

УДК 321.01

DOI: 10.17223/22220836/20/9

László Marác

POWER AND MULTILINGUALISM: THE CASE OF THE HUNGARIAN LINGUISTIC MINORITY IN ROMANIA

In this paper, I will discuss the position of the Hungarian minority and language in the Romanian region called Transylvania. Transylvania is a traditional multi-ethnic region where several languages are spoken. The Hungarian language is a minority language compared to the official language of the country, Romanian. The Transylvanian case is important for the study of the relation between power, hegemony and multilingualism. Important features that give insight into this relation include the Romanian Constitution and legal system, the threshold rule for the Hungarian language based on collective and territorial properties, and multilingual institutions. The conclusion is that equality of languages in a multilingual context with majority-minority languages is far from realized. The majority language takes power over the minority language with the help of the state's institutions.

Key words: ethno-linguistic relations, ethnic Hungarians in Transylvania, minority and language rights, Romanian Constitutions, threshold rule, multilingual institutions.

Romania's ethno-linguistic diversity

In Romania, most of the ethnic Hungarians live in the northwestern part of the country, i.e. the Transylvanian area which is traditionally a multi-ethnic region. In fact, the Hungarian minority in Transylvania lives in the northern part of the area stretching from the Hungarian-Romanian country border to the Szeklerland at the feet of the Eastern Carpathians mountains deep into the centre of present-day Romania. The Szeklers (Hun. Székely) are an ethnic Hungarian group in Transylvania displaying a peculiar set of ethnographic, cultural and linguistic features. In the Hungarian kingdom, they were employed as border guards defending the isolated Eastern Carpathian mountain range. In this 'stroke', the ethnic Hungarians are not present in equal concentrations. The Hungarian minority counted by the latest 2011 census 1,227,663 persons that make up around 6.5 percent of the population of Romania. In the Transylvanian area where almost all of the ethnic Hungarians live the percentages of geo-ethnic distribution of ethnic Hungarians and Romanians differ from the national percentages.

In the whole of the Transylvanian territory the ethnic Hungarians make-up around fifteen percent of the total population, while the ethnic Romanians number around seventy percent. However, the percentages of ethnic Hungarians are again much higher in Transylvanian sub-regions of Romania where the ethnic Hungarians actually live in more or less concentrated areas. The Hungarian ethno-linguistic distribution displays an unequal and heterogeneous pattern, however. The ethnic Hungarians basically inhabit three spatially connected sub-regions with a different geo-ethnic distribution. The first sub-region is located in the Hungarian-Romanian border area in the former eastern Hungarian region and present-day northwest Romania, i.e. 'Partium'. In this area, a substantial percentage of ethnic Hungarians constitute an absolute or relative majority in a number of municipalities and districts, especially in cities like Oradea (Hun. Nagyvárad) and Satu Mare (Hun.

Szatmárnémeti). The second sub-region, the area landward is central Transylvania with the major city of Cluj-Napoca (Hun. Kolozsvár). In this region, the ethnic Hungarians are often smaller minorities than in the Partium area and they live often in mixed Hungarian-Romanian-Roma communities but in some municipalities and districts they can have a relative or absolute majority [1]. The third sub-region, which is matching the historical area of Szeklerland (Hun. Székelyföld; Rom. Ținutul Secuiesc) is of about 13,000 km² and consists of the three provinces, i.e. Harghita (Hun. Hargita), Covasna (Hun. Kovászna) and Mureș (Hun. Maros), although most parts of the province of Mureș fall inside the traditional region of Szeklerland. According to the 2002 census, the population of Szeklerland counted 809,000 persons of which 612,043 are ethnic Hungarians yielding around 76 percent of the total. The ethnic Hungarians meanly represent 59 percent of the populations in the Harghita, Covasna and Mureș provinces together. Almost half of the Transylvanian Hungarians live in Szeklerland and are in absolute majority.

Note that the traditional Szeklerland is not recognized by the Romanian state. The term ‘Szeklerland’ itself does not appear in any official national or international document ratified by the Romanian state. In two of the three Szekler provinces the ethnic Hungarians have a clear majority according to the 2002 census. The percentages of the ethnic Hungarians are higher in Harghita and Covasna, i.e. 84.8 percent and 73.58 percent respectively, and much lower in Mureș, i.e. 37.82 percent. Compared to the census of 2002 the percentages of ethnic Hungarians in the three provinces of Szeklerland have hardly changed in the 2011 census. Actually there is an increasing concentration of ethnic Hungarians in Szeklerland. In Harghita, Covasna and Mureș, the percentages and absolute figures of the ethnic Hungarian population are as follows: 85.21 percent (257.707 persons); 73.74 percent (150.468 persons); and 38.09 percent (200.858 persons) respectively.

Nationalizing states in Europe

In essence, the tactics to ensure power and control with the introduction of a hegemonic language has been applied at a larger scale in the age of nationalism that followed the French Revolution [2]. Everywhere in Europe where nation states arose, a language, mostly the language of the group in power, became the dominating paradigm for communication with and within the state guaranteeing that specific groups dominating the language of the nation state formation could take control of the state’s governance structures. Such states were designed as national states selecting the language of the majority group for official communication.

Note, however, that the “ideal” state of affairs, i.e. one nation using a pure language for official communication has never achieved. Dialects or other languages treated as “foreign”, even though they were indigenous, remained to be spoken and used even after a selection for an official language was made. The other, non-state languages have been captured under the misleading term ‘minority languages’, because the patterns, modes and traditions of language use were much more complicated than a simple opposition in terms of a numeral majority and minority speakers is able to capture. However, it was sufficient to exclude minority language speakers from the power structure of the so-called national state. In everyday ethnic practice a situation of language contact remained and according to linguists that

have been studying patterns of language contact, the power element is always present in the contact between two languages, i.e. especially in the relation between majority and minority languages. Notice that this linguistic observation of Nelde and others correlates with the analysis of a political scientist, like Pierre Bourdieu on 'the language policy of exclusion' [3, 4]. Cases of linguistic hegemony and multilingual communication that result in far more complicated linguistic and communicational patterns trigger conflicts. These conflicts are basically political conflicts displaying an asymmetric structure. The language groups not controlling the state language are excluded from power and the groups being excluded from power are struggling for recognition in order to get access to the power structure of the state in their first language.

The end of the twentieth century left us with numerous such struggles over the inclusion and exclusion of indigenous linguistic minority groups. In Europe, only a few cases have been solved successfully within the existing state patterns in consent with both or more of the parties involved in such language conflicts. In most places, however an embittered struggle, even though some modest international regulations in the framework of supranational forums have been elaborated, between linguistic groups is taking place and is the 'exclusion-inclusion dilemma' of speakers of the other, non-standard languages on the agenda. This gives rise to a variety of political conflicts. The Transylvanian case is no exception.

The Romanian Constitution

The Romanian Constitution declares Romania an 'indivisible and unitary nation state' (see article 1.1). and the constitution does define national communities or minorities only on the individual or personal level as 'persons belonging to a national minority' (see article 6.1). Hence, the minority rights and minority language rights are considered in fact personal, individual rights. Observe furthermore that the Romanian Constitution stipulates a hegemonic position for the Romanian language. Article 13 of the Romanian Constitution declares that the Romanian language is the only official language of the country. This has far-reaching consequences for the multi-ethnic and multilingual communities of Romanians, Hungarians, Germans and Roma in Transylvania. Next to the constitutional article specifying the official language of the state, further legal instruments have been designed in order to restrict the use of Hungarian and other minority languages, like laws specifying when the Hungarian language may be used and what percentage of the total inhabitants of an administrative-territorial unit must be ethnic Hungarians in order to use Hungarian officially. The second paragraph of article 120 of the Romanian Constitution guarantees the use of Hungarian in administrative authorities and public services and this is further specified by government decision Nr. 1206, from 27 November 2001, regarding the Law on Local Public administration no. 215/2001, Paragraph 19, Article 2, stating:

Authorities of public and local administrations, public institutions subordinated to them as well as decentralized public services, ensure the use of the mother tongue in their relationships with national minorities, in those administrative-territorial units in which the percentage of citizens belonging to national minorities are over 20 percent; all according to the Constitution, the present law and the international treaties to which Romania is a party.

Article 120 of the Romanian Constitution has been implemented in the Law on Local Public Administration of 2001 [5], where more provisions of language use in local public administration are spelled out and it has been interwoven in the Romanian Educational Law [6] to which we will return below.

One of these provisions, quite particular to the Central and East European part of Europe, is the threshold rule. Hence, the twenty percent arrangement in Romania might seem reasonable from the point of view of the state it is still subject to intra-state politics and to the changing relations between the host-state, the kin-state and the external minority [7]. It leads in fact to all sorts of anomalies. As follows from the Romanian Constitution and Law on Public Administration and Education the Hungarian speaking inhabitants of Transylvania's "capital" Cluj-Napoca were not allowed to use Hungarian for contact and communication with the municipal administration because, according to the 2002 census, only 19.9 percent of the inhabitants had registered as ethnic Hungarians [8]. Note that there are around 60,000 Hungarian-speaking people living in the city, which is much more than in the smaller Transylvanian towns with a Hungarian majority, where Hungarian can be used in communication with the administration [9]. The latest census does not change this anomaly. According to the 2011 census the percentage of the Hungarian inhabitants of Cluj-Napoca dropped to sixteen percent, i.e. around 50,000 persons from the total inhabitants of Cluj-Napoca that is around 309,136,00. The threshold rule has also consequences for the linguistic landscape. In Romania bilingual municipality signs are dependent on the twenty percent threshold (see administrative law 2001/215). So in a bilingual city, like Cluj-Napoca there are neither official topographic signs in Hungarian.

In sum, the Law on Local Public Administration gives ethnic Hungarian citizens specific rights in terms of communication and language use but it is restricted by a threshold in a specific administrative-territorial domain. So, the Territoriality Principle is relevant here but it is actually operating as a "container" of the Personality Principle [10, 11]. Language rights for national and ethnic minorities are not guaranteed when the percentage of citizens belonging to a national minority is below twenty percent of the population in a certain administrative-territorial unit. So this may imply that even when there is in absolute numbers a large community of citizens belonging to a national minority language rights are not guaranteed. Let us turn to a discussion of the transnational configurations, structures and actors involved in the Transylvanian case.

Multilingual institutions

Article 120 of the Romanian Constitution has been implemented not only in the Law on Local Public Administration of 2001 [12], as discussed above but also in the Romanian Educational Law [13]. The latter gives the Romanian Hungarians the right to establish their own educational institutions. This is not only relevant for the teaching of the Hungarian language but also for the teaching of the Romanian language to non-Romanians. Hungarians complain about the fact that in the Romanian educational system the Romanian language is taught to them, as if Romanian were their mother tongue, i.e. their L1. However, for ethnic Hungarians Romanian should be taught rather as a foreign, L2 language. Note that the Law on Local Public Administration and the Education Law are framed in terms of the Personality Principle, because rights are assigned to individual citizens. As I discussed above

the Territoriality Principle is not an option. The Educational Law of 1/2011 specifies, when the Hungarian language can be used as the language of instruction in educational institutions. The Educational Law is flexible in a way because it does not specify the place of the educational institute but refers to the number of pupils needed to form Hungarian classes being restricted by a minimum number.

Article 135 of the Educational Law 1/2011 also specifies that three institutes for higher education where already national minorities' programs exist in so-called multilingual, multicultural institutions have the right to establish 'mother tongue tracks' [14]. The three institutions include the Babeş-Bolyai University in Cluj-Napoca (Rom. Universitatea Babeş-Bolyai, Hun. Babeş-Bolyai Tudományegyetem), the University of Arts of Târgu-Mureş (Rom. Universitatea de Arte din Târgu-Mureş, Hun. Marosvásárhelyi Művészeti Egyetem), and University of Medicine and Pharmacy of Tîrgu Mureş (Rom. Universitatea de Medicină şi Farmacie Tîrgu Mureş, Hun. Marosvásárhelyi Orvosi és Gyógyszerészeti Egyetem). All these three universities are in the Transylvania area and are traditionally attended by ethnic Hungarians. Following article 135 of Educational Law 1/2011 at these institutions for higher education different language tracks have been introduced. Apart from Romanian and Hungarian English is a language of teaching in these institutions as well. At the Babeş-Bolyai University German is a language of teaching as well in accordance to the traditional presence of the German language in Transylvania. So this university has a quarto-lingual profile, that is Romanian, Hungarian, English and German. Although the Educational Law allows for the introduction of different language tracks in these institutions this has not been successful in all the three 'multicultural, multilingual' universities. The re-profiling of the University of Medicine and Pharmacy of Tîrgu Mureş has been stagnating so far and the negotiations between the Romanian and Hungarian stakeholders are in progress. This process of re-profiling in terms of language tracks has been more successful at the Babeş-Bolyai University.

At the Babeş-Bolyai University there has been a priority to separate Hungarian and Romanian tracks, whenever this is possible. Making use of the legal right to establish its own Hungarian teaching track the Philosophy Department was split into two sections, a Romanian and a Hungarian one. The staff members and the students agreed that language in the case of philosophy is extremely important. Hence, the decision was taken to split the Department into two language sections, that is a Romanian and Hungarian one. However, the staff, i.e. both Romanians and Hungarians, of the Institute of Political Science decided not to split the Department into two sections but rather to increase the number of courses that are taught in the Hungarian language without setting up a complete, separate administration for it. Due to the fact that the Romanian collaborators of the Institute for Political Science have no command over the Hungarian language English has become more and more the language of mutual communication in the Department itself. But not only some of the university state institutions have the possibility to implement a multilingual policy but also state sponsored research institutes, like the institute for the study of the ethnic and minority issues, the Romanian Institute for the Research on National Minorities (Rom. Institutul Pentru Studierea Problemelor Minorităţilor, Hun. Nemzeti Kisebbségkutató Intézet) employ a multilingual policy. Their website (see www.ispmn.gov.ro) and their publications are trilingual, i.e. in Romanian, Hungarian and English.

Conclusions

In this paper, I have discussed the relation between power and multilingualism in the multilingual context of the Transylvanian area in Romania. This area is traditionally a multi-ethnic region where several languages are being spoken and thus it provides excellent insight into the relation between power and multilingualism. The geo-ethnic distribution of the ethno-linguistic Hungarian minority in Transylvania displays a complicated pattern where Hungarians are sometimes the majority but their language use is restricted by the power and hegemony of the Romanian state and its institutions. The latter is favoring its national language, the Romanian language. This leads then to the 'exclusion-inclusion' dilemma generating all sorts of asymmetries. The Romanian language is due to Article 13 of the Romanian Constitution the sole official language of the country. The Hungarian language only has an official status at the sub-national and local level determined by the demographic and identificational make-up of administrative territorial units. The power of the Romanian state over the Romanian territory gives the state the means to restrict the Hungarian language to administrative-territorial units where the Hungarian language is spoken by at least twenty percent of the population in such a unit. So, the power of the Romanian state over its state territory is used against the free use of the Hungarian language in the public domain. The Hungarian ethno-linguistic minority has little or no power possibilities to counterbalance this state policy. Recently the Hungarian language has been accepted as a language of teaching in three institutes of higher education due to Educational Law 1/2011. This is however far from sufficient to satisfy needs for Hungarian speaking students in Romanian higher education.

Literature

1. Brubaker Rogers, Margit Feischmidt, John Fox, and Liana Grancea. *Everyday Ethnicity in a Transylvanian Town*. Princeton University Press, Princeton NJ, 2006.
2. Bourdieu Pierre. *Language & Symbolic Power*. Harvard University Press, Stockholm, 1991.
3. Bourdieu Pierre. *Language & Symbolic Power*. Harvard University Press, Stockholm, 1991.
4. Nelde Peter. *Language Contact. Annual Review of Applied Linguistics* 15, 1995. P. 81–90.
5. Horváth István, Ilka Veress and Katalin Vitos. Közigazgatási nyelvhasználat Hargita megyében az önkormányzati és a központi kormányzat megyeszintű intézményeiben. *Working Papers in Romanian Minority Studies* nr. 27. Institutul Pentru Studierea Problemelor Minorităților Naționale, Cluj-Napoca, 2010. P. 7–9.
6. Janssens Rudi, Virginie Mamadouh, and László Marác. Multilingual Higher Education in European Regions. *Acta Universitatis Sapientiae, European and Regional Studies* 3, 2013. P. 16–17.
7. Kovács Mária and Judit Tóth. Kin-state Responsibility and Ethnic Citizenship: the Hungarian Case. In: Baubock Rainer, Bernard Perchnig, Wiebke Sievers (eds.): *Acquisition and Loss of Nationality, expanded and revised edition*, vol. 1. Amsterdam University Press, Amsterdam, 2009.
8. Brubaker Rogers, Margit Feischmidt, John Fox, and Liana Grancea. *Everyday Ethnicity in a Transylvanian Town*. Princeton University Press, Princeton NJ, 2006.
9. Marác László. Language Policies in Central and East European States with Hungarian Minorities: Implications for Linguistic Rights Protection of National Minorities in the EU. In: Horváth István and Márton Tonk (eds.): *Minority Politics within the Europe of Regions*. Scientia Publishing House, Cluj-Napoca, 2011. P. 155–184.
10. McRae Kenneth D. The Principle of Territoriality and the Principle of Personality in Multilingual States. *International Journal of the Sociology of Language* 4, 1975. P. 33–54.
11. Dembinska Magdalena, László Marác, Márton Tonk. Introduction to the Special Section: Minority Politics and the Territoriality Principle in Europe. *Nationalities Papers* 42. (3), 2014. P. 355–375.
12. Horváth István, Ilka Veress and Katalin Vitos. Közigazgatási nyelvhasználat Hargita megyében az önkormányzati és a központi kormányzat megyeszintű intézményeiben. *Working Papers in*

Romanian Minority Studies nr. 27. Institutul Pentru Studierea Problemelor Minorităților Naționale, Cluj-Napoca, 2010. P. 7–9.

13. Janssens Rudi, Virginie Mamadouh, and László Marác. Multilingual Higher Education in European Regions. *Acta Universitatis Sapientiae, European and Regional Studies* 3, 2013. P. 16–17.

14. Janssens Rudi, Virginie Mamadouh, and László Marác. Multilingual Higher Education in European Regions. *Acta Universitatis Sapientiae, European and Regional Studies* 3, 2013. P. 17.

15. Marác László. Language Policies in Central and East European States with Hungarian Minorities: Implications for Linguistic Rights Protection of National Minorities in the EU. In: Horváth István and Márton Tonk (eds.): *Minority Politics within the Europe of Regions*. Scientia Publishing House, Cluj-Napoca, 2011. P. 155–184.

16. Hagan Margaret Darin. The Transnational Ethnic Activism of Vojvodina Hungarians. *Nationalities Papers* 37. (5), 2006. P. 613–640.

17. Brubaker Rogers, Margit Feischmidt, John Fox, and Liana Grancea. *Everyday Ethnicity in a Transylvanian Town*. Princeton University Press, Princeton NJ, 2006.

18. Brubaker Rogers, Margit Feischmidt, John Fox, and Liana Grancea. *Everyday Ethnicity in a Transylvanian Town*. Princeton University Press, Princeton NJ, 2006.

Prof. Dr. László Marác. University of Amsterdam (Amsterdam, the Netherlands). E-mail: l.k.maracz@uva.nl.

DOI: 10.17223/22220836/20/9

POWER AND MULTILINGUALISM: THE CASE OF THE HUNGARIAN LINGUISTIC MINORITY IN ROMANIA

Key words: *ethno-linguistic relations, ethnic Hungarians in Transylvania, minority and language rights, Romanian Constitutions, threshold rule, multilingual institutions.*

In this paper, I have argued that power and multilingualism can be studied on the basis of the traditionally multi-ethnic region in Transylvania in the northwest part of Romania. This area includes several ethno-linguistic communities, such as Romanians, Hungarians, Germans, and Roma. The Hungarian ethno-linguistic community forms a minority community that is dependent on the Romanian majority population for its linguistic and national rights. The Romanian community controls the Romanian state and its territory. The Hungarian ethno-linguistic community displays a complex geo-ethnic distribution. In some cases, it is even a majority, like in the historic Szeklerland. In cases of multilingualism, and majority-minority relations an ‘exclusion-inclusion’ dilemma pops up. Both the discipline of political sciences and the one of contact linguistics observe that languages compete for hegemony in a multilingual space. Speakers of minority languages are excluded from power in such a competition. The community who is controlling the state, and in the Transylvanian case this is the Romanian majority community has a number of institutions and tools to exclude the speakers of the minority languages. In this paper, I have argued that the Romanian state employs the Constitution of the country to declare Romanian the official language of the country (Article 13 of the Constitution). The minority languages, including Hungarian, can only be used if a threshold is reached that is restricted by territorial and identificational aspects. The minority speakers have to number at least twenty percent of the total population in an administrative-territorial unit. The state has the power to conduct this language policy, because it has full control over territory and controls the census data. If a community of minority speakers in a specific authoritative territory does not reach the twenty percent threshold, then the Hungarian language cannot be used as an official language and street and other topographic signs are banned. Due to the Educational Law 1/2011 three institutes for higher education have received the status of ‘multilingual institutions of higher educations’. In these institutions other minority languages than the Romanian state language are being used, like Hungarian and German. Although the Educational Law provide some facilities to teach in the languages of the minority communities it is not sufficient to satisfy the need for Hungarian language teaching at the highest level of education. Furthermore, even in the three cases granted the implementation of the law is far from perfect. So, in multilingual regions with majority-minority languages the language of the majority speakers has power over the minority languages for the tools and institutions of the state to power favor it over the languages of other, minority speakers.