

The Democratic Alliance of Hungarians in Romania.

# The International Relations

An Introduction.

# of the DAHR 1989 – 1996

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## 1 Introduction

After the collapse of the communist regime in Central and Eastern Europe transfrontier relations of the various organisations of national minorities living in the region have proliferated. Numerous contacts between and among different actors at both governmental and non-governmental level have been established which have been based on various programmes and strategies elicited in the relevant contexts.

As tensions between majority and minority populations have resurfaced and led to bloody conflicts and war in the former Yugoslavia, regional and international organisations have acknowledged the importance of minority rights protection for ensuring stable democracies. In response, the transnational regime of minority protection has been further developed within the framework of both regional (Council of Europe, OSCE, European Union) and international (United Nations) intergovernmental organisations.

The fact that the transnational regime for minority rights<sup>1</sup> has become central to the attention of the international community in the 1990s has led to important conclusions from the perspective of national minorities. In the first place, policy makers of national minorities have reacted eagerly to the emerging political commitment expressed in several OSCE documents according to which issues concerning national minorities are matters of legitimate international concern and do not constitute exclusively the internal affair of the state<sup>2</sup>. This enunciated principle has encouraged national minorities to lobby for international criticism and political

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1. The transnational regime for minority rights consists of protection offered under international law and international conventions as well as the political commitments entered into by member states of the Organisation for Security and Cooperation in Europe (OSCE). Together these constitute a code of good practice. For the assessment of the nature of this system see Hugh Miall (ed), *Minority Rights in Europe: The Scope for a Transnational Regime*, The Royal Institute of International Affairs, Printer Publishers, London, 1994.
  2. This principle has been first elaborated at a CSCE meeting of experts on national minorities in Geneva in July 1991 and was subsequently incorporated into several OSCE documents.

pressure in case of non-compliance of a state with its undertaken commitments. The forms of possible pressure have included appliance of conditionality on the basis of observance of minority rights in loans, aid and institutional contacts. It is widely believed that the inducing of international pressure would strengthen the relevant minorities' bargaining position in relation to hostile governments.

Secondly, representatives of the different national minorities in the region have increasingly taken part in the workings of the different regional and international fora to lobby for the strengthening and expansion of the existing rights as well as implementation mechanisms. In their view this has been essential, since with the exception of the international community's decision to use economic or military sanctions through the UN, there is no formal system for imposing sanctions on member states which breach the politically agreed or legally binding standards in any of the intergovernmental organisations. Most importantly, a case has been made for the expansion of the right of national minorities to participate in governmental and intergovernmental decisions affecting directly their situation. It should be noted however, that participation at different levels in the workings of various intergovernmental fora implies the learning of the language of the international law, i.e. accommodation to the current international human rights and political discourse. This discourse that is mostly based on the individual rights of persons belonging to national minorities is then challenged from ›within‹ through an attempt to re-define and broaden some of the existing legal norms and political commitments. The concepts of self-determination and state sovereignty together with the concept of collective rights are cases in point. It should be closely examined though, the nature of the changes – substantial or of a rhetoric character only – that have occurred in the programmes of the national minorities in question as a result of their participation in the intergovernmental organisations.

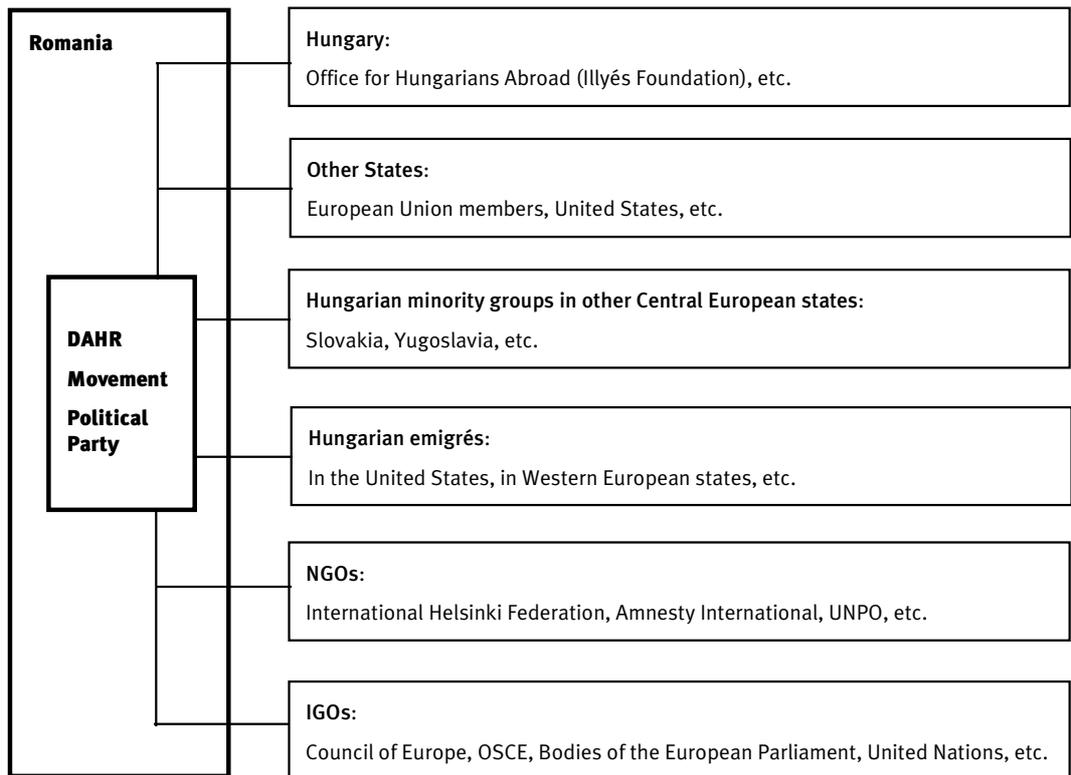
Thirdly, the internationalisation of minority issues has made the contacts of national minorities, if it is the case, with their ›external national homelands‹ or their mother nation much more public and transparent. This has been significant in the sense that problems related to national and ethnic identity which have been considered as taboos under the communism have now become subjects of the public

debate supposedly decreasing the possibility of political manipulation around these issues in the long run.

The international relations of the national minorities' organisations including political parties, albeit part and parcel of their policies, has not yet become the focus of policy analysis. As there is little data available about this possible field of inquiry my research is restricted to a description of a chosen case in this field without trying to draw more general conclusions or to generate theories without more empirical evidence at hand. However, general observations based on personal experience are treated as hypotheses that are meant to be challenged by growing quantifiable and nonquantifiable data.

This paper is part of a broader research project on the international relations of national minorities in Central and Eastern Europe. It attempts to set the ground for a comparative study of the national minorities' transfrontier contacts and policies in this region through presentation of case studies. The present study is an introduction to the external relations of the Democratic Alliance of Hungarians in Romania (DAHR, Alliance) with a special focus on: its position in Romania's political arena, the identification of the relevant actors within the DAHR, and the presentation of the DAHR's agenda of international relations in general. It should be noted, however, that the detailed examination of the DAHR's interaction with the identified key external actors is not the proper subject of this paper, although reference to these contacts may be made.

The major external actors with which the DAHR has established contacts and may be referred to in this introductory paper are presented in the following table:



This paper is written from the point of view of a minority organisation. Hence, the exploration and expansion of available possibilities for participation of minorities in the intergovernmental organisations is examined from the perspective of the attainment of certain goals and aspirations formulated by national minorities within the framework and through their participation in the various intergovernmental fora – the Hungarian minority of Romania in this case.

As the author of this paper used to be the foreign affairs adviser to the President of the Alliance for two years (1993–1995), this survey may be biased for which the author alone bears all responsibility.

## **2 Definition and Brief Historical Background of the International Relations of the DAHR**

Despite the adjective international, the field of international relations is not restricted to the relations between or among states. Other actors, such as regional, and international, intergovernmental organisations, multinational corporations, the World Bank and terrorist groups, are now all part of what is interchangeably termed as world politics or transnational relations. In addition, there are studies in this field which have analysed factors internal to a state, such as interest groups and governmental coalitions<sup>3</sup>.

As an umbrella organisation uniting various political parties and platforms as well as cultural and scientific associations and other professional groupings and foundations, the Democratic Alliance of Hungarians in Romania can be described as a nonstate actor in the realm of international relations. In reference to the DAHR as a nonstate actor the term international relations is used interchangeably with transnational, transfrontier, external or foreign relations to denote the Alliance's interactions with governmental, intergovernmental and nongovernmental organisations and bodies across national borders.

Bringing the grievances of the Hungarian minority in Romania to the attention of the international human rights organisations and media can be dated back to the late seventies when members of the Hungarian intelligentsia in Transylvania had first developed transfrontier contacts to publicise human rights abuses under the conditions of Ceausescu's nationalist-communist dictatorship. The occasional protests against infringements of minority rights in the late seventies as expressed in letters written by Lajos Takács, Sándor Tóth, András Sütô, Károly Király had been followed during the eighties with both individual or collective open letters and pub-

lication of *samizdats* – Ellenpontok (1982–1983), Limes (1985–1986) and Kiáltó Szó (1988–1989) – edited and disseminated by a larger group of Hungarian intellectuals in both Transylvania and Bucharest.

During the late seventies the appeal to international organisations and media had primarily the role of insuring a degree of personal security through publicity that could in principle make Western intervention on behalf of the oppositional intellectuals possible. The protest letters addressed to the then President of Romania and other relevant high-placed Party officials can be characterised as criticism ›inter mures‹, since, albeit critical of Ceausescu’s totalitarian regime, they never called for action or mobilised for broader resistance to regime pressure. But the open letters and *samizdats* produced and circulated by Hungarian intellectuals during the eighties – including the dissemination of flying-sheets mobilising for active protest against Ceausescu’s systematisation project in Cluj in 1988 – , not only criticised but in fact challenged Ceausescu’s totalitarian regime on the basis of and reference to the liberal democratic principles of Western democracies. By that time, however, the Hungarian dissidents, such as Éva Cs. Gyimesi, László Tôkés, and others involved in underground networks which were established to document and report on human rights abuses, had had contacts with a small number of intellectuals and students travelling regularly to Romania from Hungary or, as there were some Hungarian émigrés living in Western Europe among them, via Hungary<sup>4</sup>

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3. See for reference Paul R. Viotti, Mark V. Kauppi, *International Relations Theory*, Second Edition, New York Macmillan Publishing Company, 1993, pp. 1-19.

4. I am thankful to Prof. Éva Cs. Gyimesi, former dissident in Cluj/Kolozsvár, and Gábor Vincze from the Documentation Centre in Social Theory and Contemporary History of the József Attila University of Szeged who have greatly helped me with their comments and memories in my writing this section in June 1996. To my knowledge there has not been published any comprehensive study on the Hungarian intellectuals’ protests and underground activities or *samizdats* under the dictatorship to date. However, a full collection of the *samizdats* and other related documents published and written by the Hungarian intellectuals of Romania can be found at the Documentation Centre of the University of Szeged referred to above. The most recent books on this subject are: Károly Kíraly, *Nyílt kártyákkal, Őnéletírás és naplójegyzetek* (Budapest: NAP Kiadó, 1995), Károly Antal Tôth, *Hova-tovább? Az Ellenpontok Dokumentumai, Esszék, tanulmányok* (Stockholm, Szombathely: Magyar Őkumenikus Őnképzôkôr, Savaria University Press, 1994).

After the collapse of the communist regime in December 1989 when the Democratic Alliance of Hungarians (DAHR) was established some of these contacts have been formalised and have helped in the formation of the Alliance's international relations<sup>5</sup>. Mention should be made, however, about the change in the functions of NGOs set up by Hungarian émigrés in relation to the DAHR in the period after 1989. Under the dictatorship these NGOs tried to call attention to human rights violations in Romania in general and breaches of minority rights in particular. There was a general agreement that through the more or less accurate presentation of the situation of Romania's Magyars they, in fact, assumed the role of being their representatives. Nevertheless, once legitimate representatives of the Magyar minority have had the chance to travel, this role of representation has been gradually replaced by a more indirect function. This function mainly consists of the following: establishing contacts and organising access to the international and regional fora and to other influential actors; dissemination of reports and documents prepared by the minority organisations; sharing expertise and know how with minority representatives; financial support for international activities. Briefly: the organisation and ensurance of adequate circumstances for participation and direct representation of the minority in question at the relevant fora. No doubt, these sustained contacts with some of the organisations of the Hungarian émigrés have significantly contributed to the foundations and shaping of the international relations of the DAHR the evaluation of which is not subject of this paper.

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5. Mention should be made about the New-York based Hungarian Human Rights Foundation and the Geneva-based ›SOS Transylvania«. Starting from the 1970s both human rights NGOs have published regularly reports on the situation of the Hungarian minorities living in countries neighbouring Hungary, including the Hungarian minority in Romania.

### **3 The DAHR's Role and Position in Romania**

The DAHR's international relations cannot be adequately covered without first considering briefly its role and position within Romania. It could be said that the international relations of the Alliance have functioned as the extension of its domestic policies in the sense that through its external affairs the DAHR has attempted to back up its domestic policies. Nevertheless, since the DAHR's policies are constantly informed by its relations to Hungary, the Alliance's policy formulation can only be adequately assessed in the context of its dynamic interdependence with its own constituency, the Romanian political elite and Hungary.

#### **3.1 Statute and Programme of the DAHR**

On 25 December 1989, the Democratic Alliance of Hungarians in Romania was founded to represent the interests of the Hungarian minority and to aid in the democratic transformation of the country. From its inception, it has functioned not only as an umbrella organisation uniting the Hungarian minority's various political parties, emerging political factions as well as a number of other cultural and civic organisations and groupings<sup>6</sup>, but also as a political party. Hence, as an ethnic um-

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6. At present nine countrywide professional organisations and pressure groups with dozens of subordinate territorial units operate within the framework of the DAHR, as follows: the Hungarian Economists' Society of Romania, the Hungarian Farmers' Association of Romania, the Hungarian Cultural Association of Transylvania, the Erdélyi Múzeum Association, the Lajos Kelemen Society for the Preservation of Monuments, the Hungarian Scientific and Technical Society of Transylvania, the Alliance of Hungarian Workers' of Transylvania, the Alliance of Csángós in Moldova and the Bolyai Society. Six other organisations currently consider their affiliation with the Alliance.

brella organisation the DAHR has attempted to cover all aspects of the Hungarian society<sup>7</sup> of Romania and has tried to function as an overarching framework for the development of the Hungarian community life. Simultaneously, it has served as a vehicle for the political participation of the minority both locally and centrally<sup>8</sup>. Over the seven years of its existence, the efficient combination of its two main functions, that of a movement and of a political party, coupled with the problem of legitimacy have become the Alliance's burning issues to be dealt with in terms of its structure and policies. The leadership of the DAHR has tried to answer these challenges through several statutory changes and through ongoing development of the DAHR's programme that has been complemented with draft laws and resolutions.

An attempt to broaden the Alliance's (1) legitimacy and to improve its (2) organisational efficiency in the attainment of its anticipated goals, was made at the DAHR's third Congress on 15-17 January 1993<sup>9</sup>, when a new statute was elaborated.

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7. According to recent sociological and cultural anthropological studies, Romania's Magyars do function as a society. Although this society of a minority population is not separated from the majority by and through clear-cut physical, legal or administrative boundaries, its *modus vivendi* has produced structures necessary for its functioning as a society. The Hungarian minority is present in Romania's social and political life as an autonomous entity grounded on a clearly defined system of values related to its self-definition as a collective identity. For more detailed analyses on this subject see: Dobos Ferenc, *Összehasonlító szociológiai kutatások a határon túli magyarság körében: Tájékoztató az eddigi eredményekről, a folyó kutatásokról és a távlati célokról*, Balázs Ferenc Intézet, Budapest, 1996 and KAM – Regionális és Antropológiai Kutatások Központja, *Változásban? Elemzések a romániai magyar társadalomról*, Pro-Print Könyvkiadó, Csíkszereda, 1995. A further evidence in support of the above statement can be considered the results of the opinion polls made by IMAS in 1994-1996 according to which the vast majority of the Hungarian respondents champion for the establishment of separate cultural and educational institutions, including a university, and believe that Hungarians should have the right to use their mother tongue in public administration, See in: Institutul de Marketing si Sondaje – IMAS SA, *Relatiile Interetnice in Romania: Sondaje de opinie 1994-1996*, Bucharest, April 1996, pp. 30-31.
  8. At the first general election in 1990 the DAHR emerged as the second strongest party in Romania's bicameral Parliament while at the number of the votes gained at the second general election of 1992 made the Alliance the fifth largest party in the Parliament.
  9. The first congress was held in April 1990 in Oradea and the second in May 1991 in Targu-Mures. The fourth congress held in Brasov in January 1993 was followed two years later with the last congress of the DAHR in Cluj in May 1995.

(1) The new statute formally acknowledges the emergence of different political platforms grounded on various ideologies. Accordingly, it defines the Alliance as a pluralist organisation. The Council of Representatives, coined as the 'mini-parliament' of the Alliance, was set up to involve all members representing various interest groups and political factions into the decision-making process of the organisation<sup>10</sup>. Participation of churches and of the different professional, cultural, economic and social organisations operating within the framework of the DAHR is secured through the establishment of the Co-ordinating Council that has a consultative status with the Council of Representatives. When decisions on the proposals of the Co-ordinating Council are to be taken both bodies are convened to pass the draft resolutions at a joint meeting.

(2) As a result of the modification of the DAHR's decision-making process the two major functions of the organisation were formally separated. The Executive Presidium was set up to perform the role of interest protection through the management and co-ordination of the activities of its five departments in line with the decisions of the Council of Representatives. These five departments are as follows: the department for culture and religion, economic and social affairs, regional offices and local governments and education and youth. Management and co-ordination of the twenty-one territorial organisations was also included among the tasks and competencies of the Executive Presidium.

The political function of the DAHR has been fulfilled by the 29 deputies and the 12 senators elected on the Alliance's lists at the general elections of 1992. At the last election in 1992 the DAHR acquired 831 469 votes in the Senate and 811 290 votes in the Chamber of Deputies which amounts to more than 80 % of the votes of the Hungarian minority.

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10. The Council of Representatives now consists of 130 members representing seven political platforms as well as the parliamentary group and other bodies of the DAHR.

Hence, the former Bolshevik-type, top-down structure of the DAHR has been formally replaced by a complicated, multi-layered structure with criss-crossing memberships in the different bodies at both local and central levels. The separation of executive and legislative functions within the DAHR and the democratisation of its decision-making procedures meant to broaden the Alliance's legitimacy<sup>11</sup> and contributed to the management of the inevitable intra-organisational tensions. At the same time, the emergence of this state-like structure embodied the principle of ethnic differentiation, of separation on an ethnic ground<sup>12</sup> that is also reflected in the programme of the DAHR, albeit in legal and political terms.

The principle of ›internal self-determination‹ underlying the programme of the DAHR was first enunciated in the Declaration of Cluj on the occasion of the Alliance's preparatory meeting to its third congress in October 1992. According to this Declaration the concept of internal self-determination is guided by the principle of subsidiarity and involves a redefinition of central/local power-sharing relations in Romania directly opposing the French-style centralised state-model provided for by the Romanian constitution. In addition, the definition of the Hungarian minority of Romania as a constituent element of the state, i.e. an ›equal partner of the Romanian nation‹, implies the rejection of Romania's definition as a unitary nation state in Article 1 of the Constitution and its substitute with Romania's description as a multinational state<sup>13</sup>.

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11. It should be noted that internal elections in the Hungarian society of Romania are planned by the DAHR in the near future to democratically elect the members of the Council of Representatives and of other bodies of the DAHR.

12. It is important to understand that the DAHR is only one, albeit probably the most significant, of those Hungarian institutions that have been established in the period after 1989 in Romania with the primary role of becoming powerful markers of the continuity of the Hungarian community ›reproducing in this way ethnicity versus the ethnicity of the majority population‹. See a detailed analysis of the various aspects of the process of institutionalisation of the Hungarian society of Romania in the period after 1989 in Zoltán A. Bíró, *A restaurációs kísérletektől a pragmatikus modellekig: Intézményesedési folyamatok a romániai magyar társadalomban 1989-1995 között (kutatási zárótanulmány)*, manuscript forthcoming in Kommunikációs Antropológia Munkacsoport, Antropológiai Műhely, No. 10., 1996, Miercurea Ciuc.

13. The DAHR always contested Article 1 of the Romanian Constitution claiming that it represents an ethnicised perception of the state and it ignores the existence of national minorities in Romania that make up nearly 11%

As the notions used in the Declaration of Cluj were undefined and open to interpretation, the DAHR's leadership remained divided on the possible ways of the institutionalisation of ›internal self-determination‹ which could be understood as both self-administration and self-government. Both alternatives were widely interpreted as the first step towards secession in the Romanian media. However, as the Declaration of Cluj was met by a negative reaction on the part of the Romanian ethnic majority that cut across all party lines and divisions, at the third congress of the Alliance, the different factions of the DAHR's leadership managed to reach a consensus to explicitly exclude the concept of territorial autonomy along ethnic lines from the programme of the Alliance. Nevertheless, the text of the approved programme made it clear, that the leadership of the DAHR was not willing to abandon the demand for autonomy in one form or another.

Subsequently, at a meeting of its Council of Representatives in November 1993, the DAHR adopted a draft Law on National Minorities and Autonomous Communities which was submitted to the Romanian Parliament in December 1993. The main concepts of autonomy elaborated in the DAHR's draft Law had been included into its programme at its last congress on 26–28 May 1995 in Cluj. The revised programme defines the Hungarian minority of Romania as an ›autonomous national community‹ which implies its right to internal self-determination<sup>14</sup>.

The institutionalisation of internal self-determination is envisaged through three forms of autonomy – personal, local government with special status and regional autonomy – depending on whether Hungarians constitute a homogeneous bloc or live as scattered individuals. *Personal autonomy* means the right of persons belonging to national minorities to establish a network of educational and cultural institutions irrespective of their residence. In fact, the creation of a system of

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of the country's total population. It declared repeatedly in the Parliament that respect for the Constitution does not exclude its further improvement.

14. The DAHR Programme uses different terms to describe Romania's Magyars. The concepts of nation, people, autonomous national community and national minority are all used in the same programme. This polisemitism in the use of the terms makes the understanding of the Programme extremely difficult and gives way to controversial political interpretations as Gabriel Andreescu and Renate Weber point out in Gabriel Andreescu, Renate Weber, *Evolutions in the DAHR Conception on Hungarian Minority Rights*, Centre for Human Rights – APADOR-CH, Bucharest, 1996, pp. 19–22.

independent educational and cultural institutions would allow for the exercise of a minority's cultural autonomy. *Local government with special status*, inspired by Recommendation 1201 (1 February, 1993)<sup>15</sup> of the Council of Europe, is designed for minorities in localities where they live in a majority and provides for their exclusive jurisdiction over education, culture, social activity and information. The special status is interpreted as the empowerment of local governments through the enlargement of their already existing powers and does not imply a parallel administration. *Regional autonomy* is intended as the result of the association of local governments with special status and is envisaged for national minorities which chose to live as an autonomous community. Regional autonomy implies the use of the mother tongue as the second official language in the region in question.

However, the Programme as well as the draft Law on National Minorities and Autonomous Communities is unclear about how much authority the autonomous community will have. As the statutes of the different forms of autonomies have not yet been elaborated and the wording of both the Programme and draft Law is sometimes inconsistent resulting in polisemantism, disagreements over the way of institutionalisation of the internal self-determination continue to divide the leadership of the DAHR. Conversely, the somewhat inconsistent wording of the Programme points to persisting disagreements among the various factions of the Alliance over feasible strategies for the protection of the identity of the Hungarian minority.

Undoubtedly, the Programme adopted at the last congress in 1995, shows that some of the former divisions in the DAHR's leadership have been transcended. The formal exclusion of the territorial autonomy on ethnic basis from the Programme of the DAHR is a case in point. Nevertheless, as one MP of the DAHR stated, ›the conceptual debate over individual rights versus collective rights and the problem of representing the interests of the Hungarian community without creating a small nation state within a larger one, has not yet been concluded‹. He added that the DAHR has no ready-made models of autonomy and the elaboration of these models can only be envisaged as an ongoing process<sup>16</sup>. However, despite its exclu-

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15. See in Doc. 6749, prov. 26 January, 1993.

16. See in László Borbély, *Dilemmas*, Korunk, 1994, No. 3, Cluj, p.32.

sion from the DAHR's programme as a manifest goal, territorial autonomy in areas where Hungarians make up the majority of the population, remains a powerful rival of the more functional alternative of regional autonomy according to which Hungarian regional rights should be part of general regional devolution. It seems, however, that as a result of the numerous and fervent debates between and among members of the Hungarian and Romanian political elite along the inclusion of Recommendation 1201 into the text of the bilateral treaty to be signed by Hungary and Romania, the concept of general regional devolution has become largely accepted by the great majority of the DAHR's leadership. In an article published in the Romanian daily *Curierul National* of 10 August 1996, Béla Markó, president of the DAHR, explains that in the DAHR's interpretation local autonomy is understood ›as part of the overall decentralisation of the Romanian administration covering all counties of the country‹.

Apart from the ethnic issue, another key argument which divides the leadership of the DAHR is one connected to the prioritisation of goals, more precisely the problem of long-term vs. short-term goals. This hierarchisation of goals also implies the question of manifest vs. tacit goals. A rather intense discord can be detected among members of the DAHR's leadership in their debate upon envisaging internal self-determination, i.e. the change of the current central/local power-sharing pattern, as a prior condition to subsequent institutional measures for the accommodation of minority interests. Many think that internal self-determination can only be conceived as a long-term goal which is gradually achieved through marginal changes in the existing status quo. Marginal changes are not necessarily seen as exclusively legal or political changes but also as a more efficient utilisation of the existing institutional and administrative framework through enhancing participation at the grass roots level. In the view of the advocates of incremental policies, the anticipation of internal self-determination as a short-term, manifest goal can only lead to further disillusionment and frustration on the part of the DAHR's constituency since it postulates a possibility that is unattainable under the present political conditions. Therefore, it should only be proposed as a long-term, tacit goal of the organisation. The word ›tacit‹ in this context would not mean in any ways lack of transparency or manipulated confusion. On the contrary, it would imply a clearer

focus on short-term and attainable policy goals which are seen as constructive parts of a more ambitious long-term objective. But others believe, that after seventy years of exposure to assimilationist policies, the DAHR has to elaborate from the start those constitutional and institutional changes that guarantee the preservation and promotion of the identity of the Hungarian minority. In this case, internal self-determination is envisaged as an immediate and manifest goal of the Alliance.

But the existing divisions within the leadership of the DAHR leading to fervent debates over the *modus vivendi* of Romania's Magyars seem to have remained the distant privilege of a small circle of the political elite. From the perspective of much of the rank-and-file Hungarians, the promise of the Alliance to address local problems and develop more responsive policies to the constituency's needs is severely wanting.

This discontentment with the Alliance's performance has been reflected in a gradual drop in the DAHR's popularity in the eyes of its immediate environment. According to a survey prepared by the Romanian Institute for Marketing and Survey (IMAS-SA) upon the request of the Korunk Friendship Association in December 1993, 66.7% of the 1022 Hungarian respondents held a 'good' or 'very good' opinion about the DAHR's activity in general. However, by March 1995 when the poll was repeated, the number of Hungarians who thought that the performance of the DAHR was 'good' or 'very good' dropped from 66.7% to 53.5%<sup>17</sup>.

However, growing disillusionment of Romania's Magyars with the Alliance is also illustrated by the results of the recent local elections of June 1996. Although this year's results of the DAHR approximated the ones of 1992<sup>18</sup>, a new phenomenon has clearly pointed to its constituency's discontentment, namely: the emergence of successful independent candidates who have gained the majority of the Hungarian votes against candidates nominated by the DAHR in towns where Hungarians live in a majority<sup>19</sup>.

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17. See the survey in *Korunk*, No.3, 1994, pp. 47-71.

18. See in *Magyar Hirlap, Az RMDSZ, és akik másra voksoltak*, 1 July, 1996.

19. Twenty-six independent Hungarian candidates had been elected as mayors in the towns of the counties of Harghita, Covasna and Mures to replace former mayors of the DAHR. For further details on this subject see:

This clear drop in the popularity of the DAHR on the part of its constituency can be explained with a number of interrelated reasons:

The DAHR was founded as an umbrella organisation to protect both the specific (cultural, linguistic, religious) and the general (economic, social, political) interests of Romania's Hungarian society. The Alliance's major goal could be summed up as the reconstitution of the Hungarian civil society in Romania. The rather complicated structure of the Alliance reflects its overarching character and is expressed in its multifunctionalism. As the single organisation that protects the interests of the Hungarians in Romania, it tries to appeal to as many members of the group as possible. This is essential from the perspective of its legitimacy.

But the legitimacy of the DAHR is only partially grounded on its achievements in the field of rights protection. As an umbrella organisation of all Hungarians of Romania, it is based on ethnic principle and it expresses as well as reproduces the minority's difference versus the majority population. Understandably, it is designed to serve as a protective shelter in the face of what is widely regarded as the assimilationist policies<sup>20</sup> of a Romanian state that is grounded on the supremacy of the majority nation.

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Romániai Magyar Demokrata Szövetség, Ügyvezető Elnökség, *Az 1996. évi helyhatósági választások eredményei*, Kolozsvár, June 1996.

20. It should be noted that the frequent argument of the Romanian government that the rights guaranteed to the Hungarian minority exceed the ones contained in international documents in the field of education for instance, is justified in absolute terms. Indeed, the Hungarian minority in Romania has the opportunity to study in its mother tongue in primary and secondary schools. However, with the exception of teacher and artistic training, there is no Hungarian language education at the university level. Nevertheless, the demands of Romania's Hungarian minority are not based on the minimum standards of regional or international documents. The fact that the already acquired rights of Hungarians in the field of education have been restricted by the new Education Law generates fear in many Hungarians and feeds the emergence of a perception according to which their present situation is worse than it used to be under Ceausescu's dictatorship. In the process of change in legislation concerning minority protection generated by this period of transition, a continuity, if not improvement, of guaranteed rights has to be preserved. Otherwise, tensions will always arise since the local cut back in already acquired minority rights exacerbates fear of assimilationist policies that cannot be successfully legitimized by the state through reference to existing regional and international standards that may be far away from locally expressed minority needs.

Overall, it could be said that the DAHR has a twofold character that is translated into two complementary functions:

- (a) Its pragmatic function is related to interest protection and its role performed as a political party.
- (b) The Alliance's symbolic function could be described as its representative role, i.e. the expression of the continuity and strength of Romania's Hungarian community that, in turn, gives the feeling of protection and relative security to the members of the community.

These two functions are interrelated, since only its achievements in the field of interest protection and politics can create the ground for the DAHR to genuinely represent Romania's Magyars as a strong community and through that to fulfil its protective role<sup>21</sup>. However, experience shows that the role of a political party has overridden the Alliance's function of a movement, i.e. its role to reconstitute Romania's Hungarian civil society. This dominance of the DAHR's political, over its movement role has inevitably led to an increase of competition for political power within the leadership of the DAHR. The competition for strengthening individual political positions within the organisation has sharpened internal divisions among the different political groupings that has had two major consequences. Firstly, the role of the Alliance to protect the interests of the Hungarian minority has become politicised and has gained an ethnic character since the DAHR as a political party inevitably operates on an ethnic ground. Secondly, personal loyalties and paternalistic relations have gained relevance in the political battlefield of an organisation where ideological platforms of the various political factions have not yet been clearly defined. But even if the different political ideologies as the grounds of the DAHR's po-

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21. The fact that the DAHR has now its own candidate for the presidency of Romania helps to clearly articulate as well as reinforce its twofold – pragmatic and symbolic/protective – character. In a communiqué explaining the DAHR's participation in the presidential election of 1996 with its own separate candidate, the Alliance's leadership states: »On one hand, our nearly two million strong community has its right guaranteed by law to have its own presidential candidate. On the other hand, due to our community's number, traditions and political maturity this is also its natural claim.« See in »*Miért van az RMDSZ-nek elnökjelöltje?*«, Romániai Magyar Szó, 5 August 1996.

litical factions would have been clearly articulated they could not become functional within an umbrella organisation that has had to present a common political platform as a single party in Romania's Parliament. It should be noted, however that despite of existing internal divisions, the DAHR was always able to present in the Romanian Parliament a unified position based on ethnic solidarity and, more importantly, a unanimous acceptance of values of liberal democracy such as market economy, human rights, decentralisation.

No doubt, the ethnic character of the DAHR's demands in the Romanian Parliament makes the operation of compromise mechanisms with the majority more difficult since, as they are related directly or indirectly to the preservation of national identity, they go beyond easy negotiations. It should be understood, however, that the general lack of willingness to compromise on issues related to minority protection on the part of the Romanian political elite<sup>22</sup> has only enforced the Hungarian minority to regress into self-protective isolation.

The DAHR's political agenda involves not only pressuring the government and other state agencies to adopt additional safeguards but securing legislative and administrative changes which help to widen the available political space for the Hungarian minority. From this perspective, co-operation with governmental authorities to increase minority participation would be the optimal scenario.

However, the DAHR's position as an ethnic party in opposition made the prospects of its collaboration with the government even bleaker, if not impossible, for various reasons. Firstly, as an ethnic organisation protecting the specific interests of the Hungarian minority it has been deligitimised as a 'traitor to the nation' by a majority leadership which traditionally regards the state as the tool of the ethnic majority and views the demands of minorities as challenging the integrity and sovereignty of the state. Secondly, the DAHR's place in the opposition only strengthens its 'enemy' status vs. the government due to its adversarial position. Thirdly, even if the government would not consider minority demands threatening on neither nationalistic nor political grounds, scapegoating the DAHR to deflect

public attention from the severe economic, social and moral problems of the country has always been a successful and comfortable strategy – one that is not likely to be soon abandoned by the Romanian government under the current economic and social circumstances. Fourthly, the DAHR advocates for the devolution of central power which would lead inevitably to the loss of authority and weakening of control over public financial resources of the ruling parties and their clientelistic network. Therefore, the central power was quick to identify the issue of decentralisation and local empowerment as par excellence Hungarian issues aiming at the dismemberment of the territory of Romania. Hence, issues related to corruption and clientelism also contribute to the government's interest to interpret general issues from an ethnonationalistic perspective.

In its relationship with parties in opposition the DAHR was not more successful either. Initially, it has joined the Democratic Convention<sup>23</sup> to support oppositional parties in general issues related to Romania's democratisation but also to find partners in its strive for securing legal changes guaranteeing minority protection in the country. Although the DAHR is widely considered to be one of the most efficient parties in opposition<sup>24</sup>, it had been ousted from the Democratic Convention which resented to be associated with Hungarian claims for fear of losing nationalist votes. It seems that under the condition of ethnic mobilisation, the DAHR's attempt to integrate minority protection into the process of the overall democratisation of Romania, has failed. But keeping the agenda of minority-specific issues separate from

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22. The government party formed a coalition with extreme nationalist right-wing parties in 1994. Nevertheless, reluctance to address meaningfully the question of minority protection cuts across party lines and is characteristic of parties in the opposition too.

23. The Democratic Convention of Romania, the main umbrella organisation of centrist opposition parties and civic movements of which the DAHR was a member until February 1995, when, together with some other members of the Convention, it quit.

24. »Paradoxically, there is only one party in the Romanian Parliament that has the attitude of a party in opposition and that is the DAHR that is an ethnic party. Members of the DAHR prepare their «homeworks» in a way which makes each of their interventions pertinent and well-argued showing that they have a vested interest in legislative work.« – as an article published in Romania's second-most influential independent daily the *Adevărul* puts it. See in Corina Dragotescu »*Opoziția de Mucava*«, *Adevărul*, Bucharest, 8 November 1995.

questions of general interests in the political arena, has never been an option of the DAHR because of its double role of a political party and minority movement grounded on its political credo according to which a meaningful democratic state cannot be established with the exclusion of a significant segment of the society from the national decision-making. However, a complex approach to minority-protection can only be beneficial if one component does not override the other. The primacy of the political action within the DAHR has led to an evaluation of its performance from only the political perspective: its failure to secure changes in the legislation concerning minorities has often been equated with a general insufficiency of the Alliance's performance neglecting many of its achievements in other fields than minority legislation. As a consequence of this one-sided evaluation the DAHR seeks for corrections only in its political field of action which, in turn, reinforces its frustration.

Isolation of the DAHR in the political battlefield of Romania has made it inevitably unsuccessful in the attainment of its objectives as both a movement and political party which, in turn, has resulted in a drop in its popularity on the part of its constituency. It remains to be seen, if the DAHR will chose to change its strategies in order to loosen its isolation and secure some success in the fulfilment of its promises which then may strengthen its legitimacy. However, against the background of a nationalist government and an unsympathetic opposition, defensive isolationism seems to be hard to avoid. In addition, following the institutionalisation of the DAHR as well as its establishment as a political party, self-interest of some members of the DAHR's leadership and its bureaucrats does definitely contribute to the maintenance of the current state of affairs.

The failure to achieve some of its anticipated goals in the Romanian Parliament coupled with the traditional discourse based on metaphors and poliseman-tism as well as symbolic gestures of Transylvania's Hungarian intellectuals, all contributed to the strengthening of the Alliance's symbolic function related to the assertion and protection of the minority's collective identity. Participation of members of the DAHR's leadership in celebrations connected to Transylvania's Hungarian history, the issuance of innumerable declarations expressing the minority's ›deep concern‹ about declarations of ultra-nationalist nature, the organisation of mass dem-

onstrations to protest against central restriction of minorities' rights to be educated in their mother tongue, or against local attempts of authorities to damage Hungarian heritage, all expressed the DAHR's protective function the performance of which has been regarded as a source of the organisation's legitimacy approved, albeit in a decreasing manner, by the Alliance's constituency.

### **3.2 The DAHR's Symbolic Function and Hungary**

It has to be understood, however, that this symbolic function of the DAHR has been more or less confirmed and re-enforced by Hungary's political elite, including the Hungarian government. To be sure, the problem of the Hungarian minorities living abroad has always constituted an important problem of Hungary's internal and external policies.

The Hungarian government has viewed itself as the legitimate defender of the Hungarian minorities outside its borders. This principle which has informed the Hungarian government's external policies was enshrined in Article 3, Paragraph 6 of the Hungarian Constitution that states:

»The Republic of Hungary feels responsibility for the fate of the Hungarians living outside its borders and shall duly provide assistance to them to maintain contacts with Hungary.«

In terms of its foreign policies, the new Hungarian government has retained its three-pronged strategic foreign-policy goal of its conservative predecessor, namely: European integration, normalised relations with Hungary's neighbours, and support for the Hungarian minorities abroad. However, the new Hungarian government's negotiations along bilateral treaties that were to be concluded with Slovakia and Romania sharpened already existing differences on the issue of policies towards Magyar minorities abroad across political parties. Despite of the new gov-

ernment's eagerness to maintain the traditional consensus that had existed among governing and oppositional parties on this issue<sup>25</sup>, this consensus was overtly broken at a press conference of the Hungarian Democrat Forum, Alliance of Young Democrats and the Christian-Democrat Peoples Party in January 1995. These three parties in opposition accused the government of subordinating the case of Hungarian minorities abroad to Hungary's goal of Euro-Atlantic integration and of neglecting their aspirations for autonomy.

Indeed, this break-up of the consensus in policies that had existed across political parties on matters affecting Hungarians living abroad has made it clear that the issue of the Hungarian minorities has partially been surrendered to the purposes of internal party politics. As in the field of politics immediate and spectacular results have been favoured over incremental policies based on functional and transparent aid programmes, the often symbolic gestures of the former Hungarian government in particular, have contributed to the strengthening of the DAHR's symbolic role. Former Prime Minister Antall's statement according to which he considered himself in his *spirit* the prime minister of 15 millions of Hungarians was an accurate description of the then Hungarian government's relationship with the DAHR. Indeed, these contacts were mostly ›spiritual‹ in the sense that they were based on long-standing emotional and friendly relations among the different members of the Hungarian government and of the Hungarian intelligentsia of Transylvania. The lack of an established institutional infrastructure and experience to channel the aid and to structure support for the Hungarian minorities abroad have made these contacts personalised and paternalistic often based on individual preferences and interests.

Mention should be made, however about changes that have occurred since 1994 when the new Hungarian government has entered into power. New bodies and foundations have been established and a more functional and transparent aid policy has been announced that was coupled with enhanced accountability on the part

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25. In early 1995 the new Hungarian government set up the Six-Party Consultative Committee on Minorities Abroad to help preserve the existing multi-party consensus on policies concerning Hungarians abroad. One of the major objectives of this parliamentary Committee was to discuss emerging domestic and foreign policy problems related to minorities abroad, such as questions raised during negotiations on state treaties with Slovakia and Romania.

of minorities' organisations<sup>26</sup>. However, the DAHR's distributory role of external financial resources is still based on trust, loyalty and political affinity rather than on competence and skill. This centralised policy of distribution excludes a large segment of Romania's Hungarian society from meaningful competition for scarce resources. No doubt, the institutional regulation of contacts between the Hungarian political elite and the different bodies of the DAHR would require a clear strategy of the Hungarian government based on a consensus across all parliamentary parties. The symbolic gestures related to the re-assertion of the collective identity of the Hungarian nation could then be gradually decreased on both parts, since a functional aid policy grounded on a pragmatic approach on the part of Hungary's political elite could create the ground for the transfer of decisions on these issues to competent specialised agencies on behalf of both parties.

However, the lack of a coherent, long-term strategy in Hungary concerning the Magyar minorities has had its effects in the field of Hungary's foreign relations too, where the issue of the Hungarians abroad is inconsistently supported depending on the individual politician's party affiliation and personal convictions. Indeed, this lack of a consistent support of the case of Romania's Magyars by the Hungarian government in the international fora has served as a powerful incentive for the DAHR to develop its own external relations. It should be noted, however, that in the view of many members of the Alliance's leadership, with the exception of the period between 1990– 1991, Hungary's support for the Magyar minorities in the international fora has been uneven and fragmented and surrendered to its major foreign

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26. In 1995 the ›Új Kézfogás Alapítvány‹ (New Shake Hands Foundation) was established as a public foundation to help economic and entrepreneurial activities of Magyars living outside Hungary. Likewise, a new department for co-ordination of transborder and other economic activities was set up within the governmental Office for Hungarians Abroad. In addition, the legal status of some already existing private foundations managing public funds had been reformulated as public foundations. Thus, the well-known Illyés Foundation, initially a private foundation distributing public resources for educational and cultural programmes was turned into a public foundation. The amount of financial support designated for a minority is proportional with its size and is allocated to co-responding Sub-Boards of the given foundations that have recently been established in the relevant countries. This system of Sub-Boards representing the relevant minorities in their own country have been established to enable the elected representatives of minorities themselves to distribute funds according to their communities' needs and interests.

policy goal of integration into the Euro-Atlantic structures. In this sense, significant differences between the two Hungarian governments' support of the Magyar minorities' political goals in the different international and regional organisations would be hard to identify.

Overall, as a result of the deadlock in its relationship with the Romanian political elite and the Hungarian government's inconsistent support, it is not surprising that the DAHR seeks to strengthen its international relations to gather support in its pressuring the Romanian government to make concessions in its policies on minority protection as well as to promote international and regional standard-setting in minority rights, both individual and collective, which can then be used as a frame of reference in its domestic struggles.

## 4 Key Actors of the DAHR

Since its inception as both a political party and organisation protecting the interests of the Hungarian minority in Romania, the DAHR could be best described as a critical movement which has been divided by strategic, tactical and organisational differences. As such, it would be difficult to visualise it as a unitary actor.

However, through the institutionalisation of its decision-making process, the DAHR has attempted to resolve its political differences in order to face the outside world as an integrated unit, and to speak with one voice for the Alliance as a whole.

Although international contacts of the component bodies and organisations of the DAHR are extremely diverse and multi-layered covering a multitude of actors at both governmental and nongovernmental level, co-ordinating bodies have been set up to bring the alternative stances to a common statement of policy in issues related to international relations in which stakes are considered to be high.

The Alliance's main agents taking part in the activities of the DAHR related to its external relations are, as follows:

- The *President* of the DAHR is entitled to represent the Alliance abroad according to the Statute of the DAHR. The *President's Office* in Bucharest is the major co-ordinating body of the DAHR's international relations where the setting up of a department on international relations is well underway. For the time being there are three advisors in charge with international relations and human rights issues but they are assisted in their work by both independent experts and NGOs.
- Since the fourth congress of the DAHR the *Honorary President* can also formally represent the Alliance abroad.

Co-ordinating the work of the two presidents with regard to international relations may be very difficult because of lack of staff and expertise. In addition, speaking with one voice on the behalf of the DAHR, the aim of the Alliance, is almost impossible if the two presidents hierarchise differently the multiple goals of the movement or if they have a significantly different decision-making style.

The different contexts of policy-making in Bucharest and Transylvania inevitably generate divergent perspectives on priorities which can lead to tensions in harmonisation of foreign policy work too. In fact, the DAHR acts more as a political party in Bucharest in the sense that its MPs are much more ready to operate compromise mechanisms in political issues debated in the Parliament while members of its leadership located in Transylvania are less willing to compromise on matters touching upon the interests of the Hungarian minority. Hence, they exert pressure on DAHR MPs to be more radical in their demands in the national and international political arena.

These different perspectives deriving from the twofold character – that of a movement and political party – of the DAHR do inevitably influence the ›diplomacy‹ of the two presidents: Reformed Bishop László Tőkés is often characterised as radical and uncompromising in the foreign press<sup>27</sup> and as an extreme nationalist paralleled with mayor Funar – President of the Romanian Party for National Unity (PUNR) – in the Romanian press<sup>28</sup>. President Markó is mostly presented as a ›low-key figure‹ in the foreign media<sup>29</sup>. Generally, Tőkés's evaluation of the situation of the Hungarian minority in Romania could be described as pessimistic fearing the assimilation of Hungarians in the long run because of the lack of constructive responses on the

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27. See for instance in Tom Gallagher, ›Controversy in Cluj‹, *Transition*, no. 15, 25 August 1995, pp. 58–61.

28. There are innumerable articles published in the weekly newspaper ›Romania Mare‹ associated with the fiercely anti-Hungarian Greater Romania Party which attack Bishop Tőkés. But articles describing Tőkés as an extreme Hungarian nationalist and traitor to the Romanian nation denying his role in the spark of the 1989 revolution were often published in the Romanian press characterised as independent. In the last five years the only article in the Romanian press restoring the Bishop's fame as hero of the Romanian revolution of 1989 clearly differentiating between the radicalism of Tőkés and the ultra-nationalism of Mayor Funar is Gabriel Andreescu's ›László Tőkés‹ published in the weekly ›22‹, 1–7 March 1995.

29. See, for instance, *supra* note 24.

part of the Romanian political elite to minority demands. This stance of the Honorary President of the DAHR does inevitably generate a more confrontational political reaction to both Hungarian and Romanian governmental policies on the Hungarian minority in Romania. In comparison to this, in his evaluation of the current situation of Hungarians in Romania, Markó, although equally critical of the Romanian government's minority policies, would draw upon the indisputable achievements of the DAHR during the last seven years of its existence inspiring much more hope and confidence in the peaceful settlement of the existing inter-ethnic tensions in Romania. With respect to the Hungarian government Markó emphasises the need of a stable, institutionalised relationship which cannot be significantly influenced by changing political affiliations. Nevertheless, most Hungarians of Romania view both presidents as adequately representing their interests at home as well as abroad mainly because of their undoubted moral credibility. It is important to note that due to his position of a Honorary President, Bishop Tőkés's stance is considered in issues of high stake and of a symbolic nature and not in subjects of every day policy decisions in the field of the DAHR's international relations.

- Members of the DAHR in both the *Chamber of Deputies* and *Senate* of the Romanian Parliament are actively engaged in foreign policy work mainly through their parliamentary activities. On the grounds of the number of its votes, the DAHR participates with one member in each of the national parliamentary delegations to the different regional organisations and political processes Romania is party to or is an associate member of, i.e. the interparliamentary bodies of the Council of Europe, the Organisation for Security and Co-operation in Europe (OSCE), the European Union, the Black Sea Union, the Interparliamentary Union, the Western-European Union.

In their work in these national parliamentary delegations the MPs of the DAHR have to observe 'the principles and objectives of the programme of the DAHR as adopted by the congress' as set out in Paragraph 5 under the chapter Institutional Relationships in the Programme. The MPs of the DAHR involved in foreign policy activities at a national level are accountable to the Council of Representatives.

Their lobby on issues related to the problems of the Hungarian minority in Romania in the above mentioned interparliamentary bodies is often criticised by their Romanian colleagues belonging to different parties which is mostly reflected in the Romanian media as subversive action.

- In December 1993 the President of the DAHR set up the DAHR's *Counselling Body on Foreign Affairs* to co-ordinate and harmonise the most important activities related to international relations.

The members of this body are the President, Executive President who can be joined by one assistant nominated by him/her, the Honorary President, the chairs of both the Co-ordinating Council and the Council of Representatives, the leaders of the parliamentary groups of the DAHR in both the Chamber of Deputies and Senate, the members of the Committees on Foreign Affairs in both chambers and the advisors on international relations of the President.

The members of this consultative body are meant to permanently inform each other about their work on an individual basis but they are convened by the President whenever it is considered to be necessary. For instance, some of the DAHR's position papers along the talks of the Romanian and Hungarian government on the bilateral treaty have been framed by this advisory body. But this body of the DAHR has not yet been often convened by the President mainly because of lack of time and problems of co-ordination. The ›fire fighting‹ nature of the DAHR's foreign policy work involving defensive and often delayed reactions to events directly or indirectly affecting the DAHR makes the shaping of long-term strategies based on timely preparation and co-ordination of decisions almost impossible, as one of the President's advisors stated.

- On 2nd April 1996, following the decision of the Council of Representatives of November 1995<sup>30</sup>, the Working Group on European Integration was set up. This Working Group consists of eight members including relevant MPs and

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30. See in Monitorul U.D.M.R. (Editat de Cabinetul Presedintelui), Nr. 10. Februarie 1996, p.6.

Markó's two advisors on human rights and foreign affairs. The Working Group was set up to elaborate the strategy of the DAHR concerning Romania's process of integration into Europe with a special focus on Romania's legislation on minorities and religious affairs and churches.

Institutionalisation of the DAHR's international relations has started after its third congress in January 1993 following the adoption of the new programme of the DAHR grounded on the principle of internal self-determination and it was initiated by the new president, Béla Markó. Markó reorganised his office in Bucharest by emphasising the need for more professional approach in shaping both the domestic and international policies of the DAHR. The president now probably works with the youngest professional staff in Romania: his advisors are all under 32 each of them having some training in political science and human rights which makes his office rather unusual in Romania where personal loyalties are prioritised over expertise in the recruitment of personnel working for political parties. The advisors are given high autonomy in decision-making in their field of expertise.

The efficiency of the President's office in both Bucharest and Targu-Mures has made the President and his staff major actors in fashioning and co-ordinating the external policies of the DAHR. The parliamentary faction of the DAHR and the President's Office in Bucharest makes the capital of Romania the centre of the DAHR's international relations. The DAHR's contacts with Hungary are mainly conducted by the Executive Presidium in Cluj, Transylvania, with the participation of the President.

The President's Office has established regular and systematic contacts with actors at both governmental and nongovernmental level. At the governmental level some twenty embassies in Bucharest, the Council of Europe, the OSCE and the High Commissioner on National Minorities, the European Union, the United Nations are among the most important. At the non-governmental level the DAHR attempted to gain membership in human rights organisations which enables it to get access to the international and regional intergovernmental fora in the status of an NGO.

In July 1994 the DAHR had become the member of the Unrepresented Nations and Peoples Organisation (UNPO), an NGO based in The Hague, the Netherlands.

During 1993 it had gained membership as a conservative political party in the European Democrat Union (EDU), a regional pressure group uniting centre and centre-right political parties as well as in the Federal Union of European Nationalities (FUEN), an NGO uniting movements and minorities' organisations advocating for collective rights and autonomous arrangement for minorities, based in Bolzano, Italy.

Overall, the international relations of the DAHR cannot be reduced to policies pursued by the presidents, members of the DAHR's parliamentary faction, the President's Office and the Executive Presidium. Transnational contacts exist at all levels of the organisation and inform the DAHR's decision-making process on international relations to a varying degree depending on the issue in question. An example for the co-ordination and harmonisation of international policy decisions among the different bodies of, and organisations operating within, the DAHR is the bicycle ride organised by the Hungarian Youth Council – which comprises all the Hungarian youth organisations and is associated with the DAHR – to the Council of Europe in Strasbourg during September 1995. The Hungarian Youth Council met the Clerk of the Parliamentary Assembly and other officials of the Council of Europe to seek for their support for all the demands of the DAHR considering the new Law on Education in Romania which was adopted by the Romanian Parliament in July 1995 and is considered to be more restrictive in the field of minority-language education than the previous Law on Education under the communist regime.

The DAHR's decision on the ›bicycle ride‹ as a protest against Romania's minority policies was the outcome of intense co-ordination and harmonisation among the President, the Executive President, President's Office, the Department for Education of the Executive Presidium, the Hungarian Teachers' Association, Hungarian Students' Association which are all members of the DAHR.

Finally, it could be said that the DAHR's decisions in matters of international relations are most often a result of bargaining and compromise among related yet distinct and sometimes adverse stances of different actors operating within the Alliance. It should be noted, however, that the complicated and time-consuming decision-making process of the DAHR may become an impediment when quick decisions have to be taken and urgent political stances must be formulated, leading to de-

layed reactions in the fast changing domestic and international political arena. In addition, the more morally oriented policy choices of a minority movement centred around the protection of cultural and religious identity often create a context in which issues normally subject to bargaining and negotiation do become non-tradable matters hindering the design of minimal and maximal strategies so important in the process of political negotiations. The fact, however, that the DAHR is the single organisation representing the whole of the Hungarian minority in Romania gives weight to its demands and criticism both at the domestic and regional political fora, as many MPs of the DAHR involved in its international relations argue.

## 5 The DAHR's Agenda of International Relations

Romania's integration into Europe can be identified as the major goal guiding both the DAHR's domestic policies as well as its international relations. Under the introductory chapter enlisting the fundamental principles of the DAHR's Programme para. 3. reads, as follows:

»The main interests of the Hungarian national minority, as an autonomous community are, as follows:

- a) to have all necessary conditions enabling it to preserve its national identity, including the network of its institutions.
- b) the development of a democratic Romanian society , the establishment of the rule of law, the modernisation of economic structures, privatisation and the establishment of market economy and Romania's integration into the European Community.«

Paragraph 8 of the same chapter dealing with the DAHR's foreign relations goes on stating that »The DAHR joins different democratic international organisations and alliances in order to contribute, in this way, to the general European integration process. The problem of deprivation of fundamental human rights cannot be regarded exclusively as the internal affair of a country«<sup>31</sup>.

In the light of the DAHR's programme European integration is generally viewed as the project of Romania's modernisation. This is envisaged as the realisation of a welfare society which has adopted a universalization of civic, political and social rights, i.e. a transnational regime of human rights, including the rights – indi-

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31. The English language version of the DAHR's Programme was published in Democratic Alliance of Hungarians in Romania, Documents 4., Cluj 1995.

vidual and collective – of minorities which then can be used as a yardstick by Romanian citizens to hold the state to account. It is expected that in the new democratic Romania protection against arbitrary rule is guaranteed through efficient functioning of the rule of law, materialising in this way the fundamental freedoms of citizens.

Since a traditional distinction between the domestic and foreign policies of a state has been blurred through entering different international and regional, legally or politically binding agreements<sup>32</sup> the DAHR's domestic policies for securing Hungarian minority rights are often translated into its international relations.

The Alliance regularly informs the relevant international and regional bodies about Romania's failure to honour its commitments in order to put pressure on the state to efficiently implement its undertakings. In short, the DAHR seeks for international guarantees and pressure for the domestic implementation of internationally accepted standards on the rights of minorities.

But the present transnational regime for protecting minority rights is considered unsatisfactory by the DAHR with regard to both the existing standards as well as implementation procedures and control mechanisms. Therefore, the DAHR is involved in activities at the different international and regional fora to advocate for further legislation in the area of minority rights mainly through a wider recognition of collective rights including the right of minorities to some form of self-management as well as participation rights of minority groups in decisions directly affecting them.

Participation in the standard-setting process on minority rights at the relevant international fora via human rights NGOs is complemented by a lobby for the improvement of implementation procedures and supervisory mechanisms of the existing rights since, as there is no formal sanctions on states which breach these standards, stronger transnational measures are needed to encourage better domestic implementation. In the DAHR's view the West could assist minorities through a

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32. See in this respect, for instance, the provision in the Preamble to the Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE, October 1991, stating that ›commitments undertaken in the field of the human dimension of the CSCE are matters of direct and legitimate concern to all participating states and do not belong exclusively to the internal affairs of the state concerned‹.

more discriminating distribution of support and censure, in short, by a form of conditionality based on the observance of human rights, including minority rights.

This stance of the DAHR is reflected in most of its English-language documents prepared for the relevant international or regional fora and is widely regarded by the Romanian political elite as the DAHR's attempt to block Romania's process of integration into Europe. Similarly, the Alliance's demands for greater political participation in the process of self-determination of the Romanian majority population are generally interpreted in the Romanian media as demands fuelling nationalist responses on the part of the extreme nationalist parties which, again, block Romania's democratisation and integration into Europe. However, The DAHR believes that the successful management of minority problems in Romania is first of all a national interest which also helps the country's integration into Europe. »The satisfactory solution of problems related to Romania's minorities cannot be seen as the interest of the relevant minority community only. On the contrary, this is a matter of national interest. The meaningful accommodation of minority interests in a country are of national interest not only because of questions related to external pressure due to security concerns. As we are all Romanian citizens, it is in the interest of the whole society that minorities feel at home in this country too« – as Toni Niculescu, the head of Marko's Office in Bucharest declared<sup>33</sup>.

### ***Short-term and Long-term Goals***

The major aims of the DAHR in the field of international relations can be classified into short- and long-term goals pursued with policies adopted to the agenda of the different regional and international organisations.

The *short-term goals* of the Alliance comprise the provision with information – in written or oral form – of the relevant embassies, international and regional bodies on human rights abuses and violation of the principles of the pluralist de-

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33. See in the transcript of the programme »Turneul candidatilor« broadcasted on the private TV channel »Antena 1« on 20 August 1996.

mocracy and the rule of law, including sensitive political issues. Emphasis is laid on the domestic implementation of the existing rights of minorities enshrined in documents signed by Romania as well as the establishment of institutions consistent with the principles of liberal democracy. Appeal to the available implementation procedures and control mechanisms is relevant in this respect.

The minority rights with a collective dimension<sup>34</sup> guaranteed by the Romanian legislation but insufficiently implemented, the DAHR is advocating for are, as follows:

- the right to display names in minority languages,
- the right to set up separate educational institutions,
- the right to have access to the public media,
- the right to have their own media,
- the right to political representation of state organs or local authorities<sup>35</sup>.

Much of the legislation referring to the enlisted minority rights is outdated and lacks implementation procedures or is locally abused. Many times, as in the case of bilingual inscriptions local decisions are contested by central authorities. In addition, the new Law on Education enforced in August 1995 makes impossible the re-establishment of the Hungarian language university closed down in 1959 and minority languages cannot be used in public administration and judiciary. Although passing a legislation in the Romanian Parliament which grants the use of the mother tongue in public administration and judiciary or amends the new Law on Education seems very unlikely for the present, these goals of the DAHR are considered to be short-term.

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34. I refer to those rights of ›persons belonging to national minorities‹ which entail for those enjoying them the possibility of exercising them in community with others, that is to say collectively.

35. For a critical assessment of the evolution of the concept of collective rights and internal self-determination in the Programme of the DAHR see in Gabriel Andreescu and Renate Weber, ›*Evolutions in the DAHR's Conception on Hungarian Minority Rights*‹, Centre for Human Rights – Apador-CH, Bucharest, 1996..

The *long-term goals* of the DAHR's external policies are two:

- (1) participation in the standard-setting process on the rights of minorities via NGOs with special focus on collective rights and on the greater recognition of the different forms of autonomy in international law.

Collective rights advocated for by the DAHR in the long-run embrace, inter alia, the right to some forms of self-management of minorities, that is the translation of existing policies of autonomy in Western Europe into binding international or regional law and the expansion of the right of minority groups to participate in decisions directly affecting them at regional, national as well as international levels<sup>36</sup>;

- (2) improvement of the implementation procedures and supervisory mechanisms of the different international and regional bodies. This includes constructive criticism of the organisations themselves and ideas for the improvement of their meaningful functioning.

The agenda of the international relations of the DAHR is based on the future vision of a Europe composed of many regions. This formula solves the minority problem by offering the possibility of autonomy without altering existing political and economic frameworks. As Bela Marko president of the Alliance had stated in one of his presentations: ›This is why our alliance, the DAHR, demands the right to internal self-determination – regional self-government – an arrangement that would make it possible for our community to preserve and nurture its identity without violating Romania's territorial integrity or laws"<sup>37</sup>. Following the experience of totalitarianism in the states of the Soviet bloc, a centralised, faceless bureaucratic

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36. A form of the right of ›persons belonging to national minorities' to participate in the external relations of the state they live in may be derived from Art.5 para.2 of the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities but it is neither explicit enough nor legally binding.

37. See in a speech of Béla Markó, President of the DAHR, to a meeting of U.S. Department of State officials on 14 October 1994 reproduced in *Uncaptive Minds*, Vol.7 No.3 (27), Fall-Winter 1994, Institute for Democracy in Eastern Europe in Warsaw, pp. 101–104.

Europe is not attractive enough for the minorities of East and Central-Europe to satisfy the deficit of valuable institutions possible at the regional level.

However, the Alliance's goal to aid in the establishment of a ›Europe of regions‹, in which the nation-states would gradually become an obsolete intermediate layer, has proved to be an aspiration that encounters enormous difficulties in the present European political context. European integration has historically tended to re-enforce the central states in their relation with sub-national institutions<sup>38</sup>. Disputes around the process of European integration and around the internal structural development of the European Union show that nation states have remained central actors of political processes reluctant to re-define the sensitive issues of self-determination and state sovereignty. In addition, some West-European states such as France, Germany, Spain and UK are reluctant to speed up progress on regional minority protection in terms of the expansion of current standards as well as the establishment of meaningful procedures and mechanisms for their implementation because of domestic concerns. Indeed, these countries face the dilemma of trying to limit tensions between ethnic groups in Central and Eastern Europe because of security reasons, while retaining the sovereignty of western governments to continue with their existing domestic policies on minorities<sup>39</sup>.

In this political climate, the DAHR has found itself in a paradoxical situation: it is able to gain the understanding and sympathy of many West European countries without being able to win their support in the various international fora.

Moreover, the events in former Yugoslavia has led the West to strongly prioritise the stability of the region over the compliance of the young democracies with internationally and regionally agreed human rights norms and political commitments. In these circumstances, the demands of minorities for greater autonomy in

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38. See in Bruno de Witte, ›*The European Community and its Minorities*‹, in C. Brölmann et al. (eds), *Peoples and Minorities in International Law*, Kluwer Academic Publishers, The Netherlands, 1993, p. 170. and also in Bruno de Witte, ›*Cultural Legitimation: Back to the Language Question*‹ in *European Identity and the Search for Legitimacy*, Pinter Publishers, London and New York, 1993, pp. 167-173.

39. A detailed account of the existing minority rights in Europe as well as governmental attitudes towards minority protection can be found in Alan Phillips, ›*Minority Rights in Europe*‹, Minority Rights Group, London, 1995.

decision-making are easily interpreted as threats to the status quo. The potential for conflict over non-negotiable ethnic issues in some of the Eastern European countries with weak democratic institutions has led the West to caution minorities and try to moderate them in their aspirations for wider political recognition and institutional accommodation of their interests. The West's main message of moderation to minorities of the region is grounded on an appeal to ›small steps policies‹ in the process of the establishment of institutional guarantees of minority rights under the condition of transition to democracy.

The member states of the European Union have often criticised the DAHR for its rejection of the Romanian government's small-steps approach to responding minority demands, calling on it to be more patient and more moderate. For its part, the Romanian government has used this rhetoric of the West to portray the DAHR as an extremist organisation that is unwilling to show any understanding of the difficulties the government faces in this period of transition. In addition, the Romanian government has often tried to discredit the Alliance's demands as illegitimate presenting the aspirations of the DAHR for different types of autonomies as the goals of a Hungarian political elite that is not representative of the whole of the Magyars of Romania. Thus, the DAHR has become the scapegoat of the government, blamed for Romania's delayed democratisation, and, as such, it has found increasingly difficult to gain the support of the different intergovernmental organisations.

However, it is not the policy of incrementalism that the DAHR contests, but the absence of a grand strategy for Romania's democratisation within which the rhetoric advocating for small-steps would make sense. What worries the Hungarian minority is the fact that the rhetoric of incremental change and appeal to the difficulties of the period of transition are being used as window dressing for the preservation of the old regime and the continuation of the policies of assimilation.

In its attempt to gain the support of Western European countries, including the United States, the DAHR faces two, albeit interrelated problems both of them linked to the understandable concern of western European countries about regional security that is considered to be an issue of high priority on the agenda of intergovernmental organisations such as the European Union, OSCE and the Council of Europe. Firstly, emphasis on strong and stable governments, no matter if ultra-

nationalist, may easily lead to a false dichotomy between regional stability and minority rights. But the continuing neglect for the insufficient institutional protection of minorities risks generating the very escalation of confrontation and conflict over ethnic-related matters the West has hoped to avoid. Secondly, the attempt of some Western European countries to block the promotion of effective regional minority rights so that they can continue with their existing domestic policies on minorities legitimises Romania's isolation and regional unaccountability in its treatment of minorities. In addition, the application of some of the standards on minorities in the Eastern part of Europe only, can easily lead to the establishment of double standards in the field of minority protection that can be justly contested and challenged by states that committed themselves to their implementation under international pressure.

The DAHR therefore tries to get international and regional support for longer-term domestic measures that address in a meaningful way the problem of the preservation of the distinct identity of Romania's Hungarians that includes the alteration of the power-sharing pattern of the country. Nevertheless, being increasingly aware of the obstacles and limitations that are to be encountered in the context of the different intergovernmental organisations as well as foreign ministries, it tries to adjust its agenda and rhetoric to the given circumstances through a change in the hierarchy of its goals and the formulation of long- and short-term, minimal and maximal strategies when pushing for the attainment of its aims.

Finally, it could be said that although DAHR members and officials often complain about the lack of a harmonised long-term strategy of international relations saying that the Alliance's external relations could be best described as 'fire fighting' based on immediate reactions to domestic events, a closer look to the Alliance's transnational activities shows that there is consistency in its international agenda and strategies that have emerged over time. However, the description and evaluation of the DAHR's foreign policy strategies used in the different regional and international fora at both governmental and non-governmental level is the subject of a different chapter.