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Language Planning and the Issue of the Hungarian Minority Language in Post-Communist Romania: From Exclusion to Reasonable Compromises

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Abstract

Language planning and control have played a prominent role in attempts of nation building in contemporary Romania, a nation-state formed in the early 20th century by binding together provinces that were previously part of multi-national empires. As a long-lasting process, language control stretches throughout many historical periods. In communist and post-communist era, it has largely interfered with the political logic of both socialist internationalism and post-socialist democratic citizenry. More recently, under the impact of the European Union's expansion to the East and Romania's integration to it, language control has switched from severe limiting minority languages to a fair acceptance of reasonable compromises with the official dominance of Romanian as national official language. Although Romania acknowledges several minority languages, the article focuses on the usage of Hungarian language, the most important minority language in Romania. The aim of the article is double. On one hand, it analyses political negotiations over the status and corpus of the Hungarian language, by assessing the importance of language policies in the broader context of the processes of historical reconciliation and neighbourhood policies between Romania and Hungary. On the other hand, it deals with the political cooperation between Romanian and Hungarian political parties in Romania during the democratic post-communist transition.

Keywords: language planning, post-communism, ethnic relations, Hungarian minority, democratization, Romania.

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Since modern Romania was built-up in the early twentieth century by bringing together provinces that previously were parts of multi-national empires, language planning and control is one of the most prominent aspect of nation-building in modern and contemporary Romania. As it is a long-lasting process, language control is by no means attached to pre-communist settings. In communist and post-communist eras, it largely interferes with the political logic of socialist internationalism and post-socialist democratic citizenry. Only recently, under the impact of European expansion and Romania's effective integration into the EU and NATO, language control has switched from a severe limitation of minority languages to a fair acceptance of reasonable compromises with the principle of Romanian language dominance in the administration and education systems. In fact, despite the legal status of Romanian as the exclusive official language, since the beginning of the post-communist transition, minority languages have been accepted in various domains, especially in geographic areas where ethnic minority populations trespass a given threshold. Minority languages can be used today at every educational level, including university level, in public administration, mass-media and various cultural domains (publications, museums and theaters). The expanded right to use minority languages is a key issue in defining the current status of ethnic minorities in Romania.

The article focuses on the evolution of language planning, by emphasizing the use of the Hungarian language as the most largely used minority language. The article attempts to make an overview of language planning and control, beginning with the concern for protecting the national language from external cultural pressure when Romanian provinces were parts of the Habsburg, Ottoman and Tsarist empires before 1918, and moving towards a more active planning with the tools offered by the brand-new national state following World War One. After a brief glance at the language disputes during the inter-war period, the article examines the role played by language policies in the process of consolidation of national-socialism, despite the officially claimed internationalist features of communism. The long-lasting effects of these policies and the democratic constraints after the regime change in 1989 form the main part of the article and include a thorough analysis of the political negotiations and structural changes that turned minority languages, especially the Hungarian language, into reasonable compromises to the official use of Romanian language as the only accepted language. Finally, the paper intends to assess the importance of language policies towards the Hungarian ethnic minority for the broader process of historical reconciliation and neighborhood policies between Romania and Hungary, as well as for internal political cooperation between Romanian and Hungarian political parties during the democratic post-communist transition.

Historical Background

Romania celebrates in 2018 its centennial anniversary as national state. In its current composition, Romania was made up in 1918 by binding together several provinces that previously were part of multi-national empires (Russian, Austro-Hungarian and Ottoman empires) and by attaching them to the Kingdom of Romania. The Kingdom of Romania itself was made up in two steps: by the alliance of the historical provinces of Wallachia and Moldova in 1859, which formed a new state called Romania, and by their subsequent independence from the Ottoman empire following the national liberation war of 1877.¹ To this recent Romanian national state new provinces were attached in 1918, namely Bessarabia, Bukovina and Transylvania. Although they were part of multi-national empires, ethnic Romanians, who constituted a majority in each of these provinces, inhabited them in large shares.

Their integration into Romania fulfilled the dream of Romanian national elites that one day the provinces would be part of a larger, national state. This is especially true for Transylvania, where Romanian national elites were struggling against the elites of dominant Hungarian and Austrian nations.² In the period of modernization of the Habsburg empire by Emperor Joseph the Second, and especially following the Austro-Hungarian compromise of 1867 (known as *Ausgleich*), ethnic Romanians were confronted with the nationalizing tendencies of the new Hungarian government and were struggling to achieve equal rights in the political framework of the Habsburg monarchy. At the same time, the integration of new provinces brought in large ethnic minorities, led by more active, educated and urbanized elites.³ Those ethnic minorities soon become the target of nationalization policies put in place by Romanian elites, who were aiming at building and consolidating a Romanian national state by the homogenization of national territory and culture. The tension between minority rights and the Romanian national integration is the most prominent issue during the whole 20th century, but one can still notice it today.⁴

The severe nationalization policies put in place by the young Romanian national state after 1918 were the product of a deep distrust between ethnic Romanians and ethnic Hungarians in Transylvania. On the one hand, Romanian

¹ Keith Hitchins, *Romania, 1866-1947*, Oxford University Press, Oxford UK, 1994.

² *Idem*, *The Rumanian National Movement in Transylvania, 1780-1849*, Harvard University Press, Cambridge MA, 1969.

³ Irina Livezeanu, *Cultural Politics in Greater Romania: Regionalism, Nation-Building and Ethnic Struggle, 1918-1930*, Cornell University Press, Ithaca NY, 1995.

⁴ Dragoş Dragoman, 'Ethnic groups in symbolic conflict. The 'ethnisation' of public space in Romania', *Studia Politica. Romanian Political Science Review*, vol. XI, no. 1, 2011, pp. 105-121.

elites constantly feared a brutal secession of ethnic Hungarians, with the support of the neighboring Hungarian state. On the other hand, ethnic Hungarians feared a slow but painful assimilation in the framework of the Romanian national state. If one looks back into recent history, none of those fears was purely imaginary. With the consolidation of the Romanian national state, and despite many efforts made by the Hungarian elites, the Hungarian population started to decline in share, a process that continued for the rest of the 20th century.⁵ At the same time, ethnic Hungarians in Transylvania continued to be considered by the Hungarian state as part of the Hungarian nation, despite the fact that they were living in Romania and were Romanian citizens. When the European and regional context turned favorable, the Hungarian state claimed its right to decide the fate of ethnic Hungarians in Transylvania and attached half of the province in 1940, by the second Vienna Award that followed the secret protocol of the Non-Aggression Pact between Nazi Germany and the Soviet Union. This geopolitical move was made despite the fact that both Hungary and Romania were allies of Nazi Germany.⁶ This territorial loss was short-lived, since the lost half of the province was recovered by Romania in 1944 and the border from the 1920 Peace Treaty with Hungary was reconfirmed by the Peace Treaties from 1947. Its impact on Romanian elites' sensibility was however very important. The issue of a territorial autonomy of ethnic Hungarians living in Transylvania and the overall regionalization process in Romania is still marked by that event that occurred in 1940.⁷

Language Disputes During the Inter-War Period

With Transylvania and the other provinces under the sovereignty of the Romanian national state, the nationalization policies aimed at unifying the national territory and the national culture. This is to be seen not only in the symbolic domination of the public space, but also in the emphasis put on Romanian as national language and the restrictive use of ethnic minorities languages. The new Romanian administration faces a widespread use of other languages than Romanian, especially in major urban settlements from all of the new provinces, in Transylvania, Bukovina and Banat. The struggle to dominate

⁵ Elemér Illyés, *National Minorities in Romania. Change in Transylvania*, East European Monographs, Boulder CO, 1982.

⁶ Denis Deletant, *Hitler's Forgotten Ally. Ion Antonescu and His Regime, Romania 1940-1944*, Palgrave Macmillan, Basingstoke, 2006.

⁷ Dragoș Dragoman, Bogdan Gheorghiiță, "Regional design, local autonomy and ethnic struggle: Romania's syncopated regionalization", *Europe-Asia Studies*, vol. 68, no. 2, 2016, pp. 270-290.

the public space is first of all symbolic. Romanian street names and statues of national heroes began to fill the disposable urban space, helping to strengthen the feeling of belonging to the urban space, thus becoming a key element for identity politics. They all stand for identity markers and evoke specific historical eras by expressing the ideological dominance of political rulership. They commemorate past events and heroes, and therefore strengthen collective identity by constructing and reconstructing (and sometimes re-writing) history and tradition.⁸

But the linguistic battle was more than replacing street names in Transylvanian towns. Confronting more educated and urbanized elites of ethnic minorities also meant promoting equality, if not imposing supremacy in higher education. As mentioned above, Romanian elites struggled for decades to obtain equal cultural and political rights for ethnic Romanians as citizens of the Austro-Hungarian Monarchy.⁹ They had to many times pressure the Emperor himself in order to get a positive answer that was at least partial to their claims sent to the Hungarian parliament and government in Budapest. Their struggle was aimed at providing basic conditions for education and culture in Romanian language, namely to get the permission to edit publications and to set up libraries and ethnographic museums. The existence in Cluj, the largest town in Transylvania and its capital-city throughout the 19th century, of a public university teaching in Hungarian was a very serious issue for Romanian elites.

The university in Cluj, called the „Franz Joseph” University, was founded in 1872 by the Hungarian government following the Austro-Hungarian Compromise, as a mean to support higher education, encourage scientific research and promote Hungarian national values. Its aim was to support the growth of an intellectual elite, who could successfully rival those in Budapest and Vienna. In this respect, only years after its foundation, the scholarly and scientific achievements of its teachers and students were quite remarkable in the region.¹⁰ That is why Romanian elites decided that keeping a university teaching in Hungarian in the heart of Transylvania would be a serious threat to Romanian national unity and would endanger its aim to unify the national territory and culture. Therefore, the Hungarian university, including its teachers and students, were transferred in 1919 to Szeged, across the newly established Romanian-Hungarian border, while all the patrimonial goods of the former university were put at the disposal of a new university teaching in Romanian.

⁸ Eric J. Hobsbawm, Terence Ranger (eds.), *The Invention of Tradition*, Cambridge University Press, Cambridge UK, 1983; John R. Gillis (ed.), *Commemorations: The Politics of National Identity*, Princeton University Press, Princeton NJ, 1996.

⁹ Keith Hitchins, *A Nation Affirmed: The Romanian National Movement in Transylvania*, Encyclopaedic Publishing House, Bucharest, 1999.

¹⁰ Victor Karady, Lucian Nastasă, *The University of Kolozsvár/Cluj and the Students of the Medical Faculty (1872-1918)*, Central European University Press, Budapest, 2004.

This was symbolically renamed „King Ferdinand I”, in order to emphasize Transylvania’s integration into the Kingdom of Romania, ruled then by king Ferdinand I. This situation lasted until 1940, when the city of Cluj alongside half of the province of Transylvania was ceased to the Hungarian state and the university was transferred to Sibiu, in the part of Transylvania still attached to the Romanian national state. At the end of World War Two, the Soviet style Romanian government reshaped regional administration and higher education by redefining regional design and by bringing back to Cluj the Romanian university. As emphasized below, the issue of the Hungarian speaking university in Cluj remained until today one of the most sensitive language issues, influencing political negotiations between Romanian and Hungarian political parties and between the Romanian and the Hungarian government.

Ethnic Issues During the Communist Era

The first years of Romanian communism are in line with international communism, which is an ideological tendency to emphasize the unity of all workers and peasants, regardless of their native language or religion. In order to promote the internationalism of the working class, the new Romanian communist administration decided to get rid of previous national disputes and cleavages. Territory and culture were then to be seen as expression of the neutral condition for the development of a solid working class that would rapidly transcend former ethnic lines. That is why the national territory was reorganized in 1952 and the Hungarian minority in Transylvania benefitted from larger administrative autonomy in the framework of a Hungarian Autonomous Region.¹¹ Moreover, a new public university teaching in Hungarian was founded in Cluj, bearing the name of the illustrious Hungarian mathematician János Bolyai. This university was to accompany the other university in town, that teaching in Romanian, back in town in 1945. The Romanian university was renamed after the famous Romanian biologist Victor Babeș.

The 1956 Hungarian anti-communist uprising was to change the mind of Romanian communist elites. Fearing the spreading of the contention, the Romanian authorities limited the autonomy rights of the Hungarians in Transylvania, beginning with the separate functioning of the public university teaching in Hungarian. Since the city of Cluj was hosting two universities, they were forced to merge in 1959 under the name of „Babeș-Bolyai” University. As emphasized below, the coexistence of different chairs teaching in Romanian and Hungarian is the way the multi-lingual university has been working ever since. Despite the claims made by Hungarian teachers and students for separate

¹¹ Dragoș Dragoman, Bogdan Gheorghită, ‘Regional design, local autonomy and ethnic struggle...cit.’”

faculties, the only form of autonomous functioning is still that of separate chairs inside mixed faculties, meaning that Hungarian speaking teachers and students work alongside Romanian teachers and students in the framework of faculties, sharing decisions and responsibilities.

Despite its initial internationalist scope, the communist regime slowly began to transform and finally turned into fierce Romanian nationalism under the reign of Nicolae Ceaușescu. In his effort to consolidate his own power, he initially made a relentless effort to reconcile universalist Leninism and Romanian nationalism,¹² but finally merely focused on his goal of transforming socialism into a national communism.¹³ Reshaping the regional design and homogenizing once again the national territory by putting an end to the Hungarian regional autonomy in 1968 was followed by restricting the use of Hungarian language and altering the ethnic composition of many cities and counties in Transylvania. Due to forced urbanization of many rural areas and controlled internal migration of the working force distributed across the national territory by arbitrary administrative decisions, the Hungarian minority felt very much under pressure, especially during the last decade of communist rule. The situation of ethnic Hungarians living in Transylvania became a domestic political issue in Hungarian politics, being used by the anti-communist opposition during the massive street rallies against the communist ruling elites in the late 1980s.¹⁴ The very end of the communist regime in Romania is related to this kind of ethnic tension. The trigger of the mass protest against the regime of Nicolae Ceaușescu was the communist secret police action against a Hungarian protestant priest in Timișoara, whom it tried to evict from his parish. The overt public support for the priest turned into a massive street rally only hours after the failed eviction. Due to overly brutal repression measures on the part of the army and secret police, the protest turned into a nation-wide anti-communist revolution that overthrew the communist regime.

Language Disputes During the First years of the Post-Communist Transition

For many observers in the first years after the breakdown of the communist regime, post-communism in Central and Eastern Europe should have been much similar to the experiences of earlier transitions, those from

¹² Cheng CHEN, 'The Roots of Illiberal Nationalism in Romania: A Historical Institutional Analysis of the Leninist Legacy', *East European Politics and Societies*, vol. 17, no. 2, 2003, pp. 166-201.

¹³ Katherine Verdery, *National Ideology under Socialism. Identity and Cultural Politics in Ceaușescu's Romania*, California University Press, Berkeley CA, 1995.

¹⁴ Gale Stokes, *The Walls Came Tumbling Down: The Collapse of Communism in Eastern Europe*, Oxford University Press, Oxford UK, 2003.

Southern Europe and South America.¹⁵ They expected that transition encompass two major transformations, namely political institutions, from autocracy to democratic and civic rights, and economy, from the state-led economy to a free market economy. Democratization and marketization would thus have been the two goals of any post-communist government.¹⁶ The violent breakdown of the multi-national Soviet and Yugoslav republics and the role played by nationalism in shaping attitudes towards the new political and social context that followed the collapse of communism clearly signaled that transition would be multi-fold.¹⁷ It would encompass more than two dimensions, since nationhood and statehood had to be added to the previous institutional and economic dimensions, leaving an open question whether nation-building policies would be congruent with state policies aimed at crafting democracy.¹⁸ The transition is more complicated in Central and Eastern Europe because the newly democratic regimes inherited from the previous communist regimes very serious problems ranging from ethnic minorities and secessionist threats to violent border disputes.¹⁹

The regional ethnic tension is also to be seen in Romania in the early 1990s. Only months before the beginning of the violent process that would lead to the breakdown of the former Yugoslav state, Romania witnessed a very serious episode of overt ethnic clashes between ethnic Romanians and ethnic Hungarians in Târgu-Mureș, an ethnically mixed town in Transylvania. In March 1990, Romania was on the brink of ethnic conflict. Despite emotions, raised by the cruelty and the bloodshed, running high on both sides, the political elites of the two ethnic segments managed to set up a peaceful agreement on how to shape the general conditions for minority protection and democratic consolidation. The process, which ended in a particular type of ethnic status-quo, was not free of serious threats and tensions. However, as it is worth to notice, this type of agreement differs from both ethnic violence in former Yugoslavia and ethnic democracy in the Baltic states. Ethnic democracy means the contradictory combination of democracy for all with ethnic ascendancy, a

¹⁵ David Collier (ed.), *The New Authoritarianism in Latin America*, Princeton University Press, Princeton NJ, 1979; Juan J. Linz, *Totalitarian and Authoritarian Regimes*, Lynne Rienner, Boulder CO, 2000; Guillermo O'Donnell, Philippe C. Schmitter, *Transitions from Authoritarian Rule*, Johns Hopkins University Press, Baltimore MD, 1986.

¹⁶ Adam Przeworski, *Democracy and the market: Political and economic reforms in Eastern Europe and Latin America*, Cambridge University Press, Cambridge UK, 1991.

¹⁷ Sabrina P. Ramet, *Balkan Babel: The Disintegration of Yugoslavia from the Death of Tito to the War for Kosovo*, Westview Press, Boulder CO, 1999.

¹⁸ Juan J. Linz, Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America and Post-Communist Europe*, Johns Hopkins University Press, Baltimore MD, 1996.

¹⁹ Taras Kuzio, 'Transition in post-communist states: triple or quadruple', *Politics*, vol. 21, no. 3, 2001, pp. 168-177.

special kind of democracy lacking both civic equality and civic nation as pillars of liberal or consociational types of democracy.²⁰ In this latter case, democracy was built in the first years of post-communism by restricting the use of minority rights in order to promote an expansion, even a reparation, of majority rights. It was considered that the new Latvian or Estonian-speaking majorities had to benefit from extended rights to consolidate the status of their national languages in front of the former ruling Russian minority. At least for a period of time, the severe inequality in civil rights would benefit the restoration of the previously neglected, if not suppressed, minor Latvian or Estonian languages.²¹

The first years of post-communism were decisive in shaping the relationship between the state, the Romanian majority group and minority groups, especially with the Hungarians living in Transylvania, which represent the largest minority group relying on a very well organized ethnic political party. In fact, the early existence of a legitimate, although unexperienced and still inchoate ethnic Hungarian party (the Democratic Alliance of Hungarians in Romania, Uniunea Democrată a Maghiarilor din România – UDMR), largely facilitated in March 1990 the task of state authorities and Romanian party elites to negotiate a peaceful ethnic arrangement for appeasing the ethnic tension and setting up a future solid and permanent agreement on minority issues. Of course, the negotiations are not free of external influence, ethnic Hungarian and Romanian elites looking at favorable negotiated solutions that were already in place, but having also in mind the drastic solutions put forward by ethnic democracy in the Baltic states and the terrible bloodshed in former Yugoslavia.

The first years were essential in the settlement of a negotiated solution for minority rights from another perspective as well. Unlike other former communist states such as Hungary and Poland, which merely amended their former communist constitutions, Romania initiated a more complex procedure of writing a brand-new democratic constitution that was to replace the obsolete communist one. Therefore, negotiations between ethnic elites regarded both the constitutional framework and specific laws on public administration and education in minority languages. Despite the openness for negotiating minority rights, the constitution adopted in 1991 generally reflects the willingness of the majority group to set up a dominant position. Romania was declared a national state whose sovereignty was based on the unity of the Romanian people,

²⁰ Sammy Smooha, 'Types of democracy and modes of conflict management in ethnically divided societies', *Nations and Nationalism*, vol. 8, no. 4, 2002, pp. 423-431; Yoav Peled, *The Challenge of Ethnic Democracy: The State and Minority Groups in Israel, Poland and Northern Ireland*, Routledge, London, 2014.

²¹ Priit Järve, "Language battles in the Baltic States: 1998 to 2002", in Farimah Daftary, François Grin (eds.), *Ethnicity and Language Politics in Transition Countries*, Open Society Institute, Budapest, 2003, pp. 73-106; Sammy Smooha, Priit Järve (eds.), *The Fate of Ethnic Democracy in Post-Communist Europe*, Open Society Institute, Budapest, 2005.

making thus a statement of dominance of the Romanian nation and language, which was adopted as the sole official language. Minority rights only come in second place, but they are clearly expressed as guaranteed by the constitution in the field of education, culture and religion, with respect to the principle of equality and non-discrimination in relation to other citizens in Romania.

The protest response of the Hungarian political elites in parliament reflects the disillusion with the inertia associated with changing attitudes towards ethnic minorities. As one could have expected, the end of communism was about to bring a quick and undisputed improvement in minority status, making a break with the previous era, when, in the final stages of communism, ethnic minorities felt deep pressure from state authorities. At the same time, claims for cultural and administrative autonomy raised fears among ethnic Romanians, who still feared that larger autonomy for ethnic Hungarians could end in secession and open conflict, as it was then the case in former Yugoslavia. Those fears were largely exploited by parties in government, which were looking for alternative legitimacy issues in order to consolidate in power.²² With the 1991 Constitution in place, the only room opened for improving the minority rights was negotiating specific laws on education and public administration, which were aimed at defining the cultural autonomy of ethnic minorities.

The Local Administration Act of 1991 reconfirmed the supremacy of the Romanian language, even in counties and localities where ethnic minorities constituted the majority of inhabitants. The law was so restrictive that it forced elected officials to use Romanian, the national language, in open debates in local councils, for example, even where there was no ethnic Romanian elected official. It went the same with official communications between local authorities and citizens, where minorities could use their native language in formal, written requests only if they were accompanied by a Romanian translation. In practice, however, Hungarian was used much more than the law regulated, since public administration of those localities where minorities were of significant importance was considered an extension of the public space where minorities were unrestrictedly speaking their own native language. The legal provisions were thus symbolic, aimed at clearly assessing the primacy of the Romanian language. The same goes with education. Following a tense debate in parliament, the 1995 Act of Education was based on a rather narrow interpretation of the Constitution. Although the law acknowledged the use of Hungarian and other minority languages in primary, secondary and university education, it stated the obligation for disciplines as history or geography to be taught only in Romanian. This was a clear symbolic constraint, since it was well

²² Tom Gallagher, 'Nationalism and political culture in the 1990s', in Duncan Light, David Phinnemore (eds.), *Post-Communist Romania: Coming to Terms with Transition*, Palgrave Macmillan, Basingstoke, 2001, pp. 104-124.

known that ethnic minorities use peculiar, different geographic denominations and that they use different perspectives when dealing with various historical events. This was of paramount importance for Romanian nationalists, since sharing the same geographic space with minorities (in Transylvania, for example) also means opposing conflicting historical narratives. It is worth mentioning that Romanian National Day, December the 1st, commemorates the 1918 attachment of Transylvania to modern Romania. At the same time, this attachment would have been impossible without a proper previous secession of the province from Austria-Hungary. Thus celebrating the National Day also means remembering to the Hungarians in Transylvania the loss of the province by the Hungarian state.

This is not the only opposing historical narrative, a dispute between ethnic communities about how to interpret historical events. The 1940 attachment of Northern Transylvania to fascist Hungary by the second Vienna Award following the secret pact between the two totalitarian regimes, Nazi Germany and the Soviet Union, is seen differently by the two ethnic groups. But the best example of different approaches when it comes to symbolically weighing the importance of a past event is to be recorded few years later, when the relationship between ethnic political elites has already entered its cooperation phase, as we underline below. The disputed issue was the willingness of the Hungarian community in Arad, an ethnically mixed town near the border with Hungary, to restore and put in place an ancient monumental statuary commemorating 13 Hungarian generals, national heroes, who have been executed for mutiny by the Austrian imperial army during the 1848-49 Hungarian uprising against the ruling Habsburg monarchy.²³ The 'Liberty Statue', as it is known in the city, was inaugurated in 1880 by the Hungarian government, but as soon as Transylvania was attached to the Kingdom of Romania, the statue was dismantled and deposited in the town fortress. When the Hungarian local community in Arad, backed by UDMR, demanded the restoration of the statue, the Romanian authorities refused to do so, by invoking the same argument that led to the dismantling of the statue, back in 1924. The 13 generals could have been Hungarian national heroes, yet they were guilty of murdering ethnic Romanians, who largely remained favorable to the Habsburg emperor in the 1848-1849 period. The compromise reached by ethnic elites in Arad was, in the end, that the 'Liberty Statue' be accompanied by Romanian national symbols, an arch of triumph symbolizing Romanian revolutionaries. The presence of the Romanian arch of triumph thus diluted the ethnic presence of the 'Liberty Statue', balancing the symbolic Hungarian dominance. The case presented here is important for the way the two

²³ István Deák, *The Lawful Revolution: Louis Kossuth and the Hungarians, 1848-1849*, Columbia University Press, New York, 1979.

ethnic communities imagine the public space and for the mechanisms of negotiation put in place in order to accommodate conflicting demands. Yet another factor is to be taken into account when trying to understand complex ethnic relations and language issues in Romania, namely external factors.

Language Issues and Minority Rights: External Pressure and Domestic Cooperation

When paying attention to the initial, restrictive minority language status in Romania,²⁴ one could hardly understand the subsequent shifts and significant improvements in minority rights without reference to the external factors. For Romania, that external factors were, for a long period of time, the political requirements for EU and NATO membership. But even that membership was unconceivable without full membership into the wider, continental political arrangement which is the Council of Europe. Being part of the Council was the first step in claiming membership in the EU and NATO and fulfilling the requirements of the Council of Europe was a test of good will and commitment for future adaptation of national regulations to European rules. When one looks back, it seems that European conditionality was much more effective for minority issues than for other policy areas, as for example, sub-national governance and regional design.²⁵ In the area of minority rights, the EU conditionality worked in combination with the consolidation of democracy,²⁶ aiming at fulfilling general requirements before starting technical negotiations with candidate countries for more specific matters.²⁷ Those accession criteria

²⁴ Catherine Kettley, "Ethnicity, Language and Transitional Politics in Romania: The Hungarian Minority in Context", in Farimah Daftary, François Grin (eds.), *Ethnicity and Language Politics in Transition Countries*, Open Society Institute, Budapest, 2003, pp. 243-266.

²⁵ Peter John, "The Europeanisation of Sub-national Governance", *Urban Studies*, vol. 37, nos. 5-6, 2000, pp. 877-894; Conor O'Dwyer, "Reforming Regional Governance in East Central Europe: Europeanization or Domestic Politics as Usual?", *East European Politics and Societies*, vol. 20, no. 2, 2006, pp. 219-253.

²⁶ Frank Schimmelfennig, "European Regional Organizations, Political Conditionality, and Democratic Transformation in Eastern Europe", *East European Politics and Societies*, vol. 21, no. 1, 2007, pp. 126-141.

²⁷ Lynn M. Tesser, "The Geopolitics of Tolerance: Minority Rights Under EU Expansion in East-Central Europe", *East European Politics and Societies*, vol. 17, no. 3, 2003, pp. 483-532; Frank Schimmelfennig, Ulrich Sedelmeier, "Governance by Conditionality: EU Rule Transfer to the Candidate Countries of Central and Eastern Europe", *Journal of European Public Policy*, vol. 11, no. 4, 2004, pp. 661-679; Grigore Pop-Eleches, "Between Historical Legacies and the Promise of Western Integration: Democratic Conditionality after Communism", *East European Politics and Societies*, vol. 21, no. 1, 2007, pp. 1-20.

have already been set up by the European Council in Copenhagen in 1993 and represent a series of political, economic and administrative conditions for candidate countries. Among political criteria, human rights and respect for and protection of minorities have become one of the most relevant issues when deciding to start negotiations with former communist states.²⁸ Combined with the normative and political pressures of the Council of Europe and of the Organization for Security and Cooperation in Europe, the European Union accession criteria largely helped unstable democracies in Central and Eastern Europe to consolidate and to improve minority rights. From this perspective, the situation in Romania improved greatly during the phase of preparation for and negotiation of EU accession, turning Romania from a laggard to a leader in the region.²⁹

Such a shift in minority rights conceptualization in Romania is unconceivable without the changing political attitudes towards UDMR in Romania. Forming an opposition coalition with right-wing parties against the Social Democrat Party (Partidul Democrației Sociale – PDSR, later on Partidul Social-Democrat – PSD) between 1990 and 1996,³⁰ UDMR imposed as a key party in forming subsequent coalitions. Being part of governing coalitions gave UDMR a coalition potential that turned partially into blackmail potential during the 1996-2000 period. It was the period when Romania entered a deep democratization process, accompanied by severe economic changes towards large scale privatization and free-market economy. Within the larger process of consolidating democracy, expanding minority rights was the effect of both internal and external pressure, with Romania very eager, but finally failing to join NATO in 1999. In fact, the Romanian government expected that Romania would receive a formal invitation to join NATO at the organization's summit in Madrid. This was not the case, which put new pressure on the next government (2000-2004) formed by PSD with the essential support of UDMR in parliament.

The participation of the Hungarian party in those coalitions between 1996 and 2000 and the key party position in parliament between 2000 and 2004 fostered favorable internal conditions for expanding linguistic rights for minorities.³¹ In a contrasting shift from the previous period, minorities have been endowed with significant linguistic rights. Not only were the very

²⁸ Gwendolyn Sasse, "Minority Rights and EU Enlargement: Normative Overstretch or Effective Conditionality", in Gabriel N. Toggenburg (ed.), *Minority Protection and the Enlarged European Union*, Open Society Institute, Budapest, 2004, pp. 59-84.

²⁹ Melanie H. Ram, "Romania: from laggard to leader?", in Bernd Rechel (ed.), *Minority Rights in Central and Eastern Europe*, Routledge, London, 2009, pp. 180-194.

³⁰ Mihaela Mihăilescu, "The Politics of Minimal 'Consensus' Interethnic Opposition Coalitions in Post-Communist Romania (1990-96) and Slovakia (1990-98)", *East European Politics and Societies*, vol. 22, no. 3, 2008, pp. 553-594.

³¹ Dan Chiribucă, Tivadar Magyari, "The Impact of Minority Participation in Romanian Government", in Monica Robotin, Levente Salat (eds.), *A New Balance: Democracy and Minorities in Post-Communist Europe*, Open Society Institute, Budapest, 2003, 73-97.

restrictive legal provisions in teaching history and geography lifted, but the use of minority languages was accepted at all educational levels, from primary school to the university level, with the obligation of teaching and learning Romanian as official language. Moreover, the use of minority languages was extended in justice matters and, very important, in public administration. Public debates in minority languages in the local councils were accepted with proper translation in Romanian and with the final decision and disposition to be written in Romanian. According to the new Public Administration Law (215 from 2001), in all localities where minorities trespass a 20% threshold, public institutions and local authorities use minority languages when in relation with citizens from minority groups. Finally, public inscriptions are equally provided in the minority language, wherever the minority group trespasses 20% of the population.

European conditionality not only worked by imposing standards for minority rights, but it also helped to balance and stabilize political divergences and conflicts that could have occurred between ethnic groups or between states. This proved of great importance when national governments had difficulties in reaching compromises. The Council of Europe, and especially its Commission for Democracy, also known as the Venice Commission, helped the Romanian and the Hungarian governments to reach an agreement on the extra-territoriality of the support granted by the kin state to ethnic members living in neighboring states. By this, the Venice Commission tackled the discrimination effects of national laws, when they are designed to protect and support ethnic diaspora. It was the case in 2001, when the Hungarian government issued a special Law on the Status of Hungarians Living in Neighboring Countries, also known as the 'Status Law'. The law was designed to support ethnic Hungarians living in the nearby diaspora, by granting them special rights like education, travel, working permits, social assistance and health benefits. Ethnic Hungarians were entitled to benefit from those facilities in Hungary, as well as at home, in the neighboring countries. In fact, the law not only aimed to facilitate their stay on the Hungarian territory (museum and library tickets, bus tickets, other discounts and facilities), but to support ethnic Hungarians living in the near diaspora to use their native language (monthly allocations for children attending Hungarian language schools and universities). Equally symbolic and practical, the 'Status Law' was expanding the Hungarian nation,³² and even turning Hungarian diaspora into a political actor in Hungarian politics.³³

³² Stephen Deets, "Reimagining the Boundaries of the Nation: Politics and the Development of Ideas on Minority Rights", *East European Politics and Societies*, vol. 20, no. 3, 2006, pp. 419-446; László Kulcsár, Cristina Brădățan, "Politics without Frontiers: The Impact of Hungarian Domestic Politics on the Minority Question in Romania", *Communist and Post-Communist Studies*, vol. 40, no. 3, 2007, pp. 301-314.

³³ Brigid Fowler, "Nation, State, Europe and National Revival in Hungarian Party Politics: The Case of the Millennial Commemorations", *Europe-Asia Studies*, vol. 56, no. 1, 2004,

The 'Status Law' excited much criticism from all the neighboring states, and the Hungarian government decided to adopt the recommendations of the Venice Commission by amending the law. During negotiations with governments from the neighboring states, especially with the Romanian government run by PSD, the Hungarian government limited the application of the law on the Hungarian soil alone and eliminated the discriminatory provisions in granting working permits and other kinds of support. Moreover, the certificates confirming the status of beneficiaries as ethnic Hungarians were to be issued and distributed by the Hungarian state itself, with no support from the Hungarian associations in neighboring countries. The compromise accepted by the Hungarian government, under the supervision of the Council of Europe's Commission for Democracy, put an end to the vivid disputes triggered by the 'Status Law' and largely helped restoring the governmental cooperation between Hungary and Romania.³⁴ This positive cooperation led to what was unconceivable only few years before, namely to common special sessions of the Romanian and Hungarian governments, gathered in Hungary or in Romania to discuss common economic and political projects. The cooperation not only helped to ease ethnic tension in Transylvania, but to facilitate cooperation and mutual support for NATO and EU membership. One of the most vivid fears of Romanians, for Hungary to be integrated into regional organizations while Romania was kept apart, got lifted with Romania's accession to NATO in 2004 and to the EU in 2007, only few years after Hungary's accession in 1999 and 2004, respectively.

Recurrent Ethnic Tensions and Unsolved Language Problems

Despite important progress at governmental levels that fostered the necessary ethnic peaceful climate and boosted the speed of accession into major regional organizations for both Hungary and Romania, several language issues are still in dispute. As it was before, the issues are both practical and symbolical, as they can be used in defining the boundaries of the nation,³⁵ or in

pp. 57-83; Mark A. Waterbury, "Internal Exclusion, External Inclusion: Diaspora Politics and Party-Building Strategies in Post-Communist Hungary", *East European Politics and Societies*, vol. 20, no. 3, 2006, pp. 483-515; Agnes Batory, "Kin-state Identity in the European Context: Citizenship, Nationalism, and Constitutionalism in Hungary", *Nations and Nationalism*, vol. 16, no. 1, 2010, pp. 31-48.

³⁴ Constantin Iordachi, "The Romanian-Hungarian Reconciliation Process, 1994-2001: From Conflict to Cooperation", *Romanian Journal of Political Science*, vol. 1, nos. 3-4, 2001, pp. 88-133.

³⁵ John R. Gillis (ed.), *Commemorations...cit.*

shaping internal party competition.³⁶ With the expansion of minority rights, the remaining language issues concern not the full use of Hungarian in public education, but the autonomous organization of institutions providing education in Hungarian. After Romania ratified the European Charter for Regional or Minority Languages in 2008 and, in parallel, the law for patrimonial restitution was strictly enforced in Romania, the Hungarian community in Transylvania recovered many of the desired proper conditions for the preservation of its native language and of its cultural identity. Through the restitution act, both Catholic and Protestant churches of Hungarians recovered large parts of the patrimony they have been dispossessed of by the former Communist regime back in 1948. Many of the restituted buildings have been donated by the Hungarian churches to Hungarian language schools. In compensation, new schools were required for ethnic Romanian pupils, sometimes in peripheral or semi-peripheral urban areas.

The ethnic segregation of formerly mixed Romanian and Hungarian schools, which functioned during communism is seen differently by the two ethnic communities. For ethnic Hungarians, the separation of schools is a necessary condition for an autonomous and harmonious development of Hungarian language education institutions. For ethnic Romanians, moving ethnic Romanian pupils from the center of many cities in the region and relocating them at their periphery, is a stark symbolic defeat, since Romanian elites fought for many decades, during the reign of the Habsburg monarchy, for equality with other ethnicities. The same argument is to be recorded in the dispute regarding the dismantlement of the multilingual university in Cluj. Although the current legal provisions allow for full education in Hungarian, no Romanian government took yet the much controversial decision of separating Hungarian and Romanian faculties along the distinction provided by the language of instruction, as many ethnic Hungarian students, teachers and politicians have requested. Despite this seemingly being a technical issue, segregating faculties alongside linguistic lines also bears an important symbolic weight.

It is worth underlining again that from its very beginning in 1872, the ‘Franz Joseph’ university in Cluj was created with the purpose to fully emancipate Hungarian culture and science, in order to equal the dominant German culture in the empire.³⁷ The university came as a natural outcome of the Austro-Hungarian Compromise of 1867 and the political unification of Hungary and Transylvania following centuries of separate development due to unfavorable external conditionality. It bore the name of the Emperor himself as a clear sign of praise for his liberal views towards the consolidation of higher

³⁶ Agnes Rajacic, “Populist Construction of the Past and Future: Emotional Campaigning in Hungary between 2002 and 2006”, *East European Politics and Societies*, vol. 21, no. 4, 2007, pp. 639-660.

³⁷ Victor Karady, Lucian Nastasă, *The University of Kolozsvár/Cluj...cit.*

education and towards the Hungarians' right for separate and representative institutions within the framework of the Dual Monarchy. For several decades, the university in Cluj was the focus point of all the intellectual energy and passion of scholars in Transylvania, and thus become a solid and highly praised institution. It is easy to understand, therefore, why the Romanian authorities took the decision to put an end to the Hungarian university in Transylvania after 1918, when Transylvania become part of Romania. Not only the Hungarian university was transferred to Szeged, as mentioned before, with all students and teachers, across the newly drawn border between Romania and Hungary, but its patrimony remained at the disposal of the newly created Romanian university in town. On the one hand, a Hungarian speaking university in the heart of Transylvania would have been a symbolic challenge to the Romanian primacy in the new framework of the Romanian national state. On the other hand, the patrimony and all the facilities of the former Hungarian university were an important asset for a new Romanian university, working for the advancement of Romanian culture and science. As emphasized by Livezeanu,³⁸ the unification of Transylvania with Romania brought in important ethnic minorities, disposing of more active, educated and urbanized elites and making the task of unifying the political territory and national culture difficult for the Romanian elites.

As a counter-response, the fascist Hungarian government transferred the Romanian university in Cluj in 1940 across the redrawn state border to Sibiu, when half of Transylvania was ceased to Hungary according to the second Vienna Award. The officially stated friendship between neighboring Hungarian and Romanian states and between Hungarian and Romanian workers and peasants during the first years of the communist regime was consolidated by the restauration of the Hungarian speaking university in Cluj, this time bearing the name of the illustrious Hungarian-Transylvanian mathematician János Bolyai. It functioned in the city alongside the university teaching in Romanian, which turned back from from its exile in 1945, with the defeat of fascist Hungary in World War Two, and bearing the name of the well-known Romanian biologist Victor Babeş. The Hungarian anti-communist uprising of 1956 and the increasingly nationalistic features of the Romanian communist regime led to the merger of the two formerly independent higher education institutions into a single institution, called 'Babeş-Bolyai'.

The accommodation of the two Romanian and Hungarian speaking communities was not easy, since Hungarian speaking teachers and students were not allowed to organize into autonomous Hungarian teaching faculties, but only to be part of multi-lingual (Romanian, Hungarian and German) faculties. The Hungarian teaching tracks have therefore always been supplied by Hungarian teachers organized in chairs, but engulfed into larger faculties, with

³⁸ Irina Livezeanu, *Cultural Politics in Greater Romania...cit.*

no real decision power. The empowerment of the Hungarian speaking teachers into the university decision bodies was one of the requests of the Hungarian community of teachers and students after 1989, when they expected that communist breakdown would bring in the much-awaited separation of mixed faculties. With the ongoing demographic domination of the Romanian speaking teachers in mixed faculties, this is impossible. On the other hand, the ruling body of the university strongly denounced external political pressures made by the Romanian parties in the government in order to please their coalition partner, the Hungarian Party UDMR.³⁹ The University Senate, dominated by Romanian speaker professors, rejected the proposal to separate mixed faculties by regrouping existing Romanian, Hungarian and German tracks out of mixed faculties in order to form mono-lingual ones. According to the University Senate, this move would seriously affect the multi-cultural aspect and functioning of the university, as well as its scientific competitiveness. Moreover, separating mixed faculties would encourage further separation of newly formed mono-lingual faculties and, eventually, the regrouping of those new mono-lingual faculties into a separate university, as it was the case in the early 1950s with the former 'János Bolyai' University. Despite the discontent expressed by Hungarian teachers and even the protest of some Hungarian speaking students, the university senate rejected the proposal for reshaping the university structure and kept the long-lasting status-quo in place.

Conclusions

The minority language status in Romania changed dramatically during the last three decades. Just before 1989 and in the early 1990s, Romanian was the dominant and almost exclusive language, with little concession done to minority languages. Despite its proclaimed internationalism during the 1950s, Romanian communism turned into a nationalistic regime in the late 1980s.⁴⁰ Through this move, national-communism rejoined Romanian nationalistic policies of the 1930s, aimed at consolidating the national state and at culturally unify the territory. At that moment, Romania was a young national state, build by binding together provinces that were previously part of multi-national empires.

The change in minority language status in Romania was due to changing contexts, both internally and externally. On the one hand, on internal grounds, the new Romanian constitution, which stated the national character of the state and the primacy of the Romanian language, was not seriously contested or attacked by ethnic minority parties, especially by the Hungarian

³⁹ Gabriel Andreescu, *Ruleta. Români și maghiari, 1990-2000*, Polirom, Iași, 2001.

⁴⁰ Katherine Verdery, *National Ideology under Socialism...cit.*

party. Unlike other ethnic groups who engaged in overt and bloody conflicts, as it was the case in former Yugoslavia, ethnic Hungarians made proof of their loyalty and willingness to contribute to the re-building of a democratic and prosperous Romania following decades of communist rule. Their integration into the political system and the coalition partnership between Romanian parties and the Hungarian party have largely helped Romania to access both NATO, the European Union and the Council of Europe.

On the other hand, integration into regional organizations also meant improving minority rights, and especially linguistic rights. External conditionality added to favorable internal factors, particularly the willingness for cooperation expressed by both the Romanian majority and the Hungarian ethnic minority. This combination of factors proved to be essential in improving minority rights without invalidating the essential features of the Romanian national state. Those factors made the difference between the nationalistic period, until 1996, and the cooperation period that followed. Although Romanian remains the official language, keeping its primacy deriving from the Constitution, the use of minority languages has been accepted as a reasonable compromise. Granting unrestricted rights to ethnic minorities has transferred into a persistent peaceful ethnic environment, in deep contrast with the Yugoslav or the Baltic contexts. By combining favorable external and internal factors, Romania moved from laggard to leader in the matter of minority rights. It is worth mentioning, for example, that external pressure made many EU candidate countries in Central and Eastern Europe to adopt higher standard for minority rights than former EU members. Whereas Romania ratified the European Charter for Regional or Minority Languages in 2008, states like France and Italy signed the document without ratifying it, while other EU member states, like Greece, Belgium or Portugal, even refused to sign it.⁴¹

The expansion of minority rights adds new facilities for ethnic minorities. Not only ethnic minorities can symbolically affirm their presence by displaying their symbols, like flags, on public buildings in areas where they live in important shares, but they now benefit of extended linguistic rights. Beginning with 2017, the previous linguistic rights in public administration and education have been extended to healthcare. Ethnic Hungarians, Gypsies and Turks, those minorities which are territorially concentrated as to form important minority shares in cities, can use their language in hospitals and ask to be in contact with medical staff speaking their language.

Of course, despite the essential improvement of minority rights, important issues are still at stake in various areas, like higher education and public administration. This is the case of a public university teaching in

⁴¹ Monica Călușer (ed.), *Carta Europeană a Limbilor Regionale sau Minoritare în România. Între norme și practici*, Centrul de Resurse pentru Diversitate Etnoculturală, Cluj, 2009.

Hungarian in Cluj, founded as a brand new institution or by forming and segregating Hungarian speaking faculties from the existing Babeș-Bolyai university. Hungarian is also used in Transylvania, as a second official language, thus expanding the use of Hungarian in all public domains, and by turning Hungarian from a minority language to an equal language. This already happened in Belgium with the use of Flemish in Brussels and in Flanders. Whatever the issue might be, the mechanism of negotiating and solving potential ethnic conflicts now makes the difference between the former institutional arrangement in Romania, which emphasized Romanian as the nation's language, and the current institutional framework and practice that is based on reasonable compromise, ethnic tolerance and cooperation.