

THE NEW RUMANIAN SUFFRAGE ACT AND THE MINORITIES

BY

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I. Until 1926, there was no uniform election law in force throughout the entire area of Rumania as enlarged by the Peace Treaties. The regulations applying to suffrage and the methods of election in the different parts of the country (the Regate, Transylvania, Bukovina etc.) were laid down in various edicts. Those in force in Transylvania were No. 3621 of 21st August 1919 and No. 1539 of 8th April 1920. Under these edicts three Parliamentary elections were held, all of which were characterized by a degree of illegality and arbitrariness unparalleled in the history of parliamentary life. It was therefore not to be wondered at, that at the general elections in 1922 the Hungarian minority, numbering close on two million souls, won only 3 seats in Parliament and 3 in the Senate, whereas on the basis of the numerical strength of the *Hungarians in Transylvania* they would have been entitled to 37 mandates in Parliament and 16 seats in the Senate. But the names of a great number of the Hungarian electors were omitted from the lists, 34 of the 38 Hungarian candidates were rejected by the authorities and numerous Hungarian votes were spirited away.

II. The *Suffrage Act* of 27th March 1926 introduced the system of proportional representation. But the principle of proportional representation was rendered ineffective by a system of premiums. The Act prescribed that one half of the 387 mandates, 193, were to be given to the political Party that won 40% of the total number of votes cast in the country. This Party — declared to be the majority — was also entitled to a share of the remaining 194 mandates, of which it received the same percentage as the percentage of votes it won at the elections.

Even with honest elections this system would have

deprived the minorities — above all the two million Hungarians — of half the measure of self-defence afforded by Parliamentary representation. As it was they have never been able to secure anything like the number of seats in either House of Parliament to which on a proportional basis they would have been entitled.

Besides this system, the Rumanian Suffrage Act of 1926 contained another unheard-of measure: official *senatorship*. This institution made it possible for members of the Parliament or the Senate who had been elected for at least 10 national assemblies to gain a senatorship for life. By virtue of this measure the Rumanian Senate had innumerable official members. And just because of this, the Party in office resorted to every form of abuse in order to secure all the seats in the Senate to be filled by election for itself. The system of proportional representation was never applied to the senatorial elections.

Instead of the 37 seats in the Parliament and the 16 in the Senate to which the Hungarians of Transylvania would be entitled by virtue of the fact that they form 30.2% of the total population, the share they received at the various elections, thanks to the brutality, violence and illegal acts of the Rumanians, was as follows:

Year	Seats in Parliament	Seats in Senate
1926	14	12
1927	9	1
1928	16	6
1931	10	2
1932	14	3
1933	9	3
1937	19	3

III. The Parliament elected in 1937 lasted till 18th January, 1938, when it was dissolved. On 27th February 1938, the new dictatorial Constitution was promulgated, and on 31st March of that year a Royal Decree dissolved all the political parties, amongst others the General Hungarian Party of Rumania, and thus *the Hungarian minority was left without any political representation*. Instead of the old system, the new Rumanian Constitution introduced one of corporative

representation, with two Houses of Parliament as before. The elected members of the legislative bodies fall into three categories 1. peasants and manual labourers, 2. tradesmen and merchants, 3. the professional classes (§§ 61 and 63). The Senate has, besides these three classes, appointed members and members by vested right (§ 63). But the new Constitution maintains a provision that is a violation of the principle of equal rights, for the head of no minority denomination numbering fewer than 200.000 adherents has the right as such to be a member of the Senate.

In this way the minority electors in Rumania are classified according to their occupations.

The *Suffrage Act* of 9th May 1939 contains important measures applying to the members of Parliament (which is to consist of the representatives of the different branches of occupation) and their election.

The 258 (formerly 387) members of the Chamber of Deputies and 88 members of the Senate are to be elected. The election of the deputies is to take place in 11 constituencies corresponding with the different provinces, and voting will be secret, compulsory and by name. Besides these 11, Bucharest will be a separate constituency. No one who cannot read and write, who does not belong to one of the three branches of occupation (agriculture, industry and commerce, and professional occupations) or who has not completed his 30th year is to have suffrage rights. Formerly the age required was 21.

The Senate (which hitherto had 245 members, besides appointed members and members by vested right) is to consist of 88 members appointed by the King, those who are members by vested right, and 88 elected members. From a minority point of view the important part of the Act is the measure which regulates the question of the senators who are senators by vested right (§ 3). Among those this paragraph enumerates the Patriarch, the Metropolitan and all the bishops of the Greek Orthodox and Greek Catholic Churches, but the senatorship of the bishops of the other denominations recognized by the State is conditional upon the bishop in question having at least 200.000 adherents.

The new Suffrage Act thus maintains the old inequality

against which the minorities have always so strongly protested. They had all the more right to do so in view of the fact that in historical Hungary all the bishops and archbishops of the Greek Orthodox and Greek Catholic Churches were members of the Upper House. In paragraph 64 of the Constitution of 27th February 1936 we find a further curtailment of the rights of the minority churches, inasmuch as only one bishop of every denomination recognized by the State may be a senator by virtue of his office. This in effect means that the Hungarian Roman Catholics of Transylvania — about 750.000 souls — will not have a representative of their own in the Senate, since Cardinal Cisar of Bucharest, whose nationality and sympathies are not Hungarian, is the senator *ex officio* of the Roman Catholic Church. Only one of the two bishops of the Transylvanian Reformed Church, numbering about 700.000 members, can be senator by right. The Hungarian Unitarians, some 70.000, and the Hungarian Lutherans, about 30.000, will have no official representation in the Senate.

It is very improbable that any of the 88 elected senators will be a minority citizen, that is to say a Hungarian, seeing that all the electors of Transylvania belong to one constituency.

The situation as regards the election of the members of the Lower House is scarcely better. Their election under the new Act will take place on a provincial basis, each province forming one single constituency. The 12th constituency is Bucharest. We must not lose sight of the fact that the Land of the Szeklers, the part of the country most compactly inhabited by Hungarians, has been dismembered by the arrangement of the provinces. The Administration Act of 14th August 1938, destroying the historical unity of Transylvania, cut up the Land of the Szeklers, that strongest Hungarian area, and attached the counties of Háromszék and Brassó to the new province of Buceg, which was formed of territory belonging solely to the Regate.

It is to be hoped that the new elections, the results of which will be known shortly, will differ considerably from those that preceded them, the very memory of which is pain-

ful to the Hungarian minority, recalling, as it does, the acts of brutality, violence and illegality which accompanied them in which the bayonets of the gendarmes played a significant rôle. Hitherto the elections were nothing but conjuring tricks devised to disguise the dictatorship of the Government in office. The new Suffrage Act has too greatly restricted the use of electioneering propaganda in decreeing that all candidates may do is to have their photographs with an accompanying text not exceeding 100 words in length placarded at the parish hall and the voting premises (§ 32).

It is to be understood that the Hungarian national minority is not too optimistic about the forthcoming Parliamentary elections, for the new Act has not, as we see from the foregoing, done much to better conditions. The two million Hungarians, who in their sore plight were constrained with the rest of the minorities to join the only political party permitted by the Government, the *National Renascent Front*, were allowed to nominate 16 candidates for Parliament and 5 for the Senate. At the same time the 545,000 Germans in Rumania were allowed to nominate 11 candidates for Parliament and 5 senators. The mere fact that the number of candidates allowed the Hungarian minority falls so far short of what they would be entitled to, shows that there is no chance of their being properly represented, and is a warning not to over-estimate the significance of the results of the elections. Neither must we forget that the Hungarian minority is hardly represented at all on the boards and guilds of the branches of occupation recognized by the new Act whose heads alone have the right to elect senators. We must refrain from being too optimistic* about the approaching Rumanian elections.

* How justified our pessimistic words were is shown by the fact that only 9 Hungarians received mandates at the elections.