

# Unequal Accommodation of Minority Rights

Hungarians in Transylvania



Edited by  
Tamás Kiss, István Gergő Székely, Tibor Toró,  
Nándor Bárdi and István Horváth



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Tamás Kiss · István Gergő Székely  
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Editors

# Unequal Accommodation of Minority Rights

Hungarians in Transylvania

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# 1

## Introduction: Unequal Accommodation, Ethnic Parallelism, and Increasing Marginality

Tamás Kiss

Our volume offers an in-depth, multidisciplinary analysis of the major social and political processes affecting Hungarians in Romania after the regime change in 1989. Its thematic chapters combine primarily the perspectives of political science and the sociology of ethnic relations and reflect the findings of a broad array of empirical investigations carried out in Transylvania, mainly within the Romanian Institute for Research on National Minorities.

Central to the topic of our volume is the so-called *Romanian model of ethnic relations*. This expression emerged around the turn of the millennium, being used extensively by the Romanian diplomacy in the context of Euro-Atlantic integration to highlight how ethnic coexistence in Romania has been relatively peaceful compared to other states of Southeastern Europe, thus providing an example for how ethnic tensions might be diffused (Nastasă and Salat 2000). Social scientists

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were also quite optimistic about the capacity of Romania's young democracy to accommodate Hungarian minority claims (Csörgő 2002, 2007; Mihailescu 2008; Saideman and Ayres 2008; Stroschein 2012). The main reasons for this optimism were that throughout most of the 1996–2012 period, the dominant ethnic party representing the Hungarian community participated in a number of coalition governments and that quasi-institutionalized bargaining mechanisms have taken shape between Romanian and Hungarian political actors. Some analysts even envisioned that Romania was moving toward some sort of consociational democracy (Mungiu-Pippidi 1999; Andreescu 2000; Brusi 2015). Other scholars were more cautious, arguing that the major elements of the Romanian way of conflict resolution have been based on political bargaining between minority and majority elites (Csörgő 2007; Stroschein 2012), and have led to the cooptation of the Hungarians into executive power (Medianu 2002; Horváth 2002; Saideman and Ayres 2008) and a shift toward a more pluralistic approach in minority policies (Horváth and Scacco 2001; Ram 2003; Dobre 2003). This pluralistic shift has meant primarily the recognition of the organizations of the minorities (formed on the ethnic principle) as legitimate representatives of their communities (Bíró and Pallai 2011; Horváth 2013) and some important concessions in minority language use and education (Csörgő 2007; Stroschein 2012; Horváth 2013).

Given these attributes, Romania was and is still often invoked as an example of successful conflict resolution and minority accommodation. However, we argue that such an assessment is rushed, and there is a dearth of literature that considers indeed realistically the actual working of the “Romanian model”.<sup>1</sup> With this volume, we wish to contribute to fill this gap. Using an analysis of the most important processes affecting Transylvanian Hungarians, we aim to provide an assessment of the major features, functioning and consequences of the Romanian model of ethnic relations.

The book is structured in three parts and focuses on five broad and interlinked topics: (1) the Romanian regime of minority policies;

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<sup>1</sup>Medianu (2002) and Horváth (2002) are obviously such examples.

(2) the political agency exercised by Transylvanian Hungarian elites; (3) the meso-level institutional structures sustaining ethnic parallelism; (4) the social and demographic consequences of the institutional and discursive order of ethnic relations in Romania; and (5) the strategies of boundary reinforcement employed by the Hungarian elites. Each of these topics implies a different level of analysis, and our objective is also to provide empirically grounded hypotheses concerning the interrelation between these levels, which could be tested in the future also in the case of other ethnic or national minorities.

This introductory chapter has three parts. In the first section, we present our basic assumptions and sketch our conceptual-theoretical framework, which are rooted in the traditions of historical institutionalism and social constructivism. The second section outlines the structure of the volume and highlights the most important arguments addressed in each chapter. We conclude by summarizing some basic information regarding Transylvania and its Hungarian community.

## 1 Conceptual Tools

The chapters of the volume combine multiple disciplinary perspectives, including demography, political and social history, the sociology of economics and religion, and legal studies, with a particular emphasis on political science and the sociology of ethnic relations. The conceptual frameworks used by the authors of each chapter also vary, but are rooted in two broad theoretical approaches: historical institutionalism (Hall and Taylor 1996; Thelen 1999; Pierson 2000; Gorenburg 2003; Stroschein 2012) and social constructivism and the boundary-making approach (Barth 1969; Lamont and Molnár 2002; Alba and Nee 2003; Alba 2005; Wimmer 2013; Lamont et al. 2016). Historical institutionalism is the primary analytical framework in the first two parts of the book (dedicated to political and institutional processes), while social constructivism plays a pivotal role especially in the third part (focusing on processes of ethnic classification and boundary maintenance). The volume is also united by six underlying assumptions that govern the analyses throughout the book. These are:

1. *Institutional orders generally produce asymmetrical opportunities for the various actors involved in political processes.* Historical institutionalists argue that contention and conflict between different groups play an important role in political processes. The outcome of these battles, however, is conditioned by the institutional order of the state, which is not a neutral broker of the relations between different societal actors. On the contrary, historical institutionalists view the state as an institutional complex that produces profound asymmetries between different actors (Hall and Taylor 1996). The focus on the nationalizing state in the study of ethnic politics (Brubaker 1996, 2011) is connected to this institutional perspective, well suited for investigating the power asymmetries immanent in the institutional structure.

2. *Both formal and informal rules matter.* Historical institutionalists define institutions as “*formal or informal procedures, routines, norms and conventions embedded in the organizational structure of the polity*” (Hall and Taylor 1996, p. 398). The distinction between formal and informal institutions is crucial to assessing the Romanian minority policy regime. Drawing on the definition provided by Rechel (2009a), under the term *minority policy regime* we understand the totality of legal and informal rules governing ethnic relations and minority accommodation. While the majority of existing comparative research—especially studies comparing a large number of cases—focuses only on the legal framework of minority protection and minority policy (Rechel 2009b; Székely and Horváth 2014), we believe that informal rules are at least as important as formal ones and that in the “Romanian model of ethnic relations” the level of informality is rather high.<sup>2</sup>

3. *Institutions shape the behavior of the political actors.* As Hall and Taylor (1996) and Thelen (1999) emphasize, there are three distinguishable perspectives within the theories of “new institutionalism”: historical, sociological, and rational choice institutionalism. Historical and sociological institutionalisms rely on culturalist explanations of human agency, which argue that institutions shape the worldview of

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<sup>2</sup>On the significance of informal institutions in historical institutionalism, see Tsai (2014). Stroschein (2012) also emphasized the role of informality in ethnic politics in Romania.

actors and, as frameworks of socialization, are conducive to certain habits and routines of problem solving. Rational choice institutionalism, on the other hand, perceives human behavior as instrumentally rational. According to this perspective, institutions play a pivotal role in the coordination of collective action by providing information concerning the behavior of other actors and by establishing mechanisms to enforce agreements and penalties for those who break the rules (Hall and Taylor 1996, p. 939). While some of the chapters of this volume rely on rational choice argumentation,<sup>3</sup> we assume that the political agency of minority actors is not completely strategic. Institutions play a key role in historically conditioned processes of socialization and are conducive to certain habituses and self-perceptions. Additionally, the political agency of the Hungarian elites of Transylvania has a strong value-rational component (Csörgő and Regelmann 2017; Varshney 2003), and minority institutions play a pivotal role in sustaining a collectivist ethic prevalent among Hungarian elites (Bárdi et al. 2014).

4. *The concept of path dependence used by historical institutionalists plays a key role in our analysis.* Pierson (2000) distinguished between a broader and a narrower definition of path dependence. In a broad sense, it refers to the importance of the historical sequence of events, and as Pierson argues, it merely means that “history matters”. The narrower definition is connected to the model of increasing returns and emphasizes how “*previous steps in a particular direction induce further movement in the same direction*” because “*the relative benefits of the current activity compared with other possible options increase over time*” (Pierson 2000, p. 152). The historical perspective is important throughout our analysis, and in this sense, we rely on the broader (and more blurred) definition of path dependence. However, in certain parts of our argument, we employ the concept of path dependence more systematically and thus more narrowly. In the chapters dedicated to political processes, we outline the major historical junctures that brought about a reorganization of the institutional settings and thus inaugurated new phases of institutional and political processes. These junctures include the regime change

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<sup>3</sup>Chapter 9 authored by Zsombor Csata is the most systematic in this respect.

of 1989/1990, which led to the crystallization of the institutional framework that shapes minority policy agency today. We also employ the concept of path dependence at the micro-level, for instance, when arguing that the biographies of ethnically mixed families are also path dependent (in the narrower sense suggested by Pierson).

5. The idea that *institutions shape not only the preferences and possibilities of the actors but also their identities* provides an important link between social constructivism and institutionalism (Laitin 1998; Gorenburg 2003). As Gorenburg argues, institutionalists assume that ethnic identities are constructed and mutable but do not accept that “ethnic entrepreneurs” (or political actors in general) can easily manipulate them (2003, p. 4). This is not to say that political intentions and political battles do not play a pivotal role in identity formation, but that their impact is mediated by institutions. Acknowledging that the impact of political intentions on identity formation is mediated by institutions leads us to the so-called constructivist compromise proposed by several scholars, including Smith (1995), Chandra (2006), and Wimmer (2013). These scholars recognize the key role of elite discourses and institutions in the formation of group identities, but they also emphasize the limits of elite capacities to alter (or manipulate) the content of identities. It is in this sense that Chandra writes about the “constrained change” (or from another perspective: the relative inertia) of ethnic identities (2006, pp. 414–416).

6. *Minority institutions may provide a framework for the reproduction of groupness and play a crucial role in boundary maintenance.* As Wimmer argues, social sciences were long dominated by the Herderian paradigm, which asserts that ethnic groups should be perceived as well-bounded entities, characterized by a specific cultural heritage, shared sense of solidarity and common identity (2013, pp. 17–21). Following the constructivist turn, students of ethnic relations radically questioned this Herderian perspective (Jenkins 2008, pp. 10–16; Wimmer 2013, pp. 22–31), and their attention shifted “*from groups to groupness as variable and contingent rather than fixed and given*” (Brubaker 2004, p. 12). Groupness (in the sense of shared identity and group solidarity) has become an important concept in the sociology of ethnic relations. However, this concept is used with different meanings. According

to Brubaker, groupness is an *event* that may (or may not) occur (2004, p. 12). Consequently, Brubaker et al. (2006) investigate groupness at the level of everyday interactions and ask whether people in spontaneous and rather informal settings used (or did not use) ethnicity as an interpretative scheme. They argue that in situations where people did not use “ethnic lenses”, groupness did not occur and the group-making efforts of ethnic entrepreneurs (engaged in “nationalist politics”) had failed. But while Brubaker et al. view groupness (at the micro-level) as an ephemeral phenomenon, other scholars perceive groupness to be a more enduring characteristic of intergroup relations. Wimmer (2013) also defines groupness at the micro-level, describing it as a characteristic of personal networks, namely as a high proportion of in-group relations at the expense of intergroup relations. He conceptualizes (the degree of) groupness as one of four characteristics of ethnic boundaries, the others being political salience, cultural differentiation, and persistence. Furthermore, Wimmer distinguishes between *groupness* and *closure*. Both groupness and closure may lead to a low frequency of intergroup relations and high frequency of in-group relations. However, in the case of closure, this is a consequence of the rejection, discrimination, and exclusion exercised by members of the dominant group, whereas in the case of groupness, it is the consequence of internal identity processes or self-isolation.

Lamont et al. take a different approach to groupness, treating it as a meso-level phenomenon that has a very important impact on the micro-level because it shapes individual actions and self-perceptions (2016, pp. 22–27). The authors also distinguish between two dimensions of groupness, namely self-identification and group boundaries.

We argue that minority institutions play a crucial role in both of these dimensions of groupness, which could also be interpreted as the psychological and social dimensions of group belonging. In capturing the *psychological aspects* of groupness, the approach taken by Fenton (2003, p. 88) and Jenkins (2008, p. 48) is very useful. According to these scholars, during childhood, ethnic group members may deeply internalize ethnic belonging as personal feelings and experiences. This happens in circumstances where ethnic cleavages appear in well-defined forms even in everyday life. The internalization of ethnic belonging



goes hand in hand with the internalization of its markers, such as language and religion. In this process, ethnic belonging is inscribed in the deepest layers of personal identity, similarly to gender, for example, and thus, ethnic identification is not independent from psychological, emotional, and cognitive personality constructs, or from personal integrity, security, and safety. One could argue that a dense network of ethnic institutions (family, educational system in the minority language, etc.) provides a framework for such types of ethnic socialization and is conducive to a high level of consciousness and relatively rigid patterns of self-identification. In understanding the social aspects of groupness, the framework of boundary maintenance proposed by Wimmer (2013), Lamont and Molnár (2002), and Lamont et al. (2016) is useful in demonstrating how ethnic institutions increase the probability of homophily in the various social relations.

## 2 Main Arguments and the Structure of the Volume

This volume consists of three parts and targets five different topics, at different levels of analysis. Table 1 provides an overview of these topics, lists the key concepts used in the analysis, and briefly summarizes the major arguments of the book.

The first part of the book provides a macro-level institutional analysis focused on two interrelated aspects of ethnic politics, namely Romania's minority policy regime and the ethnic claims-making strategies of the Hungarian minority elites. Our first major argument refers to the Romanian minority policy regime: We argue that despite the above-mentioned optimistic outlook characteristic around the turn of the millennium, Romania's political system and minority rights regime have consolidated in a form that perpetuates the power asymmetry between the titular Romanian majority and the Hungarian minority. Also, as an unintended consequence of the conflict resolution strategies of international actors, the model has also led to high levels of informality and political patronage. Our second argument is also closely linked

**Table 1** The structure, the levels of analysis and the main arguments of the volume

Part	Level of analysis	Key concepts	Main arguments
1	The minority rights regime and political strategies	The minority rights regime (macro-institutional)	The Romanian model of ethnic relations can be described as unequal accommodation. It maintains the asymmetries between minority and majority categories, while its unintended consequences include high levels of informality and political particularism
		Political claims-making strategies of minority actors (macro-institutional)	The claims-making of the minority also relies on particularism and highly informal bargaining with majority actors
2	Ethnic parallelism: political program and social reality	Minority political agency; strategies of claims-making  Ethnic parallelism	Minority political agency has two complementary aspects: claims-making (bargaining with majority elites) and community organizing (ethnic institution building) Community organizing leads to a high level of ethnic parallelism

(continued)

Table 1 (continued)

Part	Level of analysis	Key concepts	Main arguments
3	Socio-demographic processes and ethnic boundary maintenance	Demographic processes, systems of ethnic classification and stratification (macro-social and macro-demographic)	The power asymmetries produced by the institutional order of the nation-state contribute to the demographic erosion and social marginalization of the minority community
	Assimilation and boundary reinforcement (macro- and micro-social)	Groupness vs. closure; boundary policing	The discursive and institutional order prevalent in Romania does not support boundary blurring; boundary policing is also conducive to bright boundaries

to the characteristics of the minority policy regime, but refers to the strategies of minority claims-making. We argue that because the institutional environment of minority policy is characterized by informality and patronage, the problem-solving strategies of the Hungarian minority elites have also conformed to this opportunity structure. This has led Hungarian elites to focus more on resource allocation and less on agency related to minority rights in the past two decades.

The second part of the volume deals with meso-level institutional processes and, in particular, the functioning of the ethnically separate organizational structures operated by the ethnic Hungarians in different social domains. We argue that minority political agency has *per definitionem* two complementary dimensions, namely *claims-making* and bargaining, respectively *community organizing*. With regard to the latter aspect, the idea of ethnic parallelism is of key importance at both the programmatic (discursive) and the institutional level. The Hungarian elites of Transylvania have responded to the asymmetric institutional setting in which they had found themselves by pursuing a program of ethnic parallelism. The chapters in this second part of the volume discuss this ethnic parallelism, defining it as a political project and assessing the degree to which it has actually been accomplished. This analysis shows that the situation can best be described as a duality of ethnically separated and non-separated social fields, where some social fields are ethnically separated, even if only partially, while others are not separated by ethnicity at all. Another key conclusion of this second part is that the incompleteness of the ethnic institutional structures erodes the reproductive capacity of the community, but at the same time encapsulation into these structures can be regarded as a factor conducive to social marginalization. Thus, our analysis tries to capture a major dilemma facing minority elites: how to maintain the ethnic boundaries (without which ethno-cultural reproduction is jeopardized), while also preventing perpetual marginalization in a centralized majoritarian, nationalizing state.

The final part of this volume presents empirical evidence to support these conclusions of the second section. To this purpose, the final chapters consider how power asymmetries produced by the institutional order of the nation-state are shaping macro-level demographics and

societal processes. Macro-processes are obviously not independent from the political-institutional structures framing the everyday life of the minority community; thus, of central importance here is the argument that in modern nation-states there is an all-embracing power asymmetry between minority and majority categories. The consequences of these power asymmetries are discussed in detail in the last three chapters, namely: (a) the demographic processes leading to the decline of the Hungarian population in Romania; (b) the processes of official and everyday classification; (c) the changes in the system of ethnic stratification; and (d) the processes of identity change and assimilation to the majority ethnic group. Here, we also focus on the policies of boundary maintenance and reinforcement practiced by the Hungarian elites, which (besides the network of minority institutions) have a pivotal role in preventing the blurring of ethnic boundaries.

## 2.1 The Minority Rights Regime and Political Strategies

The first part of our volume focuses on the relationship between the Romanian minority policy regime and minority claims-making. This part is composed of three chapters. In Chapter 2, Nándor Bárdi and Tamás Kiss offer a historical introduction to the political processes affecting Transylvanian Hungarians that followed the regime change in 1989/1990. The authors review the century-long political history of the Hungarians in Transylvania since the province became part of Romania to identify the turning points that had a significant impact on the opportunity structures for claims-making. They also devise a periodization based on three aspects, namely the general features of the political regime in Romania, the changes in the strategies of minority claims-making, and the characteristics of the minority institutional field. In Chapter 3, Tamás Kiss, Tibor Toró, and István Gergő Székely focus on the Romanian minority policy regime and identify strategies of minority claims-making after the fall of the Communist regime. They provide a detailed timeline and a historical narrative of the processes affecting the Transylvanian Hungarian minority field. The authors also use a modified version of Brubaker's (1996) triadic nexus model

to emphasize the asymmetric interrelations between the minority field, the Romanian minority policy regime, and Hungary's kin-state activities. The authors of Chapter 4, István Horváth and Tibor Toró, analyze Romania's linguistic policies, the existing minority language rights, and how they have been implemented, as well as the patterns of language use among Transylvanian Hungarians.

At the core of the first part of the volume is the notion that *unequal accommodation* defines the Romanian model of ethnic relations. It should be noted that this concept of unequal accommodation has a paradoxical status in the literature of diversity management. On the one hand, it is legitimate to argue that some elements of the model are identical or similar to those found in resolution strategies of (soft or non-violent) ethnic conflicts put forward by international actors.<sup>4</sup> On the other hand, unequal accommodation is rarely considered as a *sui generis* model of diversity management in the literature,<sup>5</sup> and case studies focusing on the (intended or unintended) consequences of the model are virtually absent, despite the fact that the model can be considered quite widespread throughout Central and Eastern Europe.

Minority policy paradigms (and conflict resolution strategies) are often classified as either *integrationist* or *accommodationist* (McGarry et al. 2008). The former approach advocates a common, trans-ethnic identity and political culture and tries to "integrate" minorities through a universalist institutional and political framework. The latter allows for substate political loyalties and institutions through which minorities are able to reproduce themselves as (quasi)political communities.

Another useful concept in understanding the idea of unequal accommodation is that of *ethnic democracy*, a term coined by Smootha (2001). In ethnic democracies, the titular group exercises hegemonic control over the institutional structure of the state. Such arrangements can be contrasted with more pluralistic approaches of popular sovereignty,

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<sup>4</sup>In case of violent ethnic conflicts, institutional actors often propose consociational arrangements and segmental autonomies. See Kymlicka (2007, 2011).

<sup>5</sup>Bíró and Pallai (2011) constitute an exception. They argue that "political accommodation" (with Romania as its paradigmatic case) constitutes a distinct paradigm of minority policies and define it similarly to what we call unequal accommodation.