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THE ROULETTE

ROMANIANS AND HUNGARIANS, 1991-2000

IN PLACE OF A PREFACE, OR “THE RUSSIAN ROULETTE”

October 2, 1998: I was in Budapest for an international seminar organized as a part of the Royaumont process¹ under the auspices of the Lambrakis Foundation and the Council of Europe. The seminar would eventually turn out to be a site of tough debates between the few of us who thought that in order to achieve stability in the Balkans the states in the region had to openly acknowledge the errors of their past policies on national and religious minorities, and the representatives of international organizations, safe in their cushy jobs and supported by an army of opportunists (some of which had penetrated even the NGOs). Nevertheless, I remember the elaboration of resolutions, the battle for their adoption, the statements and discourses pouring out from one side or the other as a passionate confrontation in a world governed by interests but fortunately also by rules.

On that day of October 2, 1998, I was roaming the streets of the Hungarian capital together with Anna Nagy, assistant to the Romanian head of the Department for the Protection of National Minorities. We were waiting for a fax. We had learned the day before of the dramatic government session held during the night between September 30 and October 1. In a moment of inspiration, minister Gyorgy Tokay had proposed, at about 2 o'clock in the morning, the establishment of a bilingual university (later known as the Petöffi-Schiller University). Imaginative and possessed of a great sense of crisis-management, Tokay had found a compromise solution. The Romanian government wanted to prove itself before the nationalist chorus at home chanting “we do not want segregation by creating an independent Hungarian university, we love multiculturalism”. The proposal would also have satisfied the demands of the Hungarians’ Council of Representatives (CRU). On September 4, the CRU had come up with an ultimatum: if the government Emergency ordinance providing for the right to establish mother tongue universities for the minorities was not pushed through by September 30, then UDMR would be out of the Romanian government coalition. A

¹ The Royaumont process is an EU initiative aimed at promoting stability in South-Eastern Europe by financing joint projects designed by NGOs in the region. Launching the process was an implicit acknowledgement of the part played by civil society as a stability factor in the region and of its potential with respect to the enhancement of internal and international security.

decision establishing the Petöffi-Schiller University would have enabled UDMR to consider the CRU resolution at least partly satisfied.

I had been in Budapest since September 24, waiting for Anna's arrival, hoping for some news. She had arrived on the 29th of the month but things were still in suspense. We had constantly been on the phone with Bucharest. And then Tokay's brilliant idea came out of the blue. He was probably the only UDMR leader able to play the card of political compromise that way.

The morning of October 1 was bright. What a great idea! To support multiculturalism and at the same time safeguard minorities' institutional control of their educational institutions. A new CRU meeting had been announced for October 4. The Council was supposed to decide whether the CRU request of September 4 had (actually) been satisfied. The CRU was once again discussing the Hungarian's position in the Romanian government. The tension was immense, suspense was high up. Things were hanging by a thread. To Anna and me, the consequences were obvious. If UDMR left, the days of the coalition were numbered. This would have meant early elections, the blocking of the reform, and almost certainly having former president Ion Iliescu and his team back in power. The Hungarian community would be the first victim of the lust for revenge. And then a generalized crisis would follow – a spine-chilling prospect. How could people even begin to contemplate such things?

The decision by the UDMR party members to leave the government coalition had to be prevented. All we could do was to use the familiar good old tactics: address an appeal-letter to the CRU leaders asking them not to make such a decision. Smaranda Enache was due to arrive in Budapest on the evening of October 2. It was crucial that her signature, so esteemed by the Hungarians, should be placed on the appeal. We trusted each other absolutely, so I was almost sure she would have consented both to the spirit and to the text of the letter. In writing it, we had to be careful about the sensibilities of the Hungarian members of the CRU. Nothing mattered more in that moment than a "We stay in!" vote.

Anna Nagy and I were walking on *Margaret utca*. We were exchanging ironic comments aimed at the political bosses in Bucharest and Cluj.² But our nerves were stretched tight. We had stood on the edge of the abyss so many times. The coalition leaders had signed countless covenants only to break them the very next day. And each time the UDMR, in its turn, had been on the verge of slamming the door in their faces. Appeals to compromise from all sides had been violated by those who had made them and who were irresponsibly playing with our future.

The crisis we feared was miraculously avoided once again. Once again at the last moment. And once again in an almost impossible situation. “Just like in a Russian roulette,” Anna laughed, counting the times the coalition had been about to break. “You put the bullet in the six-hole barrel and you fire. You fire once, you fire twice... You fire the fifth time and bullet is still in,” she went on. “The bullet is now in the barrel. The game is over. You have to quit, or you’re committing suicide.”

That morning, we found the fax we had been waiting for and sent the letter. The radical wing of the CRU had a spectacular change of mind – also prompted by the concerns expressed by the government in Budapest –, so the Council decided that UDMR should continue its cooperation with the parties in power. The crisis had been avoided in the last instance. The pages that follow are the story of this “Russian roulette” type of game that governed the Romanian-Hungarian relations between 1990 and 1999. Year 2000 has passed and the bullet that almost hit both communities is still in the barrel. But luck is not the only explanation for their survival.

² The city where the CRU meetings were held.

1. ROUND TABLE AT THE GDS: WHAT WERE ROMANIAN INTELLECTUALS UP TO?

“Over the past weeks, the Democratic Alliance of the Hungarians in Romania has put forward a series of documents and made several statements that the public opinion received with heightened concern. The Declaration of Cluj as well as the less publicized views advanced at the Târgu-Mureş Symposium (October 30 – November 1) use concepts and ideas on the minorities and the national issue that seem unclear or insufficiently explained...”

The introduction to the “GDS Round Table” summary, published in the pages of the weekly 22,³ opened with these slightly arrogant (especially the “insufficiently explained” part) but doubtlessly well-meaning words. This was the first Bucharest meeting of Romanians and Hungarians which aimed to look into the concepts with which the Hungarians’ party had challenged Romanian society. Back in 1992, the Group for Social Dialogue (GDS) still had a significant degree of authority in the relations with the Hungarian minority, and the Democratic Alliance of Hungarians in Romania (UDMR) still needed the support of this group which consisted of exclusively non-Hungarian intellectuals. The Alliance had therefore sent two of its scholars to the meeting: House-member Varga Attila and Szilagyi Zsolt. The GDS team included Andrei Cornea, Sorin Vieru, Sorin Antohi, Mariana Celac, Mihai Şora, Thomas Kleininger, Radu Popa, Mircea Diaconu, Ana Şincai – all of whom were there to talk about things that, at the time, seemed completely new: collective rights, self-determination, the self-determination of national minorities.

The GDS meeting was seen by some as a real event, so much so that it was later covered by *Uncaptive Minds*, which printed an English translation of the most important statements.⁴ What were we at the GDS thinking and what were we able to articulate, in 1992, about issues that we had proposed for debate, as hosts, to those

³ No. 45, November 12-18, 1992.

⁴ “Minority Rights in Romania: A Roundtable Discussion”, *Uncaptive Minds*, Vol. 6, No. 1, 1993, pp. 23-41.

gathered in the GDS conference hall? Which questions and opinions were we able to articulate before the advocates of programs for the Hungarian community?

Mariana Celac asked whether the autonomy of local communities would not also involve ethnicity-based autonomy. Sorin Vieru wanted to know whether national minorities are legal persons under international law. Andrei Cornea inquired why the type of autonomy demanded by Hungarians had not been legitimized through other types of autonomy safeguarded by the Constitution. Sotin Antohi was rather offensive: are not Hungarian options mere pastiches or anachronistic symptoms of an *ancien regime*? Are not autonomy-related demands actually satisfied by a more rigorous application of the principle of subsidiarity? According to Mihai Şora, community rights were based on implicit rather than explicit legal codes. Thomas Kleininger made two direct statements that any minority theorist has to consider and to translate into public language: a minority has to have more rights than a majority; the thought-patterns implicit in the conception of the national, unitary, sovereign etc. state are anachronistic. The late historian Radu Popa stood by the latter observation. Mircea Diaconu had a problem with the Cluj Declaration:⁵ were not “Hungarian” values means by which UDMR wanted to secure “personal” advantages? Ana Şincai believed the “moment was not right”.

The positions of my colleagues now make me smile. And in fact so does my own – I inquired whether individual rights and the right to association could not reconstruct, at community level, the collective rights, autonomy, and self-government that the Hungarian minority was claiming. Any minority rights primer that was even moderately elaborate would have offered solutions (or, at least, a handful of arguments) to the questions we were trying to answer that November afternoon just by using our intelligence, which we so easily took for granted.

After the roundtable, I was very proud of what had emerged out of the literature read by the GDS members – at least *for a while*. A few months later, in Cluj, I briefly met Szilágyi Sándor. He made an ironic comment on the conceptual quality of the GDS members’ take on minority issues. He was implicitly jeering at me, because I was the

⁵ A 1992 statement in which the UDMR formulated its doctrine and positions. It should not be mistaken for the 1999 statement, which will be the subject of a separate chapter toward the end of this volume.

one who had come with the idea of a confrontation of arguments. I avoided a direct comment. I was under the impression that he was bluffing. (But why? Hungarians were such wonderful hosts!) Yet Sándor's comments stayed with me. They were the sting of a lingering doubt, the reason for which I was only going to discover later on.

Because it was only later that I found out how much Romanian intellectuals (or "we", in this case) were lacking in terms of our knowledge of multicultural democracy, and even of contemporary democracy itself. But did this detract from the importance of the GDS to Romanian-Hungarian relations? A possible answer was given in these memorable phrase by Richard Rorty: "[original quote]"⁶ In 1990, 1991, and 1992, the Group for Social Dialogue did not need to know a lot about liberal theories of minority rights, affirmative action or other special measures, or about the distinction between the interethnic and the multicultural, in order to take crucial positions with respect to Romanian-Hungarian relations.

Nevertheless, the importance of having the right attitude at the right time and in the right place is just one side of the coin. Intellectually-inspired benevolence could not play the same decisive role when the technical debates that followed from the challenges posed by UDMR's draft laws were held before the Romanian Parliament or in the great halls of international bodies.

⁶ Richard Rorty, "Human Rights, Rationality and Sentimentality", in Stephen Schute and Susan Hurley, eds., *On Human Rights*, Oxford: Oxford University Press, 1993. To Rorty, "[quote]".

2. ROMANIA: AN ETHNOPOLITICAL PROFILE

What was really at stake for Romanians was not merely the somewhat specialized debate that intellectuals were promoting at the end of 1989 and the beginning of 1990. The main question was achieving the fundamental knowledge that conditions the mentality of an entire society and defines the relations of that society to itself. How many Romanians are actually aware of basic facts about the world they live in? How many of them are aware of how the Romanian state came to be? The part played by mythology and stereotype in national issues is, in Romania at least, excessive. How many Romanians are ready to acknowledge the implications of the very simple fact that their state is a relatively young one? Created between 1859 and 1862 by the union of two principalities with a Romanian ethnic majority (Moldova and Wallachia), Romania only had about five decades (in an age that took its time) to build and tweak modern institutions. Transylvania was a part of Hungary until 1526 and an autonomous principality until 1711, an autonomous province within the Austro-Hungarian empire till 1867, and a part of the Hungarian state within the latter empire up to 1918. Together with Bessarabia, a part of the historical region of Moldova until 1812 when it was first occupied by Russia,⁷ it was essentially remote from the world as seen in Bucharest at the time.

Romanian borders were modified once more before World War II, when Bessarabia was occupied by the USSR. These historical changes brought about continuous fluctuations in the ethnic make-up of the country. After 1918, there were about 17 percent Hungarians, 4.4 percent Germans, 3.2 percent Jews, 2.9 percent Russians and 1.7 percent Roma within the borders of the Greater Romania. Minorities made up approximately 29 percent of the entire population. Meanwhile, Bucharest was looking at this multicultural reality from the “vantage point” of a “national and unitary state.”

Bessarabia was taken over by the USSR once again after World War II. Frontier changes and population movements led, this time around, to an important reduction in

⁷ Russia obtained Bessarabia from Turkey after the Russian-Turkish war.

Romania's multiethnic diversity. Between 1947 and the 1990s, the very significant German and Jewish communities left the country, driven away (and sometimes sold) by the communist regime. The ethnic map of today's Romania differs dramatically from that of 1918-1940.

According to the 1992 population survey, there are now 20,350,980 ethnic Romanians in a total population of 22,760,449. The 16 officially acknowledged national minorities are the Hungarians (1,620,199 or 7.1 percent), the Roma (or gypsies – 409,723 or 1.8 percent),⁸ the Germans (119,436 or 0.5 percent), the Ukrainians (66,833 or 0.3 percent), the Russian-Lippovans (36,688 or 0.2 percent), the Turks (29,533 or 0.1 percent), the Serbs (29,080 or 0.1 percent), the Tatars (24,649 or 0.1 percent), the Slovaks (20,672 or 0.1 percent), the Bulgarians (9,935), the Jews (9,107), the Czechs (5,800), the Poles (4,247), the Croats (4,180), the Greeks (3,897), the Armenians (2,023). About 8,420 individuals identified themselves as Carashovans (2,775) and Changos (2,165).⁹

What is the general mentality of the Romanian majority with respect to the history and the current state of ethnic relations in Romania? I will not refer to the views of the average citizen (not least because it is rather difficult to estimate). I would rather quote a respected historian who is regarded as one of the open-minded, liberal members of his profession. Recently, Dinu Giurescu stated this very clearly in an article in the 22 weekly: *“between 1919 and 1939 the Romanian state did not practice any policy of assimilation of national minorities.”*¹⁰

This is a firm and uncompromising statement. I shall return later in the book to Giurescu's part in the process of obscuring assimilationism tendencies throughout

⁸ This figure is notoriously different from the real one. Complications aside (e.g., “who really is” and “who considers himself or herself” Roma), the best methodology for estimating the size of the Roma population is that of the Institute for the Quality of Life which, in a study of 1997, furnished a figure of 1.5 million.

⁹ An analysis of ethnic diversity in Romania is to be found in Renate Weber, “The Protection of National Minorities in Romania: A Matter of Political Will and Wisdom”, in Jerzy Kranz (ed.) in cooperation with Herber Kupper, *Law and Practice of the Central European Countries in the Field of National Minorities Protection after 1989*, Warszawa: Center for International Relations, 1998, pp. 199-269.

¹⁰ Giurescu made a comparison with the systematic policy of assimilation practiced by Hungary between 1867 and 1919. While he was strictly speaking accurate, the comparison itself was a way of avoiding the real question. Hungary later paid dearly for its policies. (Dinu Giurescu, “Imperii și pseudoimperii, între teorie și realitate”, 22, November 10-16, 1998).

Romanian history. The truth is that, in its relations to at least several ethnic groups, the Romanian state pursued, at least to a certain extent, assimilationist goals. These policies have not been and will not be forgotten by the minorities. The majority needs to be aware of them as well.

The Hungarian population decreased after Transylvania became a part of the Greater Romania, in part due to rising emigration. No less than 39.3 percent (156,340 individuals) of the population of Cluj county was of Hungarian origin in 1910. Today Hungarians amount to only 19.9 percent (146,186 individuals). In Arad, there were 130,564 or 25.7 percent Hungarians in 1910, as opposed to 12.5 percent today. But another cause of the change in percentages was the deliberately hostile policy designed in Bucharest. Between the two great wars, the border area with Hungary was colonized with Romanian ethnics in accordance with a program concocted in the Romanian capital. The colonization that took place in the age of national-communism was aimed at securing a Romanian majority in the areas with a predominantly Hungarian population. Immediately after 1989, Hungarian emigration out of Romania magically stopped for approximately 3 months. However, as a consequence of the clashes in Târgu-Mureș and, later on, of the extremist anti-Hungarian public discourse, about 50 to 60 persons applied for residence in Hungary each day. In other words, about 15,000 men and women entered applications for emigration each year.¹¹ According to some estimates, approximately 650,000 Hungarians have left Romania since 1919.

As for the (German) Saxons, they showed their commitment to the Greater Romania soon after January 8, 1919. Yet the political parties and the country's leaders ignored the collective rights of the Saxons and the Szeklers, which Romania had acknowledged by signing the Treaty of Versailles.

After the Romanization campaign that started in the 1930s, the Romanian government closed Ukrainian ethnic schools, newspapers and cultural institutions. The use of Ukrainian language in public affairs was forbidden. Any violation of these regulations was answered back with brutal police intervention. Officially, Ukrainians were "Romanians who have forgotten their mother tongue." In 1948, the Ukrainian

¹¹ Figures provided by the Hungarian Embassy in Bucharest.

Catholic Church was disestablished and the Ukrainian Orthodox Church was incorporated by the Romanian Orthodox Church. (Things changed after 1947.)¹² The Bulgarians were subjected to a similar treatment. Their schools, churches, cultural and artistic institutions were closed down.

At the end of the cold war, Greek communities in Romania, which had always enjoyed an energetic community life, were subjected to restrictions as well. Some of their property was abusively confiscated, while the members were subjected to humiliating attempts at forced assimilation. Albanians also suffered a post-war deterioration of community life. Their latest community organization was disestablished in 1953.

The fate of the Jewish community is now the subject of an ongoing debate which benefits from ambitious, large-scale historical studies. We therefore have a much better bibliography on the issue.¹³ Under the Ceaușescu regime, they were sold, just like the Germans, to states which were willing to purchase them from the communist government.

I shall not dwell on the frustration of Romanians in pre-Greater Romania Transylvania (their status was that of an inferior nation), on the concerns expressed about Hungarian irredentism, or on the question of balance in the region of Dobrogea.¹⁴ Assimilationist actions in *interbellum* Romania lacked the effectiveness of Hungarian assimilationist policies before the First World War. Minority rights after 1945 were clearly better than those enjoyed (to mention just one example) by German ethnics in Poland. Interethnic confrontation never reached the terrible intensity of conflicts in other Balkan states. Naturally, we should not evaluate events that are 80 years old by today's standards.

¹² Elementary Ukrainian-language schools were established in all localities with over 100 Ukrainian ethnics. In Suceava, Siret and Sighetul Marmației, high schools and teacher-schools with teaching in Ukrainian were opened. In 1949, the University of Bucharest established, within its Slavic Languages Department, a Ukrainian language section.

¹³ See Carol Iancu, *Emanciparea evreilor din România (1913-1919). De la inegalitate civică la drepturile de minoritate. Originalitatea unei lupte începând cu războaiele balcanice și până la Conferința de Pace de la Paris*, 1998 și *Evreii din România de la emancipare la marginalizare*, 2000. The books include in-depth analyses of the Mârzescu Law, which removed about 80-100,000 Jews from the list of persons enjoying citizenship rights, of race-based economic decrees and other acts by the Tătărescu administration, of the antisemitic laws of the Goga-Cuza government etc.

¹⁴ [explain]

Yet hiding behind such qualifications is of little avail. Sometimes it is simply counter-productive. We have to understand and to accept the fact that the Romanian state – after all, this is our main topic of interest – followed an obtuse political line that was harmful to the minorities under its jurisdiction for more than a century. When progress was made, as in 1887 or in 1923, it was the result of external pressures. A rule that works for individuals also works for societies: acknowledging one's errors is morally as well as practically liberating.

So what is there to do with misguided assessments such as those provided by Dinu C. Giurescu? Such views hurt ethnic diversity, cloud our thinking and our lucidity, and create bad habits among the population. The entire *interbellum* period, usually hailed as a model of Romanian democracy, was, it seems, inimical to multiethnicity. Whether we have in mind administrative policies or the work of the intellectual megastars of the day (Nae Ionescu was, of course, the paradigmatic case),¹⁵ we cannot miss the orchestrated attack on multiculturalism. The national-communism that sparked in the 1960s and spread like wildfire during the following three decades only added to the crudity and aggressiveness of a culture which defined itself in terms such as “control” and “uniqueness”.

This is a rough picture of Romania's ethnopolitical history. It is also the cultural background of post-1990 evolutions. It is the stuff available to the actors who have been writing chapters in the book of post-December history.

¹⁵ [explain]

3. POLITICAL STAKES IN THE 1990s

Since I have just mentioned the term “post-December history,” let us go back to the first days after the revolution. On December 22, 1989, as the Council of the Front for National Salvation (CFSN) was making known its new policy with respect to the former Securitate (paying the staff for 3 more months and then disbanding it), Sándor Szilágy was saying to himself: “I cannot imagine Securitate men going back to the conveyor belt or picking up the shovel.” After the UDMR was founded, he told the Alliance people: “Be alert on or around March 20. They’ll probably try to fire up something.”¹⁶

Many others realized that “something was being set up,” unfortunately only too late. Géza Domokos, one of the Hungarian leaders, received a phone call on the evening of December 26, 1989 from somebody telling him that hundreds of Romanians had been killed in Covasna and that such acts had to be stopped immediately. “And might you be, sir?” he asked in surprise. “Virgil Măgureanu,” the answer came back.¹⁷ This name, of little significance at the time, would become within a matter of months that of one of the country’s most controversial personalities.

On January 5 of the next year, the CFSN issued a generous statement on national minorities. It promised official recognition for the individual rights of Hungarians and – this needs to be emphasized – for their collective rights as well. Géza Domokos, then president of the UDMR, read the Hungarian version. He immediately was it meant a fundamental change to Romania’s interethnic landscape. There was, however, a small detail that few were trained to spot at the time. The statement was read in Romanian by none other than the man who had told him on the phone about the killings in Covasna. So Virgil Măgureanu made a new appearance! Upon realizing the “coincidence” I was left speechless, wondering whether the Statement had been

¹⁶ Sándor Szilágy is an important figure of Hungarian cultural life: professor of linguistics at Babeş-Bolyai University, member of the UDMR and author of a bill on the rights of national minorities.

¹⁷ Géza Domokos retold this story in his memoirs.

premeditated and whether the coming interethnic conflict had not, in fact, been fully scripted before bursting out in such a life-like way.¹⁸

But let us move beyond anecdotal insinuations. We know for sure that the first power structure after 1989 was led by a small group consisting of four ex-communist leaders: Ion Iliescu, Silviu Brucan, Alexandru Bârlădeanu, and Dumitru Mazilu. The first post-1989 Romanian prime minister, Petre Roman, was the son of ex-Comintern leader Valter Roman and a friend of the notorious Zoe Ceaușescu (Nicolae Ceaușescu's daughter). He had studied in Paris. All five used an anti-Hungarian discourse before the electoral campaign.

The political coalition that governed the country between 1992 and 1996 consisted of nationalist and ultranationalist parties. All governments and parliamentary commissions were dominated by people who had held positions in the former Romanian Communist Party (PCR), Securitate, Foreign Affairs or Foreign Trade Ministries. All of them lapsed at one point or another into bombastic references to patriotism. All of them asked, albeit in different ways, that the land of our country be protected against Jews, Hungarians or Roma.

Today, 11 years after the change, the President of Romania is still an ex-leader of the PCR, the prime minister is the son of a Securitate general, the president of the Senate¹⁹ (the second man in the state) is an former high-ranking employee of Ceaușescu's Ministry of Finance, the president of the Senate foreign policy commission is an ex-chief of cabinet under Constantin Dăscălescu...²⁰ The list can go on and on.

How can one miss the larger picture once such an abundance of data is immediately available? Do we really need to refer to the ancient history of this country or to age-old ways of thought in Romanian society in order to explain the impact of nationalism after 1989? It would be completely unimaginative to see in our current state of affairs a deterministic expression of our history and our mentalities (aren't social

¹⁸ To Sándor Szilágyi, this interpretation was supported by other evidence. In 1987, a personal friend of his, an electronics engineer in Bucharest, decided to return to Târgu-Mureș. He managed, although the city was closed to those who were not coming from Moldova or Oltenia. He told about his travel plans to a neighbor, a Securitate member whose house appliances he would fix. "Don't go!" the latter retorted. "You'll regret it!"

¹⁹ Nicolae Văcăroiu.

²⁰ Gheorghe Prisăcaru.

theorists so skeptical about the latter concept, after all?). What happened after 1990 is, to an overwhelming extent, part of the political battle that started as communism was falling apart. In Romania, the fall of communism was a bloody affair, with a thousand dead and with potential criminals who sought to cover their tracks and save their skins. In this respect, Romania was not so different from other countries in the Balkans. To say that “Nationalism is the second stage of communism” is to simplify the recent history of this country, but certainly not to betray it. The phrase is of course hardly true of Romania alone. Looking at the Balkans but also beyond them, Adam Michnik announced the return of those symbols and ideologies that seemed to have vanished 50 years go: “[original quote]”.²¹

The answer to Michnik’s question is the subject of countless books, articles, and studies. One can find it also in the words of George Carpat-Fouche, whose speech was reprinted in 1990 in the 22 weekly. He recalls the words Francis Fukuyama: “National consciousness is called upon to consolidate threatened powers. Communist elites deliberately use nationalism as an access point to a so-called third way, sparing them the inconvenience of decisive political and economic reforms, and in order to craft a totalitarian system with apparently democratic means. American historian Francis Fukuyama offered a seductive metaphor: ex-communists jump on the departing train of anticommunism which now runs on the new tracks of ultranationalism.”²²

Along the same line, Stephen Van Evera wrote on the inverse relationship between political legitimacy and the tendency of elites to generate aggressive national mythologies.²³ To leaders who appear compromised by their former positions under the communist regimes, nationalist-extremist propaganda has become a tool of political

²¹ Adam Michnik, *Letters from Freedom*, ed. by Irena Grudzinska Gross, University of California Press, 1998, p. 234.

²² George Carpat-Fouche, “De la comunism la naționalism. Paradigma românească,” a speech given at the symposium “Romania in Europe in the 1990s”, November 28-30, 1990, Berlin, Freie Universitaet, republished in 22, No. 3, January 1992.

²³ Stephen Van Evera, “Hypotheses on Nationalism and War”, *International Security*, Vol. 18, No. 4, Spring 1994, pp. 5-37.

survival.²⁴ Nationalism has been the political refuge of communists. It would be worthwhile to put this in my own words, after it has been said by so many others.²⁵

These general, oft-repeated judgments are reflected in every day life by acts and conduct which will in turn engender emotional responses of rejection or approval. The communists' struggle for survival – or, better still, the struggle of individuals caught within the system²⁶ – in the early post-revolutionary days offered an unique spectacle. It was a sort of symbolic blockage that prevented us from studying with sufficient curiosity, and perhaps also with a measure of admiration, the intricacy of the phenomenon.

As an original member of the CFSN (the first post-revolutionary governing body) and then of CPUN, as someone involved at the earliest stage in the investigation of the Gheorghe Ursu case, I stumbled upon things that were hidden from public opinion. This is how I found out about the stage-setting behind the emergence of the Romanian Intelligence Service (SRI). The CPUN, the only authority that could approve the establishment of such an institution, was kept in the dark about the operation.²⁷ During one of the CPUN sessions, I approached the microphone with a paper in my hand and I started reading my own speech “before the nation”. I mentioned something about what was in store for us without our knowing it. I suddenly found myself grabbed by several hands that had somehow found their way to the platform. I had to physically struggle in order to be able to go on. Probably at some signal that I failed to notice, Ion Iliescu's comrades started to stomp with their feet and holler so as to block the words coming out of my mouth.²⁸

²⁴ Evera's views are well illustrated by cases such as those of Adrian Păunescu and Corneliu Vadim Tudor who were, during the first few days after the revolution, the object of contempt and threats by public opinion for their part in the personality cult of the Ceaușescu family.

²⁵ As a matter of fact, I have repeated this *ad nauseam* even since the beginning of 1990, as have my colleagues at 22 (see the collection of anti-extremist positions in Gabriel Andreescu, ed., *România versus România*, Clavis, 1995).

²⁶ A considerable number of informants were not communist party members; some feared that their shameful conduct might be uncovered by a party membership card.

²⁷ Which means, simply put, that the SRI functioned illegally.

²⁸ The irony is that, since I was speaking into a microphone, my voice was easy to distinguish on TV. (Back then the television would cover the debates around the clock.) I think “the boys” failed to immediately realize this, probably enthusiastic about covering my voice in the CPUN session hall.

One of those audacious enough to grab my hand and try to pull me off the stand was, once again, none other than Virgil Măgureanu. As you can see by now, he is quickly becoming an omnipresent figure in our story. He had just been appointed director of the brand-new Service of Foreign Intelligence (SIE), soon after the violence in Târgu-Mureș had made this institution legitimate. The SIE was, at least in terms of its goals and personnel, a follower of the old Securitate.

I only witnessed agitation of similar proportions in the Parliament in the fall of 1991, when the Harghita-Covasna Report²⁹ was quickly pushed on the agenda so as to quicken the passing of the Law on the organization of the SRI. In fact, whenever I spotted dangerous tensions caused by extremism after 1990, I also spotted the SRI. Whenever I listened to voices stridently proclaiming nationalist values I realized that the voices came from individuals who had served the old Securitate. Isn't it amazing to see Liviu Petrina,³⁰ an ex-diplomat with the Foreign Ministry, waving the flag of the Greater Romania? Why on earth would PNL and PNȚCD members have anything against the "Jewish" Alfred Moses?³¹ The case of Dan Amedeo Lăzărescu seems so transparent now. After his long collaboration with the Securitate was uncovered in 2001 he argued, unsurprisingly, that he "believed that [he] was doing [his] duty for Romania". How was he doing that? "I was contacted by the Securitate," Lăzărescu went on, "by the colonel that had released me, Nătălețu. He promised me a visa on the condition that I monitor the propaganda for Romania's destabilization, especially with respect to Transylvania."³²

It is now so easy to decode the past actions of this man whom Smaranda Enache aptly described as early as 1991: "an erudite and loved orator, [Lăzărescu] was visibly mesmerized by the political discourse of the far right, which he copied only to an extent compatible with his image of a pan-European personality winking at Romanian traditionalism."³³

²⁹ [explain]

³⁰ A member of the PNȚCD and later of the ANCD leadership.

³¹ Ambassador of the United States in Bucharest between 1992 and 1996.

³² Lăzărescu, "Consider că mi-am făcut datoria față de România", *Evenimentul zilei*, April 25, 2001.

³³ Enache, "Natură moartă în Parlament", *Gazeta de Mureș*, September 5-11, 1991.

To continue the list of Securitate loyalists, let me now bring Virgil Măgureanu, the man responsible for many of the punitive actions and mass movements after 1990 and doubtlessly one of the most odious figures of the past decade, back to the stage. A friend who was then himself a CPUN member entered one of the rooms of the Parliament House at the Metropolitan Building in order to photocopy some papers. He unwittingly heard what was being spoken in the next room, where the door was left open by mistake. Virgil Măgureanu was explaining why a nationalist movement was necessary: it would prevent the so-called “historical parties” from capturing the entire symbolic capital of national identity. This is how the extremist political organization Vatra Românească (The Romanian Hearth) came into being. Among its founders, we found out only years later, was Ion Iliescu.

The communist nomenklatura, the old Securitate, the special services – these were the actors who orchestrated national-communism under Ceaușescu. In 1990 they recycled their past national-communism into 24K-gold nationalism. Nationalism has been the ideological instrument for the seizure, perpetuation and preservation of political power. Throughout the book we shall therefore keep returning to the political context of the 1990s.

4. SMARANDA ENACHE

January, 29, 1990, the day of the IMGB counter-demonstrations.³⁴ In the evening, the entrance at the Group for Social Dialogue was almost blocked by the mass of people. It was in the heated atmosphere at the GDS headquarters that I first heard a mention of Smaranda Enache's name. While I was fighting my way into the meeting hall, I felt somebody squeezing my arm. "Did you get a chance to see the lady from Târgu-Mureș last night?" asked my acquaintance (an architect) in the hallway. "An extraordinary woman," he tried to persuade me, excited by her performance on the TVR1 show the night before.

I had missed the show. As a matter of fact, I found out the details only years later. Smaranda Enache was co-president of the Pro-Europe League (LPE), which had been founded at the end of December 1989 by a group of Romanians and Hungarians based in Târgu-Mureș. As the tension between the two communities was building up, fueled by the incitements of those who would become leading figures in the bestiary of Romanian politics in the coming years, Smaranda Enache and her colleagues were almost alone in fighting the bulldozing forces. The League had issued communiqués, Smaranda had established contacts, stubbornly trying to get her message through in the mainstream press. She was interviewed by the reporter of the local TVR1 channel only as late as January 25, 1990.³⁵ The recording was sent to the channel's central offices in the country's capital and was broadcast in the evening of January 28. Petru Popescu, a notorious host at the time, stopped the live broadcast from Piața Victoriei in order to let on the air a "voice that called for responsibility." It was Smaranda's voicem and it warned about the nationalist incitements and the gravity of the latest developments in Târgu Mureș: "We must not repeat here, in the heart of Europe, what is happening in Nagorno Karabakh [Azerbaijan]. The fate of this city," she said in her interview, "will be a measure of democracy in Romania."

That is how I found out about Smaranda Enache and the crisis fomenting in Târgu-Mureș. Unfortunately, Bucharest in general and the Group for Social Dialogue

³⁴ [explain]

³⁵ The interviewer, István Farkas, later fled to Sweden after repeated threats.

(GDS) where I was spending most of my time in particular, were not tuned to the logic and the nature of the events in Târgu-Mureș. We were completely absorbed by the ideological split between the communists who had grabbed power and the rest, which we considered ourselves a part of, who were condemning the confiscation of the revolution by former apparatchiks. To understand Smaranda Enache's statements would have required at least a better knowledge of the history and present situation of one of Transylvania's most interesting cities.

Târgu-Mureș is an old Szekler city with a rich academic and intellectual tradition. Between 1948 and 1959 it was the capital of the Hungarian Autonomous Region. Like most of the towns and cities of old Transylvania, its population was predominantly Hungarian. During the period in which it enjoyed autonomy, the Hungarian majority decreased in percentage to about 74 percent. In 1966, there were 70 percent Hungarians left in the city's total population. According to a 1977 statistics,³⁶ the percentage had fallen within just a decade to 63 percent.

It was around this time that the goals of Bucharest's demographic policies became shamelessly transparent. Factories were built and manned with workers and specialists from the other side of the Carpathian mountains. Physicians, teachers and members of other occupational groups that constituted the Hungarian elite were sent to work as far away as possible, usually in provinces with a large ethnic Romanian majority. They were for all practical purposes excluded from jobs in Târgu-Mureș. In 1989, the city's population was half Romanian and half Hungarian.

After the revolution, a map of Romanian immigration guidelines was found at the offices of the county's communist party branch. It detailed the ethnic changes envisaged for the coming years. The map was the first proof that the city had been subjected to "Romanization". Amplifying ethnic domination in Târgu-Mureș was, naturally, merely one of the components of a far-reaching program of systematic homogenization that the Ceaușescu regime had devised as one of the foundation stones of its national-communist state.

³⁶ [The population of localities in Ardeal according to nationality], Budapest, KSH, 1996.

The final years of the eighties were replete with violent anti-Hungarian policies. Speakers of Hungarian were excluded from leadership positions. The old bilingual or bi-cultural events occasioned in the past by official celebrations were turned into memories. Poems written in Hungarian were no longer read, not even at the end of the school year. Romanian toponyms were forced into Hungarian texts.

The Ceaușescu regime's appalling plans for the future of the Hungarian community were opposed by the communities faced with the prospect of assimilation. Writer András Sütő and Károly Király, who was the party's ex-sectary for the Autonomous Hungarian Region, were probably the most renowned voices in Târgu-Mureș who took a stand against the levelling drives. Sütő's plays – he was an important writer, but also a member of the older nomenklatura – had been forbidden as early as 1983. The troublemaker Király was the victim of a car accident, some say planned by Ceaușescu's Securitate.³⁷

Those were also the years of minor acts of disobedience aimed at state-sanctioned nationalism. The Târgu-Mureș Puppet Theatre occupied a privileged position in this respect. In 1983, Smaranda Enache, a graduate of Bucharest University's Philology Department and then the young literary secretary of the Theatre, was appointed director of the institution. The Puppet Theatre, which hosted events that were extremely ingenious but marginal, soon became a site of resistance against anti-Hungarian policies. The party committee would jump up each time the actors in a play were dressed in red, white or green and met on the stage.³⁸ When the Hungarian symbols made it on posters, the latter were immediately molten. Censorship eliminated each and every hint to Hungarian nationality. By 1989, any instance of indiscipline was reprimanded hysterically. Yet the Puppet Theatre in Târgu-Mureș remained undisciplined and continued to bring together Romanians and their Hungarian colleagues.

³⁷ See Dennis Deletant's book.

³⁸ The colors of the Hungarian flag.

5. THE PRO-EUROPE LEAGUE

The December 1989 demonstrations that ultimately led to the toppling of the Ceaușescu regime were hailed in Târgu-Mureș by a small group of Romanian and Hungarian friends. On the evening of December 21, the streets witnessed the first cries of “No chauvinism!”. The fact that the revolt in Timișoara could not be separated from the name of a Hungarian ethnic, László Tőkés, seemed like a good omen in this Transylvanian city where the symbolic competition between ethnic groups had reached peak levels.³⁹ Smaranda Enache was invited to be a member of the County Council of the Front of National Salvation (CJFSN), the new administrative structure in the locality.

The Puppet Theatre intellectuals were meeting on a daily basis. Some of them made up the core group of the future association known by the name of Pro-Europe League: Boldiszár Csíky, a composer and ex-music secretary with the Târgu-Mureș Philharmonica; Zeno Fodor, literary secretary of the National Theatre; Elek Szokoly, a philosopher who also Smaranda’s husband. They prompted their colleagues to build together an association. On December 30, 1989, twenty-one Romanian and Hungarian residents of Târgu-Mureș gathered together to establish the Pro-Europe League (LPE).

Years later I was amazed by the early insights of the League’s founders. They realized as early as the last days of 1989 that the major objectives of Romanian political life were the resolution of interethnic conflict and European integration. Their statement of intentions of January 10, 1990, signed on behalf of the founders by Smaranda Enache and Boldiszár Csíky, included statements such as this: “The Pro-Europe League believes that national and regional specificity is a reason for rather than an obstacle against integration.” Or: “The Pro-Europe League rejects ... the fetishization of any national culture as well as any form of discrimination, irrespective of its ideological underpinnings.” The fact that the League’s status and the issues it addressed then are today just another instance of politically correct language may prevent us from realizing how truly exceptional this kind of language was eleven years ago. It suffices to look at

³⁹ It is an accepted view that the danger of conflict between two different, self-conscious, co-habiting communities is largest when their size is roughly equal.

the statement of the Group for Social Dialogue which seemed to be, at that time, the engine of the independent Romanian elite. What was its picture of this country's future and of itself? Here's a telling fragment: "The Group aims to become a body of critical reflection on Romanian society. Its main strategy shall be the dialogue on all respects and manifestations of modern civilization." Today, studying at the differences between the two would make an interesting experience.⁴⁰

But let us go back to Târgu-Mureș. The first signs of national-communist restoration emerged early on and in an unambiguous fashion. Smaranda Enache encountered serious opposition on the evening of January 10 (January 10, 1990) in publishing the League's platform in *Cuvântul liber*. This daily newspaper was then the heir of the communist party organ *Steaua roșie*. On the night between the 21st and the 22nd of December it had changed its director but the whole editorial team stayed. The old dinosaurs who had run the city were now freely roaming the halls of the Country Council of the FSN (CJFSN). Ioan Movilă, ex-party secretary of the county, was one of the members of the old elite who was not shy of appearing in the antechambers of the new power. The shadows of those responsible for the December killings (several people were shot dead in the evening of December 21), among whom General Scrieciu and Colonel Judea, were hanging over the fledgling local administration.

As I have noted, the Front for National Salvation (FSN) made a statement on January 5 that alluded to the Ceaușescu's abusive treatment of national minorities and promised reparations. The position of the CFSN, the Front's Council, quickly generated a first round of requests from the Hungarian community. First of all, it was asked that mixed schools should no longer be mandatory. Traditional Hungarian-language schools and high schools, the institutions in charge with the identity of the community of Hungarians in Ardeal, had all been turned into mixed-language institutions. Hungarian symbols had been excised from the public space until no trace was left behind. Hungarian education was merely an appendix of the mainstream system of education. The process of national Romanization had progressed a lot in the eighties. Immediately

⁴⁰ There are other significant details, such as the fact that, upon the release of its program, the League disseminated it in English, French, German, and Hungarian.

after the revolution, the Democratic Alliance of Hungarians in Romania (UDMR) demanded as a priority the reinstatement of old schools and educational institutions.

The separation of mixed schools took place in several Transylvanian localities. The Târgu-Mureș CJFSN decided to re-segregate the main local high school, an old Hungarian institution which had about 25 percent Romanian students in 1990. In its decision, the CJFSN scheduled the start of the separation process for September, after the holidays. Romanian parents opposed the decision and in the ensuing debate Romanian and Hungarian pupils were paraded on different public occasions mimicking the arguments of their parents. One morning, Romanian students found the high school gates closed. Hungarian teachers refused to let them into the building. This serious mistake – one among many to come in the separation process, as Hungarians later admitted – turned out to be expensive. A couple of days later the town's Romanian population opened the gates for their children, but the tension had already reached the critical point.

Târgu-Mureș was one of the few places in the country where the old nomenklatura's strategy of using anti-Hungarian sentiments and protests for the purpose of its own political re-legitimation was clearly apparent early on. The town's ex-leadership organized agenda groups, especially in the police forces and the justice system. Leaflets were disseminated at the end of January 1990 declaring that the segregation of schools was merely the first step toward the separation of populations, culminating in the secession of the Ardeal region.

Around the same time, Frăția Românească (The Romanian Brotherhood), the first nationalist organization, was established in the neighboring town of Reghin. The founding assembly of the Vatra Românească (The Romanian Hearth), the most important anti-Hungarian extremist association of the early 1990s, convened on February 6. Two days later, individuals who attended a public gathering occasioned by the establishment of Vatra Românească cried "We want to drink Hungarian blood!" Behind the new leaders stood the old Securitate, as well as army members involved in the reprisals against the December 1989 demonstrators.

Then the UDMR announced its intention to hold a meeting dedicated to the anniversary of the 1848 revolution, a holiday celebrated by Hungarians all over the world, on March 15, 1990. There were many signs that the event would be turned into an outburst of violence.

6. VIOLENCE IN TÎRGU MUREȘ AND THE GROWTH OF THE PRO-EUROPE LEAGUE

On the background of the events described above people at the Pro-Europe League were doing their best to stop the degrading relationship between the city's two ethnic groups. Smaranda Enache was struggling to mediate between Romanian and Hungarian teachers and between pupils in the town's schools. She addressed Orthodox priests, but they refused to start a dialogue with the Baptists, the Catholics, and the Jews. With precious few exceptions, the Târgu-Mureș intelligentsia was hardly more receptive. The historians who were invited to debate the Hungarian question failed to capitalize upon their authority and call on the two groups to start a public debate. The appeals launched by Smaranda Enache and her colleagues, who made the best of their quite limited access to reticent local radio and TV stations, were of little avail in changing the mood of the public. The most palpable result was the flurry of threats received over mail and telephone. Smaranda Enache and even her parents were suddenly deserted. The communities had severed their ties to one another. The promoters of Hungarian-Romanian relations were regarded by their co-nationals as traitors. March 20, the day on which officers of the former Securitate were supposed to cash in their last salary, the day Sándor Szilágyi prompted UDMR leaders to be suspicious of, was getting closer. The situation in Târgu-Mureș was deteriorating.

On March 17, 1990, Smaranda Enache left for Budapest to attend a meeting of Hungarian and Romanian intellectuals "for historical reconciliation". The violence in Târgu-Mureș erupted two days later. Confused villagers from the Ghurghiului area who had been aroused by the "imminence" of the Hungarian threat descended upon the city. The attacks targeted first the offices of the UDMR and of the democratic political parties, while the law enforcement watched imperturbably from the side. Several Alliance leaders trapped inside the Babeș-Bolyai building were hurt. Among the victims was one of the most respected personalities of Transylvanian life, writer András Sütő, who was beaten up in beastly fashion. (In spite of doctors' best efforts, he lost an eye.) On March 20, the attack against UDMR brought 20,000 Hungarians out on the streets of

Târgu-Mureș. The crowd requested President Iliescu's presence in the city. But a group of farmers and local supporters of the Romanian Hearth tried to break through the much denser ranks of the Hungarian protesters. A street fight ensued. And once again law enforcement officers stood watching. Five individuals lost their lives and hundreds of others were hurt and molested in the clashes.

The national television made the best of the events. (As an aside, that was also the moment when Dorin Suciuc emerged as a journalist covering the Hungarian-Romanian conflict. He would later become one of the most repellent manipulators of the Hungarian issue as a contributor to *Adevărul* and, until 1996, to the Romanian TVR1 channel. The first thing that Budapest requested after the 1996 regime change in Bucharest was the revocation of Suciuc's accreditation in the Hungarian capital.) Images of the street clashes on Hungarian TV and on Western channels became much more famous, however. The terrible image of a fallen man hit with a pole circled the world around. Mihai Cofariu, the victim, was presented as a Hungarian. It was a case of mistaken (ethnic) identity that Romanian authorities were quick to complain about.⁴¹

As I have noted above, at the end of March 1990 the Romanian Information Service (SRI) was established by a decision of the CPUN. The campaign of a certain part of the media plainly confirmed (while other evidence amply corroborated) that the Târgu-Mureș violence had been orchestrated by President Iliescu's clique in order to legitimize the advent of the SRI just three months after Ceaușescu's Securitate had been dismantled.⁴² The commission appointed to identify the actors and the directors of the events in Târgu-Mureș has failed to come up with any adequate explanation more than a decade after the clashes. A few Roma who had been involved in the fighting were haphazardly arrested to be used as scapegoats.

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⁴¹ What follows is pure speculation, but I will indulge: the mistaken identity might be a pure accident, it might have involved a Hungarian hand, or even a much more complicated affair, an expression of the interests of neither Bucharest nor Budapest, but of geopolitical interests. Some forces could accept the fact that Hungary had left their sphere of influence but could hardly reconcile themselves with the loss of Romania as well.

⁴² While in hospital, Mihăilă Cofariu admitted to the fact that the priest had rung the church bells in his village a few days before the events, announcing the villagers that they should prepare for invading Târgu-Mureș in order to put an end to "Hungarian irredentism".

The March 19-21 violence changed the face Romanian society for the years to come. The Pro-Europe League now had a hard time bringing people to its seminars. Words on Hungarian-Romanian relations could only ring false to the ears of the city's inhabitants. Târgu-Mureș was licking its wounds and the defeated League had to think up new strategies.

I would dwell a little longer on this organization because it tells us a lot, perhaps like no other, about the cultural and human resources that survived in the multicultural traditions of Transylvania. In the new context, the League became more radical. On April 5, 1990, it announced its adherence to the Timișoara Proclamation.⁴³ But this was hardly a solution for the wall that had risen between the two communities in Târgu-Mureș. They tried to spark public debates and failed – the wall was difficult to pierce through. There was however the ingenious idea, in 1990, of a competition that could bring together kids in a joint activity. Using some funds provided by a German organization,⁴⁴ the League announced a “practical workshop and sports contest” that gathered together Romanian and Hungarian kids whose task was to repair broken bicycles. The latter were then to be used in a biking competition, and the winners were to keep the two-wheeled vehicles. All went well, the organizers congratulated each other, and the kids were happy.

But even this could not change the city. The League was forced to ramp up its political statements and communiqués throughout the year.⁴⁵ The interethnic ice was chipped only as late as 1991. The solution was ecological in nature: the “City Health” seminar brought together, thanks to the funds provided by the Friedrich Ebert Foundation, Germans who acted as a channel of communication among Hungarian and Romanian specialists.

⁴³ The Proclamation gathered the most significant part of the political and civil opposition to the new regime (the so-called “Ilieșcu-regime”) by focusing on the illegitimacy of the high-ranking positions held by ex-Romanian Communist Party and Securitate leaders (the idea being to ban them from such positions for a limited period).

⁴⁴ Pro Democratic Romania in Europe.

⁴⁵ A hint as to the League's modus operandi: on October 7, 1990, the League addressed the general director of the Romanian Radio and Television, Răzvan Theodorescu, urging him to protest against the broadcasting by the then-famous TV host Corneliu Roșianu of a list of criminals which specified the latter's ethnic identity: “Criminals have no ethnic identity, they are repudiated by the community and by their fellow citizens,” the protest argued. Lest this sound too pathetic, I should mention that the sentence was preceded by a host of technical arguments.

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In 1991 the League involved itself in two other momentuous events. The first was the “Bálványos Summer University” organized together with the FIDESZ and the Hungarian youth organization MISzSz. Bálványos was well-known to the Hungarians of Transylvania. (On a side note, it is perhaps worth mentioning that it is the only locality in Romania which has only a Hungarian name alone without a corresponding Romanian one.) Situated somewhere in the middle of the province, close to the lake of St. Anne, it had become the favorite resort of young Hungarians. They would camp on the lake’s banks to take part in the Catholic celebration of St. Anne. On June 26, the whole set of rituals, including the bathing of women, would be performed. The authorities would harass the people in all possible ways, asking them to remove their tents and doing their best to intimidate the campers. But this actually strengthened the place’s symbolic stature.

As a place of refuge, Bálványos was endowed with both ethnic and ideological significance. Since Ceaușescu’s communism was simultaneously nationalist and assimilationist, the two dimensions were in fact overlapping. As I was listening to the story of Bálványos, I was reminded of 2 Mai, the beach on the Black Sea coastline where people would sunbathe naked and artists would come to paint... Both were spaces of alternative culture. But 2 Mai lacked the dimension that is so important in our story, that of identity. It was less tradition and more the spirit of ’68.

After 1990, several Hungarian politicians thought that it would be a good idea to turn Bálványos into a place of dialogue on the destiny of the Hungarian community. And as some members of the dynamic and youthful FIDESZ party were of Transylvanian origin (among the, for instance, Csaba Lőrincz), they thought, together with other organizations, about initiating a summer camp in Bálványos. The camp first opened its gates in 1990, as FIDESZ and MISzSz scrambling for means of countering the nationalist movement in Romania.

Éva Blénesi,⁴⁶ a Szeckler friend of the Pro-Europe League, was at the time working for FIDESZ. She contacted Smaranda Enache and Elek Szokoly and suggested that they jointly organize the Bálványos camps. The League became the partner of FIDESZ in 1991 and its involvement simply changed the face of things. Bálványos turned from a meeting place for Hungarians into a meeting place for Hungarians *and* Romanians.

Back then, the FIDESZ of Viktor Orbán and Zsolt Németh was a young, dynamic, liberal party with a significant – though hardly decisive – role in Hungary’s political life. Romanian and Hungarian leaders came to Bálványos to discuss, explain, answer, and suggest bibliography to those who wanted to find out more. The youth camp was a genuine communication avenue for the opinion leaders of the two countries.

It was essentially individuals who shared in the democratic worldview who attended the camp. It is worthwhile to look at a list of Bálványos’ frequent patrons: Viktor Orbán, Zsolt Németh, Adrian Severin, Renate Weber, Zoe Petre, Horia Rusu, Béla Markó, William Totok, Andrei Cornea, Gábor Kolumbán, Zsolt Szilágyi, Dinu Zamfirescu, Mariana Celac, Nicolae Gheorghe, Paul Philippi, Wolfgang Wittstock, Mircea Toma, Victor Babiuc, Marian Țața,⁴⁷ Anamaria Pop and many others. As a constant participant in the Summer University I can confirm the significance of this institution to the two communities’ mutual acknowledgement.

Later on, some people left the club. Varujan Vosganian (who was even at one point invited to become a member of the Editorial Board of the League’s *Alterra* journal) used to be a member but was later excluded when, as president of the Union of Right-Wing Forces (UFD), he betrayed his intelligence and took up an authoritarian, anti-minority discourse.

I have emphasized the fact that the main objective of the camp, that of promoting Hungarian-Romanian dialogue, was actually decided by the Pro-Europe League. In 1996, the Summer University changed location to the Tușnad Bath, an

⁴⁶ Éva Blénesi was the student of Éva Gyimesi, the friend of Doina Cornea. She was the one to take Mrs. Cornea’s letters from Éva Gyimesi and carry them over the border, as her teacher was already under surveillance by the Securitate.

⁴⁷ An active member of the civil society in Brașov and ex-president of Pro Democrația, Marian Țața was especially interested in the relation between nationalism and politics.

equally gorgeous locale. But the significant change was FIDESZ's coming to power in 1998. The discourse of the young liberals had become increasingly conservative and nationalistic. The Orbán government also added a tinge of authoritarianism. The leadership of the League started to doubt their alliance. The relation between ethnic and ideological sensibilities is an interesting thing to behold: it was not the Romanian Smaranda Enache but the Hungarian Elek Szokoly who forced the League out of its cooperation with FIDESZ, which he regarded as too nationalist and illiberal. The League's institutional involvement was withdrawn in 1997.

This decision needs to be considered fairly. It points to reasons that are deeper than simple options of doctrine, which are easily subjected to ideological abuse. The attention that minority rights activists give to fragile identities under pressure, such as the Hungarian identity under the pressures of Romanian nationalism, is legitimate as long as it is the expression of solidarity with the victims. As soon as it becomes a vehicle of identity-based revanchism, it turns the logic of identity activism into an anti-liberal instrument and squanders any legitimacy minority activism might have had.⁴⁸ Hence, it is necessary to emphasize the importance of a free spirit who is predictable in his acknowledgement of the ultimate reasons beyond intermediary goals. The leaders of the Pro-Europe League did not betray their power to tell right from wrong and appropriate from inappropriate. It is one of the reasons why I think dearly of Smaranda and Elek. Their presence in the leadership of the League is reassuring. It often happens that accumulated capital endows institutions with generations of technically-skilled specialists. But the specialists can sometimes lose touch with their basic ethical instincts.

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It was also in 1991 that the League felt compelled to launch a weekly publication that should compete with that of the city, which was somewhat of a scandal monger. The *Mureș Gazette* was first issued on November 5, 1991.⁴⁹ This "analysis and

⁴⁸ This is the main issue with the habit of invoking Hungary's pre-1919 assimilationist practices in order to motivate anti-Hungarian nationalism within the Greater Romania and today.

⁴⁹ Smaranda Enache's editorial dealt with the opportunists that were sabotaging the unity of the political opposition adumbrated by the establishment of the National Convention for the Establishment of Democracy. The blamed parties included the Ecologist Movement (MER) and the Liberal Party (PNL).

information weekly” (the words on the frontispiece) launched investigations of corruption and abuse and provided information on international events, reports of the central media and local data. It introduced issues that were at the time uncommon (“Women in the Social Labyrinth”)⁵⁰, or generous (ecology was a constant preoccupation), or sensitive (homosexuality).⁵¹ The Roma were also represented. The editors had an eye for what deserved to be published – such as Mihai Fusu’s contribution in *Lupta*, “The Option for Bessarabia is Federalization”.⁵² The weekly tried to encourage ecumenism and in 1992 it simultaneously published Orthodox, Uniate, Roman-Catholic, Protestant, and Mosaic religious calendars. Yet its request that the Romanian Orthodox Church (BOR) should return the communist-confiscated property of the Greek-Catholic Church was no less uncompromising.⁵³ Questions such as those of the dead of December 1989, the Târgu Mureș violence, and the miners’ crusade of June 1990 received timely attention. The *Gazette* campaigned for Emil Constantinescu and published articles by nationally renowned contributors who were ideologically close to the editors: Andrei Pippidi, Nicolae Manolescu, Adrian Marino, and William Totok, to name just a few.

The publication of the *Gazette* was broken off at the end of 1992 but the weekly was resurrected in May 1993, this time in a format that was closer to a magazine. It only lasted for another few months since was too difficult to turn a weekly read by a few Hungarians and hated by a Romanian majority (then dominated by the extremist Party for the National Union of Romanians, PUNR) into a financially self-sustaining enterprise. As a consequence, the League focused on (and was successful in) the kind of activity that is typical of NGOs: seminars and similar events, expeditions, specialized publications, positions, lobbying, projects.

She referred explicitly to Radu Câmpeanu and Dan Amedeo Lăzărescu and their affiliations with the FSN and the PUNR. The *Gazette* took up national issues and typically focused on nationalism, which in Ardeal was organized politically around the party of Radu Ceantea. (“Natură moartă cu Parlament”, *Gazeta de Mureș*, No. 9, 1991).

⁵⁰ *Gazeta de Mureș*, No. 4, 1991.

⁵¹ *Gazeta de Mureș*, No. 39, 1992.

⁵² *Gazeta de Mureș*, No. 6, 1991.

⁵³ See the editorial aptly titled “Persistence into Sin”, *Gazeta de Mureș*, No. 2, 1992.

The list of the League's activities is impressive, and downright incredible if one considers the number of employees and the limited extent of outside support. To give a better idea of how much was accomplished with so little, let me list below LPE's activity log between January and July 1995, the period in which the League's most important initiatives (including the first edition of the "Tolerance Week" and the first issue of the *Altera* journal) took shape. The list is well-worth the space, especially because it says a lot about the League itself and other similar organizations which have been engaged, for the past years, in a wearisome and frustrating campaign in the name of lived rather than proffered ideals (democracy, human rights, healthy environment, tolerance). These are, one cannot fail to notice, the same ideals that the pawns of Romanian politics regard with anger or irony. Here is the League's report for the first half of 1995:

"European institutions. Romania's integration into Europe. Perspectives", Democracy College, January 7, Târgu-Mureş; *"Minorities in Europe"*, Democracy College, January 14, Târgu-Mureş; *"The Pro-European idea in Romania"*, Democracy College, January 21, Târgu-Mureş; *"Legislative framework and judicial practice in the protection of national minorities"*, Democracy College, January 27-28, Târgu-Mureş; *"Women's and family's problems in the programs of local authorities"*, organized by the Women Department of the Pro-Europe League, February 21, Târgu-Mureş; *"Past and present in the Balkans"*, February 23, Târgu-Mureş; *"Mass-media and the minorities"*, February 24-25, Cluj; *"What to do about preserving threatened cultures and minorities?"*, LPE's Satu Mare branch, February 25, Carei; *"The ecological state of the Someş/Szamos river"*, LPE's Satu Mare branch, March 3-4, Satu Mare; *"Human rights in the new European and international context"*, Democracy College, March 11, Târgu-Mureş; *"Human rights and the criminal law"*, Democracy College, March 12, Târgu-Mureş; *"Modeling the new Europe"*, Democracy College, March 18, Târgu-Mureş; *"Democracy and daily life"*, LPE's Satu Mare branch, March 24, Tuşnad; *"Tolerance week"*, 1st edition,

March 19-25, Târgu-Mureș;⁵⁴ “*The ecological state of the Mureș river*”, March 30, Târgu-Mureș; “*Working visit and documentation*”, Democracy College, April 3-5, Bucharest; “*The separation of powers. The relations between the government and the parliament*”, Democracy College, April 14, Târgu-Mureș; “*European and North-Atlantic Integration*”, Democracy College, April 15, Târgu-Mureș; “*The budget and its local administration*”, April 28-29, Târgu-Mureș; “*Stereotypes – a source of interethnic tensions*”, April 29, Alba Iulia; “*The Europe Napok Days*”, 1st edition, May 2-20;⁵⁵ “*Working visit and documentation*”, Democracy College, May 15-18, Budapest; “*Local authorities and the media*”, May 26, Târgu Mureș; “*Competencies and decision-making in the local administration*”, Democracy College, May 26, Târgu-Mureș; “*Tolerance and multicultural education*”, May 29, Sfântu-Gheorghe; “*Economic doctrines*”, Democracy College, June 10, Târgu-Mureș; “*The minority issue in party platforms*”, June 16-17, Poiana Brașov; “*Multicultural Camp*”, June 19-30, Sovata; “*Human rights and the rule of law*”, Satu Mare branch, June 27, Satu Mare; “*The protection of religious diversity – the crucial aspect of confessional tolerance*”, LPE’s Satu Mare branch, June 10, Negrești Oaș; “*Local authorities and the NGOs*”, July 11, Târgu-Mureș; “*Dialogue with the media*”, June 14-15 Tușnad; “*The Bálványos Summer University: Common Priorities in Transition*”, 6th edition, July 16-23, Bálványos; “*The Ecological Caravan on the Crișul Repede and Barcău rivers*”, Ecological Department of the LPE, July 18-August 2.

But LPE’s activities matched everybody’s tastes. The same year, the pro-Romanian Hearth newspaper *Cugetul liber* printed an article on the League entitled “Another Bucket is Washed Clean with the Help of the Pro-Europe League”.⁵⁶ One

⁵⁴ March 19 – “The Tolerance Triangle” (I); March 20 – “The Tolerance Triangle” (II); March 21 – Opening of minority books exhibition; March 22 – Poetry and multiculturalism; March 23 – Faith and tolerance; March 24 – Poetry and dissidence; March 25 – Friendship platform, 5 years after; and Dialogue between the generations (concert).

⁵⁵ May 2 – Opening of travel exhibition “Markets of European Cities”/“Romania and European Integration”; May 9 – Launching of Adrian Marino’s book *Pentru Europa*; May 12 – Classical music directed by Horia Andreescu; May 20 – “Pro Europe” Contest, 2nd edition.

⁵⁶ *Cugetul liber*, March 21, 1995.

week later, in the March 28 issue, the same journal noted the following: “Under the sign of a generous call made by the Bible, the Pro-Europe League completed last week another of its typical activities designed to send us to ... Europe.” The dots in the original text were, obviously, ironical. As a matter of fact, the whole team of editors seemed obsessed with the ironic qualities of dots: “The penultimate round of the ... tolerance monologue,” was Cristian Eparu’s way of referring to another event organized by the LPE (*Cugetul liber*, March 30).

7. OTHER LOCAL BATTLES: CLUJ, OCTAVIAN BURACU, AND THE INTERETHNIC DIALOGUE

The *Laudatio* read on February 27, 1999, at the ceremony at which Octavian Buracu was granted the posthumous title of “Member of Honor of the Pro-Europe League”, asked this rhetorical question: “*Should we be surprised by the fact that, in his interview with the Mureș Gazette on the ethnic cleansing in Cluj, taken immediately after he was fired ..., Octavian Buracu stated that ‘as a Romanian I am even more outraged than Hungarians themselves’? Isn’t this dignified consistency a natural thing for a man of honor? And what could be more dignified than the excuses that this Romanian and European patriot addressed to the minorities on behalf of his ethnic group for the xenophobic aberrations of the mayor of Cluj? Was there anything more natural than the words of wisdom he uttered a few months before his death: ‘there are no good or bad peoples; there are only good and bad individuals’?*”⁵⁷

Pathetic words? Grandiloquent words? Octavian Buracu had been a founding member of the Civic Alliance, of the Culture of Ardeal Foundation in Cluj, of the Romanian-British Foundation for Human Rights Education, and a member of honor of the Association for Romanian-Hungarian Friendship in Pécs. His name was, however, directly connected to the Association for Interethnic Dialogue, of which he had been the founder and president. These titles are not some beads carefully arranged on the string of a much too active pride.⁵⁸ People like Buracu were involved in countless activities aiming to change the misery around them. Each name on the list above is a testimony to the leisure surrendered for the sake of others. Remember that we are at the beginning of the 1990s, when working for an NGO was rarely a well-paying activity, and being a pro-Hungarian or pro-Westerner could turn out quite dangerous.⁵⁹

⁵⁷ Szokoly Elek, “Laudatio pentru Octavian Buracu”, *Gazeta Ligii Pro Europa*, no. 2/1999, pp. 6-7.

⁵⁸ Men such as Buracu were too often the victims of ironic comments by intellectuals who were overly spectatorial when they mused on the surrounding world yet suddenly aggressive when it came to their own interests.

⁵⁹ In 2000, I accidentally stumbled upon an e-mail from an ex-employee of ACCEPT, the most important organization promoting gay rights, who had just left for the US. Imagine my surprise when I read the following: “I am ... surrounded by faggots.” Such words show how much our society has changed. You can now earn a decent living by promoting the rights of homosexuals while privately referring to them as

Starting with 1990, Octavian Buracu had initiated meetings, colloquia, associations, seminars, round tables, statements and public positions, communiqués, and collected signature lists for the benefit of Romanian-Hungarian friendship. His voice had become well-known. It was one of the few Romanian voices in the Ardeal region's capital that uttered the right words with respect to the sick excesses of Gheorghe Funar, the mayor of Cluj. Like Doina Cornea, he had no misgivings about the relationship between the vociferous ultranationalists and the political group coalesced around President Iliescu, who had just captured political power in Bucharest.

Cornea herself was as firm about the nationalist provocations of the post-1989 regime as she had been about the communist rulers.⁶⁰ After Gheorghe Funar, mayor of Cluj and president of the PUNR, had opened in the city's central square⁶¹ an archaeological site in order to move the statue of Matei Corvin (the most important Hungarian monument in the whole of Transylvania), Doina Cornea wrote: *"I am sure that the diversion in Cluj has a larger stake than the local one. Funar is not crazed, as some like to say, but a tool in the hands of the powers that be (like all other extremists in his entourage, for that matter). It would not be too much to speak of a Yugoslavization of Romania, a move inspired by the KGB which serves the base interest of the self-preservation of power."*⁶²

After the creation of the Romanian Hearth and of the PUNR in 1990, but especially after Funar was elected mayor, the city of Cluj, which had had a Hungarian majority before the World War II and in which 23 percent of the total population is now made up of members of this ethnic group, became a center of anti-Hungarian instigation. The city is not merely a center of Hungarian economic and academic life, but also of symbolic competition between its two main ethnic communities. It was

"faggots". This is one of the unwritten laws that is equally true of liberal environments: wherever there are resources available, there are also people willing to exploit them for their own good alone.

⁶⁰ A chapter in her book of dialogues, *Fața nevăzută a lucrurilor (1990-1999). Dialoguri cu Rodica Palade* (Dacia, 1999) concerns the Hungarians and Hungarian-Romanian relations. Those interested can find there some extraordinary pages about the relation, totally lacking in *fair-play*, between the PNȚCD politicians, then a part of the Democratic Convention in Cluj, and the UDMR branch in the same city. This is precisely the context in which the significance of people such as Cornea – she also mentions Adrian Marino, Virgil Lazăr, Liliana Bocu –, who were doing their best to give a chance to Hungarian-Romanian coexistence, becomes apparent.

⁶¹ Piața Unirii.

⁶² Doina Cornea, "Conflictul de la Cluj nu este un conflict interetnic", 22, No. 28, July 8, 1994.

completely dominated by the position held by Gheorghe Funar, who was also the president of the PUNR, the second greatest party (in terms of Parliament seats) between 1992 and 1996.

Funar was a nationalist extremist whose actions and discourse were often verging on the pathological. Hungarian monuments were defiled, participants in Hungarian protest demonstrations were arbitrarily fined, threats were made that Hungarian statues would be moved, the flag on the Hungarian consulate was stolen at the instigation of the mayor, benches were painted in red-yellow-and-blue and so on. The Hungarians protested, demonstrated, walked the city streets in silent processions, warned about the conduct of the local authorities, and reacted sometimes peacefully and sometimes in anger.

But what prevented Cluj from becoming a theatre of violent clashes such as those in Târgu Mures? The explanation needs to take into account many factors. As noted, the numerical relation between the communities has an important causal relation to the transformation of tensions into direct conflict. The Hungarians in Cluj are too few in number to risk open confrontation. Those who cannot take the offence would rather leave. Moreover, for the manipulators Cluj was hardly a convenient place for large-scale clashes: a conflict similar to the one in Târgu-Mureş would have been more than a battle – it would have turned into a pogrom.

The composition of the Romanian majority of the city is also relevant. Cluj increased in size because it was deliberately populated with Romanian ethnics from other regions of the country. The famous Mănăștiur district was on three different occasions responsible for Funar's reelection (which is a really impressive performance, considering the character). And yet Romanians originally from Ardeal are numerous enough in the region. Their experience of cohabitation with the Hungarians goes back a long time. To them, Hungarians are a much more manageable companion than a mayor who hates their city and shames their birthplace. Hungarian and Romanian folksongs in Transylvania are melodically closer to one another than either of them is to Moldavian

folk music. Can one imagine a genuine connection between the spirit of Ardeal and the pathetic, newly-erected statue of Avram Iancu?⁶³

There are other details in the absence of which the picture would not be complete. In Târgu Mureș the epicenter of the crisis was the issue of the segregation of schools. Ousting Romanian children from the Bolyai high school was an offense, *but it was also a serious practical issue*. Romanians had to leave the oldest school in the city. It was irrational for the UDMR leaders to so completely misjudge the implications of this move.

Three traditionally Hungarian highschoools were segregated in Cluj as well – one Catholic, one Reformed and one Unitarian. But the Romanian classes were relocated in a new school, the former “Avram Iancu” school for the kids of apparatchiks, with better facilities than those in the schools Romanian kids were forced to leave behind. As a consequence, there was less bad feeling.

All these factors explain, in part, why Cluj never experienced a bloody showdown. But they could not by themselves exclude the possibility of a violent outburst. And yet such a thing never occurred in Cluj. Looking back at the innumerable instigations of Funar and his thugs which, geographical and temporal distance notwithstanding, still fill me with anger and embarrassment, it seems difficult not to concede that the Romanians who forged an alliance with the city’s Hungarians were also responsible for preventing that greater evil from happening. The appeal of the Association for Interethnic Dialogue and of the Cluj branch of the Civic Alliance urging Romanians to march together with protesting Hungarians is probably the best example one could give.⁶⁴ In 1994, in one of the most tense moments in the city, the authorities decided to attach a plaque to the statue of Matei Corvin with the transparent purpose of defiling it. UDMR announced a march of protest while Romanian Hearth extremists feverishly organized their own columns for a counter-demonstration. Just think about it: two marching camps, two sides confronting each other! The smallest spark – a stone hitting a shoulder, a spit in the face – could ignite a disaster. But having a group of Romanians march alongside the Hungarians prevented that.

⁶³ [explain]

⁶⁴ Smaranda Enache went to Cluj in order to take part in the demonstration.

Who were these Romanians? People such as Octavian Buracu, Doina Cornea, Dana Prelipceanu,⁶⁵ Virgil Lazăr,⁶⁶ Marius Tabacu,⁶⁷ Liliana Bocu,⁶⁸ and their colleagues, few in number, but breathing life into the city's civil society, played a part now easily forgotten or underrated in the prevention of a Târgu-Mureș type of bloodshed.

Militants for interethnic communication were present in many other cities and towns in the Ardeal region. In Satu Mare, Anamaria Pop (one of the most well-known translators from Hungarian into Romanian)⁶⁹ established a branch of the Pro-Europe League. Timișoara, probably the most cosmopolitan and the most multicultural city in Transylvania, has to be included in this picture. Its important associations – the local Civic Alliance branch, the Academic Solidarity, the Timișoara Society, the local subsidiary of the Writers' Union and, exceptionally, the leaders of the local religious communities – all reflected in their attitudes and membership the local tradition of tolerance. The anti-fundamentalist attitudes promoted by intellectuals such as Daniel Vighi, Mircea Mihăieș, or Adriana Babeți (the list is definitely much longer) invested the local stakes with a national significance.

As a matter of fact, the case of Timișoara is exceptional also in the context of the main topic addressed in this book. More than other cities, Timișoara has been ever since the early 1990s an important prize in the political competition. The revolution had Romanians gather around Laszlo Tokes so, at least in this instance, the city could be regarded, as Daniel Vighi once put it, as “transethnic”. The Proclamation of Timișoara, signed by UDMR, chained an additional ball to the ankles of those who saw in the conflict between Romanians and Hungarians the key to preserving their political influence. No wonder that a week after the Proclamation was launched its initiators were accused of fostering the separation of Banat.

⁶⁵ She is currently president of the Association for Interethnic Dialogue.

⁶⁶ Among other capacities, Lazăr was a correspondent of the national daily *România liberă*. His articles were instrumental to the fair coverage of the events by this daily newspaper close to the opposition between 1990 and 1996, especially after its nationalist tendencies became more apparent.

⁶⁷ Tabacu was for a while a journalist in Cluj.

⁶⁸ She also initiated several programs for Roma children.

⁶⁹ In 1999 she took a position as director of the Romanian Cultural Center in Budapest.

Daniel Vighi's recent account⁷⁰ of the events corroborates the account furnished by my older conversations with George Șerban. Ion Iliescu wanted to visit Timișoara during his electoral campaign. Consequently, Corneliu Iordache, who had become by some mysterious circumstance one of FSN's important members, asked the leaders of the Timișoara Society to meet the President in Bucharest at the Cotroceni Palace. The meeting took place on March 19, of all days. And Iliescu was accompanied by his adviser Virgil Măgureanu, of all men...

Naturally, on March 19 and in the presence of the future SRI director the conversation had to reach the sizzling Hungarian issue. George Șerban, Vasile Popovici and Daniel Vighi suggested a "march of friendship" led by Iliescu, Tökes, and Smaranda Enache. *"There's nothing to be done about this. These marches are utopias. There's no bridging of the gap between Romanians and Hungarians,"* Iliescu promptly answered while his councilors were incessantly going in and out the room with news from Târgu-Mureș. (The guests, on the other hand, were totally in the dark with respect to the events in the beleaguered Transylvanian city.) *"The Ardeal is a gunpowder barrell. You'll see it yourselves!"* Măgureanu added, knowing that future history would prove him right. Back to the Writers' Union offices that very evening, Daniel Vighi was the first to hear the news from Târgu-Mureș. (The writers' opinion is another chapter in the story.)

One should also mention Brașov and Sibiu, and perhaps other cities as well. But I shall not dwell on these other instances – we already have an appropriate "model" now.

⁷⁰ [note]

8. GDS, THE 22 WEEKLY, AND THE MINORITIES

In an over-centralized country such as Romania, small victories in the province would have counted much less globally, had the bridge between Hungarians and Romanian not been constantly tended in Bucharest, the place where the high political stakes were (and still are). Even the UDMR has had to focus on Bucharest, in spite of the fact that 98 percent of the Hungarians live in Transylvania.

And so it happened that a small group of intellectuals who founded at the end of 1989 the Group for Social Dialogue came to play a key part in Hungarian-Romanian relations. As used in these pages, the “Group” also refers to the GDS weekly, 22, named after the day on which the communist regime was toppled. Made up mostly of ex-dissidents (Doina Cornea, Mirecea Dinescu, Dan Petrescu, Radu Filipescu etc.) and intellectuals who had explicitly refused any affiliation to the communist ideology (Mihai Şora, Andrei Pippidi, Gabriel Liiceanu, Radu Popa, Andrei Pleşu and others), the GDS immediately acquired immense prestige. As occupants of what was, in that particular context, a liberal-democratic position, the members would be contacted, invited and invoked by their Hungarian counterparts. They responded by participating in eventful meetings such as the dialogue of Romanian and Hungarian intellectuals in Budapest (March 17-23, 1990) that were symbolically powerful.

How did we at the GDS manage to play this part – a historically relevant one, I might add – in the relationship between Romanians and Hungarians? Note that it was a role we had assumed in the absence of any conscious planning. In a previous chapter I asked whether the lack of modern political culture “affect[ed] the importance of the GDS for Romanian-Hungarian relations?” The future was to show that the GDS did not need specialized political knowledge in order to do what it had to do (and eventually did).

The first issue of the Group’s weekly (January 20, 1990) printed an “Appeal” by the Hungarian Helsinki Committee addressed to the Romanians, who had just overthrown their own dictator. The third issue (February 2, 1990) contained articles and statements signed by Zoltán Biró and János Szász, together with an interview with

Károly Király and some quotes from György Konrád.⁷¹ Most of the Romanian intellectuals at the March 19-20 colloquium reuniting Romanian and Hungarian intellectuals, held in Budapest, were members of the Group. (The “Appeal” issued at the colloquium was signed by Gabriela Adameșteanu, Sorin Antohi, Mircea Dinescu, Thomas Kleininger, Gabriel Liiceanu, Alin Teodorescu).

Naturally, many of the reasons that prompted some members of the Group to take a stand on the Hungarian issue were “external” – many Hungarian intellectuals and politicians saw in the GDS the democratic partner that could sympathize with their concerns. Yet few members of the Group were interested in the details of the Hungarian-Romanian issue. Even fewer possessed the conceptual culture necessary for understanding the complexity of these relations. There were of course exceptions. The late Radu Popa, a historian and archaeologist who had authored important studies on the old history of Transylvania, was not only a man of rare virtues but also one with a penchant for multiculturalism. Mihai Șora, the first Minister of Education, had helped Hungarians with their requests – which were vocal as early as January 1990 – for school segregation, in part also because he was intimately aware of the issue’s history. Andrei Pippidi was possessed of expertise in the field as well. Hence the promptness of his excellent article of February 1990 (exact, nuanced and very important in that context) concerning the statements of Francois Mitterand in Budapest on the situation of the Hungarian minority in Romania and on the policies of the Bucharest regime.⁷² The statements reiterated the principle of the inviolability of national frontiers, mentioned the contemporary significance of the principle of nationalities, and stated that the Bucharest regime is, with respect to its nationalist attitude, a follower of the previous one. Iliescu and his group reacted vehemently and called the statements “a blunder.” “A blunder indeed, but whose blunder?” replied Pippidi in his response. He was concise, substantial and perfectly balanced in tone and attitude.

I think it bears repeating that not all of the Group’s members were so open toward the question of the relationship of the Romanian majority to the Hungarian minority, especially as it became so hot an issue immediately after 1990. For various

⁷¹ [foornote]

⁷² “O gafă”, 22, no. 3, February 2, 1990.

reasons, the Group as a whole would follow, in the years to come, the line of its most active members. The weekly 22 also emphasized its pro-minority stance. However, there was also a “silent” subgroup that would have walked a different path, but it had to wait until the late 1990s to have, at least in part, its way.

The weekly 22 throws some light on the pace at which the Bucharest intellectuals’ awareness of the Hungarian issue grew. At the end of April, Răzvan Theodorescu was invited by the Group to “offer an explanation” of the way the TVR channel covered the events in Târgu Mureş (and elsewhere). A lot of other materials were presented by the GDS members in Budapest on March 19-20. There was a very interesting article by Dan Petrescu called, “Where do we measure democracy?”.⁷³ Dan Petrescu answered a lot of accusations made against him in his capacity as secretary of state in the Ministry of Culture (a position he eventually had to vacate). In his unmistakable style, Petrescu militated, from a position of radical elitism bordering on an offensive stance with respect to “ordinary people”, for the priority of individual over collective rights and for dissolving the “minority” issue – a word he repudiated – into the issue of democracy (which was certainly a simplification). Yet what was important was his criticism of the leading idea behind and the activity of the nationalist Romanian Hearth.⁷⁴

Back then the Hungarian problem was at bottom the problem of dealing with the most abject characters in Romanian political life: the founders of the Romanian Hearth and of the PUNR, of the *România Mare* magazine and the eponymous party, and of the periodical *Europa*. From this perspective, GDS’s attitudes towards the extremist nationalism manipulated by the most aggressive group in the officially extinct Securitate were almost singularly precise and consistent. As time went by, however, the Hungarian issue came to need a different understanding, in which civic militancy had to be accompanied by the conceptualization and codification of civilized interethnic relations.

⁷³ 22, No. 14, April 20, 1990.

⁷⁴ Andrei Pleşu, on the other hand, failed to sanction Smaranda Enache’s demotion at the Puppet Theatre in Târgu-Mureş orchestrated by the Hearth’s men.

In 1992, the UDMR had adopted several documents concerning the rights of the Hungarians and had endorsed them by means of several statements. The terms that were going to resonate throughout the Romanian public opinion – autonomy, special status, self-government, collective rights – had made their first public appearance. My involvement with these Hungarian issues had grown progressively and my relations with Hungarian leaders had become closer. This is the reason why, at some point, I thought that the GDS should improve its own approach to these questions. I arranged for a GDS meeting with the UDMR leaders. The roundtable was an attempt to change the venues of communication between “us” and “them”, and an opportunity to discover the limits of our involvement in issues for the resolution of which human decency is not always sufficient.

9. THE WRITERS' UNION AND THE CIVIC ALLIANCE IN THE EARLY NINETIES

Throughout Communist Europe, writers' unions have generally enjoyed a advantaged position by comparison with other organizations. Since they served institutions of propaganda and since the authorities acknowledged the writers' sway over the symbolic space, writers' unions were granted special privileges. In Romania, Bulgaria or the USSR the writers were among the few professional groups who could visit, many barriers notwithstanding, some of the Western countries. Let us recall the situation in Romania: writers had access to the Union's resources (bank credits, holiday villas, and later the right to own a second home "for creative purposes"), which were commonly refused to ordinary citizens. Some writers might be dismayed by my reference to these special privileges: after all to whom, for how many, and under what circumstances were these special facilities granted?

Well, they were granted nonetheless. To the rest of the population, the mythical aura of the writer-status and the writers' privileged access to resources were a part of the general image, if not of reality itself. Honest witnesses from within are well aware of this. In a book of dialogues edited together with Sorin Antohi, Adrian Marino mentioned the "sinister or, if you will, providential institution of the Literary Fund. ... One could see in there the huge amounts owed by illustrious Romanian writers."⁷⁵

All these things contributed to the visibility of the writers' unions in the communist countries. In Romania, where there was virtually no "workers' resistance"⁷⁶ during the final years of the Ceaușescu regime, the symbolic space controlled by writers was decisive in the context of the 1989 changes. The General Assembly of the Writers' Union convened on January 27, 1989, elected Mircea Dinescu as president. One of the most well-known dissidents of the Ceaușescu regime, very popular for his way of communicating with the audience, Dinescu was and still is – as future events amply demonstrated – incapable of regimentation. He turned his profound antipathy for

⁷⁵ Sorin Antohi, *Al treilea discurs. Adrian Marino în dialog cu Sorin Antohi*, Iași: Polirom, 2000, p. 18.

⁷⁶ In spite of the fact that there were independent union organizers, such as Vasile Paraschiv, Ionel Cană or Brașoveanu (see Gabriel Andreescu, "Dissidence in Romania", in print).

protocronism and nationalism into a popular show brimming with humor and naturalness. I would attribute to him the success of the “second edition” of the weekly *Academia Cațavencu* – a magazine especially popular among younger people but enjoying a much wider audience –, whose contempt of nationalism and orthodoxism has considerably limited the career of fundamentalist idiocies.

Some believe that Dinescu was especially sensitive to the Hungarian issue because his wife was half-Hungarian. Even so, this does not diminish his merits with respect to the Hungarian issue. A close relationship between the Hungarian writers in Budapest and the members of the Writers’ Union in Bucharest was established immediately after the revolution. The Union has systematically refused to be involved in the anti-Hungarian propaganda to which the regime and some of Iliescu’s in-house collaborators invited it. The general attitude of the Union’s magazines, with *Contrapunct*, the revelation of 1990, at the forefront, was anti-nationalist. Naturally, the founders of *România Mare* (both the magazine and the party) were themselves writers. But, symbolically speaking, they were the exception, while the Writers’ official association acted as a bridge for good relations with Hungarians.

One might argue that the very fact that some of the writers compromised by their deplorable support for Ceaușescu embarked on the nationalist cause was decisive for the anti-nationalist stance of the Writers’ Union. On the evening of March 19, 1990, after his meeting with Ion Iliescu, Daniel Vighi stopped by the offices of the Writers’ Union, then in Calea Victoriei 155. He found several dozens of writers under the shock of the (doctored) news coming from Târgu-Mureș. Most of them had been mobilized against the Hungarians, doubtlessly also by the deliberate efforts of some of the people there. It was extremely easy to create collective hysterias in those days, especially among writers possessed by their own egos. As late as 2001, one of the participants at the heated meeting at the Union’s headquarters (Angela Marinescu) pointed the finger to the GDS intellectuals, accusing them of a pact with the Hungarians.⁷⁷

It is clearly impossible to put Dinescu, Ana Blandiana, Ioana Mălăncioiu, Mircea Martin, Alex. Ștefănescu, or Gheorghe Grigurcu in the same ballpark with

⁷⁷ In an interview published in *Adevărul literar și artistic*.

Eugen Barbu, Adrian Păunescu, and Corneliu Vadim Tudor. Appealing to the latter group might have been a mistake on the part the scriptwriters and directors of Romanian nationalism. By exploiting such indecent cultural characters, they compromised once and for all their chances of eliciting anti-Hungarian responses among the large (and weighty) writers' group, as well as among members of other artistic unions.

If things actually turned out the way they did, it is also because of the crucial distance that the Writers' Union put between itself and nationalist politics. A comparison to its counterpart in Yugoslavia is doubtlessly worth a much more in-depth investigation. But although the Romanian Writers' Union has never been a militant in the field of Hungarian-Romanian relations, in the way the Group for Social Dialogue was in the early 1990s, it firmly supported the strong relations and the framework upholding the common interests of the two countries.

*

The largest civic organization in Romania was founded in the fall of 1990. The origins of the Civic Alliance (Alianța Civică) lie in the crisis triggered by the miners' crusade of June 13-15, when Romania was on the brink of turning into a dictatorship, with the pro-democratic parties too weak and too removed from the people to react. It is difficult to believe that these parties would have been followed by the population in an appeal to defend the rule of law against the authoritarian upsurge. There were, throughout the country, only a few civic organizations one could count on in supporting human rights, democracy, and interethnic peace. But what could they do in front of political forces that had conquered the administrative apparatus, military institutions included?

Building the Civic Alliance was an operation that started at the Group for Social Dialogue around the end of June. This fact explains the multiethnic conception of the project.⁷⁸ Of the six organizations invited to cooperate in building the Alliance (the Group for Social Dialogue and the Independent Group for Democracy in Bucharest, the

⁷⁸ Following the great anti-Iliescu demonstration of June 1990, several public personalities of the period, among whom Ana Blandiana, Petre Mihai Băcanu, Sorin Dumitrescu, Constantin Ticu Dumitrescu, gathered together at the headquarters of the daily *România liberă* in order to think up a solution for mustering civil solidarity. This nucleus of people, which was later going to play a crucial part in the life of the Civic Alliance, was invited to take part in the strategy initiated by the Group for Social Dialogue.

Timișoara Society, the Pro-Europe League of Târgu Mureș, the November 15 Association of Brașov, and Agora of Iași) at least three had multicultural affiliations or sympathies. Together, these groups laid the foundations of the Alliance, the emergence of which had a tremendous impact. Approximately 200,000 people answered to its appeals and took to the streets of Bucharest in the greatest political march since 1990. There had been no similar mobilization in the past.

The Civic Alliance Board of Directors included personalities such as Smaranda Enache and Péter Bányai.⁷⁹ The Târgu Mureș and Covasna branches of the Alliance consisted of Romanians and Hungarians, something exceptional in itself. Thought of as a multiethnic movement, it managed to persuade many people that an ample, nation-wide project could bring the two ethnic groups together. In January 1991, the Alliance elaborated and adopted a document on the Fundamental Rights and Freedoms and, in June, it issued a Statement concerning the rights of the minorities.⁸⁰

The Alliance's great "interethnic test" came in the fall of 1991, when a new incitement campaign was on the verge of setting Transylvania on fire.

⁷⁹ He will be the subject of later chapters.

⁸⁰ The first document was elaborated by Doru Cosma and Valeriu Stoica after I acted as an in-between for this initiative (which actually belonged to Mihnea Berindei); the second document was drafted by Smaranda Enache.

10. THE FALL OF 1991: THE 4TH ARMY IN TRANSYLVANIA AND THE STATE OF EMERGENCY

A bill on the organization of the Romanian Information Service (SRI) was submitted before the Romanian Parliament in the fall of 1991. The leaders of the former institution were practically asking for unlimited powers of surveillance, unlimited means of gathering and using evidence, and the right to own and operate businesses and engage in other economic activities. These were excessive powers to which the population was averse because the memory of the former Securitate's omnipotence was still fresh – after all, the SRI was operated by many of the old institution's cadres. The institution had to prove its usefulness once again, as it had done in the March of 1990. Moreover, Romania's Constitution was being finalized. Introducing a nationalist perspective in the Constitution was another important stake.⁸¹

The “Covasna-Harghita Report” was introduced before the Parliament as evidence of a Hungarian threat. The document directly incriminated the Hungarian population, which was the ethnic majority in the two counties, for having threatened and driven away the Romanians in the region. The scheme was an almost perfect replica of the anti-Albanian propaganda in Kosovo accusing the Albanians of having ousted the Serbs so as to justify repression.⁸² For days on end the representatives of the extremist parties hollered accusations from the stand of the Parliament hall. The accusations themselves were hilarious, yet effective. The heat was being progressively turned up. Each new step of the extremist parties and their organizations was meant to amplify the instability.

The representatives of the Hungarian minority protested. Unrest was growing in Ardeal. To add insult to injury, the 4th Transylvanian Army, led by a general with close ties to the Romanian nationalist parties, declared the state of emergency. The carefully prepared, open confrontation seemed inevitable. A clash would have caused more dead

⁸¹ Principles such as “Romania is a national and unitary state” and “the foundation of the state is the unity of the Romanian people” made it into the final document.

⁸² Recent studies have proven false the thesis which explains Serb immigration by means of an Albanian threat.

among the Romanians and the Hungarians, and would have pushed the the SRI empowering law through the parliament.

The *Mureș Gazette* (no. 2, November 11-18, 1991) described the situation in the following terms: “*recent military manœuvres in Harghita and Covasna, spectacular in their display of military arsenal, seem to spread to other counties as well. Sources within ROMPRES say that the citizens of Alba and Cluj counties will enjoy precious few silent nights this month, as the Commanders of the Transylvanian Army intend to operate a ‘chiefs of staffs application’ in which infantry, artillery, tanks and aviation sub-units will participate. A timely decision one might add, since if you read EUROPA, ROMANIA MARE or simply follow the TV series on Harghita and Covasna you might believe that an armed conflict between Romania and Hungary is imminent.*”

At that moment the Civic Alliance branch in Covasna had a literally life-saving initiative: it invited Romanian and Hungarians to fight together against the incitements. It was not a simple task to organize a meeting under the circumstances. Community leaders had to be involved. One had to have a significant number of protesters so as not to leave the impression of lack of support. And, by all means, provocations had to be avoided.

I left for the ethnically mixed city of Sfântu-Gheorghe, where I met Smaranda Enache, in order to address the townspeople. There were men in uniform all over the place. The demonstration attracted somewhere between 3,000 and 5,000 people. In the midst of the nationalist raging waters several thousand Romanians and Hungarians came together to say “No!” to extremism.⁸³ (Remember the Sarajevo demonstrations before the tragedy?)

⁸³ The main part of the meeting consisted in reading the Appeal-Statement and the response to the demonstrators. Among the speakers: László Balogh (CA branch in Covasna), Diți Mihai (president of CA Covasna), Smaranda Enache (representative of the National Committee of PAC), János Papp (from the SINLAC Union in Sf. Gheorghe), Gheorghe Rățulea (an Orthodox priest in the city), Sándor Incze (Reformed minister), Rudolf Szabadai (UDMR Covasna). Among their views: any untrue statement in the Parliamentary Commission report on Covasna and Harghita acknowledged by the Parliament would create artificial and unjustified tensions; the report contains, alongside true events, a lot of fabrications and skewed interpretations. The Appeal stated that territorial separatism had never been a goal in the region and that peaceful cooperation was desired. It demanded that the authenticity of the documents that supported the report be ascertained, that the report itself be withdrawn, and that the denigration campaign be cancelled.

The meeting marked an important turning point in the evolution of events. The tension suddenly fell to acceptable levels. The Sfântu Gheorghe initiative during that heated fall showed how much the Civic Alliance counted in the prevention of bloodshed. In my view, this was the most spectacular instance of Alliance involvement in interethnic relations, before its enthusiasm for multiculturalism started to wane.

11. WHO ARE THE EXTREMISTS AND WHAT DO THEY LOOK LIKE?

What I've written so far conjures in my mind images of real, flesh-and-blood actors, people alive before a smokescreen. Yet the actors behind the screen of smoke are impossible to miss. Who are they? And how can we air out the smoke?

In some cases the true identity was never hidden. Such is the case of the Romanian Hearth (Vatra Românească), a nationalist movement among the founders of which was President Ion Iliescu. The Hearth gave birth, a year after its conception, to the Party for the National Union of Romanians (PUNR), a political group with a lot of regional clout and an anti-Hungarian platform initially headed by Radu Ceantea. PUNR became very visible under its next president, Gheorghe Funar (the incumbent mayor of Cluj).

As for the (then) second major actor of nationalist extremism in Romania, the Greater Romania Party (PRM), it was founded on June 24, 1991 by Corneliu Vadim Tudor and his fellow travelers from the *protochronist*⁸⁴ camp, the former Securitate, and the old lackeys of the Ceausescu regime. Although PRM has often referred to the Jewish and Roma issues, the anti-Hungarian dimension of its rhetoric is dominant. Both parties above have other ideological underpinnings, which I shall leave aside in what follows.

So what is the identity of these two actors of Romanian extremism? I will let the following quotes (picked up from a study I co-authored with Renate Weber and from another by Valentin Stan) speak for themselves. It's a telling sample of the type of discourse PUNR and PRM are articulating at the end of the millennium (to save the best for last, I first quote Funar and then Tudor):

“As it is well-known, the nomad spirit and the barbaric lifestyle of the Hungarian people and its minority in Romania have hardly vanished during the last 1000 years. Maybe we, Romanians, will have to cure them of this embarrassment and turn them into a peaceful, civilized European people that will no longer covet foreign lands. God forbid they should once again extend their paws toward Romanian

⁸⁴ [to be explained]

territories.” (Interview with Gheorghe Funar, October 27, 1994, *Informația zilei*, Satu Mare)

“Hungarians are ... the descendants of a barbarian people that came to Europe a thousand years ago. The period seems not to have been sufficiently long to make them adapt to the requirements of European, civilized behavior.” (PUNR communiqué published in *Cronica română*, Anul III, no. 616, January 27, 1995)

“Through our ancestors and forefathers we have twice reached Budapest. We freed them from the Soviets, then from the fascists, and God forbid we should get there a third time, because this time we would not come back and we’d turn Budapest into a Romanian province. It’s up to them.” (PUNR communiqué published in *Cronica română*, Anul III, no. 616, January 27, 1995)

“We shall add to all this the beastly train-attacks perpetrated by Asian hordes imbued with alcohol and sanguine hatred, beating poor Romanians with chains and poles simply because they speak Romanian!” (Corneliu Vadim Tudor, “Atenție la Ungaria” (5), *România mare*, Anul I, no. 18, October 5, 1990)

“Which is to say that the Hungarians, who come from Asia, are preventing us, who are Latin and European by descent, from playing a part in the concert of values of our own continent!” (Corneliu Vadim Tudor, “Ardealul, Ardealul, ne cheamă Ardealul!”, open letter to President Iliescu, *România mare*, Anul I, no. 27, December 7, 1990)

“We hold no grudge against anyone but if this people is mocked at and deliberately agitated, then there shall come a time when this country’s healthy forces shall ask for a National Referendum to show whether known traitors should live in this country, and if they shouldn’t – then they should be thrown out for good! For the peace of over 20 million Romanians it’s worth to rid ourselves of a few bad apples, no matter what what Western occultists will say about it.” (Corneliu Vadim Tudor, “Trădarea de țară”, *România mare*, Anul I, no. 9, August 3, 1990)

“It is in the best interest of European peace and stability that paramilitary bodies and political tumors such as UDMR should be immediately silenced, in order to save human lives and to observe human rights and international treaties.” (PRM

communiqué, “Pactul cu diavolul horthyst”, PRM Press Conference of February 3, 1995, reprinted in *România mare*, Anul VI, no. 240, February 10, 1995)

“It is my belief that in mentioning the descendants of these barbarians we are not offending the Hungarian nation – on the contrary, we are providing authentic, historical texts which prove that their origins were those of primitives, something we ourselves have never been.” (Corneliu Vadim Tudor, speech of February 7, 1995, at the working session of the PDSR, PUNR, PRM and PSM, published in *România mare*, Anul VI, nr. 241, February 17, 1995)

“Some people have mentioned a so-called cleansing in the armed forces requested by Mr. Funar, but here is what representative Col. Ioan Tanasă showed me ... ‘information on the Mountain Rangers battalion from Miercurea-Ciuc: over 50 percent are Hungarians from the region. This means they have 1000 armed soldiers.’ We have to take steps. Naturally, according to our Constitution, members of minority groups enjoy equal rights. But when there is such a potential for conflict, when we know only too well that they organize themselves in paramilitary fashion, grouped according to their home address, street, locality, town, city, by means of military draft... do you realize what a few platoons consisting of several thousands of armed soldiers could do? ... Can we let Hungarians hold key positions with the Mountain Rangers? ... Should we let Hungarians get their hands on Mountain Ranger guns?” (Corneliu Vadim Tudor, speech of February 7, 1995, at the working session of the PDSR, PUNR, PRM and PSM, published in *România mare*, Anul VI, nr. 241, February 17, 1995)

12. THE FAMILIAR FACE OF CHAUVINISTIC NATIONALISM

What did the anti-nationalist attitudes in the press which helped save Romanian-Hungarian relations in 1990 and 1991 look like? Here is a sample⁸⁵ – now a thing of the past, both in terms of style and substance – published by the weekly 22 under the title “The Familiar Face of Nationalist Chauvinism”:

“What nationalism is not. The great perversity of chauvinistic nationalism comes from the fact that it claims to be something it is not – chauvinistic nationalism is the opposite of national interest, economic development, and the nation’s spiritual affirmation. Wherever it arose during the past century – in Germany, in Japan, in today’s (or yesterday’s) Yugoslavia – the nationalist neurosis proved harmful. The preoccupation of small communities with their destiny (witness the recent liberation of the Baltic states) is not a similar example, for chauvinistic nationalism does not focus on the identity of self-proclaimed communities – rather, it constrains and attacks the identity of others. In other words, *chauvinistic nationalism is not a form of traditionalism*. The way in which the 1st of December was celebrated a year ago, or the hilarious commemorations of the 119th year or the 173rd year since this or that particular event are actually a mockery of Romanian symbols. This kind of boastful nationalism compromises the very spiritual identity it so ardently advocates.

Chauvinistic nationalism does not care about collective values. On the contrary, it speaks to individuals with a penchant for authoritarianism, to adventurers, to the paranoid and the frustrated. To what class of politicians do political clowns such as Radu Ceantea, Vasile Moiş or Gh. Dumitraşcu belong? How did they get to speak in our name and to decide what our national interest is? Of what service can their aberrations be, and how can the behavior of the Greater Romania and the Romanian Hearth assist us in our tasks?

Nationalistic chauvinism is not a social resource but a mechanism that exhausts the nation’s energies. What are the promises made by nationalism? It seeks to outlaw groups that defend human and minority rights or foster good relations with the

⁸⁵ [date, author]

West, treating them as groups pursuing anti-Romanian goals; to bury a growing share of the budget into the Ministries of Interior, Defense or the SRI; to create border tensions, to worsen our international relations by blocking precisely the positive assertion of Romanian society which it demagogically claims to support! These are hardly the adequate means of securing Romania's position in the world. Today's nationalists are, simply put, working against the national interest.

The problems of the minorities are the problems of the majority. Like in any other unfortunate place in the world, the nationalist crusade is targeted at the ethnic minorities (the Hungarians, the Gypsies and the Jews) or at the religious ones (the Greek-Catholics). Romanians who have spoken on behalf of others' rights to a specific identity were harshly criticized. They were blamed for not taking care of the rights of Romanians: shouldn't we, Romanians, take care of our own problems first of all? Indeed we should. But the problems of minorities are also the problems of the majority. The position occupied by the minorities is a close reflection of the level of tolerance and civilization prevalent among the majority group in that particular society. The laws that defend small groups against the arbitrary will of larger ones also protect the majority against the evils that can come from within itself. It is for this reason that the modern world has turned minority rights into an index of democratic health. If we wish to live in a democracy, we have to defend the Western standards in this respect. We have had the opportunity to see the relation between the two at work, albeit in a negative manner. The rebirth of the Securitate after the violence in Târgu-Mureș hurt the Hungarians but it hurt us as well. The loss of credits due to collective *vendettas* is measured in dollars per head. Ethnicity does not matter. But leaving financial or image issues aside, we still have to ask ourselves what kind of respect for our own community can coexist with the need to limit the identity of others?

Self-consciousness and learning from others: complementary rather than opposite. There is something shocking in the behavior of our co-nationals: the total lack of interest in the logic of the phenomena that surround us. Their self-sufficiency and self-infatuation are the first signs of xenophobia. Some people in the Romanian Parliament vociferously claim that we do not need to be given lessons from anybody.

Mr. Vulpescu threatens us with closing the borders. Is this a sign of self-consciousness? Facing one's condition does not mean that one should not learn from others. Self-consciousness and willingness to learn from others are not opposites but complementary attitudes. The Japanese are a living proof: in their country, which is closed to immigration, and in the midst of their powerful (and authentic) traditionalism, they can discover, record, follow, change and copy what they feel is worth emulating. They do it with modesty, the corollary of which is the willingness to receive. Their resounding success doubtlessly owes something to this as well.

Ludicrous nationalism: Art. 4 of the Constitution. Art. 4 of the Romanian Constitution, according to which the "State foundation is laid on the unity of the Romanian people", with Romania being "the common and indivisible homeland of all its citizens, without any discrimination on account of race, nationality, ethnic origin, language, religion, sex, opinion, political adherence, property or social origin" was voted by the Parliament on September 12. But the state is determined by the territory and by legislative unity. For this reason, the distinctive sign of belonging to a state is citizenship, not ethnic origin. To define the state by means of an ethnic group, as Art. 4 does, it is to say that its citizens are not equal. UDMR's concerns, which prompted the resignation of Károly Király, are understandable. But, again, let us not focus on the others' responses. What is really important is the embarrassing fact that our Constitution contains articles, the dilettantism and bad faith of which ought to make us feel ashamed.

Is our nationalism fascist or communist? Communism is (or was) internationalist; fascism was nationalist. These ideological connotations are almost worthless for the purpose of coming to terms with the evolution of post-totalitarian societies in Eastern Europe, a region which is now going through a period of nationalist revival. The Romanian Securitate has been preparing for several decades a nationalist diversion as an antidote to social unrest – hence the effectiveness of nationalism after the revolution. Eugen Barbu, C.V. Tudor and the other nationalist mercenaries close to *România mare* and *Europa* used to be communist mercenaries. It is no less true that notorious fascists – such as, first of all, Iosif Constantin Drăgan – were part of the

chauvinistic, antisemitic, and xenophobic propaganda. The latest available evidence shows, however, that fascist networks in the West have been unscrupulously used by the communist secret services.⁸⁶ Today, those who belong to these ideological groups have mixed with each other. Labels do not matter any more. What matters is to get back in power and, in Eastern Europe at least, nationalism seems to be the best means to that end.

The critics of anti-nationalism. A reproach, natural up to a point, leveled against the critics of our nationalist and chauvinistic forces, whether “independent” or regimented (PUNR or PRM), is that they do not simultaneously accuse Hungarian nationalists, or gypsy representatives who do not pay enough attention to the rate of crime in their community etc. Those who reject nationalism, it is said, reject it no matter where it comes from. But it would be hilarious to add to one’s criticism of *România mare* a similar criticism of *Tromf*. There is also a more profane explanation of this asymmetry: while Romanian language is widely accessible to Hungarians, the opposite is not true. Such a limitation would have to be overcome, had the issue not been somewhat different. It is natural for us, Romanians, to pay more attention to our failings, just as it would be natural for Hungarians to attend to theirs. No side has been, so far, intransigent enough with respect to the excesses of their co-nationals (indeed, Hungarians have a dismal record in this respect), which suggests that, for the future, intransigence toward chauvinism could be a solution to the national crisis.

Political hypnosis. There is a discouraging lack of political culture not only among those who have all the reasons for falling (or letting themselves fall) into the trap of chauvinistic nationalism, but also among those really interested in democratic values and human rights. Nationalist texts or statements have been published over the past couple of years in *Dreptatea*, *Agora* (the journal of the Anti-Totalitarian Democratic Forum in Cluj), in *Contrast* in Costanța etc. Maybe these were innocent, youthful excesses. But it has become apparent that not making mistakes yourself is hardly sufficient. For almost a whole year nationalism has become a major political issue. It might become downright explosive in the days to come. Faced with such circumstances

⁸⁶ See Thierry Wolton, *KGB en France. Le réseau Caraman*, Paris: Grasset, 1986.

politicians seem to act as if under hypnosis. Virtually no political group (with the Civic Alliance as a notable exception) has turned the question of nationalism into a constant issue of its policy. (PAC continues to include among its documents the Statement on Ethnic, Linguistic and Religious Communities voted at the AC Congress.) When confronted with the primitive diversion known as the Harghita Report, opposition MPs behaved as if it were possible to actually misunderstand the nature of this document. As a matter of fact, members of the PNL, PNȚCD, MER and of the parliamentary commission all signed the Report. Can they fail to see that its target were not the minorities but democracy itself? Can they fail to see how irresponsible these ethnic games are?

In the summer of last year, as he was busy building bridges to the Romanian Hearth, Petre Roman was warned that his own quality as a “true-blue Romanian” would sooner or later be contested. Which is precisely what *România mare* did in its campaign against the prime minister before his fall. Few people are aware of how Roman was attacked a few days ago, as he asked FSN members to exercise more caution in voting the anti-minority articles of the Constitution. (Tomorrow it will be the turn of Radu Câmpeanu and other former exiles who consented to this duplicitous game.) The Front had already been swallowed by the Romanian Hearth before it was constrained by post-electoral necessities. This connection between the Front and extremism brought about the victory of old apparatchiks (now members of FSN, PUNR, PRM, PDAR etc.) in political, administrative and probably also in economic life. That all restraints have been let aside should be obvious to all of us. We should not have been surprised when Dan Mărțian started counting in the Parliament; when Alexandru Bârlădeanu requested that voting procedures in the Parliament be suspended; when the basic instruments, the Constitution and the Local Administration Act took the shape of pathetic expressions of political obtuseness; or when Gen. Cheler started to play war in the middle of the Ardeal.

Nationalism is wrecking havoc in Yugoslavia. It is experiencing revival in Poland, Czechoslovakia, Hungary, Bulgaria, and the USSR. Ethnic and racial crime is on the rise in Western Europe. There is not much on the continent today that is truly

similar to the pre-war period, but this does not mean that nationalism shall be limited to local clashes. In a world in which the dissolution of ideologies and the loss of social illusions are compounded by ecological, economic and demographic tensions, chauvinistic nationalism and other forms of paranoid discourse become attractive. Minority communities, human rights associations, intellectuals and militants will continue to warn everyone about the danger. But only a mass movement, a national political force, will be able to withstand the rolling snowball.”

13. LÁSZLÓ TÖKÉS

The article above is a somewhat typical sample of what was published in the weekly 22 at the end of 1991 (it dates from November 1991): impetuous, very specific, at times pathetic, devoid of major omissions and delusions, but otherwise quite plain-speaking. Good will mattered a lot in times like those, so powerfully though perhaps not sufficiently illustrated by the quotes from Funar and Tudor. Meanwhile, Romanian society had a hard time facing reality. Since reality was painful to the Hungarians, they tried to find some solace in the excuses by means of which some Romanians were hoping to mend the fences broken by some of their co-nationals.⁸⁷ But how much did such positions, generally limited to the intellectual media, really matter? In trying to find an answer, let me quote another article:

“I’ve been thinking for some time about writing on the campaign against bishop László Tőkés.

My trip to Atlanta clarified a few things for me. After the pages of the newspapers, including those in the opposition – from *Tinerama* to *România liberă* – made a habit of placing Tőkés’s photo close to that of Funar and draw ludicrous parallels between the two, writing the article almost became a duty.

I have first met László Tőkés in the Council of the Front for National Salvation (CFSN); and then a few more times on the occasion of several conferences organized by the new Reformed bishop of the Piatra Craiului Diocese, in Timișoara. There followed a short and very polite correspondence. I have since followed his public positions and monitored the attempts to discredit the man (the rumor that he had taken part in a Hungarian plot; then, contradicting the first rumor, the notion that he had been a member of the Securitate). The campaign was subtle but wideranging. If you tune your ear to the gossip in the snobbish circles of Bucharest, or to those of the Romanians in American universities, you’re likely to hear that Tőkés is a member of some secret service or another.

⁸⁷ Such articles were usually reprinted by Hungarian periodicals (mostly in *A Hét*) and Hungarian readers would in turn voice their sympathy.

It is obvious that this authentic symbol of the Romanian revolution is irritating Mr. Iliescu. In *Revolution and reform* the President failed to contain his feelings which so easily lend themselves to psychoanalysis. He wrote: “*then there’s the story of pastor Tőkés... A glorious halo circled him then, and it has been ‘suggested’ that he was a trigger of the events in Timișoara.*” To deny the part played by the man who was at the origin of the revolution is an inseparable component of denying the revolution itself.

László Tőkés led his own image campaign concerning the revolution and his own part in it. He continued the revolution in the name of Hungarians in Romania. The people at the Ministry of Foreign Affairs have been zealously writing down his words, spoken on various meridians and parallels, branding them as ‘against the national interest’: “*Romania does not fulfill Council of Europe membership conditions*”; “*UDMR is the only Romanian party that is truly democratic*”. An “*ethnic cleansing*” is going on in Romania, he said at one point.

Can one speak of ethnic cleansing in Romania? Bishop Tőkés is easy to stir up, but anger is hardly a good adviser or an appropriate premise for objectivity. László Tőkés came to represent the hardline, radical, militant faction of the UDMR. “The extremist faction”, as it has been much too easily labeled because of the all too common failure to distinguish between extremism and radicalism.

László Tőkés is certainly not a moderate. Markó Béla won the presidency at the previous UDMR Congress only after direct involvement by the CDR.⁸⁸

I have followed László Tőkés in Atlanta very closely. His interventions were bathetic. His tone of voice was that of a pastor addressing a crowd, not that of a politician negotiating technical details. “*You are one of my personal heroes because of your decision to make human rights a fundamental goal of American politics,*” he told Jimmy Carter. “*This has had a decisive role in freeing us from the Soviet system. In some countries, this freedom was more thoroughgoing than in others. In my country I am not a completely free person... I would like to remind you that you are the first American president who looked at the issue of the discrimination of the Hungarian minority.*”

⁸⁸ This was an overstatement. Yet the CDR leadership was invited by the UDMR leaders to attend the event at a time when the result of the battle between Tőkés and Markó was not yet certain.

László Tőkés spoke in the name of absolute values. To him, “compromise” seemed to make no sense. “*Rights are not negotiable. If there has to be a Hungarian university, it is so simply because we want it!*” There was a moving force in his voice, probably fed by the voluptuous dream of martyrdom: the press campaign in Romania “*is a form of psychological terrorism.*” “*The Romanian brothers should not provoke the Hungarian brothers!*” Only a mean imagination could see this man as a humble informer. But was he actually wrong when he noted that “*if Romania were an authentic democracy, nobody would deny the wish of 500,000 of its citizens?*”

László Tőkés’ interventions were of little help to the debates at the Carter Center. He was preaching rather than negotiating. He behaved like a pastor and not like a politician. He was closer to Atlanta’s own Martin Luther King fighting for black rights in the street than to the head of a political party. There are many Hungarians who, for good reasons, feel overwhelmed by Tőkés’ radicalism. And indeed, insofar as his discourse replaces any strategic thinking, it is out of tune with the times. For even if László Tőkés is right, this does not mean that what he does is appropriate.

But the attacks against him in the mass media are unusually base. As for his juxtaposition to the PUNR leader... To those who give credence to these images, the spark of the revolution and the nationwide scam known as Caritas must be one and the same thing. To them, the anger of the man who becomes a spokesperson fighting for the rights of others (irrespective of whether they are right or wrong) and the hysteria of the mayor of Cluj must have the same moral standing. To them, a character of true historical significance and a pathetic, mentally unstable buffoon are similar because they are both discomforting.

László Tőkés is entitled to our respect. This does not mean he has to be followed. If he wants to play a *positive political role* for the Hungarian community, he will have to choose dispassionate dialogue over heroic calls to arms. He will have to supplement his will for justice with the science of the real. Judged in the current context, László Tőkés is the messenger of ancient values. He must learn the humility of serving the interest of *all*. It is a harder lesson than courage.”

Maybe this article,⁸⁹ written four years and a half after the first one, does not seem very different. Both are relying on common sense. The latter was published at a time when Tőkés used to be branded as an “extremist”, when the notion that he was “just like Funar” had become a *leitmotif* of Romanian media. (Among those who used this simile was a member of the Group for Social Dialogue, Alexandru Paleologu.) Tőkés was a personality of Hungarian life, and Hungarians seemed to be more respectful toward their historical figures than we were toward ours. His co-nationals felt that the public degradation of the pastor was an offense against their own ethnic identity, an unjust attitude, a provocation. My article on László Tőkés came at the right moment – journalists sometimes seem to borrow their opinions from one another, and the “Tőkés-extremist” thesis could simply be such a phenomenon. Later on, he was customarily painted as a “radical” rather than as an “extremist”, and the former label finally seems to have stuck. The Hungarians noticed this, and they found my otherwise modest contribution in 22 relevant.⁹⁰

Yet the irony is that years later I used the label “extremist” myself. In 1999, during his US tour before the Washington summit on NATO enlargement, László Tőkés complained apocalyptically about the condition of Hungarians in Romania. This time UDMR was part of the government, but László Tőkés was still circulating his stories of ethnic cleansing.

Given the new context, the move was disingenuous. Tőkés’ voice conflicted with the official position of the UDMR and it embarrassed even the Hungarian lobby in the Congress. How could one talk of ethnic cleansing while minister György Tokay was referring to the “model of Romanian-Hungarian reconciliation”? But most of all, Tőkés’ position lacked in fair play. How was that possible, right before the NATO summit? You do not stab someone in the back when the destiny of millions is at stake. I wrote

⁸⁹ Gabriel Andreescu, “Tőkés László”, 22, no.9, March 1-7, 1995.

⁹⁰ In her study “The UDMR’s International Relations” (*Studii internaționale*, no. 2, 1996, p. 33) Ana-Maria Biró noted the following: “A number of articles attacking bishop Tőkés have been published in the *Romania mare* magazine, the organ of the violently anti-Hungarian Greater Romania Party. But articles describing Tőkés as a Hungarian nationalist extremist and traitor of the Romanian nation, and denying his part in the 1989 revolution, were also published in the independent Romanian press. Over the past five years, the only article that rehabilitated the bishop’s reputation as a hero of the 1989 revolution, and which distinguished clearly between Tőkés’ radicalism and the ultra-nationalism of mayor Funar, was published by Gabriel Andreescu in 22 under the title ‘László Tőkés’.”

another article in 22, saddened and angry at the same time, in which I recounted my first story and I concluded by noting that László Tőkés was inventing Hungarian extremism.

The circumstances in which this second article was published were also very interesting. The 22 is published every Tuesday. On the same Tuesday, *România liberă* printed an editorial by Octavian Paler, the sly nationalist editorialist. He was exulting with joy because he had caught Tőkés red-handed, and could now pour his venom on him. But Paler saw an opportunity for settling other accounts as well, so he blamed me for dealing with Romanian but not Hungarian nationalists such as Tőkés. Indirectly, Paler was accusing me of being “anti-Romanian” with the same satisfied grimace with which he would have accused someone in the 1950s of being “anti-communist”. This time, however, Paler was the victim of circumstance. His thesis was published on the same day on which evidence to the contrary was made available.

14. WHAT'S A NATIVE SOUTHERNER GOT TO DO WITH THE MINORITIES?

Maybe it's time to go back to a question left unanswered: what has someone who was born and has spent his life in the Regat region got to do with minority issues? At the beginning of the nineties, when NGO activism was rarely paid as well as it often is today, minorities themselves were not a professional topic, as they are at the end of the decade, for law school or political science graduates. I, for one, had been to Cluj only once in my life, when I was 14, and I only stayed there for one day.

Seen from Buzău, where I was born, Hungarians in Transylvania seemed as far away and as nondescript as those in Hungary. There used to be a community of (probably) several thousand Serbs in Buzău. They were actually Bulgarians but, just like elsewhere, they were called after their Western neighbors. The "Serbs" organized their households on the banks of the Buzău river and, as I was still a child, they turned the town into an enviable center of vegetable agriculture. The markets were full of luscious and cheap tomatoes, cucumber, onion, cabbage, and eggplant. People from as far as Mizil and Ploiești would go there to buy them.

Their "economic identity" aside, the Bulgarians/Serbs were perfectly integrated. As for their cultural identity, the only thing that reminds me of "Serbs" is the goat leather-vest of one of my schoolmates. The "Serbs" raised sheep and goats around their households and worked the pelts into a warm and comfortable leather-vest worn directly on the skin. Since "our" Romanian leather-vests had always been rather bulky, thick and could only be worn over other clothes, the habit seemed genuinely bizarre and I have always related it to the fact that my colleague was a "Serb".

"Serbs" houses were demolished in the early 1970s. The vegetable-growing tradition of Buzău was at that moment destroyed. Today, the markets are no different from those of other towns surrounded by villages. As for the "Serbs", I've never heard any mention of them.

The gypsies, on the other hand, were a minority who made its presence clearly felt in the life of my birth-town. Since in the 1950s the community hall was located on

the very street on which I lived, I could periodically see groups of gypsies going in that direction. They were carrying their families along and they were armed with clubs and iron bars. I would watch them hidden in the shadows behind the gate of our courtyard – they were noisy as they went and equally excited as they came. The neighbors would talk about what was going on in front of the community hall: gypsies would start to fight, and they would grab their little kids by the legs and hit each other using the 5- and 6-year-olds as weapons. It is fascinating to realize that I never doubted the truthfulness of these stories, which impressed me so much that I could clearly see them before my eyes. It seems plainly evident today that, while I have seen the clubs, I have never seen them grabbing their children by the legs to strike at each other.

Later on, I used to enjoy biking on the dusty streets of Simileasca, Buzău's gypsy-district. I liked to watch the people on those streets of yellow clay. The houses were made of mud, children played half-naked in the dust, the dogs mixed among men and women, and gypsy music somehow always provided the background... There were carts with horses and haystacks, and there was soil instead of asphalt or concrete. There were wet clothes hung outside to dry, mostly red and yellow. I have always associated my biking-days and the gypsies with sunny days and taking one's time.⁹¹

I have never met any Hungarians in Buzău. When I was about 16 I made friends with a university colleague of my brother's, the "Hungarian" Ștefan Szabó, whom we called Harry. We both had a passion for manly sports, as Harry had been a boxer. Our friendship grew stronger especially because I admired two things in him: he was very dignified and very faithful to his friends. Over the years we have gone together through a lot, and I knew I could trust him completely. In 1987, when I was arrested by the Securitate, I was carrying a bottle of champagne with me. It was my Christmas present for Harry. This is probably how he came to be on one of the Securitate lists (it might have happened earlier, of course). During the events in Timișoara in 1989 he called me in Buzău (he knew I had been sent there under house arrest) although I had asked him to

⁹¹ The large number of gypsies in Buzău was partly responsible for the fact that Buzău's second mayor after 1992 was a member of the extremist PUNR. His campaign in this city without Hungarians centered on the issue of gypsy delinquency. I returned to Buzău together with my APADOR-CH colleague Manuela Ștefănescu in 1997 for an investigation in the case of a gypsy man who had been shot by the police because he had stolen from a depot near the railways.

avoid direct contacts with me. The same day he called his apartment was broken into by Securitate men who carried him away. He recounted the story later – the face of the star-shouldered officer when he said “I can hit hard too, you know.” I was so excited to listen to people who would not turn yellow in the face of paper tigers.

Yet to me Ștefan Szabó has never had any particular ethnic identity. I was aware, of course, that he was the “son of a *bozgor*”, a noble, maybe a poor one but a noble nonetheless. Back then I could not even distinguish between a *bozgor* and a Hungarian. These distinctions were meaningless simply because I had no adequate “organ” for ethnic identity. My involvement in the “Hungarian issue” came after the revolution, without my knowing, wanting, or planning it.

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Nevertheless, it came about rather quickly. In February 1990, I had been invited by the League for the Defense of Human Rights in Paris to attend a session of one of the oldest human rights organizations, of which the League was a part, the Fédération Internationale des Droits de l’Homme. The meeting was held in Prague, a city I would still cherish years later, and it lasted for two or three days. I met there Sanda Stolojan, the president of the Paris League, a translator (of Romanian philosopher Lucian Blaga, among others) and a familiar member of highbrow cultural circles. Without any human rights education, it was hardly probable that I would find something to say, especially since I was surrounded by a group of committed activists. And yet, to my surprise even, I negotiated the Federation’s Declaration, within which the Budapest League wanted to introduce a peremptory statement on collective rights and the autonomy of Hungarians outside Hungary. I had no deep understanding of the issue and I failed to see its stake. But there was something strange in the self-assurance of the Hungarian colleagues. My feeling was that they were lessening the significance of individual rights and freedoms, which I invested back then with some sort of mythological aura. I was in agreement with Sanda Stolojan and we managed to obtain from Monsieur Jacobi, the president of the Federation and of the session, support for our position.

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In the meantime, Bucharest was the site of the great confrontation between the anti-communists and the saviors of the old nomenclature and Securitate elites. I was writing in 22 about dissidence, communism and post-communism, about the members of the Front for National Salvation, of which I was a member. During the Târgu-Mureș conflict, about which we in Bucharest had little reliable information, I received a call from my friend Sorin Vieru. He had learned of the injuries inflicted upon Hungarian writer András Sütő and urged me to co-author a protest with him and fellow GDS member Pavel Câmpeanu. In the 22's tenth issue, out on March 23, we managed to squeeze a short appeal below a photograph of the famed author in which we said the following:

*“We learned with dismay that writer András Sütő has been the victim of an attack. On the background of the conflicts that are undermining the necessary and vital dialogue within our civil society, this news came as the drop that made the glass of our sadness brim over. At a time at which we need, more than ever, calm and stability, when there's hardly any alternative to dialogue among citizens, we find out that a writer who has used his pen responsibly against the Ceaușescu clique and its politics of interethnic conflict, is subjected to a treatment that points to the persistence of the violence engendered by that regime. **There is no alternative to dialogue, peaceful debate and mutual trust!** Poisonous gifts are still pouring out of the Pandora box bestowed upon us by the past totalitarian regimes of different persuasions.*

*We wish a quick recovery to our friend and express our compassion for all the victims of the ongoing conflicts that are poisoning the life of this country. We wish to express our commitment to **social and inter-ethnic dialogue** as the only cure for our common wounds. Let us then talk to each other, in the name of the fundamental values of Western culture, of liberty and democracy!”*

The text was obviously declarative and excessive in its insistence on values, Western identity, and dialogue. We had in fact little precise knowledge of the events in Târgu-Mureș and so there was hardly anything else we could say. The television, which we knew “was lying to the people”, broadcast a version that suited the Front for National Salvation. People in Târgu-Mureș might have felt dissatisfied by the lack of

precision in our appeal, or by the seemingly strange silence of 22 with respect to the events. It is equally true, however, that the protest against the molestation of András Sütő was, at least in Bucharest, an exceptional event.

It was only in the following months that the issue started to look bad: as the Romanian Intelligence Service was established, interethnic adversities were used as a form of political legitimation for former Securitate employees. The president of the national TV channel, Răzvan Theodorescu, was invited by the GDS at the Group's headquarters, where he was criticized (also) for manipulating public opinion in connection with the events in Târgu-Mureș. But by that time (at the end of April 1990), the Romanian Intelligence Service had already been created, and a relatively large number of intellectuals had obtained key information and had taken public positions with respect to the events.

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My part in the Sütő protest was peripheral. Yet that was the moment when things started to change for me. The appearance on the political stage of the most disgraceful mercenaries of the communist regime, determined “to be what that had been and even more”, unequivocally made the issue of nationalism central to the fate of our democracy. Furthermore, and this was an essential argument for me in a personal capacity, I felt that the absolute vulgarity of the attack against Hungarians was directly offensive to myself. I felt that it was less odious to be cursed than to be made indirectly responsible for having slandered other people. A little while after I had put my signature on this first “pro-Hungarian” text, I went to Hungary invited by the National Democratic Institute (NDI) as an observer of Hungarian elections.

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The invitation was apparently due to Judit Ingram, who was working for the NDI in 1990, after she had been with the American delegation at the CSCE. I had first met Ingram during an investigation by the American authorities in Bucharest⁹² during

⁹² [who was investigating what]

the first half of 1989. My name was on the list of political opponents so I went to the American embassy for a long interview.⁹³ It was a friendly encounter.⁹⁴

So there I was, leaving for Budapest, on March 22. By 12 o'clock, I had already read the newspapers on my way to the airport. It was clear to me then that the violence in Târgu-Mureș had plunged us into a different kind of world. Romulus Vulpesu had published in the daily *Adevărul* a venomous piece on the affair.

During my conversations with members of the Hungarian parties I understood that the bloodshed in Transylvania had become a matter of national importance. The Hungarian Democratic Forum (which eventually won the coming elections) used an offensive discourse. In the evening, I saw the Forum's electoral advertisement on TV. The image of Transylvania, as a part of the Romanian state, was associated with communist symbols. The Târgu-Mureș reports were showing images of the fiercely beaten man (Cofariu, then still presented as a Hungarian) among anti-Hungarian flags and posters.

An old Hungarian man who was born in Romania embraced me in Miskolc. "There are Hungarian extremists and there are Romanian extremists. They do not speak on our behalf," a member of the Hungarian Parliament later said during one of our meetings.

On the last evening, I interviewed Lajos Für, who would later become Ministry of Defense. As I look back at the questions today I find, with a certain surprise, that they were not completely irrelevant.⁹⁵ Will the "war" in Târgu-Mureș bring more votes to the Democratic Forum? He did not think so. What about the Forum's policies with respect to national minorities? It was based on 5 principles, my respondent said: (1) attention to the requests of all minorities; (2) no discrimination among national

⁹³ It was also an opportunity to send all sorts of messages [to whom about what].

⁹⁴ We went out together with a colleague of Ingram's. At street corner, near the former Société Générale building on Batiștei street, we said goodbye to each other. I was detained two meters and only a couple of seconds later. The Americans had seen what happened and had called the US embassy. I am asking myself now, though, if the move was not done simply for the show. The police van that the policeman and I were expecting in a passway never arrived. What was the point of grabbing me in front of the team of American investigators?

⁹⁵ I published an article in 22 (No. 12, April 6, 1990) in which I reflected on these questions.

minorities; (3) salvaging minorities' identity; (4) acknowledgement of the affective bonds to land and territory, respectively; (5) the right to use the mother tongue.

I asked Für about his views, as a historian, on the events in Târgu-Mureş and on the minority issue in Transylvania. His answer was full of pathos, like those of many other Forum politicians. He referred to the close bonds among individuals and those within small groups. "*And borders should be transparent,*" he added. I asked whether the autonomy of Hungarians in Romania was necessary to accomplish this goal. "*It is not,*" he answered back.

15. THE HUNGARIANS AND THE UDMR

A study published by the journal *Korunk* in 1994 showed that practically all of the over 400 investigated Hungarian organizations in Romania had placed on their agendas the development of community identity. This also meant that most of the associations and foundations established by Hungarians were paying little attention to Romanian-Hungarian relations. Salvaging the bridges has been essentially a problem of Romanian civil society. Not because the latter was somehow better than the Hungarian civil society, but because this was the logic of the events.

The corollary of this state of affairs was the considerable importance of the Democratic Alliance of Hungarians in Romania (UDMR), which managed to “confiscate” not only the domain of political relations with Romanian political groups but, as a matter of fact, the entire spectrum of the relations with Romanian organizations. (While this statement may be excessive if taken too literally, it is accurate if interpreted as a comment on the ethno-political context.)

It is for this reason that, in order to grasp what happened to ethnic relations in Romania between 1990 and 2000, one must have an understanding of the political group which played (and is still playing) a crucial part in the destiny of the Hungarian community – and thus in that of the Romanian community as well – in this country.

The Statement of the Front for National Salvation (FSN) of December 22, 1989, the first document with constitutional value after the December revolution, pledged “respect for the rights and freedoms of national minorities” and to “safeguard a status equal to that of Romanians.” UDMR’s Statement, drafted by a Council responsible for the creation of the Alliance, was issued three days later. This document defined the Alliance (UDMR), which became a legal entity on January 26, 1990, as “the organization representing and protecting the common interests” of Hungarians in Romania.⁹⁶ The statement announced the cooperation between UDMR and CFSN and set forth the basic goals of the organization: self-government, constitutional guarantees for the protection of the collective rights of national minorities, representation rights,

⁹⁶ Miklós Bakk, “The Democratic Alliance of Hungarians in Romania”, Working Paper, Institute for Central European Studies, Budapest, May 1998.

the right to publicly use the mother tongue, the creation of minority cultural and scientific institutions, and the creation of a Ministry of the Minorities. On February 24-25, 1990, the Hungarian delegates elected a fifteen-member Council: Domokos Géza as president; László Tőkés as honorary president; Károly Király as president of the Provisional Council for National Unity's⁹⁷ Minorities Committee.

It is worth pointing out here that since its inception UDMR has strived to be the only group representing the Hungarian community at large. The program stressing self-government and collective rights was designed so as to underlie the institutions of a self-governing minority, the life of which was supposed to be if not separated, then distinct from that of the rest of Romanian society. It is also interesting that the UDMR leaders wanted the Alliance to cooperate with the first power structure that emerged at the end of 1989 (the Council of the Front for National Salvation – CFSN).

This model of organization, specific to self-governing minorities, was pinned down in the months to come and then slowly worked out in more detail at each of the Alliance's congresses. The Bill on the Rights of National Minorities and Autonomous Communities was adopted in 1993 as a codification of the principles that define the substance of self-government. After the elections in the summer of 1990 and those in the fall of 1992, the UDMR practically became the unique form of representation of the Hungarian community. The Alliance in effect turned into the *administrative structure* of internal self-government.

This form of organization, which expressed the very purpose for which the organization had been created, was validated by UDMR's electoral success. Attempts at destabilization from within, designed to turn the organization into one more amenable to the desires of the Iliescu regime, failed. Couched in political science lingo, one might say that Hungarian leaders designed the relation between the Hungarian community and the Romanian society in consensualist terms. The term "consensualism" (or "consociationalism") does not appear as such in the Hungarian documents or in the

⁹⁷ *Idem*. The Provisional Council was a proto-parliament.

speeches of its leaders. The notion of a plural society is implicit in requests for the “status of co-nationality” for the Hungarian community.⁹⁸

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The conception of minority rights initially advanced by the UDMR leadership immediately clashed with the developing nationalist and ultra-nationalist movements in Romania that were encouraged (to say the least!) by the Iliescu regime.⁹⁹ So that, instead of pushing through its own project concerning its place within the Romanian state, the Hungarian community had to fall back upon a defensive stance. The tensions in the first part of 1990 and then the bloody clashes in Târgu-Mureş changed the context within which UDMR was defining its strategies. The First Congress of the UDMR, which opened on April 23, 1990, decided that the organization should break with the Front for National Salvation (FSN), which it regarded as a neo-communist structure,¹⁰⁰ and adopt instead the Timișoara Declaration. The UDMR thereby acknowledged that the first priority of the country was democratization. The main message was that the organization was open to cooperate with the pro-democratic forces in Romanian society. Starting with the spring of 1990, UDMR no longer defined its involvement in Romanian politics in terms of a plural society with borders drawn along ethnic bases,¹⁰¹ but rather along the ideological line that had fractured the entire Romanian society: democrats versus anti-democrats.

On October 26, 1990, the UDMR too part in the creation of the Anti-Totalitarian Democratic Front. Exactly one year later, the Front became a member of the Democratic Convention, a large alliance of political and civil organizations. By integrating in the Forum the Hungarian community integrated in Romanian politics.

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Throughout the following years, the UDMR participated in the design of the Democratic Convention’s strategies and projects on an equal footing with all other

⁹⁸ Spelled out at the third Congress of the UDMR.

⁹⁹ Iliescu’s support had various dimensions, so this formulation is perhaps simplistic, though convenient.

¹⁰⁰ See Bakk, *op. cit.*

¹⁰¹ This formula is somewhat tautological. Arend Lijphart defined a “plural society” as a society split alongside racial, ethnic, or religious lines (*Democracy in Plural Societies*, 1977). Theoretically, we may imagine a society split along other criteria still in need of a consensualist solution.

member groups. As for its internal program, the Alliance remained true to its original ideas. As a matter of fact, these options were shared by Hungarian representatives from all over the region and they had obviously been the product of their collaboration with partners in Budapest. The national minorities and autonomous communities bill, adopted on November 18, 1993, is structurally similar to the Hungarian law of national minorities and local self-governance adopted by our neighboring country the same year. The UDMR program, voted at the Sixth Congress of the UDMR (May 26-28, 1995), simply builds upon, enlarges and amends the project's former goals, which it adapts to the Romanian constitutional context.¹⁰²

The goals promoted by the two documents described above were regarded with little interest by the other members of the Convention. But, first and foremost, they were grossly misunderstood. The national minorities and autonomous communities bill never made it on the Parliament's agenda. In the meantime, the UDMR came under powerful legislative pressure, which culminated with the adoption of Education Law no. 84/1995. The Alliance's partners offered little support. Moreover, UDMR broke with the Democratic Convention in the early spring of 1995 on account of the actions undertaken by several Convention leaders, in particular by Sergiu Cunesco (Social-Democratic Party, PSDR) and Nicolae Manolescu (Civic Alliance Party, PAC). While the question of Hungarian loyalty was raised in order to appease public opinion (and as a result the UDMR was asked to issue a statement of loyalty to the country), the truth is that the move was internally motivated by electoral reasons.¹⁰³

Yet the fact that the UDMR belonged to the Democratic Convention secured a certain protection for the Alliance and prevented the Romanian political space from dividing along ethnic lines in a period when this could have triggered catastrophic consequences. Judging by the strategies adopted by the governing coalition during those years, it would be fair to say that UDMR's participation in the Convention limited the

¹⁰² See, for instance, the definition of "internal self-government" as a right of the country's citizenry as a whole from the exercise of which minorities should not be excluded (see Gabriel Andreescu, Renate Weber, *Evoluția concepției UDMR privind drepturile minorităților naționale*, Centrul pentru Drepturile Omului, București, 1996).

¹⁰³ The request was simply unacceptable (the other political groups had not been subject to a similar demand) and offensive (it implied a presumption of guilt). See the APADOR-CH 1995 Report.

extent and scope of interethnic conflict and prevented such conflicts from turning the country into a second Yugoslavia. The CD-UDMR alliance also underscored the importance of defining democratic forces according to their democratic allegiances rather than by taking into account other considerations.

This goes, perhaps more than anything else, to the credit of the Hungarian politicians in this country. UDMR's evolution has been the expression of a competition between radicals and moderates. Psychologically, the pressure for radicalism has been terrible as it has been constant. Think of the articles and other texts produced by a Vadim Tudor. Imagine the flags, statues, archeological sites,¹⁰⁴ plates, fines and other means harassment authorized and perpetrated by Funar and his acolytes. Under such circumstances, it took a lot of firmness not to give in to the temptation of radical discourse. Every UDMR Congress has been the site of a fierce struggle between the moderates, on the one hand, and the radicals who could always point to some incriminating evidence, on the other. And yet the moderates always won despite all the serious and legitimate grievances.

But wherein resided the difference between these two factions within the Hungarian community? Simply put, there have been two main points of contention: whether to accept cooperation with Romanian political groups; and whether to accept a strategy of incremental steps. These were hardly lateral issues. What would have happened had the UDMR walked out, like Albanians did in former Yugoslavia, of the Romanian institutional system in order to live according to their own rules as prescribed by the Alliance platform? The victory of the moderates has been one of the most substantial achievements of Romanian democracy. As a matter of fact, the achievement was both considerable and, in retrospect, spectacular. And yet few understood its real significance. There was hardly a Romanian politician who went through the kind of agonizing internal and external tests that Béla Markó had to pass. There was hardly any political group in Romania that managed to preserve inner balance in the face of such a clear-cut and substantive fracture between its two main internal factions. I simply do not

¹⁰⁴ [to be explained]

think there was any another way that UDMR could have achieved so much for the Hungarians and, at the same time, for Romanian democracy.¹⁰⁵

¹⁰⁵ In an article that certainly deserves more consideration and attention than it received at the time of publication, Dan Oprescu pinned down in his somewhat provocative, somewhat bitter and somewhat cynical style, some interesting truths: "There are several guises under which the UDMR appears to its audience (or audiences) in this country: the most familiar ... (and the most accepted) is its 'European' face... Non-Hungarians are much less familiar with the face of the UDMR before its (more or less 'captive') electorate; here the UDMR is no longer politically correct, and sometimes focuses on local interests and indulges into rhetorical excesses; ... 'The reformist platform' is vocal rather than 'nice'... UDMR 'radicals' are, as a matter of fact, 'provincialists' (and many of them are downright provincial). ... An objective observer cannot fail to notice the marginalization to which some Hungarian intellectuals condemn themselves when they refuse to 'follow the party line'...; this is the reason why the group of sociologists in Miercurea Ciuc is so marginal today (Zoltan Rostas and other younger people ... at the Center for Regional and Anthropological Research)." See Dan Oprescu, "The UDMR in 2000", *Sfera politicii*, no. 79, 2000.

Dan Oprescu's remarks were observant and intelligent, but he failed to evaluate the UDMR from a political perspective. The ultimately meaningful question is what kind of order is generated from the large mass of individual histories and personal circumstances, the assortment of civic, political and human attitudes that the UDMR is built on. Can Oprescu doubt the UDMR's contribution to the democratic emancipation of Romanian society? He says: "Our Hungarians cannot be better than us; and the best they've got are just as good as the best we've got." Such sentences may be true, but they are not very relevant.

16. LÁSZLÓ FEY, ANTON NICULESCU, PÉTER BÁNYAI, LEVENTE SALAT AND OTHERS. THE MEDIA'S LENS EFFECT

What has been said so far about the identity-centered Hungarian civic organizations was not intended as a denial of the role played by unregimented individuals as bridge-builders. Some simply refused to follow UDMR's purely political tactics. There are individuals whom I have had the chance to meet who became involved in the Romanian-Hungarian issue and passed on a lot of color, not to mention substance, to the otherwise abstract (for a "native southerner" like myself) Hungarian issue. Some of them, people such as Elek Szokoly and Gusztáv Molnár, will appear frequently throughout this volume. Others will not re-emerge, though they were equally important in both practical and subjective terms. The latter group is the subject of this chapter.

What is common to the Hungarians in the title is the fact that their undisputable loyalty to their ethnic community had never been at odds (quite the opposite, in fact, I should say) with a morally and rationally critical perspective of this loyalty. Even in the case of communities subjected to external pressures, within which the mandate for internal mobilization and solidarity is usually much stronger, such members imagined their superior task as that of saving the face of universalism.

The first name I shall recall here is that of László Fey. All these years, he has been the perfect Hungarian counterpart of Romanians who have turned the mutual acknowledgement of the two communities into a personal goal. He belongs to the group of people eager to invent excuses for the members of the other group rather than for one's own, who are less interested in the faults of neighbors and more interested in their own flaws. This attitude has probably less to do with the community and more with individual dignity and generosity. Nevertheless, though the motivation may be individual, it constitutes an exceptional catalyst for large-scale phenomena. One should note, moreover, that the status asymmetry between minorities and majorities makes this kind of critical distance even more difficult for members of the former.

László Fey has written rather extensively for 22. Many of his articles dealt with the general issue of nationalism. At other times, he openly wrote in the Romanian media about the shortcomings of the Hungarians' political strategies. In this he was a true exception. It mattered a lot that a Hungarian wrote critically and without prejudice about certain attitudes of bishop Tőkés, at a time when "your own people" were oblivious to things that they would grasp only years later. "It would be great if bishop Tőkés finally realized that his character and his training make him fit for the pulpit rather than politics," he wrote in a 22 exchange in which he showed that he shared some of the majority's concerns.¹⁰⁶

Fey was courageous enough to open for debate a sensitive topic such as the tradition of anti-Romanian chauvinism among the Hungarians. In another 22 article titled "The Roots of Hungarian Anti-Romanian Chauvinism", he wrote the following: "Romanians could not become city-folk because the city had a special status: without an approval from the city authorities one could not purchase land or a house or settle. Romanians, just like Jews, were not wanted by the Germans and the Hungarians in their cities; this was not due to their national background (this was hardly an issue in those days) but because of their religion, the Orthodox religion in the case of Romanians." On the background of this analysis, Fey suddenly moves to the delicate matter of the "sources of contempt": "The Hungarians felt contempt toward Romanians, whom they regarded as a people of uncultivated, uncivilized farmers and cattle-raisers. ... The Romanians were called, because of what they wore, '*opincari*'.¹⁰⁷ This baseless contempt has other roots as well. Although liberal conceptions started to appeal to Hungarians rather early, during the first half of the [19th] century, the public opinion in the intellectual circles was still holding on to many feudal conceptions. This was the case especially among the gentry, the small nobles who, having lost their fortunes, clung to their pride."¹⁰⁸

László Fey does not forget to mention, in the same article, that the Trianon Treaty traced frontier lines without paying much attention to ethnic boundaries, so that

¹⁰⁶ In 22, No. 12, April 22, 1995.

¹⁰⁷ The *opinci* were a type of soft, pointed shoes worn by Romanian peasants.

¹⁰⁸ In 22, No. 20, 2000, reprinted in *Dialog Interetnic*, Cluj, No. 2, 2001.

Romania ended up with 1.7 million Hungarians, while Hungary only had a minority of 30,000 Romanians. Neither does he forget to complain about the “Romanization” of the Bolyai University. Yet, staying true to historical fact, he does point to circumstances that some would have rather swept under the rug. It is not very easy to refer to the superior political and social tradition of the Hungarians when this may be interpreted as an excuse for the desire of this community to live today in its own secluded cultural space; not to mention the suggestion that this may be a source of the complexes of many Romanians, behind the violent accusations of whom (e.g. that Hungarians are belatedly christianized barbarians, or an Asian horde who had settled in the region) lies some diffuse feeling of inferiority.

László Fey is a member of the Association for Interethnic Dialogue in Cluj. He has turned his attitudes into a coherent ideology by which he judges himself and the others. A Hungarian in whom I have never noticed any ideological temptation (no tendency to value projects and initiatives over reality) is Toni (Anton) Niculescu.

I met Tony in the early 1990s. Soon after the revolution he worked as a journalist with the Hungarian department of *Radio Free Europe*, and then as a political counselor of the Friedrich Neumann Foundation. He was attentive to anything that could somehow overlap with his own interest. He monitored the activity of the Group for Social Dialogue and the Helsinki Committee, and he tried to contact me. After 1993, he became one of the counselors of UDMR President Béla Markó, and eventually was appointed the latter’s Chief of Cabinet, a position he held until 1997. During this period our relationship, though held together only by rather infrequent interaction, resulted in some key achievements. One of these was the involvement of APADOR-CH in a four-sided relation with the UDMR, the National Minorities Council and the OSCE High Commissioner for National Minorities. To the UDMR, the involvement of the Romanian Helsinki Committee could be advantageous. I believed so too, just as I believed that the relationship benefited the Committee to an equal degree. The effectiveness of its positions on national minorities reached a peak during that timeframe. Toni was an ardent advocate of our involvement, a position which mattered in a period when even the UDMR radicals were giving us some credit.

The trust of Béla Markó's adviser was due, perhaps paradoxically, to our critical study of the UDMR bill on the rights of national minorities and autonomous communities. Toni Niculescu publicized the study among his colleagues in the Alliance, apparently considering the arguments therein a cool-minded, uncompromising analysis that ought not to have been ignored.

Our mutual sympathy – well, of mine I am at least sure – was put to good use once again in 1995, as the Alliance was pressured by the Democratic Convention (CDR) into leaving the coalition. It is easy to imagine the position of the Hungarian leaders: after having to face the hysterical campaign of the nationalist majority for years on end they were being accused (and offended) by their partners inside the democratic coalition. After investing so much in their solidarity with the anti-Iliescu bloc, an assemblage that was otherwise poorly organized and even more poorly run, they now had to withstand public ostracism.

The Helsinki Committee issued a series of positions on the question of Hungarian loyalty and respect for the Romanian Constitution. These analyses, to which the catastrophic positions of the other parties were no match, were sent to the international monitors of Romanian nationalism and benefited from the constant backing of the UDMR. I suggested to Toni that the UDMR should not leave the Democratic Convention and should let the CDR itself undo the alliance, lest the Alliance should later come under fire for its having broken the coalition.

This precisely what the UDMR eventually did. Toni had been carrying around the letters. The “separation” of the Alliance from the Convention was in fact quite confusing and occurred merely at the level of public statements. No formal, irreversible decisions were actually taken. Later on, this allowed the bridges to be easily rebuilt and enabled the two groups to govern together.

In 1997, Toni Niculescu became the government's deputy secretary general and then an UDMR secretary of state in the European Integration Department. Since we were both involved with European questions we started to meet more often. I do not

think I have seen anyone, during all these years, occupying a position of high authority while at the same time displaying such modesty,¹⁰⁹ propriety and seriousness.

I guess Toni Niculescu profited a lot, as a Hungarian, from his extended experience in Bucharest. Nothing in his attitudes ever suggested that drive “to catch up” which is apparent in many provincials. There was no sign of the uptightness that sometimes goes with a powerful consciousness of one’s identity – the kind that I discovered in another Hungarian of Bucharest, Hugó Ágoston, editor of weekly *A Hét* and author of a wonderful series in the magazine *Provincia* on “Bucharest as a province”.

Toni Niculescu has remained a consistent, coherent and perfectly rational actor, and his modesty, that of a man who knows he can always learn something useful from somebody else, in a way sharply contrasts with his successful career. I hesitate to call him something like “a true European”. He is an universalist who keeps ethnic superiority at bay.

*

If Toni Niculescu seemed the most balanced of my Hungarian partners – balanced in terms of his Hungarian identity, that is – Péter Bányai is definitely the most picturesque. A Hungarian Jew, the son of a Romanian Communist Party (PCR) apparatchik,¹¹⁰ Péter had rejected his father’s political identity since he was a kid. A physicist and jazz lover, he was a good son of bohemian Bucharest in the 1960s and 1970s. Imaginative, paradoxical though consistently rational, close to the orthodoxist Horia Bernea yet himself a levelheaded agnostic, restrained yet caring, Bányai could be an unique character in a novel – that of the children that the communist nomenclature alienated even as they were born.

Like any physicist who does not betray his analytical experience, Péter became an analyst of political life. His studies of electoral geography are important to researchers and are a good instrument with which to combat identity-oriented speculations. But what makes him such an interesting figure is not his set of intellectual skills or his determination in applying them to social life. It is rather his humanism, too

¹⁰⁹ The attitude of some colleagues at the GDS was, by comparison, shocking.

¹¹⁰ Ladislau Bányai, at one time rector of the Bolyai University in Cluj.

often offended by the “leftist” label, the panache of his version of liberalism, the consistency of a man who has always refused to let himself submit to “bourgeois respectability”.¹¹¹

I could always trust Péter Bányai’s rational and liberal attitudes.¹¹² The 2000 elections turned him into a champion of e-mail. When the notion that the second run for president should be boycotted won the support of a number of famous intellectuals, he immersed himself angrily into the debates, shouting (in electronic fashion): “Brothers and sisters, are you nuts? How can you place the equal sign between Iliescu and Vadim?” A few months later, after the status law was voted in the Hungarian parliament, he asked, “What’s going on with these people? Are they insane? How could they even imagine such a thing as a Hungarian identity card?”

The Law on the status of Hungarians in neighboring countries is not so much a problem for Romanians (the hysteria in Bucharest is merely a sign of legal illiteracy, and quite counterproductive at that) as it is to Hungarians. The perversity of an “official” acknowledgement of one’s identity, compounded by the administration of the “confirmation procedures” by organizations that can benefit from this prerogative, was much more clearly understood by Bányai than by his Romanian colleagues. It is comforting to see a true-blue anti-nationalist who knows that in order to become such a thing one does not have to reject one’s identity, but only its exaggerations or, as Péter likes to say, its idiocies. He is an adversary of the (hypocritical and cynical) fundamentalist policies of Viktor Orbán and a critic of the radicalism of those Hungarian politicians who, whether in Cluj or in Bucharest, could not distinguish clearly between their private interests and their political ideology.

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¹¹¹ In the early 1990s, at a time when he was in financial difficulties, he did not hesitate to criticize his bosses – Géza Domokos and Géza Szocz – in spite of the fact that he knew this would lead to his dismissal as editor of the magazine.

¹¹² To refer to his “liberal attitude” is by no means to suggest that he is unaffiliated. Péter Bányai is a member of SZDSZ, the only party in the Hungarian parliament who did not vote in favor of the so-called “status law” (on Hungarians in neighboring countries), both for ideological and for electoral reasons. Their arguments, it should be said, do not coincide with those of Romanian opponents: SZDSZ believes that the Hungarian government should allocate larger resources than the ones currently made available in order to support Hungarians outside the country’s frontiers.

Going through the memories of my relations with Hungarians, some of which were also emotionally rewarding, I realize now how different were the individuals I have met and grown fond of. How could I even begin to place Levente Salat alongside the three men I mentioned above? Very quiet, looking much younger than he actually is (over 40), almost too polite, Salat has the air of a person who likes to listen and judge. Could one attribute his proud benevolence and sobriety to his deliberate and overt awareness of his identity as a Hungarian?

I met Levente Salat first in his capacity as editor of the journal *Korunk* and then as director of the Cluj branch of the Open Society Foundation.¹¹³ His colorful appearance was later radically reinforced by the intellectual dimension of the character. I had the opportunity to read his texts in Romanian translation in *Korunk* and *Cumpăna*.¹¹⁴ However, I was first truly impressed by his study in *Provincia* (no. 6, 2000) on “The state of spirit of the Hungarians in Romania”. Its depth moved me in a way that no other work by a Hungarian analyst has matched to date. I have chosen one of his sentences as a motto: “The deficient nature of reflections on one’s own history may result, on the one hand, in the fact that the past that we wish to overcome keeps coming back to haunt the present, and, on the other hand, in the fact that entire generations are being lulled by illusions so that their spiritual energies, which deserve better, are put to use to ill-conceived goals.”¹¹⁵

Levente Salat is also the author of the first Romanian book-length study of multiculturalism,¹¹⁶ a superb essay written with a keen sense of conceptual hierarchies and possessed of an educational force that is present only in authors who fully master their research topic. The finale of the book is worth quoting in full: “The reasons for ethno-political mobilization will not disappear as long as the principles of ethnic fairness, as formulated by the liberal or by other similar, improved theories of minority

¹¹³ In 1999, the OSF became the Resource Center for Ethnocultural Diversity in Cluj (I am a board member).

¹¹⁴ “Autonomia intelectuală precum o permanentă căutare”, *Cumpăna I*, Cluj 1994; “Natura paraliziei”, *Cumpăna 2*, Cluj, 1995.

¹¹⁵ An English version was presented in London at the conference “Transylvania: EU Enlargement, Regionalism and Ethnic Politics in Romania”, March 3, 2001, under the title “Devolution versus Consensualism”.

¹¹⁶ The study, which has been recently published as a book by *Polirom*, is in fact his doctoral thesis “Multicultuality and European integration: A Critical Approach”.

rights, are not fully acknowledged and applied within the framework of an universal consensus, analogous perhaps to the one that stood behind the adoption of the Universal Declaration of Human Rights. ... I am personally convinced, however, that as long as the right to effective equality among ethnocultural groups – a right which, as we have seen, completes universal human rights and renders them more authentic in the context of diversity – is regarded with reservations, and as long as some national identities are privileged over others on morally arbitrary grounds, stability in the world can only be based on the self-conscious acceptance of the not very heartening fact that the ideal of the liberal rule of law is a pure, albeit noble, fiction; and that the political, spiritual and cultural well-being of a large majority of the world population can only be preserved at the expense of the violation of the rights of other, numerically important minorities.”

This conclusion shows a serious and consequential observer of the destiny of the Hungarian minority in Romania. His intellectual qualities and his intellectual career could decisively influence the space of self-reflection within his community.

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One of the questions that puzzled me until about 1993 concerned Hungarians’ interest in segregated schools. Why don’t they like the idea of mixed schools? It is obvious that some parents prefer separate classes. But where did the *principled* opposition to schools in which Romanians and Hungarians should study *together* come from? In a 22 editorial, I even refereed to the “obsession among the representatives of the Hungarian community with the separation of schools, as if the natural right of using the mother tongue in education had to be supported by severing communicational ties between children of different ethnic backgrounds.”¹¹⁷

A short while after publishing these lines I received an answer, published in 22 in the “Letters” column.¹¹⁸ The author, Éva Pollnitz, made a few important points on a friendly tone. Simply put, she suggested that Hungarian schools are community institutions which are essential not only for the preservation of the community’s language but also for cultural coherence: “*The great Hungarian schools, the gymnasyums, are very old and have powerful traditions. The most important and the*

¹¹⁷ “Etnocentrismul, o inconsecvență”, 22, No. 42, 1993.

¹¹⁸ In 22, No. 46, 1993.

most representative of them (those in Cluj, Târgu-Mureş and Aiud) are over 400 years old.” She also shared the story of her formative experience in those schools, “which no one touched until 1984”. After 1984 they were turned into mixed schools. The effects of this change immediately left their mark on the system of Hungarian education. After a short while, “the use of Hungarian language in traditional holidays celebrations all but disappeared”.

Éva Pollnitz opened her letter by asking me, with some kind of obliging irony, how familiar I was with life in the Ardeal region.¹¹⁹ She then went on with a generous, educational invitation: “To let you understand better the atmosphere here, I solemnly promise to send you an invitation for the beginning of summer, so please do your best to visit us during the holiday” (the end of the school year at the school where her children were studying).

The invitation did come and I did my best to go to Cluj, where I met a family of Hungarians consisting of two sweet children and two lively adults – two intellectuals leading an austere life, although in a normal society they would have probably been a part of the upper-middle-class. The same was true of many a Romanian family, of course, but unlike the latter, the Pollnitzs could blame a culture (and a mentality) that was alien to theirs.

I attended the school celebration, we said good-bye to each other, and then we met again a few times in the years to come. As time passes, these meetings will become the subject of nostalgic remembrance. Anyway, after 1994 I never again mentioned the “obsession with the separation of schools.”

*

There were a few disappointing experiences as well. Gábor Kolumbán, a physicist, a man with a very disciplined and well-structured thinking, was a rather big surprise. His pedagogical talent made him a constant presence at seminars and colloquia, where his rationalist spirit and his ability to grasp and refine ideas were always important assets. Gábor dealt with a field that was complementary to the one I

¹¹⁹ She was apparently right to ask that question. Even today I am teasingly asked by my friend Elek Szokoly, whenever I send him my studies for *Alterra*, what does a native southerner have to do with minority issues...

was exploring at the Helsinki Committee: he was specialized in regionalism and covered an area that had few researchers in this country. As president of the city council in Miercurea Ciuc (the heart of Harghita county), he proved – as he put it with undisimulated satisfaction – how far you can go with local autonomy within the existing legal framework.¹²⁰ He did pretty well, which is to say he went pretty far.

This extraordinary mind – in the oppressive eighties, his area of research was non-linear systems analysis, which sounds quite impressive even (or perhaps *especially*) to those who know what that is about – gradually turned illiberal. At the end of the 1990s, Gábor Kolumbán became closer to the radical wing of UDMR. He sought to prevent the publication of a country report on the “leadership of local communities”¹²¹ because it contained a positive assessment of the evolution of Romanian-Hungarian relations in post-1996 Romania.

It was surprising to see at several meetings (to which my participation was as a mater of fact exceptional¹²²) that he considered the Romanian-Hungarian issue the expression of a tension between two alien identities. The Romanian one would be Balkanic because of generalized practices such as bribery and broken engagements; the Hungarian identity, on the other hand, was Central European because it embodied the virtues of correctness, punctuality and dignity. Other speakers also expected me to acquiesce in this stereotyping. But the problem was not so much that in the Alliance’s backrows there were still nostalgics. Rather, the problem was that the participants failed to assume a position against this unhappy concurrence between our own stereotypes and theirs.

The lens effect of the Hungarian press

It is difficult to gauge the extent to which inter-personal relations between Hungarians and Romanians molded multicultural life in post-communist Romania. The above are a few portraits in a subjective gallery. The relations that were ethnopolitically relevant were, as noted, numerically marginal. Yet for various reasons they mattered a lot. The hunger of the Hungarian media (of the newspapers and periodicals, but also of

¹²⁰ He was also for a short while adviser of prime minister Radu Vasile.

¹²¹ This initiative of elaborating a regional textbook on the management of multiethnic communities, addressed specifically to the local authorities, belonged to the Budapest Open Society Institute.

¹²² Such meetings of Hungarian associations were for all practical purposes closed to outsiders.

the TV channels) to cover the communiqués or other statements and positions of Romanians sympathetic to the Hungarian cause amplified the impact of the small number of Romanian personalities upon the Hungarian population.

Nevertheless, it was not only pro-minority statements, but also the daily, routine activities of associations such as the Pro-Europe League, APADOR-CH, and the Association for Interethnic Dialogue that received better coverage in the Hungarian media than in the Romanian press. Everything related to the democratic reformation of Romanian society or to the support of the pro-European trend was greeted with arms wide open. The Hungarian press had been publishing important articles by non-Hungarian democrats, from Victor Ciorbea and Emil Constantinescu to Andrei Cornea, Doina Cornea and Smaranda Enache. Hungarian readers could get acquainted to pro-European Romanians and abandon cultural confinement. As a result, many Hungarians were protected from the risk of radicalization and, perhaps for the first time after 1989, they had credible evidence that their cause was also the cause of some Romanian democrats.

This is the reason why Romanians such as Smaranda Enache of Târgu Mureș and Octavian Buracu of Cluj were much more familiar among the Hungarians than among Romanians. As an anecdote, I should mention that Smaranda was awarded the prize of the Association of Hungarian Journalists in Romania in 1994. Paradoxically and embarrassingly for the category of Romanian journalists, I was awarded the same prize twice.¹²³

¹²³ Such distinctions honored civic rather than journalistic performance.

17. NATIONALIST INFILTRATIONS IN THE ROMANIAN CONSTITUTION

The nationalist agitation of 1990 and 1991 went far beyond verbal strife and mere demagoguery. Like radioactive junk, it left traces that affect Romanian life to this day. The nationalist agitation infiltrated the Constitution and thus determined, in the long run, the mentality and the practice of political actors.

The nationalist and conservative bearing of several articles in the Romanian Constitution was clearly apparent during the debates in the Constitutional Assembly. Rather than define the essence of the Romanian state by reference to democratic and humanist values, the preamble of the basic law included the slogan-like phrase “the national and unitary state”. A phrase which former Minister of Foreign Affairs Adrian Severin aptly criticized as interpreting “national” as “nationalist” and “unitary” as “centralized”.¹²⁴

This is not a *post factum* simplification of the meaning of these words in the Constitution. Rather, there has been a deliberate attempt to impregnate the basic law with nationalist wisdom and the proof is easy to read in the comments of the team that drafted the Constitution. In their 1992 volume, the “fathers” of the Romanian Constitution, Mihai Constantinescu, Ion Deleanu, Antonie Iorgovan, Ioan Muraru, Florin Vasilescu and Ioan Vida described the state in purely ethnocratic terms.¹²⁵ Their argument ran as follows: (1) the state is “national” because it is the expression of the organization of a nation; (2) the nation is based on “the community of ethnic origin, language, culture, religion, spirit, life, traditions and ideals.”¹²⁶

The state is “unitary” because “it has one center of political and governmental impulse.”¹²⁷ To the authors of the constitution draft, the pyramid acted as an inspirational structure: “The unitary state ... is similar to the geometric figure of the pyramid.”¹²⁸ This structure “is the only one adequate to represent the Romanian state

¹²⁴ Adrian Severin, “Federalism-federalizare-separatism”, in his *Europa 2000. Contribuții la dezbaterile privind viitorul Europei*, InterGraf, 1999, p. 37.

¹²⁵ Mihai Constantinescu, Ion Deleanu, Antonie Iorgovan, Ioan Muraru, Florin Vasilescu, Ioan Vida, *Constituția României, comentată și adnotată*, Regia Autonomă “Monitorul Oficial”, 1992.

¹²⁶ *op. cit.*, p. 7.

¹²⁷ *idem.*

¹²⁸ *idem.*

with its homogenous population and a clear numeric majority.”¹²⁹ Hence Art. 1 cannot be revised.¹³⁰

It is therefore not surprising that on the basis of these conservative notions Art. 4 can serenely proclaim that the foundation of the State is the unity of the Romanian people. Reductive and offensive to the minorities, this is the most ludicrously nationalist statement in our fundamental law. It is also the reason behind the wave of protests that accompanied the adoption of the Constitution, and behind the resignation of Károly Király after the party he belonged to, the UDMR, was defeated in one of its most important battles: that of introducing a multicultural paradigm in the basic law.

At the various seminars, round-tables, and workshops that I attended after December 1991¹³¹ I referred to the conservative-nationalist paradigm of the Constitution. The UDMR did the same thing. Yet from a certain point, complaining about a settled fact now seemed counterproductive. After all, Articles 1 and 4 could be considered as simply declarative and rhetorical in nature. The Constitution made room for decentralization and for the adequate protection of minorities. Art. 6(1) acknowledges “the right of persons belonging to national minorities, to the preservation, development and expression of their ethnic, cultural, linguistic and religious identity”. Parliament seats are set aside for minority communities and justified in terms of a collective right – and a very clear-cut one at that – which is absent in many similar documents.

Since in the mid-1990s there were no opportunities in sight to change the Constitution – and it is not a good idea to change a constitution too often anyway –, the only way out of constitutional dilemmas was the positive way. One had to look away from the words of the Constitution and see what could be done on a political level. In 1995, APADOR-CH suggested a solution for overcoming the ambiguities in the interpretation of the articles concerning the “national and unitary state”: “... it is necessary to define explicitly the civic character of the term ‘national’ in the text of the Constitution so as to leave no room for other interpretations, and to avoid the disputes

¹²⁹ *op. cit.*, p. 8.

¹³⁰ As a matter of fact, in order to be revised it needs the prior revision of Art. 148(1), which sets forth limitations in the revision of the Constitution.

¹³¹ The month in which the Constitution was adopted.

that may harm interethnic peace arising from said interpretations. The German case seems to be a good model. In referring to Art. 20 of the German Constitution, which employs the terms ‘Volk’ (people), the German Constitutional Court noted, in its October 31, 1991, decision, that the term ‘Volk’ in the Constitution signifies the community of the citizens of the Federal Republic. This solution would be salutary in Romania as well, as it would rule out an ethnicist interpretation of the concept ‘national’ in the constitutional text, and hence the possibility of disputes in this respect. One option would be to suggest to the UDMR that instead of contesting Art. 1(1) of the Romanian Constitution it could negotiate with the interested political groups an explicit definition of the civic sense of the term ‘national’ in the text mentioned above.”¹³²

Political solutions were available. Unfortunately, this was precisely the problem: it was not the letter of the Constitution but the political reality surrounding it that really mattered. The fall of 1992 was, once again, general election time.

¹³² APADOR-CH communiqué of February 24, 1995 (APADOR-CH Report, Bucharest, 1995).

18. NATIONALIST DOMINATION BETWEEN 1992 AND 1996¹³³

The victory of the Party of Social Democracy in Romania (PDSR) in 1992, the surprising success of the Party of National Unity in Romania (PUNR), and the presence of the Greater Romania Party (PRM) and the Socialist Workers' Party (PSM) in the Parliament sealed the fate of the country until the following round of elections.¹³⁴ These four parties (plus the Democratic Agrarian Party of Romania, PDAR) made up the majority that supported the nomination of Prime Minister Nicolae Văcăroiu. As time went by, PDSR's allies got closer and closer to the center of executive decisions. In August 1994, PUNR obtained two ministries (that of Communications, headed by Adrian Turicu, and that of Agriculture and Food, headed by Valeriu Tabără). That was also the time when it was discovered that Iosif Gavril Chiuzbaian was a member of PUNR. After PUNR officially secured its representation in the executive, Romania became the only European country with an extremist¹³⁵ party in the government.

Both PRM and PSM obtained sub-ministerial positions in the government. In January 1995, PDSR, PUNR, PRM and PSM signed a protocol to support prime minister Văcăroiu. From that moment on, the Romanian state turned anti-Hungarian. During the same month, Iosif Gavril Chiuzbaian (who was then the Minister of Justice) lent his support to the movement for the outlawing of UDMR. Also in January, the Greater Romania Party adopted a document which described several acts of the Hungarian organization as "anti-Romanian" and requested that UDMR be made illegal. The arguments put forward were this: "Hungarian parliamentarians voted against the Romanian Constitution"; "they complained before all international bodies to which Romania is a party about the rights of the Hungarian minority, thereby offering a false picture of the reality"; "UDMR members are obsessively featured on signature lists

¹³³ This chapter closely follows the study I co-wrote with Renate Weber in February 1995, perhaps one of our most important (but unfortunately inadequately promoted) writings ("Naționalism și stabilitatea statului de drept", *Studii internaționale*, No. 1, 1995, pp. 47-62).

¹³⁴ Only the stubborn naiveté of the Convention leaders could make them eagerly anticipate the fall of the government and early elections within a few months after the elections.

¹³⁵ Some authors opted in favor of the more technical term "hypernationalist". See John Mearsheimer, "Back to the Future: Instability in Europe After the Cold War", *International Security*, Vol. 15, No. 1, Summer 1990, pp. 5-56.

requesting the president's resignation and the dismissal of the government"; "UDMR leaders are regular visitors of Budapest"; "they refused to participate in the activities of the Council for National Minorities"; "they instituted a mini-parliament under the guise of the UDMR Council of Representatives and the Council of UDMR Mayors and Councilors; etc."¹³⁶

Nationalism within the government was not merely a matter of raised voices and heated antagonism. The accession of PUNR, PRM and PSM members to the governmental structures had a direct effect upon the activities of the ministries and other official bodies. This was a real reason for anxiety, since their influence could lead to a quasi-total control of the authorities and agencies in charge with national security.

Since the main structures in charge with national security are called upon to support Romania's interests on the long term and globally, national security institutions should ideally be independent of political circumstances. Their behavior is crucial to the state's ability to preserve internal stability and international credibility. From this perspective, Romania's institutional system appears extremely fragile. The relative independence of national security institutions from political actors is usually encoded in legislation and practice. Legislation provides the most important guarantees that national interests will prevail over contingent interests. Therefore, no matter how tiresome the review of the relevant legal norms, this step is necessary in order to understand the way practices and norms interact in Romanian society. Below is a short introduction to two of the fundamental laws concerning national security.

The Law concerning the creation, organization and operation of the Supreme Council for the Defense of the Country¹³⁷ (CSAT) and the Law concerning Romania's National Security¹³⁸ both predated the Constitution. One could easily see that both were full of glaring gaps and numerous other imperfections which placed in the hands of an extremist government various means of undermining democracy. In other words, the

¹³⁶ CARTEA NEAGRĂ A ACȚIUNILOR ANTIROMANEȘTI ȘI ANTIDEMOCRATICE PE CARE ORGANIZAȚIA TERORISTĂ UDMR LE DESFĂȘOARĂ DE APROAPE 5 ANI ÎMPOTRIVA ROMÂNIEI, *România mare*, No. 239, February 3, 1995. Capitals in the original.

¹³⁷ Law no. 39 of December 13, 1990.

¹³⁸ Law no. 51 of July 29, 1991.

norms were poor enough to allow for the, let us say, quasi-legal violation of democratic values and principles by the public authorities.

The Supreme Council for the Defense of the Country (CSAT) is the highest institution in the field of national security. It was established for the purpose of “organizing and coordinating in an unified fashion activities concerning the defense of the country and its security during peace and war time...”¹³⁹ The law set forth the prerogatives and the controlling powers of this body. One year later, the Constitution would state the following: “The Supreme Council for the Defense of the Country organizes and coordinates in an unified fashion activities concerning national defense and security.”¹⁴⁰ And that was all. No mention of powers and prerogatives, but merely a provision that CSAT reports are to be discussed during a joint session of the houses of parliament.

Under such circumstances, the organization and operation of the CSAT were left at the mercy of ordinary laws, that is to say of politicians. The language in which Law 39/1990 was framed pointed to a few other things as well. The phrase “the security of the state” was significant – the CSAT was supposed to exercise “any other functions concerning national defense and the security of the state”. But why “of the state”? The Constitution refers to “national security”, as do all relevant international documents, in order to emphasize that institutions are in the service of the nation rather than in the service of themselves. Since a state is a legal and political organization which has the power to request the submission and loyalty of its citizens,¹⁴¹ it follows that what the CSAT is supposed to protect is the Romanian state (the public authorities and the structures of power) rather than the nation. These are subtle nuances, which the layperson might easily overlook, but they may generate large-scale effects. In a state where the mutual control of the institutions (the so called “checks and balances”) is

¹³⁹ Law no. 39 of December 13, 1990.

¹⁴⁰ Art. 118 of the Romanian Constitution.

¹⁴¹ Hugh Seton Watson, *Nations and States*, London: Methuen, 1977, p. 1.

fragile, such subtleties are decisive, and even more so when the subject is that of security institutions.¹⁴²

The enhanced powers granted to the CSAT by its organization and operation law appeared especially problematic because the Council's powers were poorly circumscribed and subject to control. According to the law, the CSAT exercises "any other functions concerning national defense and the security of the state" without offering any hint about how these other functions are assigned to it. Not even the phrase "in accordance with the law", so common in the Romanian legal environment, made it into the document. One sunny day the Council, which is a body of public administration body, could simply substitute itself for the parliament and bestow upon itself any competencies specific to its field of activity that it may find appropriate. Add to this the fact that "the decisions adopted by the Supreme Council for the Defense of the Country are binding on the citizens, as well as on all other institutions and entities to the activities of which said decisions may refer."¹⁴³

The authors of the CSAT law designed an institution above control, a sort of military government.¹⁴⁴ It is true that the CSAT has to "submit to the Parliament through one of its members an annual report of its activities, as well as other reports, upon request by the Parliament, whenever deemed necessary."¹⁴⁵ But the law does not mention any powers of the Parliament with respect to this report and neither does it provide for any sanctions in the event that reports are not duly submitted.

Such legal errors or flaws have been exploited during the rule of the nationalist-extremist coalition.¹⁴⁶ The PUNR president requested that the Romanian President, in virtue of his powers granted by Art. 93(1) of the Constitution, declare a state of emergency in several localities in the counties of Harghita, Covasna, and Mureș.¹⁴⁷ It looked like the days of insults and verbal offenses were over. In was the era of real

¹⁴² Lest one should think that the whole affair was a matter of legal absent-mindedness or incompetence, I should note that in 1994, when a bill amending the Criminal Law was submitted to the Parliament, it included a new crime related to "the security of the state".

¹⁴³ Art. 9 of Law no. 39/1990.

¹⁴⁴ That such fears are not ungrounded was proven by the case of former Ministry of Foreign Affairs Adrian Severin, whose resignation was ultimately decided within the CSAT.

¹⁴⁵ See Art. 8 of Law no. 39/1990.

¹⁴⁶ [date]

¹⁴⁷ *Cronica română*, No. 618, January 30, 1995, p. 4.

threats with legal solid backing. The Romanian President did have the constitutional power to take such a step, which the Parliament had to approve within 5 days. According to its own status, the CSAT could analyze and approve “the necessary measures ... in a state of emergency”. As noted, such measures fall outside parliamentary control and are binding on all citizens.

Because of its membership, the CSAT is a very politicized structure. Eight of out ten members may belong to a political party: the prime minister, the industry and trade minister, the minister of national defense, the minister of the interior, the minister of foreign affairs, the head of the President’s Department of Political Analysis; the head of the Romanian Intelligence Service. The Council organizes and coordinates the activities of the SRI, which is an institution specialized “in the field of information concerning Romania’s national security.”¹⁴⁸

The CSAT’s power to institute discretionary policies in the field of national security was aggravated by other legislative flaws with respect to Romania’s national security. Any actions are permitted with the purpose of “defending” national security, including the “recording, copying or otherwise gathering of information by any means; the setting-up of devices, maintenance and relocation thereof...”

Who will prevent one from producing incriminating evidence against undisciplined, bothersome citizens in the name of national security? As a matter of fact, hasn’t this been a rather common procedure in the case of interethnic incitements? How can prosecutors’ warrants help in such a case? The safety and protection of citizens is not safeguarded by the prosecutor’s involvement, but only by the citizens’ power to contest the acts of prosecutors. And yet, in accordance with the law, “where appropriate, the general prosecutor may extend upon request the term of the warrant for up to 3 months at a time.”¹⁴⁹ The lack of any provision putting in place a limit for the term of the warrant means, in effect, that intelligence gathering activities can be extended to cover an individual’s entire lifetime. Indeed, the individual in question may never find out that his correspondence is violated, his phones are tapped, his movements are recorded etc. Such powers are characteristic of authoritarian regimes. In this case,

¹⁴⁸ Art. 1 of Law no. 14/1992.

¹⁴⁹ Art. 13, para. 5 of the National Security Act.

references to the national interest made by a nationalist regime led, as a study of the matter concluded, to norms that “substantially violate human rights.”¹⁵⁰

This brief discussion of acts adopted after 1990 was designed to show how legal imperfections were capitalized on by the nationalist regime that ruled the country between 1992 and 1996. The subordination of the rule of law to the ideological outlook of the PDSR-PUNR-PRM-PSD alliance is clearly visible in another text adopted in May 1994: “The Integrated Concept of Romania’s National Security”. The document was elaborated by the CSAT and subsequently submitted to the Romanian Parliament for approval. The chapter entitled “External risk factors” contained the following observation: “The distorted perception prevalent abroad on internal developments and the difficulties of the transition process, as well as the fact that political forces in Romania failed to adopt a concurring position on such matters, has resulted in the past and may do so in the future in reservations concerning Romania.” In other words, a critical assessment of the internal situation, coming from a Romanian citizen and communicated abroad, is a risk factor which threatens national security. People criticizing Romanian nationalism were directly targeted. This hypothesis – but is it a mere hypothesis? – was confirmed by the initiative of amending the Criminal Law to introduce the crime of “defamation of the country or the nation”, voted by the Romanian Senate in February 1994: “Public defamation by any means of the country or the nation is punished with between one to five years imprisonment.”

The deeper views advanced by the authors of the “Integrated Concept” were laid bare at the point where the document elaborated on the matter of external risk factors: “The main global risk factors include the explosion of nationalism and national rivalries, the deepening of ethnic tensions and religious intolerance, as well as the vulnerability of countries undergoing transition.” The implicit reference was to Hungary, Ukraine, and perhaps also Bulgaria, which at the time were asking questions about their ethnics in Romania. Interestingly, “internal risk factors” failed to include the

¹⁵⁰ A. Eide, Second progress report, “PROTECTION OF MINORITIES”, Sub-commission of Prevention of Discrimination and Protection of Minorities, Commission on Human Rights, ECOSOC, E/CN.4/Sub.2/1992/37, July 1, 1992, para. 18, p. 4.

same dangers of nationalism and nationalist extremism, despite the fact that they constituted the key sources of instability in Romania over the past four years.

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Yet nothing is more suggestive of the sway held over Romanian public institutions by the extremist-nationalist philosophy between 1992 and 1996 than the following set of documents issued by the Romanian Intelligence Service (SRI). (One should note here that, since there was no way to probe deeper into SRI's activities, the documents cited below were the only evidence that was publicly available.) The report on SRI's activities and competences in the field of national security covered the period between October 1993 and September 1994 and tells a lot more than its authors intended.

Says the Report: "actions such as those mentioned above ... have been isolated and failed due to lack of support within the targeted ethnic minority communities ..."; "It is worth stressing ... the constructive and fair attitudes of Hungarian individuals with respect to the majority population..." Were these mere euphemisms? Whatever one calls them, they merely underscore the point that the members of two Romanian minorities – the Hungarians and the Roma – are considered a danger to the Romanian state whenever they struggle for rights other than those accepted by the official bodies or when they support a different, unofficial interpretation of events involving minorities and the majority.

The Report refers to actions aiming at the "intensification of nationalism" and having "extremist and separatist" tendencies. And lest the "intensification of nationalism" should make one think of Vadim Tudor or Gheorghe Funar, the Report goes on: "Without in any way attempting to minimize their impact, one should note that appeals to confront the majority only strike a modest base".¹⁵¹ The SRI identified extremist-nationalist threats to the rule of law not only among the minorities, but also among "foreign extremist-nationalist organizations." Here is the exact reference: "the

¹⁵¹ See the Report, p. 5.

signature-gathering campaign supporting a bill on national minority education.” To the Romanian Intelligence Service, the exercise of a constitutional right, that of a legislative initiative undertaken by the citizens themselves, was a danger to national security. Hungarians’ campaign had become a target of intelligence operations and an issue of national security.

Then came the Roma. The SRI Report mentions, “the exploitation, for purposes of propaganda, of incidents between members of this ethnic group and other citizens, in the context of serious antisocial and criminal acts.” It goes on in the same vein: “It has to be stressed that in the limited number of conflicts that have taken place, the protagonists were the citizens involved rather than the ethnic groups to which they belonged. The events themselves were matters of local and personal circumstance.” So here is the SRI acting as ethnic turnsole. Or: “some elements among the Roma¹⁵² ... were responsible for incitement to actions meant to alter Romania’s image abroad, by means of denigrating and misrepresenting the realities in our country...” One such “element” was Sándor Csurkuly, head of the Roma Alliance, whom the Report nevertheless inaccurately introduced as president of the Târgu-Mureş branch of the Free Democratic Alliance of Roma in Romania. He is said to have “provided international bodies with distorted data concerning the Hărădeni conflict,¹⁵³ by misrepresenting ordinary antisocial criminal activity as interethnic conflict.”

What the Romanian Intelligence Service was saying, in effect, was that Sándor Csurkuly was under surveillance. (It is still unclear why he has not been prosecuted under charges of threatening national security.) It was equally obvious that the Report’s statements were meant to intimidate those critical of the current state of the country, and in particular individuals concerned with interethnic issues.

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Was the foregoing presentation of legal norms, reports and institutional decisions too technical? Perhaps, but without it we cannot really understand the world

¹⁵² Notice the phrase “elements among the Roma”.

¹⁵³ [to be explained]

we have been living in. One of the engines that push a society forward is this interaction between legal norm and activism. The images above provide us with a picture of the Romanian state between 1992 and 1996 – precarious legislation, perverted institutions such as the SRI, which allowed the political actors in power to play their own games their own way. While the frequent “introspections” of the representatives of the Bucharest regime invariably resulted in references to “an island of stability”, ethnic tensions had in fact reached a climactic level. The adoption of Education Law no. 84/1995 generated a widespread mobilization of the Hungarian community and could potentially trigger regional instability. The hyper-nationalist discourse promoted at government level shows that during the period in question (1992-96) Romania struggled with an ethnocratic problem. Important institutions of the Romanian state, such as the Supreme Council for the Defense of the Country and the Romanian Intelligence Service, sunk deeper and deeper in the nationalist mire, following the political leaders who headed and controlled them.

“The political foundations of the nationalist-extremist threat were constituted by the establishment of a majority coalition which included parties such as the PUNR, PRM and PSM. This nationalist-extremist majority coalition determined, simply by virtue of the political alliance perfected by the January 1995 protocol, the decisions of the legislative and the executive.”¹⁵⁴ The quote is the conclusion of a 1995 study on nationalism and the rule of law in Romania co-written by Renate Weber and me. The study was published in the bilingual journal *Studii Internaționale / International Studies*. The commonsense notions it advocated – though one should note here that the details of the argument are often more important than the general thesis – were the result of an almost private struggle. We had to painstakingly negotiate them with our colleague and collaborator Valentin Stan, who had consistently refused to endorse the broader point of view they expressed. To him, PUNR’s participation in the coalition was the root of all evil. We should leave the PRM and PSM out of the picture, he

¹⁵⁴ On this background, the PDSR’s statements in favor of Romania’s Euro-Atlantic integration were simply meant to create a smokescreen. How can you honestly desire to become a NATO member and yet co-opt in power the PUNR, the PRM and the PSM? It took new elections in 1996 to finally be able to throw overboard the gunpowder-barrel so precariously held in check by the 1992 coalition and to make Euro-Atlantic integration a real option.

argued. Eventually, our collaboration on the issue was dissolved in the debates. But this is another story, which had actually started long before, when the Helsinki Committee first entered the stage.

19. THE HELSINKI COMMITTEE ENTERS THE STAGE

Early debates revolving around the UDMR and the PUNR, the extremist nationalism of the Greater Romania Party or the perverse nationalism of the PDSR, their connections with the CSAT, SRI and (even) the Ministry of Foreign Affairs (MAE), had a hard time piercing the thick shroud surrounding the public perception of these issues. Multiculturalism, the logic of ethnopolitical relations, autonomy and the special status, were exotic topics in the early nineties. Authors working within universities and the Foreign Affairs Ministry failed to deliver, in the first part of the 1990s, something more adequate than dim-witted theses such as “the theory that international standards are minimal is dangerous”. The representative of an anemic Center for the Study of Minorities created under the aegis of the Romanian Academy in 1991 argued during a meeting held in 1995 in Braşov (and also attended by then-President Iliescu) that “there’s no such thing as national minorities.”¹⁵⁵ The notion, she said, had no conceptual legitimacy. In other words, she was contesting her own research subject.

Transylvanian panelists were, in this respect at least, one step above the level at which these debates were carried out nationally. As for the Hungarians, some of whom had been trained in minority issues by the UDMR itself, they were mostly talking among themselves or with their Budapest counterparts.

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The first journal that announced the emergence of the Romanian Helsinki Committee was ... the *New York Times* (January 6, 1990).¹⁵⁶ Together with several

¹⁵⁵ “The Romanian-Hungarian Citizens’ Forum” was organized by the Association for Romanian-Hungarian Friendship in Pecs and its Braşov branch, together with the Pro-Democracy Association, between October 7-9, 1995. The first Forum had been held in 1993 in Pecs. Although mainly focused on “civil” involvement, the political side of the Forum had never been unimportant. The visit of President Ion Iliescu was announced on the evening of October 7. Iliescu did come, so the complex security measures were tightened to indecent levels.

¹⁵⁶ Celestine Bohlen, “Ex-Dissidents Will Monitor Bucharest on Rights”, *New York Times*, Saturday, January 6, 1990.

friends,¹⁵⁷ I contacted the Helsinki Watch organization. They were interested in supporting the establishment of a similar organization and visited the country. I had also been contacted and helped by representatives of the League for the Defense of Human Rights in Paris, especially by two Romanian exiles living in the French capital, Mihnea Berindei and Sanda Stolojan.

The Committee became a legal entity in April 1990 under the name of “The Association for the Defense of Human Rights in Romania – The Helsinki Committee” (APADOR-CH). By that time it had already launched several investigations.¹⁵⁸ But the Committee really evolved after several competent individuals joined in the fall of 1990, among them most notably Renate Weber¹⁵⁹ and Manuela Ștefănescu.¹⁶⁰ By 1991, the Committee had already accomplished several spectacular feats: it had helped block anti-democratic bills, had elaborated alternative public policies and had been involved in successful lobbying.

References to national minorities had been frequent as a part of our activities throughout the 1990-92 period. But they were limited to what one would expect from civic militants: fairness but not refinement. However, it had already become obvious that no substantial progress was possible in the absence of an in-depth study of the Hungarian conception of the rights of national minorities, and of the Hungarian minority in particular. When this realization could no longer be avoided, I discovered specialized literature on national minorities for the first time. My first research topic dealt with the following question: “are the collective rights of national minorities human rights?” My solution to the problem – “an essentialist interpretation of a functional criterion”¹⁶¹ – is not something one needs to negotiate with the public opinion. But the answer was in the positive and it was enough to make me acknowledge, from within as

¹⁵⁷ One year later only a few of them were still there. Among them, Radu Filipescu, whom we had invited to be co-president.

¹⁵⁸ First and foremost on the file of Gheorghe Ursu.

¹⁵⁹ Renate Weber has been the most competent president of the Romanian Helsinki Committee. She taught us how to defend the substance of human rights against the procedures. She was the co-author of several studies that could be regarded as having established a doctrine of minority rights in Romania. In 1997, she was appointed president of the Open Society Foundation, to which she has ever since dedicated her efforts. But she has stayed in touch with research and theory and she has authored important papers on women’s issues.

¹⁶⁰ She specialized in monitoring elections and police abuse.

¹⁶¹ Gabriel Andreescu, “Depturile minorităților: drepturi ale omului?”, *RRDO*, [xxx], pp. 15-23.

it were and not only from others' views, that collective rights do make sense and that they are worth fighting for.

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Looking back at the 1993 APADOR-CH Report it is now apparent that by that time the machine was already humming at full capacity. The group of people working with the Committee had been enlarged and substantial financing had been secured. In 1993, the Committee initiated a "Statement for Transparency" signed by NGOs and associations with over 2 million members. A lobbying campaign on the issue targeted the Parliament. Representatives of all parliamentary parties, US lobbying experts and civil society leaders attended the March conference on transparency. Back then, bills debated in the Parliament would not be made public, so two APADOR-CH members were constantly present at the sessions of the two houses.¹⁶² The bills that had any relevance to the issue of human rights were analyzed – "dissected" may be a better word – and the reports were sent to the Parliament's expert commissions and to party leaders. The Committee would organize round-tables with parliamentarians of all political persuasions. This is, in a nutshell, the treatment we gave the bill amending the law on public demonstrations;¹⁶³ the bill on the Commission for Legal Persons;¹⁶⁴ the establishment of the Special Telecommunications Service; the bill amending the Criminal Law and of the Rules of Criminal Procedure; the bill on the protection of state secrets. With the exception of the Special Telecommunications Service affair, APADOR's actions were successful. That is to say, its involvement in the blocking of several laws which in retrospect seem terrifyingly bad mattered a lot.

In 1993, the Committee had a program of providing free legal assistance to those with relevant cases, conducted several investigations designed to involve lawyers in a

¹⁶² Marian Panu and Mona Nicoară.

¹⁶³ Which contained absurd phrases such as: "public gatherings are considered armed if at least two participants are carrying hidden or visible weapons, or any other object, whether hidden or visible, which may be used as a weapon or for other violent purposes, or explosives or highly flammable materials."

¹⁶⁴ The Commission would have guaranteed "the state's right to survey and control all legal persons of private law."

program of assistance for Roma, investigated police arrests and commenced a program that has ever since been at the forefront of its human rights activities: police abuses. It provided assistance to refugees (in Romania, but also to Romanians abroad) and was actively involved in the drafting of refugee legislation. It provided the first and perhaps the most objective analysis of the Tiraspol trial,¹⁶⁵ the one that self-styled “patriots” would later seize and feed on. It also worked on individual cases, some of which were notorious, such as those of Marie-Jeanne Eugenia Curelescu,¹⁶⁶ Alexandru Tătulea,¹⁶⁷ or Galați journalist Andrei Zenopol.¹⁶⁸ Two other important initiatives, the APADOR-CH library and the *Romanian Human Rights Review*, took shape the same year.

The 1993 Report also mentions investigations of attacks against Roma – in the Apa village, Satu Mare county, and the ubiquitous Hărădeni case. For the first time, there was also a program on national and ethnic minorities.

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In 1993 we started a serious debate with the UDMR on the minority rights conceptions that the Alliance was advocating. Some of the concepts even became a topic of international debate.¹⁶⁹ The real turning point came in 1994, as the UDMR executive body and the Pro-Europe League (as co-financer of the meeting through its Intercultural Center program) invited human rights activists and theorists at the Tușnad Baths. The panelists included notorious names such as Miklós Bakk, Sándor Balász, Ana-Maria Biró, Barna Bodó, Péter Eckstein-Kovács, Ernő Fábián, István Horváth, Gábor Kolumbán, György Nagy. “We” (Smaranda Enache, Renate Weber, Valentin Stan and I) were also there. For two days we looked at the “programmatically

¹⁶⁵ The credit for this goes to Manuela Ștefănescu, who went as far as one could go. She also distanced herself from the attempts to capitalize on the Ilie Ilașcu (now a member of the PRM) case.

¹⁶⁶ She was detained at a police precinct and raped by the policeman on duty; she later gave birth to a baby.

¹⁶⁷ Tătulea was beaten and then shot by a policeman because he did not have his ID on him. He miraculously survived the brutal attack.

¹⁶⁸ An arrest warrant was issued on Zenopol’s name two years (!) after his alleged crime (he was absurdly accused of influence peddling). Two policemen grabbed him as he left his apartment, tied him up to a metal pipe, and beat him up until the police van arrived.

¹⁶⁹ See Bela Markó’s article in *Uncaptive Minds* and my reply, Gabriel Andreescu, “The Minority Question. A Few Observations”, *Uncaptive Minds*, Vol. 8, No. 1, 1995, pp. 89-95.

important” documents (the label came out of UDMR’s press office): the Memorandum addressed to the Council of Europe, and the bill on national minorities and autonomous communities.

Back in Bucharest, I suggested to Renate that we write a larger study on the bill. Neither of us actually had, at the time, an understanding of what would eventually come out of this project. We could use the aegis of the Human Rights Center (CDO) which provided a good opportunity for research. We also decided to involve Valentin Stan, a historian who had had a short adventure with diplomacy.¹⁷⁰ He had tackled the national minority issue, mastered an important quantity of historical information and, most of all, had a proclivity for national interest questions due to his training as a Foreign Affairs officer.¹⁷¹ We considered the latter perspective to be essential in the context, especially as the minority issue is also an issue of international politics and hence governed by a set of documents in which the “state’s eye view” was prevalent. As minority rights militants, Renate and I were less careful about the other side of the coin. Stability and global interests had to be considered, nevertheless, in any attempt to come to terms with the question of national minorities. Our chief preoccupation was minority life, and knowledge of this field is rarely perfectly neutral. It is knowledge “for something”,¹⁷² and the meaning of objectivity is hardwired in the available instruments.

The efforts of parceling out common ground for the three of us and especially to fend off what we saw as the exaggerated interpretation of “reasons of state” which Valentin was advocating became an excellent exercise. The experience itself was quite bumpy, but it benefited Renate and me tremendously – we came to understand “from within” the kind of argument or subterfuge that representatives of the Romanian state were often indulging.

Three months after we started our project, “The UDMR Conception on the Rights of National Minorities” was published under the sponsorship of the Human Rights Center.¹⁷³ An additional three months later, we published, based on the findings

¹⁷⁰ I recounted the story of how we met Valentin Stan in my book *Solidaritatea alergătorilor de cursă lungă*, Iași: Polirom, 1998.

¹⁷¹ [under what circumstances]

¹⁷² Which is not, of course, the same with being subjective or partisan.

¹⁷³ In Romanian and English.

of the study, a national minorities bill – the only such “offer” produced by nonpartisan Romanian authors.

20. THE STUDY. GYULA

Our study on the “UDMR Conception on the Rights of National Minorities” dealt with the Alliance’s Bill by looking at three categories of rights:

- (a) rights established by international standards;
- (b) rights or means of exercising rights that go beyond international standards (considered as minimal standards) and which may have correspondents in the lives of minorities in other regions though not in this country;
- (c) rights that find no support in international standards (e.g., the right to an autonomous community, the self-government of autonomous communities, personal, local and regional autonomy of the minorities, minorities or autonomous communities as subjects of political and public law).

The study argued that the first category of rights needs to be acknowledged. It looked at rights that were part of the second category and in some cases considered them appropriate (a Bolyai University in Cluj, enlarging assistance for the use of the mother tongue in courts, the use of the mother tongue in the local administration in localities with a minority population of at least 10 percent), while in other cases it expressed skepticism (e.g., the introduction of quota, or of a limited veto right). Most importantly, it was very critical of concepts that belonged in the third category (c). The latter were a key part of the Hungarian bill and, as such, of UDMR’s conception of minority rights.

The arguments were lined up systematically, even though they also included some rather decorous references to a 1930 consultative report of the Permanent Court of Justice in the Hague, an Estonian law of 1925, or an “essentialist interpretation of the functional criterion” which legitimized (some) collective rights.

The most substantial part of the study focused on a critical approach to the concepts employed in the bill. In fact, “criticism” is an euphemism. The study simply denied that such concepts were appropriate in the context: “The fundamental shortcomings of the bill on national minorities and autonomous communities stem from the text’s use of concepts which have relatively a well-established meaning in

international documents or in the specialized legal and political literature, and such meaning is different from the one advanced by the UDMR. As a consequence, associating the concept of ‘internal self-determination of the autonomous community’ with the notion of a ‘political subject’ or a ‘subject of public law’ may generate, as explained above, confusions that would harm international relations and the mechanisms safeguarding the sovereignty of the Romanian state.”¹⁷⁴

Our reference to “mechanisms safeguarding the sovereignty of the Romanian state” targeted not contingent political will but the very legitimacy of the concepts in question. We had split the work among ourselves and then we cross-examined each other’s contribution and assessed the whole work. The critical part, written by Valentin Stan, seemed (to me) a little overblown. He seemed a little too sure of himself in asserting incompatibilities and impossibilities. Those who are familiar with mathematics and the exact sciences are aware that impossibilities are tough to prove. As an analytical philosopher once noted, an impossibility indicates that something is poorly thought up. Was UDMR’s conception, as reflected in the bill, really a menace to Romanian sovereignty? It is difficult to master an argument that uses such ill-defined concepts. But we finalized the study without my having made a convincing case for my suspicions.

The study was published bilingually – an English translation was obviously necessary in view of our efforts to attract international notice – as a volume printed on expensive paper, under an sponsorship that announced high standards. It was delightful to be able to offer it to others. We sent it to the people on our long list of partners, but also to embassies and institutions that had asked for our position. The Hungarians used it in some of their subsequent analyses and statements. The material brought us closer to UDMR’s own analysts, with one of whom (Miklós Bakk) we debated the issues polemically but fruitfully.¹⁷⁵

We were not the only ones eager to publicize our study. The Council for National Minorities was surprisingly active. In 1993, we had been accepted as observers

¹⁷⁴ Gabriel Andreescu, Valentin Stan, Renate Weber, *Concepția UDMR privind drepturile minorităților naționale*, Centrul pentru Drepturile Omului, București, 1994, pp. 35-36.

¹⁷⁵ See the “Debate: UDMR’s Conception on the Rights of National Minorities”, *RRDO*, No. 6-7, 1994, pp. 86-106, and Miklós Bakk’s substantial argument.

at the meetings of this body created under the authority of the Romanian Government's General Secretariat. The Council disseminated hundreds of copies of our study, and Ivan Trușter¹⁷⁶ would call us now and then and ask us "for a couple more packages, if possible".

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The study was slowly assuming a role the magnitude of which we had not anticipated. On May 12-13, 1995, the three of us were invited to Gyula (in the eastern part of Hungary), a locality inhabited by a relatively large number of Romanians. The theme of the seminar was appropriate considering the place where it was being held: "The National State and Ethnic Autonomy". It had been initiated by the FIDESZ's Pro Minoritate Foundation, with Friedrich Naumann as the funding organization and the Pro-Europe League as a co-host. The panelists from Hungary belonged to the higher ranks: Zsolt Németh, the FIDESZ vice-president; Gáspár Biró, a very well-known minority expert and later a good friend; Gergely Pröhle, president of the Hungarian Naumann branch; and Atilla Varga from the Romanian side who would later represent the UDMR in many of debates on the bill. Smaranda Enache of the Pro-Europe League was there as well. The seminar focused on our study. We were surprised to find out that the study had been translated in Hungarian and published in the foundation's journal. Then the FIDESZ vice-president stated that it was the most important Romanian text on minorities' issues after 1940. Was he exaggeratedly polite? Was he ironical? The doubts lingered for a while. I discovered that it had not been an irony when, somewhat later, I received the Pro Minoritate prize awarded by the Hungarian state.

Later on, I co-authored with Renate Weber a sequel to the first study, entitled "The Evolution of UDMR's Conception on the Rights of National Minorities". We wanted to correct some of the flaws of the previous study. I have come now to believe that the study was the starting point in a series of events that changed the nature of political debates in Romania and, implicitly, the framework of negotiations between

¹⁷⁶ The Council's President and the right hand of Viorel Hrebenciuc, then Secretary General of the Romanian Government.

Romania and Hungary. The *Conception* was at the source of a series of theoretical research projects that had, as a practical application, the issues raised by the minorities in this country. Without a minority doctrine developed “as we moved along” it would have been difficult to find an answer the relentless provocations that surfaced in the years to come.

21. A LAW ON NATIONAL MINORITIES

Success had wiped away our timidity. We wanted to bridge the gaps of a future program reconciling Romanians' obsessions with Hungarians' expectations. In order to come up with something both effective and comprehensive, we had to start with a bill on national minorities. It seemed that we were moving on uncharted grounds, but we felt that everything was a matter of time and means. Our analysis of UDMR's own bill had marked out the course to be followed: securing the rights demanded by Hungarians through a system of special measures, rather than through the system of autonomies. Once again, we divided the labor among the three of us. Renate took care of the most important part of the project. I dealt with the question of how to safeguard the right to a Hungarian university without generating a wave of similar requests from minorities which did not qualify (i.e., the small minorities and the Roma). The solution was to treat the university issue as a right to the "preservation of one's traditions, including institutions developed over time, whether educational or otherwise".¹⁷⁷ This principle clearly covered the Bolyai University.

Valentin was in charge of information concerning the size and percentage of minorities that would legitimize the use of the mother tongue in local administration. Some available precedents, such as Decree no. 1 of January 1919 of the Guiding Council of Transylvania, some Hungarian governmental decrees issued in 1919 and 1923, and a Czechoslovakian law of 1920, suggested something around 20 percent. This was, as a matter of fact, an intermediate figure between the one proposed by the Hungarians (10 percent), and that advanced by the Council for National Minorities (25 percent).¹⁷⁸ So we decided 20 percent would be reasonable. It turned out to be a wise choice. Twenty percent was the figure stipulated in the Local Administration Act adopted a few years later.

We published the bill in a supplement of the *Romanian Human Rights Review* (RRDO) titled *Legislation in Transition*, together with a critical analysis of the project

¹⁷⁷ Gabriel Andreescu, Valentin Stan, Renate Weber, "Un proiect de lege privind minoritățile naționale elaborat de către Centrul pentru Drepturile Omului", în Lucian Mihai, ed., *Legislația în tranziție*, București, p. 104.

¹⁷⁸ The major stake was obviously the city of Cluj, inhabited by approximately 23 percent Hungarians.

which the Council for National Minorities had offered as a response to the Hungarian initiative. We disseminated it, we translated it into English and so on – the strategy we had grown so accustomed to. Yet, it would have been important to use the project as an actual legislative initiative. This time, however, the UDMR parliament members were of no assistance. The UDMR would never give up on its own project, in spite of the fact that, in practical terms, it had constantly pursued a legislation based on a system of special measures. As a matter of fact, in our discussions the Hungarian leadership ruled out the possibility of supporting any initiative other than their own.

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At the time, it was obvious that the PDSR was the only power that could change the conflictual approach promoted by the nationalist coalition. For a while, I believed that rational arguments could penetrate the these old wolves's den. I therefore wrote a text in which I pointed out why I thought it was important to have a law on national minorities, and I argued that a reasonable offer is already available. I slapped a neutral logo (that of the Human Rights Centre) on the text and sent it, through Mr. Trușter, to the PDSR leadership. While I actually believed those arguments made sense, I tried to render any failure to consider them as more consequential than it might have actually been. I wanted to force the addressees to also consider this possibility. My arguments point to many of the problems that minority issues raised at the time, so I reprint them below in their original form:

“1) Internal stability and the state of the Hungarian minority

There are two main conditions that have to be met in order to make a **long term** solution to Hungarian minority problem possible:

- (a) guaranteeing the rights that the Hungarian minority theoretically enjoyed, as a minority, until 1990;
- (b) re-establishing the institution that serves as a symbol of the Hungarian community in Romania, the Bolyai University.

2) Principles for the resolution of the Romanian-Hungarian conflict

(a) the resolution should be conceived of within the existing institutional framework;

(b) it should involve a law on national minorities complementing the Constitution, rather than violating it or other existing laws.

3) The importance of a law on national minorities as an alternative to the strategy of autonomies

To safeguard the rights of national minorities so as to enable them to feel comfortable is a matter of civilized behavior and internal stability. Which are the most convenient ways to achieve this goal? This is not just a question of law-making, but also one of political negotiation between the parties involved. The Hungarian minority has advanced several demands concerning the use of language in the justice system, administration, education, the management of Hungarian cultural institutions etc. In order to promote these proposals, the Hungarian community initiated in 1993 a bill on national minorities. This bill has yet to be debated by the legislative. The project involves constitutional changes. In the opinion of these authors, under the current circumstances this strategy of promoting the rights of the Hungarian minority is ill-advised. On the other hand, it is crucial that the negotiating partners of the Hungarian minority consider the following points:

(a) Autonomies are acknowledged worldwide and shall sooner or later be seen in a positive light.

The requests advanced by the UDMR in its bill are neither absurd nor illegitimate. Several European regions are accustomed to various types of autonomies and regions enjoying a special status. Furthermore, international experts believe that autonomy is one of the most effective means of solving the problems of minorities. As Francesco Capotorti noted in his Report surveying 46 individual countries, in those countries which acknowledge ethnic and linguistic groups as entities with a special status political life is pluralist. In some of these countries, it is believed that local government or autonomy for a particular region would be a more effective means of

defending the specificity and rights of targeted groups.¹⁷⁹ Even though the states in question do not recognize a “right to autonomy”, the important state actors reacted positively to solutions such as autonomies and even federalization as means of preventing inner tensions and violence. As an example, the OSCE and the Council of Europe favored the new status of the Transdniestrian region. There are many other examples which illustrate these international bodies’ position on autonomies: the Document of the Copenhagen Meeting of the Conference on the Human Dimension, CSCE, June 29, 1990 – “[quote]”¹⁸⁰. Resolution 232 (1992) concerning autonomy, minorities, nationalism and the European Union, adopted by the Permanent Conference of Local and Regional Authorities of Europe considers that it is necessary that states should safeguard democracy by “[quote]”.¹⁸¹

(b) The pressure for autonomy will decrease as soon as adequate alternative solutions are introduced.

If no positive answer is provided to UDMR’s requests, certain rights have to be safeguarded for the Hungarian minority so as to make it feel comfortable and safe. This is only possible through a general system of protection. Under the current circumstances, it implies a law on national minorities. Should such a law fail to address the specific concerns of the Hungarians, it would be unable to compete with the program of autonomies. In such a case, the law would merely reinforce the feeling that autonomies are the only alternative.

4) Factors favoring conflict

(a) Below are some results of a research concerning the development of conflicts opposing the minorities to their state:

- Communities making up a society tend to separate whenever they are persuaded that self-rule will result in more justice and a higher quality of life than the rule of the

¹⁷⁹ Francesco Capotorti, Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, *Study on the Rights of Persons Belonging to Ethnic, Religious and Linguistic Minorities* (1977), Center for Human Rights Study Series 5, United Nations, New York, 1991, p. 97.

¹⁸⁰ “Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE”, Copenhagen, June 29, 1990, para. 35, p. 41.

¹⁸¹ “Resolution 232 (1992)”, Standing Conference of Local and Regional Authorities of Europe, 27th session (March 17-19, 1992), II, 4, p. 3.

unitary state.¹⁸² In such a case, the stronger the national identity, the lower the (subjective) threshold of inequality and disadvantage that engenders adversity.

- The trend favoring separation and violence is further compounded by a growing distance between expectations and accomplishments, as well as by the association of frustration and group pride.

(b) The development of internal conflicts depends, to a considerable degree, on the presence or absence of external factors. It has been shown that foreign involvement completely changes the domestic actors' opportunities for action. Should the conflict with the Hungarian community in Romania reach a peak, Hungary would certainly interfere. In such a case, the Romanian state would find itself in a much worse position than the one it is currently enjoying.

(c) The past 6 years alienated the Hungarian minority. It is pointless to debate today whether such feelings of alienation are motivated or not. Irrespective of the answer to this last question, alienation is a ticking bomb, and we do not know how its timer is set.

5) A law on national minorities may be introduced in a politically convenient way

(a) it would send a positive signal to the international community;

(b) it may involve a compromise solution between the nationalists, on the one hand, and the Hungarians, on the other:

(i) the former will appreciate the political will of advancing a national strategy and leaving autonomies behind;

(ii) the latter will value the compromise as a sign of reconciliation, political maturity, and willingness to replace confrontation with cooperation.”

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Of course, that was precisely what the PDSR confrontation-mongers wanted to avoid: a compromise with the Hungarian Alliance. I did not get an answer, in spite of the fact that in the past the PDSR leadership had at least been polite enough to write back. Therefore, toward the end of 1994, Renate, Valentin and I arranged a meeting

¹⁸² Alexis Heraclides, *The Self-determination of Minorities in International Politics*, London: Frank Cass, 1991, p. 16.

with our friends in the Civic Alliance Party (PAC). We asked them to review our bill and suggested that it should compete with the other two bills on the House's agenda (that of the UDMR, and that of the Council for National Minorities). I wrote to Vasile Popovici to explain in detail why such an initiative was really worth it. He came by, took the text, and reacted enthusiastically. He returned with the news: PAC was ready to take up the project, provided we accepted that it be advanced in their own name. We agreed, especially since we had no particular desire to put our names on the law. "There will be some small changes", he announced. He was to return later with the final version.

We soon after learned that PAC was preparing to submit the project to the Parliament. Then Vasile Popovici arrived with "their" version. "Any suggestions?", he asked. We took the copies and gave them a read. The revised version was a catastrophe. The party's leadership had changed terms and concepts in ways which clearly indicated they were not up to the task legally and scholarly. Some rights were altogether obliterated. I could picture before my eyes the renowned literary critic and PAC president Nicolae Manolescu operating changes on the text.

We retorted with our own suggestions and observations, but PAC submitted their own version to the House of Deputies. On March 11, 1995, I sent an outraged letter to Vasile Popovici. It may provide an insight into the communication gap opening between a Romanian think-tank and a group of individuals involved in real-world politics: "While some remarks could be accepted, while several of the changes operated by the PAC could be interpreted as attempts to accommodate the law to the party's particular political outlook, the rest overtly contradicts the spirit of the bill elaborated by the Center for Human Rights. Furthermore, it runs counter to the bill's objectives. What is left is merely a caricature of the original. It endangers the very goal which the bill was meant to accomplish. Some of your changes indicate that the party has used the text in order to advance wrong ideas."

I went on: "Under such circumstances, I fear that the Center for Human Rights has no other option but to publicly announce that its bill on national minorities has been disfigured. I am sorry if this seems too severe a measure, but we believe it unavoidable.

I am also sorry to add that the way in which you have addressed the matter [of promoting a law on national minorities] is infatuated, irresponsible, and lays bare the mentality of politicians who believe that a seat in the Parliament automatically turns them into informed, intelligent, and competent policy-makers.”

We were genuinely shocked at the way the PAC leadership had toyed with law-making: “Neither of my colleagues is willing to waste their time and effort just in order to engender stillborn projects, even though they may someday become stillborn bills. Here [at the Center for Human Rights] we have ... the resources we need. I mention this not because I believe such resources should be used by politicians in the same way in which they have been used in the recent past, when scholarly work was a tool in the hands of the Communist Party. On the contrary, I believe that political options should be subjected to the exigencies of expertise.”

The national minorities bills have never been debated in the Parliament. The UDMR chose the wiser path of special laws. In 1999 and in 2001, two basic legal norms concerning education and local administration were finalized. In the meantime, discrimination laws had also been adopted.¹⁸³ Hence, we are now facing a new question: is there any point in adopting a comprehensive law on national minorities? Would it serve its purpose better than the legislation already in place?

A look back at 1995 suggests that our old bill would now be completely obsolete. In addressing the Hungarian problem, we missed issues that today seem unavoidable and even central. One of these issues refers to the recognition of minorities. After the 2000 elections, several less significant minority groups secured Parliament seats. How far should the proliferation of communities enjoying seats in the Parliament go? To answer this, we need an explicit definition of a national minority. We have to look for conditions which any minority group seeking parliamentary representation should have to meet.

Another relevant issue is that of ethno-cultural groups. There are about 2,000 Kurds in Romania today, most of them political refugees. They expressed their desire for state-sponsored schools in their mother tongue. Should the state undertake this

¹⁸³ Ordinance No. 137/1999.

effort? Furthermore, approximately 15,000 individuals of Arab origin are currently living in the country. Several thousand of them are Romanian citizens. What is the part played by this community in contemporary pluri-ethnic Romania?

Electoral questions should also be defined more carefully. The existing practices and norms have been amended in excess between 1990 and 2000. Local elections offered relatively generous opportunities for the minorities until 2000. Should we not go back again to the logic of already secured rights, a system that proved effective in the past?

The issue of state financing needs to be addressed in more detail. Cultural associations have monopolized public funds allocated to support cultural identity. This monopoly has led to abuses. Taxpayers' money should go not to the leaders of cultural associations but to the communities themselves. We need new guidelines and legal norms that are able to ensure enforcement of project bids.

These are all new questions. Where are, then, the questions that preoccupied us in 1995? The answer is that the past years have witnessed a substantial development in the system of rights. One of the few old questions which is still in need of a solution is mother tongue assistance in civil courts. But then the new ethno-cultural challenges mentioned above need to be addressed. Such details could find a place in a law on national minorities conceived as a "minorities' constitution".

22. THE COUNCIL FOR NATIONAL MINORITIES

The bill was for all practical purposes a follow-up of our analysis of UDMR's own bill. The success of our study, especially among Hungarians, had taken my mind off some concerns left over from the elaboration process. However, I eventually returned to the study. As it often happens, my renewed personal interest in it was triggered by a minor event. It occurred in the context of a rather strong, years-long relationship between APADOR-CH and the Council for National Minorities (CMN). Starting with 1993, the latter had been operating under the direct authority of the Government's Secretary General. Its staff consisted of representatives of national minority associations. The activities carried out by the CMN's immediately after its establishment made the institution look like the governing party's puppet, harnessed to be used against the UDMR. Every time the Hungarian Alliance was unhappy about something, the Council and its many affiliated minorities would promptly announce that they were quite satisfied about the issue in question.¹⁸⁴ (A ridiculous case was the anti-Hungarian behavior of several Roma representatives and their unconditional leader, Mădălin Voicu.)

Since in the CMN, of all places, democracy was understood in a very radical sense (each minority group had one vote, irrespective of the size of the community it represented), the Hungarians' representative association was constantly part of a small minority. At one point, the UDMR understandably announced that it was pulling out of the Council for National Minorities. The Alliance's relations to the government were to be intermediated by Ivan Trușter, the head of the CMN and the right hand of the government's Secretary General, Viorel Hrebenciuc.

Since the High Commissioner for the Protection of National Minorities was a usual guest in Romania during that period, since the UDMR was counting on the position of the Helsinki Committee, and since the government needed to show that it treaded on the path of dialogue, APADOR-CH was involved in several projects of the

¹⁸⁴ Of course, they usually *were* happy. For most of the small minorities in the Council, the existing legal framework was actually sufficient. Government funds for the protection of national minorities were managed by the CMN, thus creating a network of financial interests which determined the attitudes of association leaders.

Council. We were ourselves extremely interested in this collaboration – the ability to communicate with persons occupying strategic decision-making positions often helped in defusing or preventing crises. And Romania had its full share of crises to defuse or prevent. However, beyond the chance of making one's attitudes and messages heard, cooperation with the CMN also meant joint participation in a number of significant events. Internal and international meetings with the Council were important because they offered a means of dealing with governmental actors, with the regime's inside and outside collaborators. One had an opportunity to watch these men and women think and act. One knew what to expect.

Since I mentioned our meetings, I should perhaps recount, as an aside, one that stuck in my mind: the seminar of September 2-3, 1994. A couple of international experts were brought to Bucharest under the joint patronage of the Romanian Government, the Council for National Minorities, and the Dutch Helsinki Committee.¹⁸⁵ The Romanian participants included some government people and the members of several NGOs.¹⁸⁶ There were some theoretical presentations, followed by a few detailed and dispassionate analyses,¹⁸⁷ and then by free discussions.

Nicolaus Kleininger, the representative of the Ministry of Education, was asked why the decision not to admit to school children over 10 years of age (the measure mainly affected Roma children) was still in force. He responded brashly: "Why didn't they go to school before they got to be 10?" In fact, Kleininger was in good company. Mrs. Irina Moroianu Zlătescu, executive director of the Romanian Human Rights Institute, kept mentioning how Romanians are the most peaceful of peoples. Apparently, all this peaceful people had been doing ever since about 1400 AD was defending itself against other peoples' attacks. Since 1400, and even 1300, and then during the two world wars, Mrs. Moroianu Zlătescu repeated ad nauseam, Romanians have been defending against other bad peoples. The most peaceful people in the world we are...

¹⁸⁵ Patrick Thornberry, Arie Bloed, Pieter van Dijk, Frank Kuitenbrower, Jaap de Hoop Scheffer, Hugo Fernandes Mendes. They were all on our list of required readings.

¹⁸⁶ Ivan Trușter and Ovidiu Păun, as well as the Dutch Ambassador in Bucharest, Monique de Frank.

¹⁸⁷ Among the questions discussed were the national minority bills submitted to the parliament.

This may surprise the you, but Mrs. Zlătescu was outdone by the representative of the Federation of Jewish Communities in Romania, Tiberiu Benedek. The latter presented us with a speech on the luxurious conditions provided to Romanian kids by their country's education system. The state's efforts reminded him of the "noblemen's strivings" to bring home teachers to educate their 4 or 5-year-olds. I was mean enough to ask: can we even compare the GDP percentage other states allocate to education with what we are currently allocating? "I have no idea", he answered, "but I do know how Western banks make profits because of us."

Renate and I were listening closely and taking notes furiously. The international experts, listening to headphone translations of the speeches, kept straight faces. But what were they thinking?

Ivan Trușter proved much more relaxed than we were. He seemed possessed of some superior practical intelligence, so he did not dramatize the divergences. With Hrebenciuc as his patron, he did not feel obligated to spread around signals of loyalty to the nation as Kleininger, Zlătescu and Benedek were doing.¹⁸⁸ So we got along well. At a certain point, during a conversation with the study in our hands, he told me: "I also sent the volumes to Funar. As soon as he saw the names, he got red in the face. 'Wait', I said. 'Read it first, and you'll see'."

This is the point in the story I wanted to reach: Funar had been invited to look at the study. (I also made a mental note of the fact that the two were, somewhat strangely, talking to each other using the familiar form of address.) I did not make any comments then. But I was disconcerted enough by the news of Funar's interest to pick up the slim volume bearing my signature and to read it red pencil in hand.

¹⁸⁸ As a matter of fact, I had some other incredible experiences with Nicolaus Kleininger. At a meeting with a delegation of the European Parliament investigating the situation in Romania after the enactment of Education Act no. 84/1995, Kleininger falsified the position of the German Democratic Forum in Romania (FDGR), the vice-president of which he was. He stated that his organization was satisfied with the terms offered under the law. He also provided the audience with a piece of paper to that effect signed by himself. I was there, holding in my hands the official position released earlier by the president of the Forum, Mr. Philippi. Kleininger was forced to scramble for a way of explaining the existence of two, contradictory documents. The moment was embarrassing to everybody present there.

23. 1995 – THE YEAR OF THE CRISIS; CDR REVOLTS AGAINST UDMR'S 'DISLOYALTY'

The year 1995 started with an unexpected conflict: for lack of a better electoral strategy, the Party of Social Democracy in Romania (PSDR) and the Civic Alliance Party (PAC) branded the UDMR, back then still their partner in the Democratic Convention, a national menace.¹⁸⁹ The Open Society Foundation's 1994 Public Opinion Barometer had just indicated that chauvinistic parties had lost considerable support. 22 weekly journalist Andrei Cornea had just publicly hailed the "decline of nationalist-extremists",¹⁹⁰ who now only mustered 14 percent of the votes (as opposed to 22 percent in the March of the same year). But, as if these news were too good to believe, "our own people" in the CDR were now struggling to fill in the void left behind by the extremists.

On January 7, Béla Markó had held a "UDMR's Autonomy Program" speech on the occasion of the fifth anniversary of the Democratic Alliance of Hungarians in Romania. There was nothing new in the speech itself – merely what UDMR had been repeating ever since 1990. The reference to autonomy had been there in each and every UDMR document in the past. Yet PAC released a communiqué condemning in harsh terms the Hungarians' conception of minority rights. In a January 13 conference, PAC president Nicolae Manolescu escalated the pressures by announcing that his party would terminate any form of cooperation with parties or individuals failing to explicitly denounce "the right to territorial self-determination according to ethnic criteria." Similar statements followed from the ranks of PNTCD,¹⁹¹ PL'93, and other CDR parties. Sergiu Cunesu's PSDR would fight Emil Constantinescu one day, and the Hungarians the next.

The UDMR obviously felt that it had been pummeled in the cords. The CDR was now asking for oaths of loyalty and vows to respect the Constitution. Those unwilling to comply were invited to leave the coalition. My colleagues and I wondered

¹⁸⁹ See Gabriel Andreescu, "CDR și politica pașilor controversați", 22, No. 5, February 1-7, 1995.

¹⁹⁰ See his article of the same title in 22, No. 2, 1995.

¹⁹¹ In its press conference of January 23, 1995, the Christian Democratic Party (PNTCD) stated that it "shall not tolerate UDMR's exaggerated claims, which threaten the integrity of the Romanian state".

about the possible outcomes of this new affair, which was lending credibility to PDSR's attempts to introduce itself as a reasonable party. The isolation of the Hungarian representative association provided the nationalist ruling coalition with a lot of elbow room at a time when radical measures were commonly taken against UDMR's recently-established Council of Mayors and Counselors.

This was the context in which I had an important discussion with Tony Niculescu. We both agreed that it was crucial to avoid angry responses from the UDMR. The Association should not leave the Democratic Convention. Even if a break was inevitable, it was important to let the other parties take the decisive step. On the other hand, it was equally important to make it clear that the attitudes described above remained illegitimate. My colleagues and I prepared a Center for Human Rights communiqué. Such statements could not be – and, indeed, should not have been – very popular. They were, however, supposed to land on the desks of the right politicians, as well as on those of ambassadors drafting reports for their own Foreign Affairs ministries. They could play a crucial role in a controversy in which each actor was gasping for legitimacy and credible arguments.

“In view of the latest public statements made by political leaders, governmental institutions and the Romanian parliament,” we invited the communiqué recipients to pause and read our opinions before taking any further steps.

In its communiqué of February 24, the Center for Human Rights (CDO) quoted from the document of the Copenhagen Meeting (1990), the Statement on the rights of persons belonging to national, ethnic, religious and linguistic minorities, and from documents elaborated by the Council of Europe. We selected fragments on the sovereignty of states in order to underline our broader arguments. We then stated our basic assumptions: “No international document contains any provision concerning the duty of individuals or organizations (parties) belonging to national minorities to make oaths of loyalty to the state. Any statement of loyalty implies a presumption of subversive activity on the part of the persons or organizations asked to deliver such statement. The loyalty oaths of high officials and representatives are made in connection with specific responsibilities which generate specific obligations.

1. It is true that a basic document such as the 1948 Universal Declaration of Human Rights provides in Art. 29.1 that '[quote]'. The term 'community' is substituted here for the term 'state'. But one should note that the Declaration introduces no distinctions between groups of citizens, and even less between majorities and minorities. The statement refers to citizens as individuals. References to minorities are absent. Individuals' duties toward the state stem from their quality as citizens, a quality to which every individual is entitled under Art. 15.1. To demand oaths of loyalty from a particular group alone is to introduce a form of discrimination that is adverse to democracy. This may qualify as a breach of the 1948 Declaration, which contributed to the codification of international law in the field of human rights. This notion is further supported by the text of the Report of the CSCE Meeting of minority experts in Geneva on July 19, 1991. The Report states very clearly: '[quote]' One may not request an oath of loyalty from a particular group of citizens exclusively without thereby undermining democracy and the fundamental equality of citizens. Naturally, violations of the law or the duties implicit in one's quality as a citizen should be promptly sanctioned, irrespective of the identity of the perpetrator.

2. To ask for a statement acknowledging the Romanian constitution is precisely the same as requesting a pledge of loyalty, and is unacceptable for the reasons outlined above. Each citizen is required to respect the Romanian constitution and, unless his or her deeds prove otherwise, is in practice assumed to do so. This obligation and this presupposition have absolutely no relation to the person's opinions with respect to the nature or worth of the laws or of the Constitution, or with respect to whether they should be changed.

3. One should be careful to make a clear-cut and very specific distinction between one's opinions with respect to the Constitution (or the laws of the country), and one's un-constitutional (or illegal) acts. The latter may be un-constitutional (or against the law), while the former may not.

4. The UDMR's Council of Representatives, also known as the Council of Mayors and Counselors, would be an unconstitutional body only if it acted in ways which threaten 'political pluralism, the principles of a State governed by the rule of law,

or ... the sovereignty, integrity or independence of Romania' (Art. 37.2 of the Romanian Constitution). Any allegations concerning the unconstitutionality of these (internal) bodies should be supported by evidence of acts prohibited under said Art. 37."

The last point also contained the proposal – hinted to in a previous chapter – of a statement by the Romanian Parliament concerning the interpretation of the term "national" in the text of the Constitution.

The clarifications introduced by the CDO communiqué were relevant, even for the UDMR. I should add that I asked for the support of my ex-colleagues in the Civic Alliance, in spite of the fact that our relations had been strained. Nicolae Prelipceanu was at the time the leader of this association, which had established a system of leadership rotation. As a strictly personal matter, I reminded him of the leaders of the ruling party, PDSR, who were clearly enjoying the opportunity to point to the anti-UDMR actions of the Civic Alliance Party (PAC), the Party of Social Democracy in Romania (PSDR), and other Opposition parties. Their attempt to enhance electoral support through anti-minority propaganda, I argued, would be lethal. If the opposition lost the legitimacy it had built by sticking to democratic principles, it would have to enter a purely pragmatic battle. And in this department it was much weaker than its adversaries.

Prelipceanu notified me that he had received my message and assured me of his support. However, it was March already, and the Hungarian issue was starting to take a life of its own.

24. ATLANTA

The turmoil within the CDR was, it seems, the sign of a strategy less straightforward than we had initially imagined. The Romanian government was close to putting an end to its Neighborhood Treaty negotiations with Hungary. It was also conducting confidential discussions with the Meciari government, itself engaged in similar Basic Treaty negotiations, hoping to pull one off against our western neighbor. On the other hand, international bodies were exercising pressure on Bucharest. The European Union, the Council of Europe, and the United States were seeking to end the state of insecurity apparent in Hungarians' discontents. In his Report on "The Romanian and Hungarian Communities in Romania. Conflict and Reconciliation", Dennis Sammut noted the following: "Topics to which political leadership is sensitive, such as nationalist discourse, the impact of military and religious leaders on political debates, or the fragility of the existing state of affairs, suggest that small incidents ... may pave the way for larger ones. The lessons of other states show that once the spiral of violence is set in motion, it can only be stopped with great difficulty."¹⁹² But the author, who had traveled to Romania in May 1994 and had spoken to Romanian leaders, also hoped that "there will be progress soon, and it will lead to the signing of the Romanian-Hungarian Treaty".¹⁹³

Mr. Sammut could not imagine, it seems, that the Minister of Foreign Affairs in Bucharest was planning with his Slovak friends¹⁹⁴ to stage some curious stand-up against Hungary; or that reconciliation would be dealt a fateful blow with the adoption of the Education Act no. 84/1995, which Hungarians justifiably found offensive. Moreover, a general indictment of the UDMR pronounced by the entire political class in Romania was handing an important trump card to nationalists. Hungarians were, it was said, rejected not (only) by Ion Iliescu, Funar, Vadim or Verdeț, but also by the self-

¹⁹² Round table discussion hosted by the Verification Technology Information Center at Chatham House, July 13, 1994.

¹⁹³ *Idem.*

¹⁹⁴ Minister Teodor Meleşcanu had arranged with his Slovakian correspondent to simultaneously block the signing of the treaties with Hungary and blame everything on Budapest. But the Slovaks actually tricked Meleşcanu and his no-good strategy and gloriously signed their Basic Treaty with Hungary in Paris. Romania became the black sheep of Central Europe.

entitled democratic opposition parties. How was it possible to manipulate so grossly politicians in the opposition? The answer is something that Romanian society should one come to find out.

The sophisticated anti-Hungarian strategy deployed in the first part of 1995, which set the stage for the coming internal and international confrontation, probably moved Romanian authorities to accept the mediation of the American Project for Ethnic Relations.¹⁹⁵ The mediation was scheduled to be held in Atlanta and moderated by ex-president Jimmy Carter.

The round table of February 14-15, 1995, held at the Carter Center in the capital of Georgia, brought together a list of panelists that is worth reprinting: Viorel Hrebenciuc, Secretary General of the Government; Traian Chebeleu, Presidential Spokesperson; Ovidiu Șincai, counselor to PDSR's number one at the time, Adrian Năstase; Liviu Maior, Minister of Education; Nicolae Țăran, vice-president of the Civic Alliance Party. Radu Vasile, who had been invited as Vice-President of the Senate, failed to answer the invitation.

The entire leadership of the UDMR was there too: serving president Béla Marko; honorary president Laszlo Tokes; executive president Csaba Takacs; Gyorgy Tokay, the leader of the Alliance's group in the Parliament; senators Gyorgy Frunda and Josef Csapo; Arpad Kelemen, one of the leader of the academic community.

The participation of the civil society was anemic, to say the least: just me. I was introduced in various capacities – as a member of the Civic Alliance (the organization, not the party), of the Group for Social Dialogue, of the Helsinki Committee. I was only later told that my involvement had been specifically requested by the UDMR. The

¹⁹⁵ The American Project for Ethnic Relations (PER) played a special part in mediating Romanian-Hungarian relations. The organization, whose director was originally from Transylvania and spoke both Hungarian and Romanian perfectly well, assumed a political reconciliation project based on behind-the-scene relationships. The organization managed the daunting performance of bringing together at the same table, in 1993, PDSR leaders (including master pragmatist Victor Hrebenciuc) and several UDMR personalities. The meeting, held in Neptun, generated a scandal inside the Hungarian Alliance, whose dissident group was on the verge of excluded from the party. While the event seemed a failure at first, the PER managed to impose the principle of dialogue no matter what the circumstances. The American organization acted discretely and therefore it stayed mostly outside public view. But those with a firsthand experience acknowledge its importance in establishing a safe bridge between the Romanian and the Hungarian political elites.

organizers who welcomed the Romanian delegation included Allen Kassof, Livia Plaks, other members of the Project for Ethnic Relations, and of course Jimmy Carter.

It is worth noting that the Atlanta meeting had remained an uncertainty until the night before our departure. The government had insisted on including into the delegation Emil Roman, a member of the extremist PUNR. The UDMR, on the other hand, had taken a firm stand: no PUNR members would be accepted. A compromise was eventually reached: Emil Roman came along as an observer.

February 15, the first day of the Atlanta meeting, started under bad auspices: Emil Roman introduced himself as a full member of the delegation who enjoyed the same rights as the other participants. As a consequence, the Hungarian team retreated for deliberations and returned only after some 50 minutes. Bela Marko finally announced that, in what UDMR is concerned, Roman is merely an observer. The meeting started, but the tension had already accumulated. Laszlo Tokes acidly pointed out that Romanian participants had already attempted to bend the rules. In reply, Viorel Hrebenciuc and Traian Chebeleu complained that UDMR leaders were “intolerant”.

Other exchanges of accusations of responsibility for the ethnic tensions in Romania followed. Some reproved their antagonists for violations of the rights of the Hungarian minority, or for hostile statements against the Alliance; the others countered with reproaches concerning the Hungarians’ intention to build a state within a state, or their violation of Romanian laws by establishing the Council of Representatives and the Council of Advisers and Mayors, and so on.¹⁹⁶

We slouched toward the afternoon of a first, very hot day. Since I had not gone there as a simple spectator, I tried to change the framework of the conversation, which, it had become obvious to me, was a recipe for conflict. I suggested we take up an agenda of specific issues: the use of the mother tongue in education and the justice system; bilingual inscriptions; the Bolyai University in Cluj; the bill on the rights of national minorities. The discussion, I argued, should focus on practical matters in need of a resolution. As a matter of fact, the bill drawn up by the government had been included in the participants’ folder. I had brought the Center for Human Rights (CDO)

¹⁹⁶ Naturally, there was nothing illegal here. APADOR-CH analyzed the matter and issued a communiqué to that effect.

bill with me, and UDMR referred to their 1993 document and the education bill signed by approximately 500,000 Hungarians.

The structure of the agenda was accepted as a matter of principle, but we did not manage to reach an agreement with respect to the order in which the questions should be addressed. It was only toward the end of the day that we managed to choose eight issues suggested by the UDMR and two proposals made by Traian Chebeleu.

By the following morning, Ovidiu Șincai had secured a final agenda: legislative issues, followed by the internal issues proposed by the UDMR, and by a discussion of the parties' positions on minority rights. The latter topic was chosen due to the seemingly unanimous desire to prevent a nationalist epidemic from engorging the coming electoral campaign. The only point on which consensus had been reached before the arrival of Jimmy Carter was that the dialogue ought to be continued in Bucharest.

The government officials and the PSDR members insisted that the UDMR should accept meetings with the governmental coalition. One by one, Traian Chebeleu, Liviu Maior, and Ovidiu Șincai lectured about how important it was that the Hungarians' Alliance should secure an endorsement from the extremist parties if any progress was to be made.¹⁹⁷ One should behave tolerantly, they held forth as if unaware that such conduct behavior hardly suited the PUNR or the PRM. After all, said the government representatives, the latter had concluded a protocol with the PSDR under which all forms of extremism should be eliminated. And the dialogue would also be a positive sign for the people in the country...

For a moment, the rest seemed confused. It was as if the UDMR had been all the while rejecting democratic dialogue, and had avoided political reality altogether. Would Alliance leaders finally say yes to the invitation to sit at the same table with Vadim Tudor and Gheorghe Funar?

I thought it was high time for me to say something. A trap was being carefully but transparently laid: politicians who had requested that the UDMR be banned as a party were now suddenly presented as individuals with respectable democratic

¹⁹⁷ Naturally, they did not use the word "extremist".

credentials and a desire to sit at the same table with the Hungarians. Such a move would not have made Funar and Vadim less insolent, but only more legitimate. So I recalled for the benefit of my colleagues that the parties which rejected extremism, at least as a matter of principle, accounted for about 80 percent of the seats in the Romanian parliament. Gyorgy Frunda immediately capitalized upon my point and put an end to an already sterile line of conversation: UDMR, CDR, and PD had reached an agreement according to which they were to avoid any debates with extremist parties. So they could not break this promise in Atlanta and accept any future negotiation with PUNR. PDSR's plan had been undone.

Jimmy Carter arrived toward the end of the first round of talks led by Harry Barnes, a former US ambassador to Bucharest. Carter mentioned America's interest in what is going on in Romania, as well as his readiness to lend his name to the cause if necessary. Before stepping back, moderator Allan Kassof said two simple things. If the UDMR leaders want results, they should first answer the question of how they may persuade the government to cooperate. Secondly, the government should be interested in having 2 million Hungarians feel happy rather than discontent.

The meeting's last half hour or so was consumed in informal discussions on the education act and future Bucharest meetings in which the leaders of the groups involved were supposed to address matters of detail. At about 18:15, the Atlanta mediation came to an end. Many of us felt that a good opportunity to come up with a clear and specific agenda had been squandered. Something, however, was gained – the spiral of accusations upon accusations exchanged by Romanian and Hungarian leaders had been temporarily halted.

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As an observer, I would say that the most interesting experience in Atlanta were the participants' attitudes.

Alan Kassof was at the time (and still is, to my knowledge) the director of Project for Ethnic Relations. This organization's collaboration with governmental structures (and perhaps its very presence in Romania) under Ceaușescu, generated a lot

of suspicion.¹⁹⁸ His positions during the meeting remained rather diplomatic. His comments¹⁹⁹ were explicitly directed at accusations coming from the country (from the PUNR in particular) to the effect that the US were in no position to interfere with Romania's internal affairs. His final suggestions to the Hungarian and governmental delegations were commonsensical. They pointed to the only way of avoiding a direct confrontation. The PER's ability to involve personalities such as Jimmy Carter and former US ambassadors to Bucharest proved a considerable asset.

Here is a typical statement made by president Iliescu's advisor, Traian Chebeleu: "Many Romanians in Transylvania wake up in the morning with the same fears as their Hungarian conationals. They are afraid of public disorder, and feel unsafe because of some of the initiatives advanced by the UDMR. Since 1992, UDMR has been advocating the concept of territorial autonomy. Its other projects followed the same line. These projects are unconstitutional and segregationist. The UDMR's Council of Mayors and Counselors should be disestablished."

However, this quote can hardly do justice to Chebeleu's position. His attitudes, and probably those of the president, can be summarized as follows. First, they expressed a conservative position: there are no reasons for a separate human rights chapter for the national minorities. The very notion of turning this issue into an international problem constitutes an abuse. Secondly, they failed to distinguish between matters which are, legally speaking, worlds apart – such as, on the one hand, expressing one's belief that the Romanian Constitution should be changed (a right guaranteed by the basic law itself) and, on the other hand, pursuing constitutional change through unconstitutional means. The attempt to find a proof of unconstitutionality in the statute of the Council of Mayors and Counselors seemed honest, but was grossly inadequate.

Thirdly, Chebeleu's position betrayed a minimal desire to reach a compromise solution on the Hungarian issue. He probably believed that no partner was a real match

¹⁹⁸ The PER headquarters in Bucharest had been, until 1996, a villa in the luxurious Primăverii district, and had been constantly guarded by a policeman (if a policeman he was, that is). But as I said before, one must acknowledge PER importance in establishing a safe bridge between the Romanian and the Hungarian political elites.

¹⁹⁹ "This meeting is not an attempt at mediation, arbitrage, or negotiation. Nobody offers anything and nobody gets anything. It is an unofficial meeting. It is meant to be an exchange of opinions in the presence of American friends. An opportunity for a rational discussion."

for the presidential institution itself. Finally, while not couched in pro-Romanian demagoguery, his position seemed to consider Hungarian Romanians as less legitimate than the rest of the population in making demands.

“This is a dialogue between Romanians and Romanians, rather than Romanians and Hungarians,” said Hrebenciuc. He continued by observing that “we have reached agreements previously, and they were respected. Three hundred students receive instruction in the mother tongue at the University of Cluj. The Council for National Minorities has been established. Whenever the UDMR issues a statement, foreign observers with little knowledge of the real state of affairs might think that there is no such thing as education in Hungarian, or autonomy, or that all Hungarians are unhappy. But when we discuss specific matters, we see that it is only a matter of details. Why does the UDMR fail to remind us of what the government *has* done so far?”

The government’s secretary general was also a coordinator of the Council for National Minorities, and did not seem to hold his views dogmatically. He acted in the way dictated by the political forces that the government had to take into account. During the discussions, Hrebenciuc avoided the fundamental problems and preferred to look at specific issues raised by UDMR representatives. He proved especially active in the attempt to persuade the Alliance to meet with the other members of the governmental coalition.

“The Văcăroiu government took great pains to solve minorities’ problems, including those in the field of education. It is the only body not involved in politics in Romania,” noted Liviu Maior, who at the time was Minister of Education. “The pact with the other three political groups did not change the government program. It is simply the result of electoral arithmetic.” As for decentralization, “it should be noted that education is, after health care, the second department for which budgets were assigned at local level.”

Mayon continued: “The PDSR leadership requested its local organizations to discuss with the UDMR branches. A department for national minorities is considered.” Maior also opined that “separation in the field of education is a serious matter. The

Ministry has just changed its curriculum in civic education in order to accommodate tolerance and multiculturalism.”

Nicolae Țăran’s statements were striking in their severity, even though the declarations made by the Civic Alliance Party (PAC) in Bucharest had already suggested a hard line. For instance: “We cannot provide solutions without identifying the causes which prompted the UDMR to stay out of all political alliances. The UDMR has been arguing for the establishment of special, self-governing regions since 1992. Should this goal be achieved, our national sovereignty would disappear. According to the Alliance, local communities are based on ethnic frontiers. Such an arrangement cannot be found elsewhere. The current state of affairs is the result of UDMR’s challenging the constitutional order. Two essential things were achieved after 1990: the Constitution and the first steps toward European integration. The UDMR is now a threat to both.” Or: “We cannot leave the three parties – PUNR, PRM, PSM – out of the loop.”

In Atlanta, Nicolae Țăran was the only representative (at least symbolically speaking) of the opposition. (The PNTCD leadership had prevented his opposition colleague Radu Vasile from attending the meeting in the city of Martin Luther King.) His discourse suggested a blatant ignorance of the UDMR documents he was challenging, of international regulations and practice in the field of national minorities, as well as a grossly inadequate reading of the Constitution and other relevant norms.

Six years later, his vicious suggestions in Atlanta come into better perspective. Țăran represented the Civic Alliance Party (PAC),²⁰⁰ which together with the Social Democratic Party in Romania (PSDR) had launched the campaign to oust the Alliance from the Convention. This move was precisely what was needed in order to enable the interested parties to point out to the internal and international audience that UDMR had been deserted by everybody. Thus, after having carefully placed the explosives, PAC was now detonating the charge in Atlanta. Finally, the fact the opposition nominated Nicolae Țăran as its representative in Atlanta was itself puzzling and is still shrouded in mystery.

²⁰⁰ How this native of Timișoara made it into the PAC leadership is bound to remain a mystery.

Like many of his colleagues, Ovidiu Șincai adamantly pursued a political project. In a balanced tone, he tried to identify nationalistic sources in various areas of the political field, placing the PDSR in the position of a moderate arbiter: “The first party to attack the UDMR was Mr. Cunescu’s PSDR, claiming that it had evidence with respect to a request for territorial autonomy made by the Alliance before its March congress. PAC followed, and then the PNTCD. What we need is an extended debate on the issue of autonomy attended by all parties in the parliament. Right now, we stand a good chance that during the coming elections nationalism should become the safest bet for every party in Romanian politics. This should be avoided at any cost, and for this we need clarifications right away.”

This quote cannot but underestimate the efforts made by PDSR’s political adviser (supported by the other officials) to bring about negotiations between the UDMR and the other members of the government coalition in Bucharest. The point was to get the UDMR, PUNR, PRM, and maybe PSM to sit together at the same table, so as to release the PDSR from its extremist associations and to enable it to keep some of its potential sympathizers. On the other hand, Șincai insisted on the nationalist trend in the latest statements made by the Opposition. Under such circumstances, the party of Adrian Năstase and Oliviu Gherman would have become the only political force both balanced and powerful, on the one hand, and capable of dealing with the national minorities issue, on the other.

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What about the UDMR members?

Bela Marko: “The main problem of the Hungarians in Romania is the absence of patience and tolerance. Hungarian citizens are constantly under attack on TV, on the radio, and in the newspapers. For several weeks, the UDMR has been the target of a campaign conducted by the government, the Minister of Justice, and the parties in the Parliament, all of which charged the Alliance with unconstitutional acts. Hungarians do not enjoy equal opportunities in their daily lives.”

Csaba Takacs: “These days we commonly hear that ‘UDMR is isolated, it is an enemy of the Constitution’. Statements to this effect prevent political forces from

finding a positive position. I have been notified that the House of Deputies voted yesterday on a motion censuring our group. Fortunately, only a part of the parliamentarians played this game. This suggests that there is room for agreement in Romanian society.”

Laszlo Tokes: “The government of Romania seems to believe that human rights are those rights for which it makes an allowance. And that, consequently, those who grant them may also withhold them. The government seems to believe that it should be asked for permission by people who wish to associate. It is easy to laugh at such claims here in Atlanta. But in our country the media, which is to say most of the Romanian press, is used to putting pressure on UDMR. It is an act of psychological terrorism.”

“I am surprised at the American leniency toward the involvement of extremist forces in our government. Austrian president Kurt Waldheim was denied entry in some countries because in the 1940s he was a member of SS troops.”

“Rights are not subject to negotiation. If we demand a Hungarian university, it should be given to us because we asked for it. If democracy were real in Romania, no one would deny something that half a million Hungarians asked for. The Hungarian community is larger than the population of many American states who have their own universities. Who did they ask for permission to establish them? Romanian brothers should not provoke the Hungarian brothers.”²⁰¹

Gyorgy Frunda: “A basic goal of the meeting between UDMR and Romanian political representatives is that of stopping aggressive behavior in the media. Progress in the legislation on education, judicial procedures, and bilingual inscriptions would be welcome among the list of issues we are called upon to resolve. The governmental coalition is employing nationalist propaganda in order to relieve discontent with the country’s real problems. Attacks against the UDMR do not have legal grounds, but merely political ones. In spite of internal and international promises, the steps toward

²⁰¹ I am in complete agreement with what Tokes said in Atlanta. Even with his last sentence – “Romanian brothers should not provoke the Hungarian brothers.” Tokes was outraged that others could claim an almost exclusive right to decide with respect to his community. Like him, I would feel suffocated under such circumstances. And yet, even though the feelings behind such statements are understandable, it is obvious that the statements themselves were totally inappropriate in the context of tense negotiations between two ethnic communities.

the recognition of minority rights have been made backwards. Statistics indicate that anti-Hungarian discrimination is widespread.”

Gyorgy Tokay: “Autonomy is not an end in itself, dangerous because it would create a state within a state. In our view autonomy is a means. The end is freedom. Autonomy accommodates basic rights, among which the right to one’s identity.”

“Why are our bills not debated in the parliament? After all, previous solutions have failed to solve the problem of minorities.”

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These statements remained in the sphere of principles. This was one of the several conclusions an observer in Atlanta would draw after the meeting had come to a end: Hungarian leaders had failed to adapt their discourses to the context of a negotiation. One had the eerie feeling that the conceptions into which Hungarians had put so much effort, and which they had fleshed out in the Memorandum and the bill on national minorities and autonomous communities, could not be connected to practical arguments.

Romanian politicians, on the other hand, behaved in precisely the opposite way. They seemed completely devoid of any vision concerning the issues raised by the fact that Romania had a large and assertive national minority. The details they hung on to, the small matters to which they reduced the debated issues, could not serve as a basis for public policies in an ethnically complex society.

25. THE ROMANIAN-HUNGARIAN TREATY: INTERNAL AND EXTERNAL FACTORS IN INTERETHNIC RELATIONS

I have written about how several actors, whether from the capital or the province, from the highest ranks of the authorities or on the streets, on the first pages of newspapers or behind the curtains, were engaged in shaping Romania's ethno-political life after 1990. But it would be an illusion to believe that these actors controlled the events to more than a limited extent, that what had been happening was a natural result of the wishes and projects of the parties involved. It is difficult to explain what happened in Romania without a look at what was happening abroad. Soon after the revolution, Romania was caught unprepared by a speedy revision of the continent's architecture. The dissolution of the Soviet Union considerably diminished the chances of any authoritarian project in this part of Eastern Europe. Most importantly, integration processes affected profoundly the development of the states which had just left their communist past behind. At the beginning of the 1990s, Romania applied for membership in the Council of Europe in order to participate in the larger trends at work on the European continent. The country was granted this status in 1993. During the second half of the decade, most of the important changes within were prompted by the UE and NATO.

And this is to look at integration alone. The "example" of former Yugoslavia, in many ways similar to Romania, provided perhaps a useful lesson for the country's decision-makers. Hungary's foreign policy and, to a lesser extent, the position of Ukraine, also influenced Bucharest. Finally, globalization and the new status enjoyed by institutions such as the World Bank or the International Monetary Fund caused Romania to pay more attention to signals coming from abroad.

The Hungarian problem was high on the agenda of our accession to the Council of Europe. Naturally, Romania had to answer for its deficiencies in the field of basic rights. Opinion no. 176,²⁰² the document which accepted Romania as a Council member, listed several obligations that the Romanian state had to fulfill after being

²⁰² The resolution concerning Romania's request to become a member of the Council of Europe was adopted by the CE Parliamentary Assembly on September 28, 1993.

granted membership: to substitute existing legislation concerning judicial power with laws guaranteeing the independence of judges; to return the former property of the Church confiscated by the communist state; to change prison conditions; to eliminate the infamous Art. 200 of the Criminal Law incriminating (consensual) homosexual relations. Also, it was supposed to combat racism and chauvinism and apply the provisions of Council of Europe Recommendation 1201.

It was Recommendation 1201 and the struggle against its vilification that kept us busy for the coming two or three years.

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Today it might seem strange that so much energy was expended in public debates around a technical document such as the Recommendation 1201/1993 of the Parliamentary Assembly of the Council of Europe. The ample space provided for debate by newspapers, radio and TV channels, as well as the fervor and the consistency with which the Recommendation was pursued after the failure of treaty negotiations between Romania and Hungary (in the beginning of 1995, but also during periodical remissions in 1996 and even later), must seem exceptional. Emotional excess, misinformation, the interference of occult actors – all this and more begot a “national” coalition against the Recommendation and its supporters at home or abroad. With few exceptions (Adrian Severin, Dinu Zamfirescu, Horia Rusu), most politicians seemed to have gone out of their minds. Former dissident Doina Cornea published in 22 an article that moved me. With little technical experience with respect to legal instruments in the field of minority rights, but armed with an infallible instinct for noble causes, she succinctly identified the key points of the ongoing strife: the campaign against Recommendation 1201 was “one of those undignified, nationalist, demagogical tricks designed to conceal uglier interests”; “if applied simultaneously all over the country, the democratic norm in Recommendation 1201 can only lead to more internal stability”; “unfortunately, this time around the opposition has fallen into the trap laid by the ruling parties, which thus concealed their mischievous intentions from the eyes of domestic and international public opinion.”

A script inducing collective hypnosis was ably staged in 1995. Its authors included the Ministry of Foreign Affairs and their colleagues at various other institutions specializing in public intoxication. And, of course, contrary to the scriptwriters' claims, Romania's national interest had nothing to do with it. Those who really stood to benefit were the political forces that have been throwing their weight against Romania's integration for the past 10 years or so. Once again Europeanization had to pass the difficult test of the status of the Hungarian community and of our relations with its kin state.

What was it that civil society in general, and the members of APADOR in particular, were supposed to explain in detailed studies or on short TV appearances?²⁰³ First, the reasons behind the Council of Europe resolution known as "Recommendation 1201". After 1990, as the Council of Europe was coming to terms with the notion of an imminent expansion, this process was suddenly undermined by minority issues. The war in Yugoslavia, which commenced in 1991, showed that the instability generated by conflicts between majorities and minorities was incompatible with a democratic order. The Parliamentary Assembly therefore made the first steps toward providing legal instruments guaranteeing minority rights. As a document detailing the states' obligations with respect to the rights of national minorities (linguistic, cultural, educational rights etc.), Recommendation 1201 was in fact a comprehensive reworking of initiatives dating from 1990. Among the "merits" of the Recommendation we counted the status granted to minority rights as a component of human rights, the introduction of a definition of national minorities, an explicit reference to the right of

²⁰³ As well as outside Romania... Among the many discussions I had had with Max van der Stoel, the High Commissioner for the National Minorities, this one proved especially interesting. At one point, he seemed to have been somewhat persuaded by the Foreign Affairs Minister, who kept referring to the Ministry's support for the Framework Convention. When I explained that through Opinion 176 Romania had actually committed itself to enforcing Recommendation 1201 van der Stoel immediately changed his expression. It is one thing to harbor a different opinion, it is a totally different thing to renege on a commitment.

Presence in the mass-media remained an important goal. Beside the weekly 22, several other TV channels also provided space for debates. I participated in some TV shows, as did Renate and Valentin. I wrote an article for the *Transition* monthly so as to reach the Western media as well. I also published more technical studies in the *Romanian Human Rights Journal (RRDO)* ("Recommendation 1201, the rights of national minorities, and the political debates in Romania", *RRDO* Nos. 8 and 9) and *International Studies* (Bucharest) ("Recommendation 1201 and a stability/security network in Central and Eastern Europe").

establishing ethnic parties, and provisions concerning the use of the mother tongue in administration and justice.

Our goal was not so much that of promoting what was valuable in the Recommendation, but rather that of defending it against fierce accusations. The “danger” allegedly posed by the Recommendation came in the guise of two articles (Art. 11 and Art. 12), which quickly achieved notoriety. Their recognition would have led, according to some voices, to the “destabilization” of the country. The two articles are worth reprinting:

Art. 11: “In regions where they are in a majority the persons belonging to a national minority shall have the right to have at their disposal appropriate local or autonomous authorities or to have a special status, matching the specific historical and territorial situation and in accordance with the domestic legislation of the state.”

Art. 12.1: “Nothing in this protocol may be construed as limiting or restricting an individual right of persons belonging to a national minority or a collective right of a national minority embodied in the legislation of the Contracting State or in an international agreement to which that state is a party.”

Judicious readers of this text will understand immediately that Art. 11 introduced no special obligations for the Romanian state, other than those already present in the Romanian Constitution, which provides for the establishment of local public administration authorities. Similarly, Art. 12.1 refers to the protection of (individual or collective) rights that were already a part of the internal system of rights.²⁰⁴ Any other collective right envisaged by Art. 12.1 was supposed to have been already accepted by the respective state through an internal law or through the ratification of an international treaty.

One argument constantly adduced against Recommendation 1201 was the latter’s redundancy after the adoption of the Framework Convention on the Protection of National Minorities. Although the CE Council of Ministers opted, in the fall of 1993, in favor of a Framework Convention, rather than an additional Protocol to the European

²⁰⁴ One collective right provided for in the Romanian Constitution (Art. 59.2) is the right of minorities which do not secure a sufficient number of votes for parliamentary representation to have a seat set aside *ex officio*.

Convention of Human Rights (ECHR) as that provided by Recommendation 1201, it could not invalidate a document issued by the Parliamentary Assembly such as the Recommendation. Furthermore, Romania was in a special position: upon its admission to the Council of Europe, it had expressly committed itself to comply with this document.²⁰⁵ It is also worth noting that the Assembly continued to support the Recommendation even after the October 9, 1993 Vienna summit of the heads of state and government from the Council member states, when the elaboration of a Framework Convention was requested. On January 31, 1995 – that is, the day preceding the opening of the Convention for signing – the Council of Europe’s Parliamentary Assembly adopted Recommendation 1255 concerning the protection of the rights of national minorities.²⁰⁶ In reaffirming that the protection of national minorities had become one of the most important tasks of the Council, the Assembly in effect suggested that the rights to be included in a new ECHR protocol should include those set forth in Recommendation 1201/1993.

Since many arguments alleging the “obsolete”, “outdated” or “invalid” character of the Recommendation 1201 originated in Bucharest during the negotiation of the Romanian-Hungarian Treaty, the Parliamentary Assembly adopted on April 26, 1995, Order 508 concerning the obligations and commitments of CE member states.²⁰⁷ Art. 7 of Order 508 stressed that “[original quote]”. Romania was directly targeted (and it is quite possible that the issuance of the document had been a success of Hungarian diplomacy). Even so, nothing compelled Romania to act against the principles of international decency and, ultimately, against its own interests.

At APADOR, we tried to argue for these interests in the face of an active group of special-FX professionals. The show had been opened by the president and his spokesperson, who relentlessly inveighed against the Recommendation, which they labeled a danger to the sovereignty of the Romanian state and a source of “privileges”

²⁰⁵ See Opinion 176 of the Parliamentary Assembly.

²⁰⁶ See Doc. 7228, Report of the Judicial and Human Rights Committee (Rapporteur Bindig).

²⁰⁷ That the document was adopted due to the position of the Bucharest authorities is confirmed by the Council’s Deputy Secretary General, Heinrich Klebbes, in “The Council of Europe’s Framework Convention for the Protection of National Minorities”, *Human Rights Law Journal*, Vol. 16, No. 1/3, 1995, pp. 92-8.

for particular ethnic groups.²⁰⁸ The Ministry of National Defense, Gheorghe Tinca, let us in to his own theory: “Ethnic unrest in our region would not have been so intense, had it not been persistently encouraged by what in European politics is called the policy of national minorities. A Janus whose unseen face challenges the very viability of the European process.”²⁰⁹

All more or less important political groups delivered public pronouncements on the Recommendation. The PDSR issued the following communiqué on March 24, 1995: “The persistence of certain groups in demanding the establishment of autonomous, separatist, ethnic-based administrations, as well as a special, privileged status for Romanian citizens belonging to the Hungarian minority, which includes official status for their mother tongue, is an obstacle before the necessary completion of a modern Treaty between Romanian and Hungary.”

As expected, the harshest condemnations came from the PUNR and PRM. Their signature is unmistakable. PUNR requested the timely intervention of the government and the parliament. “[W]e have to identify the guilty parties, the ones who violated the provisions of the Romanian Constitution and ignored the provisions of the Framework Convention...”²¹⁰

But even the Democratic Convention (CDR) was caught, as Doina Cornea put it, in the trap: it supported the Văcăroiu government in its decision not to sign the Treaty in March 1995. “At a time when Romania finds itself in a difficult position because of the delays in signing the Romanian-Hungarian Treaty and the signing of the Treaty between Slovakia and Hungary, the CDR resolves to lend political support to the Romanian Government and the prime minister on the occasion of his attending the Paris Stability Conference.” The CDR further stated: “As we have repeatedly pointed out, we do not

²⁰⁸ In his press conference of March 23, 1995, Traian Chebeleu stated that the only obstacles before the Treaty were “the unacceptable demands advanced by the Hungarian side with respect to national minorities”. In an April 11 conference, Ion Iliescu argued that Recommendation 1201 “is merely an incorrect reinterpretation of international documents and regulations”.

²⁰⁹ *Cronica română*, February 18-9, 1995.

²¹⁰ PUNR communiqué of March 12, 1995. On March 28, PUNR president Gheorghe Funar dispatched to president Iliescu an open letter in which he demanded that (a) the Ministry of Foreign Affairs team negotiating the Romanian-Hungarian Treaty be changed; (b) a provision concerning damages owed by Hungary to Romania for the atrocities and destruction wrought after the Vienna Treaty be included in the treaty; and (c) the organization of a referendum concerning the adoption of the basic treaty.

agree with requests for ethnic-based local autonomy, as promoted by Recommendation 1201.”²¹¹

I will not list the positions of each party, relevant as they may be, but rather provide one final example, that of Nicolae Manolescu, the president of the Civic Alliance Party. As late as July 1995, at a time when most opposition politicians had already discovered that it was self-compromising to attack a document which had been explained to the public opinion and had been reconfirmed as valid by CE’s Parliamentary Assembly, Manolescu stated the following: “Leaving aside the issue of Recommendation 1201, which is not acceptable to us and will most likely never be considered in a Treaty, the idea of Romania’s and Hungary’s simultaneous accession to Euro-Atlantic structures seems promising.” Actually, Recommendation 1201 made it into several basic treaties. But this particular fact seemed not convincing enough to persuade Mr. Manolescu (and other intellectuals involved in Romanian politics) to relinquish their superiority toward the technical sophistries of international law.

Few Romanian political forces ever read the Recommendation in an appropriate way. An exception to this general rule, the public statement issued by the Democratic Party (PD) on March 20 noted the following: “Another look at the provisions of Recommendation 1201 of the Parliamentary Assembly of the Council of Europe, used as a pretext in order to justify the refusal to sign the treaty with Hungary, shows that the document does not actually acknowledge the notion of collective minority rights or ethnic-based autonomy, as the Văcăroiu government misled Romanian public opinion. The same analysis and the same conclusions stand behind the decision of the Slovakian government to sign the treaty between Slovakia and Hungary.” The Liberal ’93 Party (PL’93) publicly stated that “We believe that Recommendation 1201, which the government describes as unacceptable, is very much acceptable...”²¹²

I had discussed before with PD’s Victor Babiuc²¹³ and PL’93 members about the importance of such statements. The links between civil society associations and political

²¹¹ CDR communiqué of March 20, 1995, signed by Emil Constantinescu.

²¹² Statement of PL’93 vice-president Dinu Zamfirescu of April 11, reprinted in *Cronica română*, April 12, 1995.

²¹³ Another member of the Democratic Party (PD), Adrian Severin, had been systematically campaigning in the media against the hysteria surrounding the Recommendation.

groups were, before and immediately after 1996, a key element in any strategy fighting the nationalist coalition. This link eroded little by little toward the end of the 1990s, and completely became a thing of the past after the general elections of 2000.

As for the press, its take on the Recommendation bordered on hysteria. Few publications managed to escape this temptation. The daily *Azi*, back then PD's organ, the weekly 22, and to a certain extent *Evenimentul zilei* (which covered all positions concerning the Recommendation and the Treaty with Hungary), were among the notable exceptions. Starting with January 1995, the daily *Adevărul* launched a systematic attack against the Hungarian minority. It published materials touting the Recommendation as a major danger for the unity of the Romanian state and the relations between Romanians and Hungarians. It vehemently attacked the parties or personalities which opposed its views and systematically avoided covering information that introduced the reader to a different opinion.

Between January and April 1995, *Romania liberă* voiced accusations against the UDMR condemning the alleged destabilization pursued by the Hungarian government, as well as the position of pan-European structures (such as the Council itself) toward the Recommendation. Its articles more or less followed the line and the language of *Adevărul*, *Cronica română*, *Diminieața*, *Vocea României* or *Libertatea*.

That *România liberă* actually pursued a deliberate campaign against the Recommendation and the Romanian-Hungarian Treaty is suggested by the editors' unwillingness to let their readers hear a version different from that printed by the daily. Despite of the fact that, at the time, editor-in-chief Petre Mihai Băcanu and I were on friendly terms, my materials on the Treaty and the Recommendation were rejected.

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The tight connection between the national and the international dimensions of the affair seemed to require at some point an institutionalized framework for research. This is how the Center for International Studies (CSI) came into being in 1994 (its history and development were recounted in more detail in my book [book title]).²¹⁴ Because of the methodology involved (technical analysis, dissemination thereof among

²¹⁴ Published by Polirom in 1998.

the interested actors, throwing in the additional weight of public “events”), The CSI’s actions have generally been successful. (The materials were also translated into English and sent to embassies or international organizations, following a checklist that proved to be quite effective.)

In 1995, as president Iliescu unleashed his propaganda machine anew (on August 30), we took another look at the issue of the Treaty. When the Romanian president read before the audience of a “National Symposium” an exposé with an illuminating title (“Romania and the politics of force in the summer of 1940. Fifty-five years after the Vienna Diktat”), we launched our analysis under the sponsorship of the Center for International Studies. The president called his tract “an appeal for Romanian-Hungarian reconciliation”. To give it an elaborate touch, he argued that the “appeal” was based on an “European, Franco-German model” of relations with Hungary, and called for “the signing of a political document to enshrine historical reconciliation.” In effect, the president was advocating not merely a legal and political Good Neighborhood Treaty with Hungary, but rather something of the magnitude of a “historical reconciliation”. The new initiative had been obviously designed to manipulate public opinion and push things in a direction which had to be avoided. The press campaign was supportive. So we elaborated a new material, which we sent to the interested parties.

I shall reprint it at large below because it offers a glimpse of the relations between the internal and the external dimension of minority issues. Our first task was to expose the empty concept behind the so-called “Franco-German model”.

“(1) The notion of employing the Franco-German model as a guide for Romanian-Hungarian relations should be welcomed. But the appeal of President Iliescu is, in its spirit, if not in its letter, contrary to that model. The historical reconciliation between France and Germany was initiated five years after the end of World War II, through the famous Schuman Statement of May 9, 1950, on which the future European Community would be based. The Statement was essentially a pledge to abandon the confrontational past and the mutual enmity of the two nations. Although May 9, 1950 was the anniversary of the German capitulation and of the end of the war, Robert

Schuman, the French Minister of Foreign Affairs, a German born in Lorena and formerly a German citizen, made absolutely no reference to Germany's responsibility for the conflict with the French, and brought no accusations for the atrocities committed during the wartime German occupation of France. The statement was, in its entirety, a plea for a common project of building the futures of the two nations. The key to this project was the abandonment of any confrontational stance. The Statement was followed by the treaties of Rome and Paris, through which France, Germany and their Western partners laid the foundations of the European project; and by the Basic French-German Treaty of 1963, which placed the final seal upon the historical reconciliation between the two peoples."

Point (2) deconstructed the president's aggressively nationalistic arguments. "By contrast", our communiqué went on, "president Iliescu's appeal to historical reconciliation was launched during a memorial event which, far from calling for the abandonment of the two nations' confrontational past, ostentatiously tried to resuscitate it. Throughout the speech, implicit or explicit accusations were brought against Hungary: 'nostalgies of yore are again dreaming of interethnic conflicts and are irresponsibly drawing new lines upon the map of a stable Central Europe; these lines also cross Romania'; 'I call on the entire Hungarian political class to accept historical and legal reality, acknowledged among others by OSCE's basic documents, according to which the Hungarian minority in Romania is an integral part of Romanian society'; 'the status of the Hungarian minority in Romania cannot be subject to any negotiations with any state, not even Hungary'."

The presidential speech contained numerous falsifications, factual errors or interpretive mistakes. Let us follow the clarifications step by step as introduced by the "Opinion of the Center for International Studies on the appeal for historical reconciliation between Romania and Hungary".

"(3) Hungary officially acknowledged the frontiers of Romania through the Paris Peace Treaty of 1947, the Helsinki CSCE Final Act of 1975, as well as the Treaty negotiations with the Romanian party.

(4) If the president's appeal had relied on the French-German model of reconciliation, he would have discarded any temptation to portray the other side as the enemy. We have to remind our readers that representatives of Romania's governing coalition, openly supported by President Iliescu, built their views of Hungary and the Hungarian minority as enemies of the Romanian people into state policies not five years after the war ended, but in 1995. Sometimes Hungarians have been presented as ethnically and culturally inferior to Romanians.

(5) Adrian Năstase, president of PDSR and of the House of Deputies, stated the following on the occasion of the fifth anniversary of the establishment of the Romanian Hearth: 'There definitely was, five years ago, a very clear understanding of the fact that ... the main threat was a threat to the very being of our nation, our spirituality, our national identity. This awareness gave birth to the Romanian Hearth, in a political context dominated by the UDMR and its political actions.'²¹⁵

On June 30, 1995, PSM leader Adrian Păunescu accused Hungarian parliamentarian Geza Jeszenszky, during a session of the Parliamentary Assembly of the Council of Europe, of a 'sexual obsession' with Transylvania. He advocated before this pan-European forum the disestablishment of the UDMR and the monitorization of Hungary, 'the country where the terrorist now also hurting the Horn government originated'.²¹⁶ In referring to the political leaders in Budapest to whom president Iliescu is now appealing for a historical reconciliation, the PUNR communiqué of January 25, 1995 notes the following: 'Blinded by and obsessed with the annexation of Transylvania to Hungary, and seeing that the Romanian people and political parties are aware of the danger posed by UDMR's very existence, the Hungarian leaders in Budapest have proven that they are the descendants of a barbarian people that came to Europe a thousand years ago. The period seems not to have been sufficiently long to make them adapt to the requirements of European, civilized behavior. It is now obvious that Hungary will relinquish neither its territorial claims to neighboring states, nor its imperial dreams.'²¹⁷ In his official capacity as PRM president, senator Corneliu Vadim

²¹⁵ *Vocea României*, No. 366, February 14, 1995.

²¹⁶ *Vremea*, No. 701, July 1-2, 1995.

²¹⁷ *Cronica română*, No. 616, January 27, 1995.

Tudor openly advocated the position expressed by the PUNR communiqué quoted above, and stated during the February 7, 1995 working session of the PDSR, PUNR, PRM, and PSM: ‘It is my belief that in mentioning the descendants of these barbarians we are not offending the Hungarian nation – on the contrary, we are providing authentic, historical texts which prove that their origins were those of primitives, something we ourselves have never been.’²¹⁸

We then devoted an ample part of the communiqué to the issue of historical reconciliation in connection with the problem of national minorities:

“(8) As for the president’s reference to OSCE, it is noteworthy that the CSCE Meeting Report drafted by minority experts in Geneva in 1991 stated that ‘[National minority issues, just like compliance with international obligations and arrangements concerning the rights of persons belonging to these minorities, are not exclusively an internal affair of the state in question – original quote to be added].’ One should also add the obligations that Romania has undertaken as a member of the Council of Europe. Romania has signed the Framework Convention for the Protection of National Minorities implicitly accepting the provisions of Art. 1: ‘The protection of national minorities and of the rights and freedoms of persons belonging to those minorities forms an integral part of the international protection of human rights, and as such falls within the scope of international co-operation.’ Finally, the Report of the Foreign Affairs and Security Committee of the European Parliament concerning EC’s relations with Romania, read by Richard Balfe on April 1, 1993, notes that ‘The Community must help Romania finalize its transition to democracy and a market economy but, at the same time, has the right to request Romania to respect fundamental rights and freedoms, as well as the rights of man and minorities’ rights.’

In its A3-0128/93 Resolution on the relations between the EU and Romania, the European Parliament requested ‘guarantees from the Romanian government on the continuation of the democratization process, especially the respect for human and minority rights.’

²¹⁸ Quoted in Chapter 11 above.

(9) The fact that the status of a minority may be the object to negotiations with another state is proven by the Treaty between Romania and the Federal Republic of Germany concerning friendly cooperation and European partnership. Art. 15 of the Treaty concerns the status of the German national minority in Romania. To dismiss the Hungarian minority issue as a possible subject of Romanian-Hungarian negotiations is actually to dispute the core of the EU Stability Pact, which defines relations of good neighborhood as the settling of frontier and minority questions through negotiations between states in the region. These negotiations are supposed to lead to the signing of treaties.

(10) In rejecting negotiations on the minority question with the Hungarian party, the president is implicitly rejecting the basic political and legal treaty with Hungary, in the absence of which any talk of historical reconciliation is emptied of content. And yet the president claims in his appeal that he wishes that Treaty negotiations be resumed.”

As always, the conclusions came in the form of pre-chewed material for busy decision-makers:

“(11) These notes on the contradictions in president Iliescu’s appeal for historical reconciliation are not meant to suggest that the appeal should be discounted. On the contrary, any attempt at dialogue and any progress toward Romanian-Hungarian reconciliation remains crucial. However, in the opinion of the Center for International Studies, President Iliescu’s appeal actually conceals the actual, urgent steps needed for reconciliation. Action is needed in the following directions:

(a) The president and the government should abandon, and ask other Romanian political forces to abandon, their habit of regarding Hungary as a potential enemy; they need to stop using the mass-media as a means to reopen old wounds; they need to discard their adversarial position toward Hungary and the Hungarian minority, which should be regarded as an ally in the reconciliation process;

(b) The Basic Treaty between Romania and Hungary and the accompanying negotiations are indispensable for reconciliation and need to be pursued with this goal in mind;

(c) It is important to extend specific cooperation in various fields, including the field of foreign affairs, in particular with respect of the two countries' integration in Euro-Atlantic structures.

September 14, 1995”

Rereading this text today brings back, to the most minute detail, the atmosphere in which we worked as a team: the pressure of deadlines (the communiqués had to be issued while the affair was still hot); the division of labor among the authors; the analysis of details; the dialogue between complementary perspectives; the stylistic battle over what was actually relevant and what needed to be understood by our targets. I have told earlier the story of our break with Valentin Stan. The gap widened until it became too large to be bridged. But this should not diminish the value of our collaboration. None of us could have worked out these policy assessments alone, at least not at the level of comprehensiveness I believe we have achieved. What could the guilty parties – the government, the party leaders, and their spokespersons – offer as a retort? Except for a few blunders I attribute to Valentin Stan, our arguments seem²¹⁹ to me to have been empirically and logically unassailable.

The steps our communiqué asked for were actually taken in 1996 and in the aftermath of the 1996 general elections. In the fall of that year, the PDSR accepted the signing and ratification of the Treaty between Romania and Hungary, partly under the pressure mounted by US ambassador Moses Rosen, partly for fear that PUNR's electoral score might soar in the polls. Under Romania's new rulers (the president, the coalition and the CDR-USD-UDMR government), voted in power in the 1996 elections, the country's relationship with Hungary changed spectacularly. Cooperation between

²¹⁹ Years after these events I debated Bogdan Chireac (deputy editor-in-chief and foreign affairs columnist for daily *Adevărul* which fiercely campaigned against the Recommendation) on TVR1. He was supposed to explain why Romania could accept the Recommendation 1201 in 1996 but *had to* reject it in 1995. He kept referring to the interpretation given to the Recommendation by the Treaty. But the Treaty added nothing to what the Recommendation actually said. Nevertheless, Chireac proved at least that he was a skilled manipulator of the public opinion and, probably, managed to persuade a sizeable section of our audience.

the two states, and foreign cooperation in the field of European integration in particular, reached levels no one had expected in 1995.²²⁰

²²⁰ Adrian Severin is worth quoting: "I told Laszlo Kovacs that, in my view, Romania and Hungary find themselves in a situation that is unprecedented in their history: their strategic interests are 100 percent identical. Both countries were pursuing modernization and security through Euro-Atlantic integration. 'We are not competitors but partners. What we can do together, neither of us can do on its own. We are not involved in a competition over limited positions; each of us has its own slot to occupy. Indeed, the point is to help the other get there as soon as possible.' I told him what I would repeat several times later: this is an opportunity we cannot afford to miss. 'If we were forced to make a choice between NATO admission and Romanian-Hungarian cooperation, then I would choose the second. Why? Because I know that we will belong to NATO sooner or later, while there might not be another chance for a Romanian-Hungarian partnership.' For this reason, or upon that basis, I suggested that we should not restrict ourselves to 'reconciliation'. Reconciliation has to do with the past. We have to design a historical partnership. Since it is at the foundation of our strategic interest, it becomes a strategic partnership."

26. THE CRISIS: THE SUMMER OF 1995 AND THE LAW ON EDUCATION

Let us now return to domestic affairs. The first years of the term of the nationalist coalition which had come to power in 1992 generated serious debates concerning changes in the law on education. Few things were more important to Hungarians than education in their mother tongue since, generally speaking, the language of instruction is a key aspect of national identity. Hungarians' interest in education was therefore legitimate. They had expressed their views in a bill initiated by the UDMR in the fall of 1993. This bill had been pushed off the national agenda when the PSDR introduced its own legislative project, forcing the Democratic Alliance of Hungarians in Romania to shift its efforts from promoting its own bill to fighting PDSR's proposal.²²¹ Each article of the latter document became the subject of a heated argument. In September 1994, after debates in the parliament had taken several wrong turns, the UDMR came up with a staggering display of power: within a couple of weeks it gathered 500,000 signatures for its own education bill. In accordance with constitutional provisions setting out the terms of legislative initiatives (proposals need at least 250,000 supporters), the bill was to be discussed in the parliament. It took a similarly staggering disregard of legal provisions – possibly the greatest handicap of Romanian society over the past years, and almost certainly also in the years to come – to remove this initiative from the agenda. For the second time, a Hungarian-initiated education bill was thrown out of Parliament.

On June 28, 1995, the House of Deputies and the Senate adopted Education Law 84. The consequences were disastrous. No Hungarian ever imagined that the PDSR would stoop so low as to completely ignore the demands of their community. Indeed, Hungarians had hoped for an important improvement in education legislation. A preservation of the *status quo* would have been regarded as a failure. Any lowering of existing standards was simply inconceivable.

But the inconceivable happened. Which exactly were the drawbacks of the new law? In answering this question, we risk spending a lot of time on nuances which, seen

²²¹ The Helsinki Committee sent to the UDMR several negotiation proposals.

from the exterior, may seem exaggerated. But I submit it is a risk worth taking. Each detail may have long term consequences on the lives of millions of children. One cannot possibly pay too little attention to “nuances”. We have already seen, in looking at institutional developments between 1992 and 1996, how seemingly unimportant distinctions which made their way into the body of laws (such as those concerning national security or the Supreme Council for the Defense of the Country) may have profound effects upon public life. The same is true of a law defining the state’s long-term educational framework.

Consider the law’s provisions on the establishment and operation of classes in the Romanian language in each locality in the country (Art. 8.1). Since in Romania there are places inhabited by no single Romanian ethnic, there are serious reasons to interpret this provision as pursuing practical goals. One of these objectives may have been that of “persuading” persons belonging to the national minorities to relinquish instruction in their mother tongue in favor of instruction in Romanian. Is this presupposition as to the hidden agenda of the law-makers legitimate? Irrespective of the answer, the purpose of laws is precisely that of allaying such fears.

Consider, then, Art. 120.2 of the act: “In upper primary and secondary education, the subjects ‘History of Romanians’ and ‘Geography of Romania’ shall be taught in Romanian according to curricula and textbooks identical to those employed in Romanian-language classes.” In other words, the law baptized the subject formerly known as “History of Romania” as “History of Romanians”. The new name was offensive to the minorities. The “history of *Romania*” is supposed to study the past of the society currently living on Romanian territory. This society is, among others, the result of the cohabitation of various communities: Romanian, Hungarian, German, Jewish, Roma, Russian, Polish, Serbian, Bulgarian, Greek etc. By contrast, studying the “history of *Romanians*” may suggest that other ethnic groups are relatively unimportant. This view is at odds with the way in which contemporary law regards the state. It is, as a matter of fact, contrary to the Romanian Constitution, which states that “Romania is the common and indivisible homeland of all its citizens, without any discrimination on account of race, nationality, ethnic origin, language, religion...”.

At this point, some readers may advance the following rebuttal: article 120.3 of the education law provides that “‘Universal History’ and ‘History of Romanians’ textbooks and curricula shall portray the history and traditions of national minorities in Romania.” But this provision sees minorities as a reality that is somehow “appended” to Romanian reality.

Under Art. 122.1, specialized education in the mother tongue in subjects that are crucial to the life of a modern society was placed outside the reach of national minorities: “Specialized training shall be conducted in Romanian in vocational, technical, economic, administrative, agricultural, and vocational college education. When possible, specialized jargon shall also be taught in the mother tongue.” Why impose such a restriction on a population of 1,700,000 Hungarians, 6.4 percent (80,000) of whom are students? Moreover, the fact that administration featured among the listed subjects suggested that there was no intention of changing the law on local public administration so as to acknowledge the use of the mother tongue in local administration (which presupposes the employment of bilingual officers).

State higher education in the mother tongue was drastically limited to a few fields. According to Art. 122.2 of the act, medical education was restricted to the already existing departments. Art. 123 provided that “Upon request and under the terms hereof, groups and sections taught in the mother tongue may be organized in state higher education with the purpose of pedagogical and cultural-artistic training.” The state offered no other specialization in the minorities’ mother tongue – nothing for the technical, economic, or legal sciences. In other words, the Parliament implicitly reaffirmed its willingness to preserve Romanian as the sole language in legal proceedings, despite the state’s commitments and the ratified international treaties.

Access to such disciplines through private education remained possible. On the other hand, this option was purely abstract in practice, especially since Art. 166.1 provided that all existing educational institutions become part of the Ministry of Education patrimony. This provision covered institutions nationalized by the Communist regime, which were not returned to their former owners.

Probably the least acceptable part of the act concerned admission examinations in the mother tongue: “Admission and graduation examinations shall be conducted in Romanian at all levels. Admissions and graduation examinations may be conducted in the mother tongue in schools, classes and specializations taught in the respective mother tongue, under the terms hereof.” (Art. 124) This provision rendered the law unacceptable not only to the Hungarians, but also to Germans. Under such restrictions, the only way to have access to some academic specializations is by studying them in universities in which the teaching language is Romanian. According to the new law, in order to do this the candidates are supposed to pass several admission exams. It is obviously quite relevant whether these exams are conducted in the language in which the subjects were studied in high school. To make it impossible for national minority candidates to take exams in the language in which they studied is to place them at a disadvantage compared to other competitors. The candidates’ only way of avoiding this risky lane is by studying in Romanian in high school. And once the first step is made on this slippery path, education in Romanian will progressively penetrate all lower levels of education.

In terms of standards for minorities’ education, the provisions were clearly behind those of the former (communist) law no. 28/1978. To cut back human rights that have already been secured is not merely an offense, but also violation of principles that the Romanian state has made a commitment to respect.

The frustration of the Hungarian community and the anger of its leaders reached a peak. Almost immediately – that is, just before going on vacation –, the European Parliament condemned the discriminatory nature of the education law and the nationalism of Romanian authorities. The UDMR communiqué of July 20 listed the measures that the Alliance’s Operative Council had resolved to take two days before. The Alliance also announced that its leadership would involve themselves in an international protest campaign. A complaint was addressed to Max van der Stoep. Hungarian churches pursued the matter through their own channels in Strasbourg. A bike race carrying the Hungarian education initiative signed by approximately half a million individuals was scheduled to leave for the Council of Europe. A large meeting was

planned in Odorheiu Secuiesc, and other demonstrations were to follow in towns and cities inhabited by large numbers of Hungarians.

The Pro-Europe League and the Helsinki Committee – each in its own style, militant and analytical, respectively – issued statements. The analyses we sent to the international organizations were similar to those addressed by Hungarians. The CDR, alongside other political groups, emerged on July 22 with their own tactless communiqué signed among others by future president Emil Constantinescu.²²² “The provisions of this law fully comply with European standards in the field of minorities’ education.” And, as if intending to show how powerless the CDR president felt, the communiqué went on to point out “that [UDMR’s] attempts to isolate Romania internationally could end in the undesirable isolation of the Hungarian minority in Romania.” Naturally, the CDR could not miss such a ripe opportunity to also condemn the government, just to show that the Democratic Convention could be critical of virtually everybody.

Our CDR colleagues had of course received all the clarifications they needed to write an informed opinion. They had had every opportunity to find out that “European standards” are irrelevant in the case of minorities in need of conditions that match their numbers and traditions.²²³ They had been told that lowering minority rights standards constituted a breach of the principle that rights already secured should not be curtailed. But these efforts seemed to have been futile. Nothing stuck. The politicians of the Romanian opposition somehow felt mysteriously empowered whenever the national issue was hot.

The very serious crisis which emerged after the enactment of the education law, comparable perhaps only to the tumultuous events of 1990-91, was overcome only by delaying the enforcement of provisions which concerned education in the mother tongue. The Ministry of Education, then headed by Liviu Maior, simply failed to

²²² *Cronica română*, July 22-23, 1995.

²²³ International standards provide an inferior limit, which is at best a sort of average of the situations in various countries. One cannot compare the educational needs of the Ukrainian minority in Hungary with those of the Swedes in Finland or of the Hungarians in Romania. The basic goal of any law is to ensure the comfort of ethno-cultural communities, rather than to follow the letter of some international rule. The latter provides the minimum, necessary but not sufficient, and even less optimal, terms.

request examinations in Romanian in 1995 and 1996. This position seems to have been possible due to Maier's rational approach. Doubtlessly, though, it owed a lot to the pressures created by the treaty negotiations which Romania and Hungary were then struggling to finalize. International pressure, especially that coming from the US, was also particularly strong.

In the summer of 1996, the Treaty was signed and then ratified. In May 1997 (i.e., after the regime-changing 1996 elections), the government adopted Emergency Ordinance no. 22, which modified the law on education in some fundamental respects. A new era with new mentalities was ushered in. Ironically the 1995 CDR communiqué had failed to gauge correctly the extent of the changes.

27. MAKING AMENDS

The Fourth Congress of the Democratic Alliance of Hungarians in Romania convened in Cluj between May 26 and 28. The program adopted there redefined the ideological and conceptual preferences, as well as the strategies the UDMR envisaged for the years to come. This was happening at a time when the debate on the rights of the Hungarian minority had made it to the front page. Furthermore, a doctrine of minority rights had already taken shape in Romania. Our 1994 study, then outdated, had influenced the phrasing of the new Program here and there. However, I felt remorse for some of its flaws. On the other hand, events surrounding the Good Neighborhood Treaty negotiations, the Treaty's implications, and the recent legislative debates indicated that the issue of "UDMR's conception" was worth another analysis. A *different* kind of analysis. Soon after the Congress, Renate and I started working on a study we entitled "Developments in UDMR's Conception on the Rights of the Hungarian Minority" (henceforth *Developments*). We completed it on October 27, 1995.²²⁴

Unlike the previous work, and besides addressing the Hungarian conception and the options expressed in the UDMR Program, *Developments* also offered a systematic analysis of minority issues, including theoretical questions (loyalty, national and state affiliation, collective rights, positive discrimination). Our conclusion was that the Program adopted by the Fourth Congress followed the old path in "the elaboration of a distinctive conceptual system, a path inaugurated by the bill on national minority rights and autonomous communities. The new Program should be understood as a extension of and amendment to the objectives of said bill, which only addressed the place, role, and form of organization of minorities." The study regarded the Program as a significant step toward the "acknowledgement of the civic nature of the state and the definition of goals in the democratization of Romanian society as a whole. At the same time, UDMR's Program preserves various concepts ... or introduces new ones ... which

²²⁴ The study was published in Romanian and English as Gabriel Andreescu, Renate Weber, *Evoluția concepției UDMR privind drepturile minorității maghiare*, Centrul pentru Drepturile Omului, Bucharest, 1991.

raise practical or theoretical objections. One has to emphasize, however, that the elaboration of a conception based upon the desires of the Hungarian minority is fully compatible with the spirit of a democratic society, as is a rational and informed public debate on such notions.”²²⁵

Developments was published in 1996. It was, at the time, the most important work ever accomplished by the Center for Human Rights (CDO). The volume was published under CDO sponsorship and was provided to all interested parties. Most of the latter consisted in Romanian and foreign students and researchers who usually contemplated a B.A. or Ph.D. thesis on the subtleties of the relations between Romanians and Hungarians in this country. (I would go so far as to say that *Developments* provided a stable reference for a Romanian doctrine on national minorities.) The subsequent yearly reports on the Hungarian minority and the UDMR grew logically out of the intellectual exercise of this analysis. Renate would go on to write a long paper for a volume on minorities in Central Europe which is doubtlessly a fundamental reference on the state of national minorities in Romania.²²⁶ Besides the usual communiqués on matters commonly addressed by APADOR-CH, I turned to the legitimacy of the doctrine of national minorities.

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Developments was also born as an implicit answer to some of the skewed theses in our previous study. It was only as late as the beginning of 1996 that I made amends for the original 1994 paper which, as I was to discover later, a man such as Funar had reasons to appreciate. To complete the new study, we needed to look deeper into political philosophy, in particular into natural law and positive law doctrines, something we had not done before. Below is an image of the way the internal self-determination of minorities appeared at the time: [Mullerson quote]²²⁷

²²⁵ *op. cit.*, p. 44.

²²⁶ Renate Weber, “The Protection of National Minorities in Romania: A Matter of Political Will and Wisdom”, in Jerzy Krantz, Herbert Kupper, eds., *Law and Practice of Central European Countries in the Field of National Minorities Protection After 1989*, Warsaw: Center for International Relations, 1998, pp. 199-269. It is worth noting that Romania was included – as it should have been, but rarely is – among Central European countries.

²²⁷ Rein Müllerson, *International Law, Rights, and Politics: Developments in Eastern Europe and the CSI*, London and New York: Routledge, 1994, p. 29.

And here is how we made room for the due reparations: [quote],²²⁸ [quote],²²⁹ [quote].²³⁰

We tried to import the logics of decisional procedures into the doctrine of national minorities. The feeling that I had been manipulated was quite disturbing. After the dialogue with Ivan Trușter concerning Funar's interest in the 1994 study I knew I would never again rely on the presumed scrupulousness of historians' thinking. After all, the ultimate goal of intellectual instruments is to defend the true and the good.

In her introduction to *Problema transilvană* a few years later, Renate Weber made her own apologies: "Rereading these lines [of the *Problema transilvană*] I was reminded of a study I co-wrote which addressed the rights of national minorities as seen by the UDMR. In dealing with local and regional autonomy, our study noted that there was no model for such forms of autonomy within the EU, and provided the readers with some important statements on the status of minorities within the Union. The study quoted Bruno de Witte saying that 'the community system methodically excluded regional and local authorities from institutional participation'. ... There is, in other words, no particular community role for territorial minorities.

In principle, de Witte's statements were and still are correct. However, the fact that they were quoted in our study seems, four years latter, a testimony to our superficial thinking. An essential qualification is missing: while the Union tackled general issues and leaves the right and obligation to deal with specifically internal matters to the states, it is no less true that the states of Western Europe have been actively involved in precisely this sort of activity for the past fifty years. They have developed internal structures, they have worked on local communities, sometimes and

²²⁸ Gabriel Andreescu, Valentin Stan, Renate Weber, "Două proiecte de lege privind minoritățile naționale", in Lucian Mihai, ed., *Legislația în tranziție*, Centrul pentru Drepturile Omului, Bucharest, 1995.

²²⁹ Karl Josef Partsch, "Fundamental Principles of Human Rights: Self-Determination, Equality and Non-Discrimination", quoted in Karel Vasak and Philip Alston, *The International Dimension of Human Rights*, Paris, 1982, p. 63.

²³⁰ Gabriel Andreescu, "Autodeterminarea minorităților naționale", *RRDO*, Vol. 12, 1996, pp. 35-8.

for various reasons (e.g. nationality, economic under-development) going so far as to provide a special status for particular regions.”²³¹

²³¹ Renate Weber, “Dezbaterea”, in Gabriel Andreescu, Gusztav Molnar, eds., *Problema transilvană*, Iași: Polirom, 1999, p. 7.

28. THE 1996 ELECTIONS: THE UDMR IN THE GOVERNMENT

The elections in the fall of 1996 engendered an unprecedented ethno-political break with the heritage of the previous years. How was this possible? UDMR's projected participation in a majority government coalition in the event that the Democratic Convention (CDR) won the elections, had been implicit in the proposal to participate in the Convention itself. On the other hand, after the electoral campaign in the winter and summer of 1995, the close ties between the Hungarian Alliance and Romanian parties had been severed. It is true that during discussions with the UDMR Constantinescu tried to explain away those events as a matter of electoral strategy, and insisted that as soon as elections were over cooperation would again be desirable. However, many pieces of evidence shows that the anti-UDMR campaign had not been first and foremost a matter of tactics designed to lure potential voters. Among such evidence one particularly striking fact was the decision by the Civic Alliance Party, one of the campaign's chief actors, to relinquish cooperation with the Convention partners and leave the CDR (the end result was a miserable failure to enter the Parliament).

After the 1995 scandals, the Hungarians' involvement in a future government survived as a project only in the minds of a few visionary politicians. Adrian Severin, who repeatedly referred to such a possibility, claims to have been a supporter of this strategy as a Democratic Party (PD) leader in charge with pre- and post-election alliances and cooperation.²³² He also encouraged Gyorgy Frunda to run in presidential elections.²³³

On the other hand, UDMR president Bela Marko had been in touch with the CDR leadership even before the parliament elections of October 1996. Afterwards (that is, between the two presidential ballots) Marko was involved in talks with coalition leaders such as Ion Diaconescu, Mircea Ionescu-Quintus, and Petre Roman concerning a possible UDMR participation in the government. The latter seemed to have agreed "in

²³² He states this in *Locurile unde se construiește Europa, Adrian Severin în dialog cu Gabriel Andreescu*, Iași: Polirom, 2000.

²³³ I was also asked for an opinion on this matter. I was skeptical, as it seemed to me that it would provide a good opportunity for nationalist displays. This was precisely what had to be avoided. However, the campaign proved me wrong. Frunda made a good impression on Romanian voters.

principle” on some form of post-electoral cooperation. Marko had also drawn up a list of terms and conditions: an amendment to the laws on education and local administration and a Hungarian university.

Nevertheless, after the CDR and the PD scored pretty well in the parliament elections they signed a protocol for a government consisting of these two parties *alone*. The document contained no reference to the UDMR. In our book of dialogues, Severin claims that the PNTCD answered the question of UDMR’s future status in a very clear-cut manner: the latter should stay out for now so as not to shock the public opinion.²³⁴

Yet during the last stage of the preliminary talks between the CDR and the PD it was somehow decided that the UDMR should be invited to join the future administration.²³⁵ In a state of “general confusion”, as Severin called it, the participants accepted the Alliance’s involvement in the government and in particular in the future Department for the Protection of National Minorities. They even agreed to award it a “ministerial position”. Emil Constantinescu, the new president, agreed to this truly historical decision.

Was this, as it has been said so many times, the first case in which Hungarians were partners in governing Romania? In order to find an answer one should first distinguish between “the Hungarians’ involvement in government” and the appointment of Hungarian representatives in public offices. Immediately after the war, Hungarian prefects and members of the Hungarian Democratic Alliance were appointed in the counties of Trei Scaune, Odorhei and Ciuc. In 1945, councilor Nandor Cziko was appointed Undersecretary for the Nationalities, Jozsef Meliusz secured an appointment in the Ministry of Propaganda, while in October 1946 Odrón Felszeghy held the position of secretary general in the Ministry of National Education.

Of course, it would be unpardonably naive to speak of “power-sharing” under a communist regime. Similarly, references to the “autonomy” in the Autonomous Hungarian Region (established in 1952) employ an empty concept; the regime offered

²³⁴ As I indicated elsewhere, at this point Severin’s memories match those of Doina Cornea (see *Doina Cornea în dialog cu Rodica Palade. Fața nevăzută a lucrurilor*, Cluj, Dacia, 1999), who referred to the fact that her political allies were apprehensive about “what the others might say”.

²³⁵ Victor Babiuc also referred to the part he played, together with Severin, in promoting the UDMR alliance. So far as I can judge it, this is perfectly consistent with his attitudes at the time.

no room for the exercise of independent power, irrespective of its form. The feelings of nostalgia experienced by some Hungarians for the Petru Groza regime are the expression of a nostalgia for symbols rather than reality.²³⁶ For the same reasons, to qualify the collectivization or nationalization policies conducted by communists after 1948 as “anti-Hungarian”, or as an “annihilation of autonomous Hungarian economy”, is absurd.²³⁷ The latter acts were ideologically motivated and targeted the entire population, even though their impact on particular ethnic communities might have been greater or even disproportionate.

For all these reasons, Michael Shafir’s reading of the 1996 election seems the best answer to the question posed above: UDMR’s joining in the government coalition in November 1996 was the first instance in Romanian history in which a government sought to implement civic-inclusive strategies, that is, to involve equally all citizens in national construction, irrespective of whether they are Romanians or Hungarians.²³⁸

It is also worth keeping in mind that Hungarians came to share power after the signing of the Good Neighborhood Treaty between Romania and Hungary. The PDSR agreed to conclude this document under foreign pressure (American pressure being probably the most important factor). The competition with the Party for the National Unity of Romanians (PUNR), increasingly difficult to shoulder, must have played an additional role, as the PDSR’s coalition partner seemed to have secured a good measure of the former’s votes. The suspense in which Hungarian negotiations were immersed was an advantage to Funar’s group. By signing and then ratifying the Treaty, the PDSR dealt a masterful blow to the PUNR; by downplaying the significance of nationalism in Romanian life, it also provided the democratic parties with a trump card. Consequently, the 1996 elections changed democratic and ethno-political paradigm in Romania.

²³⁶ I have encountered this nostalgia “live” in some otherwise well-educated Hungarians during a 1999 DUNA TV show in which I also participated.

²³⁷ In this I follow Gabor Vincze: “We believe that, starting with 1945, one may speak of a ‘Hungarian problem’ and, in connection with it, of a policy toward the Hungarians, rather than of a minority problem or minority policies in general.” See Vincze, “De la minoritate națională la ‘români de naționalitate maghiară’”, *Altera*, Vol. 15, 2000, p. 86.

²³⁸ See his analysis of the first year the government spent in power, in *Sfera politicii*, Vol. 55, 1998. Michael Shafir is a researcher with the Open Media Institute and one of the most reliable analysts of the Hungarian issue in Romania.

In a fit of irrational anger, the UDMR opposed the signing of the Treaty under the negotiated terms. Nevertheless, the Treaty made possible a quick rapprochement between Budapest and Bucharest which went as far as the creation of a “strategic partnership” between the two capitals. The architect of this foreign policy strategy was, indisputably, Adrian Severin.²³⁹ The special relationship between Budapest and Bucharest started to slowly erode after Severin left the Ministry of Foreign Affairs, and then lost additional ground after the Ciorbea government was ousted. Nevertheless, the experience of this partnership played out like an adventure into the realm of the possible. It showed how Romanian-Hungarian interethnic relations could find a natural correspondent in the relations between the Romanian and Hungarian states and even reach the level of intense cooperation.

²³⁹ For details, see the volume of dialogues mentioned above.

29. EMERGENCY ORDINANCES AND THE ‘ROMANIAN-HUNGARIAN MODEL OF RECONCILIATION’

In March 1999, president Emil Constantinescu called for a meeting with NGO leaders, whom he asked for support for the reform program. He opened the discussions with the following statement: “civil society was in charge with our democratic education until 1996. Without the it, UDMR’s participation in the government and the signing of the Treaty with Ukraine would not have been possible...”

This was the first official acknowledgement of the part played by civil society militants for good relations with the country’s neighbors. A swift process of political reform had started after the CDR and its presidential candidate Emil Constantinescu won the 1996 elections and invited the UDMR to join the government. Nationalist parties, in particular PRM and PUNR, we now a part of the political opposition. The new government took radical steps in improving relations with the neighboring states. Alongside the strategic partnership with Hungary, another momentuous achievement was the conclusion of the very complex Treaty with Ukraine. In spite of its complexity, however, the treaty had been signed and ratified by June.

In May and June 1997, Victor Ciorbea’s cabinet amended the education act and the law on public administration by means of two government ordinances. The first made allowance for education in Hungarian at all levels and for state universities with teaching in the mother tongue. The second introduced the mother tongue as a public administration language in localities where the target minority amounted to at least 20 percent of the population. These new norms concerning the use of the mother tongue in education and administration integrated the high standards demanded by the UDMR. This radical yet simple political feat did not elicit any reaction from the population. (Which makes it tempting to argue that anti-Hungarian feelings were pervasive only when stimulated from the exterior.) The government had just put an end to seven years of nationalist-extremist incontinence.

The UDMR’s participation in the government impressed everybody and was promptly qualified by various domestic and foreign actors as an exceptional affair. The

“Romanian-Hungarian model of reconciliation” was thus born and then promoted in countless articles and seminars.²⁴⁰ Although the phrase was not frequently used at home, it seemed quite common abroad. Gyorgy Tokay would often tell me in his own humorous way how Romanian governmental delegations proudly and ostentatiously introduced their Hungarian colleagues. In other words, Hungarian officials had come to be some sort of living proof that Romania had become altogether different from what it had been until then, that it deserved to be included in the family of democracies engaged in building institutionalized Europe and trans-Atlantic solidarity.

Some voices immediately protested against the phrase. Radicals, especially those in the UDMR, were not the only ones to dispute the reality of “reconciliation”. (It should be noted, though, that some seemed to believe that such a thing was not possible in principle.) Other Hungarians who, though familiar with the rapid developments in the Romanian ethno-political life, saw that many of their desires remained unfulfilled, joined the chorus of protests.

As time went by, and as the initial gains eroded, these voices accumulated additional convincing arguments. None other than UDMR president Marko Bela noted the danger of a demagogic use of the “model of reconciliation” catchphrase. In commenting on a statement made by US president Clinton in 1999,²⁴¹ he stated that “a reconciliation between the Romanians and the Hungarians is not possible”. This needs to be read in the original context: a reaction against the sometimes hysterical campaign against the project of the Petoffi-Schiller University (which I shall touch upon presently). Bela Marko and many other Hungarian leaders had good reasons to feel they had wasted their efforts. The UDMR leadership felt understandably frustrated. After all, Minister of the Interior Gavril Dejeu requested in 1997 that the ordinance on local public administration should not be enforced,²⁴² while the unfair campaign against

²⁴⁰ Such as the seminar sponsored by USAID in 2000, which suggests how relevant the question of reconciliation was to Americans.

²⁴¹ Clinton was campaigning in the US a few weeks after the first bombs had been dropped on Yugoslavia. He was trying to explain to his conationals why the bombings were necessary. (See Gabriel Andreescu, “Pages from the Romanian-Hungarian Reconciliation. The Role of Civic Organizations”, Working Paper, EEL, Washington, 1999.)

²⁴² He referred to bilingual inscriptions.

demands for a Hungarian university was spearheaded by another government “partner”, Minister of Education Andrei Marga (in 1998 and 1999).

I have always been a supporter of the idea of a “Romanian-Hungarian model of reconciliation”. Among other pluses, it played a key part in dragging Romania closer to the West. But there was an additional, subtler – if I may say so – reason. When one speaks of a “model of reconciliation” one thinks of a qualitative leap, of some exquisite, maybe even singular achievement in the field of inter-ethnic relations. This was, of course, not the case.

There is, nevertheless, a different, pragmatic or descriptive sense of the phrase: a particular resolution of the tension between the offer Romanian political groups were prepared to advance and the demands made by the group representing Hungarians in this country. The real stake of the “model of reconciliation”, understood in such a fashion, should not be confused with issues such as the honesty or frustration of the political actors involved. Rather, an implicit pact had been reached between the Hungarians, striving to secure self-government, and the Romanians, who offered special measures as the instrument of national minority protection under domestic law.²⁴³ In accepting to negotiate the contents of special measures (in education, the use of mother tongue in local administration and public institutions), the UDMR implicitly gave up the terms of its bill and its program (internal self-determination, autonomous communities etc.).²⁴⁴ Participation in the government was not an expression of the Hungarians’ status as a “co-nationality”, something the UDMR had been promoting since its advent. Rather, it was a matter of negotiating special measures to achieve the effective equality of Romanian citizens irrespective of their ethnic background.

This was, in other words, the condition of possibility for the CDR-USD-UDMR coalition. The sharing of power by Romanians and Hungarians had fundamental consequences, and the event itself was sufficiently radical and positive to deserve to be called a “model”.

²⁴³ The national minorities’ right to self-government is one of the strategies for minority protection. The standard protection system consists of (a) guaranteeing individuals rights and freedoms; (b) the principle of non-discrimination; and (c) special measures.

²⁴⁴ This is not to say that the negotiation was carried out in these terms, or that the coalition agreement was conceived of as described above. Rather, this was the logic of the events.

On several occasions when I tried to argue in favor of this “descriptive” sense of “the model of reconciliation” I felt I could sense an unexpressed yet grimaced doubt on the faces of the UDMR leadership. “Who said we implicitly surrendered our option in favor of autonomies?”, they seemed say. On a couple of occasions, I even received an explicit rebuttal to this effect. However, I would argue that the mere fact that the UDMR leaders had not surrendered their earlier conceptions, not even subjectively, was of marginal importance. The negotiations had been conducted and the results were functional. The effects of the negotiations were being capitalized upon by both parties, and they were evidently changing Romanian society. Furthermore, the significance of those events will not change even if the ethno-political realities of tomorrow’s Romania involve ethnic autonomies. It is now clear that the developments between 1996 and 2000 directly determined the evolution after the 2000 elections. This is why I would place today’s realities under the sign of the (descriptive) concept of a model of Romanian-Hungarian reconciliation.

30. SABOTAGING THE 'MODEL'

The “model of Romanian-Hungarian reconciliation”, the great revelation of the 1996 elections, had been the predilect target of saboteurs even before it became a reality. Before the cabinet were appointed, the daily *Adevărul* launched a campaign against any enhancement in Romanian-Hungarian relations. The campaign sought to intimidate the new leadership, lest the tension between the two capitals, to which the most widely read Romanian daily contributed so perversely, should subside.

The daily *Evenimentul zilei*, then headed by Ion Cristoiu, carried out its own spectacular operation aimed at impairing the rapid development of relations with the West. A January 6 editorial signed by the diminutive director himself violently attacked Adrian Severin’s visit to Budapest: “It is clear that while Adrian Severin’s silence could be overlooked, the silence of Romanian president Emil Constantinescu, who has constitutional prerogatives in the field of foreign affairs, cannot be forgiven. In fact, his position is becoming more than stupefying. It is outright irresponsible.” What was it exactly that Cristoiu could not forgive? The problems of the Hungarian minority in Romania: “If there are any, and if the UDMR wants them solved, they have to be discussed in Bucharest, with the representatives of the Hungarian minority, not in Budapest with the politicians in power in Hungary.”

Cristoiu’s tactic was of manipulating Constantinescu’s apprehensions rather than Severin’s weaknesses. In the same issue of *Evenimentul zilei*, Radu Tudor supported the editorial with an article on the closing down of the Cluj Consulate in Ceaușescu’s time. Apparently, the deal closed by Severin and his Hungarian counterpart had greatly bothered the anti-Hungarian mercenaries. The article rehearsed many of the accusations originally leveled by the Securitate, only to conclude that “the re-establishment in Cluj-Napoca of the General Hungarian Consulate would be inappropriate and could harm Romania’s chief interests.” One should note that Radu Tudor was the person who used to sign the congratulations that *Evenimentul zilei* would periodically grace SRI officers with.

The very next day, January 7, *Evenimentul zilei* made available precious editorial space to former Securitate general Ioan Șerbănoiu, who held forth about the dangers of opening a Hungarian Consulate in Cluj. On January 8, the journal's campaign took a break, to leave room for a reply from the Ministry of Foreign Affairs. Nevertheless, the attacks continued in *Adevărul*, the editors of which had apparently managed to squeeze an exciting statement from the president and then reprinted it under the title "Adrian Severin had no mandate to discuss bilingualism and the Babeș-Bolyai University in Budapest." "Matters such as bilingual universities or inscriptions carrying the names of places or streets", Constantinescu explained sanctimoniously, "were not the object of the aforementioned mandate, since these issues are strictly domestic."²⁴⁵

Which brings us to one of the saboteurs' favored strategies: the dexterous stimulation of confrontations between the president and the Minister of Foreign Affairs, who issued threatening statements or delegated responsibilities and competences to engender envy and frustration.

Week after week, the mass-media architects of the strife between Romanians and Hungarians did their best to disrupt the new policies of the CDR-USD-UDMR government. In spite of such rowdy agitation, Victor Ciorbea and his team complied with the two conditions negotiated with the Hungarian Alliance: amending the education act and the law on local administration. The prime-minister's decision to stand by his words proved decisive. His attitudes generated sympathy among the Hungarians in Bucharest, Transylvania, and even Budapest.

*

The enactment of laws is insufficient as long as the laws are not properly enforced. An immediate consequence of Emergency ordinance no. 36 was the introduction of bilingual inscriptions in localities in which at least 20 percent of the inhabitants belonged to a particular national minority. The law mandated such inscriptions, and local authorities were supposed to install them. In cities and towns with a sizeable Hungarian population, such inscriptions had actually surfaced before the

²⁴⁵ Naturally, these matters were anything but strictly domestic, at least because the issue was covered by Recommendation 1201 which was incorporated into the Basic Treaty between Romania and Hungary. The same is true of the other questions raised in Budapest and Bucharest: first because they had been made a part of the treaty, and second because national minority rights are a matter of international law.

law was adopted. On the other hand, in Cluj extremist mayor Gheorghe Funar behaved as if the city had just achieved some sort of special autonomy and was exempt from the laws of the country.

With its complicated and sensitive past, Târgu Mureş therefore looked like a test case. Mayor Imre Fodor placed several bilingual plates at city borders. During the night, however, the plates were either painted in the colors of the Romanian flag or erased. Replacements were brought in, only to be painted over again. The cat and mouse game continued for several days. The PUNR branch in the city was active and publicly assumed responsibility for the acts. But the big surprise actually came when the city police refused to guard the plates. The head of the Police County Inspectorate openly scorned the requests. Inside the government, things were looking even worse: Gavril Dejeu demanded that the enforcement of the Ordinance be delayed. In other words, the Ministry of the Interior was asking that the laws should be disobeyed. As if this was not enough, State Secretary Grigore Lăpuşanu, head of the Department of Local Public Administration, disseminated an address interpreting the Ordinance in such a way as to render it inoperable, without even consulting any other officials.

The situation was degrading visibly. Even though the UDMR participated in the government, civil organizations still had to provide clarifications and words of caution for the public. At the moment when the whole affair finally got out of hand, I was attending the Balvanyos Summer University, which had been moved to Tuşnad. I talked the matter over with Smaranda Enache and Elek Szokoly, although we all knew very well what we had to do: produce more analyses and deliver more public statements. The paper carrying the APADOR header was, however, back in Bucharest. So I wrote the following to my colleagues:

“Dear Renate, Manuela, Ionuţ²⁴⁶ & co.

I’m attaching this proposal for an APADOR-CH communiqué. Please read it over and make the necessary changes, then send it asap. to the authorities, and especially to the Government Secretary, the Department for Minorities, the Ministry of

²⁴⁶ Ionuţ Iacoş was a researcher with the Center for Human Rights.

Tourism, and the press. Be aware that the Government session is scheduled for Thursday.

Best wishes,

Gabriel

Tușnad, 07.22.1997

APADOR-CH COMMUNIQUÉ

concerning acts preventing the display of bilingual inscriptions

APADOR-CH has in the past saluted efforts aimed at the improvement of the condition of national minorities. The transposition of Recommendation 1201 in domestic law, as well as the amendments to the law on local public administration and the education act, place Romania among the countries providing high standards in the field of national minority protection. However, the recent actions targeted against the application of domestic laws constitute not merely a violation of the rule of law. They also impair Romania's newly acquired status. APADOR-CH requests Romanian authorities to take the necessary measures to safeguard the supremacy of law. In particular:

1) APADOR-CH requests the Ministry of the Interior and the General Police Inspectorate to take the appropriate steps to deal with the refusal by the Mureș County Police to guard the city's bilingual inscriptions. The fact that this refusal is inseparable from acts of chauvinism may suggest that the Târgu-Mureș Police is unwilling to fulfill its obligations when the harmed party is a national minority.

2) APADOR-CH believes that the address signed by State Secretary Grigore Lăpușanu, head of the Department for Local Public Administration, is an unqualified interpretation of the Emergency Ordinance amending and supplementing the Law on Local Public Administration no. 69/1991; and further that aforesaid address may harm interethnic relations in this country. More to the point:

(a) The notion that the display of bilingual inscriptions constitutes 'an attribution and change of name' is a speculative interpretation of the legal text clearly designed to

eliminate the mayor's competence in this field. According to Art. 43 (as modified), the display of inscriptions is a prerogative of the mayor. Art. 43 sets forth that 'In exercising his powers ... the mayor also acts as a representative of the state in ... the locality in which he was elected.' This provision builds upon Art. 43.a of the Law on Local Public Administration no. 69/1991 (prior to modification), in accordance with which the mayor is responsible for 'ensuring compliance with the fundamental rights and freedoms of the citizens, with ... the laws of the state, ... and the decisions of the Government.'

There is a further argument against the notion that the display of bilingual inscriptions does not fall within the mayor's jurisdiction as provided for under Art. 28.2 (as modified), in accordance with which the local council shall make 'decisions concerning the administration of the public and private domain of the commune or town, the urban development and organization of localities, and territorial improvement'. Namely, the fact that under such circumstances the council could refuse, through a negative vote by two thirds of the councilors, the enforcement of laws.

(b) The notion that 'the local council alone has the power to decide with respect to bilingual inscriptions of the names of localities, public institutions, and its own headquarters' involves a misreading of the law: in localities in which a national minority represents at least 20 percent of the population the local council may not decide on such inscriptions under Romanian government's Emergency ordinance amending and supplementing the Law on Local Public Administration no. 69/1991.

3) The statement made by State Secretary Grigore Lăpușanu to the effect that bilingual inscriptions concern 'exclusively the names of localities, public institutions and headquarters established by public local authorities and not other entities (e.g. streets)' is equally misguided. While the Emergency ordinance explicitly lists only the three aforementioned instances, it does not exclude bilingual inscriptions referring to other entities. Furthermore, in accordance with Recommendation 1201, which is a part of domestic law (in accordance with the Treaty between Romania and Hungary, as well as Articles 11 and 20 of the Constitution), local public authorities may decide with

respect to bilingual inscription of street names etc. In this case, the decision rests with the local council.

Consequently, APADOR-CH requests the Government to nullify the address of State Secretary Grigore Lăpușanu, head of the Department for Local Public Administration, and to secure the adequate enforcement of the Romanian Government Emergency ordinance amending and supplementing the Law on Local Public Administration no. 69/1991.”

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The first effects of the anti-Hungarian campaign surfaced around the middle of 1997. The governmental coalition fractured, much to the satisfaction of the anti-Hungarian press. The newspapers bluffed. In an article dated August 14, Ion Cristoiu, now an editorialist at the daily *Național*, obsessively voiced his idea that anti-Romanian provocations were being staged. The emergency ordinances were said to carry the responsibility for the strains in Transylvania. “The Ciorbea government ... is a more or less deliberate accomplice in the achievement of the covert objective of Hungarian extremists: the federalization of Romania and the annexation of Ardeal to Hungary.”

The hysterical tone of Cristoiu’s article was supported by the newspaper’s first, large title: “TARGET: TRANSYLVANIA”. The editors also appended a “report” by a “Romanian intelligence service” spanning one full page. The subtitles were equally inflamed: “Actions targeting the creation of alternative structures and the economic subordination of Transylvania”; “The involvement of Hungarian elements in Romania in neo-revisionist policies of economic subordination”; “Hungarian Romanians or Hungarian owners of private businesses covertly purchase land and real estate, against the provisions of Romanian law”; and so on. Particularly telling was Cristoiu’s sympathetic attitude toward Gavril Dejeu.

I am not acquainted with the confrontations within the government (I assume, however, that they existed). As Minister of the Department for the Protection of National Minorities, Gyorgy Tokay did the best he could under the circumstances. In March, he enlisted the support of the Helsinki Committee in the preparation of a seminar on the enforcement of the Ordinance on local public administration. The

“beneficiaries” of the seminar organized by the Department and APADOR-CH were prefects, sub-prefects, and other representatives from several counties inhabited by members of the national minorities. It became clear during the debates that the lack of legal culture is a major obstacle before any progress. Representatives of several prefectures noted that it was almost impossible to explain locally that an international treaty ratified by Romania has the same force as domestic laws (e.g., as the Law on Local Public Administration); and even harder to bring home the point that it enjoys preeminence. Some local legal advisers even resisted references to the Constitution. In short, the message was that, absent open and creative legal thinking compatible with the rule of law, it becomes necessary to adopt normative decisions modifying existing laws.²⁴⁷

However, it was not local officials who gutted the new ordinances on local administration. In the autumn of 1997 the Constitutional Court voided the Ordinance because it did not pass the “emergency” test.²⁴⁸ However, after the PDSR came to power in 2001, as a direct consequence of the government protocol it signed with the UDMR, the party headed by Adrian Năstase pushed through a new law on local administration, largely inspired from the provisions of the 1997 Ordinance.

²⁴⁷ It was saddening but also amusing to see official legal advisers surprised upon being told that Recommendation 1201 was not, as they had thought, some sort of policy suggestion, the application of which was optional, but part of domestic law.

²⁴⁸ Practically, though perhaps not symbolically, this seemed true.

31. NEW UNIVERSITY, NEW CRISIS

The demise of the Ordinance that had enforced the Hungarians' wishes with respect to public local administration in the fall of 1997 was preceded by the failure of the first session of the new parliament. The two ordinances, which to me were the flesh on the "model of Romanian-Hungarian reconciliation" could not be adopted. That fall, the coalition stumbled again. After the government crisis at the end of 1997, Romanian-Hungarian relations entered a downward slope.

During the parliamentary impasse four Hungarian parliamentarians from Cluj submitted, at the end of June 1998, a bill on the reestablishment of Bolyai University. The proposal came at a time when the press was getting ready for the parliamentary vacation and was quickly turned into another media show.

The first organization to react was the ... Romanian National Civic Forum. The dots in the preceding sentence are appropriate: nobody had ever heard of this association which now emerged as the author of a vehement communiqué. Its open letter was acknowledged by no less than 48 universities. July brought about new statements from the teachers, while the Romanian Society for the Fundamental Sciences (another group no one knew anything about) argued that the Romanian state had no moral or material interest in training Hungarian-language specialists.

The new gestures of solidarity were most probably organized by Minister of National Education Andrei Marga, who was conveniently acting sometimes as government member and at other times as the rector of Babes-Bolyai University. Mihai Korka, State Secretary for Higher Education, put his name on an official document titled "Ethnic segregation of Romanian higher education is inopportune". Here are some samples: "The State Secretariat for Higher Education has been systematically confronting by requests for ethnic segregation in various institutional guises, ranging from the establishment of self-managed departments and faculties on ethnic criteria to the establishment of Hungarian-language universities"; "one has to openly acknowledge the fact that the size and quality of higher education in the mother tongue, as currently organized in Romania, has no competition in Europe or elsewhere." The only thing

Korka seems to have forgotten is to place an exclamation mark after so bold a statement.

The UDMR threatened that it would quit the government coalition. Radu Vasile, the new prime-minister, launched the idea of a commission investigating the question of a Hungarian university. No sooner was this idea advanced that the House Education Commission came up out of the blue with a report on the education act (on September 2, 1998). According to the Commission, the most that could be accepted were groups and departments teaching in the minority language. Autonomous state universities with teaching in the mother tongue were unacceptable. The Commission's statement looked as if it had been drafted to get the UDMR out of the coalition.

The UDMR Council of Representatives called for an emergency meeting. Its decision was that, unless Ordinance no. 36/1997 were accepted in its initial form until September 30, the Alliance would leave the government. On September 8, the leaders of the CDR-USD-UDMR coalition turned up with a new offer: a Hungarian-German university. The proposal made the most of the fashionable concept of "multiculturality", which CDR and PD leaders had been demagogically invoking in order to curb the project of a Hungarian-only institution. As a compromise, it was accepted that any references to universities teaching in the mother tongue should be erased from the education act. In other words, their establishment was neither guaranteed, nor prohibited.

Bela Marko had not been empowered by the Council of Representatives to negotiate the latter's resolution. At the last moment, on the night of September 30 to October 1, the cabinet adopted a Decision establishing the Petofi-Schiller University with teaching in Hungarian and German. On October 4, the UDMR Council of Representatives convened in an extraordinary session and resolved that the UDMR should remain a member in the government coalition. It is this succession of facts that the Introduction recounted in more detail.

Nevertheless, the madness did not stop here. On October 15, the National Council of Rectors stated vehemently that the latest government decision was unconstitutional. The statement itself read even worse than its main thesis: the decision

was alleged to be contrary to the national interest and international law, and to “harm, among others, national security”. The SRI’s hand had left its unmistakable imprint on the document.

As if to confirm the impression that the plan to resist the university at all costs had been put together by some intelligence officer, the deans of the law schools in Bucharest, Cluj-Napoca, Timișoara and Sibiu publicized their own analysis of the case. Viorel Ciobanu, Liviu Pop, Radu Motica, and Ioan Santai argued that “the establishment of a Hungarian-German university constituted a form of discrimination against Romanian ethnics, as well as against the other [i.e., not Hungarian and German] minorities.” With a passing reference to Art. 6 of the Constitution²⁴⁹ they immediately concluded that “the organization and contents of education may not be determined in accordance with exclusivist and discriminatory criteria such as ideology, politics, religion, or ethnicity.”

So here were four law school deans who innocently mistook teaching language for nationality and special measures for discrimination. As it has been suggested, they also disputed the principle of governmental discipline and incited others to refuse to enforce government decisions.

The pressures against the university, whether professional or otherwise, were immense and scrupulous. As a consequence, neither the Bolyai University nor its bilingual sibling Petofi-Schiller ever saw the light of day. The majority coalition did manage to adopt in 2000 a decent bill amending provisions in the education act concerning minority language education, even though the eventual terms differed from those desired by the Hungarians (i.e., the terms of Ordinance no. 22/1997). Eventually, this long and troublesome development generated some positive effects. The struggle to achieve it was all the more worthwhile.

The debate surrounding the question of an independent state university deserves a deeper look, from the perspective of a culture adapted to a pluriethnic world. I would

²⁴⁹ “(1) The State recognizes and guarantees the right of persons belonging to national minorities, to the preservation, development and expression of their ethnic, cultural, linguistic and religious identity. (2) The protecting measures taken by the Romanian State for the preservation, development and expression of identity of the persons belonging to national minorities shall conform to the principles of equality and non-discrimination in relation to the other Romanian citizens.”

therefore reprint below the September 4, 1998 statement of APADOR-CH on the question of a Hungarian-language university. It provides a comprehensive analysis free of the bias of which Hungarians have been accused.

[...]

32. THE CSANGO

In 1971, Szilagyi Sandor published in the *A Het* journal an article on a small minority in Moldova – the Csangos. Although the article was mostly concerned with linguistic matters, its author was promptly called by an “officer of the Ministry of Internal Affairs” for a conversation on the issue. He was also told to be “careful” about what he is writing on.

Not long thereafter, the word “Csango” was prohibited in the communist press. A book signed by a certain Dumitru Mărtinaș was published in 1985, most probably financed with propaganda funds.²⁵⁰ It was the work of a dilettante, popularizing the thesis of the Romanian origin of the Csango population, which had allegedly been Hungarianized. In a dark era of religious oppression, when almost any religious image was banned from public display, the cover of Mărtinaș’ book flaunted the image of an imposing Romanian church.

That the personal IDs of Csangos had been changed in 1960 (it would be difficult to imagine an act more overtly aimed at assimilation) I found out only much later. It was obvious that the Securitate had a keen interest in the existence of this small minority. So did, in fact, the Romanian Intelligence Service (SRI), as suggested by the following story. Folklorist and anthropologist Tanczos Vilmos, a well-known specialist in the field and at the time still a university lecturer, visited Moldova in 1995 in order to conduct some research work. He was carrying out an investigation of traditional religious culture and was mostly interested in Csango identity in terms of its sociological and socio-linguistic aspects.²⁵¹

In Oituz (Gorza), the local priest got angry when Vilmos photographed from atop a roof the two old church bells inscribed in Latin and Hungarian. He grabbed the researcher’s camera and asked the latter to accompany him to the police station in order to see what the photographs were about and clarify the purpose of the anthropologist’s presence in the area. “Do you or do you not have a permit to carry out research?” he

²⁵⁰ Dumitru Mărtinaș, *Originea ceangăilor din Moldova*, București: Ed. științifică și Enciclopedică, 1985.

²⁵¹ He published the materials in his 1999 PhD thesis which earned him a *Summa cum laude*.

asked. Tancsoz Vilmos was quick enough to grab his camera back and leave the local priest wondering aloud.

On August 11, however, he was not so lucky anymore. Upon leaving the Căiuți village (on the Trotuș river), the road was blocked by a truck parked sideways and by a red car with five individuals, both policemen and civilians, inside. The priest in the neighboring village of Pralea, with whom Vilmos had unsuccessfully attempted to discuss and who had seen him taking photos in the cemetery, had called the police. The police officers immediately confiscated his stuff (a dictaphone, a camera and a recorded tape) and asked him to follow the truck to the Căiuți police station. They followed from behind.

At the station they got the car key, let out a few curses, checked the car and took the folder with notes and questionnaires. The officers did a thorough job, searching all possible places as well as some of the impossible ones. There followed a detailed interrogation – “like in the old days”, Vilmos recounted – which lasted for more than four hours. He was asked about the purpose of his trip, they listened to the tape and carefully translated everything. They even asked how the demographic data in the folder (taken from the 1992 population census) came into his possession. After reading a couple of fragments on the everyday life of Csangos and their past, the policemen triumphantly offered a verdict: “This is hardly folklore, professor!” Vilmos was then requested to sign a ten-page report that he had not seen. He refused. They offered to read it for him. He declined again.

A month and a half later, on September 26, the confiscated goods were returned together with some “evidence” signed by the witnesses. Vilmos was hardly surprised because he had had several similar experiences during previous field escapades. “In the case of researchers venturing to the area, it comes with the territory,” he noted.²⁵²

²⁵² The story was recounted in detail and with a good measure of humour in Vilmos’ book [title]. It was presented in the form of a study of communication sociology – an analysis of the conversation between the author and a Csango policeman. While at first the latter denied understanding the spoken material on tape, the fragments about his own village immediately brought to mind stories about his childhood. So the policeman eventually confirmed what he listened to and even added a few details of his own. The case was brought to my attention by Szilagyí Sandor, who also provided an insider’s take on the story.

33. INVESTIGATIONS IN MOLDOVA

The scant information on the Csangos provided above, which is premeditatedly based on the notes of a Hungarian researcher, remains largely unknown among Romanians. The Csango community in the areas of Bacău and Neamț, with its well-defined identity and cultural profile, is almost nonexistent for the Romanian mind.

It was on this background of ignorance that we received at the Helsinki Committee, in the summer of 1997, a request to look at the condition of this community in the Bacău region. We contacted the Department for the Protection of National Minorities and the UDMR but came up with little information of real value. More substantial was our meeting in Miercurea Ciuc with Ciceu Anton (Csicso Antal), the president of the Association of Hungarian Csangos in Romania. He provided us with a large number of cases. We also got in touch with Szocs Janos, the curator of the Szekler Museum in Ciuc. What ultimately threw some light on the issue was, besides some historical documents, a set of articles published between 1990 and 1994 in the newspapers *Deșteptarea* of Bacău and *Ceahlăul* of Piatra-Neamț. It was fairly easy to connect the dots of a campaign mounted against the Csango community, or rather against anyone who referred to their ties to the Hungarians. In terms of its intensity and vulgarity, the operation vastly surpassed our expectations.

A field investigation was in order. We only needed a couple of days (August 22 and 23) to uncover the essentials. We left by car and arrived in the Bacău area. Crammed with poor villages alternating with sun-burnt open spaces, it had nothing of the vegetational intensity of agricultural regions. We had some pieces information, but not much. We knew that on the issue of the origin of Moldovan Csangos, Romanian and Hungarian historiography (as well as the works of some Italian clerics) were at odds. The former touted Csangos' Romanian roots, the latter their Hungarian origins. We also knew that the Csangos in Moldova were Catholics. We had found out that their priests and religious authorities were highly regarded by the members of the community and were closely monitored by the village police. We were also armed with a list of

addresses, mostly of local leaders: Zediu Ștefan, Olaru Ioja and Marian Fekete in Lespezi; the retired teacher Beța Ioja in Pustiana.

What mattered to us and was relevant to human rights commitments was less the ethnic origin defined in anthropological terms and rather what the people thought about themselves. This was a basic, well-established principle. What took us by surprise was the Csangos' heightened interest in defining their own identity. We discovered a range of options: some declared themselves Romanian and were speaking Romanian in their daily lives; others saw themselves as Hungarians, although they spoke the old Csango language (which, depending on the place where it is spoken, has several dialects). But there were also Csangos who defined themselves as *stricto sensu* Csango, emphasizing their difference from Hungarians both in terms of their archaic language and their traditions (songs, dances etc.).

Anyway, the reality in the field was in serious disagreement with the census data. In Lespezi and Pustiana over 90 percent of the inhabitants (several tens of thousands) are Csangos who use their old mother tongue in daily life. Where, then, came the 2,000 figure in the 1991 census from? We were told about the interviews and about how interviewers scribbled down figures with easily erasable graphite pencils, about the open misrepresentations of the "Csango" identity. It was easy to see that the census had been falsified just by going through the villages and asking around.

In the case of most minorities, the main identity questions revolve around the issue of language. In the case of the Csangos, it was somewhat different. All inhabitants of the area spoke Romanian very well. In schools, all subjects are today taught in this language. Romanian is also the language of communication with religious authorities, the language of religious service, sermons, prayers, and confession.

On the other hand, Csangos have been constantly requesting the Roman-Catholic Diocese in Iași and the Roman-Catholic Dean in Bacău for at least some minimal religious service in their own language. They were refused, although between 1947 and 1959 Hungarian Csangos had been widely using their mother tongue for religious activities. The Diocese provided a standard answer: Csangos are Romanians and they speak Romanian. We also met Dean Ștefan Erdeș, who had given several

interviews on the matter in which he kept repeating the same line: “Csangos are Romanians just like you and me.” And yet, we replied telling him of our experience, “we’ve kept hearing the Csango language”. He eventually admitted that many did indeed speak the language, and that even he himself did, and sometimes even held the service in that language.

To the Association of Hungarian Csangos in Moldova it was also quite clear that Csangos did not wish to receive instruction in Csango in schools, any more than they wished to be taught in Hungarian. They preferred Romanian: most people we interviewed agreed that it was essential for their children to speak Romanian well. They were living and would continue to live in an area where Romanian is spoken almost exclusively. They even taught their kids Romanian first, so as to make sure the latter would understand what they were taught in school. Kids would start be taught their “mother tongue” only after a couple of years in school.

It was no less true, however, that many wished to be taught literary Hungarian in school, perhaps as a foreign language (two classes a week). Several requests to this effect had been addressed to the Bacău County School Inspectorate, but each and every one had been rejected.

Under the circumstances, some families sent their school-age children and especially high school-age children to study in Hungarian in Harghita county. One of the schools in Miercurea Ciuc had welcomed many such children over the past few years in its boarding house. (The *Deșteptarea* newspaper in Bacău promptly qualified this as attempts to Hungarianize Moldovan children.)

As the requests were not matched by official solutions, private initiatives were bound to emerge. In the village of Lespezi, Olaru Ioja organized for a while a Sunday school in his own backyard. He would bring together about 40 kids. With the assistance of organizations from Hungary, he sent some of them on trips to Hungary and Slovakia. The children participated in poetry, dancing and folk song competitions and even won a few prizes.

Over the few years in which his initiative worked Olaru Ioja had troubles with the catholic church and the local authorities. Minister Fekete criticized him in the

church and the head of the police station paid him several visits. He was even invited to the station, where he was “advised” to abandon his Sunday school. We were impressed with his attitude: he took out the Constitution and read Article 6. This was, apparently, how the head of the local police found out that the Romanian state guarantees to its minorities the right to affirm and develop their identity.

The involvement of the police in the lives of Csangos was an unavoidable issue which the previous chapter announced through the story of Tanczos Vilmos. Two of the persons we interviewed had witnessed in 1995 the events in Cleja. The Association of Hungarian Csangos had scheduled one of its meetings in the village but the meeting was prevented by a mob armed with pitchforks. The violent welcoming party tipped over the participants’ bus and burnt the books found inside. Interestingly additional police forces had been brought to Cleja a short while before the violent clash. They did not move a finger.

We included these details in our Report which we publicized in Romanian and English. But we had to leave out precisely the most intense moments of our trip: the smarmy smile of the catholic priest next to whom we sat down uninvited after having been kept waiting for too long and whom we asked “Why do you refuse to accept Csango language in your church?” On his thriving figure, which reminded us that his parish house contrasted sharply with the modesty of his parishioners’ abodes, the lips remained impassive, as if expecting something. “If we have to choose between language and love, we choose the latter”, he then retorted with a Jesuitic answer that left us gaping at one another in amazement.

Another momentous experience involved the presence of the Securitate – and in the last years of its heir, the SRI – in the area. “What business could they have with Csangos?”, a high-ranking cleric forced to report on his parishioners must have asked himself with some superior irony. The Securitate had been surveying the area carefully – one more confirmation that Csangos’ Hungarian ties were among its important assignments.

The APADOR-CH communiqué argued that Hungarian Csangos who desired to study Hungarian language should address their petitions to the Ministry of Education.²⁵³ There was no good reason under the law to refuse these requests. Parents were wary of such gestures and we knew they had been pressured not to make them. School principals, the school inspectorate, and the police had made thinly veiled threats as late as the mid-nineties. But we were also aware of the fact that one could not simply ignore the mobilization of the Csangos. People had to take risks. If the consequences were dire, outside interference and support were mandatory.

Some Csango leaders were also well aware of the necessity of local mobilization. Among them, anthropologist Tinca Nistor probably understood this best. She had done all she could. She told us that after the involvement of the Helsinki Committee the brutal pressures from the authorities subsided. For the first time, she said, people no longer felt alone. Anyway, our 1997 investigative expedition had helped us define the main coordinates of the problem and its solutions. From that moment on, the Csangos and their leaders had to take matters in their own hands.

The Csango issue also became a topic for Budapest. Nemeth Jolth visited the area and turned the Csangos into the subject of a Council of Europe resolution. By 1999, a sufficient number of signatures had been gathered on requests that three classes with teaching also in Hungarian be created in the Csango villages. Under the concerted pressures of the Bacău School Inspectorate, which resisted orders coming from the Ministry of Education, and local principals, some families were persuaded to withdraw their signatures. As a result, the minimum number of students necessary for Hungarian classes (seven) could not be mobilized. Today, we are still at the peak of the affair.

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The Csango issue is a good point to return to Valentin Stan. Freshly elected to the board of an international foundation,²⁵⁴ he was invited to write a study on the Csangos. The material was to be the first ample document in English and was designed

²⁵³ Religious service in the mother tongue was a more complicated issue since it could not be provided by the Romanian state but by the Roman-Catholic Church. The latter had already cooperated with the communist authorities in the assimilation of Csangos and it proved difficult to renege on the past practices. But even in this case the way out was for the parishioners to mobilize.

²⁵⁴ The International Foundation for Promoting Studies and Knowledge of Minority Rights (Hungary).

to be used as an international reference. Valentin contacted Renate, and they split their subject: Valentin was to deal with history and identity, Renate with minority and human rights issues. The document was readied in several months. It was published by the Foundation and was launched in Budapest with a lot of pump. None other than then President Arpad Goncz spoke at the event.

In the Hungarian capital, the study created a lot of sensation. It irritated Hungarian researchers, including Vilmos,²⁵⁵ because of the ambiguous (to use an euphemism) words in which it couched the data. Of course, the latter said, the part on minority rights (the one drafted by Renate) is OK. But where did these theories about the Csango origins come from? How is it possible to quote Dumitru Mărtinaș? How can somebody who does not speak Hungarian, and hence does not have access to many of the fundamental studies, theorize about the language and identity of Csangos?²⁵⁶

Valentin had indeed quoted Dumitru Mărtinaș. He first referred to the views advanced by Hungarian historians, then to similar arguments by renowned historians such as A.D. Xenopol and R. Rosetti. He summed it all up with statements by Nicolae Iorga (who considered Csangos to be of Turkish origin) and Mărtinaș, who “identifies Csangos as an ethnic group of Romanian origin.”²⁵⁷ The choice of words was telling: Mărtinaș *had identified* the Csango as an ethnic group of Romanian origin. Valentin concluded: “The question of the origin of Csangos is still awaiting an answer.” To buttress this statement, he referred to a Hungarian author who wondered rhetorically in 1941 “Who are the Csangos?”

Competent scholars know that some degree of rigorousness is indispensable in research. One of the basic rigors of research is not to quote authors or experiments that are not respectable. A qualified scientist should at least be able to tell apart the genuine and the inauthentic. But were the falsifications in this text, unexpectedly published in 1997, caused only by scholarly incompetence?

²⁵⁵ He wrote a 12-page response in English (unpublished), complaining that with respect to the origin of Csangos, “the authors seem to accept – unfortunately without any criticism – the essence of the dillitante theses of D. Mărtinaș.”

²⁵⁶ A chapter in the study approached linguistic issues.

²⁵⁷ Valentin Stan, Renate Weber, *The Moldavian Csango*, The International Foundation for Promoting Studies and Knowledge of Minority Rights, Budapest, 1997, p. 9.

The study was discussed in Balvanyos later the same year. It generated another heated debate, but then the interest of scholars and of the public subsided.

34. THE CRISIS IN ODORHEIU SECUIESC AND THE LIMITS OF LOCAL AUTONOMY

In 1997 the press issued some vague allegations about discrimination against Romanians in Odorheiu Secuiesc. The 1990 propaganda fresh in my mind, I regarded the matter as another folkish tale about intolerant Hungarians on Romanian soil. But before long I was visited at our (old) headquarters by several nuns from the Pure Heart Congregation. Things looked more complicated than I had suspected.

I mobilized my colleague Renate Weber, whose competence was more necessary than ever, and we started work on the case. It was the autumn of 1997. We met with the Congregation nuns once more, then traveled to Odorheiu Secuiesc to see mayor Jenő Szász and the City secretary. From there we went to Miercurea Ciuc to discuss the matter with Gábor Kolumbán, the president of the Harghita County Council. We made copies of the relevant documents.

My colleague did her best to shed some light on the tangle of registry records, lease agreements, and various other legal documents that I found quite intimidating. In a nutshell, the issue was this: the Greek-Catholic Pure Heart Congregation nuns were forced out of the premises they had received by means of a donation; the eviction was carried out at the orders of the local authorities in Odorheiu Secuiesc. However, the long version of the story requires some additional introductory material.

Cyrrill Burgel, the Swiss executive officer of the Basel-based charitable foundation Basel Hilft, came to Romania in 1990 to help the children in need. He got in touch with the Harghita authorities who needed to build a special school in which to transfer children from a special institution in the village of Ocna. Since Basel Hilft was a Swiss legal person without Romanian subsidiaries, Burgel had to find a local partner through which to build the school. After sundry adventures I will recount here, S.C. ARIS INDUSTRIE S.A., represented by General Manager Aristide Roibu, was chosen as the contractor. On September 24, 1992, the Odorheiu Secuiesc local council issued to the latter company a construction authorization for a special school for handicapped children to be erected on a plot of land known as the “Cserehat heath”.

For a while, the relationship between the parties remained auspicious although it had become obvious as the building progressed that the edifice surpassed by far the needs of a special school. In the meantime, the institution in Ocland had been refurbished and the number of children in need of transfer had diminished accordingly. But then the relations between the Odorheiu Secuiesc Local Council and Basel Hilft deteriorated. Apparently, the size of the building determined the former to suggest that it ought to be administered by the municipality. Another suggestion was advanced to the effect that the initial destination of the building should be changed.

The local press published a number of articles accusing Basel Hilft of “Romanianizing” the Odorhei area by sheltering ethnic Romanian orphans in the Cserehat building. It was proposed that the building should be turned into an institution for children suffering of AIDS. The local press advanced and then encouraged the notion of a conspiracy against the city of Odorhei and the Hungarians in general. As a result, locals became overly suspicious.

In the meantime, Basel Hilft had started to look for a charitable organization willing to take charge of the premises’ administration. It approached the Pure Heart Congregation, a monastery of Greek-Catholic nuns under the Greek-Catholic Metropolitan of Alba Iulia, Blaj and Făgăraș. On June 7, 1996, S.C. ARIS INDUSTRIE S.A. donated to the Congregation “the unfinished building, with the destination Social Center (special school for orphans) located in the city of Odorheiu Secuiesc on the Cserehat heath ... in the condition recorded by delivery report ... of May 27, 1996.”

News of the donation generated commotion among the local authorities especially because the agreement quoted above referred to the destination of “Social Center”. The local council and the mayor argued that the initial destination of the building had been changed: the new destination referred to orphans in general without any mention of the place where would come from. The press immediately published article on the “colonization” of the city with Romanian children. The situation was deteriorating at an alarming pace.

On July 2, 1996, the City of Odorheiu Secuiesc concluded a report on an alleged misdemeanor offense and fined the construction company for its having infringed the

construction authorization. Later, on July 26, 1996, the local city council submitted a request for an injunction against S.C. ARIES INDUSTRIE S.A., the religious association of the Pure Heart Congregation, and the contractor, requesting that “all construction works for the special school for handicapped children in Odorheiu Secuiesc, the Cserehat heath, be halted”. The Odorheiu Secuiesc Court accepted the request and ordered that construction works be stopped. On March 4, 1997, the Târgu-Mureş Court of Appeals reversed the initial decision.

One of those who did their best to mitigate the conflict was the serving president of Harghita County Council, Gabor Kolumban, who had been accepted as partner by both Basel Hilft and S.C. ARIES INDUSTRIE S.A. An impressive exchange of letter followed but “reconciliation procedures” eventually failed.

In April 1997, Cyrill Burgel gave the conflict a larger political dimension by writing two letters to the President and, respectively, the Prime Minister wherein he complained about the intolerance of the local authorities in Odorhei. It is incredible, he noted, that under the guise of measures aimed at protecting minorities “Romanian citizens are driven away from Odorhei ... simply because they are speaking the Romanian language in their own country.” The phrasing of the complaint, which we had a hard time associating with a Swiss outlook on minorities, immediately alerted us.

The state of affairs at ground zero was worsening rapidly. The actors’ discourses became more and more aggressive. One day the local TV channel called on the citizens of the city, through the voice of local councilor Csaba Bardoczy, to defend the building in the Cserehat heath. On May 28, 1997, an excited group gathered near the building. Four men went inside and, proffering insults, used force to take the four nuns inside out of the building.

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This is, roughly, what we found out during our field investigation. We wrote our report fully aware that the matter was much more delicate than usual. Our verdict, we felt, would matter a lot to the parties involved. It was obvious to us that others were also warming up to join the fray later. But how far were we supposed to go? The report was important to us as a proof that we ourselves were not biased, that there was no

contradiction between commitment to minority rights and the principles of justice and truth.

The APADOR-CH communiqué was finalized on October 17, 1997 and disseminated right away. What mattered were less the “facts”, which the account above does not fully do justice to, or the legal intricacies of the case, which were rather hazy. The general assessment, which we summarized in a final section entitled “Conclusions: the human rights issue”, was in our view the crucial part of our report.

“1. The use of threat, insults, and force

The Greek-Catholic nuns were escorted out of the building in which they were going to establish a “special school for orphaned children” through a concerted action, masterminded by the local press and local leaders, among whom councilor Bardoczy Csaba. The angry mob that gathered near the building in the Cserehat heath on May 28, 1997 threatened and insulted the nuns inside. Several individuals entered the building and forcefully removed the members of the Congregation.

Interviews with the Greek-Catholic nuns and witnesses in Odorheiu Secuiesc indicate that no physical violence was used against the four Congregation members, as several journalists and commentators have speculated. Nevertheless, they have been taken out of the building against their will. The use of threats, insults and force as a means to resolving a conflict is unacceptable. The local press, the private individuals and the representatives of local authorities who participated in the forced eviction are all responsible.

In our opinion there is no argument powerful enough to justify the Odorhei acts whereby the Pure Heart Congregation nuns were forcefully removed from the Cserehat building.

2. Freedom of movement on Romanian territory

Both the public opinion and the local authorities in Odorheiu Secuiesc disputed, in press statements as well as in their actions, the right of the Pure Heart Congregation to set base in Odorheiu Secuiesc. Implicit in this view is a contestation of a universal human right recognized by and affirmed under the Romanian Constitution – the right of individuals to settle wherever they desire on the (entire) territory of the country,

irrespective of the ethnic, religious, or national structure of the area in question. Furthermore, in the case at hand no claim of an intention to forcibly change the ethnic composition of the region (which would indeed be prohibited under domestic and international law) can be substantiated.

3. The intolerance of the local community

The response with which the local community greeted the Cserehat health building is characteristic of closed communities eyeing intruders with suspicion. Among the notions advanced and actively promoted over the past few months is that of a plot targeting the city of Odorhei, the Szekler land and the Hungarians in general. It has been also suggested that the Basel Hilft foundation is trying to “Romanianize” the region. The several hundred individuals of Romanian descent which the local community feared might come to inhabit the region as a consequence of the activities of the “special school for orphans” were regarded as a threat to local identity. Press articles on the sheltering of orphans in the Cserehat edifice, on the transformation of the institution into a center for AIDS-infected children, or on the peopling of the region with handicapped persons betray the negative attitude within the local community toward underprivileged groups.

This closed-community mentality is visibly opposed to the habits and the rules prevalent in an accommodating Europe. During our investigations in Odorheiu Secuiesc we have had to acknowledge that this mentality had been fed by the anti-Hungarian propaganda orchestrated over the past decades by the authorities, as well as by the manifest bad faith of the post-1989 media. As a matter of fact, several central newspapers provided biased accounts of the events in Odorhei. One should also note that because of premeditated decades-long policies the Odorhei region is now isolated from the rest of the country chiefly but not solely due to its very poor communication and transportation network. We believe that in order to adjust the mentality of this closed community to the reality of a pluralist Romania efforts are required from both the community itself and from the Romanian state. In particular, it is the latter’s duty to all country regions with the conditions necessary for their development.

4. The abuses of local authorities

During our investigations representatives of the local authority made firm statements concerning their obligation to protect the local community and defend its interests. This has led to abusive behavior the implications of which have not yet been properly analyzed.

The argument advanced by the local authorities, namely that it is their duty to protect the community's views, is certainly respectable. Such an obligation would be relevant to the decision of whether to lease out public land such as the Cserehat heath. But respect for the views of the community cannot be invoked against applicable laws and general legal principles. Neither can it be used to default on decisions taken in the past; papers signed by the Odorheiu Secuiesc Local Council before 1996 have the same legal force as documents endorsed after the change in the council's membership.

The suspicion that the complicated case of the Cserehat building might conceal hidden interests, which the documents available to APADOR-CH do not entirely disprove, can only be confirmed by appealing to the legal means available in a state which complies with the rule of law. While it is true that the building destined to become a "special school for handicapped children from Odorheiu Secuiesc", as set out in the lease agreements, exceeded the expectations of the local community, this matter should be resolved by dialogue rather than open conflict.

In this context, initiating negotiations between the involved parties, the strategy chosen by County Council president Gabor Kolumban, was a salutary move. It is part and parcel of the responsibility of an elected official who has to answer before his community but needs to keep in mind the importance of peaceful cohabitation. The contents of the Statement of Intent (the use of the building exclusively for charitable purposes, cooperation with the local community, the instruction of children in the mother tongue irrespective of their nationality) show that appropriate solutions were available. Unfortunately, one of the parties, the Swiss investor, blocked negotiations through its representative Cyrill Burgel.

5. Ownership rights

The legal status of the land and the building was and still remains a disputed key element of the file. Irrespective of the final decision of the competent courts, one should note the following:

- the government could not lease the Cserehat heath plot to the Greek-Catholic Metropolitan while the land was a private property: the use of property is part and parcel of the ownership right;
- the local council should comply with its obligations in good faith; these obligations concern the lease, the ownership right, and the administration and use of the school for the benefit of children.

We believe that the events in Odorheiu Secuiesc were generated by an emotional and instinctual approach to the questions raised. Rationality and the rule of law should have guided the actors instead. We are awaiting with interest the court sentences in the pending suits. The situation in Odorheiu Secuiesc lays bare the mentality problems of local communities. The Romanian state should take steps to protect local communities from feeling threatened. However, the latter should also strive to adapt to the realities of a democratic and pluralist Romania.

October 17, 1997”

While the report made allowance for further developments, it had already defined APADOR’s position on the relevant human rights issues. In cases such as the one in Odorhei the complex interactions between individual and collective rights, or between domestic laws and local autonomy, were experienced in the most direct way possible.

Before finalizing our report but after our trip to Odorhei, I was paid a visit by Vlad Vâlcu from the daily *Adevărul*. He inquired about our position. I told him roughly the same thing that we put in the communiqué. I also insisted as a response to some of his comments that the nuns had not been not beaten up. Not only had we been told this, but we had corroborated the information on site. “So let us not exaggerate details of the affair, Mr. Vâlcu,” I replied in my mind. But Val Vâlcu (and other colleagues of his at *Adevărul*) couldn’t care less about facts. He wrote that the nuns had been “pummeled out”. These lines reconfirmed my impression that many of these journalists were doing

a mercenary's job. An informed look at what went on at *Adevărul* behind the scenes would probably clear out a lot of the occult politics of the post-revolutionary period.

35. NEGOTIATIONS AND CONFLICT MANAGEMENT IN ODORHEIU SECUIESC

What followed was downright fascinating. To cope with the tensions, Remus Opriș, then Secretary General of the Government, needed a display of power. Instead of finding an appropriate target in the person of, say, Gheorghe Funar, who treated Cluj as his autonomous fiefdom, he proceeded to Odorhei with the backing of the nationalist majority (this ally that would have been absent in Cluj). Accompanied by the Pure Heart Congregation nuns, he went to the Cserehat building, asked the local authorities to let him in just to take a look, and entered the building. Afterwards the nuns refused to leave. Instead of insisting on the importance of complying with the laws, which admittedly takes time because decisions have to be first made and then enforced, the government's Secretary General merely wanted to stress that he was a government big shot. The tension immediately surged. In order to get the nuns out, the City cut off the running water and the electricity, and mobilized the law enforcement. It looked like the whole affair was going to explode.

The solution was to ask the parties to negotiate so as to give the courts some additional time to defuse the time bomb. The nuns and the local leadership should be invited to sit around the same table and should eventually announce that a solution has been found. So Renate and I planned a new trip to Odorhei. I contacted Opriș and observed that he had made matters worse and arranged a meeting at the government's headquarters with the Congregation nuns, Aristide Roibu, and Cyrill Burgel. The meeting went on as planned. We agreed on the principles of mediation and asked Smaranda Enache to deploy the same strategy in the Szekler region.

What followed was humorously described in a report by Dan Oprescu²⁵⁸ subtitled "Concerning the involvement of a representative from the Department for the Protection of National Minorities in the signing of the Odorhei Protocol on December 15, 1997". I find the wit and irony of the report impossible to match, so I reprint below the full text:

²⁵⁸ Dan Oprescu had been appointed by Tokay Head of the Roma Office in the Department for National Minorities.

“Report. Concerning the involvement of a representative from the Department for the Protection of National Minorities in the signing of the Odorhei Protocol on December 15, 1997

Below is my humble account to my Superiors:²⁵⁹

On December 15, 1997 I participated in the negotiations which led to the signing of a Protocol in Odorheiu Secuiesc, Harghita county, concluded between the following: (1) the mayor of the Odorheiu Secuiesc municipality, (2) local councilors, (3) the Pure Heart Congregation, (4) Aris Industries S.A., and (5) Basel Hilft. The meeting was organized by APADOR-CH and the Pro-Europe League. Upon the invitation of the organizers and with the approval of Minister Tokay Gyorgy, I participated in the meeting as an observer (which is not to say that I was a bystander during the negotiations).

Our story starts on the day of Sunday, December 14, 1997, at 14:00 hours, as I left Bucharest in a Dacia 1300 automobile belonging to the Romanian Helsinki Committee, together with Renate Weber and Gabriel Andreescu (plus APADOR driver Cristescu). We reached Odorheiu Secuiesc at around 20:00 hours and checked in at the Târnava hotel downtown. At 21:00 hours, several of us convened in a preparatory meeting. The participants were Gabriel Andreescu, Renate Weber, Smaranda Enache, Szokoly Elek and the undersigned. We outlined the schedule for the following day, the tactics to be adopted in case senator George Pruteanu requested to participate in the negotiations, the agenda of the meeting etc. We went to bed at 02:00 hours.

On the morning of Monday, December 15, the group above visited the Cserehat building. Senator Pruteanu, accompanied by two TV crews, was already there. If I may interject a few personal observations: the building is huge, situated on a hill that looks over the city, and the landscape is superb. My other impressions were as follows:

²⁵⁹ The text was sent on the Ministry fax machine. Most government members lacked the fine humor and adaptability of Tokay, whose way of asserting his authority varied with the type of employee he was dealing with, so this line triggered a small scandal inside Victoria Palace. Dumitru Tinu, the General of the anti-Hungarian group at the daily *Adevărul*, sent Tokay a letter (March 27, 1998) wondering “how it is possible to have a government employee participate in the actions of organizations which monitor the activity of the government.” Here is one subtle final sentence: “Please analyze therefore whether Mr. Oprea participated in an action of propaganda directed against, among others, the Government, and whether the authors of the action have actually capitalized on his having acted beyond the call of duty.”

(a) that the building is much too large (ground floor plus 2 floors) no matter how you look at it (broad and spacious hallways, rooms are very large and also very high, a lot of aesthetic and architectural effort has been put into the stairways etc.);

(b) I find it hard to believe that the plans of the building were designed with the destination set out in the agreement in mind, namely that of a shelter for handicapped children. For instance: (i) there are no elevators, although the rooms allegedly designed to accommodate the children are situated on the second floor; (ii) there are no cart ramps, only stairs with high steps which only a healthy adult person would use without difficulty; (iii) special rooms for medical treatment or recovery are absent, and there is only a single room allegedly destined to be the physician's office; (iv) no special security items are in place (i.e., stairway rails are very low, the windows and doors are not secured etc.); (v) the toilets have been obviously built to be used by healthy adults rather than by children, and even less by children with physical or mental handicaps;

(c) in my opinion, the building is suitable for a Greek-Catholic seminary, perhaps with a small enclosure for orphaned (rather than handicapped) children; should such a destination be regarded as plausible, the building would appear in a completely new light and would justify to a considerable extent the frustrations of the local community as expressed by the mayor, counselors etc.;

(d) armed protection inside and around the building can only compound the tension between the Congregation and the local community.

After visiting the building, we proceeded to the local council meeting hall, where the negotiations were scheduled to take place. The persons invited were supplemented by representatives of the central media (TVR1, Mediafax etc.) accompanying senator George Pruteanu. In order to compel the rest of the participants to accept the senator's attendance, the Pure Heart Congregation announced that George Pruteanu is a member of their delegation, which the local counselors found unacceptable. To defuse the new crisis, the organizers decided that only the interested parties should participated in the meeting, while the senator, the central media,²⁶⁰ and

²⁶⁰ The TVR team from Târgu Mureş reacted miserably. I wrote a letter to my GDS colleague Stere Gulea complaining about the nationalism of his reporters. It remained unanswered.

the local press (which had all been initially invited)²⁶¹ should stay outside the room. The senator's reaction was furious (but ultimately toothless), and Gabriel Andreescu is due the credit for having escorted him out of the meeting hall.

The meeting itself started at 11:00 hours with a statement of intention delivered by Cyrill Burgel, the representative of Basel Hilft and the man who paid for the building. His statement was conciliatory, as he even excused himself for the inconveniences he might have caused to the local community by building the shelter. In response, mayor Jenő Szász replied abruptly that he would not accept any solution other than that of purchasing the building and transferring it to the Odorhei local council.

This response was followed by a large number of (almost impossible to describe) arguments and counter-arguments, which hinted to: (i) a real lack of communication among the parties; and (ii) the fact that no compromise could be reached with respect to ontological issues such as who owned the land. At around 14:30 hours, when the spirits had already become excessively heated and most of the participants were visibly tired, I allowed myself to suggest that a minimal protocol be concluded with the following terms:

- (1) the mother tongue and religion of children in the shelter should not be changed;
- (2) employees should come predominantly from Odorhei and the neighboring areas;
- (3) children with handicap from Odorheiu Secuiesc should enjoy priority in being taken in;
- (4) the number of nuns should be between 10 and 20;
- (5) a contact group (consisting of the nuns, a local councilor, physicians, accountants etc.) should be at once established and empowered to monitor the shelter.

The proposal was welcomed by the parties with a measure of enthusiasm, so we proceeded to draft the text of the Protocol. Personally, I hoped it would be ready within

²⁶¹ They were invited as participants in the hostilities to follow rather than as the local press.

half an hour's time and would be followed by a press conference, so that we should return home at a reasonable hour. But my hopes remained vain.

The first draft of the Protocol was discussed over and over until nothing was left of the initial proposals. Smaranda Enache confessed (around 16:30 hours) that she did not believe anything would be signed, especially since the atmosphere resembled closely that in Târgu Mureș, where negotiations had failed. Gabriel Andreescu and Renate Weber tried to persuade the rest to drop the sterile arguments. As if to compromise any attempts at reaching a common ground, the mayor then handed out to the financing party (Cyrill Burgel) and the representative of Aris Industrie (Roibu) a letter officially announcing that the City would start the necessary procedures to purchase the building. For the second time, the representative of Basel Hilft responded by declaring himself deeply insulted (and blackmailed); he had done so the first time when the mayor had produced a deplorable and ultimately offensive protest signed by the parents of handicapped children in Odorhei. Eventually, it became impossible for us (Gabriel Andreescu, the nuns and myself) to prevent Cyrill Burgel from leaving the room. In leaving he also made a statement to the press (which had been waiting since noon and would continue to wait until around 18:30 hours) to the effect that he would not finance the building to the end (finalizing it would require an additional 1 million dollars).

I then noticed a change in the attitudes of the mayor and the local councilors. Up to that point they had inflexibly stood by their earlier positions; they insisted, for instance, that the future shelter employees should come from Odorhei and surroundings alone, rather than from the entire region as the nuns suggested. It then became clear to me that, rather than being afraid of "Romanization", they wanted to avoid the involvement of persons (whether Hungarian or not) from Miercurea Ciuc. It took the entire range of negotiation and acrobatic skills of Gabriel Andreescu, Renate Weber and Smaranda Enache to calm the spirits, which had heated up again.

After seven hours of exhausting negotiations I advanced a final, desperate proposal: the issues in the minimal platform that were conflicted should be erased and the existing reservations should be formulated upon the signing of the final version of

the Protocol. After another period of agony (devoid of any complementary ecstasy), my proposal came to life. The Protocol is attached to this report as an appendix. One should note the following in connection with point 1: there have been several variants of it

(a) The beneficiaries are children with difficulties and handicaps from Odorheiu Secuiesc and the Odorhei area (preferred by the local council);

(b) The beneficiaries are children with difficulties. Children with handicaps from Odorheiu Secuiesc and its surroundings shall enjoy priority (preferred by the Congregation);

(c) The beneficiaries are children with difficulties. Children with handicaps from Odorheiu Secuiesc and its surroundings shall enjoy priority. The percentage of handicapped children shall be decided on at a later date by a specialized commission (physicians, social assistants, nuns, local and county authorities etc.). This was the variant I preferred.

None of the variants was acceptable to all the parties involved; at this point, Gabriel Andreescu proposed the final version of point 1, which was eventually (but not without efforts) accepted unanimously.

Also worth mentioning is that at various moments the moderators had to raise their voices at the negotiating parties. I have also allowed myself to hammer the table with my fist once (half jokingly, of course). The Protocol was eventually signed (it was past 18:00 hours) and was followed by a short press conference delivered before some very tired and frustrated journalists.

We then slouched to lunch and parted with the Pro-Europe League people (who left for Târgu Mureș). We then headed for Bucharest where we arrived, after sundry adventures, on the morning of Tuesday, December 16, 1997, at 4:00 hours.

There are many details that have not made it into this report, but which I can recount should a real interest in this respect be manifest.

Besides the events narrated in the report itself, I would humbly allow myself a number of observations:

The community in Odorheiu Secuiesc consists of mostly Szeklers, who account for 95 percent of the population; it is very conservative and very much focused on local

interests. The locals are very suspicious of outsiders. As a matter of self-defense, they are also very proud of the status enjoyed by them and their city, notwithstanding the fact that such status is conditioned by their isolation from the outside world. They still hold a grudge against Miercurea Ciuc ever since the latter became the capital of the county.

On the other hand, the Pure Heart Congregation has still not come to grips with the specificity of the local community in which it might have to operate and live. My rookie feeling is that both parties in the conflict have made serious errors, including legal ones; but the mistakes of the ex-mayor and of the former local council were more serious. To what extent these errors were caused by ignorance, ill-management or corruption (money, trips to Western countries etc.) I cannot presume to say.

I do also believe that the Congregation is, at this point, on a more solid footing than the local council. I cannot foresee what will happen within the next 5 or 6 years, after the legal issue will have been hopefully resolved once and for all. What I can say, though, is that such events may prove contagious for the society at large and may thus compromise – in a manner similar to the 1990 events in Târgu Mureș – Romania's integration efforts for another decade.

Several hours spent amid the Szeklers may contaminate you with a passion for scenarios; so let me indulge in a few speculations of my own:

An essentially local, parochial and even insignificant matter has been turned – by professionals, apparently – into an issue threatening to compromise the image of the Szekler and Hungarian communities in Romania (and even of Romania itself). The purpose seems to be that of blocking the ongoing efforts aimed at Euro-Atlantic integration, as well as a rapprochement to the sphere of interests, influence, and domination of the former Soviet Empire. The tragedy (but I grant to you that sometimes it is more of a comedy) in Odorheiu Secuiesc is that of a community centered on strictly local problems which is used by groups on interests as an image of the Hungarians in Romania.

My gut feeling is that the nuns serve as a very convenient front line. The whole picture is approximately this: the Szekler brutes will not let the poor nuns take care of orphaned handicapped children because the Szeklers and the Hungarians are

chauvinistic, which is to say anti-Romanian and generally heartless (after all, they are trying to drive out the seraphic nuns of the Pure Heart Congregation).

Solving these tensions is not a matter of laws or morals, but of politics. It does not concern the UDMR only, but all democratic forces in Romania. In my view, the situation in Odorheiu Secuiesc is extremely serious and its resolution should not be delayed. Also in my view, all the Protocol did is buy some additional (but not very much) time. Certainly not three months – perhaps three weeks (that is, until after the winter holidays).

I believe it is urgently necessary to provide the Szeklers with assistance for an expedite resolution of the issues (legal, psychological, political etc.), especially since my feeling is that on the other side we are dealing with highly trained professionals (who obviously also have some large sums of money available).

Therefore please consider the modest proposals below:

(1) One should immediately make available to the local council and the mayor, for a period of at least 90 days, two experienced professionals: (a) an experienced legal adviser, perhaps accompanied by a team; and (b) a conflict resolution specialist. Expenses could be covered from external sources, which I have also taken the liberty to identify.

(2) One should request an audit of the finances of the Odorhei municipality, as well as an investigation of the financial condition of former council members and the former mayor.

(3) One should request an audit of Aris Industrie, primarily (but not exclusively) in connection with the building. I should emphasize that Mr. Roibu seemed open to rational arguments, which could also suggest that he was apprehensive that his balance sheets might be looked at in detail. At the same time, and given my belief that we are dealing with professionals, the chances of finding anything compromising are slim.

(4) One should notify the competent authorities (such as the Revenue Guard) with respect to irregularities concerning the Cserehat building.

(Non-Science Fiction) Scenario

It am imaginative enough to suggest that ex-Securitate are involved in this affair, or that the latter is a matter of money laundering etc. Let us say that the money that came from Switzerland and the papers indicate that 7 million dollars were spent for the building. But let us assume that it only cost 5 million. This would mean an immediate profit of 2 million. Let us further assume that the building was built not to shelter handicapped children but a Greek-Catholic seminar. Perhaps the Vatican is willing to pay 5 million dollars for the building provided Greek-Catholics become the rightful owners (which is what has actually happened under the guise of a donation by Aris to the Congregation). Money is laundered and a few additional million dollars are pocketed.

Dan Oprescu

Bucharest, 12.16.1997”

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Not even this remarkable account can do justice to the dramatic nature of the meeting, at least before the proposal was made to draft a final document. There were five of us negotiating, each leading in his or her turn the discussions and doing our best to find arguments acceptable to all of the obdurate parties. Meanwhile, the latter were belligerently stoking the controversy. Every time a few steps were made in the right direction somebody would throw us back to the starting point. Then, when one of us seemed to have reached a dead-end, the next would step in. The hours passed. We were really lucky there were five of us.

Looking back I can imagine nothing as mentally exhausting as that Sisyphean negotiation. Dan Oprescu’s proposal played a decisive role. When nothing seemed to work, he went to the blackboard and started writing down the points of a common statement. His sharp wit dominated the radical attitudes of people who were sometimes taking themselves and each other much too seriously.

An landmark moment was getting Pruteanu out of the room. His presence inside would have predictably rendered the meeting a failure. The Hungarian-hating senator put up some serious resistance and refused to leave the room although he had been clearly explained that he should not have been there. The nuns, however, pleaded with

him to stay. We needed to all the intransigence we could muster to persuade him to change his mind and leave the hall.

The result of the negotiations was a brief document that had suffered more amendments than it could take. It was hardly worth calling an agreement, as it failed to reach a solution accepted by all parties. But the negotiations initiated by the Pro-Europe League and APADOR were not any less significant because of this failure. The peaceful separation of the litigants was a shovel of sand thrown upon sizzling embers: the nationalist hysteria slowly died out thereafter. As of this writing, the conflict in Odorheiu Secuiesc is still unresolved. But now it is only one among thousands of other similar cases.

I have also reprinted the “non-science fiction” scenario advanced by Dan Oprea. In the original investigation a few months prior to the events recounted here I had included in my report several details that were suspicious. Some concerned the size and blueprint of the building and seemed to challenge the declared destination. I had also mentioned the fact that the owners had been constantly inflating the cost of the building: the contractor evaluated it at USD 4.8m, while Basel Hilft came up with a figure of 4m in 1996, 5m in March 1997, and 6m in May of the next year. (An expertise performed at the request of the local council placed the investment at USD 3,322,023.)

No less suspicious was the resignation of Basel Hilft president Martin H. Bruckhardt, whose May 9, 1997 letter noted that “there are numerous reasons which compel me to renounce all legal responsibility for Basel Hilft.” And, to save the best for last, entrepreneur Aristide Roibu was later elected deputy on a PDSR list and became in a few years’ time the president of the House’s Legal Commission.

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A friend who is very familiar with the context told me that the story as told above is silent on several events which had paved the way for the (otherwise disgraceful) response of the local actors: the issue of the Orthodox Diocese in Miercurea Ciuc, the Odorhei Gendarmerie barracks etc. Also missing from the story is the denouement: the current condition of the Cserehat building has done nothing to allay the locals’ fears. The recipe of deliberate demographic alterations, my friend

noted, was unmistakable. His response after reading the last couple of chapters was frustration: they represent a condemnation of the dupes in Odorhei rather than of the cunning villains in Bucharest.²⁶² I was told it would have been instructive to look at the subsequent conflict between Roibu and Burgel, which would have provided the true background of the conflict.

I can easily understand my friend's frustrations but my view of the events continues to be different from his. Looking beyond the dupes versus villains scenario, the conflict in Odorheiu Secuiesc raised a fundamental question: that of the relation between individual and collective rights. In order to defend collective rights as legitimate one also needs to be prepared to point to their obvious limits. One limit which should have been strongly affirmed in the Odorhei case that of individual rights.

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Let me add a couple of words on conflict management. I have attended several events on conflict management in Romania after 1990. The organizers and the attending associations would meet, experts would be flown in and attend the workshops... However, I know of no case in which a credentialed team of negotiations actually did solve a real conflict (and not because I lack the necessary information.) It is good to have groups and individuals with the capability of swift response in case of confrontations. But the clashing actors in this country have generally proven to be incapable of thinking out the clash in terms of possible compromises and, hence, of negotiations. The basic idea behind conflict management is the introduction of a third, neutral actor into the fray who should facilitate a compromise between the parties. Neutrality is the condition for accepting the mediator. However the main problem in this stage of political immaturity is not so much that of accepting a third actor, but that of agreeing to sit down at the same table with the adversary.

This is why whenever conflicts were diluted, extinguished or prevented over the past years the trick was to influence the parties to acknowledge a position they would not have, in principle, accepted. The "third actor", where successful, accomplished

²⁶² Both the nuns and Roibu actually came from the capital.

something not because it brought neutrality to the table, but rather because it managed to exploit a capital that mattered in the broader game.

36. LETTERS TO THE UDMR

There have been times when the positions adopted by the UDMR leadership threatened to result in important losses for all the players. As a consequence, I sometimes addressed to them open letters. To make public appeals is to implicitly invoke a capital that the addressees and perhaps also the bystanders can acknowledge. Since I stood completely outside Hungarian culture or language (unlike, say, Smaranda Enache), there was seemingly no reason for the Hungarian leadership to see me as a competent eyewitness to their destiny. I realized that writing open letters should not therefore become a habit. Yet, as I have noted, the “magnifying glass” effect and the “pro-Hungarian” reputation of people like Smaranda, Doinea Cornea and myself throughout the Romanian media helped a lot. I have always believed it important to remind Hungarian political leaders that they were responsible for everything that went on in the country and not only for what was going on their turf. As for the reasons that caused such appeals and open letters (some were addressed exclusively to the UDMR leadership) the following lines speak by themselves.

“August 23, 1996

An appeal to the leaders of the Democratic Alliance of Hungarians in Romania

Several days ago the Romanian and Hungarian Ministries of Foreign Affairs announced decisive steps toward the finalization of the Good Neighborhood Treaty between the two countries. These steps concern chiefly the acceptance by the Romanian party of including Recommendation 1201 among the documents which the Treaty would invest with legal force; and the agreement by the Hungarian party to confirm in a distinct clause that Recommendation 1201 does not refer to collective rights and does not obligate any party to grant territorial autonomy or a special status to the national minorities.

Referring to this agreement, UDMR president Marko Bela noted that the treaty between Romania and Hungary should not be signed before the general elections. Recently, UDMR’s Operative Council resolved to pressure the two governments into adopting a different text reflecting the requests made by UDMR’s own Program.

The UDMR's failure to participate in the latest talks of the representatives of political forces in Romania on the progress toward finalizing the treaty will only strengthen the general public's conviction that the UDMR actually opposes the compromise which has recently been reached.

Signing the basic treaty is a commendable decision on the part of both Romania and Hungary and is likely to amplify the international prestige of both countries. The treaty's importance for stability in the region and for the two countries' positions in the European integration progress does not need to be further emphasized.

Moreover, turning Recommendation 1201 into a document with legal force through ratification will have direct and positive effects on the rights of the Hungarian minority, especially in the field of the use of the mother tongue in the administration. The interpretation of Recommendation 1201 in the treaty, according to which the document does not acknowledge collective rights, territorial autonomy and special status, actually throws light upon the true substance of the document's provisions. The improvement of the legal and political framework for the protection of national minorities in Romania and Hungary to be achieved upon ratification does not in any way imply that domestic debates on optimal conditions for the minorities will be discontinued.

It is worth adding that the agreement reached by the Romanian and the Hungarian Ministries of Foreign Affairs are likely to have an auspicious effect on the relations between the citizens of the two countries, thus leading to the marginalization of nationalist-extremism in Romanian political life.

For these reasons and in view of the reservations recently expressed by the UDMR leadership, I call on the leaders of your organization to refrain from obstructing and to actually lend their support to the speedy finalization of the Romanian-Hungarian Treaty. The latter's impact on the electoral campaign is a relatively minor question that should not impair the signing of the treaty. A rational analysis of the benefits of finalizing the basic treaty under the current terms, respect for human and minority rights and for peaceful cohabitation, and the responsibility for the state of Hungarians in this

country and for Romanian society at large, should determine the UDMR leadership to act as friends rather than enemies of the recent developments.

Gabriel Andreescu”

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The crisis within the government coalition which broke out in the middle of 1997 prompted an appeal to president Constantinescu and other political leaders. The open letter signed on September 22, 1997, among others by Doina Cornea, was motivated by the “fear ... that, faced with a concerted [nationalist] campaign, you might choose a defensive stance. It was motivated by the feeling that, now more than ever, the coalition is in danger and the country is facing a period of instability...” However, in three months’ time we felt compelled to issue a new appeal, this time addressed to the Alliance’s Council of Representatives.

“December 12, 1997

Open letter to the UDMR Council of Representatives

Dear Sirs,

One of the prerogatives of UDMR’s Council of Representatives is to define the policies of the Democratic Alliance. We are aware that the Council possesses this power as a matter of fact and not merely on paper and that your associations is organized democratically. We address this letter to you because we are concerned by the Council’s likely decision during its December 13-14 [1997] session to the effect that the UDMR should leave the coalition.

We seem to share the same understanding of the current state of affairs. The nationalist forces within the coalition have succeeded, after a campaign that lasted several months, in getting a set of measures adopted by the Senate which restrict education in the mother tongue in the case of subjects such as the ‘History of Romanians’ and the ‘Geography of Romania’. Similarly restrictive regulations affected the field of higher education. These measures constitute a violation of the December 3, 1997 protocol concluded between the PNTCD, USD, PNL and the UDMR, despite the fact that only a little more than a week has elapsed since the signing of this document. The UDMR’s decision to suspend the activities of its ministers was an understandable

response to this complete erosion of the very concept of a political agreement. Should the UDMR now go even further and leave the government for good?

It is our belief that the UDMR's participation in the government serves Romania in general, and the Hungarian community in particular. The consequences of leaving the governing coalition would be severe and unavoidable. The decision would

- constitute a victory for the ultra-nationalist forces in Romania and would strengthen the PDSR-PRM-PUNR-PSM group;
- lethally weaken the current coalition, among other things by its losing precious human resources;
- represent a serious setback in the process of Euro-Atlantic integration (the disillusion, following the traumatic events of 1990 and current notion of a 'model of ethnic reconciliation in Romania', would hurt the entire Romanian society);
- deteriorate the national minority protection system in this country;
- impair relations between Romania and Hungary.

For these reasons the self-conscious, rational and responsible political forces in Romania, whether Hungarian or Romanian, have a duty to avoid the crisis so long as this remains possible. Note that not all the steps to enactment have been exhausted: votes in the Senate and in the House, Arbitration Commission proceedings, promulgation by the President.

As for the bill on education, it is still going through the first stages in the Senate. The public commitment made by president Constantinescu on December 10 to uphold the December 3 protocol signed by the Hungarian leaders is one more argument in favor of cooperation between the various political forces for the purpose of ensuring education in the mother tongue without restrictions for persons belonging to national minorities. Naturally, this goal would not be achievable in the absence of the UDMR's participation in the government.

We therefore call on the Council of Representatives to reflect upon the implications of the alternatives. We hope to receive a confirmation of the UDMR's willingness of further participate in the government.

Gabriel Andreescu

Doina Cornea

Smaranda Enache

Renate Weber”

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It took less than one year to reach the next major crisis. The Council of Representatives convened once again to decide whether the UDMR was to stay in the government. The executive had adopted a decision concerning a Hungarian-German university as a compromise meant to appease both Hungarians and the other coalition members. Strictly speaking in view of its previous decision the UDMR should have quit.

“September 2, 1998

To the members of the UDMR Council of Representatives

Over the past year we have all witnessed the tremendous pressures targeted at the removal of the UDMR from the government. This tactic now seems very close to achieving success. On this context, the recent Government Decision on the establishment of the multicultural state university with teaching in Hungarian and German “Petofi-Schiller” was a path-breaker. The decision

- (1) strengthens Emergency Ordinance no. 36 by enforcing its most sensitive article, Art. 123.
- (2) takes a practical step in the direction of establishing a university with teaching in the mother tongue under the applicable laws (the fact that teaching shall be provided in two languages rather than one is of lesser import for the time being).

The aforementioned Government Decision was issued in a delicate moment. It was aimed at answering requests by the Council of Representatives which cannot be fully realized in a strict sense. Indeed, voting on a law which has passed the Senate presupposes adoption in the House and then a negotiation process which ends with a vote in both houses convened. Under such circumstances, it would be practically impossible to enact the bill amending and supplementing the law on education no.

84/1995 before the end of September. The government's decision of September 30 therefore meets an important demand advanced by the Council in its last decision, although this demand is met in its spirit rather than in its letter.

The UDMR Council of Representatives is now in the position of deciding whether the step taken by the government is compatible with its latest requests (which we believe to be the case if the request is read appropriately) or not (which we believe to be the case if the request is interpreted literally).

As militants for Romanian-Hungarian reconciliation we hope that the decision of the UDMR Executive Office will be propitious for both communities. One of our chief concerns is that by leaving the coalition after the government's last move the entire responsibility would fall upon the Alliance's shoulders. It would then be easy to argue that the UDMR's request of enacting the bill before September 30 could not have been fulfilled, so this government actually went further than any of its predecessors. It would become difficult to argue that the Romanian "partners" do not accept Hungarians' requests or that they have failed to act as real partners. We fully acknowledge the sometimes offensive actions of the majority coalition, but what matters at the end of the day is what gets written into law.

What will happen if the recent government decision is overruled by the Parliament? This possibility cannot be ruled out. However, such an outcome would at least testify to the UDMR's interest in negotiating and its rational approach to policy-making, strongly contrasting with the coalition partners' bad faith. When the partners can no longer be trusted the Hungarian minority would be legitimate in its decision to regard internal self-government as the only way out and the only available means to affirm its identity.²⁶³

We call on the UDMR Council of Representatives to reach a reasonable solution and to give a chance to the interests of the Hungarian minority and of the majority.

Sincerely,

Smaranda Enache / Pro-Europe League

Gabriel Andreescu / Helsinki Committee"

²⁶³ We were so concerned with what the Council's decision might be that we used the idea of internal self-determination to soften the hardcore hearts.

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Some other letters went so far as to comment on the competition within the Alliance between the two main factions, the moderates and the radicals. That such letters were made public was not an inconvenience for *all* Hungarian leaders. The messages were well regarded by the moderates, whose principles we openly supported. Below is a final sample:

“Bucharest, May 15, 1999

Dear Mr. President,

Dear Participants [to the Sixth Congress of the UDMR],

Allow me to begin by thanking you for the invitation to participate in the Sixth Congress of the Democratic Alliance of Hungarians in Romania. Unfortunately, I shall be unable to join you. Nevertheless, I would like to make my presence felt by addressing to you a few words in writing.

I am not persuaded that the period between the fifth and the sixth congresses has been the one in which the UDMR has been the most articulate, or the most demanding, or the most outspoken so far. But I am fully convinced that it is the period during which it has achieved the most.

Some of you may remember, perhaps with a certain nostalgia, the daring days of the silent demonstrations. Some of you may feel proud about having sent children riding on bicycles to Strasbourg in order to protest against the PDSR’s education act. Some of you may feel exalted about your greatest display of force and unity so far – gathering in a short while no less than half a million signatures on a legislative initiative.

I am reminding you of all this because I feel that it is being difficult for the UDMR to leave its *heroic* politics behind and move on to *political* politics. I believe that genuine participation in political life requires less daring and more patience. Sometimes such patience may seem too hard to bear. Genuine participation relies less on the self-confidence of the just and more on the delicate science of compromise. It forces one to leave behind the comfort within one’s tightly knit community and to seek out the intelligence necessary to solve the community’s problems while simultaneously accommodating broader interests. There will be less honors awaiting you at the end of

your new political mandate, but there may be more occasions to point to the additional rights, liberties, and opportunities you will have secured for the future generations. A hero may point out that despite his or her best efforts and sacrifices nothing more could be obtained. The politician cannot find refuge in such ill-achieving consistency.

What has the UDMR achieved between its last congress and this one? It is sufficient to compare the conditions enjoyed by the Hungarian minority in 1996 and, respectively, in 1999. The list of auspicious changes is long. Please receive my appreciation for it.

Good luck!

Gabriel Andreescu”

Such letters were read from the floor. The real problem in 1999 was to point to what should have been otherwise obvious: participation in the government had brought real advantages to the Hungarian community. In other words, the strategy of the Bela Marko wing had been the right path to follow. Such declarative letters were meant to tip the scales of persuasion in the Alliance’s Congress. A while later, research conducted by Marius Lazăr and Istvan Horvath of the Center for Interethnic Relations in Cluj demonstrated the undeniable results. To a substantial extent, Hungarians believed that the UDMR’s participation in the government was beneficial.²⁶⁴ Bela Marko deserves a lot of credit for this victory.

²⁶⁴ Irina Culic, Istvan Horvath, Cristina Raț, “Modelul românesc la relațiilor interetnice reflectat în ‘Etnobarometru’”, în Lucian Nastasă, Levente Salat, eds., *Relații interetnice în România postcomunistă*, Centrul de Resurse pentru Diversitate Etnoculturală, Cluj, 2000.

37. THE CLUJ STATEMENT AND DEVOLUTION IN TRANSYLVANIA

“The official funerals of the leaders of the 1956 Hungarian revolution – Imre Nagy, Geza Losonczy, Pal Maleter, Miklos Gimes and Jozsef Szilagyi, executed by the Kadar government on June 27, 1958 (Geza Losonczy died in jail) – were carried out in Budapest today, June 16 [1989].

The Hungarian government has been pressured by the public opinion to allow the commemoration. The funerals have been organized exclusively by the national opposition and in particular by the Hungarian Democratic Front, the most important opposition group in terms of size.

Besides Hungarian individuals or groups, a foreign delegation was also invited to attend. It is worth mentioning that the Hungarian Socialist Workers' Party (PC) was not invited and, indeed, was refused participation to the ceremony. On the other hand, the state was represented by the prime minister and the president of the parliament, both of whom laid a crown of flowers. The day before, in a joint communiqué, the government and the parliament used for the first time in an official statement the term “revolution” to refer to the 1956 events.

In inviting Budapest ambassadors to attend the ceremony, the organizers made clear that they would not invite the representatives of four nations: China, North Korea, Albania, and Romania. However, Romanians, as opposed to the Romanian state or Romanian officials, were represented by two delegations: the ‘Free Romania’ association of Romanian refugees in Hungary, and a group of six Romanians living in France, Germany and Switzerland invited by the Hungarian Democratic Forum. Crowns of flowers were laid by both delegations: the first by Doru Staicu and Emil Iovănescu, two of the current leaders of ‘Free Romania’, was placed at the feet of the heroes of the 1956 revolution; the crown of Western Romanians, adorned with a ribbon painted in the colors of the Romanian flag and inscribed with the words ‘In the name of Romanian-Hungarian friendship’, was placed by Stelian Bălănescu, Mihnea Berindei, Ariadna Combes, Ion Vianu, and Dinu Zamfirescu.”

The news piece above was published under the title “Correspondence from the funerals of Imre Nagy” in a 1989 issue of the magazine *Dialog*. I have thought it worthwhile to reprint it here because of the richness of its implicit information. It lets the readers in on the power of the opposition in Budapest, who could ban the Hungarian Socialist Workers’ Party from placing flowers on Imre Nagy’s grave; on Romania’s assimilation to the Chinese, North Korean, and Albanian regimes; on the existence of groups of Romanian exiles in Hungary; and, last but not least, on a group of active Romanian émigrés in the West – Stelian Bălănescu, Mihnea Berindei, Ariadna Combes (the daughter of Doina Cornea), Ion Vianu, and Dinu Zamfirescu – who performed in 1989 a gesture of great symbolic significance for the solidarity of Romanians and Hungarians. Not only did they participate in a commemoration of the heroes of the Hungarian revolution, but they also signed the following message: “Today, June 16, 1989, on the occasion of the celebration of the victims of the 1956 Hungarian revolution, an event of utmost importance for all the peoples of Europe and especially for those still under communist rule, members of the Hungarian Democratic Forum and Romanians were brought together and signed the following STATEMENT...”

These are the opening lines of a document known as the “Budapest Statement”, signed by the five Romanians above, as well as by Mihai Korne and several Hungarians who were later to play important roles in the evolution of their country: Laszlo Antal G., Julia Balogh, Gaspar Biro, Sandor Csoori, Lajos Fur, Maria Illyes, Geza Jeszensky, Gyula Keszthelyi, Gyula Kodolanyi, Gusztav Molnar. The ideas put into the Statement were radical enough to have survived through all these years of major changes: that the resolution of conflicts cannot under any circumstances come from changes in frontiers but from changes of the latter’s significance; that the improvement of relations between Hungary and Romania will occur as part of the process of Europe’s democratic restructuring; that Transylvania was and still is a space of complementarity and should become a model of cultural and religious pluralism; that the right of each nation to autonomous political representation and cultural autonomy should be guaranteed; that the Hungarian university in Cluj must be re-established.

All of these major questions voiced by the 1989 Statement were still burning, legitimate and hotly debated 10 years after the revolution. In the meantime, Lajos Fur had become Minister of Defense (but was later marginalized in political life); Geza Jeszenszky has been a Minister of Foreign Affairs and, in 1999, became Hungary's Ambassador to Washington; Gaspar Biro was advisor to the Hungarian President and one of the main Hungarian experts on minorities' issues.

Perhaps unsurprisingly, none of the Romanian exiles was welcomed with open arms in Bucharest. Immediately after 1990 Ion Vianu tried to rekindle the debate over psychiatric abuse under communist rule. He came to Bucharest to initiate among "independent" Romanian psychiatrists a movement to bring justice to the victims of this abominable practice. He failed completely: the solidarity of this professional group in covering up responsibilities turned out to be more powerful. To Romanians Vianu remained a symbol, as well as the author of many excellent articles in the weekly 22.

Ariadna Combes visited Romania with humanitarian aid and taught for a while at the university of Cluj. Mihai Korne founded together with Gabriel Liiceanu and a third Paris *companion* the Humanitas publishing house and continued his editorials in *Lupta* criticizing the Bucharest regimes. Dinu Zamfirescu returned to Romania and became a well-known (but second-rank) leader of the Liberal Party, as well as one of the few politicians to have consistently supported the causes of human rights and of Romanian-Hungarian reconciliation. As for Stelian Bălănescu, he has preserved his otherwise remarkable discretion.

The most spectacular presence among the attendees of the 1989 commemoration in Budapest has been Mihnea Berindei. He arrived in Bucharest as early as December 23, 1989 and over the coming days he established, almost single-handedly, the Group for Social Dialogue, which he supported enthusiastically during its infancy and more discretely after it had matured. He supported the weekly 22, then the Romanian Helsinki Committee, then the Civic Alliance, the Civic Alliance Party (PAC), the campaigns of the Democratic Convention, and even the Liberal Party into which the PAC had dissolved, and the list is long. He has been a great provider of resources, and yet virtually nobody, not even those whom he had helped to a substantial degree, has

ever offered him an appropriate position that should officialize his relation to Bucharest authorities, acknowledge his merits, and capitalize on his position among the French elite.

From the “Transylvanian problem” to the “European problem”

But let me return to one of the Hungarians who was directly involved in the commemoration and was responsible for the presence of the Romanian delegates – Gusztav Molnar. After flirting for a while with ideology of the Hungarian Democratic Forum (HDF), he eventually went the path of independent research and became the head of the Geopolitics Group with the Institute for Central and Eastern Europe/Teleki Foundation. He specialized in Romanian affairs and gradually became a rather frequent presence in Romanian media. This is how we started to collaborate. After a while, his name became tied to the issue of Transylvania’s devolution. The movement that he would initiate in a few years’ time was directly related to his involvement in the 1989 Budapest Statement together with a group of Romanians and Hungarians who had come together to rethink the foundations of the relationship between their two nations.

Fast forward to 1997, the year Gusztav Molnar published his study on “The Question of Transylvania” in *Magyar Kisebbség*, thus catapulting the issue of the province’s devolution into the public forum. The study triggered an ample debate among specialists and in the Romanian political environment. The following issue of *Magyar Kisebbség* (nos. 3-4/1997) published some swift reactions, and more followed in later issues. Smaranda Enache and Elek Szokoly, the editors of *Altera*, republished some of the articles in Romanian language in an issue (8/1998) of their periodical. They extended the devolution debate by organizing a debate on “From the ‘Question of Transylvania’ to the ‘Question of Europe’”²⁶⁵ in Cluj (June 3, 1998). The event was also attended by Adrian Marino, Alexandru Cistelean (the author of an oft-quoted essay on the loss of Transylvanian identity),²⁶⁶ Paul Philippi (a scholar of Transylvanian history), Sorin Mitu (the representative of the “new school” of historians of the imaginary),²⁶⁷

²⁶⁵ This was the title of my study published in *Magyar Kisebbség* and then in *Altera*, Vol. 8.

²⁶⁶ “Provincia ratată”, republished in *Altera*, Vol. 9, 1998, pp. 77-86.

²⁶⁷ See especially his *Geneza identității naționale la românii ardeleni*, Humanitas, 1997.

Marius Lazăr (of the Center for the Research of Interethnic Relations in Transylvania), Miklos Bakk (the UDMR expert on national minorities),²⁶⁸ and Victor Neumann.

The debate was rounded off by a project in which I co-opted Gusztav Molnar: jointly editing a volume on the question of Transylvania and inviting Mitu, Bakk, Renate Weber, Liviu Andreescu, Tom Gallagher, Liviu Antonesei, Elek Szokoly and a few others to comment on devolution. The volume got several reviews and provided an analytical reference on the issue at stake, but had a hard time penetrating the wider cultural consciousness despite the fact that, so far, it remains the most complete public statement on this frequently debated topic.

The issue of devolution received big media coverage on September 24, 1998, when the Budapest periodical *Beszelo* organized a debate and printed Molnar's original "The Question of Transylvania" and the replies signed by Antonela Capelle-Pogăcean, Sorin Mitu and myself. There were many participants and many other speakers besides Molnar and myself: Biro Toro (UDMR), Renate Weber, Zsolt Nemeth (the new Secretary of the Hungarian Ministry of Foreign Affairs after FIDESZ's electoral success), State Secretary Mihai Răzvan Ungureanu (who was then in Budapest).

The discussion in Budapest was mainly academic. By contrast, back home in Romania the daily *Cotidianul* launched a scandal-mongering issue with titles such as "The Federalization of Romania, a Plan by the Western Chancellors", "Suspect Avalanche of Statements in Support of Federalization", "Soros Foundation Supports Devolution of Transylvania".²⁶⁹ The message was that a plan for the federalization of Romania had been put together in Budapest. Mihai Răzvan Ungureanu was attacked on several occasions for his failure to protest against the speeches on the "question of Transylvania" that he had auditioned in the Hungarian capital. Molnar's devolution had become an integral part of the Romanian political imaginary.

Sabin Gherman's devolution

It was roughly at this point that Gusztav Molnar's (originally) academic contribution intersected Sabin Gherman's media adventure. An editor with the TVR

²⁶⁸ See, among others, the Miklos polemics on the UDMR platform in *RRDO*, Vols. 6-7, 1994.

²⁶⁹ Renate Weber had been elected president of the Soros-funded Open Society Foundation in 1998.

Cluj television channel, Gherman published at the end of September 1998 a text the title of which soon achieved country-wide notoriety: “I’m fed up with Romania”. The author made several sound general remarks and posed several unavoidable questions: “I’ve read in the newspapers that the government was careful to allocate to Bucharest a sum from the central budget that is larger than the amount disbursed to the entire Ardeal region.”; “I stand in line at the finance offices, the savings house, or some other state agency, and it’s always impossible to do anything without bribes and gifts. Such Turkish habits seem inescapable. So what’s my choice? I do not want to emigrate but I see that nothing gets mended here.” He spiced up such commonsensical with sundry insulting or provoking remarks: “What about us? We have never shown our valiance off, we used to flee to the forests when we were invaded, we would faint in the antechambers of the halls where our history was being decided, and now we are struggling for a loaf of bread but even our crooked ways cannot secure it...”; “In the space between two burps and a curse, the people (the people, ladies and gentlemen!) fills with pride on remembering Posada, Michael the Great, and ‘May Moldova, Ardeal and Wallachia live forever!’...”.

Gherman concluded bluntly: “I’m fed up with Romania and I want my Transylvania back”. He established a Pro Transylvania foundation which included among its statutory objectives “the rebirth of the spiritual values of Ardeal”. The press milked the story as hard as it could for some two weeks and then turned it into a constant reference in discussions on the “separation of Transylvania from Romania”. It was not only Romanian nationalists who capitalized upon the September (1998) scandal – some nationalist Hungarian associations invited Gherman to speak in Hungary, secured a scholarship in the US etc.

The following year Minister of Justice Valeriu Stoica managed to get Gherman’s foundation declared unconstitutional in the face of constitutional principles and values. The author of the first Romanian human rights coursebook and back then the first vice-president of the Liberal Party (PNL), Stoica denied the right to associate to people fostering Transylvanian identity. The accusation that they promoted an autonomous status for Transylvania within the Romanian state, which was alleged to be

unconstitutional, was a piece of sophistry that the PNL had never dared employ against, say, the fashionable monarchist groups. Gherman sued and the case is still pending, though he is almost certainly going to win in Strasbourg if it comes to that. Nevertheless, preventing people from associating around the question of regional identity is a kind of pathetic act of political opportunism that self-styled “democratic” politicians in this country sometimes indulge in. As for the other, less democratic politicians, it is not even worth mentioning them.

The Bucharest Statement

In 1999 Gusztav Molnar found an opportunity to promote his project: the celebration of the tenth anniversary of the “Budapest Statement”, the symbolic event which had brought around the same table “the sympathizers of anti-communist opposition in Hungary and the Romanian immigration.” The event was well worth celebrating, so Molnar suggested that a new document, the “Cluj Statement” be issued.

We first discussed this idea in Budapest but I actually got to read a draft of the statement only later in Cluj. My response was that the initiative was a counterproductive adventure. Molnar already knew what my arguments were and in deciding to show me an early draft in Cluj he had clearly considered my skepticism. (For this reason my name was not on the list of those who were to be contacted to endorse the Statement.) During that meeting I also added some circumstantial arguments: 2000 would be a general election year in Romania and if the nationalist left came to power the country would go crazy once again. Keeping the nationalist forces out of power would be our chief problem for the 16 months to come. Why move the spotlight away from the great political battle and direct it toward sophisticated yet counterproductive debates on devolution?

The two pages that Molnar showed me were a first draft. Other presumptive signers were to be contacted and a form acceptable to all was to be drafted. Since I was in Cluj, I also met Andor Horvath, one of the names on the list. His opinion was similar: the issue was hardly pressing. I also spoke to Daniel Vighi. He was not aware of the proposal and he did not find the issue of devolution opportune. This was also the

response of Mihnea Berindei, one of the signers of the original Budapest statement. In fact, he started work on the draft in order to put the weight of the statement in a different place.

Imagine how shocked I was to read the following in the national press on June 8, 1999: “On Friday, President Constantinescu issued a warning in Târgu Mureş ... to the effect that a manifest-letter would be launched which promotes the federalization of Transylvania... Visibly concerned, Constantinescu emphasized that the bloody war in Yugoslavia started with a document drafted in similar language...” (quoted from *Adevărul*). The daily *Ziua* was even more emphatic: “President Emil Constantinescu issued a dreadful warning to the public opinion and the political class.”

The press was closely followed in its steps by the Union of Right Wing Forces (UFD). This party, which had been created to secure parliament seats for Vosganian, Ulici and Iorgulescu, demanded that the General Prosecutor immediately start appropriate investigation procedures and enforce Art. 166 of the Criminal Code. In other words, the authors of the letter should have been punished, according to the UFD, with between five and fifteen years imprisonment provided it could be proven that they had proposed devolution and the federalization of Romania.

The full transcript of Emil Constantinescu’s Târgu Mureş speech (finalized on June 10) proved a lot less inflammatory than the newspapers had made it look. “It happens that several days ago I was informed about the draft of a so-called ‘Cluj Statement’... Without carrying any signatures ... this project attributed to intellectuals from the cities of Banat and Transylvania ... aims at rekindling a debate on the autonomy of Transylvania and Banat...

While I do hope that any debates may be carried out among intellectuals, because intellectuals and open societies know of no taboos, and since I have not surrendered my position as president *and* as Romanian intellectual ... I will repeat this for as long as it takes: we cannot accept separatist principles which negate the basic principles of our Constitution and disagree with the chief interests of the Romanian people.

Agitating federalist provocations at this particular point in time is especially dangerous because the internal political situation requires, now more than ever, unity and steadiness in overcoming difficult economic circumstances. At the same time, Romania's regional position demands our focus on what matters most to us now – stability. I believe nobody wants us any longer to become a part of the so-called gunpowder barrel in the Balkans. Just the opposite, we should foster this model of Romania as a country respectful of human rights, which are the basis of any democratic state. I have already said this in the past – the wisdom of Romanians laid the ground for a model of cohabitation able to withstand challenges...

...my appeal to you as this city's distinguished intellectuals, and to the important intellectuals of Transylvania in general, is to tackle the issue, discuss it among yourselves, for we want no taboos. But discuss it responsibly. Let us not get carried away by adventures that look like intellectual games but may have to be repaid dearly by the people of this country..."

There are several notable confusions in the president's speech (e.g., mistaking federalization for separatism), and it is unclear to say the least why he asserted so boldly that regional decentralization was contrary to the "essential interests" of the Romanian people. Regionalization had worked well throughout entire Europe. But other than these details, his speech had nothing indecent in it. The press had miserably but predictably and thoroughly changed the tone of the Târgu Mureș speech.

It also insisted in manipulating, sometimes coarsely, at other times with undeniable finesse, the public opinion. "As *Adevărul* has been warning for a long time, the inevitable has taken place." Dan Diaconescu's *Cotidianul* followed suit. In the June 8 issue of *Ziua*, Sorin Roșca Stănescu rearranged passages of Constantinescu's speech so as to be able to offer the readers a bellicose image. He then issued several admonitions: "this is the most important attempt at national sovereignty after 1964"; "how was it possible that such a dangerous act targeting the state be initiated without the SRI duly informing the head of state?"; "how did the president find out about the slashing of Romania into pieces?"; "territorial autonomy is a crime. The most serious crime imaginable against the state, its sovereignty, and the nation."

I expected more from Bogdan Teodorescu and his editorials in *Curentul*. But he too wrote that “The letter of intellectuals in Ardeal and Banat is serious because it speaks of the breaking up of Romania.”

The only intelligent comment that I have seen (admittedly without reading everything that was written on the issue) belonged to Cornel Nistorescu in *Evenimentul zilei*: “That ... several individuals drafted a statement is something absolutely normal in a civilized world. Whether it will be adopted or not, it remains to be seen. So far, it has not been signed and it is hard to imagine that in this initial form drafted by only one or two persons it would be adopted. But let us start from this exaggerated premise. Let us say it will be signed in precisely the current form. So what? Ten intellectuals claim to promote the economic interests of the historical provinces which have a right to regional institutions. They further claim they respect ‘national sovereignty and the territorial integrity of the Romanian state, and the free exercise of the powers of central authorities in the fields of foreign policy, defense and taxation.’... Is Romania democratic enough to organize ample debates starting from a first draft?” The judgment was impeccable and was delivered without knowledge of the president’s whole speech.

This was, in short, the story of the Cluj Statement. A while later we commemorated at the Group for Social Dialogue the tenth anniversary of the Budapest Statement by proposing an anniversary Bucharest Statement. It did not mention devolution, so the press was not interested in mentioning, analyzing or publicizing the new document.

Devolution in the late 1990s; Provincia in the new century

I described above the career of a concept that was first promoted in 1989. The view advocated then, namely that Transylvania “is a space of complementarity and should become a model of cultural and religious pluralism”, did not necessarily lead to a single conclusion but was logically expressed in the notion of the province’s devolution. Between 1997 and 1999, the issue was merely one among many other debated in a society already immunized against images of a Romania torn to pieces by Hungarian, Jewish, or Western conspiracies. In spite of considerable efforts by forces

desiring an autarchic Romania and despite the mercenary work of journalists and newspaper-persons, the devolution specter did not have major political effects.

This was happening at a time when civic militancy was showing signs of fatigue. Even the weekly 22, long a medium for open thought, had made a few forays into hysterical journalism. There are many factors which contributed to this change of attitude, and they include hypocrisy, theoretical misunderstandings, and a lot of psychological details injected in a space that was meant exclusively for ideas. Editors Gabriela Adameşteanu and Rodica Palade, as well as other members of the Group for Social Dialogue which had supported them, had already entered into minor political arrangements. Their dilettantism became accordingly manifest. However, by the end of the 1990s the weekly 22 had lost its crucial role in public debate. Consequently, its lamentable take on issue of the “national unitary state” enjoyed a reduced impact. Balance in Romanian-Hungarian relations was now a something to be achieved mainly by political forces. The UDMR’s participation in the governing coalition had already proven a success. Nobody realized it back then, but the elections in the fall of 2000 would preserve the contract between Romanians and Hungarians at the highest level of political power.

The issue of Transylvanian identity was ultimately successful. In 2000, Gusztav Molnar obtained a sponsorship for a regional periodical the name of which needs no further explanation: *Provincia*. Edited by Molnar and Cistelean, the periodical could boast about a team of highly respected collaborators: Hugo Agoston, Miklos Bakk, Mircea Boari, Marius Cosmeanu, Caius Dobrescu, Sabina Fati, Marius Lazăr, Ovidiu Pecican, Traian Ştef, Elek Szokoly, Daniel Vighi. Significantly, the list included residents of Bucharest who were sympathetic to regionalism. *Provincia* proved to be a worthy instrument of Ardelean identity.

At the end of 2000, the magazine hosted an ample debate on the creation of a regional party, as if to prove that the option was hardly merely theoretical. The debates were less analytical in content and more promotional, so the significance of this option ought not to be exaggerated. Nevertheless, I was somewhat surprised when during a

May 26, 2001 debate on Romania's political future many residents of Bucharest regarded the establishment of a regional party as probable and even appropriate.²⁷⁰

The following year *Provincia* became an self-standing journal. I do not know whether this fact increased its audience, but its newly acquired status gave more stability to this group which had assumed the mission of promoting regional identity. The supporters of autonomy for Transylvania are now, in early 2000, largely a silent mass the size of which is difficult to gauge. It is however very much apparent that a pro-Transylvanian political force could be launched and defended with relative ease both conceptually and in terms of motivation and human resources. Yet I believe that this topic still remains one of peripheral importance in defining Romanian-Hungarian relations.

²⁷⁰ This "historical" meeting included Smaranda Enache and Elek Szokoly (the organizers), Renate Weber, Cristian Pârvulescu, Aurel Ciobanu-Dodrea, Mariana Celac, Valentin Constantin, Mihaela Miroiu, Sorin Moisă, and Luminița Petrescu.

38. SCHOLARLY NATIONALISM

When, around the end of 1998, the UDMR's separation from the coalition seemed imminent and the "model of Romanian-Hungarian reconciliation" prompted general ridicule, Horia-Roman Patapievici published in 22 an editorial with a menacing title: "The imperial minorities". The author, who had acquired unquestionable prestige among the magazine's readers, diabolized the demands of the Hungarian minority using leitmotifs such as "separation", "closure" and "segregation". Briefly put, the article was distrustful and accusatory.

I immediately wrote a response editorial in order to set the record straight. It was not the first time I tried to fine-tune 22's outlook on the national question. A real crisis had taken place in 1995 when an article²⁷¹ by Andrei Cornea was published in a column called "The free stand" and reserved for materials from which the editors emphatically dissociated themselves. What were the causes of such an attitude on the part of editors Gabriela Adameşteanu and Rodica Palade? Probably the real culprits were ideas such as "integration presupposes an explicit surrender of some of the national powers", or the fact that the treatment of minority problems by the West was said to employ "a language of firmness and justice". In the immediately following issue Ilie Şerbănescu, the outstanding economic policy journalist that the GDS magazine was fortunate to have as a collaborator, voiced his own anti-Hungarian theories. (They had been previously expressed in the electronic or provincial media, but never in 22.) Page three of the issue printed headlines such as "Recommendation 1201 seems to be merely one end of the bridge"; phrases like "it is difficult to interpret Hungarian positions ... as anything other than separatist". It also gave credence to the notion that Hungary had been entrusted with a Western mandate to prevent NATO from expanding closer to Russia.²⁷²

As if to officialize a new foreign policy line at 22 which starkly departed from what the publication had been doing ever since 1989, the weekly published an interview with the former King Michael. The interview belonged to Adrian Pop, the former

²⁷¹ Titled "Preţul integrării", 22, No. 28, 1995.

²⁷² Ilie Şerbănescu, "România prea la Est pentru extinderea occidentală spre est", 22, No. 29, 1995.

editor-in-chief of the *Romanian Review of International Studies*.²⁷³ The questions posed were tendentious and created the impression that the former king accepted the interviewer's outlook, which described Hungarians' policies as "the major stumbling block in Romanian-Hungarian relations" thus implicitly exonerating the anti-Hungarian extremism spanning Romania's political life from Ion Iliescu and Virgil Măgureanu to Gheorghe Funar and Vadim Tudor.

I responded with a letter addressed "To the editors of 22" in which, after an analysis of the three aforementioned articles, I asked: "What is going on?".²⁷⁴ In response I received several insidious reproaches from Gabriela Adameșteanu²⁷⁵ but going public was worth it: no anti-Hungarian tilt plagued the magazine for the following 3 years.

But by 1999 the context had changed at the magazine, at the GDS and in the society at large. Patapievici had published his article as an editorial. I sent in my reply and Rodica Palade received a text by Gusztav Molnar responding to the same article. The magazine's deputy editor-in-chief had no option but to publish it.²⁷⁶ However, as a true guardian of the proper 22 ideology she excused herself by appending the following note: "This article does not express the position of the editors. We are publishing it because it claims to be a response to an article by H.-R. Patapievici entitled 'The Imperial Minorities'..."

What was so uncomfortable in Molnar's article as to compel the magazine to clearly assert its distance? Below is just one sample of what I believe to have been the main inconvenient points: "it is not the Hungarians that are the Achilles' hill of the Romanian state, but the Romanian political regime itself, which is based on the supremacy of Bucharest exercised not only against a stubborn national minority, but also on regional majorities the aspirations of which it will be impossible to restrain in the future with the instruments of state-sponsored nationalism so eagerly deployed against the legitimate aspirations of Hungarians."

²⁷³ Adrian Pop, "Interviu cu M.S. Regele Mihai I de România", 22, No. 34, 1995.

²⁷⁴ Gabriel Andreescu, "Ce se întâmplă?", 22, No. 35, 1995.

²⁷⁵ Gabriela Adameșteanu, "Un răspuns pentru Gabriel Andreescu", 22, No. 37, 1995.

²⁷⁶ Gusztav Molnar, "Imperii și pseudoimperii...", 22, No. 45, 1998.

Since such ideas probably seemed too eccentric, Rodica Palade had taken care to invite historian Dinu C. Giurescu to counter the Hungarian researcher. Professor Giurescu produced two pages on the idyllic history of a national, unitary state in which the majority and the minorities were unified in a natural if perhaps not ideal relationship.²⁷⁷ But the question of why the state has to be necessarily national and unitary could not be avoided. Giurescu explained that “The provision in Art. 1 of the 1923 Constitution, reading that ‘The Kingdom of Romania is a national, unitary and indivisible State’ expressed an actual reality: Romanians amounted to 71.9 percent of the population, and the absolute majority of the Romanian nation was living within the borders of the state.”

So this was, in the opinion of Professor Giurescu, what defines a national unitary state. Why is it then that Italy, Finland, Germany (and I shall not continue the long list), all of which had minorities amounting to less than 10 percent of the total population as well as majorities living within the boundaries of their states, were not defined as national and unitary? What about Romania’s evolution in terms of its ethnic composition? Are we perhaps becoming a super-national and super-unitary state? Is this, in the view of Professor Giurescu, the logic of modern democracy and multiculturalism in societies with distinct ethno-political entities?

The article commissioned by Rodica Palade juggled with a lot of information but failed to consider specific data and avoided the fundamental issue raised by Molnar. It completely forgot to mention Bucharest’s nationalist policies in Transylvania, Bessarabia and Dobrogea before World War II, as if that had been a state of normality. Professor Giurescu’s pre-1989 Romania had crafted some balance between the various identities; after 1989, it had been nothing less of a true model. “An unprejudiced look at existing data, devoid of misconceptions, shows that the Romanian state did not practice between 1919 and 1939 any systematic and concerted assimilationist policies – whether cultural, religious or economic – targeting the minorities.” Or: “Romanians and Hungarians have been living in Transylvania for over 900 years. The advances toward

²⁷⁷ Dinu C. Giurescu, “Imperii și pseudoimperii, între teorie și realități”, 22, No. 45, 1998.

the consolidation and affirmation of minority identities and cultures have been notable and essential.” It was as if no minority problem had ever existed in Romania.

Naturally, the reality has been quite the opposite. This is still one of the things that must be clearly spelled out to the cultural and political elites in charge of the future of this country. Since I referred to the politics of interwar governments toward Bessarabia in a previous volume,²⁷⁸ I shall dwell here on the issue of the policies of the Bucharest regime toward Transylvania and the Hungarian minority after World War II, at a time when the specter of Hungarian revisionism could no longer be credibly agitated.

During the first period following the Soviet occupation, inter-ethnic relations were governed by Leninist-Stalinist principles in what Gabor Vincze aptly referred to as “the display case policies” at the end of 1944. This period was followed by the philo-Hungarian policies of the Petru Groza government, then by a second “display case” interlude which lasted until December 12, 1948. Afterwards, the policy toward the Hungarians was reversed to the old practices.²⁷⁹

Deliberate Romanization started in the cities as early as 1947 through the enactment and selective application of restrictions concerning the residence of newcomers. The establishment of the Autonomous Hungarian Region marked the elimination of bilingual plates, which started outside this territory.

Hungarians have proved particularly sensitive to the state of their education system. The Hungarian department at the Cluj Polytechnic Institute was disestablished in 1953-54. Admissions to the Hungarian department of the Agronomics Institute was canceled one year later, then shortly reestablished after the Budapest Revolution; eventually, the entire department was disbanded in 1959. The very same year the last Csango schools with teaching in Hungarian were closed down, and the Babeş and

²⁷⁸ See the essays by Ernest Latham and Ladis K.D. Kristof, respectively, referred to in Gabriel Andreescu, “Addendum” in Andreescu, Molnar, eds., *Problema transilvană*, Iaşi, Polirom, 1999.

²⁷⁹ Gabor Vincze, “De la minoritate naţională la ‘români de naţionalitate maghiară’”, *Altera*, Vol. 15, 2000, pp. 85-128. While I shall quote Vincze copiously, I do not necessarily endorse his position in its integrality. He sees all actions of the communist regime (including cooperativization and nationalization) and Ceauşescu’s various aberrations (such as the demolition of villages) as a matter of “anti-Hungarian feeling”. I do not believe this to be the case. Furthermore, there has been enough anti-Hungarian feeling in Romania for these exaggerations to be beside the point.

Bolyai universities in Cluj were unified. This last measure spelled the end of independent Hungarian higher education. High schools with exclusive teaching in Hungarian disappeared in the mid-seventies and the expulsion of Hungarians (but also of members of other ethnic minorities) from leadership positions in the army, intelligence services, and foreign affairs was stepped up. The proportions were preserved in representative bodies such as the Great National Assembly for purely propagandistic reasons. After the mini-cultural-revolution of 1971 Hungarian theatres were turned into “sections” of Romanian institutions, as were Hungarian higher education departments.

After cuts in the number of teachers’ schools toward the end of the 1970s, the percentage of Hungarian primary and secondary school teachers and tutors reached 4.5 percent (the Hungarians made up 7 percent of the population). The number of Hungarian law school students dropped to 1.2 percent and the number of economics students was halved in the mid-seventies, which suggests a deliberate attempt to limit the access to key disciplines. Tellingly, there had been no reduction in the number of candidates.

The Hungarians graduates would be systematically assigned jobs in regions without Hungarian population. The community was so concerned about this trend that in 1978 Lajos Takacs, Andras Suto and Janos Fazekas addressed a memorandum to Nicolae Ceaușescu. Not only did the nationalist Ceaușescu (and his wife, a hysterical anti-Hungarian according to various reports by insiders) fail to change the strategy, but they actually accelerated the process. In 1985, of the 21 graduates of the Hungarian language section of the Philological Department, only 5 were offered jobs in Ardeal. Between 1980 and 1989 the number of Hungarian candidates admitted to the Târgu Mureș Medical School dropped by approximately 75 percent.²⁸⁰

In accordance with an 1988 decree the names of localities were written in their Romanian form in the publications of the nationalities. In fact, this practice had had a long ancestry and was amply documented in a book by ... Constantin C. Giurescu (*Ardealul în istoria poporului român*, Minerva, 1968), also published in Hungarian, in

²⁸⁰ These figures were supplied by Gabor Vincze, *op. cit.*

which topographical names in Transylvania are in Romanian only. Around 20 to 25 titles had disappeared from the Hungarian press by 1971.

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Anti-Hungarian politics dominated the political philosophy of the Romanian state after 1918 and scored an incredible comeback in the late 1940s. It continued to the last days of the Ceaușescu regime and is so well documented as to be unchallengeable. Romanians should try to keep in mind that behind figures and statistics such as those briefly introduced above there were always real, flesh-and-blood people.

It is therefore hardly surprising that what strikes many people most are not the figures themselves but the stories recounted by Hungarian friends. Hugo Agoston, the editor of *A Het* and the author of a remarkable series entitled “Bucureștiul de altă dată” (“The Bucharest of Yore”) published in *Provincia*, has got just such a story to tell. He once entered a pub in the capital together with some friends and after a few glasses started to sing in Hungarian. A policeman came in and arrested him. “Why are you singing the Hungarian anthem?” he inquired furiously. The situation was aptly described by Sandor Huszar, the editor-in-chief of the magazine and a former member of the Central Committee of the Romanian Communist Party. In returning to meet the editor, he showed his official insignia to the head of the police station and asked the colonel to sing the Hungarian anthem. “How am I supposed to know the Hungarian anthem?”, panicked the officer. “How was the sergeant who arrested him supposed to know it?” came back the reply that bailed out a Hungarian intellectual reckless enough to sing a Hungarian song after a few glasses in a Bucharest pub.

Here is another story. A friend of Sandor Szilagyi was thrown out of “virtually every Romanian high school” because of his having offended Romanian sentiments. In a written paper in chemistry (a discipline he ignored because he lacked any interest in it; he pursued a artistic career) asking students to discuss fuel oil, he had written that “The Dacians were using fuel oil to oil the axles of their wagons.” This naïve sentence was branded a nationalist slur and the author was thrown out of school and, for many years afterwards, had to suffer the consequences.

Szilagyi also mentioned once something that traumatized him. A Romanian teacher from the Ardeal came to his Cluj primary school. Because he was not very intelligent and because the environment allowed it, the teacher, who could hardly speak Hungarian, was ironic toward the language of Petofi. In order to show how awful Hungarian sounded, he changed the names of the pupils. He called him Alexandru; his colleague Zoltan was called Irimie, and so on. After the children couldn't take any more of this vulgarity, they stopped talking and refused to speak again. They were graded only on the basis of written papers. The change of names was worse than any other imaginable offense.

What about the absurd but consistent obsession with color? Sometimes kids were forbidden to use green pencils. Tree foliage was to be painted blue, so that its natural color should not intersect the white of the paper and the red of the flowers.

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Is this merely the testimony of exaggeratedly sensitive Hungarian individuals? Are these stories the expression of some subjective perception that the authors cannot put behind themselves? Then perhaps it is worth quoting a true-blue Romanian, a man who unfortunately left us much too early.²⁸¹ "It's as if you have not been living in Transylvania," he answered the open letter of a native of Sibiu, "for the past twenty-five years, or as if everything that happened during this period completely eluded you. Were you ever curious enough to open a history textbook made available to Hungarian children in order to see what it said of their ancestors? Are you aware that a widow from Maramureş who had married a Hungarian physician was requested to change her and her children's name in order to be promoted? Are you familiar with the story of the children in Oţelu Roşu whose school prizes were taken away because their names sounded un-Romanian? They were told this straight to their faces. I have been unable to assist some of my best collaborators and students in getting a promotion because of their non-Romanian-sounding name."

"I could go on for pages," Radu Popa continued, "because I have recorded these events with a lot of indignation over many years." But, he eventually exclaimed, "you

²⁸¹ Radu Popa died of cancer in 1992.

are either completely unaware of what you are talking about, or simply refuse to understand!”²⁸² These words, originally meant for a certain Vasile Avram from Sibiu, would have suited Dinu C. Giurescu just as well.

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It is therefore not illogical to suggest that well-informed Romanian intellectuals with otherwise decent attitudes, such as professor Giurescu,²⁸³ had a problem that was not primarily theoretical in nature. Rather, it was a matter of their ability to lend their ears to communities invoking past injustices. Where there is receptivity, the rest (information, conceptual frameworks) will easily come about. Individuals with disciplinary authority are able to exert for lengthy periods the largest degree of influence on the debates among the elites. Indeed, they are the ones who steer the elite’s projects.²⁸⁴ Dinu Giurescu’s involvement in the dispute surrounding Molnar and devolution still seems to be one of the most disappointing moments in the post-communist debate on Romanian nationalism.

“Scholarly nationalism” was hardly practiced by Giurescu alone. But his position left an indelible impression. The responsibility is also shared by the editors of 22.

²⁸² Radu Popa, “Stafii poate naive și speranță realistă”, 22, No. 19, 1990.

²⁸³ It is worth noting here that professor Giurescu published an article in *Cotidianul* (November 26, 1991) in which he noted that “a majority earns and safeguards its fundamental rights and freedoms to the extent that it respects and guarantees the same rights and freedoms for ethnic communities speaking different languages...” He contested the 1991 Constitution adopted by the Parliament on November 21, 1991 precisely because it failed to provide for the necessary guarantees for minority protection.

²⁸⁴ The same Dinu Giurescu has had an impressive and salutary intervention in the debate on alternative textbooks. On that occasion, the power of disciplinary authority was very visible to all involved.

39. NATIONALISM WITH A FACELIFT

There have been attempts in the Romanian press to legitimize forms of “decent nationalism”. It is ironical that the author who is most commonly referred to in this context is Octavian Paler, a man wholly irrelevant to the questions addressed here.²⁸⁵ The polemics collected in the volume *Naționalişti, anţinaţionalişti... O polemică în publicistica românească*,²⁸⁶ to which he participated, explains perhaps in part this identification. “Moderate nationalism” does not seem to have gained a symbolic strength proportional to the number of those who are invoking it. I would even go so far as to say that its career has fared worse than the concept deserved. After all, the role of minorities’ nationalism or of nationalism “under occupation” is too serious to be treated with superiority complexes. A possible explanation would be the “migration” of publicly visible anti-minority energies toward *ad literam* democratism – that is, to the legitimization of the domination of majorities over minorities. The group of literal democrats is well-represented by the stylistic excesses and paroxistic verbalization of Cristian Tudor Popescu and Horia-Roman Patapievi.

A more subtle and as yet not defused threat is that of what Marius Lazăr called, in referring to nationalist attitudes which rely on analytical arguments, “nationalism with a facelift.” This package does sometimes deceive the media, the cultural elites without specific analytical experience, and the students. Scientific pseudo-theories sometimes behave like the cuckoo chick that kicks genuine research out of the nest. I do not intend here to provide a typology of so-called respectable or moderate nationalism, although such a task ought to be taken up sometime.²⁸⁷

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²⁸⁵ Octavian Paler noted in an article published in 2001 (“De ce îl cred pe Năstase”, *Cotidianul*, August 31) that “I know of no state that turned from ‘national’ into ‘federal’.” Well, he should have known that Germany became a federal state after a “national” period and that Spain and Italy evolved in the 1970s from a unitary to a semi-federal administrative model. Octavian Paler belongs to the group of nationalist demagogues eager to embrace theories on the loss of Transylvania if this serves opportunistic populism. (The quoted article interprets the term “federalization of Romania” as a “prudish name for the separation of Ardeal from Romania.”)

²⁸⁶ Gabriel Andreescu, ed., *Naționalişti, anţinaţionalişti... O polemică în publicistica românească*, Iași: Polirom, 1996.

²⁸⁷ It will have to include sociological research developed in centers such as the one led by Ilie Bădescu.

For a while Alina Mungiu remained aloof of the minority issue, with only cursory, liberal-minded, essay-like incursions into the domain. The dramatic change occurred in 1996, when she elaborated and published a long study titled “Toward Transethnic Democracy in Transylvania”. The study opened with some surprising statements: “individuals who debate ... the project of the Hungarian elites in Romania who are preparing some distant secession in the future completely neglect the essential question of the individual and collective rights of European minorities in our century.” But there was actually no UDMR-drafted document and no actual action of the Alliance which suggested preparations for a “distant secession in the future”. Such baseless conjectures had no place in a serious study. (In fact, they simply repackaged the discourse of Vadim Tudor and Gheorghe Funar in a more respectable box.) Or: “individuals who discuss the issue from the perspective of ethnic conflict are in effect turning it into a question of security which predictably neglects individuals, communities, and any sense of justice in order to solve the question of stability.” But the ethnic conflict perspective on the relations between majority and minorities is actually a fundamental component of research in the field. It is also the object of international institutions. To reject this paradigm out of hand is to abandon an indispensable instrument.

Recommendation 1201 was not, the author continued, “anything more than a recommendation”. I have noted several times before that in the case of Romania the Recommendation was a political commitment because, through Opinion 176 of the Parliamentary Assembly of the Council of Europe, Romania undertook to enforce it. Mungiu’s use of the phrase “internal territorial autonomy of the Hungarian community” was absent from the UDMR documents and, as such, meaningless. The notion that “the UDMR ... should guarantee its loyalty to the government” rehearsed the 1995 attack against the Alliance. And how could a so-called “analyst” seriously argue that “the new law of education ... reestablishes some of the facilities provided by the communist Romanian state to Hungarians”? Rights are not “facilities” and a curtailment of rights is not a “reestablishment”.

Alina Mungiu also provided a long argument of why it would be in the interest of Hungarians to have admittance exams and other similar contests in Romanian (essentially because of competition on the labor market). She also applied the same arguments on the use of language to Hungarians and to foreign students who come to study in Romania for the entire duration of the undergraduate study. She seemed to believe that minority self-government beyond the sphere of information “should be the object of negotiations between the Romanian state and local administrations.” But minority self-government should become a matter for negotiations only if the minority is delegated some powers previously entrusted to the state. The text confused the self-government of minority institutions (resulting from the exercise of the right to association) with latter’s status as public entities (which necessitates an adjustment of the positions occupied by the minorities and the state).

According to Alina Mungiu, “internal self-determination” and “personal autonomy” are “innovative but ill-defined terminology”. It must be strange then that this terminology had a real correspondent in the relatively distant past (the Estonian law of 1925 and the case of Swedes in Finland). According to our author, a law establishing a form of subsidiarity is a “challenge to state sovereignty”, as would be a constitutional right to referendum. But the latter ideas are absurd, while the argument that the UDMR documents propose “trans-territorial autonomy” was completely unfounded. The same is true of statements to the effect that UDMR’s proposals “are extending the theory and practice of European government beyond any acceptable limits” and constitute “a challenge to the contemporary European conception of state sovereignty”.

The paper was shabby in terms of professional ethics. Information was biased, errors abounded, and in some instances there was also misinformation. In the end, the study was little more than an assembly of the author’s impressions, misconceptions, and prejudices. Reference to relevant international laws were completely absent, as were crucial bibliographic landmarks (Capotorti, Hannum, Thornberry, Cassesse etc.). The author seemed to have ignored the important Romanian works and research on the policies advanced by the Hungarian minority in Romania.

I wrote about all this in a 22 article “Disparaging minority research”.²⁸⁸ The conclusion noted that “The paper titled ‘Toward Transethnic Democracy in Romania’ is a half-learned product. It does no honor to the institute sponsoring its publication²⁸⁹ or to the funding organization. It can be used as an excellent case study on how *not* to do research. ... The minority issue is too important to be left at the mercy of such superficiality and contempt.”

My conclusion was probably a bit too belligerent but to let public opinion be sold such anti-Hungarian clichés under the guise of “scientific research” was something that revolted me. The following issue of 22 contained a surrealistic response from Mungiu introduced by a sort of editorial note signed by Gabriela Adameșteanu (“A few remarks”).²⁹⁰ The editor-in-chief complained that my review overstepped the boundaries of neutrality and eventually expressed her disappointment at the “extreme subjectivity” (and the many inaccuracies) in Alina Mungiu’s reply.

The texts signed by Mungiu and Adameșteanu were hard to fathom but they were followed by another response which really mattered a lot: that of the UDMR. In recalling the Alliance’s interest in any initiative analyzing the activities and platform of the UDMR, Anton Niculescu, political counselor to the UDMR president, flatly denied a statement by Mungiu to the effect that she had received the approval of the UDMR representatives for the arguments presented in the paper. On the contrary, “many of the statements in the review signed by Gabriel Andreescu ... coincide with those expressed by UDMR officials during the public debate mentioned by Alina Mungiu-Pippidi.”

Andrei Cornea had the final word in the debate. His masterly article “‘Peaceful separation’ or control hermeneutics” was published in two successive issues²⁹¹ and was infused with the friendly distance that has been perhaps the main quality of Cornea’s writings in the past. The text had nothing of the steamy involvement that friends have taken me to task for. He predictably opened this text with welcoming words and small

²⁸⁸ Gabriel Andreescu, “Compromiterea cercetării în problematica minorităților”, 22, No. 24, 1996.

²⁸⁹ The Center for Political Studies and Comparative Analysis.

²⁹⁰ The editor-in-chief’s remarks were denied vehemently later on, under different circumstances. Her words were justified as an attempt to cool down the heated argument: she “opted [by publishing the falsities of A.M.] in favor of publishing ‘uncomfortable’ texts, even those containing ... unfair or erroneous statements...”

²⁹¹ 22, Nos. 28-29, 1996.

compliments, but then went straight to the heart of things: “the author needs to make a plausible case that her main presupposition, that the Hungarian elites or the UDMR are planning secession, is true. ... this thesis should be supported by documents and believable, real actions. Any reference to radical plans should be fully documented; we should not claim that such evidence is missing simply because Hungarians are suppressing it, as some have maintained in the past.

In the light of publicly available documents and actions ... I see absolutely no reason why a person without prejudices and preconceptions would state that the project of the Hungarian elite is a ‘distant secession in the future’.”

Cornea went on to identify another falsification hidden deeply in the argument: “Alina Mungiu also claims to have uncovered this intention in another fragment of the Council Decision of January 14, 1996, which says that the Hungarian community demands that the Romanian state recognize it as a ‘distinct political subject’. Although the author cites this paragraph on page 14, on the following page she refers to the request above with the phrase (for some reason placed between inverted comas) ‘separate political subject’. There is no such phrase in the UDMR document. The author employs the same phrase again on page 18, where she claims that in order to eliminate any suspicion of separatist and secessionist intentions, the UDMR, which claims to be a ‘separate political subject’, should officially acknowledge the Constitution of Romania.

I think it is easy to understand that ‘distinct’ is not the same as ‘separate’. To be distinct is not to oppose integration in Romanian society, while to be ‘separate’ can be construed as just such a form of opposition.²⁹² To misquote such terms is not an entirely innocent affair!”

As if this splendid argument was not enough, Cornea punched in other lethal blows. Take for instance the term “peaceful separation”, which A.M.-P. had attributed to the UDMR project. “Alina Mungiu’s phrase ‘one counts on immigration’ leaves me wondering who is actually ‘counting’ on it? Is it the Hungarian elite? Which part of it,

²⁹² In fact, literature on minority issues does speak of a need to maintain a certain degree of separation. But in this context “separation” sounds so bad that Cornea’s point is crucial. Precisely because of the political psychology that associates minorities with separatist intentions I proposed in 2001 the concept of “community privacy” (see Gabriel Andreescu, “Problems of Multiculturalism in Central Europe”, Institut d’Etudes Politiques de Paris, 9-10 Juillet, 2001).

exactly? ... Where is the evidence for such a severe statement? This kind of talk can easily be turned into phantasmagorical scenarios such as those spun by Pavel Coruț... We would soon find ourselves claiming that Hungarians, Jews, or Turks are ‘counting’ on poisoning our wells or sabotaging our prosperous economy.”

Cornea sums it all up magisterially, with a premonition of the electoral outcome: “it is possible that in this autumn’s elections the opposition will surpass the existing government coalition in terms of votes. But for such an electoral success to remain more than simple arithmetic, we will need a new coalition from which the UDMR cannot be excluded. Yet how could the CDR or the USD negotiate with an Alliance suspected of harboring Quebec-style separatist plans?”

To round off his remarkable article, Andrei Cornea appended to it the following message: “I believe that the firm attitude of the GDS and its magazine 22 over the past 6 years against all forms of nationalist emphasis, its commonsense and its ethical or intellectual strength in resisting the sirens of false patriotism and democracy, will secure its important and perhaps unique place in Romanian political life.”

Such comments provide an insight into the enthusiastic way in which intellectual solidarity was experienced by some GDS members at a time when history was very much in the making and values were lived rather than merely affirmed. Later in, by the time the magazine had adopted a more hypocritical stance, the fruit of its past attitudes had ripened. The Cluj Statement crisis in 1998 and the distance taken on the minority issue had lost effectiveness. The political game had almost completely replaced the civic game, at least with respect to the relations between Romanians and Hungarians.

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What few knew at the time was that the Center for Political Studies and Comparative Analysis which published Alina Mungiu’s research was headed by Dorel Șandor, whose anti-Hungarian feelings I had experienced on several occasions. Some suggested that this explained the skepticism with which Karen Fog, the former head of the EU Delegation to Romania, to which Șandor was close, regarded the UDMR. In my conversations with Șandor I had the opportunity to listen to more than nationalist jokes

with Hungarians. I also found out about meetings with “*Bozgors*” before 1989, in Budapest of all places.

Alina Mungiu-Pippidi’s second important public achievement relevant to the national minorities issue arrived in 1999 with the publication of her book on *The Subjective Transylvania*. It came out a few months after *The Question of Transylvania*.

I was invited to the book’s launching. I genuinely hoped to read an instructive volume. On December 16, publisher Gabriel Liiceanu did his job well and uttered many words of praise with little actual content. He underlined the cool impartiality of the author, the use of ample bibliography and the up-to-date methodology. He offered a few additional epithets in a field he knew nothing about.

Eventually, I felt compelled to write about Mungiu’s second work too:

“According to the ‘Introduction’, this research was intended as a ‘Romanian contribution not to the issue of Transylvania alone ... but to the more general issue of national identity and nationalism in contemporary Europe.’ This seems to be a fair statement: despite the title, Alina Mungiu-Pippidi’s book looks into the broader relevant issues of nationalism and minorities and not only to Transylvania, where the empirical investigation was carried out. Let me also note that *The Subjective Transylvania* has the literary quality that is so characteristic of Alina Mungiu-Pippidi’s writing. The book communicates easily and fluently, and the style makes it very attractive.”

The quote from the analysis I published soon after the book was launched emphasized the priority of the methodological, conceptual and informational aspects of the book:

“As for the methodology, the author used several concepts belonging to psycho-sociology and her own investigations in order to eventually develop a perspective on the relations between Romanians and Hungarians and to propose solutions for decision-makers and public policies. There is, however, a leap of logics between the premises and the conclusions, the nature of which is similar to the expectation that an aerial shot with a resolution of 1 meter/pixel would offer details on the handle of a diplomatic briefcase. In other words, theories and research findings are used in the book for purely rhetorical purposes.

A second methodological observation is related to the fact that the author seems to be very keen on basing her argument on her own field investigations. The intention itself deserves a lot of praise, especially since it runs contrary to the widespread habit of speculating on the basis of pure impressions. On the other hand, the limits of the author's methods need to be clearly defined. First, the investigation is in danger of quickly becoming dated. Once a study performed on a larger sample and with better methodology is published, Mungiu's research will immediately become obsolete. This type of research abides by the logic of syntheses which new investigations later augment and clarify. Unfortunately, the 15 focus groups and the July 1998 poll on 597 individuals are rather instruments even compared to available research. The book's study of the religious beliefs of Romanians and Hungarians in Transylvania is easily surpassed by the ample research conducted by Tomka Miklos in October 1999 [already published in Hungarian] and soon to be published in Romanian in the excellent journal *Altera*. The author's views on the mutual perception of majority and minority populations should have been corroborated with and tested against the results of an ample study published in March 1999 by Ioan Andrei Popescu, Mihaela Oancea and Dragoş Popescu of the *Institute for Statistics and Opinion Polls*. There is rich literature in the field of public policy that the author ignores while preferring to quote (admittedly notorious) literature with little to say on the matters at hand.

Several confusions will probably irritate the specialists. To argue that 'subsidiarity ... is not identical to the decentralization of a modern state, but closer to the philosophy and organization of the Middle Ages', and then to place this concept in the category of religious vs. secular simply contradicts everything we know about the meaning of this concept today. The UDMR's support for subsidiarity should not be confused with support for federalization (which not a single UDMR document ever mentions); the term 'special status' employed by the Hungarians refers to territories rather than communities; to treat the post-1996 regime as a type of 'consensualism' because the UDMR received ministerial positions as a member of the governing coalition is to reduce consensualism to the logics of coalition-making. I believe this to be inappropriate.

The volume published by Humanitas also contains factual errors. Not all of them may be corrected. For instance, Ordinance 22 was not ‘rejected’ by the Senate – this was simply a matter of parliamentary procedure –, but by a decision of the Constitutional Court (which contested the urgent nature of the Ordinance). Hungarians’ exclusion from positions of leadership by abandoning the percentage rule started long before 1990. Remus Opriș’s involvement in the Odorheiul Secuiesc affair was not “his right as an official” because he illegally broke the seal applied by a court of justice. Instead of mediating the events, he triggered a serious crisis resolved by the involvement of civil society.

Conceptual and factual errors would have been easily avoided had Humanitas, the publisher, submitted the manuscript to reviewers. There is nothing wrong with getting a confirmation from specialists; in fact it’s a worldwide (and in some cases mandatory) procedure. Hopefully Humanitas will keep this in mind for the future.”

It is difficult to stand aside when scientific deontology is violated, but the fact that the issue was delicate made a response mandatory. This time as well my article was less an in-depth review or analysis and more of a protest against this type of research and the irresponsible treatment of issues with such a serious stake. This time as well Alina Mungiu benefited from better reviews than my own. A short while after I published my position *Provincia* (no. 1/2000) published an excellent piece by sociologist Marius Lazăr. I shall let him have the last word. He labeled this type of investigation “nationalism with a facelift” because, in his view, it offers a deceptive image not merely of the attitudes, but also of the instruments.

“The author undertakes the difficult task of deconstructing with the tools of the psychologist the two ‘subjectivisms’ (actually ‘ethnocentrisms’, but Alina Mungiu does not use this concept) at the foundation of Romanian and Hungarian nationalism in Transylvania. She quickly disparages the quantitative analysis underlying a vast amount research. ... The new and much more ambitious intellectual position which she adopted starting with her first book *Romanians after 1989* put her into a field where intentions have to be matched by the adequate methodology, while the otherwise profuse perceptiveness has to match the theories. Mungiu is split between the civic activism

which underlies her political reflections and her aspiration to expert-status, on the one hand, and the need to professionalize in a discipline where her initial academic training is largely irrelevant (since journalism does not make you a scholar, just as life does not make you a philosopher), on the other hand. She therefore tries to convert her symbolic capital as an opinion leader into the intellectual capital of a scientific authority. This conversion follows a double strategy: on the one hand, she exploits her status as ‘opinion leader’ to consolidate the reliability of her judgment of reality; on the other, she substitutes, by way of self-promotion, accumulated references for research abroad or previous works for professional competence.”

This introductory paragraph of the review was not aimed at opening a “Mungiu file”. But a professional immediately understands, almost at gut level, methodological abominations. “In identifying sociological research with polls and in failing to draw the elementary distinction between a poll and a survey the author states without even blinking that ‘We have no school capable of designing descriptive polls or carrying out simple measurements of answers to questionnaires – most often they cannot be called attitudes, or beliefs, evaluations, social representations, or values. Except for electoral or similar options ... polls have so far told us nothing relevant about our culture...’ ... ‘The 597-person sample of individuals aged over 15 was representative for the structure of the population of the aforementioned counties with respect to age, ethnic structure, residence, and sex. The poll was conducted between June 16-24 in the form of a mailed questionnaire. The results were compared to other polls with larger samples and have in all cases been consistent... The “rate of error” on this sample is 3-5 percent.’

This fragment should be looked at in more detail, because it points to the improvised nature of the research and it eventually undermines the Mungiu’s study. ... How could a sample of 597 individuals be representative for the structure of the aforementioned counties is not explained. Is it representative at the level of each county? (This is, in fact impossible.) Is it representative for the counties as a group, that is, for Transylvania as a whole?” Lazăr goes on to point out that the sampled population cannot be representative for both of the two ethnic groups; that the mailed questionnaire is not a very reliable method; that “rate of error” is not the right term and that, if the

author was referring instead to the error margin, she should have been referred to a +/- figure; that there is no information about the probability with which the conclusions extend to the entire population etc. “Unfortunately, the same treatment is applied to other notorious concepts in specialized literature, such as the pairs primordialism vs. instrumentalism, essentialism vs. relationism. In the latter cases, the conceptual confusions are compounded by the extremely negligent formulations. All this has a negative impact on what is really interesting about the book: abundant examples and the analyses of the answers provided by the interviewed subjects.”

Perhaps all this is ultimately unimportant or marginal to an observer of Transylvanian or minority issues, or even to a political scientist,²⁹³ at least compared with the paramount issue of nationalism. Marius Lazăr actually goes beyond technical details, although the issue of professionalism cannot be pushed aside so quickly by insisting on the greater importance of the issue itself. He reaches for the essence of the intellectual endeavor. I shall quote again at length:

“It is obvious that, in spite of her efforts to reach objective conclusions, Transylvania remains for Alina Mungiu an exotic realm full of bizarre occurrences. The ‘subjectivity’ mentioned in the title is mostly characterized as ‘illusory’, ‘deformed’ or ‘inexact’ beliefs. Naturally, the analyst’s point of view is none of these things. Romanians and Hungarians often seem to be the victims of some preposterous misconception such as regionalism, which is in need of immediate rectification.” As for Mungiu’s exceedingly brutal conclusion (“Transylvania is marginal”), the Cluj sociologist comments as follows: “I am not persuaded this is really the problem. Nevertheless, it is impossible to miss the discrete apprehension that informs the *mise en scene* and the way it is fed by attempts to reform the current centralism. And yet the author cannot be suspected of bad faith beyond what has been said above. Her attempt to demolish the nationalist mindset and its attending self-delusions is certainly courageous. The unresolved issue remains that how to use the book’s conclusions. It is for this reason that we need to be careful about nuances. We never know whether they

²⁹³ Lazăr also notes that “I cannot help but point to a statement that is typical for the author’s strategy of persuasion: ‘in my book *Romanians after 1989* I was the first in Romania to use focus groups in a scientific investigation.’ No comment!”

will eventually neutralize nationalism or merely repackage it under a ‘scientific’ guise. That is, whether they can reach beyond nationalism or will merely turn it into – as there is reason to suspect – a nationalism with a facelift.”

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As noted above, this nationalism “with a facelift” has not yet been completely defused. There is still no group of professionals able and willing to do away with bad research. Could this happen in the near future? I think that it is possible given the currently available resources – a doctorate in multiculturalism (Levente Salat), several think tanks (The Center for Ethnocultural Studies in Cluj, the Helsinki Committee in Bucharest), and several specialized journals (*Altera*, the *Romanian Human Rights Review*).

Unfortunately, there’s little hope from the rest as long as a character like Ilie Bădescu is elected president of the Romanian sociologists’ professional association. Professional consciousness in the study of minorities and the broader discipline of nationalism studies remain a desideratum, especially at a time when Romanian society is weak and needs sources of legitimacy able to guide it on the long term. Fortunately, Alina Mungiu-Pippidi’s contributions were not part of the competition for political legitimacy when this competition really mattered. At the peak of the struggle between nationalists and anti-nationalists other studies managed to provide the necessary positive thinking.

40. NATIONALISM AS AN INTELLECTUAL ABERRATION

Nationalist extremism is an intellectual aberration; extremism in general is a negation of the role of reason in human behavior. These pages have provided some examples as to the possible forms and causes of extremism as a disfigurement of attitude. In most of these cases extremist discourse was employed solely as an instrument of political will.

Yet in some cases which prove relevant to our discussion of nationalism the major stake seems to be not political domination but the discourse itself. Despite the fact that such discourse often emerges as an aberration, it (and the intellectuals who produce it) gets much more easily accepted on the market of ideas, perhaps because it does not belong to compromised groups (as many politicians in fact do). As such, its potential impact extends longer in time and has a larger symbolic relevance in the cultural life of the country. I have three separate examples to offer here: Horia-Roman Patapievici, Cristian Tudor Popescu, and Ovidiu Hurduzeu.

Horia-Roman Patapievici approached the minority issue rather late in his intellectual career. One can encounter substantial fragments on this question only in writings dating from the late 1990s. Given his widely recognized ability to energize his negative feelings, and somehow deeply and irreversibly affected by the “claims” of Hungarians, gays and other eccentrics, he immediately ideologized his affections. Patapievici’s earlier introspections had indeed prompted his enthusiasm about his membership in the dominant majority, to which he confessed in a widely discussed essay on the “American communism”. Soon introspection gave way to other-regarding sentiments, in this case aversion toward minorities.

Despite rich, luscious phraseology and arguments expanding over many intersecting paragraphs, H.-R. Patapievici is not difficult to quote. Most of his writings belong to the family of lexical invention, they are artificial dissertations that mimic rather than create ideas. This becomes rather obvious as soon as one starts looking for the bare kernel, just as an X-ray exposes the meager bones hidden under a mass of fleshy tissue. His essays (some of which were published in regional periodicals such as

Timișoara's *Orizont*) are variations on a given theme which is perfectly captured in the title of one landmark article on "The Problem of Identity".²⁹⁴

"Traditional man had one master, one religion, and one kin." The man of classical modernity is the result of the disappearance of masters and of the conventional nature of names, "of the privatization of belief and nationalization of loyalty." As for the so-called "man of recent modernity", whom Patapievici deplores, he has nothing "above him" and nothing "below". According to our author, we have awakened on an empty plot with "the transitory evanescence, nervous trepidation, the consciousness of isolation within our identity, the vocation of victimhood, the tensions of minority imbalance and the pride of singular claims – ... aggressive features ... doubled by the consciousness that the minority member *qua* minority member is always right against the members of the majority." This polyphonic discourse goes on for about a page and a half but is eventually revealed as nothing more than a prelude to a deluge of frustrations. The minority member is allegedly aggressive, has the vocation of discrimination, makes loud claims, among which that to eternal justice. In invoking polemics and nostalgia, adversity and tradition, function and substance, electedness and the fantasmatic, transcendence and putativeness,²⁹⁵ in quoting Rene Char immediately after H.H. Stahl and William Petty alongside Max Weber,²⁹⁶ Patapievici sets the stage for an immense cosmological battle. After which he promptly points the finger towards the real problem: "the inversion of natural majorities into invented minorities". Hence the emergence of "the optional minority, the dandyism of deliberate segregation, the profitable ethnicity"; hence the advent of the "minority member who uses membership as a political weapon, who knows that he can dominate the shapeless mass of arithmetical majorities by claiming to have been victimized and by diabolizing the latter."

Eventually, Patapievici's intellectual production turns into nothing more than aberrant lexical arrangements designed to support primitive accusations hollered at members of minority groups. To hide the naked truth from the audience – and probably

²⁹⁴ H.-R. Patapievici, "Problema identității, I, II, III", 22, Nos. 11-12-13, [year].

²⁹⁵ A series of concepts designed to delight readers who seek obscure significations and over-worded lexical constructions.

²⁹⁶ The eclectic nature of his quotations has always been a disconcerting characteristic of his essays.

from himself as well –, he builds a theoretical castle that is so baroque, so artificial, so remote from reality and sensible concepts, that it deserves the label of aberration.

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In terms of style, Cristian Tudor Popescu offers what is perhaps the opposite picture. While Patapievici works like a busy silkworm striving to cover the bare meaning of his concepts, Popescu excels at exposing his grisly notions by taking the most direct and transparent path to truth. In terms of their attitudes, however, the two are strikingly similar,²⁹⁷ with Cristian Tudor Popescu crowning himself as the uncontested champion of discursive extremism. The smugness in the discourse of this literati, who are otherwise ill-equipped to speak about minorities, seems to spring forth from their sense of membership in the dominant majority (with a strong emphasis on “*dominant*”). It is not the number itself, but its associated privilege which is the foundation of the comfort they find in uttering patent absurdities. The privileged can afford to do it, seems to be the hidden message. They are entitled to have the last (and sometimes the only)²⁹⁸ word. Although there is plenty to quote from in Popescu on the subject of national and other minorities, I shall limit myself here to his hateful lines about women. They intimate what is possibly the best illustration of a master’s pride (the master of a newspaper, of the public opinion, of a territory, of a country, eventually of epistemology and ontology). In a notorious response published in 22, philosopher Mihaela Miroiu commented on some of Popescu’s writings.²⁹⁹

“Women appear to be inhuman, childish beings: ‘Women are so different from the human male that they seem to belong to a different, unearthly species.’³⁰⁰ ... Women do not think and they communicate according to animal codes: ‘no matter how

²⁹⁷ Which reminds me of an insight of Dorin Tudoran which I found rather surprising in 1997 because it referred to the close similarity between H.-R.P. and C.T.P.

²⁹⁸ The obsession of a single, legitimate and dominant voice is explicit in the articles signed by Cristian Tudor Popescu (e.g., “How Many Histories Does Romanians Have?” published in *Adevărul*): “How is it possible to speak about alternative versions of Romanian history? Why do we have a Romanian Academy, where are the emeritus scholars and historians? What is more logical and more normal than having a National Commission made up of such people agree on a single textbook, a single book for the study of the History of Romania for all the students of this country?”

²⁹⁹ Mihaela Miroiu is the founder of gender studies in Romania. Her article appeared in 22 on March 21, 1988.

³⁰⁰ This and the following quotations are taken from Cristian Tudor Popescu, “Femeia nu e om”, *Adevărul literar și artistic*, March 10, 1998.

different in terms of their intellect, age and bodily shape, [women] all look the same, just as the members of a different species all look the same, just as cats and chicken look the same.’ Being incapable of articulate communication, women cannot shut up: ‘two women ... will immediately make use of the language and minimal set of concepts of a different species’ because their mind is ‘a collective mind, a mental carpet the knots of which are the various female individuals’. In fact, ‘women do not think. With few exceptions, as few and far in between as blue penguins, they mimic human thought’. ... What passes for thought is, beyond the white noise, an almost mechanical activity...: ‘women themselves have no clue about what is going on in their heads.’ ... And the undeniable proof of women’s epistemic helplessness is their inexistent role in history: ‘History is naturally understood as the history of men. Men are busy doing philosophy, science, history, politics. Men make inventions, decide, fail or succeed. Women only follow.’”

The brief essay titled “Women are not humans” was published and its author continued to be a member of respected cultural circles.³⁰¹ The events he hosts or to which he is invited are attended by pivotal personalities of Romanian culture (Ileana Mălăncioiu, Dorin Tudoran, Mircea Martin, Alexandru Paleologu and others). The fact that they sometimes join Cristian Tudor Popescu shows the extent of the resistance to multiculturalism in post-communist Romania.

Enmity to multiculturalism always ends up (and perhaps even starts by) having a political dimension. Popescu’s ample, overreaching theories weave together ideas of different magnitude with excessive, often apocalyptic overtones. The only thing that equals the energy of his prose is the arbitrariness of the concepts it circulates. Popescu’s tortuous interpretation of contemporary reality yields the image an ideological attack, orchestrated chiefly by Americans, against dear-old Romania: “the *ideology* of American expansionism is born. It is known by many names, some of which are similar without completely overlapping: political correctness, multiculturalism, globalization, postmodernism... Injected a nation-state with a dose of this ideology and its key ganglia

³⁰¹ Vadim Tudor, Adrian Păunescu or Ion Coja cannot claim such respectability.

will be immediately attacked: its central authority, official language, history, church, traditions, culture, the set of spiritual values that define a nation.”³⁰²

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This story of globalization, multiculturalism and other dangers coming from the West receives more elaborate treatment by the third member of our group: Ovidiu Hurduzeu. Hurduzeu is the creation of cultural weekly *România literară*, which lent its pages on several occasions to this Romanian-born American university professor whose long, stylistically harmonious phrases would appear in a different cultural environment to be the product of adolescent phantasizing. But then again, the intellectual environment cultivated by the managers of many of our cultural periodicals is different. Rather more difficult to believe (or reconcile oneself with) is the notion that Hurduzeu is now a household name,³⁰³ despite the fact that the product he is selling on the cultural market is old stuff: partly the naïve mystique of some invaluable Romanian identity, partly a caricature of Western thought and attitudes.

Unlike his two companions, Hurduzeu remains mostly composed. He is a gentle deconstructionist, acting as if he were merely engaged in some scholarly exercise. His take on the national issue is mostly implicit, the other side of the coin of his anti-Western, anti-global, and anti-multiculturalist stance: “The Romanian personality cult, the infatuation with value hierarchies, contempt for collectivism, egalitarianism and the hedonism prevalent today, and the nostalgia for the heroic times of yore, all belong to an aristocracy of the spirit that the Romanian people has never surrendered.”³⁰⁴ No protochronistic aggressiveness here, just the style of a Rădulescu-Motru. But then the issue of multiculturalism comes up:

“Under the generous cover of the principles of ethnic diversity in an interdependent world, multiculturalism is hiding its thirst for power and its will to destroy all UNIQUE VALUES. ... Multiculturalists are far from having some deep understanding of the notion of culture and cultural diversity. In a multiculturalist world, value standards are completely arbitrary. ... Mediocrities become ‘universal values’

³⁰² Cristian Tudor Popescu, “Legea lui Marx și România-abțibild”, *Adevărul*, December 1, 1999.

³⁰³ The only authors who have condemned these mystifications are, to my knowledge, Adrian Marino, Elek Szokoly, and Andreea Deciu.

³⁰⁴ Ovidiu Hurduzeu, “Individualismul românesc”, *România literară*, No. 51-3, 1999.

overnight simply because they belong to the minority group. On the contrary, real values are nothing unless they have a ‘multicultural’ base. Kafka, Borges or Cioran would have a hard time finding a publisher in the West today.”³⁰⁵ Or: “In order to achieve its goals, multiculturalism is now fighting to prevent and punish any form of conduct that would harm the interests of the ‘minority’ group. ... In effect, no Western intellectual may today speak against the multiculturalist dogmas without running the risk of being labeled a racist and an elitist and having to live with the consequences.”

Naturally, not even Ovidiu Hurduzeu, an “ontological being” like all true-blue Romanians, can actually transcend the political struggles of everyday life. He therefore urges Romanian intellectuals to be “lucid and watchful of danger”. For should they “once again fall victim to illusions and opportunism (this time coming from the West), they might find themselves in twenty years’ time living in the ‘autonomous’, federalized regions of Wallachia, Transylvania, and Moldova; their children and grandchildren will study in ‘multicultural’ schools about ‘Carpathic histories’ and a chauvinistic and phallogocentric Eminescu.”

The emphases placed in this final paragraph suggest that authors such as Hurduzeu may easily be capitalized on by the likes of Adrian Năstase and Adrian Păunescu. And yet Hurduzeu seems to me to be more useful as an anesthetic numbing the sense of justice and realism – both are indispensable to an understanding of ethno-political realities – of the cultural groups who cannot stomach the political aggressiveness of Năstase and Păunescu.

Although very different from Horia-Roman Patapievici and Cristian Tudor Popescu, Hurduzeu shares with the latter not only anti-minority theories, but also the strange stylistic constructions that are called upon to balance the trivial nature of their conceptions. The three are also similar in their impact. In spite of their obscurantism, reductionism and ultimately phantasmagorical constructs, they share some mysterious ability to magnetize followers and multipliers. They are currently at the intellectual center of one of the most insidious, definitely anti-American and perhaps even anti-Western, cultural movements in this country.

³⁰⁵ Fortunately, such empirical statements point to the bogus nature of this discourse.

41. WHY HAS ROMANIA AVOIDED THE FATE OF YUGOSLAVIA?

Dennis Sammut's American mission of July 13, 1994, which I have mentioned before, summarized in four separate appendices the ethnopolitical state of the country: (1) the major positive security steps taken by the main actors in Romania; (2) their acts which were perceived as hostile; (3) the concerns of the main actors; (4) the latter's aspirations. The list of actors which the American mission regarded was playing an important role in the interethnic relations in this country included the Romanian government of Romania, Hungarian government, the leaders of the Hungarian minority, and the nationalist groups.

In the report read at the 1994 round table, the American mission failed to mention civil society. The only addition operated to the list above concerned international organizations. But if the actors identified by Sammut had been the only major players, it is quite possible that Romania would have been today in a very different position. Yugoslavia provides a good example: while hardly a model for the region's other states, it continues to act as a reminder of what could happen in a country where an important minority and a majority led by irresponsible leaders are unable to build bridges and, ultimately, even to talk to each other. Since the similarities between the Milosevic and the Iliescu regimes are hardly superficial, the following question immediately recommends itself as worthwhile: why have the two countries followed such different paths?

There are 1.8 million Albanians in Yugoslavia, about the same number as that of Hungarians in Romania.³⁰⁶ The former have enjoyed assistance from the Albanian government and possibly from several Arab states. The others can claim the support of Hungary and a great measure of international sympathy. Both communities are extremely close-knit, and both have preserved for many years a single representative group. Both have elaborated projects which included internal self-determination as a desideratum.³⁰⁷

³⁰⁶ This figure, somewhat different from that of the 1992 census, was provided by Hungarian demographers.

³⁰⁷ The Kosovo Albanians are moving toward forms of external self-determination.

In both Romania and Yugoslavia the post-communist evolution has been dominated by a struggle for legitimacy of groups fighting to secure political power. As communism fell in Belgrade, Slobodan Milosevic, a member of the nomenklatura, dealt the nationalist card and won. After the Romanian December revolution of the same year, four former communist leaders with links to Moscow emerged as heads of the Council of the National Salvation Front. To spare themselves widespread contestation in the capital in an already very volatile situation, the group around president Iliescu launched an ample xenophobic and nationalist campaign. The part of the press that was still amenable to outside control was aptly manipulated. In Yugoslavia, Milosevic used the secret police for manipulation, blackmail and murder, and generally capitalized on anything that could salvage his nationalist strategy. The forces in Iliescu's occult army interested in saving members of the former Securitate started the bloody confrontations of Târgu Mureș.

But perhaps the most spectacular similarity between the Milosevic and the Iliescu regimes has been the use of paramilitary forces against those who opposed their political adventures. In the early nineties, the Romanian president called on thousands of miners in the Jiu Valley in order to solve political tensions. He did so not one, but five times: first, in January 1990, as a means of intimidating contesters; in February 1990 in order to crush demonstrators; on July 13-15, the miners were brought to Bucharest to terrorize the opposition into silence; in September 1991, the miners came to bring down a government whose reforms had started to look much too menacing.

These examples suggest that, just like Milosevic in Yugoslavia, Iliescu was unrestrained in the use of violence as a means to the preservation of political power. Both employed nationalist, anti-minority campaigns and it is possible that Iliescu might have pursued the open conflict with Hungarians to a bloody climax.

I am not claiming that such a conflict in Romania would have followed the pattern of the Yugoslavian war. Fundamental differences – such as Hungarian participation in political life (not the case with Kosovo Albanians), or the demographics of the Hungarian minority in Transylvania (where it amounts to a “mere” 35 percent of the total population) – as well as the absence of a tradition of arms use would have

proven decisive in the case of open conflict. My claim is merely that an escalation of violence would have been possible and it might have engulfed the entire nation thus destabilizing the whole region.

Unfortunately, similarities between Romania and Serbia also exist at the level of political opposition against the nationalist regime. In both countries opposition movements were weak, fragmented, confused, and ultimately second-rate. The advent of the Democratic Convention in Romania in 1992 as an opposition coalition was possible against the will of many party leaders.³⁰⁸ It was only the terrible pressure exercised by mass movements such as the Civic Alliance that made such a political marriage possible. The 1996 electoral campaign, including the control of the electoral system, which enabled the opposition to win, depended to a decisive degree on the efforts of the same civil society organizations.³⁰⁹ Furthermore, the opposition leaders have not shied from trying to win the other party's voters through nationalist statements. The CDR's infatuation with the ideal of the Greater Romania was no less firm than our neighbor's fascination with the Greater Serbia.

So what was so different in Romania and Serbia as to render their ethnopolitical destinies so different? The cultural and political differences outlined above certainly play an important part, but to my mind so does the role of civil society. The previous 40 chapters have been, among others, an attempt to justify this assessment.

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A recent article by Christopher de Bellaigue invites a different analogy: could not Romania have evolved toward a form of military authoritarianism similar to the one Turkey relies on to deal with the Kurdish issue?³¹⁰ The conflict between the Romanian authorities and the Hungarians could have led, *proportions gradées*, to a quasi-military institutional system utilized against the Hungarian minority in a way similar to that in which the Turks are utilizing the power of their own military against the Kurds.³¹¹

³⁰⁸ Among them, Radu Câmpeanu and Sergiu Cunesco, whose attitudes I witnessed live as vice-president of the Civic Alliance.

³⁰⁹ Most importantly, the observers of Pro Democratia and the Human Rights League.

³¹⁰ Christopher de Bellaigue, "Justice and the Kurds", *The New York Review*, June 24, 1999.

³¹¹ Which is not to say that the situation of the Hungarians and that of the Kurds are similar in any other way.

One could argue that, up to a point, such a system has actually been in the making. The analogy is supported by the place occupied by the symbol of the “national unitary state” in the lives of Romanians and Turks. Between 1992 and 1996, Ion Iliescu and his party, together with the other participants in the government coalition (PUNR, PRM and PSM), enacted legislation incriminating “the dissemination of separatist propaganda” or “endangering the unity of the state”. The same happened in Turkey. The existence in Ankara of a State Security Court judging particular crimes outside the regular justice system has some (admittedly weak) correspondent in the Supreme Council for the Defense of the Country.³¹² The importance of security services in the political designs of the centralized state lends itself to another analogy.

Without using the example of Turkey, Renate Weber and I looked at many of these issues in our 1995 study on “Nationalism, Stability and the Rule of Law” published in the first issue of *International Studies*. Fortunately, the dangers inherent in the prevalence of quasi-military institutions similar to those of Turkey have been overcome.³¹³ But they remain a potentiality which may still actualize itself.

³¹² The correspondence is weak and applies only in limited sense that military institutions enjoy a certain priority over civil democratic institutions.

³¹³ This is not to say that such institutions have disappeared from Romanian life. An amendment to the SRI Law was announced in 2001: it would enable the institution to intervene in cases involving pro-federalist attitudes.

42. THE 2000 ELECTIONS: CONSOCIATIONISM AND THE END OF THE CIVIC ERA

We have seen that between 1996 and 2000 the coalition bringing together the CDR, the USD and the UDMR found itself under relentless nationalist pressures. The latter were intensified on the eve of negotiations between the coalition members and continued until immediately before the elections. Nationalist pressures explain, to a certain extent, the government's indecisiveness and errors, as well as its difficulties in meeting the terms agreed on by the coalition partners in the fall of 1996. They also partly explain why individual and organizational actors in the civil society maintained a certain influence in Romanian ethnopolitical life until as late as the end of the nineties. The tensions sparked by the inauguration of the Hungarian consulate in Cluj, by bilingual plates, mother tongue education, the scandal in Odorheiu Secuiesc, the Csango question, the Hungarian university, alternative manuals, devolution, federalization and countless other issues could not be dealt with exclusively at political level. Somewhat paradoxically, this was the case despite the fact that Hungarian and Romanian leaders were government partners.

The Helsinki Committee, in particular, cooperated well with the Department for the Protection of National Minorities. During Gyorgy Tokay's leadership of the Department, the two organizations maintained a permanent dialogue on the evolution of the "Romanian-Hungarian reconciliation project".³¹⁴ Tokay seemed to me to be one of the most flexible players in Romanian politics at the time, and perhaps the best negotiator among the Hungarian leaders I have ever met.

The cooperation with Peter Eckstein-Kovacs as head of the DPNM had several chief objectives to achieve. One of the most important successes was the introduction of

³¹⁴ Gyorgy Tokay proposed that I should be Romania's independent "expert" in the Advisory Committee of the Council of Europe. The final decision belonged to the Ministry of Foreign Affairs, then headed by Andrei Pleșu. The MFA leadership appointed Iulia Motoc in a decision that surprised even the high-level officials in Strasbourg. They apparently regarded this appointment as one more proof of the cronyism pervasive in Bucharest: Iulia Motoc was the wife of Mihnea Motoc, director in the Romanian MFA. Mihnea Motoc himself was well-known to the Council of Europe because of his participation in the early 1990s, Romania's most conservative period on national minorities issues, in the debates on Recommendation 1201 and the Framework Convention (see the CAHMIN working reports).

a legal norm covering the great empty space left in Romanian law by discrimination.³¹⁵ Ordinance no. 137 concerning the elimination of all forms of discrimination was adopted in the summer of 2000, during the period of parliamentary vacation. I still find it hard to believe that it was passed as the opposition of those whom it targeted (politicians and the press) was visceral. It took a tenacious DPNM³¹⁶, outside support from the Center for Legal Resources and the Open Society Foundation, the salutary intervention of Eberhard-Wolfgang Wittstock³¹⁷ before the House's Human Rights, Religious Cults and National Minorities Commission, as well as the capacity to bring all these actors together to get this antidiscrimination camel through the ear of the legislative needle.

By the end of the 1996-2000 legislature the boundaries had begun to thicken between the political class and the civil society which had immersed itself prior to 1996 in the battle for political power. The parties came to dominate completely the arena of public interest. The same seems to be true with respect to the relations between Romanians and Hungarians. At the end of the 1990s only a few civic initiatives were still able to play an important ethno-political role. The only groups that managed to prod high-ranking party officials to the negotiation table and remind them of their responsibility toward minorities were Pro Democratia and, later on, the Romanian branch of the Project for Ethnic Relations. Pro Democrația succeeded in obtaining signatures from the leaders of the most important political parties on a protocol committing the latter to a positive and rational campaign and the avoidance of nationalist and extremist discourse in the coming local and general elections of 2000.³¹⁸

³¹⁵ The existing provisions – Art. 317 of the Criminal Law concerning nationalist-chauvinistic propaganda, incitement to racial or national hatred, and Art. 247 concerning the abuse of office by discriminating on the basis of nationality, race, sex, or religion – were hardly sufficient to cover the various forms of discrimination. Nevertheless, despite the many cases brought before the General Attorney only in a single one did a court issue a sentence based on Art. 317 (and that was as late as October 1999).

³¹⁶ The technical mind inside the DPNM behind the promotion of Ordinance 137/2000 was Attila Markó. He closely monitored the process from the drafting stage to its selling to the Parliament. His consistency proved crucial, especially in exploiting to a maximum the window of opportunity which led to the adoption of the first legal norm fighting discrimination in Central and Eastern Europe.

³¹⁷ Mr. Wittstock was then vice-president of the Romanian German Democratic Forum and the Parliament representative of the German community.

³¹⁸ The protocol was respected only during the first part of the campaign.

Also in 2000 Project on Ethnic Relations secured from the representatives of the most important parties (PNTCD, PDSR, PNL, PD, ApR, UDMR) the promise of an extremism-free electoral campaign (“The Poiana Braşov Statement”).³¹⁹ The following year the PER brought together the main political forces in a Predeal seminar on Romania’s evolution toward ethnic accommodation. The participants included Octavian Ştireanu, Eugen Mihăescu, and Gheorghe Răducanu representing the Romanian Presidency; Valer Dorneanu, Viorel Hrebenciuc, Cosmin Guşe, Răzvan Ionescu, and Mădălin Voicu from the PDSR; Valeriu Stoica and Mona Muscă from the PNL; Constantin Dudu Ionescu and Călin Cătălin Chiriţă from the PNȚCD; Nicolae Păun from the Roma Party; and Bela Marko, Csaba Takacs, Laszlo Borbely, Janos Demeter, Peter Eckstein-Kovack, Denes Seres, Zsuzsa Bereschi and Istvan Bartunek from the UDMR.³²⁰

The two organizations mentioned above were headed by individuals whose position made them relevant to the needs of political leaders. Both Cristian Pârvulescu and Dan Pavel are political scientists with a significant TV and newspaper audience. Their power of persuasion over the political parties and their leaders owed a great deal to this (non-institutional) influence in the media and the professional environment.³²¹ In the case of the Project on Ethnic Relations, the associations’ relations within the US establishment also mattered. Still, we ought not to forget that these two organizations were among the very few exceptions.

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The coming elections were regarded as a reason for serious concerns about Romanian-Hungarian relations. Although no one quite foresaw the fall’s major

³¹⁹ The Statement was signed by Ioan Mureşan, Nicolae Ionesc-Galbeni, Gabriel Țepelea, Mihai Gheorghiu (PNȚCD), Adrian Năstase, Ioan Mircea Paşcu, Liviu Maior (PDSR), Valeriu Stoica, Mona Muscă (PNL), Teodor Meleşcanu, Dan Mihalache (ApR), Bela Marko, Peter Eckstein-Kovacs, Attila Verestoy, Gyuorgy Frunda, Laszlo Borbely, Lazar Madaras (UDMR). See Dan Pavel, “The 2000 Elections in Romania: Interethnic Relations and European Integration”, Working Paper, PER, Princeton, New Jersey, 2000.

³²⁰ Dan Pavel, “Political Will: Romania’s Path to Ethnic Accommodation”, Working Paper, PER, Princeton, New Jersey, 2001.

³²¹ The two organizations also promoted together a program for training Roma in the 2000 elections.

catastrophe³²² (not even the beneficiaries), PDSR's and PRM's lead as reflected by the polls appeared irreversible.

We all worried about the elections. On this background, the PDSR launched its electoral program in early November 2000. It provided several surprises, especially perhaps in the chapter on national minorities. By and large the document had a lot of positive things to say: "The protection of national minorities will be achieved by ensuring opportunities for the free manifestation of all minorities and safeguarding respect for human rights as mandated by Romania's commitment to European and Euro-Atlantic integration." We had seen this kind of rhetoric before so we expected more demagoguery in what followed. But this time around the PDSR delved into specifics such as "the continuation and development of institutional and legislative initiatives assumed over the past decade". Its reference to "institutional and legislative developments" was an implicit reference to pending legislation such as the law on local administration.

"The PDSR will promote the development of cultural diversity for the benefit of the entire society so as to exclude the advent of extremist groups promoting intolerance and interethnic hatred." Ethno-cultural diversity was mentioned as a value and was contrasted to extremist activities – this was definitely not a run-of-the-mill statement.

Such attitudes were underscored by a further and rather surprising point: "The PDSR believes minorities are a major resource in every country. Good resource management will both serve the development of the minorities' identity and guarantee intercultural cooperation. Such a model may be defined as civic-multicultural."

The notion of a "civic-multicultural" model was something completely new in the conceptions advanced by Romanian political groups. The governing program defined the concept in terms of ensuring a community framework favorable to the development of each cultural model, the transfer of minority cultural values to the majority, the management of diversity and of the occasional tensions and distortions,

³²² My use of the term catastrophe should not be understood as an expression of a particular political sympathy. The disaster was "objective" in that Vadim Tudor's PRM became the second party in the country while the parties competing with the PDSR were completely marginalized (and the PNȚCD failed even to enter the Parliament).

and the prevention of conflicts. In short, the concept of “multiculturality” was used appropriately.

It is not clear to what extent the PDSR was fully aware of the radical nature of its doctrinal leap forward. But this conception constituted one of the chief obligations undertaken by a party that was soon to become (as was almost certain in November 2000) the future government.

The PDSR also considered the extension of the existing legislative framework on minority representation in the decision-making and administrative structures and the minorities’ association in the government. It promised Hungarians to enhance existing provisions on education, to integrate Hungarian cultural programs in radio and TV programs, and to ensure conditions for the use of the mother tongue in public activities.

By publishing the program, the PDSR introduced into its political discourse a new framework for debates. It opened up the party to negotiations with a party representing a national minority. The chapters of the PDSR program concerning the minorities were translated into Hungarian and sent to the Transylvanian branches.

A possible cooperation between the PDSR and the UDMR had been rumored long before the elections. There were many among the UDMR leadership ready to join forces with the Party of Social Democracy in a future government. Some would have liked Hungarians to be given additional details on the benefits of this status. The monthly *Provincia* in Cluj provided ample space for a debate on the UDMR’s participation in a future government.

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The promises of the electoral program were not broken during the subsequent activities of the Năstase government.³²³ In early 2001, Adrian Năstase, the prime vice-

³²³ One exception is the turning of the Department for the Protection of National Minorities into a Department for Interethnic Relations headed by a state secretary within the Ministry of Public Information. On this point, the institutional system was downgraded rather than enhanced, as it had been initially promised. The APADOR-CH stated on December 19, 2000 the following: “APADOR-CH calls on the PDSR leadership to surrender a decision that would diminish the ‘participation rights’ already secured by the national minorities in Romania. This decision would represent a negative signal with respect to the way in which the new political forces intend tackle the national minorities issue. APADOR-CH urges that the existing status of the head of this department, that of Minister Delegate to the Prime Minister and member of the government, be preserved. An announcement in this respect from the PDSR would alleviate the concerns of the national minorities and of those who promote their protection.”

president (and later president) of the party, and Bela Marko, the UDMR president, signed a common protocol. Its chief points included the following: finalizing the law on local administration with a special reference to “provisions concerning the use of mother tongue where minorities make up at least 20 percent of the population”; gradual demilitarization of several community services by 2002 at the latest; the creation of an organizational and professional framework to ensure adequate funding for the Hungarian section of Babeş-Bolyai University; expanding Hungarian-language education by making it available in other higher education institutions; interconnecting Hungarian cultural shows with and integrating them into radio and TV programs, among others by establishing new channels and expanding air time; ensuring fair representation in the governing process and in socio-professional structures by enforcing equality of opportunity. The PDSR and the UDMR committed themselves to review the fulfillment of the obligations under the protocol at least on a quarterly basis.

In mid-February 2001 president Marko Bela stated that: “We have to admit that, right now, the most devoted and committed supporter of the protocol signed with the UDMR and of the enforcement thereof is the prime minister himself. This attitude may be nothing more than a political strategy, but I believe that PDSR’s leadership, including Ion Iliescu, have understood that this is the right position on the Hungarian issue and not the one before 1996.”³²⁴ The statement was motivated by the reluctance of the PDSR leadership to put up with the dissident attitudes of nationalist parliamentarians Adrian Păunescu and George Pruteanu, who condemned the 20 percentage point provided for in the law on local administration as well as other provisions in protocol.

In its turn, the UDMR turned out to be a very loyal parliamentary supporter of the PDSR (and later of PDSR’s offspring PSD). So loyal, in fact, that Marko Bela’s party agreed to vote the state and service secret bill, a document which made an outright mockery of Romanian democracy.³²⁵ The budget battle was won by the PDSR with Hungarians unflinching support. The leaders of the governing party and the Hungarian

³²⁴ *Cotidianul*, February 16, 2001.

³²⁵ The bill was adopted but only after Adrian Năstase excused himself for its enactment did the Constitutional Court rule it to be unconstitutional.

political association congratulated each other several times for their ability to stick to the projects and conduct agreed on in the protocol.

Naturally, the PDSR's politics on minority issues was not 100 percent consistent. The doggedness of the old PDSR guard which Marko Bela alluded to in the statement quoted above meant that the pressures on interethnic relations were still serious. But one has to emphasize the remarkable fact that the political group which derived a large part of its electoral support from nationalist citizens and groups, though perhaps not the extremists as such, was now represented by leaders who negotiated its governing plans with the UDMR. In a way, the Alliance was indeed inseparable from the governing process. To the Hungarians, it was important not so much to take part in everyday decisions but rather to have a say on minority questions.

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So it is that by the summer 2001 the UDMR could boast with the status of a partner which had enjoyed a five-year old, unbroken participation in the governmentally-mediated administration of minority interests.³²⁶ Little by little, the condition of the Hungarian minority in Romania began to look like a different animal. In conceptual terms, the story of consociationism in Romanian political life had begun.

Ironically, Alina Mungiu had mentioned consociationism in her book *Transilvania subiectivă*. Yet she had used the term in inappropriately referring to the UDMR's participation in the government. The notion was later correctly appropriated by Gusztav Molnar,³²⁷ whose analysis opened the way for more thoroughgoing and perhaps more technical studies, such as those authored by Alpar Zoltan Szasz and Zoltan Kantor in the monthly *Provincia*.³²⁸ As a result, we have today a breakdown of the main arguments and assumptions concerning the possibility of Romanian-Hungarian consociationism – a system in which the Romanian majority will negotiate with the

³²⁶ As before, some of the provisions it supported went beyond the minority issue and affected the entire population (e.g., the demilitarization of some community services).

³²⁷ Molnar prefers the term "consociative". See his "Șansele democrației consociative în Transilvania", *Provincia*, vol. 6, 2000. Consociationism was introduced by Arend Lijphart in his *Democracy in Plural Societies* (1977).

³²⁸ Szasz Alpar Zoltan, "Modele ale democrației în România – șanse și realități", *Provincia*, vol. 3, 2001, p. 4; Kantor Zoltan, "Consocierea în Ardeal", *Provincia*, vol. 4, 2001, p. 7.

Hungarian minority solutions for minority issues according to a consensual plan rather than by relying on the mechanism of voting.

According to Molnar, a consociationist system should be envisaged for Transylvania, the region inhabited by the vast majority of the Hungarians in the country. This territory should become, politically as well, the “common” space of the Hungarians and Romanians inhabiting it (of Transylvanians) and should preserve its civilizational values by means of its devolution within the Romanian state.³²⁹ Molnar’s analysis looks, in effect, like his older theory repackaged. The author further argues that “[t]his harmony-seeking democracy by consensus will solve conflicts through the cooperation of various elites rather than through majority-decision.”

The problem with this solution advanced by Molnar is, as I have argued in a reply published in the same monthly,³³⁰ that the devolution of Transylvania seems to be, at least within the politically-relevant timeframe, completely illusory. If there is a consociationist program, it should focus on the Hungarian community in Romania and the Romanian population rather than on the community of Transylvanian Hungarians and the Transylvanian Romanians. The point here is that a question of principle makes sense if it is also practical. But as soon as the scale of the community changes, the logic of the possible changes as well. Negotiations between communities whose numbers are 1-to-3³³¹ look different than negotiations between communities whose numbers are 7-to-100.³³² It is one thing to solve the issues of a population of 7.7 million and a completely different thing to manage a population of 23 million.³³³ While it would be possible to imagine Romanians in Transylvania being represented on community issues

³²⁹ Molnar Gusztav, “Problema transilvană”, în Andreescu & Molnar, eds., *Problema transilvană*, pp. 12-40.

³³⁰ Gabriel Andreescu, “Alegerile locale și definirea unui alt joc politic”, *Provincia*, vol. 3, 2000.

³³¹ According to the 1992 census there are 1,603,923 Hungarians and 5,684,142 Romanians in Transylvania (Arpad E. Varga, “Îmbă maternă, naționalitate, confesiune. Date statistice privind Transilvania în perioada 1880-1992”, în *Fizionomia etnică și confesională a regiunii carpato-balcanice și a Transilvaniei*, Odorheiu Secuiesc, 1996, pp. 83-133).

³³² However, at ethnocultural level the issue remains one of principle, irrespective of the scale.

³³³ Hence the functional consociationism in smaller states such as Holland, Belgium or Switzerland is less surprising.

by a “certain elite”,³³⁴ this presupposition seems to make much less sense, if at all, for the “Romanians” in Romania.³³⁵

For these reasons the space of inter-community negotiation in Romania is in practice limited to all-important negotiations between the majority coalition and the political representatives of the Hungarian minority. It is very possible that the existence of a sole representative group of Hungarians in Romania represents a crucial advantage in sustaining the consociationist project. But what does the majority have to offer? Accepting, respecting and perhaps also participating in the development of a project of the Hungarian community, including Hungarian representation in country’s institutions.

The notion of a consociationist democracy presumes that the idea of a consensus between the majority and a minority has been accepted, while only the substance thereof remains still to be negotiated.³³⁶ A consensualist mentality, inseparable from the widespread acceptance of dialogue and compromise, is needed. Generally speaking, Romania seems to be still very far from such a thing. Paradoxically perhaps, one of the few domains where there is hope in this respect are Romanian-Hungarian relations. The UDMR’s participation in the government for the past five years has had a more important impact on public perceptions than we are perhaps ready to acknowledge.

The significant reduction in the population’s gullibility on national issues became very visible in the late 1990s.³³⁷ It is possible that the PDSR recognized this fact when it elaborated its pre- and post-electoral strategies with respect to minority issues. In ethnopolitical terms, the protocol concluded between the PDSR and the UDMR is the equivalent of participation in the government.³³⁸ Ensuring support for the

³³⁴ This assumption is in fact purely academic. It can be contested by pointing to a long list of internal fractures within Transylvanian society, among which a radical one was pointed by Ovidiu Pecican in the same issue of *Provincia*: the fracture between a majority “which still pays tribute to the tribal logic and rituals of ancestral clans” and a minority “which discovered bourgeois individualism and Cartesian rationality ... and is now trying to build a different model of solidarity”.

³³⁵ This is a further argument for the specific character of community relations in Transylvania.

³³⁶ In my view, this is the point on which Alina Mungiu was wrong.

³³⁷ Which is to say implicitly that the incredible increase in the popularity of the PRM during the 2000 elections was not due to its nationalist dimension.

³³⁸ Dan Pavel speaks of an “executive coalition” in the first case and a “legislative coalition” in the second (Dan Pavel, “Coalitia PSD-UDMR și relația româno-maghiară”, *Ziua*, September 3, 2001). In this context, the phrases have the advantage of emphasizing the fact of the coalition rather than its nature.

protocol until the 2004 elections³³⁹ is therefore almost a necessity. If this task is successfully accomplished the next government coalition might well involve a form of legislative or executive arrangement with the Hungarians. The term of Romanian-Hungarian consociationism would then become a certifiable reality. What started as the habit of involving Hungarians in decision-making where their community was concerned would evolve into a tradition.

This is not to say that such a path is free of obstacles. One possible hindrance concerns the ability of Romanian parties (or lack thereof) to preserve the feeble balance in this very delicate moment of Romanian political life. Should the PRM continue to grow there will be no room left for consociationism. But irrespective of what goes on on the stage of Romanian political life, except perhaps for extremist destabilization, the future victors will have many arguments for continuing the habit and turning it into a practice and little reason to renege on it.

Another serious obstacle has recently emerged out of the blue: Budapest's "Law on Hungarians in neighboring countries".³⁴⁰ In principle, the act provides assistance to Hungarians outside the borders of their kin-state. Persons willing to benefit must request a "Hungarian certificate" (or a "certificate of Hungarian kin") from the competent Hungarian agency on the basis of a recommendation issued by an organization "representing the national Hungarian community in the respective state". The latter must be officially acknowledged by the Hungarian government.

The mechanism of assistance promoted by the Hungarian government is extremely risky. Because of its ability to select one organization empowered to issue the requisite recommendations, Hungary will have the ability to directly arbitrate the relations among Hungarian associations in the neighboring countries. The law may therefore act as an instrument by which to control the options of the Hungarian minorities and thus transform loyalties to the community into loyalties to political groups.

³³⁹ Even in September 2001, as the crisis engendered by the law on the status of Hungarians in neighboring countries was at its peak, the talks about offering UDMR governmental positions persisted ("PSD tentează UDMR cu intrarea la guvernare", *Evenimentul zilei*, September 12, 2001).

³⁴⁰ The law concerns Hungarians who are citizens of Croatia, Yugoslavia, Romania, Slovenia, Slovakia, and Ukraine. Austria had been initially included in the bill as well.

The administration of the “Hungarian certificate” could also serve as an instrument whereby the officially acknowledged organization may influence the decisions of the members of the Hungarian community. Who could resist the former’s authority to issue the “certificate of Hungarian kin” according to a policy which encourages the Hungarian identity of children in mixed families?³⁴¹

But the most serious doubts pertain to the very spirit of the act, which represents a political project aimed at mobilizing the Hungarian nation. While international law does indeed promote a kin-state’s concern for the fate of minorities in other states, national sentiment is only relevant insofar as it ensures protection and not as a call for mobilization. International law is concerned with the interests of individuals, not with using the individuals to bolster up the nation.

The Hungarian law departs from this outlook. National loyalty is called upon to unify the interests of Hungarians in the whole of Central and Eastern Europe. The act introduces the “Hungarian nation” as an ethnic actor of international law and, as such, endangers the logic of constitutional patriotism in the neighboring countries.³⁴² The act on Hungarians in neighboring countries creates a new framework which is expected to govern the relations between a minority and the majority. The former will lose interest in working out its issues with the majority since some of its expectations are already met with the assistance of Budapest. Furthermore, the minority can no longer be regarded as a partner in and of itself in a consensual project because it is in fact a part of a larger community. This is Orban’s gift to the international community.

This moment has to be (and almost certainly will be) overcome. In view of the issues raised by the act adopted by Budapest, the Năstase government found nothing better to do than denounce the authoritarian measures and revitalize the base notion of a

³⁴¹ The law clearly comes to the assistance of the Hungarian community which is concerned by the prevalence of Romanian-language children in families with one Hungarian spouse (depending on the origin of the spouse).

³⁴² Certainly, there is little in the way of “constitutional patriotism” in our country or in the region. But putting “constitutional patriotism” at the foundation of the state is a principle of international law and is also reflected in the Romanian Constitution despite the latter’s limitation. It makes no sense to refer to international law and to constitutional patriotism and to simultaneously promote the ethnic nation.

pro-federalist danger. However, Romanian authorities cannot actually do anything about the law: the stage of mutual denunciation will be eventually overcome.³⁴³

After having walked the first miles on the road to consociationism we would be right in betting everything we have on it. The linguistic distance separating the two communities is considerable. In a world so transformed by communications, cultural ties will favor the most easily available means of communication. The high degree of separation or, to use a concept I prefer, the high level of community privacy enjoyed by the Hungarian community in this country and in many others in Central and Eastern Europe is best managed at political level by means of a consociationist formula.

In order to stabilize the progress made so far toward consociationism, Hungarians need to see future steps as part and parcel of their own project. Only such an attitude can lead to internal and external predictability. A consociationist perspective would strengthen the importance and the dignity of what the UDMR has achieved until now. It would enable the Hungarian community to openly identify with a goal which stands, in fact, quite close to the ideal it has been pursuing all along: “co-participation” in the Romanian state. Naturally, as an organization interested in the conservation of its unique status, the UDMR has a fundamental interest in preserving its representativeness and in managing this community project. There is nothing as assuring and as mobilizing as its status as a partner in a consociational relationship.

Should Romania gain membership in the EU, the Hungarian minority will still have to deal with the Romanian majority. It is true that such membership would make it possible to fully exploit the regional logic of integration, which would in turn imply a considerable expansion of the relations between the Hungarians in Romania and those in their kin-state. But even in a federal Europe Hungarians will remain bound by the

³⁴³ One suggestion was to prohibit the enforcement of the act on Romanian territory. But how? By withdrawing the passports of Hungarians so they should no longer be able to travel to Hungary? By blocking the financing of associations with money from Budapest? By prohibiting the Budapest authorities’ issuing of Hungarian certificates? Can anyone prevent the UDMR from issuing recommendations? All these measures would infringe domestic as well as international law and, practically speaking, would be unfeasible.

logic of nationhood and will be tied up in an unavoidable process of negotiation with the Romanian state.³⁴⁴

If the consociationist trend fully actualizes itself it will do so according to a logic that has become prevalent over the past years leading to what I have called “the end of the civic era”. The major ethnopolitical issues of the Hungarian community will find a resolution in the negotiations among political elites. The militant support of civil society, the force of example, the “power of the powerless” have played a role at a time when no true alternative to them existed. In the case of Romania, this period lasted between 1990 and 2000. Ten years might not be much in the life of a nation, but it is a lot in an individual life.

³⁴⁴ This is the very definitional logic of a federation: unlike local administration units, its components are not subject to territorial redefinition (see William Riker, “European federalism. The Lessons of Past Experience”, in Joachim Jense Hesse and Vincent Wright, eds., *Federalizing Europe? The Costs, Benefits, and Preconditions of Federal Political Systems*, Oxford University Press, 1996).