

## Rhetorical Patterns on Minority Language and Education Rights in Post-Communist Romania: Finding the Middle Ground (1996 – 2004)

Monica Andriescu  
MA, Central European University  
Nationalism Studies Department  
monica\_andriescu@yahoo.com

### Abstract

*This article critically analyzes minority and majority rhetoric in post-communist Romania with the purpose of uncovering the key factors that have shaped discourse and practice on minority language and education rights toward relatively accommodating stances. A second level of research examines the limits in the majority's willingness to compromise on the extension the legal-institutional minority rights framework beyond the "autonomy threshold".*

### Introduction\*

Across the previous decades, theoretical and political debates have been targeted at identifying the appropriate legal-institutional channels to accommodate interethnic reconciliation. Various and often contending approaches have emphasized why and how *ethnicity* has been politicized and instrumentalized for legitimacy-gaining purposes.<sup>1</sup>

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\* This is a revised version of the author's MA thesis, defended at the Central European University, June 2007.

<sup>1</sup> Joseph Rotschild, *Ethnopolitics: A Conceptual Framework* (New York: Columbia University Press, 1981).

Within this framework, the interrelatedness between minority and majority standpoints has led to an increased salience of the discourse of minority rights. On account of its relevance and dynamics, it is this field that this article addresses.

Contending approaches to the *individual* and *collective* dimensions of minority rights have structured the liberal-communitarian debate on minority rights.<sup>2</sup> Relevant scholarship in the field of minority rights has revealed that the immensely complex ethnic, cultural, religious and linguistic mosaic present in Europe (as well as elsewhere) precludes across-the-board solutions to accommodating diversity.<sup>3</sup>

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<sup>2</sup> Will Kymlicka's writings are exponential to this debate: his philosophical-theoretical approach attempts to bridge the theoretical gap between the liberal and communitarian views by bringing together minority rights and liberal claims for equality. See Will Kymlicka, *Liberalism, Community and Culture* (Oxford, UK: Clarendon Press, 1991). Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Oxford: Clarendon Press, 1995).

Will Kymlicka and Ian Shapiro (eds.), *Ethnicity and Group Rights* (New York: New York University Press, 1996). Will Kymlicka (ed.), *The Rights of Minority Cultures* (New York: New York University Press, 1996).

<sup>3</sup> Hurst Hannum, *Autonomy, Sovereignty and Self-Determination: The Accommodation of Conflicting Rights* (Philadelphia: University of Pennsylvania

One of the case studies that may yield significant findings is the evolution of the process of interethnic accommodation in post-communist Romania. Noteworthy studies have explored the wide range of difficulties posed by the attempts at accommodation of diversity and the evolution of interethnic reconciliation.<sup>4</sup>

Notwithstanding their valuable findings, the studies of state-minority groups relations in post-1989 Romania have neglected a structured and thorough analysis of the key factors that have shaped and shifted minority and majority political discourse on minority rights. It is this *gap* in existing research that this article attempts to fill.

Throughout the ongoing process of ethnocultural accommodation, *language* and *education rights* have been two of the major bones of contention. Only recently has comprehensive research addressing linguistic diversity begun to emerge.<sup>5</sup> In Romania, theoretical or

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Press, 1990). Ruth Lapidot, *Autonomy: Flexible Solutions to Ethnic Conflicts* (Washington: United States Institute for Peace, 1997).

<sup>4</sup> Gabriel Andreescu, Nandor Bardi, G. Bădescu, Martin Brusis, Marian Chiriac, Smaranda Enache, Zoltán Kántor, Dragoș Petrescu, Monica Robotin, Levente Salat, Balázs Trencsényi and Renate Weber are among the most prominent authors of such studies.

<sup>5</sup> Stephen May, *Language and Minority Rights: Ethnicity, Nationalism and the Politics of Language* (Harlow, UK: Longman, 2001). Will Kymlicka, Alan Patten (eds.), *Language Rights and Political*

empirical studies on the impact of this form of diversity on interethnic accommodation have been little researched.<sup>6</sup> This appears to conflict with the importance that the ethnic Hungarian elites have persistently attached to language and education claims as a core identity-profiler for the Hungarian minority. Minority and majority discourses on language and education rights have interlocked to form a nexus that has shaped the process of interethnic reconciliation in post-communist Romania. On account of that, I deal with language and education rights as two of the key *variables* that explain the advancement

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*Theory* (Oxford: Oxford University Press, 2003).

<sup>6</sup> Noteworthy exceptions are the following articles: Zsuzsa Csergő, “Beyond Ethnic Division: Majority-Minority Debate About the Postcommunist State in Romania and Slovakia”, in *East European Politics and Societies*, Vol. 16, No. 1 (2002), pp. 1-29. Stephen Deets, “Reconsidering East European Minority Policy: Liberal Theory and European Norms”, in *East European Politics and Societies* (Vol. 16, No. 1, 2002), pp. 30- 49. István Horváth, “Facilitating Conflict Transformation: Implementation of the Recommendations of the OSCE High Commissioner on National Minorities to Romania, 1993-2001”, Working Article 8 (Institute for Peace Research and Security Policy at the University of Hamburg, 2002), available at [http://www.core-hamburg.de/CORE\\_english/core.htm](http://www.core-hamburg.de/CORE_english/core.htm).

Stephen Deets, “Reconsidering East European Minority Policy: Liberal Theory and European Norms”, in *East European Politics and Societies*, Vol. 16, No. 1 (2002), pp. 30- 49.

of the interethnic accommodation process. The *indicators* by which this evolution can be measured consist of the legal-institutional expansion of minority rights protection. The primary concern of this article is not the exhaustive study of legislation regulating the two aforementioned categories of rights, but rather the thorough investigation of how minority-majority bargaining resulted in the laws that presently regulate the minority protection framework in Romania.

The aim of this research is twofold: firstly, to identify the main *factors* that have positively shaped and shifted majority and minority rhetoric on minority rights (language and education rights in particular) in post-1996 Romania; and secondly, to detect the *limits* of the relatively accommodating majority stances on minority rights. I comparatively analyze these interlocking aspects by deconstructing majority and minority rhetoric into several key patterns.

Puzzled by what explains the positive development of interethnic relations in a country that initially had a high potential for violent conflict, this article focuses on three main *questions*: *why* the conversion toward a more accommodating majority stance on minority rights occurred after the change of government in 1996; *how* these factors have been reflected in majority and minority rhetoric; and, *what* have been the limits of this process. Such an endeavor is important because it assesses the development of

the *opening* of Romanian politics and society to their inbuilt ethnocultural diversity, one which has been utterly rejected by Romania's sequence of non-democratic nation-building regimes for decades.

The main reason prompting this research lies with the impact of ethnonational discourse on popular mobilization. Such an undertaking is relevant for the Romanian case (with potentially wide-ranging results) when attempting to assess why the initial conflictual interethnic relations between Romanians and ethnic Hungarians did not result in violent conflict, but have instead developed into a negotiated framework for minority rights.

To clearly define the terms that I work with, by "minority" rhetoric I mean that of the Democratic Alliance of the Hungarians in Romania (UDMR – the major representative party of the Hungarian minority).<sup>7</sup> My reason for singling out the Hungarian community (from the 20 legally-recognized national minorities) is a result of the fact that, through its party, it has had the most articulated minority political voice.<sup>8</sup> UDMR has been the key

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<sup>7</sup> UDMR was established in December 1989, immediately after the fall of the communist regime.

<sup>8</sup> According to the 2002 census, Romania's two largest national minorities are the Hungarian (6.6%) and the Roma communities (2.5%). According to unofficial estimations, however, the Roma minority is considerably larger than the 2002 census reports. Also, the German and

minority party with whom Romanian majority parties have negotiated the granting of minority rights.

By “majority”, this article refers to the main Romanian political parties, which it divides into three categories: the radical nationalistic parties - PRM (“Greater Romania” Party) and PUNR (National Unity Party of Romanians); the “moderately” nationalistic parties – PDSR/PSD (Romanian Social Democrat Party – today’s Social Democratic Party); and the moderate supporters of minority rights - PNȚCD (Christian-Democratic National Peasants’ Party), PNL (National Liberal Party), and PD (Democratic Party).

### **Methodology and Conceptual Framework**

In order to answer the aforementioned questions, I investigate the research problem through a methodological combination of critical analysis of minority and majority discourses, interviews, domestic and international legislation, and strategies aimed at minority rights protection. I also use the following theoretical tools that make up the article’s foundation and support its arguments.

Norman Fairclough has expanded the so-called “second generation” of discourse theory. Following his line of

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Ukrainian minority respectively amount to 0.3% of Romania’s total population; the remaining national minorities represent less than 0.2% of the total population.

argument, I propose to employ Critical Discourse Analysis as the key methodological tool, by surpassing the traditional ways of interpreting a text only through a mere language analysis and recognizing that discourse is context-dependent.<sup>9</sup> By extending this statement, one may perceive political discourse as a reflection and catalyst of the political, social, cultural transformations that a society constantly undergoes.

The second conceptual tool that lies at the basis of my research: Kymlicka and Alan Patten have codified language rights/policies under the following four general patterns: 1. “tolerance vs. promotion-oriented rights”; 2. “norm-and-accommodation vs. official-languages rights regimes”; 3. “personality vs. territoriality rights regimes”; and 4. “individual vs. collective rights.”<sup>10</sup> Drawing from this

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<sup>9</sup> Norman Fairclough, *Discourse and Social Change* (Cambridge: Polity; Malden, MA: Blackwell, 1993). Norman Fairclough, *Critical Discourse Analysis: The Critical Study of Language* (London: Longman, 1995).

<sup>10</sup> See Will Kymlicka, Alan Patten (eds.), *Language Rights and Political Theory*, p. 26. According to the authors:

1. “tolerance rights are protections individuals have against government interference with their private language choices”; “promotion-oriented rights involve the use of a particular language by public institutions”;

2. “norm-and-accommodation approach[...] could take a variety of forms” and it means that “special accommodations are [...] made for people who lack sufficient

taxonomy, I argue that the Romanian state has aimed at institutionalizing an assorted type of language policy that can be classified as a “personality - individual rights regime”. Conversely, the Hungarian party has rhetorically argued for a “territoriality - collective rights regime”. Once the majority - minority negotiation process emerged (in 1996), the result was the gradual implementation of a regime that can best be defined as a “norm-and-accommodation rights regime”. As follows, in the Romanian framework, this ideal-type of regime has taken the form of a single official language (Romanian) that is used predominantly in the public sphere. Nevertheless, the official language is complemented under certain specific circumstances by the public use of minority languages.

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proficiency” in the official language; “the official language approach [...] is to designate certain selected languages as ‘official’ and then to accord a series of rights to speakers of those languages”;

3. “the personality principle is the principle that citizens should enjoy the same set of official language rights no matter where they are in the country; the “territoriality principle” means “that language rights should vary from region to region according to local conditions”;

4. “individual language rights is one that an individual can claim irrespective of the number of co-linguists residing in the state or jurisdiction that is relevant to the exercise of the right”; “a collective language right [...] is one that is triggered only when some threshold level of demand for the service or accommodation is reached”.

The third conceptual tool that I use is the taxonomy set forth by Stephen Deets and Sherrill Stroschein, who argue that while language rights are “a means to integrate members of minorities more fully into the polity”, education rights “can be a way of separating minorities from the majority and to replicate minority culture”.<sup>11</sup> As this article will subsequently show, a logical inference of this conceptual division – exemplified by the Romanian case – is that majority elites are considerably more reluctant in granting education rights (especially those that regard higher education in minority languages) than language rights.<sup>12</sup>

Finally, the empirical methodological part of the present article is composed of two semi-structured interviews with Attila Szász, UDMR member and State Counselor for the Coordination of the Cultural, Educational and European Integration Activities in Romania’s Government.<sup>13</sup> Although the interview

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<sup>11</sup> Stephen Deets and Sherrill Stroschein, “Dilemmas of Autonomy and Liberal Pluralism: Examples Involving Hungarians in Central Europe”, in *Nations and Nationalism*, Vol. 11 (April 2005), pp. 290-291.

<sup>12</sup> It is noteworthy to add that both language and education rights are labeled as “assistance rights”, which are “claimed to help in overcoming obstacles to engaging in common practices” (According to Jacob Levy, “Classifying Cultural Rights”, in Ian Shapiro and Will Kymlicka, *Ethnicity and Group Rights* (New York: New York University Press, 1996), p. 29).

<sup>13</sup> The interviews unfolded in April and July 2007.

questions and answers addressed a wider spectrum of issues, I have included in this analysis only the answers that are most relevant for the purposes of this stage of analysis.

Sections 1 and 2 analyze minority and majority discourse on language and education rights by looking at the parliamentary debates that have structured the relevant provisions in Romania's Constitution and legal framework. The concluding section summarizes the main findings, while pointing to their relevance for the broader research field of politicized ethnicity and its effects on state - minority groups relations.

### **1. The Post-1996 Rhetoric Shift: The Hungarian Party's Claims for Language and Education Rights**

The aim of this section is twofold: first, it examines the legal provisions that are relevant to minority language and education rights in post-communist Romania; second, it surveys the parliamentary debates concerning the Law on Education and the Local Public Administration Law to analyze the key minority rhetorical patterns on language and education rights.

The first six post-communist years displayed a clear line of continuity both in terms of nationalist discourse and in the presence of recycled second-rank communists on the political arena: *ethnicity* continued to be a key identity-marker used for power-preservation purposes. Throughout the 1996-2000

electoral cycle, the Hungarian party formed a political partnership with the alliance that won the 1996 parliamentary and presidential elections: the Democratic Convention of Romania (hereafter CDR) was a coalition between PNȚCD (Christian-Democratic National Peasants' Party), PD (Democratic Party) and PNL (National Liberal Party). During 2000-2004, although not in government, UDMR formed a parliamentary coalition with PDSR (Romanian Social Democrat Party).<sup>14</sup> It is important to note that as a result of the "political weakness"<sup>15</sup> of the 1996-2000 government, UDMR's political actions were more successful during 2000-2004, when "UDMR provided political stability in exchange for some concessions regarding minority rights from PDSR".<sup>16</sup>

It is important to note that after 2004, UDMR rhetoric has taken a swerve toward claims of internal self-determination of the Hungarian community<sup>17</sup> and has triggered concurrent retrenchment of majority conceding will. UDMR has prioritized claims for *cultural autonomy*, a principle taking the form of an

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<sup>14</sup> PDSR won the 2000 elections.

<sup>15</sup> Author's interview with Attila Szász, State Counselor for the Coordination of the Cultural, Educational and European Integration Activities in Romania's Government, July 2007, Bucharest.

<sup>16</sup> Ibid.

<sup>17</sup> Various tiers of autonomy are prioritized by the eighth UDMR Party Congress from March 2007, at [www.rmdsz.ro](http://www.rmdsz.ro).

institutional arrangement that would result in the establishment of a consultative body with decision-making power: “in the case of the cultural institutions that unfold their activity in Hungarian, autonomy councils are to be appointed by the civil society, the political representatives and the Church; their role would be to express their agreement or disagreement with state official decisions that regard the Hungarian community”.<sup>18</sup>

The subsequent pages assess the progress of ethnocultural accommodation by outlining the major steps that have shaped this process. For purposes that regard structure and conciseness, I have drawn on a selective method of organizing the discourses that I critically analyze in Sections 1 and 2.<sup>19</sup> The generalizations that emerge

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<sup>18</sup> Author’s interview with Attila Szász, July 2007, Bucharest. Cultural autonomy has been regarded by UDMR as the “common denominator” between the different needs and demands of the members of the Hungarian minority, an institutional solution which would serve both the interests of ethnic Hungarians that make up the local majority and of those that are a local minority.

<sup>19</sup> The article is based on parliamentary discourses, published in Romania’s *Official Journal*, 2<sup>nd</sup> Part (Bucharest: Regia Autonomă Monitorul Oficial). I use the following issues: No. 87/1997; No. 102/1997; No. 205/1997; No. 216/1997; No. 217/1997; No. 218/1997; No. 216/1997; No. 217/1997; No. 205/1997; No. 228/1998; No. 92/1999; No. 217/1999; No. 67/1999; No. 121/1999; No. 13/2001; No. 25/2001; No. 179/2001; No. 180/2001; No.

from the subsequent analysis portray the patterns of ‘mainstream’ minority and majority rhetoric. I acknowledge that intra-party contending voices have emerged, as well as debates about how representative of the Hungarian minority’s claims UDMR actually is. However, since they have not significantly impacted the decision-making process, I do not focus on analyzing these “dissenting” opinions.

### *The Legal Framework on Language and Education Rights*

This sub-section briefly outlines the three key legal items that include relevant provisions for minorities in terms of language and education rights: Romania’s Constitution, the Education Law and the Local Public Administration Law. The first marker of interethnic relations in post-communist Romania was the adoption of the 1991 Constitution. The definition of the Romanian nation that is constitutionally enshrined and the minority-relevant provisions (even after the 2003 revision) fall under the scope of what Robert M. Hayden has termed *constitutional nationalism*.<sup>20</sup> a constitutional and legal framework that offers more privileges to the members

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138/2005; No. 146/2005; No. 31/2006; No. 147/2006; No. 146/2006; No. 007/2007; No. 25/2007.

<sup>20</sup> Robert M. Hayden, “Constitutional Nationalism in the Formerly Yugoslav Republics”, in *Slavic Review* (Vol. 51, No. 4, Winter 1992), pp. 654-73, at <http://www.jstor.org/view/00376779/di000553/00p0005d/>, visited in May 2007.

of the ethnic nation rather than placing all the state's citizens on an equal level.<sup>21</sup>

The use of minority language has four levels of concretization and implementation in Romania: education, public administration, the judiciary and the media. Although UDMR rhetoric has argued for the granting of language rights in all these four areas of public life, education and public administration have been its two landmarks throughout the post-communist period. For this reason, these two dimensions are also the ones that this article centers on.

The *Law on Education* was initially passed in 1995 (Law No. 84/ 1995) and amended in 1997<sup>22</sup> and 1999.<sup>23</sup> Initially restrictive of language and education rights for minorities, the Education law presently guarantees recognition for Romania's national minority languages. Moreover, the recently approved law for the ratification of the *European Charter for Regional and Minority Languages* by the Romanian Parliament (Law No. 282/ 2007) states that the provisions of the Second Part of the

Charter apply to the following 10 minority or regional languages in Romania: Albanian, Armenian, Greek, Italian, Yiddish, Macedonian, Polish, Romani, Ruthenian and Tartar.

Articles 118 and 119 stipulate that the "persons belonging to national minorities have the right to study and be taught in their mother tongue at all levels and forms of education, under the terms of the law, without obstructing the study of and teaching in the official language of the state". Also, "depending on local necessities, classes, units or schools with tuition in minority languages can be organized *at request*". Article 120 has been one of the main burning questions, as it stipulates that history and geography are to be taught in Romanian, and so has been the issue concerning state higher education in minority languages. Debates on these provisions, quite permissive under the letter of the law and still with a significant potential for discrimination in practice have been very heated.

The 1991 *Local Public Administration Law*<sup>24</sup> also prompted stern criticism on the part of the Hungarian party. The key dispute revolved around Article 54, whose provisions introduced the Romanian language as the sole official language in local administrative proceedings. The revised form of the

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<sup>21</sup> The minority-relevant articles in Romania's Constitution are Article 1.1, 2.1., 4.1., 13, 32.3., 58, 120, 152.

<sup>22</sup> Government Decree No. 36/1997 for the Modification and Completion of the Law on Education No. 84/1995.

<sup>23</sup> Law No. 84/1995, republished in the *Official Journal* No. 606 of 10 December 1999, at [http://legislatie.resurse-pentru-democratie.org/84\\_1995.php](http://legislatie.resurse-pentru-democratie.org/84_1995.php), visited in March 2007.

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<sup>24</sup> Law No. 69 of 26 November 1991 of Local Public Administration, at [http://www.apmbm.ro/Legislatie\\_meniu/act\\_e/Legea%2069-1991.htm](http://www.apmbm.ro/Legislatie_meniu/act_e/Legea%2069-1991.htm), visited in March 2007.

law was passed in 2001 (Law No. 215/2001).<sup>25</sup> Articles 17 and 90.2 specify that in the case of the administrative-territorial units in which the members of national minorities exceed 20% of the total population, they are entitled to use their own language in dealings with administrative authorities.

### *Minority Rhetorical Patterns: Language and Education Claims*

Analyzing the parliamentary debates on the Education Law and the Local Public Administration Law, this sub-section extracts the Hungarian party's rhetorical patterns on minority language and education rights.<sup>26</sup> UDMR mainstream discourse has been concise, structured and consistent in its references to minority language rights. The party's claims for language and education rights (cultural autonomy) have shown remarkable constancy throughout the post-communist period, although other key demands (e.g. territorial autonomy) have been selectively emphasized depending on short-term political aims and political alliances. Regardless of variations in

tone and format, the core part of their assertions has been persistent.

After an initial period when UDMR structured its rhetoric around the concept of *autonomy* (1990-1996), it persistently and effectively prioritized the claims for minority linguistic and educational rights as the strategic means of integration of the Hungarian minority in Romanian society (1996 onwards). This rhetoric shift signaled a change of perspective which aimed at the *gradual* extension of Romania's minority rights framework (the so-called "small steps strategy"). UDMR strategy during 1996-2004 aimed at enlarging the framework for individual rights granted to members of national minorities; as such, autonomy-talk was temporarily sidelined.<sup>27</sup> It is, however, important to note that the party's shift in rhetoric on minority rights has been strongly interlinked with the change of government that occurred in Romania after the 1996 elections, which brought to power more accommodating majority elites.

Education is one of the most sensitive and significant areas of minority and majority nation-building, especially as minority demands for language and education rights are not self-contained, but interlock with requests for more comprehensive autonomy-granting institutional arrangements. The establishment of state education institutions with tuition exclusively in

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<sup>25</sup> Revised Local Public Administration Law No. 215/ 2001, Published in the *Official Journal* No. 204 of 23 April 2001, at [http://legislatie.resurse-pentru-democratie.org/215\\_2001.php](http://legislatie.resurse-pentru-democratie.org/215_2001.php), visited in March 2007.

<sup>26</sup> UDMR has constantly been present in the Romanian Parliament throughout the post-communist period and has formed governmental and parliamentary alliances with both the center-left and center-right majority parties.

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<sup>27</sup> Author's interview with Attila Szász, July 2007, Bucharest.

Hungarian (at all levels) has continuously been a key point on the political agenda of the Hungarian ethnic party. The UDMR aim to set up a state-financed Hungarian University is one of the means for cultural and elite reproduction, and for equal opportunities.<sup>28</sup> This aim – a recurrent theme of UDMR rhetoric - is therefore a mechanism that conveys the *nationalizing* stance of the Hungarian ethnic party. The claim for the establishment of an autonomous university is thus a “key institution of nation-building”.<sup>29</sup> As such, “the struggle for the university went far beyond educational issues”,<sup>30</sup> in that language and education rights became the showground from which initially

antagonistic minority and majority rhetoric subsequently emerged as more cooperative. The following three captions analyze what I identify as being the key UDMR rhetorical patterns.

### *Minority Claims for Substantial Equality*

UDMR discourse has constantly identified the values that the Hungarian ethnic party associates with the accommodation of ethnocultural diversity in Romania, as well as with Romania’s integration in the EU: *equality, tolerance, multiculturalism, ethnic pluralism and solidarity*. This is the first key rhetorical pattern.

The rhetorical patterns of majority and minority political actors show a conflicting approach to *equality*. While the Hungarian ethnic party elites understand *equality* to mean equal *de facto* opportunities, majority political elites generally interpret this principle as *de jure* indiscriminative stipulations. This interpretation of *equality* is also constitutionally rooted.<sup>31</sup> As will be detailed in Section 2, majority political actors have often translated minority definition of interethnic *equality* as

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<sup>28</sup> The Hungarian Bolyai University in Cluj was a separate institution until 1959, when following a decision of the Romanian Communist Party, the institution merged with the Romanian Babeş University. This was a landmark in the curtailment of the language and education rights of the Hungarian minority under communist rule. The prior existence of a state-financed separate Hungarian-language higher-education institution provides additional legitimation for UDMR claims for minority education rights.

<sup>29</sup> Zoltán Kántor, “Nationalizing Minorities and Homeland Politics: The Case of the Hungarians in Romania”, in Balázs Trencsényi et al. (eds.), *Nation-Building and Contested Identities: Romanian & Hungarian Case Studies*, p. 259.

<sup>30</sup> István Horváth, “Facilitating Conflict Transformation: Implementation of the Recommendations of the OSCE High Commissioner on National Minorities to Romania, 1993-2001”, p. 105.

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<sup>31</sup> Art. 32 of Romania’s 1991 Constitution stipulated that the preservation of minority identity should be conducted in agreement with the principles of equality and non-discrimination in relation to the other Romanian citizens. Note must be made of the fact that the 2003 revised form of the Constitution contained the same stipulation – Art. 6.

*positive discrimination*, which in turn does not fit their own static definition of the principle of *equality*.

In the interpretation of Péter Eckstein-Kovács (UDMR president until 1993), *equality* means that national minority pupils

[h]ave the right to study [Romania's history and geography] in their own language and [...] a history that also reflects their past and which is not in an antagonistic stance with the majority [...].<sup>32</sup>

In Senator Béla Markó's reading, the preservation of Hungarian cultural and language identity is also inherently linked with the integration of the Hungarian community into Romanian society and also with their status as equal (not "second-rank"<sup>33</sup>) Romanian citizens. In other words, UDMR's interpretation is that *equality* comes from state recognition, protection and promotion of the cultural heritage of national minorities. To summarize, UDMR conception of *equality* is of a *substantial* kind: it deems that the appropriate means to prevent discrimination is to establish rights that

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<sup>32</sup> Péter Eckstein-Kovács (UDMR), transcript of discourse in Romania's *Official Journal*, 2<sup>nd</sup> Part, Parliamentary Debates in the Senate, Year VIII, No. 216, 11 December 1997, p. 31.

<sup>33</sup> Béla Markó (UDMR), transcript of discourse in Romania's *Official Journal*, 2<sup>nd</sup> Part, Parliamentary Debates in the Senate, Year VIII, No. 217, 12 December 1997, p. 11.

– although to some extent different on article - are targeted at creating *de facto* equal conditions. Repeated references to *multiculturalism* and *ethnic solidarity* are rhetorically used to reject the "ideal that a nation state ought to be ethnically homogeneous".<sup>34</sup> UDMR generally displays a discourse with cooperative and amiable overtones, while its arguments are largely of a legal and/ or moral nature, and are poised at specific demands.

Coupled with references to interethnic *tolerance* and *dialogue*, UDMR rhetoric has constantly referred to the gap between the legal framework and the actual implementation. A demand for *de facto* equality is thus recurrently made, an argument that strikes against the majority's will to formally comply with EU conditionality, but to defer the implementation level of its commitments.

### *Minority Claims for Integration*

A second key rhetorical pattern has been the *integration* of the Hungarian community into Romanian society. Ethnic Hungarian elites generally justify their allegations on the basis of two main elements: the minority-relevant articles in Romania's Constitution and the provisions of international conventions and treaties

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<sup>34</sup> Attila Verestóy (UDMR), transcript of discourse in Romania's *Official Journal*, 2<sup>nd</sup> Part, Parliamentary Debates in the Senate, Year VIII, No. 217, 12 December 1997, p. 18.

that Romania has signed and/ or ratified. To offer just one example, Senator Eckstein-Kovács substantiates his claim to education in minority languages by referring to Article 16 in the Romanian 1991 Constitution, which prescribes *equality* of rights for all Romania's citizens.<sup>35</sup> This type of rhetoric reflects a will to integrate into the larger Romanian society, but also to preserve the language and cultural Hungarian specificity.

It is interesting to note that *integration* has generally been used as a term that challenges the assimilationist view argued by UDMR to shape the mainstream approach of majority parties:

Integration (as opposed to assimilation) cannot occur through the isolation that is apparent if the Romanian language isn't handled well by ethnic Hungarians.<sup>36</sup>

Moreover, indications of the will of the Hungarian community to integrate into Romanian society is often coupled with references to the UDMR demand for the right to use the Hungarian language as a "factor of the right to preserve

identity",<sup>37</sup> which "appears as a constitutional right and denotes a means against assimilation."<sup>38</sup> This line of argumentation is linear and enduring in UDMR rhetoric regardless of the context, as it generally leads to

[t]he vital interest of the Hungarians in Romania is to have their own, independent education system in the end, which includes the entire network of higher education institutions.<sup>39</sup>

As for linguistic integration, UDMR has repeatedly argued that

[g]ranting rights to minorities, especially linguistic rights, can be beneficial not simply to that respective community, but on the society as a whole.<sup>40</sup>

UDMR discourse often draws attention to the idea of the party's involvement in issues other than those concerning the community it represents, which is depicted as a course of action that confirms the will of the Hungarian minority to integrate into Romanian society.<sup>41</sup> Minority rhetoric has

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<sup>35</sup> Art. 16.1 (1991): "Citizens are equal in front of the law and public authorities, without privileges and discriminations". After the 2003 Constitutional revision, this article has identical provisions.

<sup>36</sup> József Kötö, Sándor Tonk (eds.), "Hungarian Higher Education in Romania: Past, Present, Future", in *UDMR Documents: 1989-1999*, p. 1.

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<sup>37</sup> Ibid, p. 2.

<sup>38</sup> Ibid.

<sup>39</sup> Ibid., p. 9.

<sup>40</sup> Author's interview with Attila Szász, State Counselor, April 2007.

<sup>41</sup> This line of argument is also explored by Dan Chiribucă and Tivadar Magyar, "Impact of Minority Participation in Romanian Government", in Monica Robotin, Levente Salat (eds.), *A New Balance: Democracy and Minorities in*

emphasized that the preservation of Hungarian cultural and language identity runs counter neither to the community's integration into Romanian society nor to the due respect for Romania's official language. UDMR has repeatedly argued the claims for Hungarian language education do not exclude the study of the Romanian language, whose "mandatory status"<sup>42</sup> the party sustains.

UDMR representatives' demand that *Romania's* history and geography be taught in Hungarian within the Hungarian-language education institutions has stirred heated parliamentary debates. A key UDMR argument has been that the study of the Romanian language should not be done through learning history and geography, but through the study of Romanian language and literature. UDMR has repeatedly quoted Article 120 of the Government Decree 36/1997, which relates precisely with the aforementioned contentious issue. The prevailing minority argument refers to the purpose of those two subject matters, which would be modified by being taught in the Romanian language. The purpose would no longer be that of teaching Romania's history and geography, but of teaching Romanian.<sup>43</sup>

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*Post-Communist Europe* (Budapest: Open Society Institute, 2003), pp. 69- 91.

<sup>42</sup> Béla Markó, transcript of discourse in Romania's *Official Journal*, 2<sup>nd</sup> Part, Parliamentary Debates in Senate, Year VIII, No. 218, 16 January 1997, p. 29.

<sup>43</sup> See Béla Markó, transcript of discourse in Romania's *Official Journal*, 2<sup>nd</sup> Part,

Senator Markó has also repeatedly underlined that UDMR's demand for language rights is twofold: full rights for minorities to study in their mother tongue, coupled by the need for members of ethnic communities to acquire extensive knowledge of the Romanian language.<sup>44</sup> UDMR has constantly acknowledged that the isolation of the Hungarian community is not desirable, and that integration and full equality of rights are dependent on knowledge of the Romanian language.

#### *Minority Claims for Partnership with the Majority*

As Romania drew closer to EU accession, UDMR rhetoric was shaped by new and significant discursive elements. Hence, the call for "cooperation" and "dialogue" began to be correlated with an appeal that all political forces in Romania ought to make a "common effort towards Romania's integration in the European and Euro-Atlantic structures".<sup>45</sup> The idea of a minority - majority *partnership* became recurrent starting with the change of regime in 1996.

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Parliamentary Debates in the Senate, Year VIII, No. 228, 12 January 1998, p. 31.

<sup>44</sup> Béla Markó, transcript of discourse in Romania's *Official Journal*, 2<sup>nd</sup> Part, Parliamentary Debates in the Senate, Year VIII, No. 217, 12 December 1997, p. 11.

<sup>45</sup> Béla Markó, transcript of discourse in Romania's *Official Journal*, 2<sup>nd</sup> Part, Parliamentary Debates in the Senate, Year XII, No. 25, 2 March 2001, p. 6.

UDMR leaders emphasized the necessity for EU integration:

We need to get to a united Europe, where there is no discrimination between majority and minority [...] where the existence of minorities is not a problem, but a chance, where equality of chances is real [...] where subsidiarity and different forms of autonomy find their natural place and strengthen democracy.<sup>46</sup>

It is surprising to see that the European Union is seen in a unified manner and countries with known contentious minority issues are entirely overlooked. Moreover, UDMR rhetoric neglected the existence of double standards for minority rights, as the EU does not have a common coherent legal framework for minority rights.<sup>47</sup> References to international norms and standards for minority protection<sup>48</sup> and to Romania's

Constitution have been a legitimizing rhetorical device for the party's claims and also an indictment tool for Romania's non-compliance or deficient implementation of existing laws. Along these lines, Senator Markó has been one leading UDMR figure to point out the dual dimension of minority protection in Romania: formal compliance with international stipulations and endless protraction on the implementation level.<sup>49</sup>

Overall, Section 1 has shown that minority claims during 1996-2004 were articulated by calling upon *equality* and *integration* as key principles. These findings describe UDMR demands for language and education rights as being of a *substantial* type (equality of chances). *Integration* has had a twofold target: a national level – integration into Romanian society – and an international level – Romania's integration into the EU. UDMR's option for a discourse

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<sup>46</sup> István Antal, transcript of discourse in Romania's *Official Journal*, 2<sup>nd</sup> Part, Parliamentary Debates in the Chamber of Deputies, Year XII, No. 179, 7 December 2001, p. 9.

<sup>47</sup> For details, see Adam Burgess, "National Minority Rights and the 'Civilizing' of Eastern Europe", *Contention*, Vol. 5, No. 2, Winter 1996, pp.17-35; Gwendolyn Sasse, "EU Conditionality and Minority Rights: Translating the Copenhagen Criteria into Policy", *EUI*, 2005/6, pp. 1-21. These scholars warn against minority rights rhetoric outweighing the concrete steps for legal principles to result in policy-implementation.

<sup>48</sup> International documents are often mentioned by UDMR during parliamentary

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debates. Until 2001, the right of the minorities to use their respective mother tongue in judicial dealings and administration was disregarded from a legal viewpoint. This came into contradiction with the commitments that Romania made when signing FCNM, ECRML and Recommendation 1201 issued by the Parliamentary Assembly of the Council of Europe. It is important to observe that Article 20 in Romania's Constitution (2003) stipulates that international law and treaties take precedence over Romanian legislation in human rights related issues.

<sup>49</sup> Béla Markó, transcript of discourse in Romania's *Official Journal*, 2<sup>nd</sup> Part, Parliamentary Debates in Joint Session, Year X, No. 67, 30 April 1999, p. 16.

that promotes the integration of minorities has significantly contributed to the progress of ethnocultural accommodation in Romania and has resulted in “power-sharing” arrangements throughout 1996-2004.

***The Post-1996 Rhetoric Shift: Majority “Concessions” on Minority Claims for Language and Education Rights***

Following the 1996 elections, Romania’s governing elites have opted for Euro-Atlantic integration. The state’s compliance with the 1993 Copenhagen political criteria is to be explained by “the logic of consequentiality”.<sup>50</sup>

The present section outlines and analyzes the key rhetorical reactions of the main majority political parties to minority claims for language and education rights. Parliamentary debates on the proposed amendments to the 1995 Education Law (1997, 1999) and the Local Public Administration Law (2001) represent the framework for the

ensuing categorization of rhetorical patterns.

***Radical Opposition to Language and Education Minority Rights: PRM and PUNR Rhetorical Patterns***

The two majority parties that have exhibited fairly homogenous and constant rhetorical patterns across 1990-2007 are **PRM** (“**Greater Romania**” Party) and **PUNR** (**National Unity Party of Romanians**). The shifts that did occur in PRM and PUNR rhetoric were triggered by the political coalitions that these parties formed. The gap between reality and these parties’ rhetoric is remarkable; what also strikes one is the salience with which certain anti-Hungarian (not necessarily anti-minority) rhetorical patterns have kept their intensity throughout the post-communist period (differences in tone, style and form are easily detectable, but there is no genuine shift in substance).

The first PRM and PUNR rhetorical pattern that can be extracted from the debates on the amendments to the Law on Education and the Local Public Administration Law is the *historicization* of UDMR’s claims for language and education rights. Past events or perceived threats have been persistently brought into play and have been framed in a line of continuity with present events – often by the use of an unruly and offensive tone. The intended purpose was to divert the focus to contentious historical topics and to

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<sup>50</sup> Frank Schimmelfennig, “Introduction”, in Ronald H. Linden (ed.), *Norms and Nannies: The Impact of International Organizations on the Central and East European States* (Boulder, New York & Oxford: Rowman & Littlefield Publishers, 2002), pp. 1-29. Schimmelfennig articulates “the logic of consequentiality” as concept reflecting the “ulterior motives” states have for complying with international pressures as emerging from a rational cost – benefit analysis of incentives and expected losses.

increase popular support for their parties.

The second key rhetorical theme expounded by PRM and PUNR has warned against the alleged irredentist claims of Hungary over Transylvania. Such calamitous warnings have usually been coupled with suspected conspiracy theories concerning “external interference” in Romania’s domestic affairs. UDMR supposedly endorsed these actions, through allegedly “unconstitutional” claims that posed threats to Romania’s territorial integrity and national unity.

Language rights as those claimed by UDMR were, however, represented by PRM rhetoric as structuring “university education on ethnic criteria” and respectively as promoting “segregation on racial criteria [...]”.<sup>51</sup> The debates on language and education rights have not only centered on the right to use minority languages in public, but also for the status of majority languages. PRM and PUNR rhetoric has always projected a negative image on UDMR claims of territorial and language autonomy and depicted them as immediate threats for Romanian identity and state integrity. There have been constant references to the “obscure interests”<sup>52</sup> of “external” actors that aim at breaking Romania’s national unity

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<sup>51</sup>Anghel Stanciu (PRM), transcript of discourse in Romania’s *Official Journal*, 2<sup>nd</sup> Part, Parliamentary Debates in the Chamber of Deputies, Year, No. 121, 24 June 1999, p. 31.

<sup>52</sup> Ibid, p. 7.

and territorial integrity; there have also been concerted attacks against the political establishment, which is accused of having granted “privileges” to minorities as a consequence of yielding to UDMR “blackmail” and “aberrant demands”.<sup>53</sup>

*Moderate Opposition against Language and Education Rights: PDSR Rhetorical Patterns*

This sub-section proposes an analysis of **PDSR** rhetoric (PDSR became the **Social Democratic Party - PSD** - in 2001). Throughout 1996-2004, PDSR’s rhetoric can be split into two stages, which overlap with the party’s time in opposition and in governance respectively. PDSR has constantly tried to juggle with its discursive trends depending on the context. As opposed to PRM and PUNR, the fact that its rhetoric has been more restrained regarding minorities has allowed it to afford a balancing act between its political alliances with ultranationalist parties and its coalitions with the UDMR (2000-2004), as well as boding well to EU monitoring eyes.

During the 1996-2000 period, PDSR’s anti-Hungarian rhetoric was strongly interlocked with its status as a party in opposition and was marked by anti-governing coalition overtones. The 2000-2004 period saw PDSR’s comeback in power, when due to the positive shift in the approach to Euro-Atlantic integration, the party’s rhetoric

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<sup>53</sup> Ibid.

(under a new name – PSD - and slightly reformed leadership, but a similar political doctrine) displayed a significant change in what regards minority rights.

In opposition, PDSR has often combined tirades against the UDMR with outbursts against the “political transactions”<sup>54</sup> of the governing coalition. Party representatives rhetorically created a frame that depicted the Romanian parties as accomplices of UDMR. Concerted political attacks were frequent: the governing coalition allegedly “takes on a great historical responsibility by systematically conceding to the autonomist claims of the UDMR”, which are “irredeemable mistakes, whose future consequences could threaten the spiritual identity of the Romanian people”.<sup>55</sup> Concerted rhetoric attacks against the governmental coalition warned against the dangers posed by extensive minority rights; the discourse had as its main target actions supporting “collective rights” resulting in “territorial autonomy on ethnic grounds” were allegedly perilous for the “unity and territorial integrity of the state”.<sup>56</sup>

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<sup>54</sup> Sergiu Chiriacescu (PDSR), transcript of discourse in Romania’s *Official Journal*, 2<sup>nd</sup> Part, Parliamentary Debates in the Senate, Year VIII, No. 87, 29 May 1997, p. 8.

<sup>55</sup> Ibid.

<sup>56</sup> Viorel Ștefan (PDSR), transcript of discourse in Romania’s *Official Journal*, 2<sup>nd</sup> Part, Parliamentary Debates in the Senate, Year X, No. 92, 27 May 1999, p. 4.

Although not in government during 2000-2004, UDMR supported PDSR in Parliament, on the basis of four yearly protocols that the two parties signed. During this period, PDSR adopted a discourse that favored language rights. That period marks the PDSR rhetoric shift from warning against the dangers posed by minority rights to acknowledging that “multiculturalism and cultural pluralism are not attempts to dynamite national states”.<sup>57</sup>

Whereas PDSR often argued that “additional” minority rights are “privileges”, the shift in argument marks a 180 degree turn: Năstase (Romania’s Prime Minister at the time) argued that if language rights were granted, then the Romanian state would gain considerable leverage in “requiring that the Romanian language be learnt by all its citizens”.<sup>58</sup> The newly acquired Euro-conformity of PDSR rhetoric is in line with the fact that the adoption of the Local Public Administration law had a strategic importance for Romania’s EU accession process.

PDSR’s change of rhetorical tactics finds its explanation in a context that was markedly different in 2001 than in 1991 (and even 1996). The pay-off of employing the theme of EU integration for political and electoral purposes

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<sup>57</sup> Adrian Năstase (PSD), transcript of discourse in Romania’s *Official Journal*, 2<sup>nd</sup> Part, Parliamentary Debates in the Senate, Year XII, No. 25, 2 March 2001, p. 22.

<sup>58</sup> Ibid.

became considerably higher than that of using overt anti-Hungarian nationalistic slogans. The fine-tuning of PDSR discourse occurred in such a way that “group rights” were no longer overtly disavowed as threats to Romania’s national security. Key words such as “equality” or “non-discrimination” were included to indicate that the party supported such values.

### *2. 3. Moderate Supporters of Language and Education Rights: Rhetorical Patterns of PNȚCD, PD and PNL*

Interventions of other majority parties in the debates concerning minority language use in education and public administration have been considerably more reduced in numbers. The following paragraphs analyze the rhetorical patterns of PNȚCD (Christian-Democratic National Peasants’ Party), PD (Democratic Party) and PNL (National Liberal Party); these have been the main political parties making up the Democratic Convention (CDR) coalition that governed Romania during 1996-2000. CDR enlisted UDMR as a governing coalition partner.

The **Christian-Democratic National Peasants’ Party (PNȚCD)** rhetoric generally exhibits a reconciliatory tone, by arguing for the need to establish a permanent dialogue between majority and minority that enables the “preservation of culture and of the

mother tongue”.<sup>59</sup> PNȚCD has argued for the need to overhaul interethnic relations based on mutual “suspicion” and “mistrust”, in what on the whole represented a multiculturalism-prone discourse. PNȚCD supported the need to recognize that minority languages are part of the specific cultural traditions of minority communities. The party displayed a balanced type of rhetoric, which sets minority languages in the same framework as the majority official state language, while being considered as complementary, not mutually exclusive.

PNȚCD rhetorical arguments were also motivated by its political alliance with the UDMR and were meant to show the political support for the political measures mutually agreed on as part of the 1996-2000 Governing Program. “Multiculturalism is the technical solution that we need and is recommended by our history”<sup>60</sup>: this phrase is consequential in that it epitomizes PNȚCD response to UDMR claims for the (re)establishment of the separate state Hungarian University. *Multiculturalism* instead of *biculturalism* has been the preferred option for minority education rights. It

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<sup>59</sup> Sorin Lepșa (PNȚCD), transcript of discourse in Romania’s *Official Journal*, 2<sup>nd</sup> Part, Parliamentary Debates in the Chamber of Deputies, Year VIII, No. 205, 27 November 1997, p. 20.

<sup>60</sup> Sorin Lepșa (PNȚCD), transcript of discourse in Romania’s *Official Journal*, 2<sup>nd</sup> Part, Parliamentary Debates in the Chamber of Deputies, Year VIII, No. 205, 27 November 1997, p. 21.

needs to be emphasized that the coalition partners' rhetoric did not favor the establishment of a separate Hungarian state university.<sup>61</sup>

What this stance proves, however, is that the Romanian political spectrum has largely been unified in the reluctance to grant extensive education rights in the mother tongue at all levels. The establishment of a state-financed Hungarian university has been the epitome of UDMR claims of cultural autonomy and, as such, has been continuously rejected by majority parties, regardless of the domestic or international context.

The rhetoric of the **Democratic Party (PD)** has been less minority accommodating than that of PNȚCD. PD representatives have argued that "democracy is inconceivable outside the state identity of the nation, while democratic life has at its basis national cohesion".<sup>62</sup> The right of minorities to preserve their cultural, ethnic and language identity is rhetorically acknowledged by PD, as are political pluralism and cultural diversity.

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<sup>61</sup> It is also noteworthy to add that teaching is done in Hungarian in the Hungarian-language track in the Babeş-Bolyai University in Cluj, the Faculty of Medicine and the Faculty of Dramatic Arts in Târgu Mureş and in the Reformat Theology Institute in Cluj.

<sup>62</sup> Ileana Filipescu (PD), transcript of discourse in Romania's *Official Journal*, 2<sup>nd</sup> Part, Parliamentary Debates in the Chamber of Deputies, Year VIII, No. 205, 27 November 1997, p. 21.

However, PD rhetoric also exhibits a retrenching from these general statements on a subsequent level of rhetoric, one that strongly emphasizes the "unitary and national character of the Romanian state".<sup>63</sup> This dimension limits the previous statement and draws clear boundaries within which minority rights can be exercised – below the autonomy threshold.

What is arresting is that PD regards local autonomy as "outside the legal international standards, and can lead to the serious undermining of state sovereignty".<sup>64</sup> The issue of "collective rights" was very contentious for PD and was rhetorically transposed by arguments which have emphasized that "human rights, among which minority rights, address individuals, not collectivities".<sup>65</sup> PD continuously rejected the granting of "privileges" to minorities as harmful for Romania's democratic consolidation. PD rhetoric has integrated direct references to minority language issues. The party's arguments were also generally based on the principle of *equality*. PD interpretation of this concept is that it disallows any type of discriminations (including the positive type). PD rhetoric showed support for "private" education institutions for minorities, thereby implicitly rejecting the establishment of a state Hungarian higher education institution that would

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<sup>63</sup> Ibid.

<sup>64</sup> Ibid.

<sup>65</sup> Ibid.

result in education autonomy for the Hungarian minority.

The rhetoric of the **National Liberal Party** (PNL) during the debates on the amendments to the Education Law supported the amendments as a whole and those relevant for minorities in particular. PNL also attempted to reduce the influence of claims that advocated the alleged danger that the extensive use of minority languages would pose for the integrity of Romanian as the official state language.

“Institutional, structural and mentality reform”<sup>66</sup> were deemed as necessary by PNL rhetoric, a stand that had implicit pro-EU undertones. PNL justified the proposed amendments to the Education Law and the Local Public Administration Law through references to relevant articles in Romania’s Constitution and provisions of the Romania-Hungary Bilateral Treaty. The party rejected claims that the underlying connotation of Art. 17 of the Local Public Administration Law was that of introducing another official language: “There is no element that questions the sacred duty of every Romanian citizen to learn the Romanian language, in the spirit of Article 13 of the Constitution”.<sup>67</sup>

Throughout their time in opposition (2000-2004), the Liberals (in coalition with the Democrats) reacted against UDMR claims and political stances (e.g. the Status Law debates, the 2004 Draft Bill for the Autonomy of the Szeklar Land submitted by the Szeklar National Council). These reactions have generally interlocked with negative assessments of the PSD – UDMR parliamentary coalition.<sup>68</sup> Notwithstanding, PNL and PD won the 2004 presidential and parliamentary elections and enlisted UDMR as a governing partner.

On the whole, PNL rhetoric has been balanced and quite consistent during 1996-2004 with respect to language and education rights. However, the party has supported the recognition and promotion of such rights only up to a certain level. Despite the fact that between 1996-2000, it was part of the governing coalition together with UDMR, its support for UDMR’s claims narrowed during the debates on the establishment of the state-financed Hungarian university. PNL has viewed the Romanian nation in civic terms and disavowed group rights as obstructing the voluntary adhesion of individuals to several identity groups. Hence,

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<sup>66</sup> Paul Păcuraru (PNL), transcript of discourse in Romania’s *Official Journal*, 2<sup>nd</sup> Part, Parliamentary Debates in the Senate, Year VIII, No. 216, 11 December 1997, p. 30.

<sup>67</sup> Radu Alexandru Feldman, transcript of discourse in Romania’s *Official Journal*, 2<sup>nd</sup> 444

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Part, Parliamentary Debates in the Senate, Year XII, No. 25, 2 March 2001, p. 30.

<sup>68</sup> PNL Press Release, Călin Popescu-Tăriceanu (Romania’s PM since 2004), *The PSD-UDMR Cooperation*, 29 January 2002, at <http://pnl.ro/?id=print&PageID=dp258>, visited in February 2007.

*citizenship* rather than ethnic belonging inform the Liberals' standpoint.<sup>69</sup>

On the whole, Section 2 has shown that majority rhetoric concerning minority rights has been framed by two key variables during the 1996-2000 and 2000-2004 electoral cycles: the common will to integrate in Euro-Atlantic structures and domestic electoral politics aimed at preservation of political power. My analysis has also shown that there have been limits to the shift from conflictual to accommodating rhetoric on minority rights. Neither the external nor the internal factors have decreased the majority elites' staunch opposition to granting rights that would result in various forms of autonomy for minority communities.

Although both minority and majority political actors have articulated their stances while appealing to the principles of *equality* and *integration*, their views have often been on contending paths. As the analysis of minority rhetorical patterns has shown, the Hungarian party has argued for a *substantial* type of equality. Conversely, Section 2 suggests that majority rhetoric has opted for a *procedural* type of equality, which restricts state affirmative action precisely on the grounds of *equality*.

## Conclusions

Attempting to answer the initial research questions, my analysis has shown that the shifts in both minority and majority rhetoric have been *context-dependent*: EU conditionality and majority-minority political alliances (aimed at preservation of political power) have triggered significant fluctuations in rhetoric, and they have also been two of the key factors that led to a positive development of interethnic relations in post-communist Romania. The article does not claim these to be the only relevant factors, but minority and majority discourse have indeed most visibly reflected these rather than others.

While reacting to the aforementioned factors, as well as to each other's rhetoric, minority and majority political parties have engaged in a "power-sharing" arrangement. Rhetorical stances on both sides have been more accommodating and the minority-majority political partnership resulted in the adoption of several laws that have led to a certain level of institutionalization of national minority protection in Romania. By minority standards, this level is still quite moderate. By majority standards, however, it has reached a significant peak, as majority parties continue to oppose forms of cultural/ territorial autonomy as cogently as at the beginning of the 1990s.

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<sup>69</sup> Valeriu Stoica voices these arguments in *National Identity and Ethnic Identity*, at <http://pnl.ro/?id=print&PageID=art003>, visited in February 2007.

Since Romania has acceded to the EU,<sup>70</sup> a challenging research path that presents itself is the identification of other factors that will be prominent indicators of shifting discourse. Moreover, once coupled with an analysis of the mechanisms through which discourse leads to and is altered by the process of political action, such an undertaking (together with the one this article has carried out) would uncover valuable findings, and ought to be developed into tools for policy-making strategies aimed at encouraging ethnocultural dialogue in Romania.

By way of concluding, this article's findings suggest that political elites have targeted the rhetoric manipulation of national, ethnic, religious or linguistic layers of identity as a foremost political resource. Rhetoric has been used to rally the Romanian majority and respectively the Hungarian minority around party goals. It is therefore a core ingredient in explaining the evolution of the interethnic process of accommodation in post-communist Romania. Since rhetoric epitomizes the political actors' stances as marked by certain contextual factors, it is useful for both academic and policy-making purposes to analyze the role of discourse in the political compromises that have led to the expansion of minority rights' framework in Romania.

The article has clearly indicated the inbuilt tension between the politics of *equality* and the recognition of

*difference*, between securing and undercutting identity boundaries. Provided that the normative and pragmatic content of minority rights comes to be perceived as a means to serve larger purposes – unlocking new avenues for democratic participation and representation – then it seems likely that this sphere shall be less riven by contradictions and radical stances and more prone toward committed dialogue.

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<sup>70</sup> 1 January 2007.

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