

True, in the case of Rumania, her leaders tried to evade the undertaking of such obligations and Mr. Bratianu on behalf of Rumania at first refused to sign the minority Treaty of 1919 (Paris), and it was only after an ultimatum addressed by the Principal Allied Powers and intimating that the acceptance by Rumania of the minority Treaty in question was a *conditio sine qua non* of her territorial claims being recognised by the allies, that Mr. Vajda, who formed a new Rumanian Cabinet, condescended to sign this treaty which gave some kind of protection to the nearly 2 millions of Hungarians who were, against their will, subjected to Rumanian rule. (Temperley, History of the Peace Conference vol. IV., page 221.)

And yet what do we see? A constant breach of the minority obligations by Rumania and a constant denial of remedies required and vainly asked for by the victims.

If we pick out at random some statements found in the recently published Roumanian pamphlets, we could easily prove that their Governments violated the minority treaties because they did not insert in the new Rumanian constitution all principles of minority protection, and in some instances when their constitution gave a semblance of equality to the different races of their aggrandised Kingdom, it was by government decrees that the word and sense of the constitution was perverted.

What could be a more sacred right of a minority than their clinging to their own race? Several articles of the Rumanian constitution safeguard on paper

this right of religious, school etc. liberty, and nevertheless, by government ordinances Nos 98.405/1926 and 127.973/1927, the parents' desire as to which school their children should attend is not final, the decision being left to the State organs.

Endless are the complaints of the Hungarian minorities against all kind of vexatious measures, prohibition of the use of their language, differentiation in taxation, confiscation of their private property. And there is no relief. One proof only out of many thousands.

The private property of a Szekler community, about 62.800 yokes, had been confiscated by the Rumanian State. After endless argumentation between the parties concerned before the Council of the League, a compromise was arrived at on Sept. 8th 1932 at Geneva, by which the Rumanian Government undertook to restore one fifth of the property to the rightful owners. For nearly two years the Rumanian Government did nothing. On June 24th 1934 an Act of Parliament was supposed to put into effect the Geneva agreement. But how? In an entirely perverted way. Among other grievances, instead of leaving the management of the so greatly reduced estate — only 20% were left to them — to the rightful owners, the new law entrusts with the administration of the estate the prefect of the county — i. e. a government official.

Full information on a series of breeches of treaty and constitution are given in a short sketch of the actual situation of Hungarian minorities in Rumania, which may be ordered from the Printing and Publishing House "Pesti Hirlap" in Budapest.

HUNGARY AND THE INTERNATIONAL PROTECTION OF MINORITIES

by

Ladislav Ottlik

We may without exaggeration say that the Hungarian public followed breathlessly the debates in Geneva on the international protection of Minorities. There is surely no country in the world so profoundly interested in the maintenance and enforcement of what the late Aristide Briand called the "sacred" rights of national minorities, since something like one third of the whole Magyar race — 3,500.000 souls — now live under alien rule. So, while appreciating the peculiar position of Poland and while realising even that the Polish action may lead to the revision under Article 19 of the Covenant of the Minority Treaties and thus create a strong "precedent" to be invoked in support of the Hungarian claim to treaty revision: the Hungarian public noted with much anxiety that the general trend of the comments raised by the Polish move indicated a marked readiness on the part of important international factors to abandon the present system of international protection under the guarantee of the

League for a system of bilateral agreements to be entered into by the States immediately concerned.

It could hardly be claimed that the League system enjoys much popularity in Hungary, this being due to its failure to enforce the stipulations of the Minority Treaties. Nevertheless, it is realised that the Treaties under League guarantee have a considerable value "in being" the exact significance of which it would be easy to underestimate. It is feared therefore that their removal without putting anything of at least equal value in their stead might lead to consequences absolutely disastrous to the national minorities.

The proposal, tentatively put forth by Dr. Benesh, to solve the problem of minorities by way of direct bilateral agreements on the basis of "reciprocity", has been received therefore with interest in this country, although it is regretted that, after having suggested that Hungary too failed to comply with obligations incurred in this respect, the Foreign Minister of Czecho-Slovakia preferred to side track Dr.

Eckhardt's proposal to ask for an impartial investigation by a League Commission on the spot.

The main Hungarian attitude, however, in regard to bilateral agreements embodying the principle of "reciprocity" may be outlined as follows: it is hardly to be expected that reciprocity could be enforced in law where there is no reciprocity in fact. The particular difficulties to be overcome will at once be realised if it is borne in mind that disarmed Hungary has to face the full strength of the Little Entente, that she could never dream of resorting to war in support of a legal grievance, and that the uneven distribution of minorities between Hungary on the one hand and the Little Entente States on the other, deprives Hungary of the possibility of enforcing her rights by retaliation.

Let us consult statistics. According to official results of the various Censuses held in the years 1930—31, there were:¹⁾

691.923 Magyars (4.78%) in Czecho-Slovakia, as against.

104.819 Slovaks (1.2%) in Hungary;

465.800 Magyars (3.34%) in Yugoslavia, as against

60.742 Yugoslavs (0.7%) in Hungary; and

1,378.668 Magyars (7.7%) in Rumania, as against.

16.221 Rumanians (0.2%) in Hungary.

The Hungarians believe, therefore, that a system of reciprocal agreements could be expected to lead

¹⁾ We have quoted the official figures, not as if we believed them to be correct. It has in fact been repeatedly proved that nationality statistics in the Little Entente States are off the mark by hundreds of thousands. However, we have used their estimates in order to avoid a controversy on this point. The discrepancy in respective minority strengths in any case remains sufficiently obvious.

to satisfactory results only after this striking discrepancy in the respective strengths of national minorities has been corrected by way of a reasonable measure of treaty revision effected by common consent. Such a prelude to the conclusion of bilateral minority treaties, creating a balance in minority strengths, would be well calculated to lead to a final solution of this baffling problem, all parties to such agreements being equally interested in the granting of maximum minority rights. In no other way (that is at least the Hungarian opinion) can conflicting interests in this question be effectively reconciled to each other.

However, even if such a fundamental solution could not be attempted in present circumstances, it should not be inferred that Hungary is determined to decline to consider the proposed bilateral agreements. She is certainly prepared to grant to minorities under her control and to strictly respect all rights the granting and maintenance of which she proposed to demand from the Little Entente States. Failing treaty revision, however, she cannot and will not agree with the suggestion to abandon the present system of international protection. So long as the present state of things continues, Hungary will consider a system of bilateral agreements only on the condition that the new treaties proposed to supersede the old ones, should also be put under the guarantee of the League of Nations. In her present position of practical helplessness Hungary will not surrender the only weapon left to her, — the possibility of invoking the moral conscience of the civilised world embodied in the Covenant of the League and of the principles which it was meant to uphold.

Országos Széchényi Könyvtár

SIR ROBERT GOWER ON SITUATION OF MINORITIES

In an Open Letter addressed to the Editor of the "Military and Naval Chronicle" (Chatham) which was published in the September 25th. issue of that journal, Sir Robert Gower, M. P., Hon. D. C. L. made a very interesting statement concerning the minorities debate at the Assembly of the League of Nations from which we quote the following passages:

"Sir, — I have received more than one letter asking me to state what my views are regarding the attitude of Poland towards the League of Nations on the "minority" question.

In reply, I desire to say that I regret Poland's action very much indeed. I am not, however, surprised at the position that has arisen, as, speaking generally, the record of the League of Nations on questions relating to racial "minorities" is indeed most lamentable. The rights of these "minorities" were expressly guaranteed to them in the post-War Treaties by the Allied and Associated Powers, and the "minorities" themselves were placed under the protection of the League of Nations. Each year a number of "minorities" petitions have been presented to the League. It is obvious that "minorities" would not take the extreme step of judicially accusing the countries in

which they live of illegality and oppression, save with great hesitation. In no case, however, so far as I am aware, has the League accepted fully any simple petition, nor has it taken any energetic "moral" or other steps against the countries which have violated the Treaties they have signed. The petitions are discussed and adjudicated upon in secrecy, and usually the League accepts "with thanks" the ex parte replies given to the petitions by the treaty-violating governments. There have been exceptions, such as in the case of "minorities" in Poland.

There is consequently a feeling of despairing helplessness and hopelessness amongst the "minorities" of Europe. The situation is prillions ofith danger, as, without doubt, the existence of megnant 'w'minority" subjects suffering from an intolerable sense of injustice and oppression cannot tend to make the peace of the world anything but insecure.

The League should carry out the duties which it has accepted under the Treaties and without fear or hesitation use all the powers it possesses to secure for racial "minorities" their Treaty rights.

I appreciate that what I have said has no direct t beala upon the Polish questiofromsave that it does goo exprin the loss of influence wihgue ch the Leaf N ngationsi is, unfortunately, suffering."