries as part of the Hungarian nation and most of them approve granting them dual citizenship.

In the eighth concluding part, I discuss whether the major goals of kin state policy have been achieved and chances of success of the redefinition of the nation. The success of reconstructing the nation and expanding it behind the borders, however, depends not only on the institutional network but also on the support of the political camps and the Hungarian public. Consensus over the Hungarian government’s policy toward Hungarians abroad is necessary to make it a success and ensure that the institutional structure put in place will outlive possible changes of government. The international reception of the new kin state policy and the reactions of the home states to it also play a role in whether its goals are achieved.
Chapter 1.

Definition of Minorities and Minority Rights

There is no universally accepted definition of what constitutes a minority. The minority groups living on the territories of various countries are so different that no common definition or policy can be formulated regarding them. Since there is no universal definition of minorities, states have a lot of leeway in adopting their own definitions of what constitutes a minority and which groups they recognize. (Porter, 2003)

One distinction which is often made between minorities is between those who have lived on a territory for a long period of time and can be referred to as the “old” or “autochthonous” minorities and the “new” minorities who decided out of their free will to leave their own society and migrated into a new one. In my view, Hungarian minorities belong to the “autochthonous” minorities who stayed in their homelands and became minorities as the borders moved around them. Some scholars reject the use of the terms “old” and “new” minorities arguing that the time requirement for a minority to live on a specific territory is arbitrary and goes against universalistic principles. (Packer, 1999; Sasse 2005) In my analysis, I distinguish
between “national minorities”, and “ethnic minorities” or migrants. I use the definition of Kymlicka for minorities, according to which ethnic minorities are “distinct and potentially self-governing societies incorporated into a larger state”, and ethnic minorities are “immigrants who have left their national community to enter another society.”

The EU and international organizations are little help in formulating what constitutes a national minority and how minority rights are to be interpreted. On the international level, the only point of consensus is that everyone has the right to regard himself a member of a given minority but should not be forced to see himself as such if he does not want to. A binding definition of minorities is, however, necessary for the implementation of an effective legal framework that protects minority rights.

Under the current circumstances, states have unlimited discretion over minority rights and no international instrument is available that can be used to enforce minority rights also against the will of the nation states. Nation states reject external interference on behalf of minority rights because it touches upon their sovereignty. According to Agarin and Cordell, guarantees for minority rights are “undermined by the EU’s preference for devolving to nation states decisions on who was to be designated as a minority, factually allowing the exclusion of potentially problematic groups from the remit of minority protection.” (Agarin and Cordell, 2016:74)

The definition of minority became a matter of categorization and was often driven by political interests. The state’s definition of who belongs to the minority is crucial for a minority’s cultural

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7 Will Kymlicka, Multicultural Citizenship: A Liberal Theory of Minority Rights (1995)
19. http://www.austlii.edu.au/au/journals/MqLawJl/2003/4.html Immigrants left their own society out of their free will and do not strive to build their own parallel societies and engage in nation building. They use the institutions of the host state to express their ethnic characteristics.
development since state recognition is required for access to resources. The official census that determines the number of minorities who live in a country also directly effects the rights and resources that minorities receive. (Dembinska 2014)

Will Kymlicka explains that: “There is no universally accepted definition of a national minority because of the diverse situations in which such minorities exist. However, from the multifarious definitions posited by TNIs, academics and minorities themselves, it is possible to discern objective and subjective criteria which may characterize a national minority. The objective criterion is the empirical presence of a distinct societal culture in the form of a common language, religion and ethnicity. The subjective criterion requires that the national minority think of themselves as collectively possessing a separate identity that they wish to preserve.”

According to Brubaker a minority is “not simply a ‘group’ that is given by the facts of ethnic demography. It is a dynamic political stance, or, more precisely, a family of related yet mutually competing stances, not a static ethno demographic condition. Three elements are characteristic of this political stance, or family of stances: (1) the public claim to membership of an ethno cultural nation different from the numerically or politically dominant ethno cultural nation; (2) the demand for state recognition of this distinct ethno cultural nationality; and (3) the assertion, on the basis of this ethno cultural nationality, of certain collective cultural or political rights.” (Brubaker, 1996: 60)

Under Resolution 1985 (2014) “The situation and rights of national minorities in Europe” adopted by the Council of Europe (CoE) Parliamentary Assembly confirms and takes over the definition of national minorities adopted in Recommendation 1201 (1993) whose essence is that “national minority” refers to a group of persons in a state who (…) maintain longstanding, firm and lasting ties with that state.”


The definition of minority introduced by Francesco Capotorti, former UN Special Rapporteur of the Sub-Commission on the Prevention of Discrimination and Protection of Minorities is the most widely accepted. It defines minorities as: “non-dominant groups, not always numerically inferior to majorities, whose members possess ethnic, religious, or linguistic characteristics that differ from the rest of the population and show, if only implicitly, a sense of solidarity directed towards preserving their culture, traditions, religion or language”\(^\text{10}\)

**National Minorities**

I define the Hungarian minorities in neighboring countries as national minorities. They belong to an ethno cultural nation which is different from the majority nation and are in a numerical minority, they want to be recognized by the state as a distinct ethno cultural nationality and claim collective cultural or political rights on this basis. Hungarian minorities inhabit a historical homeland and have a kin state. Their relationship to the state where they live is longstanding. (Bárdi, 2013) Key to the definition of Hungarian minorities is that their situation is asymmetric in relation to the majority in terms of power. This is also the case when they participate in majority governments. Nation and nationalism, the ethnocultural identity plays a key role as national minorities strive for an institutional system of self-government within the home state. They engage in nation-building and strive to set up their own parallel societies with their own institutional networks which make a high level of social and political organization possible. (Székely, 2014:22) The concept of parallel minority society that the Hungarian minorities use today was developed between the two world wars. The essence of this concept is that the minority should

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create the institutions that enable it to conduct its affairs in Hungarian surroundings.\textsuperscript{11}

Zoltán Kántor introduced the concept of “nationalizing minorities” to describe Hungarian minorities in neighboring countries. “Nationalizing minorities” differ from minorities which are not engaged in building their own societies. He points out that: (1) A nationalizing minority is sufficiently numerous to have a real possibility of achieving a number of its goals; (2) nationalizing minorities express political goals, not only cultural goals. Their goal is not only the preservation of national/cultural identity, but also its promotion and institutionalization. The creation of institutions that resemble those of a state is essential, as is the establishment of a minority ‘life-world’; and (3) nationalizing minorities attempt to transform the political structure of the state and struggle for political representation at the state level.” (Kántor, 2006:157-158)

In recent the decades, the concept diaspora which originally referred to the migration of a group of people from their ancestral homeland has been considerably broadened to include national minorities who have a kin state. Some authors began to regard Hungarian minorities as the diasporas of Hungary. (Sik, 2000; Waterbury, 2010; Salat, 2011) In: Székely 2014:30)

The idea of diaspora is at odds, however, with goal of ethnic Hungarians to promote and institutionalize their distinct political community. In contrast to diaspora communities, ethnic

Hungarians did not migrate from an ancestral homeland to another country. They stayed in their home countries as the borders moved around them. Ethnic Hungarians reject for these reasons applying the concept diaspora to them. The concept diaspora has been used by Levente Salat as a negative scenario that could occur as a result of the institutionalization of ties through dual citizenship and non-resident voting rights. Salat fears that the institutionalization of ties would make ethnic Hungarians too dependent on the kin state and prevent them from standing up for their rights in the home state. (Salat, 2011)

In her analysis of the relationship of ethnic Hungarians and the kin state Myra Waterbury refers to ethnic Hungarians as “transborder ethnic groups – or ethnic diasporas who reside in and possess the citizenship of states in which they may not be regarded as full members of the majority nation. At the same time, they maintain important cultural, economic, social, and even membership ties to an external state and nation.” (Waterbury 2010:2) She argues that the main consideration of the kin state when engaging itself for the ethnic kin abroad is “not ties of ethnicity but elite political competition.” (Waterbury 2010:3) In her view, “the diaspora policies of the kin states serve a specific political and strategic purpose.” Namely to take advantage of the resources offered by the ethnic kin elite. The first resource is economic which seeks to take advantage of ethnic kin as a source of labor and to slow the demographic decline. The second resource is related to the ethnic kin’s culture and language which the kin state uses for “state building, national identity construction, and cultural reproduction.” The “ethnic diasporas can serve prominently in the construction of national myths, which are used to legitimize nationalist political agendas.” The third resource offered by the ethnic kin is political as the kin state aims to increase its legitimacy in the eyes of the population by acting as a protector of minority rights and hopes for additional votes from ethnic Hungarians in national elections and referenda. (Waterbury 2010:6-9)
István Székely suggests that both the concept of national minority and of diaspora be used to describe the relations of the ethnic and the kin state. The concept of national minority would serve to analyze the situation of the ethnic kin in the home state while the diaspora concept could be used to examine the ethnic kin’s relation to the kin state. The two concepts would deal with the internal and external aspects of minority existence. (Székely 2014, 32-35)

The historian Nándor Bárdi defines ethnic Hungarians as “Hungarian minority communities” since they share not only a common language but a common identity but also participated in the Hungarian nation building process until 1918. (Bárdi 2013, 531). He divides up Hungarian minorities in East-Central and Eastern Europe into three groups. The first group consists of national minorities who feel that they belong to a national community and regard this as the most important element of their national identity. This group includes the Hungarians of Romania, Slovakia, Ukraine and Serbia. The second group Bárdi designates as ethnic minorities who were separated from their kin state a long time ago but share a common origin and language. Hungarians in Croatia and Slovenia fall into this category as well as a number of Gypsies who live in Hungary. The third group is made of regional minorities who only speak the language of the majority but are aware that Hungary is their country of origin. Their identity is tied to the locality where they live. These are Hungarians living in Austria Burgenland and most of the minorities in Hungary. The latest 2001 census showed that of the 278,000-people living in Burgenland 6,641 used Hungarian as an everyday language. (Kapitány, 2015, 237) The fourth category is made up of emigrants many of them migrant workers, the Hungarian Diasporas in Austria, Germany and Great Britain. (Bárdi 2013, 531)

Minority Rights in the International and the EU Arena:
Internationalization of Minority Protection
Following World War II, West European legislation concentrated on promoting individual rights which came at the expense of collective rights. Ethnic-cultural identities which needed collective rights to survive were viewed as outdated in liberal democracies where the state was to guarantee fairness and equality to everyone. This was the dominant view even though regional opposition and ethnic minority issues were also present in Western Europe, for instance in Northern Ireland and Cyprus. There are also sub-state regions such as the Basque region and Catalonia in Spain which seek greater autonomy or even independence. (Agarin and Cordell, 2016:34)

Mass migration from outside Europe in the 1960s and 1970s greatly increased the number of new minorities in Western Europe and triggered a reconsideration of minority strategies. West European countries adopted a more proactive approach to minority rights. Ethnic identity again became a topic of discussion and minority protection legislation was introduced that endorsed the idea of ethnic diversity and multiculturalism.

After the collapse of communism and of multi-ethnic federations ethnic tensions and old territorial conflicts challenged the almost exclusive focus on individual rights. West European countries were confronted with the problems of ethnic minorities and minority protection became an important human rights issue. Western European countries became aware of the existence of ethnic minorities who lived as autothonous minorities in their home lands and found themselves on the territory of another country as the borders changed around them. The efforts of kin states to engage themselves for their ethnic kin outside their borders were recognized. (Agarin and Cordell 2016)

The Copenhagen Document was the first document of the post-Cold War era that codified minority rights and served as reference for other documents. (Chapter IV) The Document codified the right of minorities to preserve their ethnic identity and their right “to use freely their mother tongue in private as well as in public; (32.2)” It also referred to collective rights by
declaring that “Persons belonging to national minorities can exercise and enjoy their rights individually as well as in community with other members of their group.” (32.6) It also addressed the issue of self-government of minorities by calling on the home states to promote the identity of national minorities “by establishing, as one of the possible means to achieve these aims, appropriate local or autonomous administrations corresponding to the specific historical and territorial circumstances of such minorities.” (35) The Document lays down the criteria that applicant countries must meet to ensure the respect of minority rights, but they leave a lot of room for interpretation and stress the need for conformity with national legislation. The criteria are soft laws that cannot be enforced, moreover the EU controls their fulfillment only prior to and at the time of accession to the EU. After that the control mechanism of the EU proved ineffective and different levels of minority protection mechanisms came to light. The Document nonetheless provided a point of reference and basis for the following documents on minorities.

The United Nations Minority Rights Declaration was the first international document to deal with national minorities. It referred to minorities as “persons belonging to minorities” and stated that they may exercise their rights “individually as well as in community with other members of their group.” (Article 3 1) It called on states to create conditions under which minorities can develop among others their culture and language but warned of “specific practices /that/ are in violation of national law and contrary to international standards. “(Article 4 2) It used ambiguous language when referring to education in the mother tongue speaking of “opportunities to learn their mother tongue or to have instruction in their mother tongue.” (Article 4 3)

http://www.osce.org/odihr/elections/14304?download=true
The High Commission on National Minorities (HCNM) has been established in 1992 after years of internal consultations on how to deal with conflicts between ethnic majorities and minorities in Eastern Europe. The HCNM was conceived of as diplomatic tool to warn of and prevent ethnic conflicts before they escalated in violence. Consequently, its investigations have been limited to Eastern Europe sending the signal that it was this area of the world which was still plagued by problems of ethnicity. The recommendations of the HCNM have no binding force so its success is dependent upon the cooperation of the parties involved. It hardly differentiates between minority communities which came about through migration and ethnic minority communities made up of historical minorities.

The European Charter for Regional or Minority Languages (CRML) was the first document that the Council of Europe issued that touched upon minority rights. http://www.ifa.de/fileadmin/pdf/abk/inter/ec_ets_148.pdf (Passed in 1992, it entered into force in 1998) It has been signed by most EU states including those where ethnic Hungarians live and requires the signatory states to ensure minority participation in all parts of public life. Signatories of the Charter are obliged to introduce domestic legislation to comply with the CRML criteria of cultural diversity and heritage. While as its name suggests it protects the status of regional and minority languages, protecting languages indirectly involves protecting minority speakers. The CRML’s language was, however, very flexible giving the participating states a great deal of leeway in carrying out its measures regarding the promotion of languages. The CRML put in place a monitoring system that consists of a committee of experts that evaluates the situation and requires the participating states to publish periodical reports on their progress in protecting regional and minority languages.14

The Council of Europe’s 1995 Framework Convention for the Protection of National Minorities (FCNM) is devoted to minority rights and has a mechanism of monitoring. Here the notion of collective rights took second place to individual rights and anti-discrimination. It requires the signatory states to ensure minority participation in all parts of public life.  

The FCNM has been criticized for its vague and cautious formulation that makes it easy for the participating states to ignore it. It calls on states to “refrain from measures which alter the proportions of the population in areas inhabited by persons belonging to national minorities and are aimed at restricting the rights and freedoms flowing from the principles enshrined in the present framework Convention.” (Article 16)

The right of minorities to use their mother tongue in public administration in the areas where they live is diluted by the formulation that “if those persons so request and where such a request corresponds to a real need, the Parties shall endeavour to ensure, as far as possible, the conditions which would make it possible to use the minority language in relations between those persons and the administrative authorities.” (Article 10 2)

The 1996 Strasbourg Framework Convention aims at guaranteeing and protecting the unobstructed use of autonomous minority languages. Members of ethnic minorities can turn to the European Court of Justice (Luxemburg Court) for remedy against discrimination.  

Individual members of ethnic minorities have protection against discriminatory practices, but collective rights of ethnic minorities are not covered. By 2012, transnational organizations increasingly promoted an approach that focused on the norms of discrimination and individual rights.

15 https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016800c10cf


17 OSCE-HCNM 2012
This policy “encouraged nation states to empower individuals rather than groups.” Preferring individual rights over collective rights put the majority at an advantage while disadvantaging members of minorities and those who had no access to the resources of the state. (Agarin and Cordell, 2016:73) Minorities had to use the language of individual rights in order to taken seriously by transnational organizations. They had to fight against the prevalent view that regarded the empowerment of minority groups as a negative development that strengthened ethnic boundaries and institutionalized segregation. (Kiss, Székely, Toró 2018: 124) Minorities were viewed as sources of internal and external threats especially if they were sizable and enjoyed the protection of an activist kin state. In this atmosphere, the measures of traditional nation states to protect the titular ethnic majority against minorities were accepted. (Csergo et al 2017 5-16)

Under these circumstances, while many EU accession states employed policies that invoked minority protection their actions went in the opposite direction. One can conclude that “the engagement of the EU in and promotion of individual-focused, non-discrimination rules has under-run the potential implementation of minority protection at large, while strengthening the group-based rationale of nation-state functionality in countries where ethnicity has remained the most salient identity of all politically relevant ones.” (Agarin and Cordell, 2016:69)

Today the emphasis is on setting up standards and know-how with the help of the experts of the Organization for Security and Co-operation in Europe, (OSCE) and the European Council. EU citizens have dual citizenship because they are citizens of the member states and of the EU which amounts to a major empowerment of the citizen vis-à-vis the state.

The European Union and Minority Rights

The European Union and the institutions affiliated with it, the European Commission, OSCE High Commissioner on National
Minorities, the Venice Commission, the Parliamentary Assembly of the Council of Europe, and the High Commissioner on National Minorities are important transnational actors who seek to influence the behavior of the home state, the kin-state and the minority. They took up the issue of minority rights in reaction to the rise of ethnic conflicts following the collapse of communism.

The European Union made the fulfillment of basic minority rights a requirement for EU accession. Except for Serbia and the Ukraine, the countries where Hungarian minorities live are members of the European Union (EU). Minority rights became one of the requirements that aspirants for membership in the European Union must fulfill along with the requirement of the rule of law, human rights a functioning market economy and the incorporation of EU laws and regulations into its own legal system. Respect for minority rights became for the first time a prerequisite for joining Western democracies. The minority protection regime supported by the EU outlawed open discrimination against minorities. Minorities could no longer be excluded from political life and often participated in the majority government and gained access to state resources.

During the negotiations toward EU membership, EU officials have the means to exert some pressure on the home states to respect minority rights. After the countries become EU members, the EU has no means to enforce minority rights and lacks legislation that would set out clear cut criteria for minority rights. (Kymlicka-Opalski 2001) The EU lacks the norms for minority protection, was not consequent enough in endorsing existing norms and often improvised.

There is also no Western legislation or collective example of best practice on minority rights that other countries could aspire to. The EU’s expectations toward countries wishing to join it became more stringent than toward its old members. Some old EU countries would not be able to meet the criteria of respect for minority rights that the EU imposes on EU candidate countries. A system of double criteria was established.
The EU often stepped in to mediate between the kin and home states but has limited power or will to influence the policy toward minorities. It has historically given good-neighborly relations priority over issues concerning minority rights. As a rule, stability is regarded by the EU and other international actors as more important than the democratic credentials of the home states and how they treat minorities living on their territory.

The EU and the political institutions affiliated with it see their task in keeping the activities of ethnic minorities in check. International organizations represent the view that minorities should be integrated into the countries where they live and reject the accommodation of minorities that gives room for preserving their ethnic identity. They tend to take up the idea of accommodation following bloody ethnic conflicts.18

The EU accession involved a loss of sovereignty for the nation states in major policy areas which made them reluctant to comply with EU regulations in fields where the EU has little influence. Minority rights protection is such a field because it belongs to the home states’ jurisdiction.19 As Agarin and Cordell summarize it: “/the EU/ mandated the nation-state with ultimate say over the remit of support and protection allocated to groups that the nation-state itself was to designate a ’minority on its territory and that formed the key to the emerging European minority rights regime.” (Agarin and Cordell, 2016, 62)


19 Dr. Tárnok Balázs : Régi és új kisebbségek Európában, A migrációs válság lehetséges hatásai az őshonos/hagyományos és bevándorló kisebbségek jogaira in Gömbös Ervin ed.: A Kisebbségek Jövője a Globalizálódó Világban, Magyar ENSZ Társaság 2016 (80-88)
Moreover, EU reports about minority rights often described the situation of minorities in positive terms which made it even more difficult for minorities to call the countries where they live to account over neglecting their rights. In the EU constitution, there is no provision for implementing minority rights and no procedure for submitting minority complaints. Since the standards of minority protection vary from state to state the EU is not in a position to formulate “demands” on the issue toward other states or to supervise whether the norms that countries accepted at the time of accession are being respected. It tends to accept as a fact the EU legal and institutional standards are respected in neighboring countries.\(^{20}\)

International treaties and soft laws on minority rights serve as references for the kin states and for national minorities in their efforts to enforce minority rights. In the long run the Copenhagen criteria to guarantee “respect for and protection of minorities” and the engagement of the Council of Europe (CoE) or the Organization for Security and Co-operation in Europe (OECD) most likely made some difference in the treatment of minorities. The resolutions of the CoE and the OECD on issues affecting minority rights have a reference value for EU governments and special relevance for the rights of traditional ethnic or autochthonous minorities. Without these resolutions minorities would probably have less rights and opportunities to redress their grievances. (Vizi, 2014)

The hopes that the EU membership and democratic institutions could halt the process of assimilation of national minorities were disappointed. No EU system of minority protection was put in place to shield the rights of the national minorities against the nationalizing majority. The state was not restructured to meet the needs of the minorities. Under current EU legislation at the most the identity of the minority could be maintained which

\(^{20}\) (See the studies of Balázs Vizi at [http://www.mtaki.hu/Europai-kaleidoszkop/4/1206/2](http://www.mtaki.hu/Europai-kaleidoszkop/4/1206/2))
would surely lead to assimilation over the long run. Short of revision of the borders only a system of minority protection backed by international pressure can influence the policy of the titular majority where ethnic minorities live. (Kántor, 2014)

EU Platforms for Hungarian Minorities

While the EU did not meet the expectations of Hungarian minorities to shield their rights against the nationalizing minority its institutions offered platforms for Hungarians to take a stand for minority rights. The EU functioned as a trans-sovereign institution and provided a framework for Hungarians to live in a transnational community as if there were no borders separating them. This is fully in line with the EU principles of minority protection and promotes the EU policy of the shifting of sovereignty to supra- and sub-state level.

Representatives of minorities can participate in supranational decision-making bodies such as the European Parliament (1999 Lund Recommendations on the Effective Participation of National Minorities in Public Life of the OSCE High Commissioner on National Minorities). Since 2004 the European Parliament offered Hungarian representatives from the Carpathian Basin an opportunity to promote the rights of the national minorities. From 2004 not only, Hungarians from Hungary but also ethnic Hungarians of Slovakia were able to send representatives to the Parliamentary body of the European Union. In 2007 the Romanian accession to the EU opened the way for Hungarians in Romania to delegate representatives as well. Hungarians from non-EU countries, from Serbia and Ukraine/Subcarpathia Transcarpathia, became through their Hungarian citizenship citizens of the EU because under EU rules all citizens of member states are also citizens of the Union.
At the EP elections of 2014 (22-25 May) the Fidesz-KDNP party coalition placed on its national list representatives of Hungarian communities abroad. This underlined the government’s intention to virtualize the borders. Since the Fidesz-KDNP coalition received about 1.2 million votes (51.48%) and won 12 out of the 21 seats, it gave five of the seats to ethnic Hungarian candidates from abroad. The former MEP László Tőkés was third on the list and represents the interests of the Hungarian community of Transylvania (Romania) György Schöpflin, former professor at the London School of Economics, received the seventh place on the list and will represent the interests of the Hungarian diaspora living outside the Carpathian Basin. Schöpflin has been a Fidesz MEP since 2004 and is a renowned scholar in the fields of political theory, nationalism and national identity. Andrea Bocskor was ninth on the EP list and comes from the Hungarian community of Transcarpathia (Kárpátalja) (Ukraine). Bocskor is professor of Ferenc Rákóczi II Transcarpathian Hungarian Institute and the director of the Tivadar Lehoczky Institute (a local research institute for social sciences in Transcarpathia Subcarpathia). The tenth candidate on the list was Andor Deli from Serbia the vice-president of the government of the Autonomous Province of Vojvodina and Secretary for education, public administration and national communities of the province. László Gubík from Slovakia was given the symbolic twenty-first place on the list. Gubik was the first to publicly declare that he had acquired Hungarian citizenship and was in turn deprived of his Slovak citizenship. He called himself “a symbolic Hungarian from Slovakia (who) was nominated for a symbolic position”.21

László Tőkés represents the interests of the Hungarian community of Transylvania as the leader of the Hungarian National Council of Transylvania (Erdélyi Magyar Nemzeti Tanács) a civil organization whose goal it is to establish

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autonomy for Hungarians in Transylvania which criticizes the policy of the major Hungarian ethnic party the RMDSZ. Criticism has been expressed that the transborder politicians chosen by Fidesz for its list were members of pro-Fidesz ethnic parties or organizations and were not elected by the ethnic Hungarian electorate. (Pogonyi, 2017: 110) It was, however, to be expected that the politicians chosen for the Fidesz-KDNP list would be those who are close to the party.

Ethnic Hungarian parties sent an additional four representatives to the European Parliament. From Romania the Democratic Alliance of Hungarians in Romanian (RMDSZ) sent two representatives, from Slovakia two MEPs came from of the Party of the Hungarian Community (MKP). Hungarian-Slovak interethnic party Most-Híd represents the interests of both nations. The MKP and Most-Híd representatives both sit in the faction of the European People’s Party (EPP). The MKP representative Pál Csáky was deputy prime minister responsible for human rights and minorities for eight years and has worked in the past decade closely together with Hungarian MEPs from the Carpathian Basin for the recognition of autochthonous minorities. The Most-Híd MEP József Nagy has made himself a name in environmental protection and seeks to set up a system of European regulations for the protection of autochthonous minorities. It is an open question whether the two MEPs will cooperate because relations between the two parties have been full of tensions since the party schism of 2009. Altogether 9 MPs from the Carpathian Basin will represent and promote the rights of the Hungarian ethnic communities in the upcoming parliamentary term of 2014-2019.

The Hungarian MPs keep minority issues and the most important problems of national minorities abroad alive on the agenda of the EP and its special committees. Hungarian deputies can pass resolutions in the Council of Europe that concern the interests of Hungarian minorities. The issue of autonomy was taken up again in the CoE Resolution 1985 (2014) on “The situation and rights of national minorities in
Europe.” The resolution was based on the report by Ferenc Kalmár and described autonomy as a means of preserving the ethnic identity of minorities. It states that: “with a view to relieving internal tensions, the central government must react with understanding when minority groups, particularly when they are sizeable and have lived in an area for a long period of time, demand greater freedom to manage their own affairs independently”. The resolution relies on “positive experiences of autonomous regions as a source of inspiration for conflict resolution in Europe, which states that the establishment and operation of an autonomous entity can be regarded as part of the democratisation process.” It acknowledges that “the special status enjoyed by regions of some European States has brought stability and prosperity to those regions and States.” It recommends the best practices used by states that grant their minorities collective rights such as Alto Adige/South Tyrol and Finland. Kalmár praises the report for explicitly providing for the first time “a clear and strong stand for autonomy and calls on autonomy agreements.”

Beside plenary speeches, one of the excellent possibilities to represent minority claims has been the work of the Minority Intergroup (i.e.: Intergroup for Traditional Minorities, National Communities and Languages). Although the Intergroup is only an informal forum it offers an important platform for cooperation with other MEPs who represented minority interests or were concerned about minority issues. The ethnic Hungarian representatives and the MEPs of the Fidesz-KDNP coalition sat in the same European People’s Party’s faction which made

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24 Zoltán Kántor ed. The situation and rights of national minorities in Europe Budapest: L’Harmattan 2016 :11
close cooperation between them possible. (Illyés and Rákóczi 2014)

A major problem that ethnic Hungarians faced in fighting for their rights in the EU is that in the EU constitution, there is no provision for implementing minority rights and no procedure for submitting minority complaints. The Federal Union of European Nationalities (FUEN) an umbrella organization for European minorities sought to create a European legal framework for minority protection with the help of EU institutions. In 2013 FUEN initiated with the participation of Hungarian ethnic party RMDSZ the European Citizens’ Initiative for minority rights, Minority SafePack – one million signatures for diversity in Europe - which aims to offer more protection to national minorities and language groups to maintain Europe’s linguistic and cultural diversity. The Initiative’s goal is to have legislation enacted at the EU level that monitors minority rights violations and applies sanctions to violators. The Initiative calls for setting up a framework that ensures that minorities are treated equally in education, culture, regional development and are ensured political participation and have access to information and media services. The EU Commission rejected the Initiative on the ground that it fell outside its competence. In February 2017, however, the European Court of Justice ruled that the EU Commission had no legal grounds to reject the registration and the Commission registered the Initiative in March 2017. The Romanian and Slovak governments sued the EU Commission for registering the initiative because in their view, minorities need no additional protection since the countries where they live guarantee their rights.

The organizers of the Initiative collected some 1,3 million signatures from seven EU member countries. The verified signatures, 1,128,385, will be presented to the European

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25 (See the studies of Balázs Vizi at http://www.mtaki.hu/Europai-kaleidoszkop/4/1206/2)  
26 https://www.nordschleswiger.dk/de/daenemark-politik-international/ihr-habt-schon-jetzt-geschichte-geschrieben
Commission which will form its opinion on the matter and arrange a public hearing in the European Parliament. This gives minorities hope that the Council will deal with the Initiative.27

Chapter 2

Minority Rights of Ethnic Hungarians

Today over 90 years after Trianon some 2.4 million ethnic Hungarians live in Romania (Transylvania), Slovakia, Serbia (Vojvodina) and Ukraine (Transcarpathia/Subcarpathia). The number of ethnic Hungarians had declined sharply between the 1990s and the 2000s because of low birth rates, migration and assimilation. This fits into the general trend of decline of major kin minorities in Eastern Europe. (Dumbrava, 2017:9) In Romania, the major cause of the demographic decline of ethnic Hungarians is emigration, in Serbia low birth rates and in Slovakia assimilation. In Slovakia, the assimilation rate is high not only in scattered communities but also in areas where Hungarians form a majority where less and less people declare themselves Hungarian. (Balázs 2015, 225, 233) (Kapitány, 2015 236)

The social economic conditions of ethnic Hungarians deteriorated because of the disadvantages of minority existence and the efforts of the majority to take over key positions in the process of nation building. Ethnic Hungarians still live in

economically backward areas because the home states favor majority populated areas when investing in a region or distributing EU funds. There is a widespread feeling among ethnic Hungarians that they are not equal to the majority in their chances to reproduce their ethnic identity. This gives them a feeling of uncertainty and hopelessness as far as the future of their ethnic community and their cultural survival is concerned. Thus, while Hungarians have the same obligations as every other citizen, to pay taxes and bear arms, they do not have the same rights. (Bárdi, 2013)

According to the 2011 census, half of the Hungarian minorities approximately 1.2 million people live in Romania where they make up roughly 6.6% of the population. According to the last 2011 census in Slovakia 459,000 people (8.5% of the total population) identified themselves as Hungarian. In Serbia 253,899 people declared themselves as Hungarian in the 2011 census who make up 3.53% of the population. In Transcarpathia Ukraine the last census was held in 2001 when 152,000 people of the total population of Transcarpathia (1,255,000 people) identified themselves as Hungarian. (Kapitány, 2015 231-232, 234) The data about the number of ethnic Hungarians come from censuses which must be treated with caution since the authorities have an interest in keeping the number of the registered minorities as low as possible because of the implications for minority rights such as the percentage of Hungarians in each area needed to use their mother tongue. There are also methodological difficulties in interpreting the results of censuses. (Balázs 2015, 225)

In Romania, ethnic Hungarians are spread out over a very large area many of which are not located near the Hungarian border and are often in multiethnic areas. In Slovakia and Ukraine ethnic Hungarians live within a range of 30 kilometers from the Hungarian border. Although they clearly form ethnic blocs the administrative borders of the areas where they live are divided in a way that their presence is not acknowledged. In Serbia, ethnic Hungarians live predominantly in Vojvodina, officially in the Autonomous Province of Vojvodina, where they are the
largest ethnic minority making up some 13% of the population. Most of the Vojvodina Hungarians, 62.6 percent, live in the border region of Hungary and among the River Tisza/Tisa in an ethnic bloc. In Serbia, the ethnic composition of Vojvodina changed considerably through the arrival of Serbian refugees from Croatia and Bosnia. (Balázs 2015, 225, 233) (Kapitány, 2015, 237)

The size of the ethnic Hungarian communities plays a key role in shaping the policy of the home state towards them. In Slovenia and Croatia, the number of Hungarians is small, they are not perceived as a threat to the majority. In Croatia where according to the 2011 census 14,048 Hungarians live and the integration of the Serb minority was priority. In Slovenia, the number of Hungarians is estimated at 4,000. (Kapitány, 2015, 237)

**Figure 1: Territories in the neighbouring countries that were the part of the Hungarian Kingdom until 1920**


**Common Hungarian Aspirations**

All Hungarian minorities are in an asymmetric position visa-vis the majority and therefore share common aspirations regardless of their size or standard of living or whether they live blocs or scattered in their home countries. The major issues of
contention between Hungarian minority communities and the majority nations focus on language rights and the right to self-government in the areas which are essential to the reproduction of minority communities. Ethnic Hungarians in neighboring countries would like their language to be an official regional language in the areas where they live. They would like to manage their own educational and cultural institutions. In the field of education, ethnic Hungarians would like to decide questions concerning their institutional system. In cultural life, they would like to have the same funding for their cultural institutions as for the institutions of the majority and the right to freely decide about institutional development. Administrative borders which are tailored in a way that as few Hungarians as possible are left outside the Hungarian administrative unit. Hungarians want the region where they live to be included in the economic development of the home state but in a way that state investments do not cut into their settlements and change the region`s the ethnic proportions. They want the right to political representation and to be treated as a partner nation that has a right to national autonomy. Hungarian national symbols should be officially recognized and allowed to be publicly displayed expressing the home state`s respect for the national dignity of the minority. Ethnic Hungarians would like to participate in political life at all levels and be included in the government. Ethnic Hungarians wish for good relations between their home state and the kin state Hungary. They want the kin state to stand up for their minority rights and to treat them in the same way as Hungarian citizens living on the territory of Hungary. They want institutional guarantees for equal opportunities in Hungarian educational and cultural life. 28

The first requirement is not fulfilled in most home countries. In the areas where Hungarians live they must in most cases make up at least 20% of the population to be eligible to use their mother tongue in the state administration. Even if they fulfill this requirement often they are not able to use their mother tongue

28 Bárdi Nándor: Magyarország és a kisebbségi magyar közösségek 1989 után Metszetek vol.4 2015 No.3. 03_Bardi_Nandor_0.PDF1.2.
is because of lack of personnel or unwillingness of public officials. Thousands of Hungarians who live in cities such as Cluj/Kolozsvár cannot use their mother tongue because they do not reach the 20% ratio. The display of national symbols is restricted. There are constant controversies over the display of bilingual signs in Romania and Slovakia. Often administrative borders in home countries are drawn up in a way that cuts into Hungarian populated areas and prevents ethnic Hungarians from governing themselves even in areas where they are in the majority, a prominent example is Slovakia. In general, areas inhabited by ethnic Hungarians are less likely to be chosen for development. The wish to be recognized as “partner nations” has for the most part not been realized. There is no mention of a “partner or constituent nation” in the constitutions of Romania and Slovakia. The Romanian constitution speaks of the “unitary and indivisible National State” and of “persons belonging to national minorities.” The Slovak constitution speaks of the “Slovak Nation” and speaks of “citizens representing national minorities or ethnic groups.” The majority language is the official language in both countries.

Except for Romania, the states where Hungarian minorities live are newly independent states that regard themselves as the representative the “core nation” made up of the majority which they define in ethnocultural terms. The home states as a rule regard the position of the “core nation” as weak in the fields of culture, economy, and/or demography and seek to defend it against the minority. They perceive themselves as the legitimate “owner of the state” and engage in nationalism to assimilate the minority. (Brubaker 2011) The home states declare that the minorities have all the rights they need to maintain their culture. Romania, for example, regards its treatment of minorities as “exemplary”.

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29 Krisztián Rákóczi “Autonómia helyett önrendelkezés kérdése Szlovákiában in Századvég Autonómia, 2016 no.4 p.88
31 http://www.slovakia.org/sk-constitution.htm
Strategies of Survival for Minorities

A key question is what options are available to the minority vis-à-vis the majority that enable it to preserve its ethnic identity. Common to the situation of all minority Hungarian communities is the asymmetry between the minority’s and the majority’s position. The asymmetric relationship between the majority and minority enhances the continuous process of the redefinition of the political community as the two sides create boundaries in terms of “we” and “they” or “friend” and “enemy”. (Bakk, Nemzet 69) (Schmitt, 1932) The asymmetric power relations between the minority and majority, the “we” and “they”, result in the construction of national identity. (Bárdi 2018: 157)

The asymmetric relationship is best illustrated in the use of language which plays a central role in reproducing ethnic identity. Those belonging to the majority regard the language of communication per definition as the majority language and feel that they don’t need to learn Hungarian not even in areas where half or more than half of the population is Hungarian. This asymmetry is reflected in personal interactions between members of the majority and the minority.

The pressure to assimilate weighs heavily on all Hungarian minorities and is a source of conflict between the majority and minority. According to Levente Salat, the national minority must choose between three strategic alternatives: “isolation, integration or assimilation and engagement in a process of building their own societal culture”32 (Salat, 2002:191, 198)

Will Kymlicka sees, “assimilation, mass exodus, renegotiating the terms of integration into the polity and marginalization” as the major strategies available to minorities who are confronted with the nation state’s homogenizing efforts. (Kymlicka, 2001)

Among the options available to Hungarian minorities to escape minority existence involve switching identity, establishing a

double identity and settling in Hungary. The switching of ethnic identity is as a rule not a conscious decision and takes place in the process of one or two generations. The major reasons for the switch include mixed marriages, living in housing estates in large cities and attending majority language schools. For the younger generations the question of whether the minority or the majority community offers greater carrier chances also plays an important role. The other option is establishing a double or multiple identity. The likelihood is that this option also leads to assimilation if not in the short then in the long run. Settling in Hungary is an option that frees ethnic Hungarians from the disadvantages of being a minority and promotes their social mobility by offering them better educational and job opportunities. This is especially true for the younger generations who grew up consuming the Hungarian language media of the kin state and are not as much at home in the language of the majority. Ethnic Hungarians settling in Hungary do not have to learn a new language and culture. In contrast to the classical case of migration where the migrant is a member of a minority in his new home, ethnic Hungarians give up their minority status by settling in Hungary. (Ablonczy and Bárdi 2010:21)

Bauböck lists the possible options ethnic minorities have who can rely on the help of the kin state.

<table>
<thead>
<tr>
<th>Basic strategical possibilities</th>
<th>Intermediate alternatives</th>
<th>Type of external homeland support</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emigration</td>
<td>Supporting “return” (repatriation)</td>
<td></td>
</tr>
<tr>
<td>Assimilation</td>
<td>Diaspora identity</td>
<td>Maintenance of linkages toward ethnic homeland and the possibility of “return”</td>
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<td>--------------</td>
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<td>--------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Autonomy</td>
<td>Ethnic identity</td>
<td>Cultural support</td>
</tr>
<tr>
<td>Condominium</td>
<td></td>
<td>Offering external citizenship</td>
</tr>
<tr>
<td>Secession</td>
<td></td>
<td>Territorial incorporation</td>
</tr>
</tbody>
</table>

Source: Bauböck 2007: 75 in (Kiss, 2016)

Other scholars identified two key approaches that can help conflicts between the minority and the majority. One arrangement that can be defined as integrative the other as consociational or accommodation oriented. (McGarry et al., 2008; Wolff and Cordell, 2004) The integrative approach aims to reduce ethnic cleavages and increase interaction between the majority and minority. Here competition takes place along non-ethnic lines. The emphasis is on loyalty to the common political community which produces a common civic identity which transcends ethnic cleavages. The integrative approach places individual rights before collective rights and seeks to implement an election system which promotes pre-election coalitions across ethnic divides. (Horowitz, 1991, 2002, 2003)

Aarend Lijphart set up the theory that forms the basis of the consociational approach. He envisioned a consociational or power-sharing model of democracy for societies where deep divisions were present. Such a power-sharing model could be successful if 1) the elite is willing to put its difference aside and enter a grand coalition 2) the right of mutual veto is accepted 3) if society is willing to accept the depolitization of various segments and institutions 4) the acceptance of proportionality 5)
granting autonomy to different groups. (Lijphart, 1969, 1977, 1996) Under Lijphart`s concept, both the majority and minority can have their parallel societies which can serve as the pillars of society.

The accommodation or consociational approach seeks to institutionalize the ethnic cleavages and limit the interactions to the political elite. Here it is acknowledged that the minority needs protection against the homogenizing efforts of the majority and can build up its own parallel society where it enjoys some sort of self-government. This approach advocates congruence between borders and ethnic divisions making ethnically homogenous units possible where territorial boundaries and ethnic cleavages coincide. (Aisling 2013) Most of the conditions named by Aarend Lijphart for adopting the consociational approach are missing in the home countries. The most important are the the depolitization of various segments and institutions and the acceptance of proportionality and autonomy. The building of parallel societies ran counter to the aspirations of the majority to strengthen its national institutions through a policy of assimilation. The building of own majority and minority institutions is bound to cause conflicts since both the majority and the minority seek to promote solidarity between members of their community and enable their society to reproduce its ethnic identity.33

The experience of Hungarian minorities showed that Lijphart`s model does not work. In the early 1990s, the Hungarian political elite sought to establish a parallel “minority society” where the institutional system of the minority played a key role in its reproduction as an ethnic community. (The traditions of a parallel minority society go back to the interwar era.) The building of a parallel Hungarian society with the goal of self-government has failed to materialize.

Ethnic Hungarian political parties participated in majority government but made no progress toward achieving more guarantees for minority rights. Government participation had the effect of relegating the practice of institution and community building to the background. The ethnic Hungarian party in Romania RMDSZ, for example, lost the community activists who played a major role in mobilization in the elections. While the party still paid lip service to building a parallel society in reality its relationship to the electorate was transformed from community building to clientelistic. They came to look at the Hungarian electorate as clients who vote for the party in return for material benefits. (Székely, 2014) (Kiss-Barna-Szekely, 2013)

The type of integration model, practiced in the 1990s, has been called “control through cooptation” or “unequal accommodation.” (Kiss, Székely, Toró, 2018:75) This involved making asymmetric deals with majority politicians which offered no legal guarantees for the participation of the minority in the government. This meant that the Hungarian political elite in Transylvania became a part of the Romanian political field and participated in the government but received no legal guarantees for ethnic power sharing. This led to increased public criticism of the established ethnic Hungarian parties and the formation of new ethnic parties who vowed to implement a new policy toward the majority which focuses on widening minority rights and the issue of self-government. (See below).

Under the “control through cooptation” model ethnic Hungarian political leaders oriented themselves toward Bucharest as the source of financial support. As they no longer participated in the majority government and could not engage in political bargaining the role of the Romanian central government diminished. Against this background ethnic Hungarian organizations began to orient themselves toward Hungary even before the election of the second Fidesz government of 2010. As funds from the kin state greatly increased starting from 2014, Hungary transformed itself from a marginal into an influential
actor and ethnic Hungarian communities increased their orientation toward Budapest.\textsuperscript{34}

Decreasing funds from the home state and increased support from the kin state could undermine the modell of “control through cooptation.” A second factor that could contribute to the erosion of the modell is the change in the norms of transnational organizations which increasingly focused on the rule of law and human rights. Civic groups might take up the issue of minority rights and “emerge as a serious alternative or complementary strategy to claim-making based exclusively on political bargaining.” (Kiss, Székely, Toró 2018:75-76)

Preservation of Ethnic Identity through Autonomy

After the fall of communism, ethnic Hungarian parties and organizations defined self-government as their political goal and worked out numerous autonomy concepts.\textsuperscript{35} These revolved around cultural autonomy based on an individual basis, local self-government by the local Hungarian majority, and regional minority self-government made up of the association of local self-governments. (Bárdi, 2004; Gál, 2002; Szarka, 2004) There is consensus among scholars that personal autonomy is granted to a group of persons based on their ethnic identity regardless of where they live in the home state. Scholars also refer to it as cultural autonomy that seeks to promote the

\textsuperscript{34} HTTPS://ERDELY.ATLATSZO.HU/2018/04/05/NERDELY-1-IGY-HODITOTTA-MEG-AZ-ERDELYI-MAGYARSAGOT-A-FIDESZ/

preservation of collective identity by allowing minorities to set up minority self-governments and have funds to exercise public functions relating to education, language and culture. Hungarian minorities seek territorial autonomy for areas where they live in compact settlements. Cultural or personal autonomy is a goal for minorities who are not concentrated in an area but live scattered throughout the country.

Under territorial autonomy, a region of the country where minorities live and form the majority receives a special status in relation to the other regions of the state that confers on it legislative and/or administrative powers to enact laws and statues in matters that are directly related to maintaining its cultural identity. In Western Europe, territorial autonomy was divided into local or regional forms and the concept of non-territorial autonomy on a cultural basis was introduced. Regional or local self-governance were options available to ethnic minorities. (Vizi, 2014, 15) Functioning autonomies in Belgium, Spain and Italy demonstrated that autonomy presents an important opportunity for ethnic minorities. In these states, the language and cultural rights of minorities are guaranteed through a legal system that incorporates the structures of autonomy.

In the early 2000s many scholars expected that autonomies can grow out of an administrative reform in cases where a nation-state is open to federalism and regionalization. These hopes were, however, disappointed. The decentralization promoted by European integration also failed to create the opportunities for regional cooperation which would solve the problems of ethnic Hungarians and provide them with regional solutions.

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The bilateral treaties that the Hungarian governments signed with neighboring countries failed to include the right to autonomy. This was a major source of grievance for ethnic Hungarians. The Hungarian-Slovak bilateral treaty signed in 1995, for example, included the Recommendation 1201 of the Council of Europe’s Parliamentary Assembly which stated that “In the regions where they are in a majority the persons belonging to a national minority shall have the right to have at their disposal appropriate local or autonomous authorities or to have a special status, matching the specific historical and territorial situation and in accordance with the domestic legislation of the state.” (Article 11) The provisions of the treaty were, however, interpreted differently by the two sides, with then Slovak Prime Minister Vladimir Meciar renouncing the clause referring to the Recommendation and stressing the priority of individual rights in relation to the minorities. All opposition parties including Fidesz rejected the treaty and spoke of the capitulation of the left-liberal government of Prime Minister Gyula Horn. The opposition argued, as it turned out correctly, that there will be no sincere effort on the Slovak side to implement the provisions of the treaty. (Saideman and Ayres 2015, 116, 117) Reacting to the criticism, Horn convened in July 1996, shortly before the Hungarian-Romanian treaty was signed, the first Hungarian-Hungarian summit to demonstrate that the Hungarian government took the opinion of ethnic Hungarians into account in its negotiations over their rights with the countries where they lived. In the end, the treaty with Romania was signed without the approval of the ethnic Hungarians living there. The treaty included the Recommendation 1201 but an annex to the treaty declared that was not to be interpreted as granting the Hungarian ethnic minority "collective rights" or the right to set up autonomous territorial structures based on ethnic criteria. At the summit, Orbán called on the government to support the Hungarian

minorities in their efforts to present their plans for autonomy at the international arena and to give them the right to veto international agreements which affect their lives. He made a proposal that an Autonomy Council be set up with the aim of institutionalizing meetings discussing the subject of autonomy.

One can summarize that Hungary gained little for the Hungarian minorities through the bilateral treaties. Hungarian leaders were subjected to criticism domestically and abroad among Hungarian minority communities. While the bilateral treaties were passed with overwhelming majorities in the Hungarian parliament criticism continued to be voiced. The pattern of passing controversial legislation in parliament with near uninamity repeated itself time and time again and reflects the controversy among Hungarian political camps about the policy toward the ethnic kin.

In the end, the Slovak and Romanian governments failed to implement the provisions on autonomy. The minority protection clauses that were included in the treaties had little affect on the countries`minority policies. (Kántor, 2014) Demands by the ethnic minority for autonomy, particularly territorial autonomy is often regarded “as a convenient tool for the majority to protect ‘their’ state from minority claims and/or the renegotiation of statewide institutional arrangements.” (Agarin and Cornell, 2016:41)

Many home states feel that even regionalization would endanger their sovereignty and territorial integrity. This is reflected in the policy of Slovakia very clearly, where territorial districts were drawn in a way that Hungarian inhabited territories were cut up and pasted to areas where Slovaks were in majority. Thus, not even Hungarians who lived in blocs had the majority to govern themselves. A similar trend has emerged in Romania and the expectations of ethnic Hungarians are that the new regional districts that will be drawn up as part of the administrative reforms will not allow for a Hungarian majority.  

Ethnic Hungarians are still convinced that only autonomy can ensure the ethnic survival of their communities in the long term in the face of the nation-building projects of the majority. Some members of the Hungarian political elite in Slovakia and Romania and in Hungary sought to present positions in public and local administration, economic positions and Hungarian language institutions as the mosaics that make up autonomy. (Bárdi 2016, 31-32) Other scholars point out, however, that autonomy is not simply local self-administration but the sharing of powers between a region and the center on a permanent basis that makes self-government possible. (Thomas, 2006: 5-6)

Some scholars argued that since the titular nations reject autonomy minorities should focus on developing a strong local identity based on tourism and agricultural products. This is, however, not an arrangement that can ensure the national reproduction of Hungarians in the long run. As Miklós Bakk points out “Tourism built on local identity, local industry, the development of services to serve community goals are not possible, beyond a certain limit, without the means that the autonomy regime offers. Only autonomy has the set of tools which are viable in the long run for the development of a community.”42

One argument of ethnic Hungarians is that on the way towards achieving autonomy the creation of strong civil societies is the key for the survival of the Hungarian communities. The example of Szeklerland demonstrates that civil engagement which promotes national symbols can enhance the cohesion of the Hungarian community. In the past 10 years, Szeklerland introduced regional symbols such as the light blue-yellow Szekler flag and hymn. These strengthened regional identity and mobilized the population for the cause of autonomy. The

community drew strength from past traditions and the idea of establishing self-government.  

In Szeklerland and elsewhere in Romania the display of Hungarian regional symbols such as the Szekler flag is often punished. In many cases, the authorities remove the flag and impose fines on those who hoisted it on the ground that the flag served commercial purposes and needed official approval. These measures increased the flag’s popularity a great deal advancing it to a symbol of resistance toward monocultural Romania.

Left-liberal governments pressured Hungarian minority leaders to moderate their demands on autonomy. They stressed the high value of regional stability and pointed out that demands for autonomy, particularly regional autonomy, are rejected even by moderate political parties in neighboring countries. Conservative governments supported autonomy and brought the issue to international forums. In Hungary’s case, there is no de-facto recognition of its role in protecting its ethnic kin as there is between Austria and Italy (de Gasperi-Gruber agreement of 1946) or between the Irish Republic and Northern Ireland. (Schöpflin 2016:9)

Serbia is the only country where sizeable ethnic Hungarians live which grants them cultural non-territorial autonomy and collective rights. Serbia had a tradition of cultural autonomy and collective rights for minorities under the communist regime. (See below) The EU formulated in the case of Serbia the criteria for joining the EU far more clearly than in the case of the previous 13 candidates who joined it. Serbia had to accept the

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43 Interview with Izsák Balázs in the daily Krónika cited in PATAKFALVI-CZIRJÁK ÁGNES REGIO 23. évf. (2015) 2. szám 41-76. + Szimbolikus konfliktusok és performatív események a „székely zászló”1 kapcsán

44 Szilágyi István: Államnacionalizmus és kisebbségi nacionalizmus Romániában in Magyar Kisebbség, 2016 3/4 201-244

45 https://444.hu/2017/01/06/toke-legyozte-a-csikszeredai-csendoralakulatot-lengetheti-a-szekely-zaszlot
minority protection framework of the EC, modify laws on citizenship which entail discrimination and adopt laws against discrimination in general. For the first time, an action plan was worked out with the participation of the minorities which provides a guideline for how minority rights can be implemented most effectively.46

Dual Citizenship and Autonomy

It has been a subject of heated debates among Hungarian experts how dual citizenship influences the chances of the minority for autonomy in their homelands. Pogonyi argues:

“States whose population includes ethnic minorities that are targets of extraterritorial citizenship policies by neighboring states regard extraterritorial citizenship as an obstacle to considering claims for minority autonomy, because they fear that autonomous territories might then be controlled by a foreign state. Thus, it is far from evident that transborder kin citizenship is an effective means of external minority protection.” (Pogonyi 2017: 31)

Gergő Székely István regards the influence of dual citizenship on the chances for autonomy in Szeklerland “ambivalent.” He explains that on the one hand, Hungarian citizenship strengthens the identity of Hungarian minority communities and helps them keep the issue of autonomy on the agenda. This helps Szeklerland in the construction of its regional identity. On the other hand, in Romania as well as in the other countries where sizable ethnic Hungarian communities live Hungarians have always been regarded as security factors, fifth columns.47

Miklós Bakk explains that the reason for the Romanian attitude of suspicion is that “historically Romanian nation- and later


state-building evolved against Hungarian nation-building and Hungarians always provided the enemy picture needed for nation-building. This is a ‘we’ and ‘they’ confrontation identified by leading scholars of nationalism as the constitutive contrast present in the mode of existence of all nations.⁴⁸

According to Székely, key to the reaction to double citizenship is how quickly dual citizenship will spread and become accepted in the region. In recent decades, the acceptance by the Romanian public of dual citizenship has increased. The acceptance was enhanced through Romania’s policy of handing out some hundreds of thousand passports to ethnic Romanians in the Republic of Moldova. Moreover, an estimated 1 million Romanian citizens who work abroad and some of them also acquired a second citizenship.⁴⁹

Surveys indicate that the percentage of those Romanian citizens who had a positive response to the question whether they accepted double citizenship increased from 33,4 percent in 2002 to 58,7 percent in 2012. Another survey found that 69 percent of Transylvanian Romanians approved double citizenship for ethnic Hungarians.⁵⁰

Rainer Bauböck outlined in a study on the effects of dual citizenship three strategies that ethnic minorities can follow towards the state where they live. (Bauböck 2007) One strategy is that the ethnic minority concludes that being different from the

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⁵⁰ Kiss, Tamás (2017) Unrelieved ethnic hegemony but increasing transnationalism? Romanian public perceptions of Transylvanian Hungarian ethno-political claims and Hungarian kin-state policies In. Tom Lantos Institute Yearbook 2016 25
majority is a burden and opts for adapting and assimilating. The second strategy is for the minority to define itself as a “diaspora” whose ethnic interests are represented by the kin-state. The third strategy is that the minority defines itself as a separate political community on the territory of the state where it lives and seeks autonomy. If the latter strategy is adopted, the dual citizenship is counterproductive because it weakens the ability of the minority to integrate in the political community of the state and achieve autonomous status.

Bakk points out that the relationship between the Romanian state and ethnic Hungarians in Transylvania does not fit into Bauböck’s concept. In the debates over autonomy the Romanian elite never used Hungarian citizenship as a reason to reject demands for autonomy. The reason for this is most likely that the Romanian state follows a policy of dual citizenship which is similar to that of Hungary and cannot raise objections to something which it itself practices. In Bakk’s opinion, the view that double citizenship and minority autonomy exclude one another that is those who want dual citizenship must give up their autonomy program is a normative approach that cannot be proven. It is difficult to decide whether dual citizenship or territorial autonomy best serve the general interest of the minority.

Bakk sees the roots of this very normative approach in the view dating back to the 19th century view of citizenship which sees loyalty, identity and territorial authority as tight unit. When this 19th century view is taken as the basis then autonomy in Romania can only be achieved if ethnic Hungarians attain it as Romanian citizens. In his view, the approach in the 21th century is based on the acknowledgement that the unity of loyalty, identity and territorial control no longer exists. New concepts are used to describe citizenship, post-modern, non-territorial,
transnational, “fuzzy” (Fowler 2002), stakeholder which all signal the transformation of the concept of citizenship from the 19th century. One example of the new type of citizenship is the European Union citizenship which allows citizens of the EU to vote in elections in their place of residence. Bakk argues that the Hungarian citizenship of ethnic Hungarians is secondary if they reside in Transylvania or Romania.

Chapter 3.

Nation(alism) Concepts

I deal at length with the history of nationalism because it helps explain how the nation concepts evolved which shape our understanding of nationalism today. The concept nation and nationalism has been discussed by thinkers since the 18th and 19th centuries and various theories emerged that shape the scholarly discourse about it to this day. There is agreement among scholars that nationalism has existed for at least two hundred years and laid the foundations of every European society/state via institutions, laws, and politics. The desire for institutional self-government in a nationally defined homeland is fundamental to all nationalisms. (Brubaker 1996)

Many scholars differentiate between ethnic and civic nationalism and use this dichotomy as one of the conceptual building blocks in nationalism research. Nationalism theories revolve around the concepts of the ethnocultural and civic nation and continue to shape the discourses both in Western Europe and in Eastern Europe. There are differences in the interpretation of the concepts of nationalism and nation in Western and Eastern Europe because of the historical development of the two regions diverged. In the West the state formed around the already existing nation in Eastern Europe
the nation established itself around a state formation. Understanding the conflicting nation concepts is key to explaining the institutionalization of ties to the ethnic kin and the redefinition of the nation.

Most scholars regard nationalism as a modern political doctrine which aims to connect nation, territory and state. The development of the modern state and nation is closely intertwined. There is also some agreement that the concept of nation is central to the development of nationalism because the nationalizing state organizes itself around the concept of nation which it interprets and uses in a way as to engender loyalty toward itself. Key to the existence of nation states is the principle of territorial sovereignty which has dominated the international system since the peace of Westphalia in 1648. This sovereignty has increasingly been questioned through processes of globalization, migration, and regionalization. (Leggewie, 2013) Post-nationalist scholars deem the nation-state as something antiquated and mention the concept national only with the prefixes 'post-', 'trans-' and 'supra-' to indicate the decline of the nation state. As they predict the demise of the nation state, they also detect a crisis of legitimacy around the concept of `nationality´ and of national citizenship. (Pogonyi 2011)

There is no universally accepted definition of what a nation is. Under the “essentialist” branch of the study of nationalism ethnic belonging is an objective category and inalienable and unchangeable part of human nature. Nations are unique and offer a source of stability in the world. The “primordialist” view of this branch regards nations as ancient and natural communities. The individual becomes a member of a nation or an ethnic community through birth and national identity will be his primary identification. The “perennialist” branch of scholarship holds that the formation of national identity preceded the formation of nations. Greenfeld regards nations as timeless historical categories and ethnicity as the most stable form of social organization that has survived centuries. Accordingly, the idea of nationhood and the phenomenon of national consciousness
and its expression in nationalism have appeared in various forms throughout much of the history of literate civilization. Ancient Jews, Athenians, the Middle Ages and sixteenth century England serve as examples of premodern nationalism. (Greenfeld, 1992) (Kántor 2004)

The ethnic-symbolist view of national identity holds a common ethnic past, myths, and symbols rooted in a shared history essential for identity formation and nation-building. (A.D. Smith, 1986, 1991, 1998, Armstrong, 1982). In A.D. Smith´s view, the ethnic myths, narratives and symbols of nations predated nationalism and formed the basis of a common cultural heritage which is unlikely to disappear in the foreseeable future. (Smith, 1987, 1991) In his view modern nations developed from pre-modern ethnic communities, called 'ethnies.' National identity is always tied to a political community, it is made of the historic common territory, common myths and historical memories, common mass culture, common rights and duties, common economy. (A.D. Smith, 1991:14). According to A.D. Smith, nationalism was born out of the nation and became “an ideological movement for attaining and maintaining autonomy, unity and identity on behalf of a population deemed by some of its members to constitute an actual or potential “nation.” (A.D. Smith, 1991: 51) Autonomy, unity and identity play a key role here. (A.D. Smith 1991 72)

At the other end of the spectrum, the “modernist” view of national identity regards nations as constructs of capitalism and the modern nation state. Nationalism is a modern political doctrine which aims to connect nation, territory and state. Ernest Gellner was the first to develop a theory of nationalism and to identify modernization and industrialization as the reasons for the emergence of nationalism. As feudal societies disappeared a new source of cultural cohesion was needed to meet the requirement of the modern age marked by social mobility and competition. (Gellner, 1964, 1983, 1987) (Anderson 1983) National identity was constructed by the nation-building elite, who introduced symbols such as the national anthem, national flag which are accepted by the population and came to
personify the nation. (Hobsbawm and Ranger, 1983). Eric Hobsbawm rejected the idea that nations emerged from historic ethnic communities. In his view, the emerging capital markets helped the creation of nationalism by introducing the myth of common historical roots and establishing the nation. The community which defines itself as the nation has since the French revolution the goal to establish a state on a designated territory which it controls, and which has clearly demarcated borders and a homogeneous population. (Hobsbawm, 1993) The postmodern constructivist strand of research, which dominates the discourse about nations, no longer regards nations and ethnicity as clearly defined real existing entities but rather as “constructed” “contingent” “contested” or “fluid.” (Wimmer 2013) The nation is a socially “constructed” “invented” or “imagined” community of a group of people who perceive themselves as belonging to the same group. The printing of books under capitalism made the construction of the nation possible by creating a common discourse understood by members of the group. (Anderson, 1983).

Rogers Brubaker regards the nation as a discursive construct, defining it “not as substance but as institutionalised form; not as collectivity but as practical category; not as entity but as contingent event” (Brubaker, 1997: 16). According to Brubaker, “nations are real in the sense that individuals perceive, articulate, and identify both themselves and social reality in national terms. Nations are not entities and they do not have an essence. Nations are real because they are imagined, projected, and assumed. The reality of the nation lies in its use as an instrument of political action, legitimation, and mobilization, or as a frame of perception, articulation, and identification.” (Brubaker et al. 2004, 32) (Brubaker 1996, 16) (Brubaker 1994, 3-10) According to other scholars the desire for liberty is the driving force behind nations. The Marxist interpretation regards nationalism is a bourgeois ideology adopted by the ruling class to instill national loyalty to it and keep the proletariat from revolting against its rule. In this interpretation, the definition of the nation has an ideological function and is used by political groups in a way that corresponds to their political interests. Nations can be manipulated by the political elite to establish or strengthen its
power. Thus, each state projects varying things into the concept nation and adopts its own definition of it which means that politics, interests, and power determine how the nation is interpreted. While nations may be regarded as social constructs and nationalism as an ideology used be the political class to manipulate the masses both concepts maintain their relevance in scholarly analysis. The post-national era in which there is no need for nations and nationalism has not arrived yet. (Martiniello 2001) (Hobsbawn 2006) (Edwards 2009) Richard Jenkins warns that “As social scientists we must continue to talk about nationalism in an abstract ideal-typical sense. We can only do so, however, in full recognition of the limitations of such a discourse. The ‘real’ world is full of nationalisms.” (Jenkins, 2008: 167) As Stefan Wolff and Karl Cordell summarize: “Supranational pressures exist, but the apostles of European unity have still not managed to supplant the seductive power of the nation-state. In fact, if anything the debate on the future of the nation-state shows no signs of dissipating in any part of the continent. In a sense, the debate upon the origins of nations is sterile. The doctrine has proven to be so successful that national identity is taken as being a common-sense notion. We have to deal with what that reality is as opposed to what ought to be or might have been.” (Wolff and Cordell 2004:17)

Chances are that nations and nationalism will continue to play an important role in the modern world where people are confronted with the consequences of globalization and migration and increasingly lose faith in the established political parties. Nationalism will continue to be a powerful force of the modern age which is capable of mobilizing people. As A.D. Smith put it: “Belonging to a nation is what fulfills a person or put negatively, without belonging to a nation, one is “lost” or “alienated” in the world.” http://www.e-ir.info/2013/09/03/interview-anthony-d-smith/

Ethnic and Civic Nation

Depending on the view embraced by researchers of nationalism, nations are divided into ethno-cultural or civic or political nations. Under the cultural nation concept, the identity of the national community is substantiated reality based on a common ancestry or culture which forms the basis for the
functioning of the nation as a political community. One is born into the nation and does not become member through requirements of participation in political life. Ethnic identity stems from a common origin inherited throughout generations and as a rule corresponds to the national identity. A characteristic of cultural nations was the high level of ethnic homogeneity and an “organic” character shaped by historical development. Conservatives see a great need for the engagement of the kin-state to help the ethnic kin against the assimilatory pressures of the majority which threaten their existence.

In contrast to the organic character of the ethno-cultural nation, the civic or political nation is conceived as a nation which is imagined and constructed from above. The political concept of the nation derives its legitimacy from the political community not from cultural traditions but from a „social contract” with the state where the place of residence, taxation and the rule of law form the basis of the political community. Scholars argue that under such circumstances ethnicity plays only a secondary role and the concept of nation can be defined as a community of citizens living on the territory of a state. (Bakk, 2007:55) Under civic nationalism, the state becomes a community of citizens held together by a common territory and government. Each person can become a citizen if he accepts the norms of the state regardless of his ethnic origin. It is the citizenship which determines a person’s nationality and entitles the members of the state to social and political participation. The citizens develop loyalty toward the nation state and a modern political community emerges. (Shulman 2009)

In Eastern Europe the nation is as a rule regarded as a distinct ethno-cultural entity. In this region, many nationalities became minorities in their historic native land following wars and the disintegration of empires, the ethno-cultural recognition came to play a key role in the conceptions of citizenship (Kohn 1944,
Meinecke 1962). The dichotomy of civic and ethno-cultural nation received a new boost in the wake of the violent ethnic conflicts in Central and Eastern Europe after the collapse of communism.

The German historian Friedrich Meinecke was the first in 1907 to make the distinction between political and cultural nations. In the German-French debate over the belonging of Alsace-Lorraine, he spoke of the French “state nation” (Staatsnation) and the German “cultural nation” (Kulturnation). (Meineke, 1970)

The Czech scholar Hans Kohn addressed the dichotomy between East and West in his discussion of civic and ethno-cultural nationalism in the aftermath of World War II. Kohn argued that civic nationalism was prevalent in Western Europe while ethnic nationalism was confined to Eastern Europe and to peripheral areas of Western Europe. Kohn presented civic nationalism as “liberal, civic” and ethnic nationalism as “illiberal, ethnic.” (Kohn, 2005 [1944]) Ethnic nationalism came to be identified in intellectual discourses with backwardness. It formed around the ethno-cultural nation in which the governing elite left little room for free expression and social mobility. One was born into the ethno-cultural nation. The civic nation came to be associated with progress. Under civic nationalism, citizens’ loyalty is reserved for the state where they live which in turn provides them protection and equality before the law. Here the governing elite was less suppressive and welcomed technological progress and social mobility. The term civic still appears in the dominant political and social science discourse as something positive as opposed to the ethnic-national which has been given negative connotations. Ethnic nationalism came to be identified with “ethnic nationalists” and civil nationalism with “civic democrats.” (Kiss, 2015:5) (Yack, 1996) The concept of “constitutional patriotism” of Dolf Sternberger or the civic nationalism of Jürgen Habermas exerted great influence among scholars. (Sternberger 1990, Habermas, 1992) Sternberger and Habermas developed the concept of “constitutional patriotism” against the background Germany’s involvement in
World War II. The idea behind “constitutional patriotism” was that Germans should identify with Germany’s constitutional system instead of the German nation which had brought them war and destruction. Under this concept, the development of a European identity was preferred to the German identity.

The Czech historian Miroslav Hroch also stressed the role of social transformation, such as mobility, communication and education in the different development of nations in Western and East-Central Europe. He argued that Western nations were products of a long process of nation-building that reached back to the Middle Ages. When national movements formed around 1800, they took place under constitutional conditions and at a time when capitalism began to take roots. Nationally relevant conflicts could find an expression in political terms. This promoted the development of well-functioning democracies in Western Europe and a high legitimacy of the state.

In contrast, in Eastern and South-Eastern Europe nation-building began around 1800. The elite groups mobilised the nation around ethnicity before the state was formed, and the ethnic origin (ius sanguinis) principle was given priority. Membership in the nation was defined in ethno-cultural terms, taking common descent and heritage as its basis. (Hroch 1985) Mobilisation around ethnicity was necessary to achieve national independence from the empires in which the nations were incorporated. In Hroch’s view, in East-Central Europe the elite groups lacked the political experience and could only articulate conflicts in national categories. (Hroch 1985)

Most scholars agree that no states exist which embody the idea of pure civic and ethnic nationalism. There are no examples of states which can be regarded as purely political nations and are ethno-culturally neutral. The criteria of civic nationalism are difficult to fulfill even in Western countries. (Shulman, 2002)

Studies indicate that nationalism also plays a key role in the citizenship policies of Western nations and that the distinction
between the Western “political” nation and the Eastern “ethnic” nation is exaggerated. The two prime examples of civic nationalism, the United States and France, have many cultural features which promote the assimilation of minorities which would place them in the ethnic-cultural category. (Harris, 2009: 172-5).

Brubaker finds the dichotomy between ethnic and civic nation misleading since “the social ontology that leads us to talk and write about ethnic groups and nations as real entities, as communities, as substantial, enduring, internally homogenous and externally bounded collectivities.” Since groups and nations are not real entities, nationalism is mainly the object and product of the symbolic struggles of the political elite who seek to secure political, economic and cultural gains. (Brubaker 1998:292)

One can agree with Joppke who concludes that: “All nations are fundamentally defined by descent and origins; which makes them different from, say, class, age, sex or lifestyle as alternative (and often competing) forms of allegiance and group organization. Conversely, all nations have a `civic element, because they are by definition an association of strangers that transcend the immediate kinship nexus. Nevertheless, a ´civic nation” as being voluntary and contractual only, without reference to origins, is a fiction, meaningful only in the polemical contrast to the ´ethnic nation´.” (Joppke 2005:17)

Legacy of Communism

Under the official rhetoric of Socialist Internationalism, the national question was not allowed to be discussed in the communist bloc. Nationalism was, however, present in the home states where ethnic Hungarians lived. A prominent example is Romania which experienced a large dose of nationalism under communist leader Nicolai Ceausescu. The experience of
nationalism under communism shapes the relationship of the populations of these countries to national ideas to this very day.

The communist government of János Kádár was the only government in the region which did not pursue a nationalist policy. (Gyurgyák, 2007:291–385). It avoided public discussions about the issue of the nation and was silent about the existence of nearly 3 million ethnic Hungarians in neighboring countries. The Hungarian nation was reduced to those who lived in the country and was defined along the political criteria of citizenship and residence in Hungary. Generations of Hungarians grew up who were not aware that Hungarians lived in neighboring countries. This legacy still influences the views of the public and of the political camps. (Kiss, 2015)

The 1956 uprising was widely interpreted in the region as a Hungarian national answer to Soviet domination. (Verdery 1991: 122) Following the uprising, the Kádár regime begun to promote “socialist patriotism” which involved loyalty to the regime in exchange for higher living standards. Material well-being gained priority over national sentiment and shaped the attitude of the Hungarian population toward the ethnic kin for decades to come. Those few who dared to take up the issue of ethnic Hungarians in the 1970s and 1980s were condemned as backward nationalists.

While in the late 1980s and the 1990s the situation of ethnic Hungarians beyond the borders increasingly became a topic of discussions no consensual concept of the Hungarian nation emerged. The Kádár regime adopted an “antinational” or “anti-ethnicist” attitude that condemned symbolic politics and national rhetoric. Individual rights and the right of association were considered adequate for minorities to articulate their interests. This attitude continued to be embraced by the left-liberal political elite in the post-communist era. (Bárdi, 2004, 2013)
conservative side adopted a “national” attitude that advocated collective rights for minorities which encompasses cultural autonomy and sought to unite Hungarians across the borders through integration in the EU. The two contrasting “antinational” and “national” attitudes were able to prevail and shape the kin state policies of the various Hungarian governments since the democratic transformation because they ran parallel and created cohesion in the respective political camps. The cleavages that historically existed between the political camps around the concept of nation deepened. (Bárdi, 2004, 2013) The national and antinational approaches excluded each other and the two large political camps failed to find a common language. This caused a “huge deficit in political identity” especially against the background of the Kádár regime’s policy of avoiding speaking openly about the minorities.51

In contrast to Hungary, in most of the home states there was no controversy between the political camps over the concepts of ethnocultural and civic nation. The political elite reached a minimal consensus over the concept of the nation and kin state policy. Here the debates over how to support the ethnic kin were of a technical nature and hardly touched upon the national self-definition of the state.

In Romania, for example, the government’s kin-state policies including dual citizenship enjoy the support of most of the academic community as well as of the major political camps. Romanian scholars as a rule do not present double citizenship and voting rights for Romanians in Moldova as a source of tension in bilateral or international relations. They tend to

51 Túl a kásahegyén – beszélgetés Bárdi Nándor történésszel 1-2 Erdélyi Riport 2012, September 3, September 7
https://www.academia.edu/8841256/T%C3%A9l_a_k%C3%A1sahegyen_1-2._Erd%C3%A9lyi_Riport_2012._szeptember_3._szeptember_7
http://vs.hu/kozelet/osszes/a-diskurzus-nem-a-kulhoniatrol-szol-interju-bardi-nandor-tortennesszel-1205#!s2
emphasize the civic features of Romanian legislation toward ethnic Romanians abroad and regard the majority nation as one of the ethnic groups that rightfully dominates the major fields of life. (Kiss, 2015)

Development of Hungarian Nation Concepts

To understand the nation concept that the government bases its policy on and the reactions to it from the opposition one must reach back to the historical development of nation concepts in Hungary. The dispute over the relationship of the state and the nation has a long tradition in Hungary and still plays a key role in the conflicts between the Hungarian political elite.

Both the ethno-cultural and political concepts of the nation were present in Hungarian history. In medieval Hungary, the community of the nobility expressed in the Latin term *natio Hungarica* encompassed not only ethnic Hungarians but also other nationalities. This arrangement meant that belonging to the community was more important than nationality. (Egedy 2013) (Halász, 2013 :152) (Gyurgyák, 2007:533)

As part of the Habsburg Empire Hungary was not a sovereign state and had to rely on Vienna for maintaining law and order. As the Hungarian elite sought independence from the Habsburg Empire it turned to liberalism and the political concept of the nation as the guiding principle. The 1867 Austro-Hungarian Compromise gave Hungarians the chance to fulfill their key aspirations. (Egedy HR, 2013) The loss of its territory following the treaty of Trianon presented a great trauma for Hungary. As Hungary aimed at regaining the lost territories it used the cultural concept of the nation under which the common culture determined membership in the nation. During World War Two some of the territories that were part of Hungary during the Austrian-Hungarian monopoly briefly returned to Hungary.
The roots of the current debate over the identity of the nation go back to at least the beginning of the 20th century when intellectuals became divided over the direction that the development of the country should take. At that time, two major groups of intellectuals saw Hungary as a country that vacillates between the East and West (after the poem by Endre Ady entitled Komp Ország (Ferryboat Country). This double identity has played a key role in the constitution of a Hungarian national self-identity and reflects the discourse about East-Central Europe. (Szűcs, 1983). These intellectual groups were able play a central role in defining the concepts of the nation because in Hungary and in Eastern Europe the intellectual elite played a greater role in nation-building than in the West. Intellectuals, especially writers and poets, often perceived themselves as the voices of the nation who expressed the common heritage and took a preeminent role in national struggles for independence.

In the 1920s, Hungarian intellectuals formed around two political camps the ‘urbánusok’ and ‘népnemzetiek.’ The national [‘népnemzeti’] camp holds national traditions in high esteem while the urbanite camp [‘urbánusok’] stresses the importance of cosmopolitan values and models for Hungary’s development. This division between the two camps was maintained during the communist period and was even used by the authorities, in the first place by György Aczél who oversaw cultural policy until the late 1980s and was taken to fomenting controversy. Since the initial stage of party formation in the 1990s, Hungarian oppositional forces defined their distinctive identities by reaching back to the traditions of the 1920s and of the communist era. The two political camps interpret Hungarian history and the role of their respective camps in it very differently. The concept of nation is regarded either as constructed through social discourse or as a social bond which plays a role in the institutionalization of ties. The term “classification struggle” has frequently been used to describe the conflict over national identity. (Kiss, 2013) (Bárdi, 2018)
The Hungarian left sees left-wing tradition as the embodiment of modernity and West European progress and brandmarks conservatives as backward looking and authoritarian. Hungarian conservatives reject this. The right wing is convinced that the left wing has a limited notion of what it means to be Hungarian and what the interests of the Hungarian state and society are because it is oriented toward universal values. The right wing believes to have a deeper understanding for the needs of the Hungarians living in the countryside and is convinced that the Hungarian peasantry has virtues that could benefit the entire nation.

Nation building is one area in which the views of the conservative and left-liberal political camps clash. According to the conservative view, nation-building includes all the regions where Hungarians live regardless of borders. The Hungarian nation is divided by two borders which are to be bridged. The internal border between the political camps and the external state borders. The latter can be superseded spiritually. The goal is the creation of a Carpathian Basin which builds a unified economic, cultural and political entity with Budapest as the center.

According to the left-liberal political camp, there is no unified Hungarian nation with Budapest at the center. The Hungarian communities outside Hungary developed since 1918 in different ways. Except for 1940-44 there were no common historical experiences involving Hungary and the Hungarian minorities. According to this view, there is no common history between Hungary and the Hungarian minorities and the current borders form the basis of the Hungarian-Hungarian relationship. (Lörczcz 2010:145)

A summary of the Hungarian concept of political nation as it applies to ethnic Hungarians across the borders is the following. “The key aspect is that, there is no Hungarian nation which is cut through country borders. If we treat the nation as a political category then there is only one Hungarian nation: the community of Hungarian citizens who live together. If anyone
According Egry, the citizens living in Hungary are members of a “republic” which developed historically and its “borders are basically defined by the common affairs about which common decisions have to be made.” Consequently, the “republic” distinguishes at least on a theoretical level among those who live on the territory of the state and have the right to decide about common affairs and those who do not have these rights.” (Egry, 2010:159-160)

Egry declares that ethnic Hungarians abroad “are under no circumstances fully fledged members of the `republican´ community since they are tied to Hungary through far fewer common interests than those living in Hungary while a number of common interests bind them to the state and its citizens where they live.” Egry calls on individual ethnic Hungarians to join the community of the “republic” by moving to Hungary and taking on the responsibilities of citizenship. Egry concedes that the concept nation and nationalism is far more cable of mobilizing the masses than the concept of the “republic” because it has an emotional element that is missing by the rational considerations of the “republic.” (Egry, 2010 165)

Egry estimates that the number of people who embrace the mentality of the ´republic´ is very small and the “number of those who are proud of it is even fewer.” (Egry, 2010 162, 166)

Leading Hungarian scholars also favor the political nation concept and point to the the desirability of looking at West-European traditions. György Csepeli warns that “if common history, national myths, symbolic national consciousness, the

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exclusiveness of language and culture build the basis of national pride this does not promote the acceptance of strangers.” In contrast, under civic nationalism or “constitutional patriotism” national pride is based on “modern community values, economic success, general prosperity, social solidarity, political openness and is guided by principles that guarantee the rule of law and the rights of minorities.” This type of nationalism produces “a national feeling that is already open toward foreigners, is inclusive and tolerant which opens the way toward a new conception of the nation.” (Csepeli 2017, 88) Csepeli opts for the “redefinition of the nation in the 21st century…in order to create an open, inclusive and multicultural Europe.” He admits that for the redefinition to be successful “deeper structural and sociopsychological changes are also needed which are capable of overcoming the rejection of minorities and groups who have different ethnic and cultural roots.” Csepeli regrets that cultural differences show no sign of disappearing and “new cleavages are created between different religious and ethnic groups as well as cultural differences between the traditional nation concept and the concept of Europeanism.” (Csepeli, 2017:89).

Margit Feischmidt also supports the “post-national condition of Habermas, the multicultural nation, the new contents of patriotism in a multicultural environment.” She criticizes “the debate about citizenship as the newest attempt at the redefinition of the nation while the civic contents of the citizenship are not being discussed.” According to Feischmidt, “Hungarian citizenship is empty compared to these, the new Hungarian citizens vote practically out of a gesture of thankfulness, most do not think of those citizens who live in Hungary who are not Hungarian, questions of civic consciousness and activism seem to interest only scholars.” Here, Feischmidt was referring to immigrants aspiring for Hungarian citizenship who live and pay taxes in Hungary but were not affected by the law.53

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Debates Over Identity

Hungarian history is characterized by conflicting interpretations of the concept of national identity. The historian Gábor Egry summarizes the controversy as follows: “who, how and why are they members of this community?” (Egry, 2010:159) As a rule, changes of regime brought with them new interpretations of the identity of the nation which made it difficult for the political camps to reach consensus over the interpretation of historical events. Egry explains the great differences in political identity between Hungarian political camps-through their “very deep roots in Hungarian society. Prejudices inherited about the other political side and the differing traditions of history draw not only very distinct dividing lines but also place a person in a political camp. The very different interpretations of history, especially the 20th century history, make the creation of common traditions very difficult. While the interpretation of history is a permanent feature of the national narrative construction, the things that are remembered and how they are remembered is determined by the issues of today.” (Egry, 2010, 175) Ildikó Szabó points out that “It is the particular heritage of Hungarian political culture that questions of national identity were in each political era intertwined with questions of political identity. Hungarian national identity had neither in the era of the party state nor after the change of regime acquired a pattern based on social consensus …The concept of the nation as a democratic political community was also not formulated after the change of regime.” (Szabó 2002:16)

Hungarian party competition thus revolved not around social issues but around the notions of nation, identity, and the past which had different meanings for the two major political camps. Herbert Kitschelt argues in his highly influential work that in Hungary and Poland the intellectual elite had little chance to deal with the historical divisions because social modernization was delayed and forced modernization was carried out under communism. While in the West the main dimension of party
competition takes place on the socio-economic left-right in Hungary the socio-cultural left-right is decisive. (Kitschelt et al. 1999) (Oltay, 2013 42-53)

The conservative camp interprets the revolution of 1956 as anti-communist uprising while the left liberal camp emphasizes that many participants fought for leftist values. Trianon and history after 1945 are also interpreted differently. (See below)
The left liberal wing reproaches the right wing for using “stereotypes such as responsibility for Trianon, anti-national… to prevent viewing the organizing left-wing as a political partner or a legitimate member of the nation. Such ideas were reinforced when the left wing aimed at restructuring the political community when it came to power in 1919 and in 1945.” (Egry 2010, 175)

Different Interpretations of Trianon

The issue of Trianon and the ways it can be dealt with highlights the very different interpretations of history, especially 20th century history, of Hungary’s political camps. As the historian Egry puts it: “In the 20th century there are hardly any events in Hungarian history which everyone could accept as his own without questioning the legitimacy of the interpretation of the other side. Thus, while the right wing can accept the first half of the century even if was part of the national tragedy /Trianon/ the left wing at most tolerates it and cannot accept it as a tradition. While for the right wing the period after 1945 is history that went amok the left wing regards it as a period whose events, regardless whether in a positive or negative way, shapes the Hungary of today.” (Egry 2010:174) The historian, András Gerő comments that the Hungarian right-wing continues to dominate the discourse about Trianon because “Hungarian liberalism, the
Hungarian left-wing has hardly anything to add to the subject Trianon which is a very big problem.” 54

Historians opine that Hungarian public opinion had no chance to deal with the loss of territory incurred through Trianon. Many important places of national heritage that served as the common remembrance of Hungarian history lie outside Hungary. As the historian Balázs Ablonczy puts it: “The treaty of Trianon legitimized such an enormous loss of territory that pushed such a large part of the nation outside the borders that neither the rationality of science nor politics could help public opinion process it.” (Ablonczy, 2010:6) The historian Ignác Romsics expressed the view twelve years ago that it would in the long run help to process the national trauma of Trianon if the legal status of Hungarians abroad would be settled. 55

Until 2010 the Hungarian state did not initiate commemorations about Trianon. The first democratically elected parliament commemorated Trianon with a minute of silence an event which was very controversial at the time among the opposition parties. Fidesz, a liberal party at the time, walked out of the commemoration because it objected that the House Speaker failed to consult the parties before calling for the commemoration. After that the civil and political organizations who remembered the 4th of June were as a rule associated with the radical right. The most spectacular commemorations were held by the radical youth organization Sixty-Four Counties Youth Movement named after the 64 counties Hungary had before Trianon. The Movement openly called for the revision of the Trianon treaty. http://www hvim hu/mozgalomrol In recent years the radical right party Jobbik organized commemorations throughout the country. (Feischmidt 2014: 67) Jobbik which became the third largest party in parliament in 2010, 2014 and 2018 has

54 András Gerő “Nemzeti tragédiából emléknap? From national tragedy to a day of commemoration? ATV Start 5 June 2014

55 “Hogyan Tudnánk Feldolgozni Trianont?” Inforádió, 4 June 2006. a nemzeti trauma feldolgozásához hosszú távon a határon túli magyarság jogi státuszának rendezése erőteljesen hozzájárulhat.
sought to present itself as the representative of the interests of the ethnic kin. The government, however, took the wind out of Jobbik’s sails by granting ethnic Hungarians citizenship and commemorating Trianon. In the 2014 parliamentary elections, Jobbik received only 2% of the votes of ethnic Hungarians abroad while Fidesz gathered some 95%.

There is one museum which is devoted to the topic of Trianon, the Trianon Museum in Várpalota 90 kilometers from Budapest which opened to the public in 2008. The museum seeks to show the natural, historical and cultural values of the Carpathian Basin, the demographic and economic conditions prior to and after the Trianon Treaty. The museum has not been able to establish a reputation for itself among the historical museums and has in recent years become even more marginalized as an increasing number of monuments to the memory of Trianon were inaugurated. (György, 2013:193)

There is also a Trianon Foundation established by historians in 2007 and publishes since 2009 the journal Trianon Survey. The Survey is published irregularly and ceased publication for one year because of lack of funds.

The memory of Trianon still has a strong presence in the neighboring countries where ethnic Hungarians live. For the home states Trianon was a huge territorial gain and or the basis on which they built their national state. The suspicion that Hungary’s engagement for its ethnic kin is motivated by the desire to revise the borders is still alive in neighboring states where Hungarian minorities live. Suspicion toward the intentions of ethnic Hungarians plays a major role when the home states reject the minorities’ demands for more extensive minority rights.

56 http://www.valasztas.hu/web/national-election-office/24
57 http://varpalota.utisugo.hu/latnivalok/trianon-muzeum-varpalota-87639.html
58 http://tortenelemportal.hu/akta/trianoni-szemle
59 http://archivum.magyarhirlap.hu/belfold/meg_is_szunhet_a_trianoni_szemle.html
for example through territorial autonomy in Transylvania. (Brubaker, Feischmidt, Fox 2008 346-347, 349, 379) This is the case although no major Hungarian party supported the idea of revising the borders since Hungary regained its sovereignty following the democratic transformation. All Hungarian governments also made clear that they sought to “virtualize” the borders through integration in the European Union.

From Mosaic to Unitary Nation Concepts

The writer Sándor Csoóri and the head of the World Federation of Hungarians (1991-2000) imagined the Hungarian communities in neighboring countries as a “mosaic” which had common roots in Hungarian culture. He helped set up the Duna television satellite channel for Hungarians abroad whose aim was to present a whole view of the “mosaic nation” and to help preserve the language and culture of Hungarian co-nationals abroad. (Görömbeli 2003) 60

Those who viewed ethnic Hungarians as part of the unitary nation favored the institutionalization of relations between them and the kin state. The Hungarian politician from Slovakia Miklós Duray advocated that the ethnic kin receive the individual right of citizenship in order to be able to participate in Hungarian nation-building.61

Current Hungarian Parliamentary President László Kövér emphasizes the unitary nature of the Hungarian nation and favors including Hungarian co-nationals in the Hungarian political nation by giving them voting rights. Kövér branded the idea of “szétfejlődés,” the divergent development of the Hungarian nation, as a “policy of national disintegration”

60 http://hvg.hu/kultura/20150201_Csoori_Sandor_85_eves

61 http://vs.hu/kozelet/osszes/a-diskurzus-nem-a-kulhoniatrol-szol-interju-bardi-nandor-tortenesszel-1205
promoted by the left liberal elite. “They explained that it is impossible to have national policy because there is no nation thus, such a policy lacks a subject,” Kövér remarked. The designation “Hungarians from abroad” was in his view an attempt to deprive ethnic Hungarians from the feeling of belonging to one “Hungarian community of fate.”

At the other end of the spectrum, the argument is made that ethnic Hungarians who found themselves in neighboring countries after the Trianon Treaty of 1920 developed in a way which tends to divide rather than unite them. The national identity of ethnic Hungarians living in neighboring countries is influenced by the culture of their country of birth. Ethnic Hungarians are as a rule bilingual and are used to an environment where two cultures and languages meet. At issue is whether the minority communities want to be recognized as autonomous communities whose identification with the homeland, with regional communities in Transylvania, Serbia Vojvodina, and Ukraine Subcarpathia has priority over belonging to a unitary Hungarian community.

László Szarka argued that one cannot speak of a unitary nation because since Trianon Hungary and the Hungarian communities abroad developed in a way which diverged to a great extent and led to significant differences between them. He embraced the idea of the mosaic and the “contractual nation” under which the individual nation parts would enter into a contract with each other and determine which are the common affairs and responsibilities of the nation. Szarka defined the next goal as the institutionalization of the cooperation between the nation parts and the achievement of autonomy to enable the democratic election of minority representatives and empower them to implement the common decisions. (Szarka, 2007)

62 http://mno.hu/migr_1834/mi_resz_belolunk_magyarokbol-239088
Hungarian President László Sólyom also rejected the idea that a unitary Hungarian nation exists. He wanted that the Hungarian minorities make the key decisions about the strategies they employ. Sólyom stressed that kin-state policy should consider “on the one hand, the indispensable role of the kin state, on the other hand, build upon the independence and strategies of the ethnic kin themselves. That is Budapest does not guide a unitary /nation/ of so-called Hungarians abroad. Such does not exist. Hungarians have several centers, and these have to be institutionalized while building the Hungarian cultural nation.”

Erika Törzsök also rejects the idea of a unitary nation and represents the liberal position toward the ethnic kin. Törzsök imagined the Hungarian communities abroad as a “colorful folk weave” who are basically separate and organize themselves on a rational basis. Törzsök had a decisive say about the policy toward Hungarians abroad during the governments of Gyula Horn, Ferenc Gyurcsány and Gordon Bajnai. She advocated programs that would strengthen Hungarian communities economically through developmental programs, cross-border cooperation, programs funded by the European Union. The funds needed for such an economic revival were, however, not available and support for ethnic communities continued to take place through agreements and deals between the political elite.

**Interpretations of Ethnic Identity**

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The concept of ethnic identity and ethnicity is just as contentious as that of the nation. Some scholars regard ethnicity as something constant which each individual and national group has, while others point to the changing and constructed nature of ethnic identity based on the myth of common ancestry. (A.D. Smith 1991). Other scholars regard ethnicity as an umbrella concept for several identities that encompasses all “races” “tribes” “castes” and “minorities.” They argue that the umbrella concept is warranted since it is impossible to distinguish between ethnic characteristics and those which are related to other social dimensions for example, religion, culture and language. (Horowitz, 1985) (Max Weber [1922]/1968) (Chandra, 2005) (Wimmer 2013) Such generalization does not help in the analysis of ethnic Hungarian minorities which have a strong national consciousness and seek to maintain their parallel societies in the home state and have institutional ties to the kin state.

There is some consensus among scholars of sociology and anthropology that ethnic identity involves a process of “knowing who we are, and who others are” and plays a key role in how people relate to each other (Jenkins 2000:6). As Richard Jenkins puts it: “If ethnicity is imagined, however, it is anything but imaginary. It is ‘real’, in that people orient their lives and actions in terms of it, and it has very definite consequences.” (Jenkins 2000:6) According to Fredrik Barth, “ethnicity is a set of delineated boundaries between neighboring groups, and individuals who are primarily concerned with maintaining these boundaries in order to explain one’s identity, often in a relative, comparative manner.” (Barth 1969: 15). Boundaries play a key role in maintaining the ethnic identity of groups. As George Schöpflin puts it: “every identity includes and excludes and will establish mechanisms for attaining this.” A community has a collective identity and “will seek to secure its own existence over time and, therefore engages in cultural reproduction using a variety of instruments to secure its future.” Accordingly, “Communities construct boundaries and filters to maintain ethnic identity and sustain the community. Boundary markers are part of the cultural matrix of a community and have the task
of including and excluding at the same time. They inform members about what is acceptable or unacceptable in the community. There are an infinite number of boundary markers including diet and dress codes, but language is by far the most important.” (Schöpflin 2001:1)

Ethnic identity is usually regarded as something cultural related to a common language and traditions. It is generally accepted that ethnic identity is constructed through complicated processes of socialization, language, collective history. Often the creation and reproduction of national or ethnic identity is identified as the major goal of nation states. The strong institutionalization of national identities reflects this goal. Educational institutions decide the ethnic identity of children when they teach them early on the national language, national symbols, and national history. Numerous studies show the major role that institutions play in shaping national identity. (Kántor, 2010 66)

Ethnic Identity in Eastern and Western Europe

As I showed above, in Eastern Europe, ethnic identity has historically played a crucial role in nation-building. The nations of Eastern Europe were often parts of empires and dictatorships and had a tradition of holding on to their ethnic identities and refusing to change national allegiances. They regarded the revival of ties to the ethnic kin as part of the invigoration of the nation. (Harris, 2009: 172-5). (Hobsbawn 2006, Conversi 2017) “During the entire process of institutional consolidation in post-communist Europe, ethnic identity remained an unchallenged and central marker for delimiting groups from one another and in identifying individuals’ potential allegiance to the state and, as a result, eligibility for accessing scarce resources.” (Agarin and Cordell, 2016, 37)

In contrast to Eastern Europe, the ethnic identity of most Western European populations is weak. Here ethnic identity
was shaped by the non-ethnic stance derived from the political or civic concept of the nation as a group of people living together on a territory regardless of nationality. A growing number of Western nation states allowed migrants, many of the from their former colonies, to become naturalized citizens based on extended residence and/or birth in the country rather than filiation. (Kymlicka-Opalski 2001) This contributed to the erosion of the ethnic identity of the majority and prepared the way for a multicultural and post-national society. (Leggewie 2013)

In Hungary but also in other countries of East-Central and Eastern Europe, attitudes to the migration crisis of 2015 showed very clearly the differences between the nation concepts in the two parts of Europe. East European countries had no colonies and no experience with migration from outside Europe. The ethno-cultural nation concept they embrace includes co-nationals and excludes migrants. The policy of the Hungarian government to stop the flow of migrants by erecting a fence and introducing strict border controls was based on the ethno-cultural nation concept. The government’s view was that the border was a prominent marker of sovereignty and nation states had the right to decide who enters their territory. The Fidesz government also regarded the massive inflow of migrants as a threat to the ethnic and Judeo-Christian character of Hungary and of European nations. It also used the argument that migrants would take away jobs from Hungarians and burden the Hungarian social system which was reminiscent of the slogans used by the left-liberal government which successfully whipped up feelings among the Hungarian public against the ethnic kin. The oppositional left-wing political camp first denied the presence of migrants and then joined the Western criticism of the government for taking measures to prevent their entry into Hungary. Hungarian opinion surveys and a referendum showed, however, that the overwhelming part of the Hungarian population supports the government’s policy toward migrants. Most opposition political parties began to acknowledge that the border fence was needed.  

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At the same time, many Western political parties began to increasingly question the open borders policy which allows the unrestricted entry of migrants into the EU. This was a reaction to the change in the ethnic composition of the populations and the problems encountered by the integration of migrants whose cultural traditions differed from that of the majority. It was debated whether ethnic identity was not only something acquired by learning a language and attaining citizenship but also entailed sharing a common ancestry. Increasingly the relationship of the nation and the state was reevaluated, and dissatisfaction voiced over how West European democracies functioned. Support grew for political parties which spoke up against migration and the de-ethnicization of the majority population. (Cordell 2015:11)

**Views about national identity vary across Europe**

% of people above or below the EU median on a four-question scale*

<table>
<thead>
<tr>
<th>Country</th>
<th>Above EU median</th>
<th>Below EU median</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hungary</td>
<td>66%</td>
<td>14%</td>
</tr>
<tr>
<td>Greece</td>
<td>83%</td>
<td>17%</td>
</tr>
<tr>
<td>Poland</td>
<td>83%</td>
<td>17%</td>
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<tr>
<td>Italy</td>
<td>70%</td>
<td>24%</td>
</tr>
<tr>
<td>UK</td>
<td>59%</td>
<td>41%</td>
</tr>
<tr>
<td>France</td>
<td>40%</td>
<td>59%</td>
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<tr>
<td>Spain</td>
<td>48%</td>
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<tr>
<td>Netherlands</td>
<td>41%</td>
<td>59%</td>
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<tr>
<td>Germany</td>
<td>40%</td>
<td>59%</td>
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<tr>
<td>Sweden</td>
<td>25%</td>
<td>75%</td>
</tr>
</tbody>
</table>

*Attitudes are measured using an additive four-item index ranging from 4-16, with 16 representing the most exclusionary attitudes. The questions included in the index ask about the importance of national identity of being born in the country, being able to speak the national language, belonging to the dominant religious denomination of the country and sharing customs and traditions of that country. The EU median on the full scale is 12. (See Appendix A for more details.)

Source: Spring 2015 Global Attitudes Survey, Q85a-d.

**ETHNIC RESEARCH CENTER**

Ethnic Identity of Hungarian Minorities
The ethnic identity of Hungarian minorities was strongly shaped by the fact that the territories they inhabited were part of the former Hungarian Kingdom and that they found themselves on the territory of neighboring countries as the borders moved around them. Ethnic Hungarian communities became “coerced communities” because even though they never left their homeland they were transformed from the ethnic majority into ethnic minority communities against their will. (Bárdi, 2013)

Those Hungarian nationals who opted to stay in their place of birth instead of immigrating to Hungary were divided between the territories of the newly established states and experienced pressures of assimilation from states which sought to establish their identity by forcing the dominant culture on national minorities. This treatment strongly influenced their identity and national aspirations. Hungarian minorities did not develop substantial loyalty to the states where they lived, and their history was marked by struggles to survive as national communities. (Szarka 2005: 94-95)

Ethnic Hungarians in neighboring countries view Trianon from another perspective than Hungarians in Hungary. For them Trianon entailed not only the loss of territories, it meant their transformation into minorities in their fatherland and putting them at the mercy of the majority that sought to assimilate them.

For ethnic Hungarians minorities national identity played a key role if they were to survive and reproduce their culture. They are reminded of their ethnic identity in their quotidian struggles over ethnicity, for example, when they make the decision whether to speak Hungarian in public and risk disapproving comments from the majority. As Pogonyi puts it: “In the minority context, the national language or the display of national symbols have stakes – they are potential political acts, as local majorities are likely to interpret them so. Thus, even everyday routine involving cultural choices require some deliberation and even vigilance.” (Pogonyi 2017, 148)
The concept of nation has a special meaning to ethnic Hungarians in neighboring countries because they are part of the ethnocultural Hungarian nation and are also part of the political nation of their home countries. Ethnic Hungarians do not fit into the political concept of the nation which identifies people living on the territory of a state with the citizenship and nationality of that state. Espousing the political concept of the nation means in the case of ethnic Hungarians in neighboring countries that they are not allowed to decide based on their cultural heritage whether they are Hungarians others decide for them what they are based on their citizenship. Öllös points out that if the political view of the nation is correct Swedes in Finland, Catalans and many other nationalities exist only as part of the political nations where they live and their minority rights have no foundation. Yet nationalities have rights in most countries of the European Union. (Öllös 2006:172-173)

State President László Sólyom addressed the question of the coexistence of ethnocultural and political concepts of the nation. He stated that “The existence of cultural nations is a fact. These communities are independent of state borders and citizenships but respect these since their goal is not to unite in a single political nation. What they need is that the political nations of which they are citizens make it possible for them to live and prosper as a unified cultural community as well as to maintain strong ties to their co-nationals in other countries. The coexistence of the two types of nation concepts, and the possibility for members of the nation to live accordingly, is the guarantee of European stability.”

Ethnic Minority and Civic Majority?

Rogers Brubaker’s book about relations between the ethnic majority and minority in the city of Cluj (Kolozsvár) examines ethnic relations. The book labels the minority as “ethnic” or

66 http://www.felvidek.ma/felvidek/cikk/22513
“marked” because it diverts from the mainstream and regards the majority nation as “unmarked” because it corresponds to majority expectations. The majority is regarded as the mainstream since it has no need to continuously point to its ethnicity. As Brubaker explains: “The normative cultural homogeneity that everywhere accompanies the rise of the nation state marks as minorities those that do not share the dominant culture; at the same time, it “unmarks” and de-ethnicizes the dominant culture.” (Brubaker and Feischmidt 2008:19) However, when minorities organize demonstrations to protest restrictions in the use of the minority language, they demonstrate that the “unmarked” majority culture behaves in an ethnic way. (Kiss 2013).

The premises of the book are that Hungarians and Romanians get along very well in everyday life and the ethnic entrepreneurs the political elite are the ones to stir up tensions. This is in line with the theory of “national indifference” and of “banal nationalism.” (Zahra, 2010) (Billig, 1995) (Fox, Jon E.; Miller-Idriss, Cynthia, 2008) Levente Salat the vice dean of the department of political science of the University of Babeș-Bolyai Tudományegyetem in Cluj Kolozsvár commented that while this is true in some cases, relations between Hungarians and Romanians are basically subject to tensions because the status of the minority and majority is asymmetric. In Salat’s view, the book illustrated that the “unmarked” dominant Romanian culture affected everyday interactions between Romanians and Hungarians even if these were in many cases not experienced in ethnic terms. The book documented that the two communities were able to maintain ethnic peace because they developed strategies of coexistence which systematically ignore the discussion of controversial questions in Hungarian-Romanian ethnic relations. Salat points out that Hungarians and Romanians frequently use jokes when they socialize to avoid talking about sensitive questions
concerning their relations. The asymmetry of power between the majority and minority means that cooperation of the two groups is possible certain fields but in the struggle for political power the national or ethnic character of both comes to the fore. (Bárdi 2018)

The ethnicity of the majority nation tends to be considered civic even if it follows the ethnic goal of assimilating minorities. “The minority is condemned for being ethnic and retrogressive, while the majority is rewarded for behaving in an ethnic fashion because majority ethnicity is seen as civic and thus as a force for stability.” (Schöpflin 2004:219)

When the “civic” majority state rejects the institutionalization of ethnicity by referring to the neutrality of the state it automatically strengthens the majority culture and puts the minority at a disadvantage. The home states act as the protector of the interests of the majority nation as they seek to enhance the nation-building of the majority at the expense of the minority. They seek to create a homogenous nation and can be described as “ethnic democracies” since they extend civil and political rights to those who live on their territory, but the titular nation dominates the state and uses it to give its members a privileged status. (Smooha 2001:7) In nationalizing nation states, ethnic minorities are regarded “as a potential threat to the identity of the titular nation as well as of the nation state, and as such, also of the territorial integrity of the newly established polity. Political elites could further advocate ‘nationalizing’ policies with which to rule over resident minority populations. This has had a double effect on minority-majority cooperation within national institutions. First, by enhancing opportunities for titular groups, the vast majority of society was co-opted behind the ethno-national state-building project, marginalizing ethno-cultural claims of the minority from political

arenas as illegitimate ethnic politicking.” (Agarin und Cordell 2016:40-41)

Chapter 4.

From Rejection of Dual Citizenship to Transnational Citizenship

Many European countries rejected dual citizenship well into the 20th century. The attitude of rejection toward dual citizenship underwent major changes especially on the European continent in the wake of the peace treaties following World War I and World War II which changed the borders for millions of people. The incongruence between nation-state and territory has greatly increased and many found themselves as minorities on the territories of newly formed states. With the disintegration of Yugoslavia and the Soviet Union borders changed again as new states were created and millions of people lost their citizenship. Many former Soviet citizens who settled, for instance, in the Baltic States, were denied citizenship in the newly formed states. Over one million Russians took advantage of Russia’s offer of citizenship to them. These developments promoted the dilution of the classical meaning of citizenship consisting of the nation state with a well-defined territory for its nationals. (Schöpflin 2003)

Traditionally citizenship was associated with the bond and allegiance to one country. Nation building revolved around the three concepts ‘nation’, ‘homeland’, and ‘self-government’ where territorial authority and citizenship were closely intertwined. (Brubaker 1996) The possession of citizenship entailed status, rights, and identity. Status referred to formal membership in a state which is regulated by the state’s nationality laws. The possession of citizenship also entailed the right to be protected by the state and the right to vote in parliamentary elections. Citizenship also involved collective
identities shared by the citizens which draw on the concept of the nation and nationalism and served to integrate society. (Christian Joppke, Citizenship and Immigration, (Polity Press, 2010) p. vii). Citizenship is “a boundary creating category that distinguishes members from non-members and thus, in addition to securing status and rights, it has the potential to ground identification.” (Pogonyi 2018)

In Western Europe, for example in Great Britain and France, the building of the modern state structure and nation building took place parallel and reinforced each other. The nation was usually formed in a state framework and the concept of citizenship was derived mainly from birth on the territory of the state or naturalization. This conception of citizenship regards citizens as members of civic communities who share common political values, respect the same institutions and live on the same state territory. The role of ethnicity plays a subordinate role. (Hroch 1985)

In Eastern Europe the elites mobilised the nation around ethnicity before the state was formed, and the ethnic origin (ius sanguinis) principle was given priority. The mobilisation around ethnicity was also necessary to achieve national independence from the empires in which the nations were incorporated. As many nationalities in Eastern Europe became minorities in their historic native land following wars and the disintegration of empires, the ethno-cultural recognition came to play a key role in the conceptions of citizenship (Kohn 1944, Meinecke 1962). Following the collapse of communism, East European countries faced the challenge of building nations and democratic regimes simultaneously. (Harris, 2009: 172-5). They used dual citizenship to strengthen their ethnic identity by re-ethnicizing the ethnic kin who live abroad as minorities or as part of the Western diaspora.
The European Convention on Nationality (adopted in 1997) was a breakthrough for the acceptance of the new interpretations of citizenship. The Convention promotes the de-ethnicisation of citizenship by forbidding differentiation between citizens based on national or ethnic origin as well as religion, race or skin colour. A country can, however, pass legislation that makes it easier to acquire its citizenship for those who belong to it culturally, linguistically or based on ethnicity. The Convention stated that “[e]ach state shall determine under its own law who are its nationals” and that “each state is free to decide which consequences it attaches in its internal law to the fact that a national acquires or possesses another nationality.” 68

This meant that if laws regulating access to citizenship harmonise with international agreements, international common law and recognise principles of law, states have a wide-ranging freedom to decide whom they regard as their nationals. States adopted a great number of different approaches to citizenship policy as they set the criteria for determining whom they regard as their own citizens. Many times, they went against the norm of prohibiting ethnic discrimination granting citizenship to their non-resident nationals and passing legislation that lays down the rights and obligations (Szabó 2013). Thus, “the European norms intended to promote the de-ethnicization of citizenship by recommending internally inclusive acquisition rules that in practice open up the possibility of the ethnicization of citizenship through over-inclusive and expansionist preferential acquisition laws.” (Pogonyi 2017)

The Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations issued by the High Commissioner on National Minorities of the Organization for Security and Cooperation in Europe in 2008 made clear that ties to a national community were also grounds for granting multiple citizenship.69 Under the recommendations, the state could take into account historical, cultural, family ties as well as linguistic affinities when granting citizenship to those who live abroad (Szabó 2013: 134).

69 The Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations (OS -CE HCNM 2008)
The Recommendation also warns that “States should refrain from taking unilateral steps, including extending benefits to foreigners on the basis of ethnic, cultural, linguistic, religious or historical ties that have the intention or effect of undermining the principles of territorial integrity.”

With the internationalization of human rights, the rights dimension of citizenship gained weight. Possessing a citizenship, being a member of a political community, which protects the individual, meant the possession of basic rights or as Hanna Arendt put it the “right to have rights.” Arendt 1973:230-231) Scholars saw the internationalization of human rights and residence entitlements as the basis of the postnationalization of membership in the state. They supported the decoupling of rights and entitlements from formal citizenship and advocated the rights of migrants to political participation and citizenship. Scholars and international organizations urged nation-states to implement more changes in the criteria of granting citizenship to make it easier for migrants to gain citizenship. (Kymlicka-Opalski 2001) (Leggewie 2013)

In Western countries transnational citizenship or dual citizenship came to be regarded as the harbinger of a postnational world where citizenship is no longer be tied to a particular nation. (Soysal 1995; Jacobson 1996; Fraser 2007) Pogonyi introduced the concept “citizenry sovereignty” under which state sovereignty is no longer bound by borders but is drawn from the consent of its citizens regardless of where they reside. (Pogonyi 2017) Key to superseding the nation state is a change of the concept of sovereignty to make national borders “permable” that is “[O]ne could imagine borders being like permeable cell walls allowing people to move in and out freely until an equilibrium - homeostasis — is achieved.” (Warner, 1996 77-106) Bauböck introduced the conception of stakeholder citizenship under which individuals who live on the territory of a state and have a stake in the political community receive citizenship. This involves extending residence-based rights to migrants living on the territory of a state. Bauböck reminds, however, that this can only be realized only if “European states were willing to extend
democracy upwards into the EU and outwards by welcoming immigrants as future citizens.” (Bauböck 2010: 444) Bauböck expressed the hope that double and multiple citizenships would help “to overcome antiquated notions of state sovereignty and national homogeneity” (Bauböck 2007, 70) quoted in (Pogonyi 2017) (Itzigsohn 2007, 132)

In Western Europe, citizenship was increasingly described as a membership in the body of citizens based on Sternberger’s and Habermas’ “constitutional patriotism” where ethnic identity played an ever-diminishing role. (Soysal 1995) (Bauböck 2010) Citizenship became detached from the identity dimension and the conception of citizenship as a badge of identity was hardly researched. Attention focused on the instrumental use of citizenship “the selling of citizenship, expanding provisions of external citizenship, and the rapidly evolving European Union citizenship as a citizenship without identity. While states have always been strategists in matters of citizenship, particularly in inter-state relations, the novelty is to see individuals also in this role, seizing possibilities that states have often inadvertently created for them.” (Joppke 2018:62) Bauböck uses the term “denizenship” to describe the special status that EU citizens enjoy through European Union citizenship which allows EU citizens who live in another EU state to participate in the local and EU elections. (Bauböck 2005) Except for the right to participate in the national elections, EU citizens can take advantage of their full rights (Hammar, 1990 125-130)

Transnational Citizenship as Nation-Building and Integration

In Eastern Europe, citizenship and voting rights to the ethnic kin became the most important tools for transsovereign nation-building and for reconstructing the national community. (Csergő and Goldmeier 2013) Many states where ethnic Hungarians live were established or regained their sovereignty after decades of communism and are engaged in the process of nation building. The states where Hungarian minorities live are also

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70 The redefinition of the nation often takes place after revolutions or regime changes where the state seeks to redefine its relationship to the nation. Such redefinitions are also reflected in the constitutions of nation states. (Beissinger, 1996)
kin states for their ethnic kin across the borders and offered them citizenship with non-resident voting rights as well as financial aid to maintain their ethnic identity. (Dumbrava 2017) (Pogonyi 2017:3) Bauböck designated the rights given by the kin state to the ethnic kin abroad such as quasi-citizenship or citizenship as ethnizenship because it is “generally granted to minorities on the basis of ethnic descent and perceived common ethnicity with an external kin state” (Bauböck 2007: 2396).

In Western Europe in contrast, connection between national identity and legal status was increasingly blurred as the simplified naturalization of a growing number of immigrants was implemented. Nearly all EU member states granted second generation immigrants as-of-right citizenship either at birth or optionally at a later stage. (Joppke, 2005:233) Numerous scholars welcomed dual citizenship for migrants in Western Europe but rejected it when kin states offered citizenship to their ethnic kin in order to strengthen their ethnic identity. (Kymlicka–Opalski 2001). The intention to use citizenship to strengthen ethnic identity by extending citizenship to the ethnic kin clearly went against the view that Europe has entered a post-national phase where nation states and national identity play a decreasing role. (Joppke, 2006, 2007, 41) Many scholars hark back to the ethno-cultural and civic distinction when analyzing the East and West European development of citizenship policies and brand the ethno-cultural approach as exclusive or illiberal and the civic approach inclusive and liberal. (Pogonyi et al. 2010, Bauböck 2013). There were calls for international opposition against the ethno-cultural citizenship laws of Eastern European states. Pogonyi wondered “how it is possible that Central and Eastern European regimes could implement ethnically selective citizenship policies that seem to be in stark contrast with European principles of non-discrimination without the intervention of the international community.” (Pogonyi 2017,51) (Orentlicher,1998:312) (Joppke, 2005:233)

Citizenship policies in Eastern and Western Europe, however, contain both ethno-cultural and civic elements. The idea of using
citizenship as a tool of nation-building across state borders has precedents in Western Europe. Austria’s 1979 law toward German-speakers in South Tyrol and Ireland’s policies in Northern Ireland are well-known examples. The West German state granted preferential naturalisation to ethnic Germans requesting “repatriation” during the decades of communism. Israel followed a similar policy toward Jews from Ethiopia or from then communist countries. In addition, citizenship to non-residents is a wide-spread international praxis and has also been adopted by some EU member states like France, Germany, Spain and Sweden (Mabry et al. 2013).

National traditions also play a great role in Western Europe in what type of citizenship policy is adopted. France has dealt with migrants according to the republican principle of granting citizenship to those born on its territory, which arguably offered them a greater chance of inclusion but also required them to abandon their culture and refused to recognise them as ethno-cultural groups. France has also refused to sign any treaties on the protection of minorities. Other Western countries, such as the Netherlands, accept cultural pluralism and small groups of minorities can maintain their unique cultural identities.

Germany’s ‘policy on aliens’ (Ausländerpolitik) was until recently strongly shaped by an ethno-cultural notion of national identity and citizenship. In 2000 Germany gave up its strict commitment to single citizenship to further the process of integration of the Turkish minority. Children born in Germany to immigrant parents can have dual citizenship but must give up foreign citizenship between the ages of 18 and 23 in order to retain their German citizenship. Migrants arrived in Germany as guest workers in the 1960s and were joined by many others who fled economic deprivation. Similarly, to other Western countries, Germany had increasing problems with integrating the migrants, especially the second and third generations. (Koslowski 2000).

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The Western citizenship policy of easing the requirements for obtaining citizenship for immigrants amounted to a change of the Westphalian sovereignty of nation states and their claims to control access to their territory. The absolute authority of the state over its territory was broken as the human rights of migrants came to the fore and dual and multi citizenships gave citizenship a new meaning beyond the bond to a single state.

Challenges to the sovereignty of nation states through waves of migration from outside Europe, often from former colonies, encountered resistance in Western European countries and promoted protectionist nation-building. (Csergő and Goldgeier 2004:270) (Joppke 2005) The goal of protective nationalism is to safeguard the traditional national culture and to ensure its reproduction. This nation-building was often taken up by radical and extreme right movements. (Csergo and Goldgeier 2004:298) The migration wave of 2015 resulted in the strengthening of right-wing radical parties in Western Europe. In Germany, the heart of the Western “Willkommenskultur” propagated by Chancellor Angela Merkel, a new party the Alternative für Deutschland (Alternative for Germany) was formed in reaction to the arrival of some 1,3 million migrants in the country. (Sterbling, 2016) Protective nationalism also formed in most East European countries in response to migration from outside Europe and as a rule was embraced by conservative parties. East European countries were at the forefront of openly resisting the attempts of the European Union to distribute migrants among EU members.

The surge of migration in 2015 brought to light deep divisions among EU members over whether to open the borders to migration or restrict migration and defend the external borders of the EU. While West European countries were more open toward receiving migrants, in the end few countries participated in the EU plan to redistribute migrants because of the resistance of the populations.

Questions about who belongs to the nation and how those who do not belong should be handled have in recent years become hotly debated topics in Western Europe and led to the
reevaluation of role of the nation and the state. (Cordell and Jajecznik 2015) Joppke sees the liberal Western state “in the crossfire of countervailing trends and forces, some pushing for its de-ethnicization” to reduce its ethnic character others instead pushing for “re-ethnicization” to strengthen its ethnic identity. Increasing acceptance of dual citizenship thus promoted both de-ethnicization and ethnicization. (Joppke 2010:32)

Many West European countries enacted legislation that sought to retain or strengthen ties to diaspora communities abroad. Citizenship rights were extended to descendants of emigrants allowing them to maintain or reacquire the citizenship of their ancestors. Between 1998 and 2012 some one million individuals with Italian ancestors who live outside Italy received Italian citizenship. Many submitted their applications for citizenship at embassies and consulates worldwide, spoke no Italian and never visited Italy. (Pogonyi 2017, 67) (Joppke 2010:32) Pogonyi notes that “Between 1998 and 2012, one million individuals with Italian ancestry acquired Italian citizenship without habitual residence in the country (Tintori 2012). Many of these individuals have only one Italian grandparent, have no effective ties with the country do not speak Italian and have not even visited Italy, as applications can the world.” (Pogonyi 2017, 67)

Dual Citizenship in Neighboring Countries

Many states where ethnic Hungarians live were established or regained their sovereignty after decades of communism and are engaged in the process of nation building. Most home states are also kin states for their ethnic kin across the borders and offered them citizenship with non-resident voting rights as well as financial aid to maintain their ethnic identity. (Dumbrava 2017) (Pogonyi 2017:3)

Most neighboring countries offered their ethnic kin preferential citizenship at least a decade earlier than Hungary. (Sáska

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72 The redefinition of the nation often takes place after revolutions or regime changes where the state seeks to redefine its relationship to the nation. Such redefinitions are also reflected in the constitutions of nation states. (Beissinger, 1996)
While, except for Slovakia, no official protests against Hungarian dual citizenship were issued criticism was voiced because of the parallel and often conflicting processes of nation-building involved. The kin-state used dual citizenship to help Hungarian co-nationals retain their ethnic identity and went against the policy of assimilation pursued by the home states. This was bound to invoke criticism from the home states even if they had similar legislation for their ethnic kin. A common reproach was that Hungary did not negotiate over the laws with the government of the countries where ethnic Hungarians live even though this directly affected their citizens. Experts from the home states and from Hungary who criticized the granting of citizenship to the ethnic kin evoked the close congruence between population, territory and sovereignty. Irina Culic cited the most frequent criticism: “Dual citizenship for members of the “people”/nation abroad is conceived here as the most appropriate way of protecting their cultural identity, way of life, and interests within the home state, and ensuring their thriving outside the borders of the nation state. In such situations, dual citizenship provides an avenue for direct intervention over non-resident co-ethnics and formalizes an encroachment of one state over the national policies of another state.” (Culic, 2009) Dual citizenship can be conceived as a “threat by an external kin state to the jurisdiction of a neighbouring state over a part of its citizen population and over the territory in which these minority citizens live” (Bauböck, R. 2007, 74, quoted in Tátrai et al. 2017, 204)

The fear that the ethnic minority could with the help of the Hungarian state secede from the home state plays a major role in the criticism of Hungarian dual citizenship. The memory of Trianon is very much alive especially among young states such as Slovakia which opted for independence from the state Czechoslovakia only in 1993. This fear of border revision is still there despite declarations from the Hungarian state that it has no territorial ambitions and sought to reunify the Hungarian nation across that borders.
Romania granted its ethnic kin dual citizenship since 1991 and issued no formal protest against the Hungarian dual citizenship. In Romania there was consensus about the cultural unity of the Romanian nation and granting citizenship to the ethnic kin has not been a subject of scholarly or public controversy.\(^73\)

Romania is in a special position because it has the Hungarian national minority which is supported by its kin state but at the same time it is the kin state for Romanians in the Republic of Moldova, the Ukraine and Serbia. Romania had little ground to complain about Hungary’s citizenship law because it had similar legislation and handed out several hundred thousand of passports to ethnic Romanians in the Republic of Moldova which is not a member of the EU. Under Brubaker’s concept, Romania played the role of the “nationalizing state” toward ethnic Hungarians while presenting itself as the “external homeland” for ethnic Romanians in Bessarabia and Bukovina.\(^74\) The granting of citizenship to ethnic Romanians from Moldova also had the potential of reducing the proportion of Hungarians within the Romanian population with grave results for the representation of Hungarian interests. In view of this, Romania could not raise objections against the Hungarian law on dual citizenship.\(^75\)

Croatia and Slovenia allow dual citizenship with voting rights and do not perceive the low number of Hungarians on their territory as a threat. In Serbia, the 2007 amendment on


\(^{75}\) http://www.refworld.org/docid/3ae6b50218.html.
citizenship granted dual citizenship to members of the Serb nation and nationalities or ethnic groups from the territory of Serbia. Dual citizens have the right to take part in parliamentary elections if they reside in Serbia or live abroad temporarily.\textsuperscript{76}

Ukraine adopted legislation that prohibits dual nationality.\textsuperscript{77} Since the Ukrainian state does not recognize double citizenship and when a Ukrainian becomes the citizen of another state he or she loses his or her Ukrainian citizenship. Those who acquired their citizenship by birth but took on a second citizenship are treated as if they were Ukrainian citizens only. The Ukrainian state tended to ignore the Hungarian citizenship of ethnic Hungarians born in the Ukraine. An estimated ninety thousand Ukrainian citizens who took on Hungarian citizenship face fine as well as imprisonment if they vote or hold public office while having two citizenships. (Kovály, Eross, Tátrai 2017) The issue of sanctioning dual citizenship has been raised by the Ukrainian government and parliament on numerous occasions. (Végh 2016) In March 2017 Ukrainian President Petro Porosenko submitted a draft law to parliament under which dual citizenship should be outlawed. Many Ukrainians including an estimated 70 to 80 \% of the parliamentary deputies have double citizenship and would be affected.\textsuperscript{78}

Since the outbreak of military conflict in Eastern Ukraine ethnic Hungarians used their Hungarian passport to avoid being drafted into the army and to leave for Hungary and other EU states. In 2014, shortly after the annexation of Crimea through Russia and the reelection of his governing coalition in the national elections Orbán reiterated the need for autonomy for

\textsuperscript{76} LAW ON AMENDMENTS AND MODIFICATIONS OF THE LAW ON CITIZENSHIP OF THE REPUBLIC OF SERBIA Published in "Official Gazette of the Republic of Serbia" No. 90/07 http://arhiva.mup.gov.rs/domino/zakoni.nsf/Amandmants%20to%20the%20Law%20on%20Citizenship.pdf

\textsuperscript{77} http://www.refworld.org/docid/44a280fa4.html

\textsuperscript{78} https://www.rferl.org/a/ukraine-dual-citizenship-poroshenko-nasirov/28368588.html
the Hungarian community in the Ukraine. He stated that “we are interested in a stable and democratic Ukraine … the fact is that Ukraine can be neither stable nor democratic when it doesn`t grant the minorities, national communities, among them the Hungarian communities, what they are entitled to. That is double citizenship, collective, that is community rights and the autonomy.” Orbán underlined the importance of declaring this now when the “new Ukraine” is in the process of being built. He also reiterated Hungary’s support for the Ukraine in view of the violation of its territorial sovereignty by Russia. The call for autonomy was rejected by Ukrainian officials.

Hungary was very active in supporting Ukraine´s Western integration. It was the first EU member state to ratify the EU-Ukraine Association Agreement. Relations soured as a new Ukrainian law on education that would severely restrict instruction in the mother tongue beyond the primary school level was passed by the Ukrainian parliament. Since the passing of the legislation, Hungary has blocked issues of major importance to Ukraine in international organizations such as Ukraine’s European and NATO integration. (Tátrai et al 2016)

Stripping of Citizenship: The Case of Slovakia

2010 Slovakia reacted to the granting of Hungarian dual citizenship by forbidding dual citizenship and enacting


80 http://m.mamul.am/en/news/52492/p231

81 http://dx.doi.org/10.17355/rkkpt.v24i3.131


http://uzhgorod.in/en/news/2018/avgust/istvan_grezsa_transcarpathians_know_that_we_are_reliable_neighbors

legislation that stripped those of their Slovak citizenship who adopted the citizenship of another state without residing there.\textsuperscript{83} Until 2010, a person could only lose his Slovak citizenship if he explicitly asked to be released from it. The law is possibly against the Slovak constitution which states that… “[n]o one must be deprived of the citizenship of the Slovak Republic against his will.”\textsuperscript{84} The question is whether one can interpret acquiring Hungarian nationality as the intent to lose the Slovak nationality even if the person is aware of the consequences of his actions. The Constitutional Court of Slovakia was asked for a clarification of this question but turned the request for constitutional review down on formal grounds in September 2014. \textsuperscript{85}

Hopes on the Hungarian side that the new Slovak government that came to power shortly after the election of the Fidesz government would change the law were disappointed. (Töttős 2017) A recent amendment of the Slovak citizenship law allows persons living permanently abroad to retain their Slovak citizenship if they acquired the citizenship of that country. This means that persons who live in Slovakia and took up another citizenship would still lose their Slovak citizenship. \textsuperscript{86}

The number of Hungarians in Slovakia who applied for Hungarian citizenship is for this reason very low and those who made their Hungarian citizenship public were stripped of their Slovak citizenship. One of the victims was Olivér Boldoghy an ethnic Hungarian entrepreneur born in Slovakia. He was

\textsuperscript{83} \url{http://www.refworld.org/cgi-bin/texis/vtx/rwmain?docid=50bddd02}

\textsuperscript{84} \url{http://www.slovakia.org/sk-constitution.htm}

\url{http://www.verfassungsblog.de/hungarians-outside-hungary-twisted-story-dual-citizenship-central-eastern-europe/#.VNEbdZ2G80E}

\textsuperscript{85} \url{http://www.verfassungsblog.de/hungarians-outside-hungary-twisted-story-dual-citizenship-central-eastern-europe/#.VNEbdZ2G80E}

\textsuperscript{86} \url{http://eudo-citizenship.eu/docs/CountryReports/Slovakia.pdf}
stripped of his citizenship, had his drivers licence, ID card and passport revoked. 87

In one spectacular case, a 99-year-old ethnic Hungarian former teacher was stripped of her Slovak citizenship. Ilonka Aladárné Tamás was born in 1912 in Rimaszombat (Slovak name: Rimavská Sobota) and experienced three citizenship changes without ever relocating. She was born a Hungarian citizen because Rimaszombat was then the seat of Gömör County and part of Hungary. As a consequence of the Treaty of Trianon Rimaszombat became part of Czechoslovakia and Tamás became a citizen of Czechoslovakia. As Czechoslovakia broke up her citizenship changed to Slovak. After she lost her Slovak citizenship, she became a “person without registered address” on the territory of Slovakia. 88

Two ethnic Hungarians living Slovakia István Fehér and Erzsébet Dolník sued Slovakia at the European Court of Human Rights (ECHR) in March 2012 and May 2012 respectively, over the fact that they were stripped of their Slovak citizenship contrary to their wish to retain it, as a result of their acquisition of Hungarian citizenship. 89 The ECHR found some aspects of the complaints unsubstantiated and remarked that “they decided to acquire Hungarian citizenship while being aware of the consequences which such a decision would entail under Slovak law”. “Thus, they were not denied Slovak citizenship arbitrarily in view of the applicable legal provisions,” the ruling, published on June 4, 2013, reads. 90 The Court rejected the complaint because it found no violation of human rights as stipulated in international documents. The decisions of the

87 https://spectator.sme.sk/c/20041735/hungary-criticises-slovakia-for-stripping-people-of-citizenship.html


90 http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-1
Court are based on the European Convention of Human Rights which does not deal with the right to citizenship.\textsuperscript{91} Thus, turning to the international arena for remedy failed.

While Slovakia sought to prevent ethnic Hungarians in Slovakia from acquiring Hungarian citizenship the impact of the new law is negligible. Of the 2,093 individuals who were stripped of their Slovak citizenship between July 17 and October 2017 only 99 were Hungarian dual citizens. Most of those who lost their Slovak citizenship became Czeh citizens.\textsuperscript{92} It is probable that the number of ethnic Hungarians who acquired Hungarian citizenship is higher, but most kept it secret for fear of reprisals.\textsuperscript{93}

\textbf{Chapter 5.}

\textbf{Development of Kin State Policies}

I summarize the development of Hungarian kin-state policy prior to 2010 in order to give a background to the institutionalization of relations to the ethnic kin in 2010 through dual citizenship and non-resident voting rights. In the years prior to and at the time of the democratic transformation there was the expectation in Hungarian political circles that the advent of democracy would restore the rights of ethnic Hungarians in neighboring countries. After the first democratic elections in the 1990s there were great hopes that the situation of ethnic Hungarians would improve in their homelands.

Members of the left-liberal democratic opposition were the first ones to write about the violation of the rights of ethnic Hungarians in samizdat and to use the issue to protest communist rule. The liberal party the Alliance of Free Democrats (Szabad Demokraták Szövetsége) urged solidarity

\textsuperscript{91} http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-1
\textsuperscript{92} TASR, 17 December 2017.
\textsuperscript{93} http://www.hirado.hu/2015/02/02/matol-kapjak-vissza-az-elveszitett-slovak-allampolgarsagot/?source=hirkereso
with Hungarians in neighboring countries and included the offer of non-resident citizenship for the ethnic kin in its party program.94

A 1990 resolution of the Hungarian parliament submitted by a member of the liberal political camp Gáspár Miklós Tamás stressed that “it is essential that the identity of national minorities is protected and developed, that the individual and collective rights of national minorities who live in the region are guaranteed by law, ensuring that they can participate in public life and in making decisions about their own affairs, the legal guarantees for the framework of their self-organization and self-government, including their cultural autonomy, the fulfillment of the needs of the nationality to use its mother tongue in the fields of education, cultural life, exercise of religion and the media.”95

The relative consensus regarding kin state policy broke, however, shortly before the first democratic elections when the major political parties competed for votes. The differences of views regarding the nation that emerged during the early 1990s came to determine the kin-state policy of the governments for decades to come. While Hungarian political parties often used the issue of the ethnic kin to promote their political goals, when in government they followed kin-state policies which clearly reflected their view of the place of Hungarians abroad in Hungarian nationhood. The foreign policy goals of the various governments can be summarized as representing the interests of Hungarian minorities, good neighborly relations to the home states and Euro-Atlantic integration. Social democratic liberal governments gave in their foreign policy priority to good-neighborly relations and Euro-Atlantic integration over minority rights and expected the improvement of the situation of the ethnic kin to come from the home countries. They regarded the integration of ethnic Hungarians in their home countries as the

94 (Szabad Demokraták Szövetsége, 1989)

95 http://library.hungaricana.hu/hu/view/KULUGY_KulPolEvkonyv_1990/?pg=244&layout=t=s
major goal and supported the participation of ethnic Hungarian parties in the majority government even if they received no institutional guarantees for minority rights and had to shelve the idea of autonomy. The argument was that the participation of the minorities in the majority government and good relations to the home states would result in a better treatment of ethnic Hungarians.

Conservative governments sought to represent the rights of the minorities in bilateral relations as well as in the international arena. They stressed the need for an active role of the kin-state in supporting the wishes of the ethnic kin for minority rights in negotiations with their home countries. Conservative governments tended to support ethnic Hungarian parties and actors who made legal guarantees for widening minority rights a condition for participating in majority governments. Participation in majority governments created conflicts in ethnic Hungarian parties between those who favored integration and those who wanted power sharing on equal terms.

Political parties supported those ethnic Hungarian parties which were closer to them ideologically. Fidesz had stronger ties and broader clientelistic relations in ethnic Hungarian communities because it started its networking a lot earlier than the left-liberal camp. Many ethnic Hungarians who moved to Hungary joined the party and were able to influence party policy. Fidesz actively engaged in supporting ethnic Hungarian parties which were close to it ideologically and sought to help them in national and local elections in their homelands.

Conservative parties often sided with the dissidents in ethnic Hungarian parties who were against those ethnic Hungarian leaders who played a major role under communism and favored integration. Socialist liberal parties accepted as legitimate the leadership of the largest ethnic parties and gave them control over the distribution of funds while they were in government. They also sought to break up the networks created by the conservative camps and to isolate those ethnic Hungarian leaders who voiced critic regarding Hungarian politics.
Prime Minister of the Hungarian Nation

In 1990 the first democratically elected Prime Minister following the collapse of communism József Antall stated that he was “in spirit” the prime minister of the then 15 million Hungarians of the Carpathian Basin which acknowledged for the first time since the collapse of communism that the ethnic kin belonged to the Hungarian ethno-cultural nation. (Schöpflin 2000: 371).

This was the first time after decades of suppression of conservative ideas under communism that the relationship of the conservative camp to the ethnic kin had been officially addressed. The statement caused uproar among Hungarian opposition parties as well as neighboring countries where ethnic Hungarians live which saw a revival of Hungarian revisionism. Nationalism and irredentism were the most common charges levelled at Antall. Ablonczy, Bárdi (2010:29) Antall, however, denounced revisionism and supported European integration which he believed would help the Hungarian nation reunite by virtualizing the borders within the European Union. (Antall, 1994:47)

The left-wing and liberal parties united in 1993 in the Democratic Charter to protest the Antall government and used “anti-national rhetoric” to criticize the government which later became one of the pillars of the left-wing political identity. The Charter paved the way for the future socialist liberal coalitions. (Gyurgyák 2007: 542)

Antall espoused a cultural conception of the nation when he gave the nation and ethnic Hungarians in neighboring countries a key role in his policy. His priority, however, was the establishment of the rule of law following the collapse of communism and the building of the democratic foundations of the state. He underlined that the “idea of the nation, democratic rights, human rights and the wish for democratic renewal” had
the same weight in his party’s policy. Antall stressed that the representation of the unitary nation was the task of his government and described the Hungarian nation as “a spiritual, cultural community to which everyone who wants to can belong to.” (Antall, 1994:9) (Egedy 2013) (Bárdi 2016)

The Antall government’s policy was oriented toward all Hungarians, the Hungarian diaspora in the Carpathian basin, the ethnic kin in neighboring countries as well as those living in Hungary. The government formulated four goals regarding the situation of ethnic Hungarians abroad. First, the Hungarian government was the political and legal representative of the latter but felt responsible also for the other two groups and would use the tools of diplomacy to represent the interests of ethnic Hungarians at international forums and at the negotiations over bilateral treaties with the neighboring countries where they live. Second, the Antall government recognized the leaders of the ethnic kin`s political organizations as the legitimate representatives of the Hungarian communities and sought to strengthen their role as international actors in bilateral relations. It declared that ethnic Hungarian leaders should be consulted by the kin state when making decisions concerning their communities. The Hungarian constitution stressed the importance of the rights of minorities by proceeding not from a unitary Hungarian nation but designating the national and ethnic minorities as state constituting factors. Third, the Antall government saw the existing European autonomy models as the solution to the problems of the ethnic kin. Fourth, the 1993 law on national minorities gave the right of self-government to minorities living in Hungary and was to serve as a model of minority protection for neighboring countries to follow. (Antall 1994:37-38) (Bárdi 2016, 23)
Prime Minister of the Citizens of Hungary

Only four years after the first democratic elections in 1990, the successor to the former communist party the Magyar Szocialista Párt (MSZP) the socialists and the liberals Szabad Demokraták Szövetsége (SZDSZ) were able to form a government which had a two-third majority. Prime Minister Gyula Horn expressed the differences of views about who belongs to the nation by stating that he considered himself the prime minister of only the 10.4 million Hungarians who lived in Hungary at that time. Accordingly, the government gave the country’s Euro-Atlantic integration and reconciliation with the home states priority over the treatment of Hungarian minorities. The socialist political and intellectual elite continued to adhere to the traditional socialist mentality which “basically failed to give up its indifference toward the national question.” (Gyurgyák 2007:542) At the time of the political transformation in 1989 and 1990 MSZMP technocrats who took over the leadership of the government and the party who focused on economic reforms and not on the situation of Hungarian co-nationals in neighboring countries. (Kiss, 2013:93) The former communist party politicians Imre Pozsgay and Mátyás Szűrös who espoused the idea of the nation as something valuable for the creation of the new democratic system lost in the fight to the technocratic faction of reform economists who were close to the liberals and adopted the slogan “modernization, pragmatism and expertise.” Politicians and experts who were open to the national question such as Imre Szokai, Ferenc Kósa no longer played a role in the socialist party or were pushed to its periphery. (Gyurgyák 2007:542)

The policy of the Horn government toward the ethnic kin met with the approval of its coalition partner the liberal party SZDSZ which focused on individual human rights instead of collective
rights and was wary of using the idea of the nation in defining the country’s new democratic identity. This reflected the left-liberal view that ethnic Hungarians were the internal minorities of their home states and that Budapest should not get directly involved in their lives by working out strategies designed to help them reproduce their ethnic identity. (Csergő, 2007; Ablonczy & Bárdi, 2010). The Horn government excluded representatives of the ethnic kin from the negotiations of Hungary’s bilateral treaties with Slovakia (1995) and Romania (1996). (Győri-Szabó, 2000, 2012) It expected that the improvement of bilateral relations and the influence of the European Union would solve the problems of Hungarian minorities.

It is in this vein that the Horn government and the left-liberal governments supported the integration of ethnic Hungarian minorities through the participation of ethnic Hungarian parties in the majority governments. This idea had its roots in the policy of the Kádár regime in the 1960s when the ideology of double binding was introduced. According to this, ethnic Hungarians formed a “bridge” between the kin and home state which shared common socialist values and were able to overcome prejudices. (Bárdi 2013 163) (Schöpflin, 2000; Bárdi, 2000)

The conflict between the political camps over the strategy of the kin state’s relationship to the ethnic kin emerged strongly in the debate over the bilateral treaties. The major objection against the treaties was that they failed to include provisions for granting the minorities more rights. In the 1990s Hungary was a promising candidate for NATO and for the EU which gave it some leeway in foreign policy over neighboring countries who were not expected to join Western organizations soon. Yet the Hungarian government supported the EU accession of the neighboring countries without asking for more rights for minorities in return because it gave priority in its foreign policy to Hungary’s integration into the EU. (Bárdi 2016, 23) The question
is justified “What did Hungarians want? This is the key question again. They seemed to want to help their ethnic kin, but not to endanger other priorities.” (Saideman and Ayres: 115-117)

The debate over the bilateral treaties with neighboring countries gave opposition leader Orbán the opportunity to present his views on the policy toward ethnic Hungarians. Orbán wanted to tie Hungary’s support for its neighbors’ bids to join the European Union and NATO to the improvement of the situation of Hungarians beyond the borders. (Bárdi 2016:23) Orbán also criticized that the Hungarian governments signed the bilateral treaties with neighboring countries without the approval of the representatives of ethnic Hungarians positioned him on the conservative side. (Bárdi 2016, 31) Orbán gained a reputation for taking up the cause of the ethnic kin and helped create the cohesion of the Hungarian right. 96 (Bárdi 2002)

The Hungarian–Slovakian and the Hungarian–Romanian basic treaties played a major role in shaping Fidesz’s national identity. The opposition to the basic treaties gave Fidesz the opportunity to formulate its criticism and to make its views on Hungarian minorities public and to position itself as the supporter of the rights of ethnic Hungarians in neighboring countries.

Fidesz and Hungarian Minorities

It was the Fidesz government under the leadership of Viktor Orbán (1998-2002) (2010-2022) which took up the project of reconstructing the nation after decades of communism. At its foundation, Fidesz was a liberal oriented youth organization which was the only political group which sought to stay clear of the traditional cleavages, which it condemned as antiquated. Fidesz was quickly confronted with the conflicts around the definition of the nation and the role of ethnic Hungarians abroad

in it. Its journey to arrive at its position as the leader of the center-right conservative camp in Hungary was, however, long.

Fidesz leader Viktor Orbán took a special interest in the situation of ethnic Hungarians in neighboring countries already in the 1980s. Asked about the relationship between the nation and liberalism in 1994 when Fidesz was still a liberal party Orbán made it clear that “liberalism cannot ignore the national question and has to define its relationship to it. In addition, in Hungary this question has special relevance. Several million Hungarians live outside the borders, and liberal politics must also find an answer to the problems that result from this.” (Kéri 1994: 83-84)

He reiterated that in all the clubs and specialized colleges that the Fidesz’s founders came from the concept nation was discussed: “Already around 1980 many people who attended these colleges regularly visited ethnic Hungarians in neighboring countries and always regarded their trips as “a kind of unspoken political mission.” In these circles, it was natural that subjects were discussed from both the liberal and the conservative ‘nép-nemzeti’ perspective. “Thus, those who shape Fidesz’s profile today received during their university years an education and qualification in which the national thought was included.” (Kéri: 83-84)

Fidesz had an advantage over the other parties because it was the first political party to establish personal relations to ethnic Hungarians abroad. These networks helped Fidesz formulate its policy in a way that the ethnic kin took a central place. Fidesz’s party apparatus came to include the highest number of ethnic Hungarians from neighboring countries. These ethnic Hungarians were able to call attention to the grievances of the ethnic kin and point to the rejection by the majority of plans to establish Hungarian self-governments. They were also the ones stressed the need to institutionalize ties to the kin state. Fidesz was able to formulate a comprehensive policy toward the ethnic kin which gave the party an advantage over the left-liberal opposition parties who lacked the contacts and know-how to formulate a minority policy of their own. (Bárdi 2016)
The emphasis on the nation and on defending national sovereignty was included in the first program published by Fidesz in 1988. (Fidesz Program 1988) Defending the nation against foreign influences reflects a long-standing political cleavage among the Hungarian political elite. On the one side are those who seek to develop their own ideas about dealing with urgent European issues and on the other side are those who follow and copy Western solutions. This dichotomy has deep roots in the Hungarian history. (Csizmadia, 2017: 26, 191, 240-259) The cleavage received new impulses in 2015 when the two political camps took up opposing positions to migration from outside Europe. The government emphasized that as a sovereign state Hungary had the right to decide whom to let into its territory. The left-liberal parties joined the EU. It built a fence to keep the migrants away which was condemned by side and by most EU Western countries as a policy of isolation.

The 1993 Fidesz congress signaled the turning point in the party’s relationship to the nation. Fidesz redefined itself as a liberal-center group with a national commitment. As Orbán formulated it, “Our generation has no problem coordinating national feelings and liberal ideas. … For us, it is only natural that we represent the interests of the nation in our policy. I thus maintain my view that in this region liberal politics must necessarily be committed to the nation.” (Modor 2008: 388)

After the disintegration of the center-right parties, under Orbán’s leadership Fidesz transformed itself into the leader of the center-right and became the motor of an active kin-state policy. Fidesz recognized that only as unified political party on the central right was it in a position to shape the discourse about the concept of nation and to use the concept to mobilize its supporters and the Hungarian population. It placed the concept of the Hungarian nation and national identity in the forefront of its policy. The rights of the ethnic kin were treated as a core issue in the party’s policy. (Bárdi 2004)
There was a difference between the Antall government’s concept of the nation and that espoused by Fidesz. While the concept nation played a key role in the policy of the Antall government it was not at the center of his government’s policy. Antall saw Hungary not as the focus of the unitary Hungarian nation but the cultural center for ethnic Hungarians. According to Gergely Egedy, Antall had a patrician concept of the nation which was based on the civic concept as a relationship between the individual and the state. This view of the nation was skeptical of the masses and placed its trust in the rule of law. Fidesz by contrast relied on the support of the masses and regarded Budapest as the center of orientation for all Hungarians. With the adoption of the dual citizenship and voting rights Hungary became the cultural and political center for Hungarians abroad. Egedy called Fidesz’s approach “mobilizing conservatism” based on the ethno-cultural concept of the nation the support of the masses. (Egedy b 2013:6675)

There were also differences in the priorities of the Antall and Orbán governments. Following the collapse of communism, the Antall government faced the task of building the democratic foundations of the state and of joining Western institutions. At the time when the Fidesz government took office in 1998 Hungary had already signed the basic agreements with neighboring countries and had more leeway in foreign policy to follow its national interests. (Bárdi 2016:2)

Prime Minister of a Unitary Hungarian Nation

Toward Institutionalization

The first Orbán government (1998-2002) introduced fundamental changes in Hungarian kin-state politics. Orbán echoed the wish of Prime Minister Antall when he stated that Hungary’s future lies not only in the 10 million Hungarians who live in Hungary but in the 15 million Hungarians who live in
neighboring countries and worldwide. He moved relations to ethnic Hungarians to the center of his policy and sought to redefine the relationship to them accordingly. This entailed increased support for minority rights and for the ethnic kin’s claims for autonomy and collective rights.97

In 1999 the government set up the Magyar Állandó Értekezlet the Hungarian Standing Conference (MÁÉRT) which became the most important political forum in which Hungarian politicians meet with their counterparts from Hungarian communities to discuss issues concerning the Hungarian nation. The roots of the Conference go back to 1996 when a conference was convened by Prime Minister Gyula Horn ahead of the signing of the bilateral treaty with Romania to signal that he was interested in the opinion of Hungarians abroad. The 1996 meeting was followed up by a conference in 1999 which was organized by the Fidesz led Hungarian government which transformed itself into the Hungarian Standing Conference. At the Conference Hungarian opposition parties had a chance to meet with their ethnic Hungarian counterparts and learn about their views on relations with the kin state. Through the Standing Conference the interests of ethnic Hungarians could better be represented within the Hungarian government as political state secretaries were put in charge of coordinating ethnic Hungarian concerns in the various ministries. (Bárdi, Misovicz: 204)

The Status Law of 2001 was the first step to institutionalize relations to the ethnic kin which aimed at expanding the Hungarian political community. It reinforced the special relationship of the ethnic kin to Hungary based on the idea of the nation as an ethno-cultural entity. Under the law, ethnic Hungarians from Romania, Ukraine and Serbia could enter Hungary without visa. This aimed at maintaining cross-border ties after Hungary became a member of the European Union and the eastern border of the Schengen visa regime. Hungarians in neighboring countries, except Austria, received a

Hungarian identity card that provided them on an individual basis with educational opportunities, work permits, and access to health care and social security normally only granted to Hungarian citizens. Ethnic Hungarians were also to receive educational benefits in their homelands to promote their nation-building project. The aim was to “ensure that Hungarians living in neighboring countries form part of the Hungarian nation as a whole and to promote and preserve their well-being and awareness of national identity within their home country”.
(Bárdi, Misovicz 2010: 204)

The Status law was designed as a framework law that would be modified by decree once more specific issues had been worked out with neighboring governments. The Act defined its purpose as “to comply with its responsibility for Hungarians living abroad and to promote the preservation and development of their manifold relations with Hungary, as well as to ensure that Hungarians living in neighboring countries form part of the Hungarian nation as a whole to promote and preserve their well-being and awareness of national identity within their home country.”

Although the issue of rights of and relations to the ethnic kin divided the political camps, in 2001 the Hungarian parliament adopted the Act LXII of 2001 with a parliamentary majority of over 90%. (Kántor –Majtényi –leda –Vizi –Halász, 2004)

The Status Law or benefit law became one of the pillars of a national policy based on introducing projects in ethnic Hungarian communities. Ethnic Hungarian religious, civic and party organizations played a key role in implementing the law. Networks of “Status Offices” were set up to issue Hungarian Cards that served as proof that its bearer was of Hungarian origin which were financed by the Hungarian government. Such “Offices” were set up in six countries and employed close to 500

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persons. This provided an apparatus and information system that could be built on to extend benefits to ethnic Hungarians. Or as Bárdi put it: “The benefit law made it possible to legally encompass ‘Hungarians across the borders.’” (Bárdi, Misovicz 2010: 204)

The policy of the Fidesz government strengthened those ethnic groups and parties which favored putting more pressure on the home government to fulfill its obligations on minority rights. This was a time when dissatisfaction over what had been achieved since the democratization in terms of minority rights already began to split the Hungarian communities.

The Status Law was an alternative to granting ethnic Hungarians “dual-citizenship” which was first suggested by the World Federation of Hungarians in 1996 and formulated the wish as a political goal in 1998. The first Fidesz government lacked the two-third majority needed for adopting a law on dual citizenship. Many in the party were also of the opinion that most of the Hungarian public would not support granting dual citizenship to the ethnic kin. A major reason for this was the lack of knowledge and interest about the situation of the ethnic kin after decades of silence about their existence under communism. The Hungarian public was also not adequately informed what dual citizenship would mean. These concerns proved to be true at the 2004 referendum on dual citizenship. (See below)

Romania and Slovakia protested the law and accused Hungary of undermining their sovereignty and interfering in their domestic affairs. They suggested that Hungary had extraterritorial claims and breached the norms of conduct in bilateral relations. Romania and Slovakia condemned as discriminatory and “extra-territorial” the provision of the Status Law which provided educational benefits to the ethnic kin in their home countries. They turned to the European Commission
for Democracy through Law of the Council of Europe commonly known as the Venice Commission to evaluate it. Since Romania and Slovakia as well as a number of other countries had laws that were very similar to the status law, Hungary asked the Venice Commission to compare the Status Law with similar European laws. The Venice Commission compared the 1979 Austrian law on South Tyrolians, the 1997 Slovak law on Slovaks abroad, the 1998 Romanian law on Romanians around the world, the 1999 Russian law on co-nationals abroad, the 2000 Bulgarian law on Bulgarians abroad, the 2001 Italian law on Italian minorities in Slovenia and Croatia, and the 2001 Hungarian Status law. In its evaluation, the Commission reiterated the primacy of state sovereignty and upheld the notions that the states where the minorities live are responsible for protecting their rights and that the international community should monitor whether states fulfill that duty. This reflected a major concern of the EU that the intervention of the kin-state on the side of the kin-minority to help it build its parallel nation would result in tensions between EU states and would be a source of conflict between the minority and the majority. The commission declared that the benefits granted by the Hungarian Status law should only apply on the territory of the kin-state and can only be adopted unilaterally if bilateral negotiations fail to achieve results. This was in accordance with the stance of the EU that the perspectives of states that is cooperation between member states should be given priority over minority issues.

At the same time, the Commission acknowledged that kin-states have the right to support their ethnic kin if this reinforces good-neighborly relations. This was the first official acknowledgement that the kin-state had a role to play in maintaining minority rights and prepared the ground for creating a common European regime on kin-state policies. As Halász, Majtényi, and Vizi note: ‘It is an established practice in Europe

that the various national legal systems offer preferences to their co-nationals living outside the borders as compared to other foreigners. Following the political transition in Central and Eastern Europe, the regulation of support for these ethnic groups has become a characteristic feature of constitutional legislation’. (Halász, Majtényi, and Vizi 2004: 171)

Analyzing the status law under the four criteria set out as a framework of analysis, it had consequences in terms of domestic policy, relations to the ethnic kin, bilateral relations and on the international level. Domestically, the opposition parties criticized the law because in their view it expanded the nation to Hungarians abroad and caused tensions in relation to the home states. It brought to light great differences between the political camps regarding the question of the role of the kin-state in promoting ethnic Hungarian communities abroad. The left-liberal Hungarian government that followed the Orbán government made amendments to the Status law which removed a reference to a "unified Hungarian nation" spanning borders and withdrew benefits in the field social security, health and employment.100

The debate over the status law exposed the struggle between the political camps over who belongs to the Hungarian nation through which they sought to define their boundaries. The Status Law contributed to the Orbán government’s defeat in the 2002 national elections. Many voters believed the argument of then Hungarian Socialist Party (MSZP) leader Ferenc Gyurcsány that millions of Romanians would come to Hungary and endanger the Hungarian standard of living. Gyurcsány used similar arguments in 2004, when a referendum on dual citizenship took place. (See below) Fidesz’s support for

dual citizenship contributed to the party’s loss of the 2006 national elections. This was a harbinger of the great conflicts and cleavages that surrounded the 2004 referendum.

Examining the controversy over the status law on a bilateral level between the kin-state and the home states the framework of nationalism serves as the basis of analysis. The home states and the kin-states viewed the status law from the point of view of nation building. The home states interpreted the Law as a form of unilateral interference in their internal affairs which implied that they were not capable of protecting the interests of the Hungarian minorities who lived on their territory. Romania and Slovakia noted that the kin-state used the Hungarian Status Law to promote Hungarian communities to prevent the assimilation of the minority. The Law went against the principle of the nation state as it was embodied in their constitutions und how it was carried out in the political practice. The promotion of the nation building efforts of ethnic Hungarians was at variance with the nation building efforts of the majority nation which aimed at ensuring the supremacy of the majority culture.

The Romania and Slovakia criticized the law even though they had laws similar to the Hungarian status law that aimed at strengthening their relationship to their ethnic kin abroad. The Slovak and the Romanian status laws apply to every ethnic Slovak or Romanian abroad, while the Hungarian status law affects only individuals and not communities. The Romanian law refers not only to individual but also to collective rights: “the Romanian law treats the Romanian communities beyond the borders as subjects of the collective rights provided to them by the status law.” (Kántor 2004:45)¹⁰¹

¹⁰¹ Kántor Zoltán: The Concept of Nation in the Central and East European ‘Status Laws’ src-home.slav.hokudai.ac.jp/coe21/publish/no9.../03_kantor.pdf
Hungarian minority communities welcomed the Status Law and 938,000 ethnic Hungarians received a Hungarian identity card.

Following the opinion of the Venice commission, under an agreement signed by Prime Minister Orbán and his Romanian counterpart all Romanian citizens became eligible for benefits for short term employment provided by the Status Law. The opposition parties rejected the agreement and used it in their campaign for the 2002 elections to discredit Fidesz by raising the specter of millions of Romanians who would flood Hungary to obtain social benefits and take away jobs from Hungarians. The MSZP launched a media campaign in which it warned of a Romanian invasion of the Hungarian labor market.

The opposition parties spread the message through the ‘whispering propaganda’ often used in the Kádár era that the presence of ethnic Hungarians would lead to a lowering of the standard of living in Hungary. The propaganda was successful in mobilizing voters and contributed greatly to preventing the reelection of the Fidesz government in 2002. The socialist-liberal parties used the same argument of ‘welfare chauvinism’ (Habermas, 1996) in 2004 in the campaign against the granting of dual citizenship to the ethnic kin that was featured in the referendum. (Fábián, 2005: 215)

In 2002, Romanian Prime Minister Adrian Năstase edited a book which criticized the Status law but supported in 2003 the enactment of legislation very similar to the status law to strengthen ties between Romanians and Romanians living abroad. (Năstase 2002) Moreover, ethnic Romanians of the Republic of Moldova were offered Romanian citizenship regardless of whether they resided in Romania or Moldova. (Iordachi 2002)
Following the loss of the 2002 elections, the welfare of Hungarian minorities gained even more prominence in Orbán’s strategy. He perceived himself as the guardian of the interests of the nation and gave ethnic Hungarians a key role in his concept of a “unified nation.” Orbán sought to reinforce the collective identity of the right wing by stressing the importance of cultural identity based on a common language and symbols.

Referendum on Dual Citizenship

The referendum on dual citizenship to ethnic Hungarians in neighboring countries in December 2004 brought back the controversy over the cultural and the political nation. The question of who belongs to the nation was placed at the center and the differences over the concept of nation were magnified. The event shaped Hungarians’ image of themselves in Hungary and abroad for some time to come.

The idea of dual-citizenship has for a long time been controversial in Fidesz itself, opponents argued that it would promote emigration of the ethnic kin to Hungary and would go against the principle of giving priority in kin state policy to helping Hungarian communities in their homelands. Many in the party were also of the opinion that the majority of the Hungarian public would not support granting double citizenship to the ethnic kin. As the World Federation of Hungarians (Magyarok Világszövetsége MVSZ) initiated a referendum on dual citizenship in 2003, however, Fidesz had no choice but to put aside its misgivings and support it to demonstrate its commitment to the ethnic kin. The campaign for the referendum offered an opportunity for the conservative political camp to present itself as the real representative of the nation.

The referendum on double citizenship asked voters:

Do you want the National Assembly to legislate a law on offering—upon individual request—Hungarian citizenship, by preferential naturalization, to non-Hungarian citizens, living outside Hungary, declaring themselves to be of Hungarian nationality, proving
their Hungarian nationality either by a “Hungarian Certificate” under Art. 19 of the Act 62/2001 or in another way, defined in the law requested for legislation?\footnote{http://www.valasztas.hu/hu/download/869/nepszav_stat_2015.pdf}

The ruling social-liberal coalition called for a boycott of the referendum and used the issue of Hungarian minorities to mobilize against Fidesz. It envisioned that millions of Romanians would come to Hungary with whom the population had to share welfare benefits and called for a boycott of the referendum. The new chairman of the MSZP Ferenc Gyurcsány used the campaign against the referendum to show that he could defeat Orbán by using anti-nationalist rhetoric to mobilize socialist voters against him.\footnote{http://vs.hu/kozelet/osszes/a-diskurzus-nem-a-kulhoniakrol-szol-interju-bardi-nandor-tortenesszel-1205#ls2}

Slightly more than 51% voted for the dual citizenship, 49% were against it but the referendum was invalid because of the low turnout of only 37% of the eligible voters. The low turnout for the referendum made clear to Fidesz that the issue of the ethnic kin was one that could not mobilize electoral support.

The concerns of Hungarians about their economic well-being and the fears of a wave of ethnic Hungarian migration showed the limits of cross-border ethnic attachments. The government’s campaign for boycotting the referendum was successful because the issue of Hungarian kin was low on the agenda of the Hungarian population, an attitude which has been well documented.\footnote{(Csepeli & Örkény 1996: 280) (Kiss (2013, 39) (Csepeli-Örkény 2017, 78-29, 84-85) Stephen M. Saideman and R. William Ayres whose major concern regarding kin state policy is the irredentism of the kin state come to the conclusion that the political elite would be deterred from irredentism if its population rejected the massive wave of immigration of other ethnic groups}
that the physical expansion of a country’s borders would entail. (Saideman and Ayres 2015 2-3, 90-91)

The Gyurcsány government used the political concept of the nation as it stressed that ethnic Hungarians do not work and pay taxes in Hungary and will still have a say in how the country is governed if they are granted the right to vote in parliamentary elections. A major concern was that with dual citizenship ethnic Hungarians would receive non-resident voting rights which they would use to vote for the conservative camp in parliamentary elections. The political stakes were high. As Myra A. Waterbury comments: “Granting nonresident dual citizenship would have the practical effect of merging the Hungarian cultural nation and the political community, resulting in many intended and unintended consequences. Such a merging could potentially reshape political power in Hungary by changing the size and composition of the electorate, most likely in favor of Fidesz and other right-wing parties.” (Waterbury, 2010:124) The same concern was voiced by Mária Kovács who commented that dual citizenship could influence the outcome of the elections and predicted that it “would run counter to the principle of popular sovereignty and democratic self-determination within Hungary itself, putting Hungarian democracy under pressures it may not be able to withstand.” (Kovács, 2006:62 in Waterbury 2010) Kovács also expressed concern that a wave of migration could result from granting dual citizenship which could not be controlled and would put pressure on Hungary’s economically weaker regions.

Fidesz interpreted the rejection by the left-liberal coalition government of the idea of granting Hungarian minorities Hungarian citizenship as a betrayal of those minorities. Many on the conservative side and ethnic Hungarians abroad saw in the defeat of the referendum a “second Trianon” for the Hungarian nation. In a speech in 2005, Orbán referred to the referendum when he said that “when it occasionally got the chance the left wing attacked its own nation.” He stressed the need for a nationally oriented left wing because “there was no national
unity without the participation of the left-wing.” (Orbán 2007: 395–396 in Oltay 2013:42-53)

Ethnic Hungarians abroad perceived the failure of the referendum as a rejection of the Hungarian communities abroad and as their symbolic exclusion from the Hungarian nation. They condemned the campaign conducted against the dual citizenship by the left-liberal coalition government but also blamed the indifference of the Hungarian population at large. Relations between the Hungarian population and the ethnic kin soured and many existing prejudices toward each other were reinforced. The abolishment of the Government Office for Hungarian Minorities Abroad (Határon Túli Magyarok Hivatala – HTMH) and of the Teleki Foundation under the left-wing government (2004-2009) only underlined that there was little interest in ethnic Hungarians abroad. (Kántor 2006)

The sociologist Tamás Kiss concludes that the enemy images promoted at the time by the opponents and supporters of the citizenship for the ethnic kin contributed to the re-definition of the concept of the nation and to the strengthening of radical right discourses. (Kiss, 2013:39) Gábor Egry also admits that the themes of well-fare chauvinism used by the left-liberal government which relied on fears of a social decline were effective in preventing the approval of the double citizenship they also unleashed emotions which were used by the radical right, in the first place by Jobbik, to gain followers.(Egry, 2010:173)

Chapter 6. Framework for New Kin State Policy

Fundamental Law
The new constitution, the Fundamental Law forms the basis of the new national policy as it places the relationship of the Hungarian state and of the ethnic kin abroad on an ethno-cultural basis. It replaced the provisional constitution based on the extensively rewritten version of the communist constitution which stayed in effect after 1990 because the political parties could not agree on the contents of a new constitution, among others on the concept of the nation.

The plan to adopt a new constitution has been embraced by several governments since the 1990 parliamentary elections but could not be carried out because of the lack of parliamentary majority and or lack of consensus over how it should be formulated. The provisional constitution enshrined the principle that the Hungarian state had a responsibility to help ethnic Hungarians in neighboring countries maintain their ethnic identity. It was, however, not clear what this responsibility entails. The constitution also spoke of the unity of the nation expressed through the President of the Republic without explaining which conception of the nation this entailed. Parliamentary President László Kövér commented that while the old constitution proclaimed the responsibility of the Hungarian state for Hungarians abroad the Orbán government took the step of actually taking over responsibility for ethnic Hungarians.

The Fundamental Law defines the relationship between the Hungarian state and the ethnic kin around the cultural concept

107 Act XX of 1949 The Constitution of the Republic of Hungary 29 & (1) “Hungary’s Head of State is the President of the Republic, who represents the unity of the nation and monitors the democratic operation of the State.”
108 Kövér: gonosz erők szorongatták a kényszerhelyzetben lévő Fideszt, 5 December 2013, MTI
of the nation. The preamble of the Fundamental law seeks to explain the core values which pertain to the concept of the nation under which society should be integrated and national identity consolidated. The first sentence of the Law is “God bless Hungarians” which is the first line of the national anthem of Hungary, the poem Himnusz by Kölcsey Ferenc. The emphasis on the role of Christianity and religious traditions in the preservation of Hungarian nationhood stands out in a secularized Europe and contrasts with the EU constitution which made no reference to “God” or “Christianity.”

The Law defines in paragraph D the responsibility toward the ethnic kin as follows: “Bearing in mind that there is one single Hungarian nation that belongs together, Hungary shall bear responsibility for the fate of Hungarians living beyond its borders, shall facilitate the efforts to preserve their Hungarian identity, the effective use 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.” The mentioning of the Hungarian nation and the responsibility of the Hungarian state for Hungarians abroad is clearly an increased emphasis on the nation compared to the previous constitution of 1990.

The Preamble entitled National Avowal and declares that “WE, THE MEMBERS OF THE HUNGARIAN NATION, at the beginning of the new millennium, with a sense of responsibility for every Hungarian, hereby proclaim the following…” The nation is the fundamental, principal framework for the community whose most important cohesive values are fidelity, faith, and love. The National Avowal declares Hungary’s intention to preserve “the intellectual and spiritual unity of our

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109 http://www.kormany.hu/download/e/02/00000/The%20New%20Fundamental%20Law%20of%20Hungary.pdf

nation.” This forms the basis of the new kin-state policy. The Preamble explains that the Fundamental law is a “covenant among Hungarians past, present and future; a living framework which expresses the nation’s will.” It is upon this “covenant” that the kin-state policy is based and the “living framework” provides for the flexibility and adjustment of this policy to new world-wide developments. Kövér called the National Avowal the most important part of the Fundamental Law because it expresses “who we were, who we are and who we would like to be.”

In the provisional constitution of 1990, the national and ethnic minorities are “constituent part of the state.” This is repeated in the Fundamental Law which in addition stresses the commitment to “promoting and safeguarding […] the languages and cultures of nationalities living in Hungary” (Preamble) and acknowledges (Article XXIX) that “Nationalities living in Hungary shall be constituent parts of the State. Every Hungarian citizen belonging to any nationality shall have the right to freely express and preserve his or her identity. Nationalities living in Hungary shall have the right to use their native languages and to the individual and collective use of names in their own languages, to promote their own cultures, and to be educated in their native languages.”

Hungarian opposition politicians and many scholars protested that the government made its concept of nation part of the constitution although there was no national consensus over its


112 Interview with László Kövér in Inforádio Aréna, 23 April 2015.

113 Act XX of 1949 The Constitution of the Republic of Hungary 68. & (1) The national and ethnic minorities living in the Republic of Hungary participate in the sovereign power of the people: they represent a constituent part of the State.

meaning. The major objection was that the Fundamental Law was based on the ethno-cultural character of the nation. The term “WE, THE MEMBERS OF THE HUNGARIAN NATION…” drew critic for referring to the nation. As Iván Halász put it “in a democratic state based on the rule of the law the source of power is basically the community of citizens not the nation which can be interpreted in many ways, for this reason it is superfluous to use expressions in the fundamental law which in the East Central European context do not cover the definition of the political community.” 115 He also objects on the same grounds to the formulation in the 1992 Slovak constitution “We, the Slovak nation…” pointing out that some 15% of the Slovak population are members of national and ethnic minorities who are referred to as “we the citizens of the Slovak republic.” Hungarians in Slovakia never considered themselves as members of the Slovak nation and the majority of the public also do not regard them as Slovak nationals.116

Politicians and scholars criticized that the Fundamental Law enshrined the responsibility of the Hungarian state for the fate of Hungarians abroad and obliged future generations to adhere to the political commitment to the ethnic kin. Halász expressed the opinion of many of the critics by stating that in the Fundamental Law of Hungary the Hungarian state should in the first place feel responsible for every Hungarian citizen.117

The advisory body of the Council of Europe, the Venice Commission also found the term “responsibility” in the Law “unfortunate” because it could lead to conflict of “competences” between the kin state and home states where ethnic

116 Ibid.
117 Ibid. p. 159; NAGY BOLDIZSÁR Az állampolgárság mint stigma: az állampolgárság hátrányai (Mi közöm a könyvégetőkhöz?)1 Regio 22. Évfolyam (2014) 1. Szám. 36-77.
Hungarians live. It cautioned that the broad interpretation of the concept of nation and of Hungary’s responsibility toward the ethnic kin “may hamper inter-State relations and create inter-ethnic tension.”\textsuperscript{118} The Commission also warned that legislators should pay “proper attention to the principle of friendly neighborly relations and avoid inclusion of extra-territorial elements and formulations that may give rise to resentment among neighboring states”\textsuperscript{119} The Commission reiterated the opinion expressed in the “Report on the Preferential Treatment of National Minorities by their Kin-State” which stated that “responsibility for minority protection lies primarily with the home-States.”\textsuperscript{120}

Trianon: Day of National Cohesion

In 2010, the Hungarian government attempted to come to terms with the loss of two-thirds of the country’s territory by declaring June 4, the 90th anniversary of the Trianon Peace Treaty, Day of National Cohesion. Under a law enacted by the Hungarian parliament a national day of remembrance is to express the unity of the nation and to remember an event that was not discussed during the era of communism and was not officially commemorated since the democratic transformation.\textsuperscript{121} The law was enacted with votes 302 votes in favor, 55 against and 12 abstentions reflecting the cleavage between Hungarian political camps regarding the interpretation of Trianon.

The Act states that “Every member and community of the Hungarian nation thrown under the jurisdiction of different states is part of the unified Hungarian nation, the beyond

\textsuperscript{119} (Venice Commission 2011, para. 39) www.venice.coe.int.

\textsuperscript{121} A NEMZETI ÖSSZETARTOZÁS MELLETTI TANÚSÁGTÉTEL RÖL SZÓLÓ 2010. ÉVI XLV. TÖRVÉNY, ACT NO. 45 OF 2010 ON THE TESTIMONY FOR NATIONAL COHESION.
borders unity of which is reality, and is also an important element of Hungarians’ personal and community identity.”

In the preamble, the Act states that “the political, economic, legal and psychological problems caused by the enforced Peace Treaty have remained unresolved for the past 90 years, at the same time rejects solutions based either on territorial revisionism supported by foreign powers or totalitarian utopias, which would lead nowhere.” It declares that the law “breaks with approaching the issue from a perspective of grievance and tragedy, moreover, draws lessons from our past mistakes which truly offended members of other nations. The program of building a culturally unified cross border nation wishes to contribute to the peaceful future – based on mutual understanding and cooperation – of peoples and nations living in the Carpathian Basin and to the reunification of Europe dismembered by the tragedies of the 20th century. Publishing the Act in ten different languages stands as proof of our goodwill.” 122

The fourth paragraph of the law exercises self-critic and calls for strengthening “national cohesion.” The Hungarian National Assembly feels obliged to call upon present members of the Hungarian nation and those of future generations to strive for national cohesion, by forever bearing in mind the national tragedy brought about by the enforced Peace Treaty of Trianon, by taking into account our own mistakes that rightly aggrieved members of other nations, and learning from those mistakes, by drawing strength from examples of national cohesion and achievements of national revival in the struggles of the past ninety years. Thereof the National Assembly declares the 4th of June, the day of the enforced Peace Treaty of Trianon of 1920, the Day of National Cohesion.”

The law states that “The national remembrance, the enhancement of the common future of the peoples of the Carpathian Basin and the assertion of European rights bestows upon us the task of understanding and processing the decisions surrounding Trianon. At the same time, it gives the opportunity to prove that Hungarians are capable of national renewal after this historical tragedy by drawing upon their language and culture and can solve the historical tasks confronting them.”

The new government set up the Parliamentary Committee on National Cohesion which devotes itself to promoting ties between Hungarians in the kin-state and those living abroad. The Committee has a great symbolic meaning since it is the first independent standing parliamentary committee ever that deals exclusively with issues related to Hungarians abroad. The government saw a need for such a Committee to deal with the tasks arising out of the institutionalization of ties between ethnic Hungarians and the kin state that came about when citizenship was extended in 2010 to Hungarians abroad. This created a new situation and gave the government and parliament new tasks. The Committee took up its work in January 2011 and has a subcommittee named Autonomy Subcommittee which is devoted to helping the autonomy aspirations of the ethnic kin. The Committee has the task of establishing relations to Hungarian political and social organizations abroad, oversees the events organized by Hungarians abroad as well as the institutions in charge of the policy toward ethnic Hungarians outside Hungary. It regularly holds sessions outside Hungary in the Carpathian Basin where Hungarian communities live. The Foreign Relations Committee deals with issues relating to ethnic Hungarians abroad and issues of constitutional, budgetary, educational and ecclesiastical nature are also discussed in the various parliamentary committees. (Kántor NPA, 2013)

123 http://nemzetioszetartozas.kormany.hu/a-nemzeti-osszetartozas-napja-2012
The enactment of the law on National Cohesion amounted to an endorsement of the ethno-cultural concept of the nation. Those who endorsed the civic concept of the nation feared that the state will define through legislation who are Hungarians and some groups of society will be excluded. (Halász 2013)

Margit Feischmidt objects that under “national commitment” “/the law/ refers exclusively to those members of the nation who live beyond the borders and fails, for instance, to draw the consequences from the same historical mistakes for the importance of democratic principles and the recognition of minorities at home.” (Feischmidt 2014:59) She speaks of a “historicizing, strongly ethnicizing national discourse which is being realized by integrating people and communities who are outside the political nation while on the other hand they emphasize the differing nature (the other) of those who are part of the political nation but can be perceived as being different based on their ethnic or phenotype characteristics.” (Feischmidt 2014: 126)

Cohesion Through Cooperation

Fidesz worked out a very detailed policy toward Hungarian co-nationals prior to the 2010 elections which it expected to win. Following the 2010 national elections ethnic Hungarians abroad were included in a System of National Cooperation Nemzeti Együttműködés Rendszere” (NER). The declaration of the newly elected parliament states: “We, the representatives of the Hungarian National Assembly, declare that we are going to build the new political and economic system based on the democratic will of the people on the pillars indispensable to happiness and a respectable life, and which bond the diverse members of the Hungarian nation. Work, home, family, health, and order are going to be the pillars of the future.”

124 http://www.parlament.hu/irom39/00047/00047_e.pdf
file:///C:/Users/Edith%20Oltay/Downloads/political_declaration.pdf Office of the National Assembly
Document Number: H/47 Received: 22 May The Programme of National Cooperation THE DECLARATION OF NATIONAL COOPERATION
NER was interpreted as “the inception of a new social contract” in which all groups cooperate in the interest of the country. NER serves as the symbol for constructing a new Hungarian identity and the harbinger of an era of national cooperation under which a new political, economic and social system will be built. The NER declaration recalls events in Hungarian history and labels the period from 1990 and 2010 as a period of transition after which Hungary regained its national sovereignty and can determine its destiny. The government ordered that the declaration be displayed in all ministries and public institutions. It appealed to the civic concept of the nation by addressing “everybody who lives, works or has an undertaking in Hungary,” it took up the ethnic cultural conception asserting that “The National Cooperation System is open for every Hungarian. It is shared by Hungarians living in and out of Hungary.”

According to Nándor Bárdi, the inclusion of ethnic Hungarians abroad in NER reflects the need of the government to compensate for the lack of social cohesion in Hungary through expanding the national community. He interpreted the granting of dual citizenship to co-nationals as an attempt to make up for the deficits of the political community in Hungary.

Hungarian Nation-Building and Institutionalization

Kin-state policy was defined as the “policy of the Hungarian state toward Hungarians abroad, who live in neighboring countries and other countries of the world.” Kin state policy involves “nation building, society building, community building, the strengthening of identity, institutionalization …which is a precondition of the reproduction of Hungarian /identity/.” (Kántor, 2015:36) Hungarian communities abroad and the

125 Ibid.
126 https://vs.hu/kozelet/osszes-a-diskurzus-nem-a-kulhonjakrol-szo--interju-bardi-nandor-tortenesszel-1205#ls2
Hungarian state join efforts to promote community building and to strengthen ties to the Hungarian nation.

The policy toward the ethnic kin revolves around the concept of institutionalization which is to serve as the basis for the integration of the Hungarian nation. The government’s program envisages setting up a network of institutions to ensure the survival of the Hungarian language, culture and community. A community conscious of its traditions and treasures would be better able to exercise, protect or expand their rights. The strengthening of the identity of the community plays a key role in stopping assimilation. (Kántor NPA, 2013, 174-175)

The institutionalization of relations takes place on three levels. First, on the individual level ties to Hungarians are strengthened through citizenship and the right to vote. Institutions also enhance the bonds between Hungarians. Secondly, ethnic Hungarians as a community link their organizations with those of the kin-state and present themselves in their homelands as communities with collective needs and the right to autonomy. The reproduction of the ethnic identity of Hungarian communities can in the long term only be achieved by granting them autonomy in their homeland. This would enable ethnic Hungarians to engage in society building and set up the institutional framework they need to live their entire lives as Hungarians.

Thirdly, the Hungarian nation is integrated on the individual and collective level into the European Union. (Kántor NPA, 2013, 174-175)

The new strategy focused not only on the attainment of minority rights but also on preventing the assimilation of the ever-diminishing Hungarian communities. The government’s aim is to
stop the decline in the number ethnic Hungarians and to achieve a growth in their number. One of the foundations of Hungarian policy toward Hungarians abroad is that they should prosper in their homelands. Addressing the issue of outmigration which is made easier through the possession of Hungarian citizenship, the official view is that “Hungary cannot and does not want to go against international trends, which indicate a growth of mobility.” The positive aspects of travel such the learning of new languages and gathering professional experience are also mentioned along with the expectation that ethnic Hungarians will return to their homelands to help their communities.127

The Hungarian government started large-scale economic programs and investments in the regions where ethnic Hungarians live to promote positive economic developments there. The programs have been coordinated at the legislative and administrative levels. (Kántor pm, 2015)

Law on Dual Citizenship

The first law that the newly established parliament passed in 2010 was the amendment of the Act on Hungarian Citizenship of 1993 in May 2010 which paved the way for the simplified naturalization procedure. This was to fulfill the promise of the “spiritual reunification of Hungarians.” The draft of the amendment was prepared prior to the government’s taking office and was submitted to parliament by Prime Minister Orbán, deputy-prime minister Zsolt Semjén, House Speaker László Kövér, State Secretary for Foreign Policy Zsolt Németh and Fidesz Deputy-President, Lajos Kósa.

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127 (“Policy for Hungarian Communities Abroad: Strategic Framework for Hungarian Communities Abroad” 2013:13)
The law was adopted on May 26, 2010 with 344 votes, 3 no votes came from the MSZP (Hungarian Socialist Party) and 5 abstentions (3 MSZP and 2 Lehet Más a Politika LMP Politics can be Different). The amended law and its application on 1 January 2011 made it possible for ethnic Hungarians, former Hungarian citizens and their descendants, to acquire Hungarian citizenship even if they do not reside in Hungary. Ethnic Hungarians are eligible for citizenship if they speak the Hungarian language and have an ancestor who was a Hungarian citizen. This granted ethnic Hungarians who live abroad the right to claim Hungarian nationality as a second citizenship. Before the amendment, dual citizenship was only possible if the applicant moved to Hungary and naturalization was tied to three to eight years of permanent residency. 128

The principle underlying the amendment is that ethnic Hungarians are members of the same unified Hungarian nation even if they live abroad and are citizens of other countries. The law entered in force on 20 August, the National Day of Hungary commemorating Hungary’s first king St. Stephen and the foundation of the Hungarian state which underlines its significance. The provision of the law that speaks of the eligibility of those “whose Hungarian descent is probable” makes it possible for Csángó Hungarians in Moldva Romania to gain citizenship. Csángó Hungarians live in Romania’s Moldva province and live in isolation from other ethnic Hungarians in Romania. They have not participated in the Hungarian nation-building of the nineteenth century and their ancestors possessed no Hungarian citizenship. 129


129 NemzetpolitikaiElemző - 2010. November 2, Kitekinto.hu refers to an interview with ministerial commissioner Tamás Wetzel in which he stated that this provision aimed at providing Csángó Hungarians access to Hungarian citizenship.
http://kitekinto.hu/karpatmedence/2010/09/15/ketts_allampolgarsag_nem_az_atvandoroltatas_aCel/
The draft explains that a simplified naturalization procedure would be a great help in the efforts of Hungarians abroad to maintain ties with the kin-state and to preserve their Hungarian identity. It points out that ethnic Hungarians abroad asked for a simplified naturalization procedure many times in the past 20 years. Under the law, some 2.5 million Hungarians living in neighboring countries are eligible for external kin-state citizenship. The draft stresses that the amendment would not result in granting Hungarian citizenship to a great number of people at once since the naturalization would proceed based on individual application and several administrative burdens would be eliminated.

Ethnic Hungarians in neighboring countries overwhelmingly welcomed dual citizenship. As a member of the Hungarian minority formulated it: “Hungarians across the borders are also Hungarians. Period. Yes, there exists a Hungarian cultural nation that reaches across borders. This nation exists without citizenship too, but if Hungary granted the citizenship (let us not forget with almost uninanimous parliamentary support) this can
be means of cooperation for the nation, which many would like to take advantage of.”

Surveys among ethnic Hungarians in Romania showed that only 9 percent of the Hungarians in Transylvania were against the dual citizenship in July 2012 by September 2014 the number of those opposed to the legislation declined to a negligible 2.6 percent. (Kiss 2016:18-19) The law had a symbolic value for most ethnic Hungarians in neighboring countries since they live in EU countries and can travel and work in Europe. Only for ethnic Hungarians from non-EU countries that is Serbia and the Ukraine does the Hungarian passport mean access to West-European countries. Here ethnic Hungarians can also take advantage of the opportunities offered by the US Visa Waiver Program for Hungarian citizens.

Under the Hungarian citizenship law, ethnic Hungarians apply for citizenship on an individual basis. Theoretically, five million ethnic Hungarians living in neighboring countries and the Western Diaspora could apply for Hungarian citizenship. Eight years after adopting the law, fears that large-scale granting of double citizenship to non-resident ethnics would result in a substantial increase in EU citizens from non-EU countries failed to materialize.

Right to Vote for New Citizens

The Law on the Election of members of Parliament was amended in 2011 to give the new citizens the right to vote in Hungarian parliamentary elections. The preamble of the Law declared that “Hungarian citizens living beyond the borders of Hungary shall be a part of the political community.” Under Hungary’s mixed electoral system citizens who reside in Hungary have two votes: one for territorial candidates and one for the national list. The vote of those Hungarian citizens who do not reside in Hungary may

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131 ACT CCIII OF 2011 ON THE ELECTIONS OF MEMBERS OF PARLIAMENT
only be cast for the national party list. This means that of the 199 parliamentary mandates their votes can influence only the 93 national list mandates and have no say in the distribution of 106 territorial mandates. Non-resident citizens are required to register to vote and can also do this on line. They can cast their votes per post. Opposition parties that Hungarian citizens with residence in Hungary who work and live abroad can only cast their votes at diplomatic missions.132

For many Hungarian minority communities gaining the citizenship of the kin state and non-resident voting rights were a long-awaited recognition of their ethnic identity and a support for their communities. Voting rights for non-residents serves as an example of how citizens share their identities and allegiances. Iván Halász speaks of the transborderisation of elections, which has reached the region of East-Central Europe and involves not only the migration of electors, but also of elections and election mechanisms.133

Under the electoral system, the number of mandates non-resident voters can win is one or two depending on voter participation. Votes of the ethnic kin have special significance if the results of the votes are very close. (See below) Much of the criticism of the right to vote of Hungarians abroad must be seen in the framework of the controversy in Hungary between the two political camps over who are part of the Hungarian nation. Left wing parties feared that the ethnic kin would vote for the conservative parties who made their ballot possible in the first place. In 2006, Fidesz’s candidate for deputy prime minister


István Mikola addressed these fears when he envisioned a twenty-year-period in government for Fidesz through granting voting rights to Hungarians beyond the borders.\(^{134}\) The fears of opposition parties that non-resident votes will support Fidesz were confirmed as the overwhelming majority of the ethnic kin cast their ballots for Fidesz in the 2014 and the 2018 elections.

Scholars warn, however, that the voting behavior of the kin-population is difficult to predict. Even if they prefer one political camp at the time, they are granted voting rights this could soon change. Speculations in France based on the experience of the 2007 presidential elections that electoral reform would help the center-right government were disproved when the left wing won in 2012 elections with the help of external voters.\(^{135}\) Similarly in Italy the hopes of the Berlusconi government that electoral reforms would help its reelection were disappointed when the center-left won. (Pogonyi 2014: 136)

**New Government Structure**

Following the 2010 parliamentary elections, a new government structure was set up which aimed at creating the conditions for carrying out the strategic goals of the government in national policy. The aim was to create the necessary institutional framework to ensure that the policy toward the ethnic kin was taken into account at the levels of decision making and execution and was present at all levels of the public administration. The policies toward Hungarians abroad were coordinated by an inter-ministerial entity in which representatives from seven ministries participated. This reflected the increased political weight of the ethnic kin within the government and the determination that all key ministries

\(^{134}\) [http://www.hetek.hu/hit_es_ertekek/200603/pasztorbotot_orban_nak](http://www.hetek.hu/hit_es_ertekek/200603/pasztorbotot_orban_nak)

should be involved in carrying out the policy. The government’s program details how the Hungarian public administration will carry out the national policy and its implications for Hungarian communities abroad. A key element is the coordination of policy on all levels of Hungarian politics that evaluates the opinion of all actors involved. Kin state policy became part of Hungarian public administration and public servants were trained to handle it professionally. (Kántor npa, 2013, 174-175)

Under the new institutional framework, the State Secretariat for Hungarian Communities Abroad NFA (Nemzetpolitikáért Felelős Államtitkárság) was moved from the Ministry of Foreign Affairs to the Ministry of Public Administration and Justice and was headed by the Deputy Prime Minister. The government put Deputy-prime minister Zsolt Semjén in charge of the policy toward Hungarians abroad. The post of State Secretary for Hungarians Abroad was created. New departments dealing with Hungarians abroad were set up in several ministries (e.g. Ministry of National Economy, Ministry of National Resources).

Following the 2014 elections, the NFA was moved to the Prime Minister’s Office. The Secretariat falls under the jurisdiction of the deputy prime minister in charge of national policy and its daily operation is supervised by the deputy state secretary in charge of national policy. The NFA was put in charge of coordinating the ties between Hungarian state organs and representatives and organizations of Hungarians abroad. (Kántor npa, 2013, 174-175)

The Secretariat also oversees the system which provides funds to Hungarians abroad. The NFA supervises allocations from the state budget to determine whether they are used efficiently and in a transparent way. It also coordinates the work of the Interministerial Committee for Hungarian Communities Abroad (Nemzetpolitikai Tárcaközi Bizottság – NPTB) which was
created by the government to harmonize the work of the departments that deal with issues relating to the ethnic kin. The Committee is headed by the Deputy Prime Minister, while its vice-president is the parliamentary state secretary at the Ministry of Foreign Affairs. The NPTB meets at least two times a year. Among the most important tasks of the Committee is to provide information for the Government’s policy toward Hungarians abroad, to coordinate and assess the tasks needed for the policy and to harmonize the other ministries’ activities toward ethnic Hungarians. The Committee is also to ensure that budget resources devoted to national policy are used in the most efficient way. The government’s aim was to restructure aid in a way that it was centralized and transparent.¹³⁶

In 2011 the Bethlen Gábor Fund was established to manage and coordinate the financial support for Hungarians abroad. It provides grants to local governments and civil organizations in neighboring countries to promote Hungarian language and culture. (www.bgazrt.hu) The Fund finances the operation of the House of Hungarians (Magyarság Háza) and the Research Institute for Hungarian Communities Abroad. The House of Hungarians provides offices to Hungarian organizations and organizes programs that seek to show the life of Hungarian communities abroad to the Hungarian public. The government’s Research Institute for Hungarians Abroad carries out research on ethnic Hungarians living abroad, makes suggestions for research on minorities and processes its findings for implementation by policy makers. The government also set up the Nemzetstratégiai Kutatóintézet the Research Institute for National Strategy. The Institute is devoted to researching how Hungarian identity in the Carpathian Basin and worldwide can

be preserved and Hungarian heritage reformulated in a modern way.\textsuperscript{137}

The Bethlen Gábor Fund also manages the program Határtalanul! (Without Borders!) which seeks to promote national cohesion by organizing transborder trips for Hungarian students in Hungary and in neighboring countries to visit sites connected to Hungarian historical events. The aim of the trips is to give students an opportunity to get to know historical sites, many of which lie outside Hungary, and to inculcate solidarity with Hungarian communities. (Pap, 2013) Between 2013 and 2017, 183,000 students participated in the program.\textsuperscript{138}

Forums for Ethnic Hungarians

The Hungarian National Assembly and Hungarian-Hungarian Forums make the decisions concerning the policy toward the ethnic kin. A major goal of the government was to increase the dialogue with Hungarians abroad and incorporate their views in its decision-making process. Here institutionalized forums between the Hungarian government and representatives of Hungarian communities play a key role.

Prime Minister Orbán reconvened on 5 November 2010 Hungarian Standing Conference (MÁÉRT) after six years of break under Prime Minister Gyurcsány. MÁÉRT meets at least once a year and has resumed its position as the most important political forum where Hungarian government officials meet with representatives of ethnic Hungarian communities. MÁÉRT currently has 4 working committees: Committee on Foreign and Legal Affairs, Committee on Education and Culture, Committee on Economy and Local Government and Diaspora Committee.


In November 2011, the MÁÉRT adopted the document entitled “Hungarian National Policy – Framework of the strategy of national policy.” The member organizations of MÁÉRT reached consensus regarding the basic goals of Hungarian national policy and agreed on how these goals should be achieved in practice. The document formulated goals that promote the wellbeing and growth of Hungarian communities abroad. It stated as its goal that “more Hungarians become members of prospering communities; they do not assimilate and are characterized by positive growth and a good quality of life. The identity of the members of the community which undergo a spiritual growth is strong, they accept the community’s norms as their own, the knowledge that they possess is competitive in the world, they preserve and develop the cultural treasures of the community. The community experiences economic growth through coordinated development by taking advantage of the available possibilities, using networks that reach across the borders…Members of the community also experience a growth in their legal rights, use their rights with self-confidence, protect and when needed expand those rights.”

Another important forum is the Forum of the Hungarian Representatives of the Carpathian Basin (Kárpát-medencei Magyar Képviselők Fóruma – KMKF). The former speaker of the Hungarian Parliament and the candidate of the Hungarian Socialist Party for the Presidency Katalin Szili initiated the setting up of the Forum in 2004. It first convened in 2004 and served as a forum for ethnic Hungarians in neighboring countries who were elected at the national, county or local level and Hungarian members of the European Parliament. It had a symbolic meaning to ethnic Hungarians abroad because the Hungarian parliament served as a forum for dialogue at a time when the socialist liberal governments were not interested in


policy input from ethnic Hungarian parties. Throughout the years the KMKF promoted cooperation between Hungarian parliamentarians and Hungarian representatives from neighboring countries. After 2010 KMKF also received the tasks of specializing in parliamentary communication and establishing long-term strategies for parliamentary cooperation. This supplements the work of MÁÉRT which takes up issues concerning political and governmental communication.\textsuperscript{141} Katalin Szili became an advisor to Prime Minister Orbán who specializes in questions relating to achieving autonomy in neighboring countries.

Hungarian Diaspora Programs

The interests of the worldwide Hungarian diaspora are represented by the Hungarian Diaspora Council. The Council is an independent body that focuses on the special needs of Hungarians living in diaspora and seeks to help Hungarian communities around the world maintain their Hungarian identity and language. There are different governmental projects targeting specifically the Hungarian diaspora.

The \textit{Kőrösi Csoma Sándor Program} aims to develop the Hungarian language skills of diaspora Hungarians, encourage their community activity and strengthen their relations with Hungary. Within the framework of the program, Hungary sends interns to local Hungarian communities in Australia, Canada, the United States, Western Europe, and South America to help them preserve Hungarian culture, and foster Hungarian organizations’ ties to the motherland.\textsuperscript{142}

\textsuperscript{141} \url{http://www.magyarszo.com/hu/2544/kulfold_magyarsag/119328/%C3%9Cl%E9sezett-a-K%C3%A1rp%C3%A1t-medencei-Magyar-K%C3%A9pvisel%C5%91k-F%C3%B3ruma.htm}

The Hungarian government also launched, the *Hungarian Register* website to establish direct contact with Hungarians living in different parts of the world. The objective of the *Julianus program* is to create a comprehensive register of the Hungarian material heritage located in the diaspora and create broad access to its data. The aim of the program is to present Hungarian material heritage which are to be found in the diaspora territories and giving an overview of how Hungarian communities living in the diaspora have contributed to the universal Hungarian culture. The *Mikes Kelemen program* focuses on preserving the diaspora’s material heritage, collecting its elements. The *Petőfi Sándor Program* focuses on dispersed Hungarian communities in the Carpathian Basin. Under the program, interns from Hungary are sent to help the work of Hungarian organizations living in scattered communities. Since 2015 140 interns were sent to the communities.\(^\text{143}\)

**System of Financial Aid**

Since 2010 financial aid to ethnic Hungarians has greatly increased. According to the State Secretariat for Hungarian Communities Abroad, in 2009 9 billion forints was spent on Hungarian communities abroad in 2017 over 100 billion forints was allocated for this purpose. This amounts to a tenfold increase. The amount available for the year 2018 is close to 100 billion forints.\(^\text{144}\)

\(^\text{143}\)https://www.nemzetiregiszter.hu/korosi-csoma-program
\(^\text{144}\)https://www.nemzetiregiszter.hu/julianus-program-en
\(^\text{144}\)https://www.nemzetiregiszter.hu/mikes-kelemen-program-en

A long-standing problem with the funding of projects in ethnic Hungarian communities abroad has been the lack of accountability of the funds provided by the kin state. (Bárdi, Misovicz 2010) The Fidesz government identified the lack of transparency as one of the failures of kin state policy in the past and set the goal of making the financing and implementation of programs in ethnic Hungarian communities more transparent.\(^\text{145}\) Experts criticize the current system of financial aid for lack of transparency. According to them, the current structure of the financial institutional system has too many centers and parallel programs. Funds and programs come from various levels of the government such as ministries and state secretariats. Parliamentary President László Kövér, who has always taken a special interest in Hungarians abroad, supports additional parliamentary programs and funding for ethnic Hungarians. Bárdi puts the number of those institutions who are involved in carrying out kin state policy at 30 most of whom also allocate funds. The decentralization of the funds and programs makes it difficult to establish a link between subsidies and how effectively they are used. As a rule, ethnic Hungarian politicians who enjoy the support of the government control the distribution of funds and play a key role in coordinating kin state programs. At the same time, Hungarian decision-making is criticized as excessively centralized and not capable of assessing what type of investments are needed and how effective they are. One

frequently cited case is investment in building and or renovating kindergartens in areas where this is not necessary. (Bárdi 2017:142,152, 153)

Critic has also been voiced that the government fails to take expert opinion into account when making decisions about the financial support and investments for ethnic Hungarian communities. A main objection is that the system of financial support gives infrastructural and real estate investment priority over the development of human capital and knowledge. (Bárdi 2017:142,152)

**Economic development of the Carpathian Basin**

The strengthening of the economic role of Hungary in the Carpathian Basin is defined by the government as the key to the success of kin state policy. The Program of National Cooperation calls for the restoration of the “Carpathian Basin Economic Space” and for transborder economic cooperation to strengthen the economic weight of Hungarians in the region.

The Strategic Framework for Kin State Policy declares that “The basic principle of the relationship between Hungary and Hungarian communities abroad, as well as the survival of Hungarian communities abroad, is that Hungary has to successfully increase its political, economic, and cultural role in the region. Only under this condition can assimilation be hindered, and vigorous, developing communities be maintained and supported” Hungary has to transform itself into the region’s “most modern and creative country” and increase the attractiveness of belonging to the Hungarian nation.146

Several economic plans also targeted the regions where ethnic Hungarians live. The Wekerle Plan aims at coordinating infrastructural investment and creating a unified job market in the Carpathian Basin. The Plan was formulated by the Minister of National Economy György Matolcsy in 2011. The goal was to

146 “Policy for Hungarian Communities Abroad: Strategic Framework for Hungarian Communities Abroad” 2013:12.
create by 2020 an economic arena in the Carpathian Basin in which the countries of the region reach the level of economic development of West European countries.\textsuperscript{147}

The Széchenyi Plan aims at stimulating the economy through distributing resources to Hungarian small and medium-sized enterprises through a new simple tender system.\textsuperscript{148}

The government also launched annual institutional development programs which concentrated on varying themes relating to education, training and business development. In 2012 it was kindergartens, in 2013 small schools, in 2014 secondary schools, in 2015 vocational training, in 2016 young entrepreneurs, and in 2017 family businesses.\textsuperscript{149}

Economic development of the regions where Hungarians live became a key part of the government’s national policy.\textsuperscript{150} The goal is to create job opportunities and improve the standards of living of ethnic Hungarians in their homelands to prevent their outmigration to Hungary or to the West. The program identifies entrepreneurs as the key economic actors in Hungarian populated areas and focuses on supporting them. It cites surveys which show that 60 percent of the young Hungarian entrepreneurs and 76% of the family entrepreneurs have no plans to leave their homelands.\textsuperscript{151}

\textsuperscript{147} http://www.maszol.ro/index.php/hatter/4046-wekerle-terv-a-szomszedok-felfedezese

\textsuperscript{148} https://mno.hu/gazdasag/csendben-kimult-a-wekerle-terv-1332316

\textsuperscript{149} http://gazdasagfejlesztes.gov.hu/en/new_szechenyi_plan


In 2016 the government spent 150 billion forints to help the development of regions where ethnic Hungarians live.\textsuperscript{152} In 2016 programs were started in Vojvodina Serbia and in Subcarpathia in Ukraine. In 2017, an economic investment program started in Slovakia.\textsuperscript{153}

In Slovakia, the Baross Gábor Plan will be implemented to promote small- and medium-sized entrepreneurs which will be worked out by the Hungarian ethnic party Magyar Közösség Pártja (MKP) Party of the Hungarian Community.\textsuperscript{154}

In the Ukraine, Subcarpathia, one of the poorest and war-stricken regions where ethnic Hungarians live the Hungarian government supplements or finances the running of the Hungarian language school system as well as other social facilities.\textsuperscript{155} Its social program supports Hungarian teaching and church staff, health workers, actors, journalists, and the staff of cultural institutions. Children in kindergarten and elementary education are provided free meals. Members of the majority nation often also benefited from the subsidies. Hungarian language courses were offered to Ukrainians to help the acceptance of the Hungarian language and promote the Hungarian language schooling of children who were born in Ukrainian-Hungarian marriages. Interest among Ukrainians to

\textsuperscript{152} Gazdaságilag is támogatják a külhoni magyarakat, Hungarians abroad also receive economic support, 17 March 2017, http://tiszanews.org.ua/index.php?module=news&&target=get&id=17735

\textsuperscript{153} Ibid.

\textsuperscript{154} A térségeket kell felvirágoztatni, The regions have to be revitalized, 17 March 2017, http://felvidek.ma/2017/03/a-terseeget-kell-felviragoztatni/

\textsuperscript{155} The Hungarian community has expressed repeatedly since the independence of the Ukraine its wish for autonomy or self-government in the regions where it lives. In 1991, ethnic Hungarians in Subcarpathia voted in referenda with an overwhelming majority for autonomy. The majority nation ignored the referendum since it was preoccupied with its own nation-building and the country’s ethnic homogenization. Fedinec Csilla: Magyarok Kárpátalján (Ukrajnában) (2015) Etnoregionális szándékok elméletének és gyakorlatának néhány aspektusa Fórum Társadalomtudományi Szemle: A Szlovákiai Magyar Tudományos Műhelyek folyóirata.
learn the Hungarian language was great since they could then qualify for gaining a Hungarian passport which opened the door to Hungary and the West. The “Egán Ede program” was launched in the region which provides 12 and 20 billion HUF (39 and 65 million EUR) in subsidies and preferential loans to enterprises. The program focuses on helping family and small and middle-sized enterprises especially in the fields of agriculture, tourism and manufacturing. In 2017, the government set up a Carpathian Basin investment fund to promote investments by businesses registered in Hungary. The goal was to increase the amount of Hungarian capital and the number of Hungarian owned enterprises which employ Hungarians.

Chapter 7

Views on Dual Citizenship in Hungary and Among Ethnic Hungarians

Public Perceptions about the Nation

While for decades under communism for most Hungarians the concept nation encompassed only those living on the territory of the nation, slowly the perceptions of the Hungarian public toward ethnic Hungarians changed. (Lázár 2013) Increasingly Hungarians see ethnic Hungarians in neighboring countries as part of the Hungarian nation and most of them approves granting them dual citizenship.

A representative survey commissioned by the oppositional newspaper Vasárnapi Hirek at Publicus in the summer of 2017

References:


found that 68 percent of those surveyed would grant ethnic Hungarians Hungarian citizenship. Among the parties which supported the citizenship Fidesz voters scored the highest at 82 percent, followed by Jobbik at 63 percent and undecided voters at 66 percent. Only 33 percent of the voters of the Hungarian Socialist Party (MSZP) were in favor granting Hungarian citizenship while 61 percent were against it. When the question regarding the dual citizenship formulated in a way that called attention to the fact that dual citizens do not pay taxes in Hungary the number of those opposing dual citizenship was at 46 percent higher than those who favored it (44 percent). Fidesz voters scored the highest at 50 percent among those still favoring dual citizenship. 159

Another representative survey in December 2017 found that the majority of Hungarians 54% favor giving citizenship to Hungarians abroad. Only 30 percent of those surveyed supported giving Hungarians abroad voting rights and 57% were against voting rights. (A representative survey by Závecz Research in December 2017 Elmúlt 8 Év Hírtv 3 December 2017) The latest polls of January 2018 from the Republikon Institute also showed that majority of Hungarians were against non-resident voting rights and found that 40% of those who oppose non-resident voting rights would even revoke these rights for non-resident citizens. While 31% of those who oppose non-resident voting rights have no desire to revoke it entirely. According to the poll, support for non-residential voting rights among Fidesz sympathizers was 37 percent, 32 were against it and 26 percent would revoke it. Among the supporters of Jobbik, the party which publicly expressed much support for ethnic Hungarians, 58 percent were against non-resident voting rights. According to the poll, only 8 percent of

159 Vasárnapi Hírek, 20 August 2017. https://index.hu/belfold/2017/08/20/a_tobbseg_nem_tamogatja_a_hataron_tuli_magyarok_szavazati_jogat/
the sympathizers of left-wing parties support non-resident voting rights. The poll was conducted among 1,002 respondents between August 10-12.

The Publicus survey found that 60 percent of the population rejected providing ethnic Hungarians free social services such as child care and travel allowances educational benefits as well as pension rights. 55 percent supported that health services be made available to dual citizens while 40% opposed it. Compared to Romanian citizens this means that far fewer Hungarians are willing to grant Hungarian dual citizens social services. (Kiss, 2013:39)


161 http://publicus.hu/blog/hataron_tuli_magyarok_egyes_jogairol/2017-08-20
The Publicus survey also found that the majority knew that most dual citizens voted for Fidesz and 57 percent opined that the gaining of votes and not a sense of responsibility for the ethnic kin was the government’s major motivation in supporting ethnic Hungarians. Subventions of several billions of forints for ethnic Hungarian communities were opposed by 53 percent of the respondents. An overwhelming majority of 81 percent rejects the Hungarian investment of 1 billion forints for a soccer academy in Székelyföld (Ținutul Secuiesc) in Transylvania, Romania.\(^{162}\)

Part of the Hungarian public still fears that the presence of ethnic Hungarians would put Hungarians at a disadvantage on the labor market and/or would reduce the social and educational benefits available to the Hungarian population. Even those Hungarians who care about the fate of their ethnic kin tend to have a one-sided view of Hungarian co-nationals either idealizing the conditions under which they lived or considering them competitors for jobs and social services.

It is against this background that the DK sought to attract voters by calling for abolishing the right of dual citizens to cast their votes in the campaign for the 2018 national elections. Gyurcsány argued that external voters acquire an unduly large influence over the outcome of the elections even though they do not live in Hungary and carry the political consequences of their votes.\(^{163}\)

Hungarian Parties and Ethnic Hungarian Votes

\(^{162}\) Ibid.
\(^{163}\) https://dailynewshungary.com/dk-voting-rights-never-lived-hungary/
As Hungarian citizens with voting rights ethnic Hungarians became potential constituents for Hungarian parties and part of internal Hungarian politics. Voting rights clearly give the ethnic kin a greater opportunity to influence the policy of the kin state toward the countries where they live and to present the needs of their communities. Voting rights to the ethnic kin induced Hungarian political parties to pay attention to the problems of Hungarians in neighboring countries. Interest in the situation of the ethnic kin is likely to increase as Hungarian politicians regard ethnic Hungarians as voters and take up their concerns. The relationship of ethnic Hungarians in neighboring countries to left and liberal parties have since 2001 the enactment of the Status Law and the 2004 referendum on dual citizenship been strained. The campaign of the then largest left-wing party MSZP against the dual citizenship burdened relations to ethnic Hungarians for many years to come and contributed to the party’s defeat in 2010. Most ethnic Hungarians voted for Fidesz in the last two parliamentary election out of gratitude for receiving Hungarian citizenship and because the left liberal parties could not present a kin state policy of their own. More ethnic Hungarians would vote for left and liberal parties if their leaders demonstrated that they care about the concerns of the ethnic kin.¹⁶⁴

The MSZP tried to make amends for its campaign against double citizenship in 2004 when it envisioned that millions of Romanians would flood the country. (Pogonyi 2017, 101-105) Prior to the 2014 parliamentary elections, MSZP president Attila Mesterházy apologized for the 2004 campaign during a visit to Transylvania where he tried to woo the votes of ethnic Hungarians. The party also refrained from publicly criticizing the law on dual

¹⁶⁴ Pap Szilárd István Szimbolikus bekebelezésen és sértett elutasításon túl http://vs.hu/versus/mi-kozuk-hatarontuliaknak-magyar-valasztasokhoz
citizenship. MSZP representatives also met with ethnic Hungarian leaders prior to the 2018 parliamentary elections.

In 2018, the former MSZP leader Gyurcsány now the head of a new party Demokratikus Koalíció DK (Democratic Coalition) held on to its rejection of double citizenship and non-resident voting rights. The campaign of DK was reminiscent of its arguments in 2004 when it predicted that the new citizens would flood the country and take away jobs and social benefits from the residents. Peter Niedermüller the deputy President of the DK reiterated his party’s rejection of the double citizenship and stressed that questions involving the minority should be solved between the minority and the home state and in the wider context of the European Union. He reiterated that “it is in this spirit that we reject the dual citizenship and the right to vote that it grants.”

This harks back to the tradition of the Kádár era and the “anti-national” discourse adopted by the left-liberal opposition. Niedermüller’s argument that dual citizens who do not pay taxes in Hungary should not have a say in the country’s elections resonated with the Hungarian public most of whom are against voting rights for dual citizens.

Ethnic Hungarians with voting rights are in a better position to be heard by Hungarian politicians on matters affecting their

165 https://www.3szek.ro/load/cikk/56400/mesterhazy_bocsanatot_kert_a_hataron_tuli_magyaroktol&cm=85288
https://mszp.hu/video/hataron_tuli_szervezetek_vele menyere_epitve_keszit_nemzetpolitikai_programot_az_mszp
166https://hungarytoday.hu/meeting-hungarian-opposition-leaders-rmdsz-leader-claims-transylvanian-hungarians-know-vote-36824/

167 http://mandiner.hu/cikk/20131026_niedermuller_a_meneteles_nem_segit_a_szekelyeken
168 Survey conducted by Publicus Institute: The majority does not support voting rights for Hungarians abroad
http://index.hu/belfold/2017/08/20/a_tobbseg_nem_tamogatja_a_hataron_tuli_magyarok_szavazati_jogat/
lives directly or indirectly. This is the case even if their votes usually carry only one or two mandates in parliament.

Some of those who initially opposed granting citizenship and voting rights to ethnic Hungarians took the position that the debate should now be ended. The position was that a reversal of the voting rights would do far more harm than benefit to ethnic Hungarians. “Independently of our value judgments, the unification of the nation propagated by the Hungarian right-wing is not only an ideological wish dream but partly precisely thanks to the double citizenship and right to vote a reality that is in the process of being realized.”

While, except for the DK, Hungarian opposition parties have not publicly contested dual citizenship, they continued to criticize the new kin state policy. The jist of the critic is that the harm of the new policy does outweighs its benefits because it reduces the independence of ethnic Hungarian communities, promotes outmigration and damages bilateral relations with the home countries.

Ethnic Hungarian Votes in Hungary

In March 2018 there were one million ten thousand new Hungarians citizens. In December 2017 the one millionth ethnic Hungarians the Vojvodina farmer Miklós Lajkó and his wife received their dual citizenship. Prime Minister Viktor Orbán, President János Áder and Speaker of Parliament László Kövér were present at a ceremony at the presidential Sándor Palace to honor the new citizens. Lajkó said “For me obtaining Hungarian citizenship has an emotional meaning. I would really


like to become a full-fledged citizen of Hungary, as my ancestors were.”

Non-resident votes make a difference if the election results are tight. In the 2014 parliamentary elections non-resident votes won one parliamentary mandate which enabled Fidesz to win the 133 seats necessary for an absolute majority. In the 2018 parliamentary elections, the number of registered Hungarian voters was at 378,449 double the number in 2014. Of the votes cast 225,471 were valid and 216,120 were cast for the governing parties. This time, however, because of the Hungarian voter turnout of fast 69 percent non-resident votes played no crucial role.

Dual citizens can also vote in national referendums. In 2016, they participated in the referendum directed against the EU’s mandatory refugee redistribution quotas. This was in line with the principle of the kin state policy that ethnic Hungarians as members of the sovereign nation have a say in what happens within the borders of Hungary. Ethnic Hungarian party leaders took part in the mobilization for the referendum. In the end, 154,145 (56.1 percent) out of the 274,627 eligible dual citizens cast their votes. The number of valid votes was low because of administrative mistakes and the high number of non-valid mail votes. In the end, 3,362,000 voters participated in the referendum and 98.4 percent of all valid votes were cast in favor of rejecting the compulsory quota, among non-resident voters the ratio was higher at 99.2 percent. The Orbán government`s argument that Hungary’s national identity should be protected against the influx of migrants fell on fertile ground. The idea of protecting their national identity stood closer to the ethnic Hungarian minority than to Hungarians in Hungary. The ratio of valid votes to eligible voters was 41.3 percent which fell

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short of the 50 percent requirement to make the referendum valid. The votes of dual citizens made little difference.  

Ethnic Hungarian Parties and the Kin State

The introduction of preferential citizenship and voting rights without residence brought a strategic change in the relationship of the kin minorities and ethnic Hungarian parties, and the kin state. Most ethnic Hungarian parties joined the great majority of ethnic Hungarians who greeted dual citizenship and non-resident voting rights and helped in the application for citizenship and the registration for elections. Some ethnic Hungarian leaders and scholars, especially in larger Hungarian communities as in Transylvania and in Slovakia, expressed their opposition to dual citizenship. This reflects a long-standing debate among the ethnic Hungarian political elite about the role of the kin state in the lives of Hungarian minority communities.

Leading intellectuals of the kin minority elite seek to retain a degree of independence both from the kin state and the home states to build and preserve their self-standing parallel minority societies. (Salat 2011) The fear is that strong kin state engagement may “easily replace transborder minority actors in organizing, structuring, and mediating the interests of the transborder national minority.” (Poganyi 2017:110) According to critics, the role of ethnic kin actors in managing their affairs could be reduced if the kin state finances large volume investment programs. (Poganyi 2017)

The leader of the multi-ethnic party Most-Híd Béla Bugár in Slovakia and former RMDSZ chairman Béla Markó objected to dual citizenship and non-resident voting rights on the ground that this would give too much influence to the kin state over minority communities. Bugár has consistently criticized Fidesz’s policy and gave priority in the relations of ethnic Hungarians to

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the home state instead of the kin-state. Markó openly declared that he would not take advantage of the offer of Hungarian citizenship and criticized the Hungarian state for making citizenship for the ethnic kin available. He also opposed the granting of voting rights to Hungarian citizens who lived outside Hungary on the ground that it would orient the ethnic kin toward the kin state and reduce their claim-making potential in their homelands.\footnote{http://nepszava.hu/cikk/380701-marko-bela-egyelore-nem-igenyel-magyar-allampolgarsagot. http://www.szatmar.ro/Marko_a_magaorszagi_szavazati_jog_ellen/hirek/42622. quoted in Kiss TL (2016):18}

Another argument against dual citizenship was that since ethnic Hungarians can participate in the elections in Hungary Hungarian political parties will target them and promote the establishment of strategic alliances with ethnic Hungarian parties and organizations. Hungarian party politics have, however, been present in Hungarian minority communities for decades as each political camp established its clientelistic networks. The relationship of ethnic Hungarian voters to ethnic Hungarian parties has been for many years burdened by the parties’ failure to achieve progress toward the legal guarantees of minority rights. The division of the ethnic Hungarian party landscape began in the early 2000s as disappointment over the lack of progress in achieving minority rights grew. The intervention of the kin state occurred along the already existing cleavages. Miklós Bakk sees the adoption of Hungarian citizenship by many ethnic Hungarians as a process which brought to light questions that have preoccupied the political elite of Transylvania for a long time before. Bakk opines that the offer of Hungarian citizenship brought to the surface the dilemmas that the Hungarian political elite faces.\footnote{Fidesz–RMDSZ, avagy a diaszpóralét stratégiája Posted by Bakk Miklás https://reflektorium.wordpress.com/2014/04/21/fidesz-rmdsz-avagy-a-diaszporalet-strategiaja}
Dual citizenship and voting rights changed the relationship of ethnic Hungarians and their parties to the Hungarian elections. While previously the Hungarian elections played little role in the lives of the minorities the stakes now changed. Ethnic Hungarian parties will need to adjust or readjust their strategy to consider that their voters are also voters of the transborder political nation. The extension of the nation beyond the borders took place in a way that the ethnic Hungarian political elite hardly played a role in setting up its institutional background. The extension of voting rights referred to elections of politicians in Hungary not to ethnic Hungarian politicians in their home lands. Thus, ethnic Hungarians could only vote for a Hungarian party.176

The implementation of the citizenship law required the setting up of offices which process applications for citizenship. The kin state provided funds to the offices and entrusted those ethnic Hungarian parties and organizations with the processing of applications which were close to it ideologically. The government was, however, pragmatic enough in the allocation of funds to change the beneficiaries if they failed to deliver as expected. In Transylvania, for example, as it became clear that the RMDSZ enjoyed more popular support than its pro-Fidesz rivals, the government gave it access to funds and invited it to help voter registration and the recruitment of new applicants.177

In 2015, the RMDSZ took over the implementation of the citizenship legislation. This brought the party closer to the Hungarian community and increased the number of personal contacts to its members. The RMDSZ along with other ethnic Hungarian parties and organizations participated in the


177 Az erdélyi magyar politikum és a magyar nemzetpolitika közti ütközési pontok Kiss Tamás 2014. április 17. 10:05, utolsó frissítés: 15:54 http://welemeny.transindex.ro/?cikk=23138
registration of voters for the Hungarian parliamentary elections and for the 2016 referendum. (Kiss TL 2016:18)

Dual citizenship and voting rights also impact interethnic relations in the home countries. Some analysts predict that support from the kin state will encourage ethnic minority actors to make stronger demands on the home states and thereby increase tensions and increase repression toward the minority. There is no evidence thus far that this occurred. In Romania, for instance, other developments are conceivable such as “the gradual detachment of the Hungarian community from the Romanian polity and an implicit “meeting” of the interest of the two states with regard to the situation of the Hungarian community.” (Kiss, Székely, Toró 2018: 127) The kin state could gain more influence over minority communities while the home states could justify their unwillingness to provide more resources to ethnic Hungarians by pointing to the aid provided by the kin state. This would impact the bargaining over resources between the home state and the ethnic minority.

Since 2010, especially since 2014, financial support from the Hungarian kin state in certain fields exceeded the funds provided by the home states. This increased the role of the kin state substantially in ethnic Hungarian communities. The role of the kin state has for a long time been marginal compared to the financial resources that the home states could offer. This changed as ethnic parties no longer participated in majority governments and the majority and the ethnic minority elites could no longer engage in financial deals that benefit their communities. In Romania, for example minority and majority politicians as well as community leaders increasingly became targets of the anti-corruption prosecution agency National Anticorruption Directorate DNA.178 For ethnic Hungarian parties the key question is whether they will rely more on the help of Budapest than of the home country to solve the problems of ethnic Hungarians.

178 https://www.business-anti-corruption.com/country.../romania/ (Kiss, Székely, Toró 2018:125)
The view among many scholars is that ethnic Hungarians should orient themselves toward the home state instead of the kin state to maintain their ethnic identity. According to his view, ethnic Hungarians rely on the home state to guarantee their rights and must adjust to the needs of the home state to gain its support for maintaining their institutions. At the same time, ethnic Hungarians point out that in the past 28 years their home states failed to provide legal guarantees for minority rights and ensure the cultural reproduction of their communities. This indicates that a new strategy is needed to ensure the cultural survival of ethnic Hungarian communities.\textsuperscript{179}

Maintaining Hungarian Communities

Surveys also show that while ethnic Hungarians regard themselves as part of the Hungarian nation, they perceive themselves as being different from the Hungarians in Hungary. By the same token, Hungarians in the kin state also differentiate between themselves and ethnic Hungarians in neighboring countries. These perceptions of being different create intra-Hungarian boundaries of “We” and “Them” which were only strengthened through the failure of the referendum on dual citizenship in 2004. (Papp and Vass 2014 40-58) A 2013 survey of ethnic Hungarians from four countries found that “The majority of respondents perceive members of the majoritarian population (Romanians, Slovaks, Ukrainians and Serbs, respectively), as well as Hungarians in Hungary, as having personal characteristics that are different from their own.” (Veres,2013:108)

Most ethnic Hungarians hold that their Hungarian identity is stronger than that of Hungarians in Hungary because they are confronted with their nationality on a daily basis. The decision,

\textsuperscript{179} Pap Szilárd István Szimbolikus bekebelezésen és sértett elutasításon túl http://vs.hu/versus/mi-kozuk-hatarontuliaknak-magyar-valasztasokhoz
for example, whether to use their mother tongue in public and risk the disapproval of the majority serves as a reminder of their ethnicity. As Pogonyi explains: “In the minority context, the national language or the display of national symbols have stakes – they are potential political acts, as local majorities are likely to interpret them so. Thus, even everyday routine involving cultural choices require some deliberation and even vigilance. Such quotidian struggles and deliberation over ethnicity constantly remind kin-minorities of nationhood.” (Pogonyi 2017:148)

Following the democratic transformation, many ethnic Hungarians expected emancipation through the kin-state from the condition of being in minority status. T-shirts with the sign “I’m Hungarian and not a tourist” send the signal that ethnic Hungarians would like to have the same rights as Hungarians in the kin-state. 180

While a Hungarian passport offers security in the homeland when moving to Hungary the ethnic kin would be confronted with the reality of being perceived as different from the Hungarians living there. Hopes by many ethnic Hungarians that the dual citizenship and voting rights would serve to blur the boundaries between themselves and Hungarians in Hungary were often disappointed. Ethnic Hungarians from Transylvania are still often called “Romanians”, from Slovakia “Slovaks” and from Vojvodina “Serbs”. At the same time, Hungarians in Hungary regard the territories where ethnic Hungarians live “an integral part of the Hungarian space, the Carpathian Basin and history”. (Pogonyi 2017:150) Surveys also reveal that while ethnic Hungarians are deeply hurt through the misrecognition of their Hungarian identity by Hungarians, they consider ties to Hungary very important. (Papp 2014: 119, 141) (Veres 2014:61-86)

The inter-Hungarian and even intra-Hungarian differences among ethnic Hungarian groups build “invisible barriers” which will likely prevent the turning of Hungarian communities into

180 http://vs.hu/kozelet/osszes/a-diskurzus-nem-a-kulhoniakrol-szol-interju-bardi-nandor-tortenesszel-1205#Is3
diasporas. The differences are likely to help ethnic Hungarians maintain the degree of independence needed to continue building their parallel societies in their homelands. They will prevent ethnic Hungarians from becoming too dependent on the kin state and allow them to maintain their claims-making potential toward the home state. In this way “minority ethnocentrism” maintains cultural habits and prejudices will extend the minority existences. (Papp, 2014:119, 141)

**Conclusion**

The case of Hungary shows that ethnic identity plays a key role in how a nation sees itself and that the reconstruction of the nation after decades of communism under which its existence had been denied is a long process. Coming back to the “quadratic nexus,” framework of my analysis, the success of the redefinition of the nation depends on the domestic constellation of the kin state, the reception by the ethnic kin, the home state and the European Union and international organizations.

The institutionalization of relations to the ethnic kin lasted decades in Hungary because of the lack of consensus between the political camps over the question who belongs to the nation. Since the democratization various Hungarian governments took the ethno-cultural or the political concept of the nation as the basis of their policy toward Hungarians abroad. The controversy over the concept of the nation served to strengthen the boundaries of the political camps and to deepen the cleavages between them. Starting from 2010, the Fidesz government could implement a policy based on the ethno-cultural concept of the nation that included ethnic Hungarians in the cultural and political Hungarian nation. The most important result of this policy is the granting of Hungarian citizenship and non-resident voting rights to ethnic Hungarians abroad. This institutionalized relations among members of the Hungarian nation and amounted to a “national re-unification across the borders.” The Fidesz led government used the ethno-cultural concept of the nation to appeal to ethnic Hungarians abroad and but also to
the population in Hungary by presenting itself as the protector of the Hungarian nation. Since 2010, the concept of nation took central place in the public discourse and national symbols and practices were given a great amount of media space.

The success of reconstructing the nation and expanding it behind the borders, however, depends not only on the institutional network but also on the support of the Hungarian opposition parties and the public. The discourse over the concept of nation between the government and opposition camps remained highly politicized and continued to revolve around the conflicting political and ethno-cultural nation concepts. The Hungarian population continued to be exposed to rival national discourses, one from the government side for the inclusion of ethnic Hungarians into the national community, the other from the opposition for excluding them. Studies and opinion polls show that increasingly Hungarians see ethnic Hungarians in neighboring countries as part of the Hungarian nation and most of them approve granting them dual citizenship. Less head way has been made toward reaching consensus over kin state policy with the opposition parties. This is, however, necessary to ensure that the institutional structure put in place will outlive possible changes of government.

Over one million ethnic Hungarians took advantage of the offer of Hungarian citizenship. Surveys show that for most ethnic Hungarians citizenship was an important marker of Hungarian identity regardless of which home countries they came from. The case of ethnic Hungarians dual citizens calls attention to the role of identity in acquiring citizenship which has for a long time been neglected by Western scholars who focused on citizenship as a method to integrate migrants. In Western Europe ethnic identity has in recent years been the subject of heated debates in between those who are ready to renounce it and those who seek to strengthen it.

The new kin state policy is likely to have considerable influence on the lives of ethnic Hungarian minority communities. Ethnic Hungarians who live in the non-EU countries of Serbia and the
Ukraine often use Hungarian citizenship to leave their homelands and move to Hungary or the West. This diminishes the size of the ethnic Hungarian communities and goes against the government’s goal of helping ethnic Hungarians stay in their homelands.

A major concern is that as part of the unitary Hungarian nation ethnic Hungarian communities will be too dependent on the kin state which could reduce their claim-making efforts toward the home state. This also conflicts with the goal of the political elite in large ethnic Hungarian communities to run their parallel political communities in their homelands. Surveys on the possible effects of the Hungarian citizenship on the ethnic kin show, however, the development of diasporas is one of the possible outcomes. Both ethnic Hungarians and Hungarians in Hungary perceive themselves as having characteristics which differentiate them from one another. This attitude and the strong attachment of Hungarian minorities to the regions where they live provides a strong incentive for maintaining their own communities. Key to preventing the transformation of the ethnic Hungarian communities into diasporas is the engagement of the ethnic minority elites for promoting the social cohesion of Hungarian communities. In Szeklerland the regional identity and the social cohesion of ethnic Hungarians has been strengthened as they reached back to historical traditions and symbols. The goal is the creation of a strong civil society that can articulate the demand for autonomy. In other regions where Hungarians are not in majority the ethnic political elite faces conflicting interests over how to represent the interests of Hungarian communities. Here the crisis of legitimacy that characterized the ethnic Hungarian political elite in the past decade could deepen.

Ethnic Hungarian elites will have to balance between the kin state and the home state as they seek to formulate claims to maintain their distinct political communities. Financial aid from the kin state will not be able to replace the funding of minority institutions by the home state in large Hungarian communities such as Romania and Slovakia. Ethnic Hungarians will have to participate in the politics of their home states to achieve more
minority rights. The use of the mother tongue in public and local administration are, for example, rights that must be directly addressed to the home state.

One can detect two diverging attempts to redefine the nation in Europe, one along ethno-cultural lines in Eastern Europe and the other in Western Europe which espouses the political concept of the nation and envisages a post-national era where nation states and nationalism no longer play a decisive role. Accordingly, West European legislation concentrated on promoting individual rights which came at the expense of collective rights which national minorities need to survive. It is in vein that international organizations welcomed dual citizenship as a tool to integrate migrants but had great misgivings when dual citizenship was used to strengthen the ethnic identity of nation states through the inclusion in the nation of their ethnic kin abroad. The EU and international organizations adopted the political conception of the nation as the legitimate nation definition. This went against the ethnocultural nation concepts used by Eastern European nations which are clearly reflected in their constitutions as well as in the political practice where nationalism continues to serve as one of the the most important nation-building force.

The hopes by kin states and minorities that the EU membership and democratic institutions could halt the process of assimilation of national minorities were disappointed. The EU has historically given good-neighborly relations priority over issues concerning minority rights and put no system of minority protection in place to shield the rights of the national minorities against the nationalizing majority. As a rule, stability is regarded by the EU and other international actors as more important than the democratic credentials of the home states and how they treat minorities living on their territory. For Hungarian minorities, the growing migration to Western Europe poses new challenges because EU minority policy focuses even more on the human
and individual rights of migrants and their integration. The political concept of the nation served as the basis for plans to redistribute migrants among EU countries. Hungary and Eastern European countries rejected the migrant relocation plans of the EU and pointed to their sovereign right as nation states to decide who enters their territory. The positions toward migration illustrated that Eastern and Western Europe interpret the concept of nation differently. Thus, while Hungary and the home states continue to disagree over the rights of the ethnic Hungarian minority, they increasingly cooperate in the field of foreign policy as they oppose EU measures on migration. The question of whether the EU should be made up of national states or should be transformed into a federation states headed by EU institutions is increasingly being raised not only in Eastern but also Western Europe.

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