

Another problem which hinders the appeasement of the world is the obvious danger of separating Europe into two adverse camps the one Fascist and other Antifascists.

Mr. Eden's thesis that the internal policy of every country is a concern of their own must be accepted. But at the same time no country can be allowed to meddle with other countries affairs, or be allowed to make subversive propaganda, or incite to acts of sabotage and the like.

No one can believe that Fascists or Nazis have committed such acts abroad which in the case of communist propaganda is undeniable. A Canadian visitor to this country has given us the appalling news that since President Roosevelt recognized the Moscow government Soviet money has been lavishly used for communist propaganda in Canada and that there are now scores of bolshevik press organs in that particular British Dominion. It would not be surprising if similar happenings are threatening other parts of the world as well.

Liberty of speech can also be abused and can degenerate into license — but the same measure should be used against every political system which does not correspond to the true standards of democracy. It is inconceivable that the Valencia

government should be supported and recognized as a democratic one after it has abolished religion, has persecuted priests, has destroyed churches, in a country, where we have every reason to believe that the masses of the peoples are sincere christians and faithful to their religion.

In Hungary we believe in democracy and in liberalism which we not only preach but also practice and that towards all our citizens irrespective of nationality or creed. What we ask for is our full and rightful sovereignty, for equal treatment and for equal chance.

No „Locarno“, no Four Power pact and above all no collective security can bring the blessings of Peace to this world without justice and fair play, at the same time being given regard to and unless the selfishness of small groups of people be replaced by a just and sincere desire for co-operation in order to secure the good of all and the common interests of mankind.

Let us undo the mistakes of 1919 and 1920 and rearrange the world by honestly applying those principles which were the aim of the world war —: those of liberty and equality and the right of self determination for the Hungarian people as well as for other nations.

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THE NATIONALITY POLICY OF THE PRE-WAR AUSTRIA AND HUNGARY AND CZECHO-SLOVAKIA

by

Observer

An important part of the radio speech delivered on 22nd January by the Czecho-Slovak Premier, M. Milano Hodza was about the minorities.

In his opinion there was no State in Europe that might set an example to Czecho-Slovakia as regards liberal, democratic minority policy. In Switzerland and Belgium the problem is not one of minorities. A fair and liberal minority policy is of vital importance to Czech nationalism in particular, for political independence had always been the latter's chief aim. It was just the nationalists by principle who knew very well that even the slightest departure from the sentiments of national liberty was apt to be the source of very serious crises in the state. It was not in the smallest degree to the interests of Czech nationalism and Czecho-Slovak nationalism as a whole that the State should be kept in permanent unrest through the evolution of a centre of political crises. The regulation of administrative routine was certainly not analogous with what in the history of Czech politics lived on as an odious memory of "*Punktationen*" (contracts) and attempts at compromise. These "*Punktationen*" and attempts at compromise

had their origin in the Hapsburg Empire, because the Constitution of the old Empire did not meet the reasonable requirements either of its citizens or of State policy.

No one had ever accused, or would ever be able to accuse, the Czecho-Slovakian Constitution of not allowing sufficient scope to the fullest national aspirations, or of not being an adequate guarantee of the independent development of the different ethnic groups in the State. It was the duty of the Government to see that the Constitution was not a mere scrap of paper, but a living proof of the political and moral maturity of the Czecho-Slovak people.

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The warning addressed to the Czech Nationalists by M. Milan Hodža — to the effect that it is not in the interests of the Czecho-Slovak State to have to continuously face crises due to its nationality policy — must be endorsed by us too, though we believe that it was very belated.

But the statements of the Czecho-Slovakian Premier's concerning the nationality policy of pre-war Austria and Hungary challenge contradiction.

Although we also admit the imperfections of the whole system of nationality policy pursued by the Austria-Hungarian Monarchy of old, it was nevertheless incomparably more favourable to the nationalities than is the Czecho-Slovakian Constitution.

In *Austria* the famous Article 19 of the Constitution guaranteed "to every racial stock the inviolable right to preserve and develop its own nationality". This provision deserves special attention, because — in contrast with the post-war Minority Treaties and the Czecho-Slovakian Constitution — it did not stop short after guaranteeing liberty and equality to the single individuals comprising a nationality, but also recognised racial stocks, i. e. the several nationalities as collective units. Administration in Austria rested on the so-called "double-rail" system, meaning that the legislative right were exercised on the one hand by the Vienna Imperial Council (*Reichsrat*) and on the other jointly by the parliaments of the "Kingdoms and Countries" (provinces) and the Emperor. Part of the laws were enacted by the Vienna Central Government, the rest by the self-governing departments of the provinces. Now, seeing that Bohemia with its Czech majority and Moravia were also provinces, the Czechs, through the medium of a self-governing National Assembly not only had their share in the autonomous legislature and administration, but were also the real masters in those fields during the last few decades of Austria's existence in the Monarchy.

A few examples will serve to show what the Czechs owed to that system during the years of Austrian "oppression".

In *Bohemia* Law Nr. 17 of 24th February 1873 decreed the establishment for German as-well-as Czech schools of special local and district school-boards. This meant that the Czechs were themselves administering Czech educations in the villages and districts, that is to say, *they were enjoying local and district educational autonomy*. Provincial Law No. 46 of 25th June 1890 created two nationality departments — Czech and German — within the bosom of the Provincial Board of Education, and invested them with the right to settle all matters concerning the Czech and the German schools. With this measure the Czechs acquired educational autonomy throughout the whole of Bohemia. An ordinance issued by the Minister of Justice on 3rd February 1890 decreed that 26 of the councillors in the Prague Supreme Courts of Justice *had to be judges who spoke both Czech and German*, while only 16 were not obliged to speak Czech. This in practice meant that all matters submitted in Czech to the Supreme Courts were dealt with in that language. Then Provincial Law No. 20 of 20th March 1891 split the Provincial Board of Agriculture into two nationality departments, the members of which were elected severally by individuals belonging to the same nationality. Ordinance No. 9826 issued on 19th August 1894 by the Minister of the Interior and an ordinance issued by the Minister of Public Works on 7th January 1914 divided the Chamber of Physicians and the Chamber of Engineers

respectively into two departments — a Czech and a German one. All this shows that *where the autonomy of the bodies representing education, agriculture, medicine and engineering was concerned, the principle of national self-government was enforced*.

In *Moravia*, Provincial Law No. 40 of 19th May 1897, following the pattern of the above-mentioned Czech Law No. 20 of 1891, also divided the Board of Agriculture into a Czech and German department. In terms of Law, No. 4 ex 1906 of 27th November 1905 (*Lex Terek*) even villages or political districts had to be educationally divided in two if there were both German and Czech schools in them. The Provincial Board of Education was also divided into a Czech and a German department, each of which, within its own sphere of authority was entitled to pass resolutions independent of the other. Worthy of note is also the provision contained in Provincial Law No. 1 ex 1906 of 27th November 1905, which stipulates that all *rapporteurs* in the Provincial Assembly on matters pertaining to Czech schools and the Czech educational institutes maintained by the province had to be Czechs. In conclusion we would mention that by a gubernatorial proclamation dated No. 87, 21st October 1905 the Chamber of Physicians was also divided into two departments, and that by the rules of procedure approved by the Ministry of Justice in an ordinance dated 20th April the committee memberships and other offices in the Chamber of Lawyers were divided equally (1 : 1) between the two nationalities, and the same rights were guaranteed to the Czech language as a language of procedure in the Chamber as to German.¹

Most of the laws mentioned above were the results of negotiations inaugurated in Bohemia in 1890 by the Czecho-German Compromise Conference and in Moravia in 1898 by the Permanent Committee elected by the Provincial Assembly. It is therefore incomprehensible that M. Hodza not only refuses to hear of negotiations towards a compromise or of "*Punktationen*", but even thinks he can dismiss them with scathing sarcasm.

In Hungary, in conformity with the doctrines of Liberalism, Law XLIV of 1868 (Nationality Act) also granted lingual rights to the single individuals comprising nationalities, but those rights were much more precisely defined than in the post-war Minority Treaties. In the model autonomy guaranteed to the Serb and Rumanian Greek Oriental Churches, the Hungarian State granted genuine religious and educational self-government to the Serbs and Rumanians, who were almost the only adherents of those denominations. The ancient "Saxon University" (a foundation) with its great wealth over which it had absolute rights, and the complete freedom of the Saxon Lutheran Church of Transylvania from any control by the Lutheran Church of Hungary were also species of national autonomies. And the Croats were actually recognised as a political nation in Law XXX of

¹ The above data are taken from an excellent work entitled "*Das Nationalitätenrecht des alten Österreich*". (Wien—Leipzig, 1934) from the pen of Professor Hugelmann of the Vienna University.

1868, which granted an autonomy to Croatia-Slavonia so extensive as to be unparalleled in Europe even to the present day. That country was self-governing in the spheres of religion, education, internal administration and justice. In those matters legislature was exercised by the Zagreb National Assembly (Sabor) and the laws were enforced by a national Government at the head of which stood the Ban, who was responsible to the National Assembly. In the Hungarian Parliament a Minister without Portfolio represented Croatian interests. What joint matters remained were attended to by separate Croatian departments in the Budapest ministries. The Hungarian Government appointed its officials in Croatia from among individuals domiciled in that province and the language used by the civil servants in their official capacity was Croatian. The delegates sent up by the Zagreb Sabor to represent Croatia in the Hungarian Upper and Lower Houses of Parliament made their speeches in Croatian. The language of command in the Croatian regiments of the Hungarian National Defence Army was Croatian. And, lastly, the laws of 1910 gave Bosnia and Hercegovina, which were jointly administered by Austria and Hungary, extensive self-government. These laws guaranteed the preservation of the national type of the races in those parts, i. e. their collective unity, and in the districts created to serve National Assembly election purposes the number of votes to which the different denominations, in other words, the nationalities of which they consisted, were entitled was precisely fixed.

Now let us see on what foundation the legislature of nationality rights rests in the Czecho-Slovakian Republic. The Constitution, in the framing of which the Hungarians, Germans, Ruthenians and Poles had no say at all and the Slovaks only through the medium of representatives appointed by and enjoying the favour of the Prague Government, merely incorporates the meagre provisions of the Minority Treaties, and even the only in a certain arbitrarily modified form. The fundamentally important provision contained in Article 8 of the Minority Treaty, for instance, which declares that legal equality is not sufficient, but that minority citizens must really enjoy equal treatment, is not to be found in the Constitution. Several other important provisions of the Minority Treaty were incorporated in the Constitution with the reservation that they applied to minority citizens only within the limits of the general laws of the land. In other words, a loophole was left open, and a modification of the relevant provisions of the Constitution may be effected at any time by means of an ordinary Act of Parliament.

Apart from this, nothing else except the question of the use of minority languages before the juridical and administrative authorities was regulated precisely by Czecho-Slovakian legislature. A Language Act (No. 122) was passed on 29th February 1920, and a Language Ordinance enforcing it (No. 37) issued on 3rd February 1926. Long though the latter is, the gist of it may be summed up in a few words. The principle is that minority citizens are entitled to lingual rights in juridical districts where they constitute 20% of

the population. The principle itself is not anything new, for in 1868 the Hungarian Law No. XXX regulated the lingual rights of the nationalities on this basis. Here we must emphasise the point that the Language Act and Language Ordinance are being very loosely applied, especially in the Hungarian districts. The Czecho-Slovakian State has not even thought it necessary to formulate the conditions subject to which the Republic is bound to establish Hungarian schools in Slovakia and Ruthenia, that is to say in the provinces where the Hungarians dwell.

All this shows that where the rights of the minorities are concerned, the Czecho-Slovakian State is no improvement on the old Austrian and Hungarian legislature, but a very decided retrogression. And this, in spite of the fact that the Czechs, who at the time in question so often accused Austria and Hungary of oppressing their minorities; the Czechs who in the first rapture after the creation of the Republic promised unspeakable happiness to the minorities; the Czechs who incorporated in their Republic millions of Germans and Hungarians who in 1919 were still the staple elements of the countries to which they belonged, and thus particularly sensitive to ill-treatment; the Czechs who in the Minority Treaties undertook legal obligations of an international nature the like of which had never hampered pre-war Austria and Hungary, would have been doubly bound to frame model minority laws, before which the old Austrian and Hungarian ones would have paled into insignificance.

From this point of view it is interesting to study the statements made to the Paris Peace Conference by Edward Benes, the present President of the Czecho-Slovakian Republic. From David Hunter-Miller's diary² we learn that Benes's note of 20th May 1919 was read in the New States Committee, in which note it was stated that Czecho-Slovakia would adopt Switzerland's fundamental principles, would introduce general franchise on a proportional basis, establish schools at her own expense for each of the minorities in villages where the number of children justified it, give the different minorities posts in public offices where both languages were to be spoken, establish polyglot courts of justice and allow the Germans to use their own tongue in the courts of justice and in local (village and district) administration. The official language of the State was to be Czech, but in practice German was to be the second language of the country with equal rights in the administration, courts of justice and the Parliament. The legal as well as the actual position of the minorities in Czecho-Slovakia is exactly the opposite of all this. The only promise kept was the one about the general franchise.

Whereas the laws of which mention has been made above insured national autonomy on a personal basis in Austria, and the autonomy of the Croats on a territorial basis in Hungary, Czecho-Slovakia adopting centralism from the very outset not only rigidly refuses to consider the idea of

² "My Diary." Vol. XIII, pp. 79—80.

nationality autonomy, but even imposes much narrower limits on administrative self-government than formerly Austrian, to say nothing of Hungarian, legislature did.

The most characteristic of all was the treatment meted out to *Ruthenia*. Article 2 of the Minority Treaty drawn up on 10th September 1919 guaranteed to that Province the most extensive self-government in matters pertaining to religion, education and local administration, furthermore a separate National Assembly with a Governor responsible to it, and civil servants recruited from among the inhabitants of the Province. Over 17 years have elapsed since that Minority Treaty was signed, but not one single letter of these provisions has ever been carried out, beyond the fact that a President was appointed, but without any powers or any sphere of authority. In his wireless speech Premier Hodža did not get further than the length of announcing that negotiations were on foot concerning the preliminary conditions of self-government in Ruthenia. He spoke of extending the jurisdiction of the President and the autonomy of the Province in the field of administration, but the very appointment of a President is, in itself, a violation of the Minority Treaty, much more so than an extension of his jurisdiction. (It should be remembered that the President of Ruthenia is a Government official appointed by Prague. Ever since this office was created every President has been a Czech and about 90% of the official staff consists of Czechs brought from far-distant corners of the Republic.) As regards the promise to extend the autonomy of the Province in the field of administration, let it suffice to point out that the Minority Treaty stipulates *political* and not *administrative* self-government.

Worse perhaps than the situation of the Ruthenians is that of the nation to which by birth M. Hodža, himself, belongs, namely the Slovakian. The Pittsburgh Convention of 30th May 1918, which was signed by Dr. Masaryk too, guaranteed Slovakia a separate National Assembly, separate administration, and separate jurisprudence, with Slovak as the only language. In place of this the Czecho-Slovakian Constitution not only omits to grant political autonomy to Slovakia, but also simply refuses to recognize a separate Slovak nation, and by concocting the intenable fiction of a Czechoslovakian lingual and national unity, has insured the hegemony of the Czech language over the Slovak districts too. The extremely restricted administrative autonomy — restricted because the discussion of political questions is banned — introduced by the Administration Act of 1927 does not, as the results of the Parliamentary elections on 1935 show, satisfy the majority of the Slovaks at all, who under Father Andrew Hlinka's leadership continue to demand the political autonomy guaranteed in the Pittsburgh Convention.

M. Hodža and his Slovak colleagues in the Cabinet do not represent the opinions of the Slovak people, but neither can the ministers of German nationality (Spina, Czeh and Zajiček) be considered the representatives of the Germans in Czecho-Slovakia. We saw that at the time of the

Parliamentary elections in 1935 over two-thirds of all the German votes cast went to Conrad Henlein's Sudeta German Party. And that Party does indeed stand on the platform of territorial autonomy. The legal situation of the Sudeta Germans is certainly much worse than was that of the Czechs in Austria (the authority of the German department of the Provincial Council and the Boards of Agriculture and Education has been considerably curtailed, the possibility of self-government afforded by the „double-rail” system has ceased and the lingual rights guaranteed in the Czecho-Slovakian Language Act are much narrower than those formerly enjoyed in Austria by the Czechs). The Sudeta German Party demands that the German people whose lot is a deplorable one, as the terrible destitution prevailing in the Sudeta district proves, should be allowed to manage their own affairs. Nothing shows the dissatisfaction of the Germans better than the fact that even the opportunist German Parties in the Prague coalition, the so-called „activists” have grown weary of the present state of affairs and have submitted a memorandum to the Government setting forth the national demands of the Germans. The contents of the memorandum were not made public, but we cannot err greatly in presuming that the Czecho-Slovakian Government will not give the Germans the autonomy demanded by Henlein.

The Poles of *Silesia* are also much worse off now than they were in Austria. The Czecho-Slovakian census shows a decrease in the number of Poles and Polish schools are considerably fewer than they were in pre-war times, although Prague, in the agreement concluded between Czecho-Slovakia and Poland in Warsaw in 1925, guaranteed the Polish minority wider rights than any of the other minorities enjoy. The reason why despite all the wiles of French diplomacy relations between Czecho-Slovakia and Poland continue to be unfriendly may be sought for in the facts above stated.

We have left the question of the Hungarian minority to the last. Of all the nationalities in the Republic their lot is certainly the hardest. Every issue of the Danubian Review contains data about the complaints of the Hungarians. A perusal thereof will enable our foreign readers to see that even the meagre rights guaranteed in the Minority Treaties, the Czecho-Slovakian Constitution and the Language Act are scarcely ever granted in practice. Compared with the former situation, not only of the Croats, Serbs, Rumanians and the Saxons of Transylvania, but even with that of the Slovaks in pre-war Hungary, the lot of the Hungarians forced to live in the Czecho-Slovakian Republic is undoubtedly worse. We do not wish to enumerate the superior advantages of the Hungarian Law XLIV of 1868 as compared with the Czecho-Slovakian Language Act. but shall content ourselves with pointing to the rule of police and gendarmes fostered by the Defence of the Republic and the Defence of the State Acts, to the banking and estate laws and the Czecho-Slovakian laws that restrict every grade of administrative autonomy-laws which would have been simply inconceivable

in the Hungarian era and which restrict the personal liberty and material welfare of the Hungarian-speaking citizens of the Republic within limits the like of which never cramped the Slovaks in Hungary.

The Hungarians of Slovakia and Ruthenia naturally do not, cannot, resign themselves to these conditions. They also demand national self-government. But the Prague Government closes its ears when the leaders of the Hungarian Party voice this demand, and in like manner as it relies on the support of the opportunist Slovak centralists and a tiny minority of German „activists” in its struggle against Hlinka and Henlein respectively, so does the Government in the struggle against the Hungarian Géza Szűllő lean on a few renegades financed by the Czech Government Parties and rightly cast out of its bosom by the Hungarian nation — men who for the most part had fled to Czecho-Slovakia and found refuge there after the collapse of Béla Kun's Communism in Hungary.

The Czecho-Slovakian Premier was therefore unreasonable when in his radio speech he attacked the nationality policy of pre-war Austria and Hungary, and also unreasonable when he praised the Czecho-Slovakian Constitution. Comparisons are odious and the Czecho-Slovakian Constitution would only suffer from them, for even if nationality legislature and politics were faulty in pre-war Austria and Hungary, a fact which we are the last to deny, still they were certainly far superior

to the Czecho-Slovakian system; for they nursed the beginnings of nationality self-government which the Entente States have nipped in the bud. Besides this, indirectly the provincial system in Austria and the county system in Hungary enabled the nationalities to exercise incomparably greater influence on political life than the anti-autonomy attitude of the Little Entente States. Like the other Little Entente countries in general Czecho-Slovakia's ideal is French centralism. In a homogeneous national State like France centralism may have its *raison d'être*, but certainly not in Czecho-Slovakia, where the majority of the population are not Czechs and where the totally dissimilar historical development and view of life the western and eastern parts of the country imperatively demand self-government and decentralization.

But there is nothing in M. Hodža's radio message to indicate that Prague is ready to enter upon the only practicable path. Rather do we receive the impression that Prague is determined to adhere to the present rigid centralism and at best is willing to yield to the demands of the minorities only in some unimportant, minor details. Yet if there is a State in Europe where an urgent and radical solution of the nationality problem is a vital question, that State is Czecho-Slovakia; for her present political isolation and her unfriendly relations with each of her neighbours are the consequences of the mistaken nationality policy pursued since 1918 — a policy which every sign seems to indicate Prague has no intention of abandoning.

KOSSUTH, LORD PALMERSTON AND POST-TRIANON HUNGARY

by

Andrew Bajcsy-Zsilinszky

August 13th, 1849, is a memorable date in Hungarian history, not only because it was on that day that General Arthur Görgey surrendered to General Paskievitz, commander-in-chief of the Russian armies, after a series of brilliant victories that had created a stir all over the world, but also because it happened to be the day on which the ambassador representing Lord Palmerston, Prime Minister of Great Britain, handed over in Vienna the energetic diplomatic Note in which Palmerston offered to act as intermediary between the leaders of the Hungarian War of Independence and the Vienna Imperial Court. Görgey did not know of the step thus taken by Great Britain; indeed, there was no means of his hearing of it: and the Governor of Hungary, Louis Kossuth, and the Hungarian national Government, in retiring from the stage on which one of the most glorious dramas of Hungarian history was being played and surrendering to General Görgey, not appointed dictator, the supreme command and the civil and military

power, had already evidently given up all hopes of any important international forces intervening to save the Hungarian cause.

Today it would be indeed difficult to decide whether this generous gesture on the part of Great Britain would under the circumstances have brought about any decisive turn in the course of events and whether it would not have been wiser to continue the struggle for a time even though there did not appear to be much chance of a fortunate issue to the military operations? It is however an indisputable fact that Great Britain — somewhat late in the day, to be sure — was ready to intervene to prevent the massacre — the murder of the heroes of the Hungarian epos — that followed the surrender at Világos.

Great Britain subsequently accorded Hungary the fullest moral satisfaction; such being, for instance, the reception given to Kossuth two years later in England and America, as also the reception to which General Haynau, the Austrian general who had been the murderer of the