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STATEMENT

International Affairs Committee
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COLLECTIVE GUILT HAS NO PLACE IN 21ST CENTURY EUROPE: THE BENES DECREES MUST GO

October 20, 2007

Having taken a step that has fueled ethnic hatred and assaulted good relations with Hungary, the Slovak Parliament on September 20, 2007 adopted a resolution proposed by extremist Jan Slota ratifying and confirming the Benes decrees. Those decrees shamefully imposed collective guilt on the Hungarian (and German) population of Czechoslovakia in 1945 and stripped them of their citizenship, rights and property without compensation. Czechoslovakia also pursued a policy of ethnic cleansing in southern Slovakia. The debilitations continue to affect many of the victims of the crimes committed in post-World War II Czechoslovakia.

The concept of collective guilt is abhorrent to Americans and to anyone committed to the rule of law, human rights and democracy. Rather than affirm the inviolability of the Benes decrees, Slovakia should reject them, provide legal redress to remedy their continuing and discriminatory effect and thereby adopt the values shared by the trans-Atlantic community of nations.

The Benes decrees were a series of decrees issued by Czechoslovak president Eduard Benes during and immediately after the Second World War. Many of these laws are still on the books of Slovakia.

Among the most controversial decrees were the ones which stripped ethnic Hungarians of their rights, property, dignity, homes and, in some cases, their lives – all on the unjustifiable basis of collective guilt. This hateful intolerance toward minorities was articulated by President Benes on May 9, 1945 when he said that Czechs and Slovaks did not want to live with Germans and Hungarians. Consequently, Hungarians were deprived of their citizenship and denied virtually all their rights. Old, feeble and disabled retired civil servants were denied their pensions. Hungarian schools were closed and the Hungarian language forbidden even in their churches. Thousands of Hungarians were sent to concentration camps solely because of their ethnicity. As the Hungarian government's Note of December 11, 1945 summarized the situation:

[the] recent events in Slovakia demonstrate that the [Czechoslovak] Government unfortunately is still pursuing the same Nazi principles which gave rise to the "Hlinka-Guard" movement and to other similar organizations partly established to terrorize the Hungarian community. Those who are today persecuting the Hungarians in the name of democracy have done so for many years with the approval and at the instigation of the Third Reich under the pretext that in the "new order" for Europe the Hungarians could not be relied upon.

The application of collective guilt to Hungarians was especially ironic and inexcusable considering the fact that, as the Hungarian government's December note pointed out:

“. . . the Hungarian Party formed the only opposition in Tiso's Fascist Slovakia shows how little the Hungarian minority was in sympathy with Nazi ideology. The leader of the Party, John Esterhazy, was the only member of the Slovak Parliament who voted against the anti-semitic laws and criticized them as not being in accordance with humanitarian principles.”

Benes, not satisfied with the draconian measures taken against Hungarians, also wanted them expelled from their ancient homelands. He falsely argued that the victorious powers had agreed in Potsdam to such expulsion. When Stephen D. Kertesz of the Hungarian Foreign Ministry's office responsible for peace preparations asked American minister Schoenfeld about Benes' statement, Schoenfeld flatly contradicted Benes and assured Kertesz that no agreement had been reached at Potsdam concerning the deportation of Hungarians from Slovakia.

Moreover, the United States did not endorse the principle of collective guilt of Hungarians. The June 12, 1945 memorandum of the American political Mission to Budapest confirms this:

“The United States Government would not consider it justified to deal with members of an ethnic group who constitute a minority as criminals against the state and as subject to expulsion from its territory, only because of their ethnic origin.”

Ethnic Cleansing. Nevertheless, as a result of pressure from the victorious powers, including the Soviet Union which favored Czechoslovakia, Hungary was forced to agree to a “population exchange.”

As a result of what can only be characterized as ethnic cleansing, 68,407 ethnic Hungarians were “exchanged,” 31,780 were expelled and 6,000 fled their homes or approximately 12% of Hungarians were forced to leave their ancestral homeland. In addition, another 44,129 ethnic Hungarians were internally deported to the Sudetan districts of Bohemia and Moravia. Punitive laws followed that granted suffrage only to citizens of Czech, Slovak or other Slav nations.

The Benes decrees are still on the books and their discriminatory impact remains in effect. Compensation has yet to be paid to those whose properties were summarily and unjustly confiscated and legal redress for the inequities suffered by Hungarians solely because of their nationality are not in sight.

Extremist Slota carries the day. Instead of seeking reconciliation, Slovakia has ripped open old and festering wounds by confirming the Benes decrees. Slovak National Party (“SNS”) chairman Jan Slota's proposal to ratify the Benes decrees is not surprising. One merely has to consider his xenophobic and extremist outbursts, as, when reminiscent of the poisonous invective spewed by Hitler, he said that “Hungarians are the cancer of the Slovak nation, without delay we need to remove them from the body of the nation.” As the Stephen Roth Institute concluded, the SNS, “a partner in the Meciar-led coalition government until it lost the 1998 general elections, is clearly an extremist nationalist party. SNS has been behind the continuing campaign to rehabilitate Jozef Tiso, head of the wartime fascist regime, which was responsible for the deportation of the country's Jews to the death camps.”

What, however, is shocking is that 120 out of the 141 Members of the Slovak Parliament voted in favor of Slota's proposal, with only the 20 MPs representing the Hungarian Coalition Party voting against it. There simply is no place in 21st century Europe for such discriminatory laws that imposed collective guilt and severely punished a people solely because of their nationality.

Conclusion. Slovakia should act responsibly and as a democratic nation it purports to be. It should take two immediate steps. First, Slovakia must repeal the infamous Benes decrees that shamelessly imposed collective guilt on the Hungarians and whose provisions still discriminate against the Hungarian minority living in Slovakia. Second, Slovakia should rehabilitate Janos Esterhazy who as the leader of the Hungarian Party in Tiso's Fascist Slovakia was the only Member of Parliament to vote against the deportation of Jews in 1942 yet who died in a Czechoslovak prison after the war.

Both would constitute long overdue acts of reconciliation and would lead to improved Hungarian-Slovak relations. They would serve the cause of justice, genuine democracy and the rule of law. - *Frank Koszorus, Jr., Co-President and Chairman, American Hungarian Federation International Affairs Committee.*