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**The Helsinki Movement, democratic opposition and constitutional
revolution – the Hungarian experience**

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Мы все вышли из „Шиней” Гоголя: we all slipped out of Gogol’s “Overcoat” – Dostoyevsky’s famous sentence was quoted by Miklós Haraszti, an outstanding activist of the democratic opposition in Hungary and later OSCE Representative on Freedom of the Media, at a human rights conference held in Budapest in 2005, where Lyudmila Mikhailovna Alexeyeva, Yuri Fedorovich Orlov and other brave fighters of human rights were guests and speakers. All of us, former participants of the Helsinki movement, of the democratic opposition, former dissidents or otherwise “enemies of the people”, we all slipped out of the historic “Shinel” tailored by the Moscow Helsinki Group. I feel highly honored to have the possibility to speak here, in the presence of the founding fathers and mothers of the Moscow Helsinki Group. A group that tried to change history and succeeded in changing it.

About ten years ago, the Hungarian Helsinki Committee invited Sergei Kovalev to Budapest to deliver a speech at the Central European University. That time I believed Sergei Adamovich was among those who founded the Moscow Helsinki Group. But he corrected me: when the Final Act in Helsinki was signed, he had already been in prison. Most political prisoners opposed the Final Act, they believed that Soviet diplomacy had again succeeded in deceiving the West, they let them sign an international agreement recognizing the division of Europe. Western analysts announced the same opinion. The press in the Soviet Union and its satellite countries celebrated the Final Act as a victory in the fight for peace – as the Cold War was called inside the Soviet block.

However, Kovalev said that there had been a man in jail (I believe this anonymous inmate was Sergei Adamovich himself) who voiced a different opinion. “You are wrong”, the man said. “The big red shark swallowed the bait. Now it is up to the West to pull in the rope”. The rope was pulled in. It was not the West that started pulling it in but the brave men and women who founded the Moscow Helsinki Group, officially called the Public Group to promote the fulfillment of the Helsinki Accords in the Union of Soviet Socialist Republics. If the Soviet government signed an international document promising that they would respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion and belief, let us see, what happens if we try to exercise these rights. The idea was very simple and plausible.

Still, it did not occur to clever Western politicians and diplomats, it occurred to you. Without your brave idea Helsinki and the Final Act would have sunk among the forgotten events of the history of diplomacy.

You were the ones who turned Helsinki into history. It was not the agreement itself as signed by the governments but its interpretation by the grassroots Helsinki movement that became a trap for the Soviets. Nowadays historians and politicians tend to forget about the role of this grassroots movement in the collapse of the Soviet empire. They, the believers of Realpolitik, say that the regime exhausted its economic resources, it lost the arm race, everything was governed by the agreement of Reagan and Gorbachev. Nobody can believe that the Communist state – with its militia and army, with its powerful secret service, with the enormous party bureaucracy – could have been shaken by a handful dissenting intellectuals. It is a false approach.

Your human rights reports and the reports delivered by the growing numbers of Helsinki groups in the Soviet republics and in the satellite countries were regularly put on the agenda of international

* The speech was delivered in a shortened form.

dialogue and it forced the aging totalitarian regime to try to come up with explanations. And this undermined even the remnants of their credibility: the Communist states collapsed as canvas tents having lost their pillars. Following your example dissidents in Poland, in Czechoslovakia, in Hungary started to make use of fundamental freedoms; we exercised our human rights in a challenging way. And people liked it, they were more and more interested in dissidents' activities, they paid attention to what we were doing. Yuri Orlov told us in Budapest that once when he went into a Yakutian house to borrow an axe, the two peasant women in the house asked him about the report on the persecution of the Baptist community. In the early eighties after I lost my job in a publishing house, I started working in a book store. Most people working at that time in the bookshop were not intellectuals. Still, they listened to Radio Free Europe, and they asked me every morning about events connected to the democratic opposition – events that they had heard about in the Radio.

The democratic opposition in Hungary, which started up in the seventies following, first of all, your example, which got reinforced by Charta 77 in Czechoslovakia and by the success of the Solidarność movement in Poland, which produced a great amount of uncensored literature, periodicals and books, which set up independent organizations, became an important actor of the procedure leading to the implosion of the Soviet type regime in 1989. The Liberal Party founded by the members of the democratic opposition played a central role in the transition. This party demanded to start negotiations between the roundtable of all opposition parties and the ruling Communist party, we suggested the agenda of the negotiations and we initiated a referendum on questions regarding which the ruling party resisted to meet democratic requirements. By these affords Hungary was able to avoid to accept a presidential system under the leadership a post-Communist-nationalist president and succeeded to build up a Western-European type parliamentary democracy.

József Antall, the first freely elected prime minister was right to call the entire procedure a constitutional revolution. The voters honored the ten-year-long fight of the democratic opposition for human rights and the affords of the Liberals to create a purely parliamentary system. The Liberal party of the democratic opposition became the second largest party in the Hungarian Parliament and the strongest party of the opposition.

It would be great to finish this presentation here. But all this happened twenty years ago and since then the situation has changed significantly. At the very beginning it was an open question whether there was any reason to maintain the Helsinki Committee. We have democratic institutions, a Parliament, a Constitutional Court, Ombudspersons, free media – what is the point of defending human rights in the framework of a civic association? It did not take long to understand that the work of human rights organizations was still necessary. We faced new tasks such as offering legal aid to refugees and asylum-seekers, and protecting them against the xenophobia of not only the people, but also against the more effective xenophobia of the decision-making authorities. We realized that the rights of people in jail were not effectively protected as the authorities violate not only international norms but also Hungarian laws. We collected practical experience about the discrimination of the poor: a great pool of data demonstrated that most legal aid lawyers offer less effective services to indigent suspects than retained lawyers to their well-off clients. And finally, the discrimination of the Roma is more than a human rights problem. The tension between Roma and non-Roma is a menace for social peace.

But you who are sitting in this conference-hall know these problems very well. These are problems that are common to both new and old democracies. For a long time we were all convinced that the freedom of opinion is one of most important fundamental freedoms that we have to save and protect against any kind of restraint. Nowadays we have been debating if hate speech can or should be banned and punished. Two years ago the Socialist government criminalized the denial of Nazi crimes. The new right-wing majority of the Parliament amended the law: now the denial of Communist crimes is also a criminal offence. The first penal procedure started against a former Communist minister of interior who stated in an interview that the convictions after the 1956 revolution, hundreds of death sentences among them, were legally well founded and the courts were not influenced by the decisions of the Central Committee of the Communist party. It is, of course, a lie just as the denial of the Nazi gas chambers, which is also a lie. But are they lies one has to refute or are they lies one has to punish with a prison sentence?

A year ago the Hungarian voters elected a Parliament in which the victorious right-wing party has a two third majority. By this overwhelming majority they can pass any law, they can even eliminate the grounds of the democratic order. In the one year since the elections they have adopted a new Constitution, set up an authority to control the media, curtailed the rights of the Constitutional Court and for a long time tolerated actions of paramilitary groups that threatened the Roma population in villages. Human rights nowadays have become more than just the question of how to protect people against the violation of their rights. The defense of the fundamental freedoms is a key question again in Hungary, in Russia, in many post-Soviet republics and in several other countries of Europe and the entire world. It is a fight again for freedom and democracy as it was 35 years ago. Your message announced on 12 May 1976 is still valid. Your brave example is a living one again.