

“We need to convince the Romanian majority of the basic principles of autonomy.”

Interview with the President of the Szekler National Council Bálász Izsák (Marosvásárhely, 12.10.2020)

Benedikter: The history of autonomy as the right to self-government in Szeklerland is an old one. Not only did the Hungarian Szeklers have extended rights of self-government under the Hungarian Kingdom, but even during Romania’s communist era you had a kind of autonomy. Which territory of Szeklerland was covered by that autonomy and why has it been abolished?

Izsák: There was an autonomous province between 1952 and 1968 that covered Szeklerland. During communism, self-government rights could obviously not be exercised. Yet at the same time, we had more rights to use the Hungarian language than we do now. We studied in Hungarian schools; there were functioning Hungarian cultural institutions: theaters, museums, state-funded folk ensembles. Paradoxically, at that time we had more rights than the German-speaking population of South Tyrol. In 1968, Ceausescu abolished the Szekler autonomy as part of an administrative reform. It is shocking that this has been accepted by the international community without a single protesting voice.

The Szekler National Council SNC is the umbrella organization of the Hungarians striving for the protection of their rights as a national minority and for autonomy of the Szeklerland. As Szekler movement today are you interested to restore this kind of autonomy of the period 1956-1968 on the same territory?

Izsák: Today, the historic Szeklerland is split between three counties in Romania: Covasna, Harghita and Mureş counties. Therefore, in the fight for autonomy, we pursue two basic goals. We must first break the fragmentation of Szeklerland, that is, we must create its territorial unity. Secondly, this territorial unity must be endowed with independent decision-making and executive powers, in other words, the Romanian state must recognize the autonomy of this territory.

When travelling through bigger cities with Hungarian minority population such as Temesvár, Kolozsvár and Marosvásárhely the place naming is not comprehensively bilingual and Hungarian place names are scarce. What’s about the official status of the Hungarian language in the counties with a Hungarian majority as Covasna and Harghita or others with a significant share of Szekler population? Is the Hungarian language officially recognized on municipal and county level whenever the Hungarian population is over 20 percent of the total population?

Izsák: There is one official language in Romania and that is the Romanian language. This is enshrined in the constitution, despite the fact that the constitution and various laws allow Hungarians to use their language, but at the same time this is obstructed on all levels. It is not possible to submit an application in Hungarian to a Romanian authority, even where the Hungarians form a majority and representatives of the authorities know the Hungarian language. Romania has ratified the Council of Europe’s Framework Convention on Regional and Minority Languages, but it’s not being applied. For example, there are no bilingual signs at the entrance to settlements, or just very rarely. Road signs are mostly monolingual. At municipal council meetings, the law allows the use of the Hungarian language where Hungarians are the majority, but the conditions for this are not provided, like in Marosvásárhely, for example. You can only speak Hungarian at the council meeting in villages and towns where, due to the composition of the population, there are only Hungarians. Even in instances where it would be vital, the Hungarian language cannot be used, for example instructions for the use of medicines, warnings for hazardous materials, or the labeling of pesticides and insecticides. In cases like these, people’s lives may be endangered or even environmental disasters may occur because a Hungarian person cannot read this important information in their mother tongue.

Besides the language, even the Szekler symbols are often prohibited. Hoisting the Szekler flag and other symbols of the Hungarian community is still a contentious issue which often leads to aggressive reactions of Romanian parties and authorities. Are you as Szekler movement now allowed to publicly display such symbols during public manifestations or on buildings?

Izsák: The Romanian state is two-faced on this issue. As a European Member State, they must guarantee freedom of expression. In contrast, they will do everything in their power to prevent the use of our symbols, especially the Szekler flag. Mayors are penalized for hoisting the Szekler flag on a public building, but even for placing it in their study. We use the Szekler and Hungarian flags in all our manifestations, and they are forced to tolerate it. At the same time, we have to face the fact that they are constantly looking for reasons to penalize us. We have gone to court in more than once such case, and we have won lawsuits against the authorities. However, this does not prevent them from imposing further fines at a later stage, as the aim is to intimidate the community.

Every year on 10 March the “Day of Szekler Freedom” is organized by the SNC in Marosvásárhely, the historical capital of Szeklerland, with tens of thousands of participants. There have been some attempts of the authorities even to block the Szekler Freedom Day, also by judicial means. Are you now officially allowed to hold this manifestation?

Izsák: Due to the pandemic, we did not hold the Day of Szekler Freedom in the spring of 2020. This year is special in this respect, as public events had to be canceled in many countries. In other years, we have faced harassment from the authorities. This was also meant to intimidate us, since the right of assembly must be recognized and its legal conditions guaranteed in all EU Member States. In this respect, the Romanian authorities are in a state of pressure, and they’re not hiding it.

In the counties of Covasna and Harghita with a Szekler majority interethnic relations in the past have been stressed and especially in the 1990ies there have been tensions. Today, is there any interest for territorial autonomy also among the ethnic Romanians? Are there any Romanian parties or political associations open to discuss on it?

Izsák: Autonomy is a frightening term for the Romanian citizens of Romania, and they tie it exclusively to the Hungarians. The political culture is not at a level where people realize that the term is used several times in the Romanian constitution. The Romanian state recognizes the autonomy of universities, the autonomy of churches, and the autonomy of local authorities. The Romanian political elite and the Romanian press have invented a term, and describe our autonomy efforts as “ethnicity-based autonomy”. They frame it as if we want a privileged position for Hungarians living in a specific area, such as Szeklerland; as if the institution of autonomy does not guarantee full and effective equality for the citizens of the autonomous region. They are trying to frighten the average laymen, claiming that should Szeklerland gained its autonomy, the Romanian language would be banned and the Romanians would be expelled. This is the meaning of “ethnic-based autonomy” in the Romanian extremist view. At the same time, we have not given up on dialogue, on proper information. In our view, the highest forum for social dialogue is the parliament itself, and we believe that the presentation of the Statute of Autonomy to the Parliament always offers an opportunity for an open dialogue. We are aware that it is extremely difficult to overcome prejudices.

In 2004 the SNC submitted a draft autonomy statute to the Romanian Parliament based on a respective organic law. Is this proposal still valid today?

Izsák: Yes, this proposal is still valid and it’s the most important document of the Szekler National Council. There have been multiple drafts on Szeklerland’s autonomy, such as the one drafted by the

RMDSZ. However, only the Szekler National Council's draft ended up before the Romanian Parliament. It's the only draft that can be read on the webpage of the Romanian Parliament.

According to your draft statute the subject of the proposed territorial autonomy would be the "Community of Szeklerland" not subdivided along linguistic lines in officially recognized language groups as in South Tyrol. Thus, the Hungarian and Romanian groups living together in a potentially autonomous Szeklerland would not be recognized as separate language groups?

Izsák: The Statute of Autonomy of Catalonia states that all citizens of the Autonomous Community may use both the Spanish and Catalan languages under the same conditions and in the same way. We consider this as an example, and in the autonomous Szeklerland we want to create the possibility for the status of the Hungarian language to be equal to the language of the state.

One strong provision of your draft autonomy has been inspired by the current autonomy regulations of South Tyrol. This is the ethnic quota system for public jobs, for some public resources and for the proportional representation in most political institutions. Such a provision requires an individual declaration of belonging to one of the two groups. Some political forces oppose this system as a mechanism of separation; others favor it as a mechanism for equal opportunities and social justice. Will it be necessary also for an autonomous Szeklerland?

Izsák: Right now the creeping discrimination is a reality all over Romania. If you ask how many Hungarians or other minority members are currently employed in the public administration, the only answer is: we don't know, as the mother tongue of the employees is not recorded for recruiting. But we do know that in Romania there is a structural discrimination against members of minority communities who are interested in a public job. The Hungarians by far are not employed in an extent proportional to their share on the total population of the county. This is a reality. How we can redress this imbalance in a future autonomous region? The most representative party of the Hungarians in the state parliament, the RMDSZ, does not address this issue sufficiently. But before applying such a quota system, we need to have territorial autonomy. Then an individual declaration of affiliation will be required for each candidate.

The alternative way could be – as in Catalonia and in the Basque Country – to provide for a very strict bilingualism in the public sphere. Only bilingual candidates could be hired who would be obliged to provide a certificate of knowledge of both official languages before giving the admission exam.

Izsák: Such a requirement should be mandatory for every public employee also in an autonomous Szeklerland. They should know both official languages, and all citizens should be allowed to address any public office or entity in either language, in our case Hungarian or Romanian. This should be applied in the same way as it is in Catalonia as well as in South Tyrol. The problem is that the Romanian state doesn't want to know about the co-officiality of regional languages.

In your draft autonomy statute also the historical "Széks" would be re-established as local territorial entities with all political bodies required: a council, a president and a chief governor elected by the citizens. Thus the future autonomous Szeklerland would have a multilevel governance with three layers: the region, the Széks and the municipalities. Isn't this a quite complex construction for a region with about 800.000 inhabitants?

Izsák: That is one of the fundamentals of our concept of autonomy, which is different from other autonomous regions. For the Hungarians of Szeklerland, the Szék entities are a core feature of our historical identity; that is why we want them. It is an important feature because cultural differences exist even among the different Széks, and it's absolutely necessary to keep this cultural diversity alive. The

borders of the single Szék are not merely historical: they are drawn by nature and geography. In other words, within the Szekler identity there are Szék identities, which mean dedication to these cultural regions. These regions are equal, this is what lives on in our consciousness. This is not unlike how in German speaking regions, Bavarian, Saxon, Prussian and Tyrolean are considered separate.

As an alternative for having a Szeklerland geographically composed by the existing counties (Covasna, Harghita and Tirgu Mures/Marosvásárhely), could you imagine that also each of these existing counties could obtain some territorial autonomy separately and then co-operate on a higher level, thus avoiding to create a new political territorial entity?

Izsák: This will be quite difficult, as we wish to integrate only one third of Mureş County into the autonomous Szeklerland. Only the eastern part of Mureş County has a substantial Hungarian population, therefore this historical part of Szeklerland should be carved out and be integrated in the new autonomous region. On the other hand, all the three entities need to be united in a new greater region more or less covering the historical area of Szeklerland. Achieving some autonomy just for the existing counties will not be enough.

The situation today: Romania's Constitution today in art. 117 (3) allows autonomous administrative units, but apparently no genuine autonomy with legislative powers. Before establishing Szeklerland's autonomy, has the national constitution to be amended to allow such a new form of territorial autonomy based on the transfer of legislative powers to a directly elected regional council and government?

Izsák: Article 117 (3) of the Romanian Constitution allows for the establishment of autonomous administrative authorities. An example of such an autonomous administrative authority is the Council for the Management of the Archives of the Securitate (CNSAS). In our approach, the regional parliament of the autonomous Szeklerland would also be established on the basis of this provision of the constitution. Therefore, there is no need to amend the constitution for the Romanian Parliament to adopt Szeklerland's Statute of Autonomy. Under Article 117 (3), an organic law may establish such an authority. We submitted the Statute of Autonomy to the Romanian Parliament in the knowledge that it would be adopted as an organic law.

In 2004 the Romanian parliament rejected the SNC's draft autonomy statute stating that the new entity is not identical with the provision given by art 117 of the constitution. This would create an asymmetry between Szeklerland and the rest of the country, and would divide the society along ethnic lines. On the one hand: of course, an autonomy in most cases is established exactly for that purpose, namely to protect a minority and to ensure a national minority some self-government. On the other hand: does has a hypothetical fundamental right to self-government of the Hungarians of Romania first have to be recognized in the Constitution (and maybe also in bilateral agreements with Hungary), from which later would arise the right to establish territorial autonomy?

Izsák: Every time the Romanian Parliament rejects our draft, we read and analyze their justification. We consistently refute the counter-arguments of the Legislative Council of the Romanian Parliament. Romania made a commitment to comply with the Council of Europe's Recommendation 1201/2003, Article 11 of which sets out the right to autonomy of a minority that constitutes a majority in a given area. Romania has not yet fulfilled this commitment, even though it was a condition for accession. We can safely say that international law is on our side. We look at this commitment by Romania as you would look at the Gruber-Degasperi Convention. The latter may be stronger as a source of international law, but it's up to us to ensure that the "pacta sunt servanda" is fulfilled in the case of Romania's commitment as well.

The autonomy request of the Szekler is often depicted as an attempt to undermine the unity, indivisibility and sovereignty of the Romanian state. This is not confirmed by the real development in about 10 EU member countries which have established a territorial autonomy, sometimes since many decades. Why does the Romanian state not acknowledge this basic purpose of a territorial autonomy?

Izsák: This question can only be answered by looking at the preceding events. As I said earlier the Hungarian Autonomous Province, was permanently abolished in 1968. Prior to that, there was a campaign for the idea of a unified Romanian state. This was typical of communist propaganda. They use strong words, they try to rile up passions, but they don't state the specific goal. However, everyone understood, and whispered among themselves that the new leader - Ceausescu - wanted to abolish the Hungarian Autonomous Province. It was then that the propagandistic overemphasis on state sovereignty and territorial indivisibility began. As third graders, my classmates and I had to learn sentences about the sovereignty of the state, the indivisibility of Romania. This was followed in 1965 by the adoption of a new constitution that included these criteria: sovereignty, independence, the inalienability and indivisibility of the territory, but most importantly, the Hungarian Autonomous Province, which was included in the previous constitution adopted in 1952, was left out. Then came the administrative reform, aimed to abolish the Hungarian Autonomous Province. Its territory was divided between three new counties which did not have any special powers. But this was also the moment of the rebirth of Romanian nationalism. Authors previously qualified as members of the Iron Guard were once again allowed to be published; their books were printed, and taught in schools. Considering all that, why does the Romanian state not recognize this basic purpose of territorial autonomy? It's because of suspicion or even hatred of Hungarians, deeply rooted in the wake of Ceausescu's national ideology.

Maybe some Romanians living in Szeklerland are afraid of being transformed in a powerless minority on political level, and being governed by a politically rather united Hungarian majority. Did you ever think about mechanisms of so-called consociational government with a mandatory representation of both ethnolinguistic groups in the institutions, in the government in particular? Such mechanisms would have to be enshrined also in the statute as in South Tyrol.

Izsák: Regarding the so-called consociational government, and the South Tyrolean practice of territorial autonomy in general, it must be said, that at the current stage of the struggle for autonomy, it is not timely to talk about details that can only be discussed after the basic principles have been adopted, through a dialogue between the two communities. We should keep in mind that the Gruber-De-Gasperi Convention, which established the autonomy of South Tyrol, did not even cover two pages, and contained no such details either. We need to make the Romanian majority accept the basic principles, but obviously pointing out, that further more detailed regulations will follow after the statute's adoption.

The political world of Romania so far seems not accessible neither for a general decentralization nor for special autonomy regimes for the self-government of some particular national minorities. Is there any sign or voice among the Romanian majority raised in favor of such solutions?

Izsák: A lot of studies have been made on decentralization for the whole country, but whenever the government changes, so do the proposals. The right wing parties come up with one idea, which is later rejected by the left wing parties. Among the Romanian parties there is no unified vision for decentralization, and for us, neither version is acceptable. Unfortunately the one thing left and right wing parties of Romania have in common, is the goal to assimilate minorities. Still, it would be unfair if, in answering such a question, we did not mention those intellectuals with significant, serious influence who understood or directly supported Szekler aspirations for autonomy. Without trying to be exhaustive, I would mention Gabriel Andreescu, Sabin Gherman, Smaranda Enache, Tudor Duica, and Valentin Stan.

What can be done to convince more ethnic Romanians and their political representatives about the advantages of a territorial autonomy?

Izsák: Right now we have a lot of discussions with Romanian mayors in Szeklerland, whose municipalities have a Romanian majority. For the most part, they have no concrete knowledge of what territorial autonomy is about. Usually they reply that local entities feel better off depending directly from Bucharest, rather than on a new regional entity, because the central government is more powerful and financially competent. They need to first understand how territorial autonomy works and what advantages such a system has for everybody.

Besides territorial autonomy, what can and should be done to improve the minority rights generally for the Hungarians of Romania at large including such areas where they settle dispersed? Is national cultural autonomy as it works in Hungary and Serbia a viable way for Szeklers too? The Art. 6 Const. allows the “own decision making and executive bodies according to Statute on National Minorities adopted through legislation.” Has this led to grant national cultural autonomy for the Hungarians living outside of Szeklerland or in municipalities with less than 20 percent of Hungarians on the total population?

Izsák: Since 1993, there has been a concept known as three-level autonomy. The personal autonomy of the Hungarian national community in Romania would belong to all Hungarians living in Romania. This is in essence a cultural autonomy. The next level is the autonomy of local governments with special legal status, which would provide autonomy to the people living in Hungarian-majority settlements. This autonomy is implemented the local government. The third level is territorial or regional autonomy, which could operate where Hungarian-majority settlements form a compact unit. This is Szeklerland. The Hungarians living in Szeklerland getting only cultural autonomy would not eliminate the economic vulnerability of the region.

In December 2019 the RMDSZ deputies have submitted a draft bill for autonomy of the Szeklerland in the lower house of the Romanian parliament. On 28 April 2020 this bill has been automatically adopted, but on 29 April the Senate has rejected it. Has there been a serious discussion of the issue or are all Romanian parties ideologically opposed to such a project?

Izsák: There hasn't been any discussion about this draft bill at all. I have been present when the issue was treated. In the parliamentary commission only one member mentioned that it would probably be necessary to discuss this draft bill, point by point. But all the rest said NO. So unanimously they rejected the bill without any discussion. Quite disgraceful for democratic country.

Hungary by extending the citizenship to ethnic Hungarians living abroad has ensured some rights to Hungarian minority members in neighboring countries such as Romania. Which practical advantages has this measure brought about for you as Hungarians in Romania?

Izsák: I waited to receive Hungarian citizenship, but I never thought of expecting practical benefits. For me, this measure is symbolic, but at the same time very important. When our parents and grandparents were separated from Hungary, they automatically lost their Hungarian citizenship. Nobody asked them about it. I am thinking of them when I say: I am a citizen of Hungary. It is a moral gratification, knowing that the Hungarian nation acknowledges me as a part of it.

Which political tools does the SNC have to mount more political pressure on Romania's Parliament for achieving autonomy? Which are the political perspectives today for achieving this goal? Can Hungary do something more for your cause?

Izsák: The SNC is working on five different levels. First: we organize the Day of Szekler Freedom to push the Szekler identity and to keep the Hungarian community united behind the autonomy request. Second: we work with local authorities, as the mayors should learn more about the responsibilities on the Szekler issue. Third, we seek to make the Romanian side know more about all our proposals, understand what we want, as they keep rejecting it. Fourth: Hungary should always raise this issue in all bilateral talks and agreements with Romania. We want to pressure Budapest to keep this topic alive. Fifth, this issue can be fostered on the European level and internationally as well, we lobby to bring the agenda before the EU and other European institutions.

Which kind of support for your request of territorial autonomy for Szeklerland do you expect from the European countries, especially from the EU-institutions? Indeed, the EU by the Union Treaty is not allowed to encroach in such internal affairs of member states. Can the EU, however, be involved more strongly in the attempt to achieve some territorial autonomy in Romania?

Izsák: We need to go back to Council of Europe Recommendation 1201/2003. When it was adopted, the Parliamentary Assembly of the European Council proposed an additional protocol to the European Convention on Human Rights. This was not adopted by the Council of Ministers. The codification of the right to autonomy in international law stops here and has stagnated ever since. There were a couple of spectacular outbreak attempts out of this stagnation. For example, Resolution 1334/2003 adopted on the basis of the Andreas Gross report, or Resolution 1811/2007 adopted on the basis of Lluís Maria de Puig's report, and Resolution 1985/2014 adopted on the basis of the report of Ferenc Kalmár, but neither resulted in a universal, binding international law that an additional protocol to the European Convention on Human Rights could have been. We expect European countries to overcome their prejudices, recognize that this stagnation is not good, and make progress in the international codification of autonomy. It would be equally good if the European Charter of Regional Self-Government finally go from draft law to actual legislation.

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