

RESUME

Miklós BAKK

Autonomy Plans of the Past Three Decades

This study focuses on the series of Hungarian autonomy plans, which have been developed as part of a political and historical process in Transylvania as of the political transition of 1989. The roots of these written autonomy-drafts, including the territorial autonomy aspirations of Szeklerland, go deep into the history and traditions of the Transylvanian-Hungarian community, and were thus determined on the one hand by the public law traditions of Transylvania, and on the other hand by the parallel nation-building processes of minority Hungarians and majority Romanians that has been unfolding for over a century. While these nation-building processes were a marked characteristic of Hungarian-Romanian relations throughout the interwar period, as well as the communist era, the study focuses on autonomy-related developments that occurred in the three decades following the political transition. More than a dozen autonomy-drafts were elaborated in this time-frame, most of which served multiple purposes. The political representatives of Hungarians in Transylvania drafted “autonomy-blueprints” not only to present their public policy preferences – namely to obtain a higher degree of self-rule that is safeguarded by proper institutional guarantees –, but also to define their political identity. From this perspective, these autonomy drafts also constitute a form of symbolic capital in the “competition” between political organizations of minority Hungarians, as well as *vis-à-vis* Romanian political actors. Against this backdrop, these representative organizations also

had to face a rhapsodically changing international legal environment, sometimes supportive of minority-autonomy aspirations, other times not. The domestic political and legal context proved to be less prone to change. The Romanian state-building traditions provided for the permanent rejection of autonomy arrangements. Centralization has continued to be a typical strategy of all Romanian mainstream political parties, a constant feature of Romanian state-building efforts that echoes the preferences of the ethnic majority as well as their reflections on the geopolitical position of Romania as the easternmost country of the EU. Consequently, the success of minority-Hungarian autonomy aspirations is also examined in the historical perspective of the transformation of the Romanian state.

Norbert TÓTH

Postmodern Knights: Relations Between the Hungarian Human Rights Foundation and International Organisations (1976–2000)

The Hungarian Human Rights Foundation (HHRF) was established in the United States by civilians almost directly after the Helsinki Final Act had been signed by political leaders of the two blocks of the Cold War. HHRF was a major actor in raising awareness of the situation of minority communities living in countries neighbouring Hungary during the Cold War era and beyond. HHRF was also a strong advocate of human- and minority rights, and by dint of that fact, it was one of the most important American NGOs that informed the US government, including first and foremost the State Department, on minority rights abuses in Central- and Eastern Europe. HHRF also maintained relations with international organizations working in the field of minority protection, like the United Nations or the CSCE/OSCE between 1976 and 2000.

Zsuzsa BALOGH - Réka BÍRÓ - Gyöngyi Anna HENCZ

**Hate Crimes Targeted Against
the Hungarian Minority in Romania**

This study aims to explore the topic of hate crimes targeted against members of the Hungarian minority in Romania. Our empirical research shows that these cases are handled superficially by the Romanian authorities, the existing legal framework is not properly applied, and most cases are closed already in the investigation stage, and the responsible authorities do not prosecute the perpetrators. We examine the legal background and the practice of international and national bodies, while also presenting errors in the interpretation and application of the relevant sources of law pertaining to cases related to hate crimes. We also examine the relation between freedom of speech - hate speech - discrimination - and hate crimes. The conclusions of our study provide a comprehensive overview that presents existing obstacles in the legal framework, and the application thereof that have a detrimental effect on the Hungarian minority community of Romania. Our analysis found that Romanian authorities have a strong tendency to neglect effective investigations into allegations of hate speech and hate crimes targeted against the Hungarian minority. Another key problem is that Romanian authorities legitimize hate speech, especially those exhibited by politicians and public figures, as manifestations of free speech. To date, no convictions have been issued for committing the crime of inciting hatred or discrimination against Hungarians under the new Romanian Criminal Code. In this respect, our study concludes that the Romanian state fails to fulfil its responsibilities to effectively protect citizens belonging to the Hungarian minority from hate crimes.

Barna BODÓ

**Law and Politics in Romania:
The Case of the Catholic High School in Târgu Mureş**

In Romania, education in Hungarian, and the establishment of Hungarian schools has always been a political issue. This is true to the 20th and 21st centuries alike. In this sense there is a continuity between the interwar era, and the communist period, especially with regards to the nationalistic communist dictatorship. The best-known and most relevant example of these times is the establishment of the University of Bolyai before the Paris Peace Treaties: it was established in 1945, and soon, in 1959 it was subordinated to the Babeş University in Cluj, deprived of its independence and then systematically marginalized.

In this paper we present the legal-political tug of war related to the establishment of the Rákóczi Ferenc Roman-Catholic Theological Highschool in Marosvásárhely / Târgu Mureş that has been unfolding as of 2013. This case does not only provide an example of how overtly politicized the establishment and operation of a Hungarian-language education institution can be, it also shows that the political core of the issue is more important to responsible decision-makers than rule of law standards, or Romania's international commitments pertaining to minority education.

Boglárka Anna BALLAGÓ

**School Segregation and Linguistic Discrimination:
Dilemmas and Possible Solutions with Respect
to Nationalities Living in Hungary**

This study focuses on linguistic discrimination and segregation based on linguistic characteristics in Hungary, examining different social processes in connection with these. First, the text explains the termin-

ology used throughout the study, such as equal treatment, segregation, or discrimination. Then, the paper outlines the methods used to analyse the subject matter, highlighting the findings of a survey conducted by the author, as well as the examination of relevant scientific literature, and various sources of law. The mentioned survey was aimed to measure the opinion and the knowledge of the examined age groups in relation to linguistic rights, and the violation of these. The essay concludes with a discussion on possible practical methods to prevent segregation and linguistic discrimination in schools.



KÉSZÜLT A MAGYAR KORMÁNY
TÁMOGATÁSÁVAL



MINISZTERELNÖKSÉG
NEMZETPOLITIKAI ÁLLAMTITKÁRSÁG



BETHLEN GÁBOR
Alap