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"The Trajectory of Democracy: Why Hungary Matters"
Commission on Security and Cooperation in Europe
Rep. Chris Smith, Co-Chairman
March 19, 2013

Less than a month ago I chaired a hearing on "Anti-Semitism: A Growing Threat to All Faiths." One of the witnesses was Tamás Fellegi, a former minister in the Orbán government, who is himself Jewish. His testimony was impressive, as was the long list of significant actions the Orbán government has taken to combat anti-Semitism in Hungarian society.

Mr. Fellegi admitted frankly that anti-Semitism is a serious social problem in Hungary. Fortunately, the Orbán government is on a clear upward trajectory here, and gives every sign that it will continue to be part of the solution rather than the problem. I'm confident it will particularly take on the persistent attempts to rehabilitate Holocaust perpetrators and vicious anti-Semites, both from the 1930s and 1940s and today. I will certainly continue to urge it to do so.

We all know that many NGOs and a few governments, including our own, have been vocal in criticizing the Hungarian government on various grounds touching on democracy and human rights – and that the Hungarian government and its supporters have rejected these criticisms vigorously.

Having reviewed material on both sides, I must say that I believe the Orbán government is right when it says that many of the criticisms are unfair, involving double standards, misrepresentations, and inaccurate information. The Hungarian government has carefully documented this, for example in its "Open Letter to Freedom House."

For another example, the administration, in criticizing the Orbán government's adoption of a new constitution, claims in its written testimony that in "fundamental" matters, "the process must lead to a consensus built from a cross-section of society, rather than reflect only the opinions of the ruling coalition… the lack of serious consultation with different sectors of society, did not honor the democratic spirit…" Anyone familiar with the passage of the Obamacare legislation might well question whether this is a message our government is ideally situated to deliver. Certainly it should have avoided the rude insinuation about democracy.

Yet these kinds of messages need to be delivered – we must not give in to the cynicism induced by our own or any other government's failings.

But we should be a lot more humble – especially when we are dealing with a country like Hungary, where the system of constitutional checks and balances is alive and well, where a democratic party with an unprecedented supermajority and a mandate for dramatic change, gained in a free and fair election, passed a democratic constitution and shows itself open to working with others to amend and improve the flaws in its new laws. This is a conversation between equals, and there is a lot we can learn from Hungary. I'm thinking particularly here of the constitutional cap on public debt and the statement that life will be protected in the womb.

I'd like to congratulate the Hungarian government for the many laudable things in the new constitution - many things that advance human rights, including the prohibition of human trafficking, reproductive cloning, and its promotion of the culture of life. And for the rest, I look forward to a continuing conversation with the Hungarian government about their and our constitutional traditions and how they can both be improved.