UNIVERSITY OF AMSTERDAM

UvA-DARE (Digital Academic Repository)

Is the EU Accession a critical Juncture for Romania's Language Policy

Marácz, L.K.

DOI
10.14232/belv.2017.4.3
Publication date
2017
Document Version
Final published version
Published in
Belvedere Meridionale

License
CC BY-SA

Link to publication

Citation for published version (APA):
Marácz, L. K. (2017). Is the EU Accession a critical Juncture for Romania's Language Policy. *Belvedere Meridionale*, *29*(4), 28-42. https://doi.org/10.14232/belv.2017.4.3

General rights
It is not permitted to download or to forward/distribute the text or part of it without the consent of the author(s) and/or copyright holder(s), other than for strictly personal, individual use, unless the work is under an open content license (like Creative Commons).

Disclaimer/Complaints regulations
If you believe that digital publication of certain material infringes any of your rights or (privacy) interests, please let the Library know, stating your reasons. In case of a legitimate complaint, the Library will make the material inaccessible and/or remove it from the website. Please Ask the Library: https://uba.uva.nl/en/contact, or a letter to: Library of the University of Amsterdam, Secretariat, P.O. Box 19185, 1000 GD Amsterdam, The Netherlands. You will be contacted as soon as possible.

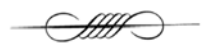
UvA-DARE is a service provided by the library of the University of Amsterdam (https://dare.uva.nl)

Download date:09 Nov 2026

MARÁCZ, LÁSZLÓ PHD

l.k.maracz@uva.nl
assistant professor (Department of European Studies,
University of Amsterdam, The Netherlands)

Is the EU Accession a Critical Juncture for Romania's Language Policy?



ABSTRACT

In the course of history, Romania's Transylvania was the home of a number of different ethno-linguistic groups, including Hungarians, Romanians, Germans, Jews and Roma among others. After the First World War, and particularly during the last decades of the communist regime, however, pressures to create a highly centralized, uniform, monolingual state with the Romanian language as its only official language have largely increased. This uniformizing French style Jacobin language policy became a key element of the Romanian state tradition, supported by the make-up of its institutions and legal provisions. As a consequence, the languages of Romania have been ordered hierarchically with the official Romanian language outranking the different minority languages, including Hungarian, German, Roma, Ukrainian, Slovakian, Serbian, Bulgarian, Ruthenian, Russian and so on. In this framework, the minority languages could be used at a local and regional level only. However, minority language use was restricted by language laws, thresholds and other hampering measures. The country's accession to the European Union (EU) in 2007 has been celebrated as a critical juncture challenging the canonical top-down Jacobin state tradition and its exclusive language policy with respect to the minority languages. The analysis presented in this paper will weigh the pro's and contra's of this claim. It will be concluded that although minority languages have received more recognition under the new EU order than under former Romanian nationalizing regimes, like the preceding post-communist and communist rules, the implementation of a permissive minority language policy still shows serious deficiencies. It will be concluded that the accession of Romania to the EU can hardly be referred to as a critical juncture concerning its language policy.

KEYWORDS

Romania, ethno-linguistic diversity, language policy, multi-level-governance, path dependency, critical juncture

DOI 10.14232/belv.2017.4.3 https://doi.org/10.14232/belv.2017.4.3

Cikkre való hivatkozás / How to cite this article: Marácz, László (2017): Is the EU Accession a Critical Juncture for Romania's Language Policy? Belvedere Meridionale vol. 29. no. 4. 28–42. pp.

ISSN 1419-0222 (print) ISSN 2064-5929 (online, pdf)

(Creative Commons) Nevezd meg! – Így add tovább! 4.0 (CC BY-SA 4.0)
(Creative Commons) Attribution-ShareAlike 4.0 International (CC BY-SA 4.0)

www.belvedere-meridionale.hu

Introduction

In this paper, I will address the question whether the accession of Romania in 2007 to the EU can be considered as a critical juncture for the country's language policy.[1] In order to answer this research hypothesis we will make an analysis of the Union's language regime and the language regime of Romania which has to coop with traditional ethno-linguistic diversity.[2] The question is important because it is argued that due to the architectural make-up of the EU cultural and linguistic diversity receive much more recognition than in the old system of the European nation states, i.e. the so-called Westphalian framework.[3] To make an insightful analysis that elaborates on the architectural structure of the EU to which Romania joined in 2007 it will be unavoidable to include historical-cultural aspects of the development of the modern Romanian state after the First World War.

In order to elaborate on a detailed analysis of the state traditions of Romania I will rely on the analytical tools which have been put forward in the volume *State Traditions and Language Regimes* (henceforth STLR) edited by Linda Cardinal and Selma Sonntag. In the introduction of their book they argue that in order to find an explanation for the nature and origin of language policy designed by the state the notion of *'state tradition'* defined as a conceptual framework for understanding language policy choices in a dynamic context, i.e. historical, institutional and normative ones, needs to be deconstructed.[4] Cardinal and Sonntag outline in their introduction to STLR two analytical tools in order to link state traditions to policy choices. These involve *'path dependency'* and *'critical junctures'*. The former focuses on the historical continuity

[1] The research leading to these results has received funding from the European Union's Seventh Framework Programme (FP7/2007–2013) under grant agreement no. 613344. A first version of this paper was presented at the conference 'The Politics of Multilingualism: Possibilities and Challenges at the University of Amsterdam, May 22–25, 2017. I am indebted to Selma Sonntag as the discussant of this paper for her critical and stimulating comments and to the participants of the conference for feed-back. I am also indebted to Zsombor Csata for sharing his insights with me in Transylvanian matters.

[2] See the following references: Bárdi et al. 2011; Cadzow et al. 1983; Köpeczi 1994.

[3] See the following references for this claim Grabbe 2006; Jackson Preece 1997; Kymlicka 1996, 2008; Kymlicka – Opalski 2001; Marácz 2011; May 2012; Sasse 2005, 2008; Williams 2013.

[4] Compare Sonntag – Cardinal 2015. 4.

of state traditions. History is important in order to get insight into the *why?* and *how?* questions of language policies.[5] The concept of *'critical junctures'* homes in on pivotal points of interaction between tradition and policy. A political science approach towards language policy also allows us to redefine the outcome of the interplay of state traditions and language policies, i.e. the concept of *'language regime'* defined in STLR as *"language practices as well as conceptions of language and language use as projected through state policies and as acted upon by language users"*.[6] It is true that according to modern sociolinguistics language regimes are *"socially constructed"* but languages regimes are connected, designed, promoted, and so on by the state in the first place. This observation demonstrates the merits of an interdisciplinary approach towards language policy. Both normatively and non-normatively driven analyses are relevant to understand the interface between state and society patterns.

The concept of *'path dependency'* is probably easier to grasp on the basis of a historical and legal analysis than the concept of *'critical juncture'* which implies a change in the state tradition that facilitates radical changes in a country's linguistic regime. It must be admitted that the concept of critical juncture is harder to operate with. It is easier to operate with what Capoccia and Kelemen call process tracing and other general forms of structured, theory-guided narratives which are relevant for the analysis of path dependency.[7] Critical junctures however are characterized by pivotal points of interaction between tradition and policy. According to the description of Sonntag and Cardinal, this can be a very wide array of what they call major historical shifts, like decolonization, war, redrawing of national borders, the dissolution of old states, and new patterns of governance – but ones never completely divorced from the old state of affairs.[8]

A major shift in the modern history of Europe was certainly the EU becoming a political union, when the Maastricht Treaty was concluded in 1992. Europeanization introduced innovative concepts of governance competing with the nation state, like multi-level governance, transparent borders, supranational rules and regulations, and so on.[9] Furthermore, it has been observed that the European architecture was advantageous for the recognition of multilingualism and linguistic diversity.[10] The Case studies in STLR demonstrate that not all European languages are affected in the same manner and degree by this major shift in history. Although it is clear that changing power constellations are involved in critical junctures it is not always clear that these power constellations are strong enough to bring the *'path dependency'* off course in all the relevant domains. In sum, although it seems well-motivated to analyze Europeanization in terms of a critical juncture the exploring analyses in STLR unambiguously demonstrate that language regimes might be affected otherwise in each single case. Hence, there seems to be a more subtle interplay between state traditions and major historical shifts than the editors point out in their introductory chapter of STLR.[11]

---

[5] Compare Sonntag – Cardinal 2015. 4.

[6] Compare Sonntag – Cardinal 2015. 6.

[7] Compare Capoccia – Kelemen 2007. 355.

[8] Compare Sonntag – Cardinal 2015. 4–5.

[9] See Mccormick 2015; Lelieveldt – Princen 2014; Scholten – Penninx 2016.

[10] Compare Marácz – Rosello 2012; Vizi 2012.

[11] See Sonntag – Cardinal 2015. 3–26.

European Union

After the collapse of communism, the countries in the western part of the former orbit of the Soviet-Union have integrated into the EU. It is difficult to characterize the enlarged European Union as a political entity. It can be argued that it is a hybrid structure compromising institutional aspects of the traditional European system of nation states and institutional aspects of federalism, like the European Commission and other institutions of the EU.[12]

In order to understand the politics of multilingualism in the member states of the post-Soviet space it is necessary to investigate political and institutional aspects of both systems, i.e. the nation state system and the more recent supranational features of the EU. Seemingly, there is a conflict in this system. Traditional nineteenth century nation states are characterized by the concept of *'one state-one nation-one language'*, whereas the supranational aspects of the EU imply a different relation between the European citizen and the so-called European institutions. In the European framework, there is no one-to-one mapping between citizenship-institutions and language. Here comes in the issue of multilingualism and the politics of multilingualism, for the language regimes and the use of individual languages is dictated by power constellations.[13] Although a complete multilingual regime is guaranteed in the EU by language regulation 1/1958, this language regime has not *"percolated down"* to the member states of the Union. By large in the member states a restricted set of languages are official and might function as a lingua franca for the citizens that live in the territories where those languages are used. This traditional language situation, characterized by a so-called upgrading of national languages onto the level of the EU, does not hold factually in the EU. European language policy is further guided by an educational resolution that was adopted at the Barcelona European Council in 2002, the so-called 1 + 2 formula.[14] The Barcelona formula states that every citizen should be taught to master at least two foreign languages in addition to his or her mother tongue. A recent resolution on multilingualism adopted by the European Parliament on 24 March 2009 states that the Union *"Reiterates its political priority of the acquisition of language skills through the learning of other EU languages, one which should be the language of a neighboring country and other international* '(...) *»lingua franca«* (...)' *(compare article 36)".*

The conflict consists in the fact that in the traditional model of nation states the matching between the official language of the nation state and the mother tongue of its citizens was taken for granted, although we know from a number of studies on linguistic diversity in the history of Europe, that this was not perfect in the nineteenth century's Westphalian system of nation states. In nineteenth century's Europe linguistic diversity was normally an inherent feature of the societies that were claimed to be monolingual. An eloquent example of this state of affairs where linguistic diversity was implemented in the language regime was the Austro–Hungarian Empire.[15] Although in the two parts of the Austro–Hungarian Empire, i.e. the Austrian parts and the Hungarian territories the language regimes were not completely identical, the languages of the different traditional ethnic minorities referred to in legal texts as *'nationalities'* had an official position in the public sphere and at the levels of regional and local governance.

---

[12] See Mccormick 2015; Lelieveldt – Princen 2014.

[13] See Marácz 2012.

[14] See Marácz 2012. 21.

[15] See Marácz 2012. 23–27.

In a similar fashion the language policy schemes of the EU leave more space for the detachment of mother tongue and official languages, as compared to the traditional nation states schemes. This detachment has been recognized by the Council of Europe, an organization monitoring the issue of human rights in the states of Europe and closely involved in the conditioned accession of candidate member states to the EU.[16] Two conventions of the Council of Europe guarantee the linguistic rights of traditional minorities in the states that are a partner to these legal treaties, i.e. the Framework Convention for the Protection of National Minorities (FCPNM) signed on 1 February 1995 in Strassbourg and the European Charter for Regional and Minority Languages (ECRML) adopted on 5 November 1992 also in Strassbourg. Both charters have been included by the Union as one of the four accession – the so-called Copenhagen – criteria for EU membership. Especially the new EU-candidate countries from the post-Soviet space having traditional ethno-linguistic minorities on their territory had to fulfill the obligations of these charters before they could enter the Union. As a result of these supranational interventions concerning member state accession a supranational linguistic space in the EU has been developing.[17]

It has been argued that the apparent conflict sketched above between the classical nation state model inherited from the Westphalian system and the supranational features of the EU and its satellite organizations, like the Council of Europe can be resolved in a flexible framework of multi-level governance (MLG). MLG is able to absorb the characteristics of the national Westphalian system and the ones of federal systems, like the EU.[18] The idea is that policy is generated as an outcome of the interplay between different levels of governance, distinguishing different tiers that might operate autonomously but also in an interactive fashion, including the supranational Brussels, the national, regional and local tiers. This model incorporates enough flexibility to analyze seemingly antagonistic language regimes within one and the same analytic model. In order to demonstrate the working of the European system concerning Romania let us first discuss Romania's state tradition and language regime.

Romanian language policy

The First World War can be interpreted as a *'critical juncture'*. Three traditional continental empires that had dominated the European history for centuries, at least in the Central and Eastern European space, i.e. the Habsburg Empire, Tsarist Russian, and the German Empire collapsed as a consequence of the Great War. In the aftermath of these collapses a new territorial state ordering of newly established or enlarged states, and a rearrangement of internal political power constellations took place. The guiding principles for these rearrangements were democratic ethnic self-determination in accordance with the Fourteen Points declared by US president Woodrow Wilson during the First World War. The national and democratic rearrangement of Central and Eastern Europe was implemented at the Versailles Peace Conference in a series of peace treaties under the responsibility of the victories powers, the so-called Allied Powers.[19]

The Austro–Hungarian Empire was dissolved by the Treaty of Saint-German (10 September 1919) which was concerned with the Austrian part of the empire and the Treaty of Trianon

[16] See the following references: Gál 2000; Skovgaard 2007; Schwellnuss 2005.

[17] Compare Brubaker 1996; Csergő – Goldgeier 2013; Marby et al. 2013; Marácz 2014a, 2015a, 2015b, 2016.

[18] See the papers in Scholten – Penninx 2016.

[19] Compare Chaszar 1982.

(4 June 1920) which regulated the partitioning of the Hungarian kingdom. Romania was one of the states that benefitted from these Peace Treaties. Due to these treaties Romania doubled its size. After the First World War in 1920, the country covered an area of 295 square kilometers and integrated the following areas next to the core Romanian state, the Romanian kingdom established in 1881, i.e. Bessarabia from Russia, Bukovina from Austria, Transylvania, and parts of East Hungary and the Bánát region from Hungary. Due to its heterogeneous territorial make-up Greater Romania was an ethno-linguistically diverse country. Of the approximately eighteen million inhabitants of Greater Romania 28.1 percent were ethno-linguistically non-Romanian.[20]

The country consisted of the following ethno-linguistic groups, including Romanians 12,981,000 (71.9 per cent), Hungarians 1,425,000 (7.8 per cent); Germans 745,000 (4.0 per cent); Ruthenians 582,000 (3.2 per cent); Russians 409,000 (3.2 per cent); Bulgarians 366,000 (2.1 per cent); Turks 154,000 (0.8 per cent), and others 990,000 (5.3 per cent).[21] The rights of these ethno-linguistic minorities were guaranteed by special treaties for minority protection, namely the Treaty *'Between the Principal Allied and Associated Powers and Romania Concerning Minority Protection'*. This treaty was signed in Paris, December 9, 1991.[22] On behalf of the Principal Allied and Associated Powers, the US, United Kingdom, France, Italy, and Japan signed the so-called Minority Treaty of Paris. Articles 2 and 8 of the Treaty were meant as fundamental laws being of a higher order than any potential Roman legal order (see article 1). These minority treaties annexing the First World War Peace Treaties were supposed to be monitored by the League of Nations, a supranational organization that was established as an outcome of the new European order established by the Paris Peace Conference (see article 12 of the minority treaty). Article 2 of the Treaty included a non-discriminative clause, i.e. *"no discrimination is allowed in Romania on the basis of birth, nationality, race, religion, or language"*. In article 8 there is a prohibition on the ban by the state on the use of the languages of the Romanian nationals of non-Romanian speech in private and public spheres and free speech of their language, either orally or in writing, before the courts, independently of whatever the official language of Greater Romania would be, i.e. it was expected to be Romanian. Article 11 of the minority treaty guaranteed the communities of the German-speaking Saxons and Hungarian-speaking Szeklers in Transylvania local autonomy in regards to school and religious matters, subject to the control of the Romanian State. Both communities enjoyed an ethno-linguistic majority in their home territories, i.e. Szeklerland, roughly a territory consisting of contiguous traditional counties in the northeastern part of Transylvania and Saxon land bordering to west of Szeklerland.[23] The Minority Protection Treaty with Romania guaranteed the use of the German, and Hungarian language on the basis of the personality principle, although the Szekler and Saxon ethno-linguistic communities were in clear majorities in their own territories.[24] In practice, this implied that these ethno-linguistic communities could use the German, and the Hungarian language respectively in the domain of the school system, especially in institutions of primary and secondary education, and in the frameworks of their religious organizations, i.e. the Hungarians were members of the Reformed, Unitarian, and Roman Catholic Churches, while the Saxons were above all members of the Evangelical Church.

[20] See Nagy 1994.

[21] See Bárdi et al. 2011.

[22] See Nagy 1944. 212–221.

[23] Compare Elekes 2011; Kocsis 2013; Lipcsey 1990.

[24] See for a discussion of the personality and territoriality principles Mcrae 1975; Dembinska et al. 2014.

After the Romanian State had established itself in the newly acquired territories a new Romanian Constitution was adopted in 1923.[25] Article 126 declared the Romanian language to be the official language of the state. As the Minority Protection Treaty already anticipated to this future move of the Romanian State it had to guarantee the use of the other languages of non-Romanian speaking Romanian nationals. However, declaring the Romanian language the official language of the state for its whole territory without recognizing the traditional Saxon land, Szeklerland and large groups of ethno-linguistic Hungarians, Germans, Roma and other nationalities in Transylvania introduced a Jacobin state tradition in the domain of the Romanian language regime. Article 126 introduced a hierarchy of languages in Romania with the language of the ethno-linguistic Romanian majority ranking higher than the minority language even in territories in Transylvania where the minorities were in majority. The declaration of the Romanian language as an official language became an important tool in realizing another important Jacobin objective of the Romanian State declared in article 1 of the 1923 Constitution. This article declared Romania to be an indivisible, national unitary state. In the light of the ethno-linguistic diversity statistics presented above this led to the *'nationalizing state'* in the sense of Rogers Brubaker with assimilation strives targeting the non-Romanian speaking minorities of Romania.[26]

In the turbulent course of the twentieth century up to now the constitutional declaration of an indivisible, independent, sovereign and Romanian national unitary state has been the key concept of the Romanian State whatever its state form was. Between 1881–1947, Romania was a constitutional monarchy; between 1947–1989 it was a republic based on the communist regime; and from 1989 up to today Romania is a liberal democratic state which has been a member of the EU since 2007. The concept of Romanian national unitary is declared in the 1923/1, 1938/1, 1948/1, 1952/preambule, 1965/1, 1991/1, and 2003/1 constitutions. Next to the concept of the Romanian unitary state which is based on an ethno-linguistic Romanian majority Romanian as the official language of the state is explicitly declared in the Constitutions of the constitutional Romanian kingdom, i.e. 1923/126, 1938/94, and in the present liberal democratic Constitutions 1991/13, and 2003/13.

In the Constitutions of the communist period the official language of the Romanian national unitary state is not declared in a particular article but it is clear from the communist Constitutions that the languages of the minorities or *'cohabitating nationalities'* as they are referred to are of a lower order than the Romanian state language. Note that after the Second World War Romania got into the orbit of the Soviet Union and the arrangements of the First World War were no longer considered valid for the Central and Eastern European space. In the beginning of the socialist period the Romanian State did some concessions in the field of Hungarian language use in Szeklerland under pressure of the Soviet Union. In the Constitution of 1948 the language of the minorities can be used on the basis of the personality principle (see articles 24, and 68). The legal position of the Hungarian language even improved in the 1952 Constitution. Between 1952 and 1968 an administrative-territorial unit functioned with equal rights of the Hungarian language to the official Romanian language. The establishment of a Hungarian region followed the nationality practice of the Soviet Union.[27] Hence, Stefano Bottoni calls this form of *"autonomy"* a gift of Stalin to the Romanian Hungarians.[28]

---

[25] See for the text of the Romanian Constitutions: http://www.rogoveanu.ro/constitutia.html, accessed at June 1, 2017.

[26] Compare Brubaker 1996.

[27] See Bottoni 2008, 2013; Bottoni – Novák 2011.

[28] Stefano Bottoni personal communication.

In the preambule of the 1952 Constitution the Hungarian language is declared to have an equal status to the Romanian language in an administrative-territorial unit, the so-called Hungarian Autonomous Region (HAR) which matched more or less the traditional Szeklerland and existed between 1952 and 1960. Here *'autonomous'* should be read between inverted comma's, for the HAR remained centrally controlled by the Romanian State (1952/20,21). Only on the territory of the HAR a compact majority of Hungarian-speaking Szeklers was allowed to use Hungarian as a language of public administration (see 1952/19) turning the public administration of the HAR into bilingual Hungarian and Romania.[29] The communication between the central organs of the HAR in Tîrgu Mures (Hun. Marosvásárhely) and the Romanian power centre in Bucharest took however place in the official language of the state, i.e. Romanian. Interestingly, the second popular language at the Hungarian primary and secondary schools in the HAR was Russian before the Romanian state language. This led to tensions with the Romanian central authorities.[30] The fact that Hungarian was an official language in the HAR weakened the position of the Hungarian language in other parts of Transylvania, excluding all other Hungarian communities in Transylvania from the use of the Hungarian language in public administration and the public spheres. In the fifties bilingual Romanian and Hungarian geographical signs were only allowed to be used on the territory of the HAR. In the rest of Transylvania even in places with a Hungarian majority this was ruled out.[31] In the second half of the sixties the Romanization drives of Transylvania also affected the *"autonomy"* of the HAR. The Romanization of the HAR intensified, when its territorial borders were changed with the goal to reduce the Hungarian majority in the HAR and to increase the number of the persons belonging to the Romanian minority in the region. The newly demographically engineered Hungarian region was referred to as the Mureș (Hun. Maros)-Hungarian Autonomous Region (MHAR). The Romanian constitution of 1965 guaranteed the free use of the languages of non-Romanian nationalities within special administrative-territorial units, like the MHAR. In practice however, the so-called Hungarian language administration was hampered by the increase of Romanian speaking persons. The newly created MHAR functioned between 1960 and 1968 before it was dissolved by the Ceaușescu regime.

In the post-Soviet period the new liberal democratic Constitution of 1991 and its modified version of 2003 both declare Romania a national unitary state (1999/1, 2003/1) and Romanian as the official language of the State (1991/13, 2003/13). Article 32 of the 1991 and 2003 Constitutions specify the language right of persons belonging to national minorities. These language rights are based on the personality principle.[32] Minority language speakers have the right to learn their mother tongue and receive education in their mother tongue (1991/23, 2003/32). The use of minority languages at regional and local levels is regulated by the second paragraph of article 120 of the Romanian Constitution (1991, 2003) guaranteeing the use of minority languages in administrative-territorial units and public services. This is further specified by government decision No. 1206, from 27 November 2001, regarding the Law on Local Public administration no. 215/2001, Paragraph 19, Article 2, stating:[33]

---

[29] See Lipcsey 1990. 72.

[30] See Bottoni 2008. 120., 391.

[31] See Lipcsey 1990. 72.

[32] See Gal 2008; Csergő 2007; Nádor – Szarka 2003.

[33] Compare Horváth et al. 2010.

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.

Note that Hungarian language use is subject to asymmetries in Romania, even when it may be officially used. Firstly, its use is allowed in accordance with the personality principle but it is restricted by the threshold rule of twenty per cent. At least twenty per cent of the total inhabitants of an administrative-territorial unit must be minority language speakers in order to give the minority language an official status. Hence, this can be referred to as linguistic personality restricted by negative territoriality.[34] The second asymmetry which pops up is asymmetric bilingualism. Even when there is a large majority of Hungarian speakers in an administrative-territorial unit mother tongue speakers of Romanian are never required to learn or speak Hungarian but vice versa is not the case.[35]

Analysis

Let us consider the research question of this paper again: Is EU accession a critical juncture for Romania's language policy? The First World War was a clear critical juncture affecting the make-up of states and their internal administration in the Central- and Eastern European space. The Romanian language became the official language of the enlarged Romanian state. As a consequence, the languages of the national and ethnic minorities, referred to as *'nationalities'* in the Interbellum, were outranked by the Romanian language. The use of Hungarian, German and other minority languages in Transylvania or in administrative-territorial units with a Hungarian majority, like in the counties of historic Szeklerland was a matter of the personality principle, and referred exclusively to the religious, educational and judicial domains. The use of Romania's minority languages was not authorized by the internal legal system but was guaranteed by an external legal provision, the Minority Protection Treaty concluded at the Paris Peace Conference and guarded by the League of Nations. In practice, however a forced language shift from the minority languages to the official Romanian language took place.[36]

An important consequence of the official status of the Romanian language and the application of the personality principle regulating the language use of the minority languages was asymmetric bilingualismy The latter is a second constant feature of the Romanian language regime. Since the First World War up to now members of the Hungarian ethno-linguistic minority always had to learn the official language of the state, i.e. Romanian but members of the Romanian majority were never obliged to learn or to speak the Hungarian language, not even when they were living in a territorially demarcated region with a Hungarian majority, like the HAR or its Romanized successor, the MHAR. Even in these so-called autonomous Hungarian regions under Romania's communist regime there was in fact a bilingual public administration operative based on the personality principle. The Romanian language was as the state language obligatory in the primary

[34] Compare Brubaker et al. 2006; Csata – Marácz 2016.

[35] Compare Horváth 2005; Péntek 2006, 2013.

[36] See Bottoni 2008. 120., 164–166.

and secondary curriculum for mother tongue speakers of Hungarian as well. On the other hand, Romanian mother tongue speakers could always use their own language for communication with the public authorities and in their own Romanian institutes for education. So, most of the ethnic Hungarian language speakers spoke Romanian but not vice versa. Although it must be said that especially in the first period of the HAR the quality of Romanian among ethnic Hungarians was low, even in the circles of the Hungarian communist cadre which was instructed by the central organs of the Romanian Communist Party to use the Romanian official language.

After the collapse of communism the Romanian language regime anchored in the 1991 Constitution is clearly path dependent on the historical state tradition. Its two constant characteristics, which might be referred to as *'diagnostics'* of the Romanian language regime can be clearly detected. The first diagnostic is the language hierarchy. This hierarchy is caused by the official status of the Romanian language in the Romanian Constitution outranking all other minority languages spoken on the territory of Romania, including Hungarian. The second diagnostic is asymmetric bilingualism. Successive Romanian Constitutions guarantee the language use of the other languages of Romania, including the minority languages only on the basis of the personality and not on the basis of the territoriality principle. Territoriality is relevant for the use of the Hungarian language and other minority languages but only as a negative condition restricting the personality principle by a demographic factor, i.e. the twenty per cent threshold rule per territorial-administrative unit.[37] This implies that Romanian mother tongue speakers do not need to learn or to speak Hungarian, even if they live in administrative-territorial units with a Hungarian majority, such as in specific regional areas of Transylvania, like the counties of historic Szeklerland but all Hungarian minority speakers have to learn and to speak Romanian. The latter but not the former is a requirement in the official primary and secondary school curriculum. However, research makes clear that asymmetric bilingualism is disadvantageous for the weaker language, in this case the Hungarian minority language as opposed to the Romanian state language.[38]

Although Romania's accession to the EU in 2007 is a clear critical juncture in the country's state tradition affecting many features of the political, socio-economic and institutional spheres both *'diagnostics'* of the traditional language regime can be observed in the societal context. The critical juncture of 2007 has not brought a fundamental change in the language policy of the country. There is no equality of the languages used on the territory of Romania, or in its Transylvanian parts where most of the minority languages are being spoken, nor is there symmetric bilingualism in Transylvanian administrative-territorial units with a Hungarian majority, like in the traditional counties in historic Szeklerland.[39] From the point of language policy and language regime the accession of Romania to the EU can hardly be called a critical juncture. It is true that the liberal regime in the post-Soviet space of which Romania is a part too has some positive side effects on the language use of the minority languages that are due to the liberal democratic and commercial market society empowering the use of minority languages in the public spheres. European transnational actors and structures have positively affected the language situation of minority languages after the accession of Romania to the EU.[40]

---

[37] See Marácz 2014b.

[38] See Laponce 1987; Kiss 2015; Csata 2016.

[39] Compare Marácz 2017.

[40] Compare Marácz 2014c, 2015c.

A supranational actor, like the Council of Europe guarantees the linguistic rights of traditional minorities in European states that are a partner in two of their legal treaties concerned, i.e. the Framework Convention for the Protection of National Minorities and the European Charter for Regional and Minority Languages. Romania has ratified both treaties as well.[41] So, the position of the Hungarian minority language governed by the personality principle, especially in the domains of education and public administration, enjoys *"external"*, supranational protection from these treaties and from the transnational spaces that are created in Europe.[42] Due to the transnational spaces information and communication flows via Internet, social media and so on heavily intensifies the use of the Hungarian language both in the private and public sphere. Supranational market regulation will be favorable for the promotion of Hungarian–Transylvanian local and regional brands and other Hungarian–Transylvanian products and services. These commercial and business activities and products rely on the Hungarian language among the Hungarian ethno-linguistic community, like the use of Hungarian language labels for foodstuffs and other brands.[43] However, all these additional opportunities to boost the use of the Hungarian and other minority languages in Romania have not changed the path dependent institutional-legal position of these languages. Although these opportunities clearly empower the speakers of the Romanian minority languages one cannot classify them as counter-hegemony. Hence, the conclusion cannot be drawn that the accession of the Romania to the EU has been a critical juncture with respect to its language policy and regime.

Conclusion

It seems that we run into a paradoxical state of affairs, namely the EU accession of Romania in 2007 is a critical juncture resulting into institutional changes but not in the domain of language policy and regime. However, Capoccia and Kelemen point out that critical junctures need not have to affect all the policy-making domains: *"While relevant events happening at one of these levels of analysis may influence the others, analytically it is important to keep them separate and to identify the critical juncture clearly with respect to the development of a specific unit of analysis"*.[44] Hence, this is clearly the case with the Romanian language regime. How general this exception in the countries in the western part of the post-Soviet space is I will leave as a question for further research.

Bibliography

Bárdi, Nándor – Fedinec, Csilla – Szarka, László (2011): *Minority Hungarian Communities in the Twentieth Century. East European Monographs.* New York, Columbia University Press.

Bottoni, Stefano (2008): *Sztálin a székelyeknél: a Magyar Autonóm Tartomány története (1952–1960).* [Stalin with the Szeklers: the history of the Hungarian Autonomous Region (1952–1960).] Csíkszereda, Pro-Print Könyvkiadó.

[41] Compare Marácz 2016. 31–32.

[42] Compare Janssens et al. 2013.

[43] Compare Csata 2015.

[44] Capoccia – Kelemen 2007. 350.

Bottoni, Stefano (2013): National Projects, Regional Identities, Everyday Compromises: Szeklerland in Greater Romania (1919–1940). *Hungarian Historical Review* vol. 2. no. 2. 477–511.

Bottoni, Stefano – Novák, Zoltán (2011): Romania. In Bárdi, Nándor – Fedinec, Csilla – Szarka, László (eds.): *Minority Hungarian Communities in the Twentieth Century. East European Monographs No DCCLXXIV.* New York, Columbia University Press. 397–403.

Brubaker, Rogers (1996): *Nationalism Reframed. Nationhood and the National Question in the New Europe.* Cambridge, Cambridge University Press.

Brubaker, Rogers – Feischmidt, Margit – Fox, Jon – Grancea, Liana (2006): *Nationalist Politics and everyday Ethnicity in a Transylvanian Town.* Princeton, Princeton University Press.

Capoccia, Giovanni – Kelemen, Daniel R. (2007): The Study of Critical Junctures: Theory, Narrative, and Counterfactuals in Historical Institutionalism. *World Politics* vol. 59. no. 3. 341–369.

Chaszar, Edward (1982): Trianon and the Problem of National Minorities. In Király, Béla K. – Pastor, Peter – Sanders, Ivan. (eds): *Essays on World War I: Total War and Peacemaking, a Case Study on Trianon.* War and Society in East Central Europe vol. VI. Social Science Monograph. New York, Columbia University Press. 479–491.

Cadzow, John F. – Ludanyi, Andrew – Elteto, Louis J. (eds.) (1983): *Transylvania: The Roots of Ethnic Conflict.* Kent, The Kent State University Press.

Cardinal, L. – Sonntag, Selma K. (2015): *State Traditions and Language Regimes.* Montreal, McGill-Queen's University Press.

Csata, Zsombor (2015): Ethnicity and Economy. A Research Agenda for Transylvania. *Transylvanian Society* vol. 3. no. 3. 31–46.

Csata, Zsombor (2016): Linguistic Justice and English as a Lingua Franca from a Minority Perspective – The Case of the Hungarians in Transylvania. *Acta Universitatis Sapientiae, European and Regional Studies* vol. 9. 83–93.

Csata, Zsombor – Marácz, László K. (2016): Prospects on Hungarian as a Regional Official Language and Szeklerland's Territorial Autonomy in Romania. *International Journal on Minority and Group Rights* vol. 23. no. 4. 530–559.

Csergő, Zsuzsa (2007): *Talk of the Nation. Language and Conflict in Romania and Slovakia.* Ithaca – London, Cornell University Press.

Csergő, Zsuzsa – Goldgeier, James M. (2013): Kin-State Activism in Hungary, Romania, and Russia: the Politics of Ethnic Demography. In Mabry, T. J. – McGarry, J. – Moore, M. – O'Leary, B. (eds): *Divided Nations and European Integration.* Philadelphia, University of Pennsylvania Press. 189–126.

Dembinska, Magdalena – Marácz, László – Tonk, Márton (2014): Introduction to the Special Section: Minority Politics and the Territoriality Principle in Europe. *Nationalities Papers* vol. 42. no. 3. 355–375.

Elekes, Tibor (2011): Székelyföld közigazgatás-földrajzi változásai a 13. századtól napjainkig. [Szeklerland's administrative-geographical changes from the 13th century to the present.] *Földrajzi Közlemények* vol. 135. no. 4. 415–429.

GÁL, KINGA (2000): *The Council of Europe Framework Convention for the Protection of National Minorities and its Impact on Central and Eastern Europe.* Flensburg, European Centre for Minority Issues.

GAL, SUSAN (2008): Hungarian as a Minority Language. In: Extra, Guus – Gorter, Durk (eds.): *Multilingual Europe: Facts and Policies.* Berlin, Mouton de Gruyter. 207–232. Contributions to the Sociology of Language 96.

GRABBE, HEATHER (2006): *The EU's Transformative Power: Europeanization through Conditionality in Central and Eastern Europe.* Basingstoke, Palgrave MacMillan.

HORVÁTH, ISTVÁN (2005): A romániai magyarok kétnyelvűsége: nyelvismeret, nyelvhasználat, nyelvi dominancia. Regionális összehasonlító elemzések. [Bilingualism among Romanian Hungarians: language knowledge, language use and language dominance. Regional comparative analyses.] *Erdélyi Társadalom* vol. 3. no. 1. 171–198.

HORVÁTH, ISTVÁN – VERESS, ILKA – VITOS, KATALIN (2010): Közigazgatási nyelvhasználat Hargita megyében az önkormányzati és a központi kormányzat megyeszintű intézményeiben. [The Language of public administration in the institutes of local and regional governments of Harghita county.] *Working Papers in Romanian Minority Studies* nr. 27. Cluj-Napoca, Institutul Pentru Studiera Problemelor Minorităţilor Naţionale.

JACKSON PREECE, JENNIFER (1997): Minority Rights in Europe: From Westphalia to Helsinki. *Review of International Studies* vol. 23. no. 1. 75–92.

JANSSENS, RUDI – MAMADOUH, VIRGINIE – MARÁCZ, LÁSZLÓ (2013): Multilingual Higher Education in European Regions. *Acta Universitatis Sapientiae, European and Regional Studies* vol. 3. 5–23.

KISS, TAMÁS (2015): Increasing Marginality, Ethnic Parallelism and Asymmetric Accommodation. Social and Political Processes Concerning the Hungarian Community of Transylvania. *Minority Studies* 18.

KOCSIS, KÁROLY (2013): Historical Predecessors and current geographical Possibilities of ethnic based territorial Autonomies in the Carpathian Basin. *Hungarian Geographical Bulletin* vol. 62. no. 1. 3–46.

KÖPECZI, BÉLA (ed.) (1994): *History of Transylvania.* Budapest, Akadémiai kiadó.

KYMLICKA, WILL (1996): *Multicultural Citizenship: a liberal Theory of Minority Rights.* Oxford, Clarendon Press.

KYMLICKA, WILL (2008): The Internationalization of Minority Rights. *International Journal of Constitutional Law* vol. 6. no. 1. 1–32.

KYMLICKA, WILL – OPALSKI, MAGDA (eds.) (2001): *Can Liberal Pluralism Be Exported? Western Political Theory and Ethnic Relations in Eastern Europe.* Oxford, Oxford University Press.

LAPONCE, JEAN A. (1987): *Languages and their Territories.* Toronto, Toronto University Press.

LELIEVELDT, HERMAN – PRINCEN, SEBASTIAN (2014): *The Politics of the European Union.* Cambridge, Cambridge University Press.

LIPCSEY, ILDIKÓ (1990): *Erdélyi autonómiák (történeti tanulmányok).* [Transylvanian autonomies, historical review.] Budapest.

Mabry, Tristan James – Mcgarry, John – Moore, Margaret – O'leary, Brendan (eds.) (2013): *Divided Nations and European Integration.* Philadelphia, University of Pennsylvania Press.

Marácz, László (2011): 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 – Tonk, Márton (eds.): *Minority Politics within the Europe of Regions.* Cluj-Napoca, Scientia Publishing House. 155–184.

Marácz, László (2012): Multilingualism in Europe: Policy and Practice. In Marácz, László – Rosello, Mireille (eds.): *Multilingual Europe, Multilingual Europeans.* Amsterdam – New York, Rodopi. 21–35. European Studies 29.

Marácz, László (2014a): The Politics of Multilingual Communication: Case Studies and Research Agendas. In Craze, Sarah – Lempp, Frieder (eds.): *Communicating Conflict: a Multi-disciplinary Perspective.* Oxford, Inter-Disciplinary Press. 45–61.

Marácz, László (2014b): Territoriality versus Non-Territoriality, Language Rights and the Hungarians of Romania in the Age of Globalization. *Acta Universitatis Sapientiae, European and Regional Studies* vol. 5. 5–24.

Marácz, László (2014c): Resiliencing Hungarian minority Languages in the new Europe. In Koll-Stolbe, Amei – Knospe, Sebastian (eds.): *Language Contact around the Globe: Proceedings of the LCTG3 Conference* vol. 5. Frankfurt am Main, Peter Lang Publishers. 319–341.

Marácz, László (2015a): Transnationalizing ethno-linguistic Hungarian Minorities in the Carpathian Region: Going beyond Brubaker et al. (2006). In Csata, Zsombor – Marácz, László (eds.): *Transylvanian Society* vol. 13. no. 3. 25–45.

Marácz, László (2015b): The Politics of multilingual and non-Verbal multicultural Communication: Case Studies and a research Agenda. In Backman, John – Wójcik, Małgorzata (eds.): *The Way Things Aren't: Deconstructing 'Reality' to Facilitate Communication.* Oxford, Inter-Disciplinary Press. 125–148.

Marácz, László (2015c): The Politics of Language Policies: Hungarian linguistic Minorities in Central Europe. *Politeja* vol. 12. issue 2. no. 31. 45–65.

Marácz, László (2016): Empowering Hungarian ethno-Linguistic Minorities in Central- and Eastern Europe. *Belvedere Meridionale* vol. 28. no. 2. 21–37.

Marácz, László (2017): Tussen die personaliteits – en territorialiteitsbeginsel: Die Hongaarse gemeenskap in Roemenië. [Between the personality and territoriality principle: The Hungarian community in Transylvania.] In Matthee, Heinrich (ed.): *Kultuurvrijheid en Selfbestuur.* [Cultural freedom and self-governance.] Pretoria, Kraal Uitgewers. 296–321.

Marácz, László – Rosello, Mireille (eds.) (2012): *Multilingual Europe, Multilingual Europeans.* Amsterdam – New York, Rodopi. European Studies 29.

May, Stephen (2012): *Language and Minority Rights: Ethnicity, Nationalism and the Politics of Language.* New York – London, Routledge.

Mcrae, Kenneth D. (1975): The Principle of Territoriality and the Principle of Personality in multilingual States. *International Journal of the Sociology of Language* vol. 1975. issue 4. 33–54.

NÁDOR, ORSOLYA – SZARKA, LÁSZLÓ (eds.) (2003): *Nyelvi jogok, kisebbségek, nyelvpolitika Kelet-Közép-Európában.* [Language rights, minorities and language policy in East-Central Europe.] Budapest, Akadémiai Kiadó.

NAGY, LAJOS (1944): *A kisebbségek alkotmányjogi helyzete Nagyromániában.* [The constitutional position of minorities in Greater Romania.] Kolozsvár, Erdélyi Tudományos Intézet.

PÉNTEK, JÁNOS (2006): Magyar nyelv, magyar nyelvhasználat Kolozsváron. [Hungarian Language and Hungarian language use in Cluj-Napoca.] In Benő, Attila – Szilágyi, Sándor N. (eds.): *Nyelvi közösségek – nyelvi jogok.* [Language Communities – Language Rights.] Kolozsvár, A Szabó T. Attila Nyelvi Intézet kiadványai vol. 3. 267–273.

PÉNTEK, JÁNOS (2013): Language Rights in Romania. In Zoltani, Csaba K. (ed.): *Transylvania Today: Diversity at Risk.* Budapest, Osiris Publishing. 231–251.

SASSE, GWENDOLYN (2005): EU Conditionality and Minority Rights: Translating the Copenhagen Criterion into Policy. EUI *Working Paper RSCAS* no. 16.

SASSE, GWENDOLYN (2008): The Politics of EU Conditionality: the Norm of Minority Protection during and beyond EU Accession. *Journal of European Public Policy* vol. 15. no. 6. 842–860.

SCHIMMELFENNIG, FRANK – SEDELMEIER, ULRICH (eds.) (2005): *The Europeanization of Central and Eastern Europe.* Ithaca, Cornell University Press.

SCHOLTEN, PETER – PENNINX, RINUS (2016): The Multilevel Governance of Migration and Integration. In Garcés-Mascareñas, Blanca – Penninx, Rinus (eds.): *Integration Processes and Policies in Europe.* IMISCOE Research Series – Springer Open, DOI 10.1007/978-3-319-21674-4_6.

SCHWELLNUS, GUIDO (2005): The Adoption of Nondiscrimination and Minority Protection Rules in Romania, Hungary, and Poland. In Schimmelfennig, F. – Sedelmeier, U. (eds.): *The Europeanization of Central and Eastern Europe.* Ithaca, Cornell University Press. 51–71.

SKOVGAARD, JAKOB (2007): Towards a European Norm? The Framing of the Hungarian Minorities in Romania and Slovakia by the Council of Europe, the EU and the OCSE. *EUI Working Papers SPS* no. 7. Badia Fiesolana, European University Institute.

SONNTAG, SELMA K. – CARDINAL, L. (2015): Introduction: State Traditions and Language Regimes: Conceptualizing Language Policy Choices. In Sonntag, Selma K. – Cardinal, Linda (eds.): *State Traditions and Language Regimes.* Montreal, McGill-Queen's University Press. 3–26.

VIZI, BALÁZS (2012): Minority Languages and Multilingualism in Europe and in the European Union. In Marácz, László – Rosello, M. Mireille (eds.): *Multilingual Europe, Multilingual Europeans.* Amsterdam – New York, Rodopi. 135–157. European Studies 29.