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# On the Problems Regarding the Functioning of the State's Fundamental Institutions

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**Abstract.** This paper deals with the issue of deficient functioning of the state's authorities in the context of the global economic crisis and the institutional and decision-making system within the European Union.

The problems related to the functioning of basic authorities are examined in three dimensions of principle for the Organisation of the State, namely: democracy, democratic system, the constitutional regulation of sovereignty, and re-evaluation of the principle of separation of powers in the State. The latest developments relating to the operation of the principle of representativeness and of the electoral system are also presented.

All these theoretical elements are illustrated with practical aspects, with a number of concrete examples of disruption, the conflict of fundamental State authorities.

At the end of the paper, several appreciations and conclusions are formulated, which show reasons, causes of failures from these principles, namely to formulate some suggestions and proposals for rethinking and amending the constitutional and political system.

**Keywords:** political system, the problems of democracy, deficient functioning of the state, Romania, EU

Currently we are passing through a period of global economic and financial crisis, which is without precedent in the past 50 years, and which is also accompanied by a political crisis in some countries. According to some studies, these troubles may have their roots in a profound moral crisis, in the uncertainty regarding the relativisation of fundamental human, moral and political values.

Beyond these undisputable phenomena and their extremely complex origins, we can detect another crisis that is less evident and even less recognized and acknowledged. This is the crisis of the political system, more precisely the systemic crisis of the political regime of democracy, or more explicitly the crisis of democracy and its institutional and functional system.

Under different aspects and to various degrees, this crisis is manifest in several member states of the European Union. At the same time, we may find some signs of political crisis and of functional institutional deficiencies – especially relating to decision-making – at the level of the European Union itself.

There are more and more symptoms of the deficient functioning of the state and EU institutional systems, which in some cases (like in the case of Romania) show us that, even though the fundamental principles of state power organisation may look sanctioned, consecrated and intangible (being formally recognized in the Constitution), they present serious functional deficiencies, sometimes incoherence and, on the whole, inefficiency.

As the subject of the conference concerns the EU, EU Law and EU policy – related challenges of the former socialist states which acceded to the EU in 2004 and in 2007 –, I will present some aspects regarding the dysfunctionalities of the political system in Romania, especially those regarding the organisation and functioning of state institutions and the inter-institutional relationships between them.

Apparently, the problem seems to be a strictly internal one; however, the way in which each individual state functions has repercussions on the integration process and may create serious difficulties for the functioning of the EU.

First of all, I think that we can say that any model of integration of states, activities and competences – as is the case of the European Union – supposes the existence of some coherent functional structures at the level of the new entity, but at the same time also at the level of the integrated systems (the member states).

In case there are serious dysfunctionalities at the EU level, or if there are structures with grave organisational and functioning deficiencies at state level (no matter if we are talking only about a few states), the integration model itself can also be affected.

## **I. The problems of democracy or of the democratic system**

“The utmost degree of corruption of a word is to make it serve for anybody.” (Bernanos 1961, 158) This is how, according to professor Dan Claudiu Dănişor, “the term democracy reached such a degree of corruption that it could be used just as well by westerners as by Stalin, so that today it seems to lack any concrete meaning and to designate a plain utopia.” (Dănişor 2006, 158)

The problem is that we cannot give up this “utopia” until we do not create a new one. But, far from replacing democracy – even if we are aware of its imperfections –, we should rather find the mechanisms – maybe new ones compared to what has been applied until now – which are capable of making the “utopia” work.

Under the generally accepted but not the sole meaning, democracy means fair, legal and just procedures in diverse situations, especially in decision-making, and their strict observance.

Through a more extensive and profound analysis (that is not possible within the confines of this paper), we could draw the conclusion that beside clear procedures – which would represent the means and the instrument of democracy – we would also need, on the one hand, the set of values and interests of the political community (of the people), and on the other hand, the set of values of individuals, of citizens. The legitimacy of the system and that of the democratic mechanism (of state or supra-state level) is ensured through the combination of these values and interests through an entire set of mechanisms and procedures.

We are all aware of the debates and worries concerning the democratic deficit at the level of the European Union's institutional structures, especially in what regards the decision-making mechanisms. Nevertheless, there are states – among them Romania – which are confronted with great difficulties in the democratic functioning of their political and institutional systems.

Marcel Gauchet was the one who stated that “Democracy remains the indispensable horizon of our times” (Gauchet 2007, 20); nevertheless, it was also he who admitted that it was passing through an unprecedented crisis. The weaknesses of constitutional democracy in the Rechtsstaat are visible and it seems that we can talk of structural and procedural weaknesses suggesting the existence of a true crisis of the Rechtsstaat, which in fact would be the expression of the degradation of democracy.

In his classic work comparing the American and European political systems from the 17<sup>th</sup> century, Alexis de Tocqueville foresaw two possible directions for the development of democracy in Europe:

- one was to lead to the development of individuals' independence,
- the other was to lead to more and more centralisation of power. (de Tocqueville 1981, I, part II)

### **Europe took the latter path.**

In the preface of the Romanian edition of the famous book of Tocqueville, *Democracy in America*, professor Francois Furet writes that “Thus ‘democracy’ is not the end of history or one of its universal phases, or it is even less the reconciliation of humanity with itself. It is a concept that enables Tocqueville to imagine a state of society and mores specific to Europe...” (Furet 1992, 20) At the same time, with all the difficulties that the democratic system is confronted with, we are convinced that – paraphrasing Francois Furet – history did not reach the end of democracy and that democracy, beside all the other fundamental principles of organisation of power and society – through its adaptation

and modernisation –, can represent a good chance for “the reconciliation of humanity with itself”.

Being confronted with a series of problems of economic and political development and its only recently ended half a century history of totalitarianism, Romania practically has not yet entered truly in the democratic era, and it has kept the traditional centralised politics as its main direction.

For two decades, Romania “has been living in transition, remaining the advocate of the centralised state, also manifesting a dictatorial reflex that is clearly illustrated by the rigid separation between the left and the right, as well as by what is called elective autocracy and the personalization of power.” (Alexandru 2008, 712)

The fact that the political notions of *left* and *right* have become irrelevant and strongly relativized is not a specificity of Romanian politics. Rightist or leftist ideologies often appear only as historic categories with some theoretical identification criteria existing in political science textbooks.

Finally, the parties and, especially, their leftist or rightist policies exist only as labels in the first case (the parties) or they create confusion through the use of meaningless words in the second case (the policies of the parties).

Regarding what the author of the quotation calls “elective autocracy”, it designates a profound lack or a low level of political culture, an erroneous understanding and connection between the elected and the voters. For example, voters often identify (erroneously) the mandate given to the elected person with a private law mandate, being unable to understand that the public mandate is not (and cannot be) imperative, it cannot be revoked and it is not, as private law says, *intuitu personae*, that is relating to a given person, even in the cases of uninominal voting systems.

Finally, regarding the “personalisation of power”, it represents a symptom and a specific trait of Romanian political thinking and practice. One of the manifestations of this way of thinking is that a series of state institutions, the government or even the political regime itself is excessively personalised. However, the institutions of the state cannot be transformed into the image of the head of the given institution. In case this cannot be totally avoided, a more pronounced de-personalisation should be carried out. An example of this phenomenon in the field of major constitutional decisions in Romania’s political system was the choice – made out of personal considerations and political ambitions – for the semi-presidential system and the rejection of the idea of a parliamentary democracy. Similarly, at present, more and more advocates of parliamentary democracy are emerging, but again out of “personal” reasons. These advocates have made their choice because they do not agree with the authoritarian – and sometimes abusive and unconstitutional – ways of the President of the Republic, and not out of principles related to the efficiency of the political and constitutional system. Such personal decisions, taken out of political or economic interests, can be found at the level of other important or even fundamental institutions of the state.



## II. The constitutional regulation of national sovereignty in the context of Romania's integration into the EU

According to constitutional law, sovereignty in its classic conception belongs to the people or to the nation, and it is one, indivisible, inalienable and imprescriptible. In some constitutional texts, sovereignty is directly used as *national sovereignty* (Romania), in others it is defined or explained as *power* (Belgium), *powers of the state* (Finland), *supreme power* (Poland and Hungary) or *state authority* (Germany). In the more specific case of the Netherlands, the constitution does not mention the concept of sovereignty neither explicitly nor implicitly, which is seen by experts in law as an attempt to avoid a “mystical and dangerous”<sup>1</sup> notion.

As the concept of sovereignty is currently passing through substantial modifications, it is necessary to reconsider, recontextualise and adapt it to the new conditions. The true problem is that of redefining the functions/competences of the state and not to regret the potential disappearance of sovereignty.

Sovereignty has not disappeared; it has rather become more limited, both in its internal and external dimension. Internal sovereignty does not equal discretionary powers in regulation matters anymore as it is limited by international regulations, especially in what regards human rights, and by EU regulations in many areas, which until recently were considered to be the realm of exclusive internal prerogatives and competences.

Human rights gained an objective character in the sense that a whole system of international legal instruments was created which refer to them and which are no longer subject to reciprocity.<sup>2</sup> We can thus ascertain that the international treaties on human rights penetrate the internal legal systems of signatory states, and their provisions are directly applicable to the subjects of law without any internal transposing legislation. The subjects of law can invoke ratified texts in front of internal courts and can use the guarantee mechanisms foreseen in them.

On a different note, it is not only human rights that have become universal, but also the need for international safety and security. A legal consequence of this form of globalisation is the tendency to establish a mechanism (or several mechanisms at global or regional level) of international coercion of states. All these aspects result not only in limited sovereignty, but also in the relativisation of the differentiation between internal and external sovereignty.

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1 See: art. 2 (1) of the Constitution of Romania, art. 33 (1) of the Constitution of Belgium from 1970, art. 2 (1) of the Constitution of Finland from 1999, art. 4. (1) from the Constitution of Poland from 1997, art. 2 (2) from the Constitution of Hungary from 1949, art. 20 (2) from the Federal Republic of Germany from 1949.

2 The Vienna Convention on the Law of Treaties of 1969 foresees in art. 60, par. 5 that the breach by a signatory state of the provisions regarding the protection of the human person does not entitle the other parties to terminate the treaty or suspend its application.

Regarding external sovereignty, the meaning of state independence has changed because in reality interdependence among states has increased significantly. Isolationism has become exclusively the project of totalitarian states, of the toughest dictatorships in the world. By becoming a member of the EU, Romania – eventually also by virtue of sovereignty – renounced some of the external prerogatives of its sovereignty, or, in other words, it limited itself in the exercise of some external policy prerogatives, especially in the field of European and global security. These prerogatives are carried out in common or, more precisely, under the “command” of EU and Euro-Atlantic institutions.

This sovereignty is limited especially in the context of European integration and is reflected in different formulations in the constitutions of member states. Thus, various expressions were adopted such as: “the common exercise of some competences” (France, Romania and Hungary), “delegation of sovereign powers” (Germany and Slovenia), “delegation of competences” (Poland), “transfer of sovereignty” (Belgium), “limitation of the exercise of national sovereignty” (Greece).

The intention of national constitutional systems was to protect themselves from potential abuses by the European legal order.

Nevertheless, conflicts did appear, and constitutional courts have become the last strongholds for protecting national (internal and in this sense traditional) constitutional values. (Banu 2010, 112)

The entire economic and especially institutional crisis of the European Union arises from the different perception and sometimes contradictory interpretation of national sovereignty by the respective state’s authorities and people, on the one hand, and by the institutions of the European Union, on the other hand.

The conflicts and divergences between Romania and EU institutions reflect the firm attachment of these authorities to the fundamental and founding values of the European integration project, on the one hand, but they also reflect serious deficiencies in formal and informal communication and information mechanisms regarding events in a given EU member state, on the other hand.

The European Union shows two “extreme” attitudes and influences, which can negatively influence the mechanisms for evaluating various situations and decision-making. These are, on the one hand, the excessive and sometimes aggressively extensive technicality of the bureaucratic apparatus from Brussels and, on the other hand, a relatively new phenomenon, the excessive politicisation of issues, sometimes very important ones, related to one state or another, depending on the power of party-families and not on “truth”, or consecrated principles and values.

### **III. The need to reconsider the principle of the separation of state powers**

“The principle of separation of state powers has become a dogma of liberal democracies and the fundamental guarantee of the individual’s security in his/her relations with these powers.” (Deleanu 2003, 45)

Even with all the modifications it suffered throughout the years, at present, this principle still represents the foundation of the democratic organisation of political power in the state. This is because a series of institutions are needed for carrying out the fundamental functions of the state, and these are organised and function as separate powers, according to a mechanism of balancing and reciprocal control.

The three fundamental and primary functions of the state according to the classic model are the legislature, the executive and the judiciary function. Without getting into the details and evolution of the principle of separation of powers, we can see that it is considered by many authors as being “old” because new factors and elements have emerged which modify the concept.

First, the role of political parties has increased substantially and they have become the main actors in the shaping of state institutions.

The traditional separation between the legislature and the executive power (parliament and government) has transformed into the separation between governmental majority with parliamentary support and parliamentary opposition.

Another new factor is represented by the new locus of power at local authorities, whose functioning is based on the principle of local autonomy and subsidiarity. In this case, we can observe a new model (or a new direction) of the separation of powers in the state. The traditional model was horizontally structured at the central level of the fundamental institutions of the state (Parliament, Government, Head of State, High Court of Cassation and Justice). With the strengthening and widening of local autonomy, a vertical separation of powers emerged, as these local authorities became decision-making and executive fora on local level. This way, the concept of centralised political power organization suffered transformations even in the case of unitary states, while the concept of decentralisation has come to the fore.

A third factor is the organised civil society, whose influence over the decisions taken by the legislature or the executive has become ever stronger.

Some dysfunctions or regulatory incoherencies in the observance of the principle of separation of powers constitute an important deficiency in the functioning of the state.

Some examples:

1. We can observe that most conflicts arise within the executive because the President of Romania assumes discretionary powers following the erroneous or distorted interpretation of some constitutional provisions.

**a.** The President considers that the appointment of some members of the government or their recall from their positions falls within his discretionary competences. Although the Constitution foresees that the president of Romania – at the prime minister’s proposal – appoints or recalls ministers, this decision is not at the discretion of the head of the state. This provision has to be placed in the context of the entire set of roles and prerogatives of the President and of the Prime Minister. Hence, the responsibility for governing belongs to the Prime Minister and not to the President. If we invoke the principle of collective responsibility of the government, it becomes evident that the appointment and recalling of a member of government is a formal/protocolar act of the President, which in no way can be interpreted as an exclusive decision of the head of the state in the matter.

**b.** Not long ago, the unusual situation of cohabitation between the President and the Prime Minister developed: by way of a motion of no confidence against the government, the former opposition succeeded in overturning the balance between the former majority and the opposition. A symptomatic example of the incapacity to cohabitate is the dispute between the Prime Minister and the President regarding the representation of the Romanian state at various international fora.

These issues must be looked at carefully and analysed in detail. This way, in international organisations, such as the NATO or the UN, as well as in bilateral relations, the Romanian state is represented by the head of the state, as it is the President who decides in the field of foreign policy. With regard to the EU bodies that do not have an international character, the representation of the Romanian state belongs to the prime minister because he/she bears the whole responsibility regarding the putting into practice of the decisions taken at the level of the European Council.

**c.** The previous case is just one relevant example regarding the uncertainty and unclear definition of the political regime and of the political system. Of course, Romania is a democratic regime, even if democracy sometimes functions deficiently. With regard to the political system, in a superficial manner, Romania is considered a semi-presidential republic. However, if we make a comparison with a truly semi-presidential system, the one from France, we find more differences than similarities. Besides the fact that the President of Romania is directly elected by the citizens with voting rights and some prerogatives of the function in the field of foreign policy, defence, national security and public order (these being the similarities), all other attributes and government levers belong to the Prime Minister (these being the fundamental differences). In our constitutional system, the Prime Minister is the exclusive head of the government, even if, in some cases – expressly foreseen in the Constitution –, the President can participate at the sessions of the government. On such occasions, the sessions are chaired by the President. However, the President cannot be considered the head of the government and even less the head of the executive branch.

At the same time, the constitutional system did not produce either a typical parliamentary political system or an American type-presidential system, or an authentic semi-presidential system. The “original” solution, “an attenuated parliamentary system” can create serious dysfunctionalities. The excessive and abusive interpretation of the constitutional texts can lead to institutional conflicts or serious conflicts of competences, and this is exactly what happened here.

2. Between the legislative power represented by the Parliament and the executive power represented by the Government, a specific (and sometimes conflictual) relationship arose, which distorted the fundamental prerogatives of the two institutions. Thus, the rule, according to which “the Parliament is the only legislative authority of the country”,<sup>3</sup> has become an exception in the legislative activity and the abusive practice of emergency ordinances of the Government<sup>4</sup> (it issues normative acts with law power), which according to the provisions of the Constitution should constitute an exception, but instead has become in its frequency the rule. This has distorted and even inversed the fundamental roles of the two authorities, implicitly violating the principle of the separation of powers.

3. Another problem is the position and role of the Prosecutor-General and of the Public Ministry in the system of state institutions. This otherwise very important institution for the rule of law has an extremely uncertain legal and constitutional statute in the sense that it is not clear whether it belongs to the judiciary or to the executive. This incertitude is also manifest in the dispute, according to which the Prosecutor-General and the prosecutor of the National Anticorruption Directorate (DNA) should be named by the President at the proposal of the Ministry of Justice (as it is currently the practice) or at the proposal of the Superior Council of Magistracy (CSM). The problem is not only a strictly formal-administrative one: it involves different concepts regarding the constitutional statute of the Prosecutor-General. If the Prosecutor-General is proposed by the Ministry of Justice, with only the consent of the CSM and appointed by the President of the Republic, the position is strongly bound to the executive and there is a danger that the institution might become politicised. In fact, this is what occurred in the case of the DNA, both in reality and at the level of public perception.

In turn, if the Prosecutor-General were proposed by the CSM, the office would be closer to the judiciary, and this would be more in line with the provisions and the spirit of the Constitution, which is conceived of both prosecutors and judges as magistrates. In our constitutional system, the idea according to which the Prosecutor-General should be proposed and/or appointed by the Parliament and should be under parliamentary control is inexistent. All these weaken the efficiency of the Magistracy and allow the persistence of the tendency or the intention to politicise this extremely important activity from the perspective of ensuring the rule of law.

3 Constitution of Romania, art. 61, par. (1)

4 Constitution of Romania, art. 115, par. (4), (5) and (6)

## IV. The evolution of the electoral system

In the spirit of the Constitution, the electoral system must reflect and ensure the principle of proportional representation of the electoral body's political will. The advantages of this type of electoral system are in line with the most significant constitutional principles. Additionally, it also presents another series of advantages: "it emphasizes the usefulness of votes, because all votes cast are taken into consideration, all currents of opinion – even minor ones – are represented; it favours a multiparty system, regardless of the size of parties and their independence; it adequately represents reality, no matter how diverse that might be, expressing diverse tendencies and currents of opinion; and it is an equitable and just procedure, ensuring a complete representation of the majority and minority landscape or an almost complete one – in case there is an electoral threshold, a minimal percentage of representativeness." (Deleanu 2003, 182)

Following fifty years of mono-party communist dictatorship, after 1989, Romania switched to a democratic political regime that is based on political pluralism, which – as it is foreseen in art. 152, paragraph (1) of the Constitution of Romania – is considered an indisputable and intangible constitutional asset.

The first electoral law adopted the proportional system based on party lists (in force until 2008) and had the mission to form and strengthen the party system of Romania. The system was not perfect – but it created a proportional representation –, and the fact that all votes cast were used in the direction of the voter's will – as long as the 5% electoral threshold was attained – strengthened the idea of the "useful vote".

In 2008, a new electoral system was adopted – uninominal with a compensation procedure –, which reduced the level of proportionality. At the same time, this new electoral system also created many situations of inequity when, for example, one could win mandates from second and third places.

On a different note, the expectations from this system, that is, increasing the efficiency of the Parliament's activity, its moral cleansing and the creation of a new, more competent and morally cleaner political class were not met. On the contrary, the professional and moral level rather fell than improved and we could witness an unprecedented volume of migrations from one parliamentary group or political party to the other. Moreover, these migrations even gave birth to an entirely new political party lacking any electoral support.

Personally, I consider that the uninominal electoral system, as it was regulated in 2008, has proved to be a failure. This fact is not yet recognised by the political class and it is only reservedly admitted by specialists.

I am firmly convinced that, in the case of Romania, passing from the party list voting system to the uninominal one did not lead to an evolution of the system; on the contrary, it was rather a regress. Moreover, recently, the Parliament has

adopted a new modification of the current electoral system through which it further aggravated the current situation, practically intending to abolish the principle of proportionality and to transform the electoral system into a strictly majoritarian one. The severe consequence of this system is that a large number of citizens, hundreds of thousands or even millions, may remain unrepresented in the supreme representative forum of the people, as the Parliament is defined in the Constitution.

This translates into an obvious disproportion between the number and the percentage of votes cast and the number of mandates obtained. Consequently, this system creates even bigger inequities, fragmenting and atomising the Parliament, because through the suppression of the electoral threshold small parties – even if they can obtain a few mandates – will not be able to form parliamentary political groups.

The new regulation also contains a protection measure for minorities, but which only applies in the case of the Chamber of Deputies: in the counties where the proportion of a national minority is at least 7% and its representatives do not obtain mandates, the candidate from the respective minority with the most votes wins a mandate.

This measure may theoretically favour minorities or may offer a minimum guarantee to keep the current proportion of representation, but, on the whole, I believe that the system will not yield the expected results and will aggravate and perpetuate the state of crisis of the political system and of the political regime.

Meanwhile, the Constitutional Court found that the law modifying the electoral system is unconstitutional in its entirety. Consequently, two possibilities remain: either the elections in the autumn of 2012 will take place based on the 2008 regulation, or the Parliament (or, more likely, the Government through an emergency ordinance) will adopt a new regulation three months before the elections. This latter situation could affect or even endanger the fairness of the elections, as the citizens with voting right will not be adequately prepared for the new electoral rules.

## **Conclusions**

1. Even in these few examples – and we could continue the list –, we can observe a crisis of the political system's democratic functioning, first of all, in the distortion of some fundamental principles of the state's functioning, as it is the principle of separation of powers, the rule of law or democracy itself.

2. Some of the causes of the democratic deficit lie in the perception of the roles and competences/prerogatives of the state's authorities, which is often manifest in some institutions taking over other institutions' tasks (sometimes leading to full substitution). Similarly, the loose, negligent and sometimes even abusive interpretation by the state's authorities of the constitutional texts represents a serious problem.

3. We are witnessing the misinterpretation and deformation of the intention of the legislature. This has become possible also because of some insufficiently clear and precise texts of the Constitution. Sometimes, we can observe the imprecise or incoherent definition of the legal status of some fundamental institutions like the Presidency, the Constitutional Court, the Prosecutor-General and of their relationships with other institutions. In other cases, as it is that of the Ombudsman, we consider that this institution has not yet grown roots in the institutional system and especially in the civic conscience of the society, in the sense that it is not used as efficiently as similar institutions in other states.

4. No mechanisms have been created, which could efficiently and swiftly correct the failings concerning the rule of law and to rapidly restore legal order.

It is necessary to rethink the political and constitutional system, especially because of the experiences accumulated throughout the years, to give a new foundation to the institutional system of the state and to clarify the institutional relationships, especially in the regards of respecting the principle of the separation of powers in the state, the rule of law and applying consequently and in good faith the rules of constitutional democracy.

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# Deprived and Vulnerable Groups in Hungary. The Contribution of the Ombudsman to the Protection of Nationalities and National Minorities

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**Abstract.** Helping vulnerable groups and fighting for their rights to achieve equal dignity and equal treatment is a core objective in states under the rule of law and of ombudsman institutions.

Vulnerability and deprivation can be defined in various ways by different states, international stakeholders and NGOs. According to a definition given by the European Commission in 2010, *vulnerable groups experience a higher risk of poverty and social exclusion than the general population. Ethnic minorities, migrants, disabled people*, vulnerable groups have always been at the core of the ombudsmen's work in Hungary since the beginning in 1995, and the new institutional organization of the Ombudsman's Office did not change this priority. According to the new Act, the *Commissioner for Fundamental Rights pays special attention to the protection of the rights of children, the rights of nationalities living in Hungary, the values determined as 'the interests of future generations' and the rights of the most vulnerable social groups in general. Members of vulnerable groups are at higher risk of being victims of structural or individual discrimination*; therefore, it is vital to provide effective mechanisms to counteract discrimination. Several international and European human rights conventions adopted by the United Nations or the Council of Europe stipulate the prohibition of discrimination according to single or multiple grounds. There are *some multiple vulnerable groups*, e.g. those who belong to different types of minorities (national or ethnic minorities, or even sexual minorities, etc.) or who are living with any kind of disability. The number of the *Roma* among those fallen behind, in desperate, hopeless situation, is high above this minority's share in the entire population. Some of the *Roma*, already pushed to the edge of society and subjected to prejudice, are unable to use the benefits offered, in principle, by the system of equal opportunities; their integration seems unrealistic, even though the amount of support allocated to the improvement of the situation of the *Roma* minority has been multiplied since the country's democratic transformation and the supporting system and the assistance programmes also have become more complex.

The Ombudsman considers it one of his tasks to draw the legislators' attention, through his *ex officio* investigations, to the fact that some of the legal norms from various branches of law, related to equal opportunity, do not have any or sufficient influence on the integration of groups with structurally impaired advocacy and enforcement capabilities, most of all on that of the Roma.

Rates of poverty among the ca. 12 million Roma/Travellers in Europe reach 10 times higher than a population as a whole. According to a 2011 EU survey, life expectancy for Roma in the EU is estimated to be approximately 10 years less than the majority population, and in some countries infant mortality rates are six times higher than average. These levels of poverty amongst the Roma also play a part in the various exploitations of Roma children, particularly woman and girls, who suffer poverty more than their male counterparts. In many cases, Roma are segregated regionally into isolated pockets in both urban and rural settings, and these communities are generally the most deprived. This study concentrates on the issue of school segregation of Roma children in Hungary based upon the ombudsman's investigation in 2012-2013. Roma families who are impoverished to this extent, struggle with daily life, children may stay at home instead of going to (pre)school to help with younger siblings, or parents may leave for extended periods. As well as being isolated as communities, these levels of poverty and social exclusion lead to the institutional exclusion of the Romani.

**Keywords:** Hungary, vulnerable groups, poverty, people with disabilities, ombudsman, constitutional courts

*“We suffer because we are vulnerable, and we need, above all else, institutions that will give us some degree of security”<sup>1</sup>*

## Introduction

Helping vulnerable groups and fighting for their rights to achieve equal dignity and equal treatment is a core objective in states under the rule of law and of ombudsman institutions.

Vulnerability and deprivation can be defined in various ways by different states, international stakeholders and NGOs. According to a definition given by the European Commission in 2010, *vulnerable groups experience a higher risk of poverty and social exclusion than the general population. Ethnic minorities, migrants, disabled people, the homeless, isolated elderly people, LGBT people and children all often face difficulties* that can lead to further social exclusion such as low levels of education and unemployment or underemployment, as well as discrimination. However, beside the groups mentioned above, any group can be

1 Bryan S. TURNER: *Vulnerability and Human Rights*. The Pennsylvania State U. P.: University Park, Penn. USA. 2006. 127.

considered vulnerable that is concerned by poverty and social exclusion to a higher ratio than other members of the population. Besides *structural deprivation*, there is also the phenomenon of *deprivation/vulnerability by situation*: for example, ill persons or people struck by natural disasters are in the position of vulnerability by situation. (The two categories of deprivation are interconnected in many senses: e.g., homeless people are at higher risk of suffering from serious illness.)

Vulnerable groups have always been at the core of ombudsmen's work in Hungary since the beginning in 1995, and the new institutional organization of the Ombudsman's Office did not change this priority. The *new constitution (Basic Law) and the new Ombudsman Act*, both adopted in 2011 by the Parliament and effective as of 2012, established the new institutional arrangement of the ombudsman institution in Hungary. In accordance with the Basic Law of Hungary, Act CXI of 2011 on the Commissioner for Fundamental Rights created a unified ombudsman system. The offices of the special ombudsmen (Parliamentary Commissioners for the Rights of National and Ethnic Minorities and for the Interests of Future Generations) were integrated into the office of the general ombudsman, whereas the institution of the Data Protection Commissioner was transformed into the National Authority for Data Protection and Freedom of Information.

According to Article 30 of the Basic Law, the Commissioner for Fundamental Rights is an organ comprising a single person who shall be nominated by the President of the Republic and elected by Parliament to carry out activities guaranteeing the protection of fundamental rights. As of 1 January 2012 – instead of the four independent ombudsman offices – a new, single ombudsman system was established, where the interests of national minorities and future generations are represented by deputy commissioners.

According to the new Act, the *Commissioner for Fundamental Rights pays special attention to the protection of the rights of children, the rights of nationalities living in Hungary, the values determined as 'the interests of future generations' and the rights of the most vulnerable social groups in general.*

The new legislation has widened and made more important the ombudsman's competence in respect of safeguarding constitutionality. As of 1 January 2012, citizens may directly request legal remedy from the Constitutional Court only in case their individual rights have been encroached by the implementation of an anti-constitutional legal regulation or ruling of the court. In all other cases, they can submit *the Commissioner's* procedure to launch a petition; however, the Commissioner shall decide within his discretion, on the basis of his own investigation, and turn to the Constitutional Court on his own behalf.

The Ombudsman's Office also qualifies as a general human rights mechanism: in May 2011, it received the United Nations' *National Human Rights Institution* (hereinafter NHRI) "B-status" classification from the UN's International Coordinating Committee for National Human Rights Institutions (ICC). A major

success that is going to widen human rights activities of the ombudsman institution is the fact that on 12 January 2012 Hungary joined the Optional Protocol to the UN Convention against Torture (OPCAT) adopted in 1984. The Convention requires the establishment of independent bodies both on national and international levels, which execute regular visits in the detention institutions for verifying conditions therein. In Hungary, the Commissioner for Fundamental Rights will carry out the task as a national preventive mechanism from 1 January 2015 on.

As mentioned above, the new Ombudsman Act defines the *enhanced protection of the rights of persons belonging to the most vulnerable social groups* as an important priority. Ombudsmen have always paid special attention to the protection of the fundamental rights of persons who are not, or only partially able to protect their rights. Financial and economic difficulties affect the whole society adversely. They put pressure especially on persons belonging to the most vulnerable groups of society such as ethnic minorities, homeless people, disabled persons and elderly people. Since entering his office in 2008, the ombudsman has launched in a non-traditional, proactive way *several projects* which have particular focus on the examination of the situation and fundamental rights of the most vulnerable groups. Every year, he has examined topics which are especially important for the society and the enforcement of the rule of law and have a particular significance from the point of view of rights and freedoms. During this work, he has closely co-operated with NGO's and also with the academic sphere.

Urbanization and modernization produced forms of social exclusion and the dissolution of communal housing, what has led to the modern form of "homelessness". Disability, or disabilities were looked upon in many different ways, but the survival of the majority of the disabled was rather uncertain. Modern age has excluded and institutionalized them in the healthcare and social system, separating them from "normal" citizens. Old people were at the top of the traditional social hierarchy, but modernization devalued former experience, wisdom and authority. The nuclear family model resulted in the "elderly" being dumped into institutions of social care. In Hungary, there is a special situation because the remnants of the former communist welfare system and the new beginnings of a society based on market economy and private property coexist, thus determining the field of social and health care where the homeless, the disabled and the elderly have to suffer severe cuts caused by the economic and social problems of transition and of the recent economic and financial crisis. Case studies and investigations have shown, however, that we are very far from the desired service level concerning social and healthcare services. The Ombudsman's task has always been to remind government and public administration to fulfil their obligations taken on by agreeing to the European policies on vulnerable groups. Exclusion and rejection of people with special needs do not stop only at homelessness, disability and elderly age, but evolve further into gender-based and ethnic exclusion. The

Ombudsman's investigations within a series of "human dignity" projects have focused on a specific type of exclusion and danger of reduced rights, e.g. within the implementation process of human rights of special groups. The homeless, the disabled, the elderly and the patients were the subjects of the examinations in the Hungarian Ombudsman's Office between 2008 and 2011.

*Poverty* is a decisive and multiplying factor of vulnerability and deprivation. There are several definitions for poverty, varying by defining it as an absolute, as opposed to a relative quality, as a dynamic or static notion, and by looking for the reasons of poverty in the lack of ability versus the lack of instruments. However, in the European Union, more than 80 million people – meaning 8% of the population in the working age – are at risk of poverty. Combating poverty and social exclusion is therefore high on the EU agenda. A significant part of the Hungarian population qualifies as poor. According to data published in May 2013, the income poverty rate in Hungary was 14%. The comfort factor of homes shows a negative correlation with poverty, and so does the capacity to access services. Global economic and financial crises have worsened the phenomena of poverty such as financial and social deprivation, as well as physical and mental health issues.

In the European Union today, *20% of the children live at risk of poverty*. Poverty is a denial of children's rights and can prevent them from realising their full potential. Child poverty has a negative impact on the whole society, both in the present and in the future. Poverty is much more than material deprivation. Poverty can also mean poor quality health care, education, housing and environment. A children's rights perspective takes all these factors into account. It explores all the influences over a child's well-being, both inside and outside the family. We cannot make a decisive impact on child poverty without addressing children's rights. The UNICEF in its latest published report on deprivation says that *every 3. child is in need in Hungary*. According to the data of the National Social Inclusion Strategy, the child poverty rate is 21%, which means that ca. 380,000 children live at risk of poverty.

Homelessness and deprivation of housing are extreme forms of exclusion; unfortunately, these have become a more serious problem in recent times. Lack of fuel does not mean only deficiency in heating or cooling at home, but it also means a crucial lack of warm water, light and other everyday needs. Financial exclusion related to the lack of access to basic financial services and deeper indebtedness has become more dangerous because of the financial and economic crisis, which can hinder the possibilities to be employed, find a decent job, and it can easily lead to a hopeless deprivation, as a vicious circle. Official data show that in Hungary social services provide shelter for almost 11,000 homeless people; the officially authorized number of these places was 5,500 in Budapest and 5,200 in the provinces in December 2012.

*Members of vulnerable groups are at higher risk of being victims of structural or individual discrimination;* therefore, it is vital to provide effective mechanisms to counteract discrimination. Several international and European human rights conventions adopted by the United Nations or the Council of Europe stipulate the prohibition of discrimination according to single or multiple grounds.

The *European Union today fights actively against all forms of discrimination* and for universal respect for human rights, promoting the spirit of the ECHR and, since 2009, fulfilling its duty based on the legally binding Charter of Fundamental Rights. Article 21 of the Charter states that “any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited.”

The EU is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, as well as the rule of law. Hence, the EU must take all measures necessary to combat discrimination of all kinds: following a complex set of directives against gender discrimination, in 2000, two directives were adopted based on Article 13 of the Treaty of Amsterdam. Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin prohibits discrimination based on racial and ethnic origin in many sectors of activity such as employment, education, access to social protection and to health care, social advantages, access to goods and services, particularly housing. Directive 2000/78/EC established a general framework for equal treatment in employment and occupation, combating discrimination based on religion or belief, disability, age or sexual orientation.

In spite of all these instruments, discrimination is still frequent in the EU. According to the Eurobarometer Survey published in November 2012, *discrimination is considered to be common in the EU Member States*. The most widely perceived ground is “ethnic origin” (56%), followed by “disability” (46%), “sexual orientation” (46%) and gender identity (45%). According to the Special Eurobarometer Survey 317, forms of discrimination based on ethnic origin, age, disability and gender seem far more widespread in Hungary than in the rest of the European Union (the differences noted vary between 11 and 21 percentage points). On the other hand, according to the respondents in Hungary, discrimination based on religion or beliefs seem less frequent in our country.

There are *some multiple vulnerable groups*, e.g. those who belong to different types of minorities (national or ethnic minorities, or even sexual minorities, etc.) or who are living with any kind of disability.

The number of the *Roma* among those fallen behind, in desperate, hopeless situation, is high above this minority’s share in the entire population. Some of the Roma, already pushed to the edge of society and subjected to prejudice, are unable to use the benefits offered, in principle, by the system of equal opportunities;

their integration seems unrealistic, even though the amount of support allocated to the improvement of the situation of the Roma minority has been multiplied since the country's democratic transformation and the supporting system and the assistance programmes also have become more complex.

The Ombudsman considers it one of his tasks to draw the legislators' attention, through his *ex officio* investigations, to the fact that some of the legal norms from various branches of law, related to equal opportunity, do not have any or sufficient influence on the integration of groups with structurally impaired advocacy and enforcement capabilities, most of all on that of the Roma.

Rates of poverty among the ca. 12 million Roma/Travellers in Europe reach 10 times higher than a population as a whole. According to a 2011 EU survey, life expectancy for Roma in the EU is estimated to be approximately 10 years less than the majority population, and in some countries infant mortality rates are six times higher than the average. These levels of poverty amongst Roma also play a part in the various exploitations of Roma children, particularly women and girls, who suffer poverty more than their male counterparts. In many cases, the Roma are segregated regionally into isolated pockets in both urban and rural settings, and these communities are generally the most deprived. Basic necessities are often lacking in such regions, incl. water, sanitation, electricity or heat. Poor road conditions and public transportation make it even harder to access employment opportunities, schools, social–health care services. Families, who are impoverished to this extent, struggle with daily life, children may stay at home instead of going to (pre)school to help with younger siblings, or parents may leave for extended periods. As well as being isolated as communities, these levels of poverty and social exclusion lead to the institutional exclusion of the Romani; moreover, in the last few years, the financial-economic crisis has made the already disadvantaged situation of many Roma.

In Hungary, according to the official data, the number of *people living with disabilities* in 2001 was 577,000, which covers 5.7% of the whole population. Experts estimate – illustrated by international surveys – that ca. 10% of the total population live with some kind of disability, so the valid number also has to be higher in our country, approx. 1 million people.

People (especially children) with disabilities and their families constantly experience barriers to the enjoyment of their fundamental rights and their inclusion in society. Their abilities are overlooked, their capacities are underestimated and their needs are given low priority. Yet, the barriers they face are more frequently the results of the environment in which they live rather than the result of their impairment.

However, Hungary was among the first countries who signed and ratified the UN Convention on the Rights of the People with Disabilities (CRPD), which brought a paradigm shift at national and international level in the field of *disability*

*policies*: the former paternalistic, medical perspective has been turned into a social model with respect for human rights; despite this welcomed development, there is more need to be done also in Hungary. The social model of disability acknowledges that obstacles to participation in society and its institutions reside in the environment rather than in the individual and that such barriers can and must be prevented, reduced and eliminated. Environmental obstacles come in many guises and are found at all levels of society. They are reflected in policies and regulations created by governments. Such obstacles may be physical, e.g. barriers in public buildings, transportation, recreational facilities and attitudinal – a widespread underestimation of the abilities and potential of children with disabilities creates a vicious cycle of under-expectation, under-achievement and low priority in the allocation of resources.

The *freedom of sexual orientation* is considered to be a special case of non-discrimination in modern discourses on fundamental rights. This issue has come to focus in the last few decades as a result of the increasing interest of NGOs and human right movements in the topic and as a result of some new issues on political and legal agendas around Europe such as the legalization of gay marriage or domestic partnerships and adoption.

In Hungary, many promising developments tried to achieve equality in the last two decades, but LGBT people feel everyday discrimination, prejudice or even face sometimes hate speeches and violent attacks based on the ground of discrimination on sexual orientation. The Hungarian Academy of Sciences carried out a research on this topic in 2007, which found that  $\frac{3}{4}$  of the people experienced already once at least any kind of negative discrimination. The Pride Marches are still controversial events in Budapest, however, the conditions (safety of the routes etc.) and the level of acceptance are improving – partly as a consequence of the Commissioner's continuous attention to the enforcement of freedom of peaceful assembly since 2008.

Since there is no separate/single parliamentary institution for the protection of the *rights of the children*, the Commissioner has operated during his mandate as an ombudsperson for children's rights. That was the reason for the Commissioner to launch the so-called Children's Rights project for his whole, six-year mandate in 2008, under which he designated a specific subject each year that he intended to focus on. *The special projects* were as follows: awareness-raising of the children about their rights in 2008; violence against and amongst children in 2009; children in care in 2010; right to health in 2011, child-friendly justice in 2012 and right to healthy environment (with special attention to deprived circumstances) in 2013. Today, the ombudsman defends the rights of the child not only on the basis given by the Child Protection Act, but, since 1<sup>st</sup> January 2012, also based on the new Ombudsman Act (Act CXI of 2011 on the Commissioner for Fundamental Rights), which prioritizes the defence of children's rights as the Ombudsman's main task. This



means that the Commissioner has become stronger and more effective in fulfilling this responsibility. The Ombudsman's activities related to children's rights are not limited only to the utilization of traditional means. He protects children's rights by a set of specific means adjusted to the enforcement of children's rights; therefore, in addition to dealing with individual complaints, he lays greater emphasis on legal protection of holistic outlook and of proactive nature: to activities enhancing consciousness about law and shaping public opinion, to ex officio launched and comprehensive investigations and to organizing mechanisms of co-operation. He is a member of the European Network of Ombudspersons for Children (ENOC), the Eurochild, and he is a national focal point of the Council of Europe since 2010.

The Ombudsman, in addition to considering his primary task to explore problems related to children's rights and the deprivations of those rights during the course of his investigations, to word recommendations for their remedy as well as to press for the elaboration of solutions, he also considers indispensable in the interest of efficient and broad realization of children's rights to establish direct contacts with the target groups of the project. For this purpose, he discusses experiences obtained during ombudsmen's investigations and his related findings, recommendations and initiatives with experts dealing with children in professional meetings, workshops and conferences, and initiates co-operation between children and civil and state professional organizations and experts dealing with the vindication and protection of children's rights. In addition, in proportion to his own resources he also takes up roles in the presentation of children's rights and opportunities of enforcing those rights, including the protection of rights by the Ombudsman.

Helping vulnerable groups has been the main principle of the ombudsman's activity since the very beginning. However, the "upside down pyramid" phenomenon shows that the most vulnerable people have the least possibilities to defend themselves; they cannot even articulate their problems by sending in a complaint.

The Ombudsmen, alongside the professional supporter social sphere, shall try to move this "pyramid" and highlight these serious problems for the wider public; otherwise, they will remain in invisibility and in shadow without the ability to formulate a complaint or even perceive the abuse of rights.

## **Going to the Constitutional Court in the interest of vulnerable groups**

Prior to 01.01.2012, anyone without any legal interest could turn to the Constitutional Court to challenge a piece of legislation. Such a possibility was terminated as the Basic Law entered into force. The typical competence of the

Constitutional Court became the review of individual complaints instead of the abstract review of norms.

As a result of this alteration, the Ombudsman's competence to turn to the Constitutional Court for posterior law review has gained significant role. The experience of the first 18 months (from January 2012 until June 2013) shows that the Constitutional Court performs this competence upon the petition of the Commissioner for Fundamental Rights. Therefore, a large number of individuals, organs and social groups turn to the Commissioner to challenge the law they find unconstitutional at the Constitutional Court. In this competence, the Commissioner answers all submissions and he either launches a petition or states his reasons for not initiating the Court's procedure.

On the basis of the citizens' complaints, since the beginning of 2012, the Commissioner has examined all complaints, regardless if they were submitted by individuals or civil organizations or even by political entities. However, it is not the amount of petitions but the quality of the argumentation with which the society may help the constitutional corrections in the Constitutional Court proceedings. For this purpose, it is not the unconstrained use of the direct ex post review of norms that would be necessary – since comprehensive processing may not be expected from the jurist elite organisation doing the Constitutional Court proceedings –, but an organization is needed with a suitable screening function and which is experienced in handling civil complaints and has the appropriate level of constitutional law expertise such as the Ombudsman.

Such a solution is included in the Basic Law instead of the *actio popularis*. Although the new constitution established two more channels of much more of a political nature (namely the Government and one-fourth of the MP-s), they currently do not fulfil the function of forwarding civil complaints to the Constitutional Court. The head of government authorised by a two third supermajority is unlikely to be uncertain regarding at least the legislation by his own government and Parliament in order to resort to the Constitutional Court for the ex post review of the norms. For instance, this way, the international organizations' criticisms may be "tried" through the internal constitutional control institutions by the head of the government. This is much more likely in a divided coalition government, though; in this case, the coalition co-operation agreement may limit using this opportunity. Another channel is the one quarter of the representatives: this does not function under the current political division; however, in principle, this can be easily accomplished by two co-operating parties which may bring this way their voters' demands. This opportunity may arise with a changing parliamentary composition, in which the comprehensive critical attitude of the opposition is likely to appear in the submission of petitions. Therefore, the current situation after the *actio popularis*, placing the ombudsman to the front, may quickly transform. Until that time, basing on the very short

experience of the 18 months, neither the government nor the one quarter of the representatives is likely to challenge acts at the Constitutional Court.

The Ombudsman's petition has a different nature compared to the one of the political parties. Political entities are likely to launch petitions to serve their political aims, for the implementation of the political values they represent. On the other hand, translating the general political criticisms into the language of the Constitutional Court does not belong to the ombudsman's task. The ombudsman, within his or her competence, focuses on partial questions, single issues. The petitions do not challenge the legal institutions but their partial aspects, for example, the types of pension, but not the whole of the pension system, certain anomalies of the education system, but not the foundations of the education system.

It also needs mentioning that the Fourth Amendment to the Basic Law authorised the president of the Curia and the Supreme Prosecutor to request *ex post* review of laws. However, they have not taken this opportunity yet.

The legal base of the Ombudsman's competence to launch a petition is stipulated in the Basic Law itself. The detailed regulations can be found in the Ombudsman Act and the Act on the Constitutional Court. Besides, the Ombudsman stipulated the most basic aspects of such an enquiry and pointed out that the Commissioner paid close attention to the most vulnerable groups also in this competence.

The Commissioner's right to launch a petition has a subsidiary nature. If someone had already turned to the Constitutional Court with an individual complaint, then the Commissioner's petition for abstract review would have had no function. The Commissioner practises his right to turn to the Court mostly if the circumstances of the individual implementation of a right are missing.

The Commissioner is entitled to challenge all pieces of legislation, while the Constitutional Court's competence to review financial issues is restricted. The Commissioner can ask the Court to conduct a posterior law review or to review whether a law is contrary to international treaties. Yet, (s)he cannot request the abstract interpretation of the Court in a specific constitutional issue.

As of 1 January 2012, not every citizen has the *actio popularis* at his/her disposal for initiating the abstract *ex post* review of norms. The eighteen-month-long experience is that those initiatives are able to provide basis for the ombudsman's petitions to the Constitutional Court, in which the professional legal expertise had played an important part from the beginning. The mass of the "lay" complaints means in itself an important confirming and guiding feedback; however, no directly constructive or critical fundamental law arguments are derived from them (though such arguments can be formulated through experts' deductions). The colloquial problem interpretation may be of a symptomatic value; however, it requires further professional elaboration.

Secondly, we focus on the issues in which the Commissioner launched petitions for the sake of the most vulnerable groups. In this part of the essay, we summarise

the Commissioner's statements on issues concerning homelessness, minorities, social allowances and subventions, measures against minors, the pension system and health care. Since 2007, the parliamentary commissioner for citizens' rights, depending on the result of the examinations, turned to the Constitutional Court 3–5 times annually. Since the beginning of 2012, the Commissioner turned only four times to the Constitutional Court *ex officio* for ex post review of norms on the basis of the “old” ombudsman's competence to submit a petition. On the other hand, the Commissioner launched nearly 30 petitions within the first one and half year of the Basic Law.

To set an example, among the petitions, the review of the *Act on Elimination of Early Retirement Schemes, Early Pensions and Service Dues* needs mentioning. According to the Act, the allowances established earlier are continued to be paid under another legal title, as so-called early retirement allowances, e.g. transitional miners' allowance or, in the case of the armed forces, as service allowance. In the petition, the Commissioner requested the annulment of certain provisions of the Act. The reason for this is that the Act stipulates the reduction of the monthly amount of certain allowances (e.g. early retirement allowance to Members of the Parliament or service allowance) by the amount of the personal income tax, when the provisions of the Act stipulating to burden the nominal amount of old age pensions with public dues, i.e. deductions, are in breach of a requirement deriving from the rule of law. The Act defines the suspension of the service allowance as an automatic, “supplementary punishment-like” legal consequence to certain crimes. Since it comes from the Basic Law that the state may not arbitrarily use the instruments system of penal law, the Commissioner also initiated the annulment of these provisions.

By virtue of the Act, old age pension shall be terminated if the person entitled engages in, in lay terms, “black work” (undeclared gainful activity). The Act links two unrelated issues: the payment of the old age pension-type allowance to the entitled and his/her failure to comply with the obligation to pay tax on the income from such undeclared work. Therefore, this provision is also in breach of the requirements of the rule of law.

Having analysed all the petitions and the hundreds of complaints, one can state that the group of petitioners is rather diverse, ranging from university professors, self-governments of nationalities, members of the European Parliament to private citizens. In the course of submitting petitions based on the complaints on file and other related requests (establishment of default, proposition of provisional measures), several substantial issues and dilemmas have emerged that we have to refrain from introducing here due to size considerations.

We used the way to the Constitutional Court to defend the vulnerable as well as the strategy of investigations, structured toward their interests.

## **National and ethnic minorities: restriction of rights or acknowledgement of realities?**

According to the data of the census of 2011, the number of the Hungarian national minorities is more than half a million; however, real data are estimated to show at least twice of this number. Consequently, regulation of national minority rights may directly affect approximately 10% of the Hungarian population.

Apart from the Roma community, Hungarian national minorities cannot be considered a deprived group on the basis of social, labour market or health care conditions. In the case of these national minorities, the special minority rights are not affirmative actions, but they serve to facilitate the preservation of their identity, culture and traditions. The use of mother tongue and the local and national representation are exceptions; in these fields, the minority rights are to countervail the real disadvantages owing to the proportion within the population.

The Act on Ethnic Minorities passed in 1993 set out the definition of the national and ethnic minority. Nevertheless, it was not obvious how this definition could be applied to the individuals belonging to a given community. Therefore, instead of the free choice of identity, even completely arbitrary choice of identity prevailed, which led to many abuses.

The basis of distinguishing the national and ethnic minorities was whether the given ethnicity has a fatherland or not. By the entry into force of the Basic Law on 1 January 2012, this was changed to the unified definition of national minority, which better expresses the complete right to equality.

Hungarian legal rules enable only exceptionally, in full compliance with the data protection rules, to voluntarily register belonging to a nationality. Therefore, the legislator intends to use population statistics in order to assess the number of a given nationality without individual identification of members of the community in the settlements. Considering the data collected by census has the objective not to avoid that certain national minority rights are exercised in such settlements where members of the given community do not live.

Anonymous confession of belonging to a nationality on the occasion of a census is a right and not an obligation for those who belong to the concerned community. In numerous settlements, essentially less number of people declared their national identity than it was realistically expected, while in certain big towns and in the metropolitan districts a significantly greater number of people did so. Consequently, the Commissioner for Fundamental Rights holds the use of the data collected by census controversial for the election of national minority self-governments and for determining the amount of their state subsidy.

In Hungary, after World War II, the process of preserving national minority languages was interrupted. Generations have grown up without learning the

language of their community or just learned it at basic level. Legislation broadly ensures the use of nationality languages; however, in practice, the priority of the Hungarian language prevails.

In the administrative proceedings, people belonging to a national minority may also submit their petition in their mother tongue and may request the translation of the decisions. Translation costs incurred in the course of the use of national minority languages are on the authorities.

The inquiry has pointed out that the demand for the use of national minority languages arises only in very few proceedings. On the one hand, the reason for this is that the majority of those belonging to a national minority can express themselves better using the Hungarian language than in the language of their community. On the other hand, there are not any colleagues working for the authorities, whose language skills would enable them to proceed in national minority languages. Local self-governments and government offices hardly have forms in national minority languages, not even in those settlements where significant national minority population lives. I, as the Commissioner for Fundamental Rights (2012-13), have made several proposals in order to propagate the use of nationality mother tongue.

Hungarian national minorities may elect their own self-governments. For almost 20 years, however, national minority self-governments may also be founded where members of the represented community do not live at all or just in a very small number. In 2011, the legislator built in a number of safeguards in the legislation on the elections of nationality self-governments. However, they have not remedied the problems that arose earlier. Anyone having a vote in the election of local government deputies and mayors and who confesses that he or she belongs to a national minority, may apply for being registered in the electoral registry. As a consequence of the extension of the personal scope of the Act on Nationalities, adult citizens with a Hungarian address of the member states of the European Union and also adult persons recognized as refugees, immigrants or persons established may also be entitled. The new rules will be applied for the first time in the election of 2014, thus it cannot be foreseen how those will work in practice. Predictably, the new regulation will not prevent the abuse of the right to establish a national minority self-government.

Because of their number, Hungarian national minorities are unable to obtain a mandate in the election of local self-governments in the majority of the settlements. In the last years, certain candidates could have obtained a mandate by fewer votes for a settlement and for a minority than the deputies elected in compliance with the general rules. However, this had led to abuses in a number of cases; therefore, this opportunity was terminated by the amendment of the Act in 2005. The Act on Nationalities reintroduced preferential mandate; however, the conditions are so strict that it is unlikely to win such a mandate, even in the settlements with significant nationality population.

Hungarian nationality politics have delayed passing the Act on the representation of national and ethnic minorities in the Parliament for two decades. Representation of national minorities was set out in the Constitution. On the contrary, participation of national minorities in the work of the Parliament is ensured in the Basic Law. The new electoral legislation enables the list of nationalities to obtain mandates by fewer votes as well. Those who request to be registered as nationality electorates may only support the candidate of the list of national minority and cannot vote on a party list. Consequently, it is questionable if the lists of national minorities may be able to reach the number of votes required for the mandate of a deputy. In the absence of this, a few spokespersons with consultation rights may be elected here and there.

By passing the Basic Law, the regulation of the national minority rights has taken a new direction. The laws adopted in the last two years primarily do not extend the catalogue of national minority rights, but they intend to ensure the conditions for better implementation. Certain new elements of the regulation, such as the introduction of the Parliamentary and local governmental preferential mandate, have given answer to questions having been unsolved for long time. However, the applied legal solutions only partly comply with the expectations of the nationality communities and the earlier undertakings of the political decision-makers.

#### **Hungary's Population by Nationality (On the basis of the 2011 census)**

	<b>2001</b>	<b>2011</b>
<b>Hungarian</b>	9,416,045	8,314,029
<b>Bulgarian</b>	1,358	3,556
<b>Roma</b>	189,984	308,957
<b>Greek</b>	2,509	3,916
<b>Croatian</b>	15,597	23,561
<b>Polish</b>	2,962	5,730
<b>German</b>	62,105	131,951
<b>Armenian</b>	620	3,293
<b>Romanian</b>	7,995	26,345
<b>Ruthenian</b>	1,098	3,323
<b>Serbian</b>	3,816	7,210
<b>Slovakian</b>	17,693	29,647
<b>Slovenian</b>	3,025	2,385
<b>Ukrainian</b>	5,070	5,633
<b>Arab</b>	1,396	4,537
<b>Chinese</b>	2,275	6,154
<b>Russian</b>	2,341	6,170

	2001	2011
<b>Vietnamese</b>	958	3,019
<b>Other</b>	36,472	28,068
<b>Refused to answer / no data</b>	570,537	1,455,883
<b>Altogether</b>	10,343,856	10,373,367
<b>Population</b>	10,198,315	9,937,628

Source: Hungarian Central Statistical Office, [www.ksh.hu](http://www.ksh.hu)

## What can the ombudsman do against school segregation?

There is currently no social consensus either on “diagnosis” or “therapy” regarding the problematic issue of the coexistence of Hungarian gypsies and non-gypsies. Nevertheless, it is generally agreed that for the Hungarian population of gypsy descent, in general, education and knowledge may give a real chance for integration, advancement prospect that may be sensed systematically and already in the medium term.

Considering the significant social integration weight of public education generally agreed, using the Ombudsman’s case law as well, a brief overview is given on the causes underlying school segregation, state of interests, the characteristic practice of segregation and the enforcement of the legal regulation of integration/segregation.

From the perspective of the social context of the subject, it should be highlighted that, due to the advanced assimilation pronounced and the living language, the cultural, traditional differences associated with the Roma nationality existence can be demonstrated only in the case of a small part of the Gypsies, but the problems arising from the different social status and prejudice affect almost all the Gypsies.

From the perspective of the “Gypsy question”, the number of Gypsies is of special significance because – according to the study of the Publicus Institute in 2012, based on the survey in 2008 –, “the majority considers Gypsies as a source of danger that merely by the increase in their number endangers the security of the society”. Indeed, the size of the Roma population is growing and their age composition shows an essentially younger population than that of the non-gypsy population.

The regional concentration of this social class is significant in the poorest regions of the country. Certain research has shown that the employment rate of the gypsy population is extremely low (it hardly reaches 20%), while the 10% employment rate of Roma women is downright catastrophic. In Hungary, Roma die on average 10 years earlier than non-Roma.

Prejudice has already been significant in the 90s; however, by today, it has “gained” a new quality since these prejudices are represented by a political party in the Parliament.



The proportion of the unemployed of gypsy descent is so high because their level of qualification is low. The reason for which they cannot obtain higher qualifications is that, in the absence of employment, the social status of gypsy families remains low, while in Hungary school performance is basically determined by the financial situation (and closely related other situations) of the family. All this makes the problem characterized by the logic of unemployment/qualification/social status turning into one another insoluble.

Schools, where the number/proportion of disadvantaged students is high, are demonstrably known to perform worse than others under current conditions in all respects (competence, entry to higher education, etc.). The majority of parents connect the increase of the number of gypsy students with the fall of the performance of school performance, independently of the eventual disadvantaged situation of gypsy students.

On this basis, it is almost inevitable that frustrated, discontented parents of the Hungarian mainstream society afraid of come-down tend to choose a school where the disadvantaged/gypsy student rate is low, bearing in mind the career chances of their children.

Before the schools had been put in state maintenance, if the municipality maintained several schools, its interest was that a significant proportion of gypsy student go to one or two schools, “removing the burden” of other schools. The decreasing number of students creates a strong competition among schools. Schools want to “stay alive” by increasing the number/quality of pedagogic services, using better advertisement and/or serving the segregation demands of parents. Sections, lessons in rated groups, integration classes (creating opportunities) are organised in order to solve segregation by an internal rating system, keeping up the appearance of objectivity. Eventually, this goal is served by the organisation of gypsy minority education as well.

Research has shown that a cumulatively disadvantaged student is Roma with a 50% probability, and statistics have shown that out of 100 Roma students approximately 75% are multiply disadvantaged.

According to the results of a scientific research led by Gábor Kertesi and Gábor Kézdi, the lower performance rates of gypsy students have no “ethno-specific” reasons; the differences are related to the disadvantaged situation and the segregation based on the disadvantaged situation and/or prejudice based on ethnicity. (Kertesi – Kézdi 2005) It has been shown in this study that parents, schools and the maintainers, as we have seen, may be interested in the creation or maintenance of segregation for several reasons. Against this informal unity of interest, there is no sufficiently efficient control mechanism.

## **Experiences of the ombudsman’s project ‘With communication for equal dignity – inclusive speech versus hate speech’**

Hate speech and verbal exclusion affect by definition all vulnerable groups, amongst them especially Roma, people living with any kind of disabilities, homeless persons, migrants, religious minorities and LGBT persons. According to the recent Eurobarometer survey, discrimination is still considered to be common in the EU Member States. The three most widely perceived grounds are “ethnic origin” (56%), “disability” (46%) and “sexual orientation” (46%). Similar tendencies prevail in Hungary; however, age discrimination is perceived as the most common ground for discrimination (75%), followed by discrimination based on ethnic origin (70%) and disability (54%). There is no unified data collection about the number of hate crimes in Europe; however, victimisation research indicates that migrants and other ethnic minorities (such as Roma) and LGBT persons are at risk to be victims of verbal or physical abuse and hate crimes. According to a research conducted by the Fundamental Rights Agency of the EU (FRA), in Hungary, in 2008, 19% of Roma respondents were attacked based on their ethnic origin.

Prejudice and hate crimes are connected to each other in multiple ways: biased thoughts form prejudiced words and discriminatory actions may be a legitimisation and/or an emotional preparation for violent, criminal acts. The complex connection between these phenomena is demonstrated by Gordon Allport’s famous scale of prejudice, according to which there are five stages of prejudice: (1) antilocution, (2) avoidance, (3) discrimination, (4) physical attack and (5) extermination.

The essential question of combating acts of hate is the goal the legislator realistically sets: may legislation aim to combat negative attitudes behind words and acts of hate, or should its goals be restricted at combating actual actions and words of discrimination? In different periods of time, within different social contexts, a different answer was given to this dilemma. Anyhow, legal prohibition of hate speech should – if applied consistently – result in the confinement of such phenomena. However, consistent and effective application of legal prohibition requires sensitizing and educating actual and potential legal practitioners.

The most effective way to combat hate speech is in any case to decrease its acceptance in the society: if the majority of society despises intolerant words, hate speech will get neither attention nor sympathy at the marketplace of opinions. Therefore, it is of essential importance to increase tolerance and understanding of vulnerable groups in the society. The 2013 project of the Commissioner ‘*With communication for equal dignity – inclusive speech versus hate speech*’ aims to

map views and actions of stakeholders at different fields of life such as public education, higher education, media, criminal justice system, European funds and programs, local NGOs, churches and minority self-governments on the promotion of an inclusive society. The ombudsman investigated on the views of nearly a hundred stakeholders in the above fields in order to get a picture of the integrative capacity of society.

Hate speech has always been an issue of the ombudsmen's work: the previous ombudsmen responsible for minority rights made proposals to modify the criminal code, whereas ombudsmen have conducted several investigations in cases of hate speech. Our study aims to give a context of the ombudsmen's activities in this field by showing the way to the present approach, which gradually shifts the emphasis from legal prohibition to the mapping of proactive, preventive measures. In the study, the authors – colleagues of the ombudsman who all have actively participated in the project-work – sum up the most important findings of the recent project, complementing them with their subjective views on some findings.

*On 29 April 2013, I as the Commissioner for Fundamental Rights launched a thematic workshop on hate speech. I emphasized the importance of the theme that should be examined and dealt closely by every participant of the society. I urged the change of mentality and attitude towards the question, as the prevention should be in the centre of attention and not the sanction and penalization of the convicts. A tolerant society should be developed with members having an appropriate political behaviour. Therefore, education receives a special attention and importance on this field. Within the framework of the project and investigations, the colleagues of my Office have contacted several relevant authorities for receiving information on their actions and plans regarding the prevention of hate speech and the promotion of tolerance. The results of my investigation were depressing: the state authorities have failed to comply sufficiently. The goal should be the creation of a democratic society with participants with adequate political culture, for which the state organs should support every initiative of the civil society.*

The leader of the project, Ms Katalin Szajbély, in her basic paper, reminded the unsuccessful attempts of the former ombudsman being responsible for minority issues: when Dr. Jenő Kaltenbach drafted the legal provision on the issue of hate speech, or when Dr. Ernő Kállai proposed an amendment to the act on equal treatment to regulate the question. In 2012, I launched a project touching upon the issue of “Losers of the crisis - In the captivity of paragraph”, which had a segment that examined the strengthening prejudices and discrimination in the context of financial and economic crisis. From social-psychological aspects, the colleagues of the ombudsman investigated relevant cases; furthermore, they had contacted the civil society and examined the specialised literature to propose a comprehensive report on the issue during this summer. (Szajbély 2013)

About tolerance in education and its obstacles, a large amount of work has been done within the social sciences. Speaking about education and tolerance, deficiencies can be explained by problems related to the quality of the teaching–learning process: by pedagogical methodology used by the teachers, by the way how in-class interactions and conflict situations are managed (usually it is only between teacher and student, student-student communication is prohibited many times in the classroom), the education and the expectations of teachers. Our work added to the literature on the subject that high-quality training programs on anti-discrimination have to be launched for teachers. Ethnic segregation is still a common phenomenon in the Hungarian education system. We concluded that good practices are useful; however, their successful implementation requires a shift in mentality and paradigm.

Mr. Zoltán Fleck, professor at the Faculty of Law at the ELTE University of Budapest, has made investigations to give here a short summary on how law students are influenced by prejudice in Hungary. In order to avoid and prevent this kind of attitude, good practices should be implemented at first place in the educational system and the pedagogical mentality. Evidently, changes of cultural attitude and paradigms are also necessary to fight stereotypes and prejudice. According to Mr. Fleck, in countries of unstable cultural ideologies, norms and institutions have an outstanding role in consolidating the moral and ethical rules of society. (Fleck-Krémer-Navratil-Uzbekiewicz 2012)

Based on research samples from online and print news providers and from the programs of commercial and state-funded television, one third of all coverage on gypsies is related to criminality. Insinuating and indirect messages are often revealed in the media. Materials that promote prejudice and stereotypes about Roma are widespread. There are very few reports that show real Roma culture. Another phenomenon is that in the past 15 years or so degrading speech concerning Roma people has become increasingly accepted both in politics and in public forums. Accordingly, state officials and public figures have a greater responsibility in forming public opinion.

Our investigations as well as the mainstream social sciences in Hungary concluded that the presentations underlined two common goals: preventing discrimination and the urging need of raising cultural awareness. The social and cultural instruments and education have an important role in promoting tolerance, but legal instruments are essential to prevent racism and discrimination. These are the findings of our recent projects on ethnic, especially Roma minorities, and on the LGBT people. We carried out a system of investigations on other vulnerable groups: poor people, children in need, homeless people, old age people, disabled grand groups, patients' rights, etc., which we are unable to present due to the limits of our paper.

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## The Hungarian University of Transylvania in the Transitory Post-War Years (1944–1945)

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**Abstract.** The paper entitled *The Hungarian University of Transylvania in the Transitory Post-War Years (1944–1945)* describes the issues connected to the institutional transformations of the Hungarian university of Cluj starting with the last academic year of 1943/1944, during the Second World War, and getting through to the foundation of the “Bolyai” University. There are presented both the traditional forms of a high-leveled educational process within this institution and the difficult financial and spiritual situation of the university at the end of the Second World War. Besides the immediate consequences of the German occupation of Hungary in March 1944 and the losses suffered by the students due to the deportation of the Jews, the study deals with the financial destruction caused by the bombings of Cluj on 2 June 1944, as well as the consequences of the evacuation order issued by the Hungarian authorities. The article describes also the main reasons why the board of directors of the Hungarian University decided to stay in Cluj and continue their educational and scientific activities, as well as the first contacts of the board of Hungarian professors and students with the professors and students of the Romanian University who tried to return from Sibiu in the autumn of 1944. At the same time, the extremely hard financial situation at the beginning of 1945 is also presented. Finally, the study focuses on the structural transformation of the university according to the ideological requirements of the new regime installed in the autumn of 1944, on one hand, and to the problems arising from the division of the university properties between the two universities of Cluj, the Hungarian and the Romanian one, on the other hand.

**Keywords:** Hungarian University of Cluj, World War II, University at Sibiu, Romanian University, the role of Soviet forces

It is a fact that the Hungarian University of Cluj was the most important scientific institution of the Hungarians in Transylvania. As a state-financed Hungarian culture center in Transylvania, it held together the scientific-cultural activity of the region and stayed in touch with the other universities of the country, thus representing Transylvania in the scientific world. Besides this, it had a tremendous role in

forming the local Hungarian young generations, thus ensuring the continuity of Hungarian cultural and scientific life in Transylvania. Through these processes, the Hungarian University of Cluj played an active part in the development of the European scientific life in general as well as in the enlarging and spreading of European culture. In the critical transitory period after World War II, one of the most important vital questions of the Hungarians of Transylvania was the survival and the reopening of the University of Cluj. It is still valid today as the lack of an important, state-financed Hungarian university is being felt in all respects of cultural and scientific life of the Hungarians in Transylvania.

Franz Joseph University, founded on 10 November 1872 (Farágó, 1999: 11.) was the third, European ranking institution of higher education in Hungary.

The first period of the University of Cluj ended after World War I when the Romanian Army entered the city on 24 December 1918. On 12 May 1919, in the new conditions of power, the invading forces aggressively took over the university. After expelling the Hungarian teaching staff from the main building on Farkas street and from the other university buildings, the new Romanian university started its activity on 3 November the same year. Temporarily, the Hungarian University had to start its activity in Szeged on 26 June 1926. (Lázok-Vincze, 1995: 15–16.)

After the Second Vienna Arbitration, Franz Joseph University almost instantly moved back to Cluj, and opened its gates on 24 October 1940. (Bisztray et al., 1941: 369, 376, 388–392.) In the meantime, the Romanian University named after King Ferdinand I moved to Sibiu.

The reopened Hungarian University of Cluj not only regained its high scientific status but also developed it, which could be seen through its enlarged organizational structure. Instead of the earlier four faculties, it developed its educational supply to five faculties and 85 departments fitting into the latest scientific trends. The newly established Faculty of Economics increased the importance of the University of Cluj, as there had been only one of this type at the Technological University of Budapest. (Csetri, 2009: 55.)

The occupation of Hungary by the Wehrmacht on 19 March 1944 (Ránki, 1984: 131.) created a brand new situation at Cluj. The activity of the University became impossible due to the changing conditions of power. So, it came as no surprise when on 12 April, after being forced to suspend the courses, the Board of Professors had to close the academic year earlier than planned. (Csetri, 2009: 73.) After taking the advanced exams, most of the students were enrolled in the Hungarian army. (Kiss, 2007.)

The German occupation also had other, more serious consequences. Soon, the confinement to ghettos of the Jewish inhabitants started, followed by their deportation to Auschwitz. (Braham, 2008: 157–162.) We can find among them several professors and students from Franz Joseph University. The tribulations



of Cluj and the Hungarian University in 1944 did not come to an end by any means. The city of Cluj suffered a serious air strike on 2 June. (M. Szabó, 1999: 239–240.) Many students from the university fell victims to this attack. The institution also suffered material losses. One of the locations of practice for medical students, the Reformed Hospital on Miklós Horthy street was totally destroyed, while the Orthopedic Clinic on Zápolya street belonging to the Faculty of Medicine was also hit, and its southwest wing was totally destroyed. (Kolozsvári Szemle, 1944. 06. 15: 153.)

Romania's changing sides to the Allies on 23 August 1944 also had negative effects on the university as many students were enrolled to fighting units and sent to the battle-line. (Csetri, 2009: 73.) Many Hungarian students were killed, seriously wounded or taken prisoner of war by the Soviets or Romanians in the fights near Turda, which lasted until 8 October. (Bús, 2004: 20.)

At the same time, the procedural evacuation of Northern Transylvania started – commanded from Budapest –, which first of all applied to state institutions. The Rector's Office of the Hungarian University of Cluj arranged for the transportation of the university archives and for the most part of the teaching and scientific equipment in compliance with the infamous evacuation order of the Ministry of Defense issued on 2 September 1944. The assets needing protection were supposed to be taken to Germany. (Lázok–Vincze 1995: 18–19.) The valuable consignment belonging to the university could only be taken to Keszthely. Most of the archives and the scientific equipment was destroyed or lost in the cellars of the Festetics Castle. (Gaal, 2002: 124.)

In the evacuation process of Franz Joseph University, the personal evacuation meant the biggest loss, since as early as 1944 most of the remaining students and 80% of the teaching staff fled to Budapest and the western parts of the country. Although most of the students came back later, 20% of the teaching staff never returned. (ÁLKv. Kristóf 1945:1)

Due to the imminent arrival of the battle-line and regime change, the issue of Franz Joseph University remaining in Cluj, as opposed to the situation in 1919, had arisen more and more frequently, as it was quite clear that the existence of a full-time higher education in Hungarian language operating within an autonomous institution was essential for preserving the spiritual life of the Hungarian population of Transylvania. Accordingly, a group of intellectuals from Cluj turned to the then rector Dr. Dezső Miskolczy with a memorandum concerning this issue as early as 14 September 1944. (Lázok–Vincze, 1995: 19–20.) The students who had no desire to leave had the same request, which they presented officially to the management through a students' delegation in mid-September. (Katona Szabó, 1990: 24–25.)

However, the affirmative decision of the Rector's Council concerning this essential issue was not based on these petitions, but primarily on the reassurance

that, after the Soviet–Romanian troops would have entered the city, the Hungarian university was to be allowed to operate unhindered, given by the local leaders of the communists (Edgár Balogh) and social democrats (Lajos Jordáky) as well as by union leader Gheorghe Timofi acting as a representative of the Romanian population of Cluj, who were ready to take over the city after its imminent fall. (Balogh, 1992: 111.)

So, these were the circumstances which led to the Rector's Council's decision of great consequences adopted at the meeting of 15 September 1944 concerning the issue of the Franz Joseph University remaining in Cluj. (Lázok–Vincze, 1995: 120–121.)

In anticipation of the possible objections raised by Budapest due to such refusal to comply with the evacuation order, the management of Franz Joseph University held its opening ceremony in Cluj for the academic year 1944–1945 as early as 17 September 1944. (ÁLKv. Kelemen 1944: 1144.) According to the tradition, the ceremony should have taken place in the aula of the main building on Farkas street, but due to an air raid alarm it had to be held at a bomb shelter, with much fewer participants than usual. (Gaal, 2002: 124–125.) The classes and scientific activities, however, had to be suspended even before they started due to the on-going fights near the city.

Even before the city fell, on 28 September, the Rector's Office had received from Iván Rakovszky, the Hungarian Minister for Religion and Public Education, the approval for the university to remain in Cluj. Moreover, the minister also granted full authority to the Rector's Council to further manage the institution. (Katona Szabó, 1999: 6–7.) This decision removed one important obstacle that could have prevented Franz Joseph University from operating on a permanent basis in Cluj, and the circumstances for the Rector's Council to face the new regime following the arrival of the Soviet troops with a *fait accompli*.

Eventually, the Soviet forces arrived in Cluj on 11 October 1944, after breaking through the front line at Turda (Nagy–Vincze, 2000: 101.) In the days that followed, Russian patrols have taken prisoner around five thousand Hungarian male civilians in Cluj, and deported them to the Soviet Union. (Murádin, 2004: 57–58.) Several professors and many students of the university fell victims to these deportations. (Murádin, 2009: 305.)

Given this dramatic start, the prospects for the university to keep on operating in the new situation determined by the Soviet takeover were far from bright, since, first and foremost, this had to be approved by the newly appointed Russian commander of the city, guards major Simchik, who, much to everyone's astonishment, did exactly that.<sup>1</sup> Thus, at least in the transition period, the Franz Joseph University was allowed to operate in Cluj.

But in the days following the regime change, the university faced a new, even more difficult challenge. Together with the Romanian army that entered the

1 MOL KÜM XIX-J-1-j. 18. d. 16/b cs.: Kolozsvári Magyar Tudományegyetem: 690.

city shortly after the Red Army, a few employees of King Ferdinand University showed up as early as 12 October 1944, keen on preparing the return of their institution, even by force, if necessary.<sup>2</sup> Two days later, the management of the Romanian university followed up by officially submitting its request to rector Dezső Miskolczy to have all the buildings and scientific–didactic equipment owned by the Hungarian university in Cluj handed over to them. Mr. Miskolczy categorically rejected this demand, of course. (Lázok–Vincze, 1995: 21.)

As a response, on 16 October, the entire staff of the surgical clinic of the Romanian university from Sibiu arrived in Cluj, and attempted to take over by force all the clinics of the Faculty of Medicine. In their attempt to enforce these demands, they even used weapons. (Nagy–Vincze, 2000: 104–105.) But this was more than the Soviet leadership of the city could tolerate; so, in order to prevent the conflict to degenerate into a bloody fight, guards major Simchik has given the employees of the Romanian university staying in Cluj, the Romanian administration preparing to move in and the Romanian armed forces an ultimatum-like order to leave the city in three hours. (Lázok–Vincze, 1995: 22.)

This decision was in concordance with the order issued later, on 14 November 1944, by field marshal Malinovsky, by which he banished all representatives of the interim Romanian military administration from Northern Transylvania starting with 25 October. (Monitorul Oficial 25.10.1944: 6854.) It was decided to appoint an interim Soviet military administration to govern this disputed area.<sup>3</sup> This marked the beginning of a transition period of roughly five months that ended on 13 March 1945. This was a period of great importance in the history of the Hungarian university because, thanks to the Russian police forces, Franz Joseph University gained some breathing space and managed to survive the confusion that followed the passage of the front line. At the same time, it had time to strengthen the institution and to resume the scientific and academic activity. All this came at one price: it was forced to change its name. The name of emperor Franz Joseph had to be removed from its name, and it continued as the Hungarian University of Cluj. (Balázs, 2009: 75.)

Albeit with a delay of a few months, but eventually classes started at all faculties on 1 December 1944. (*Világosság*, 29.11.1944: 3.) At the passage between 1944 and 1945, there were only 15 professors teaching a total of merely 628 students. (Lázok–Vincze, 1995: 127–128.) Thus, the professors had to work under extreme stress. Most of them had to give four or five lectures a day, in freezing temperatures due to the drastic fuel shortage. The scarcity of the boarding schools and the permanent food shortage of the university canteen made life very hard for the students. And what is more, these problems worsened as the academic year progressed, as by the spring of 1945 more and more students, who were deported or fled earlier, had returned to the university.

2 MOL KÜM XIX-J-1-j. 18. d. 16/b cs.: Kolozsvári Magyar Tudományegyetem: 688–689.

3 MOL KÜM TŰK XIX-J-1-j. 60. d. IV–132.

Furthermore, the activity of the Hungarian University of Cluj in 1944/1945 faced from its start political obstructions, as one of the first actions of the new regime that took over in the fall of 1944 was to politically review and assess the employees working in public institutions. These actions of the infamous cleansing committees affected the university, as well.

On 8 January 1945, at the meeting of the cleansing committee set up specifically for this university – which consisted predominantly of Romanian members –, they decided to exclude or to prevent the return of no less than 29 “antidemocratic and fascist” Hungarian professors.<sup>4</sup>

The management of the university had an almost natural reaction to this situation and tried to meet the expectations. To this end, in early 1945, several well-known left-wing intellectuals were added to the staff. This is how the likes of attorney at law István Sáry, secretary of the Cluj branch of the left-wing political organisation of the Hungarians from Romania, the Hungarian Popular Alliance, Lajos Jordáky, member of the Cluj County council of the Romanian Communist Party, lawyer János Demeter, deputy mayor of Cluj, or writer and publicist Edgár Balogh, well-known for his left-wing views, became professors here. (Lázok–Vincze, 1995: 26, 28.)

But it was not enough to satisfy the local leaders of the Romanian left-wing that the Hungarian university followed the “proper political line”. The failed attempt of the Romanian university to return in the fall of 1944 only intensified the animosity of the Romanian population of Cluj and particularly of the local Romanian intellectuals and the political circles towards the Hungarian university.

The return of King Ferdinand University from Sibiu to Cluj became an issue with an ever growing importance for the local Romanian community by early 1945. Moreover, this idea was supported by the central administration in Bucharest, and the Romanian government turned it into a priority in the field of culture. It was obvious that this issue had to be addressed urgently. Initially, three possible solutions arose. The first was to move the Romanian university back from Sibiu, and to hand them over every building of the university in Cluj, while the Hungarian university was to be closed and Hungarian faculties had to be established within the Romanian university. The second possibility was to establish a new bilingual Romanian–Hungarian university. Finally, the third idea was to have two separate universities operating in Cluj. (B. Kovács, 1997: 148.) In the eyes of the Hungarian community in Cluj and the management of the Hungarian university, the latter seemed to be the best solution.

After long discussions, the two parties managed to reach a compromise, resulting in the decree issued by the Prefecture’s Office of Cluj County as of 9 March 1945. This stipulated the creation of the “university block of Cluj,” with three independent elements: a Romanian and a Hungarian university, as well as a

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4 ÁLKv. Kolozsvár 3050/1944

bilingual polytechnic university. (Erdélyi Szikra, 1945. 03. 15.: 3.) Unfortunately, one of the first measures of the new Romanian government led by Dr. Petru Groza was to reject this project. Instead, the Romanian administration, which returned on 13 March, pursued an ever intensifying campaign to have King Ferdinand University moved back to Cluj.

As early as 11 April 1945, this idea turned more and more into a political issue, the Romanian authorities made the first step in putting it into place. On this day, the official delegation of the Romanian university led by its rector, Dr. Emil Petrovici, arrived in Cluj, and initiated talks with the management of the Hungarian University of Cluj. (Gaal, 2002: 127.) In the end, the parties decided to address this complex and compound issue by setting up a common committee dedicated to solving it. (Lázok–Vincze, 1995: 30.) However, Dr. Dezső Miskolczy, the rector, and Dr. László Buza prorector were excluded from the start from this committee by reason of having Hungarian citizenship, the Romanian party arguing that this is a strictly Transylvanian issue that should be solved by Transylvanians...<sup>5</sup> Thus, the Hungarian university was represented at these vital talks by the only member of the Rector's Council of Transylvanian origin, Dr. Ernő Balogh, professor of geology, vice-dean of the Faculty of Mathematics and Natural Sciences. Beside him, the interests of the Hungarian party were represented by "politically trustworthy" people: Dr. László Luka, secretary general of the National Democratic Front (ODA), Dr. Lajos Csögör, sub-prefect of Cluj County, as well as Géza Pásztai and Lajos Jordáky, social democrat politicians. In contrast, the Romanian party was represented by Mr. Petrovici, the rector, Dr. Aurel Potop, state secretary at the Ministry for National Education, Teofil Vescan, one of the presidents of the Northern-Transylvanian branch of ODA, as well as Dr. David Prodan, Dr. Constantin Daicoviciu and Dr. Alexandru Roșca, university professors of high influence. (*A romániai magyar főiskolai oktatás*, 1990: 9.) Following the two-day discussions of the common committee, which took place on 16 and 17 April 1945, the two parties only managed to agree in principle on the return of the Romanian university and the further operation of the Hungarian university. However, they failed to reach an agreement on the highly important issue concerning the distribution of the fixed properties owned by the university, and the discussions had to be suspended. (*Világosság*, 18.04.1945: 1.; Gaal, 2002: 128.)

Eventually, the parties met again on April 25 to settle this increasingly critical issue, but this happened in Bucharest and in a different composition. The Hungarian party was now represented by politicians like Dr. Lajos Jordáky and Dr. János Demeter, sociologist Dr. József Vencel and literature historian Dr. Géza Nagy. (Lázok–Vincze, 1995: 31.) But they, too, were unable to reach an agreement with the representatives of the Romanian university because, this time, the latter – in addition to their demand for the university buildings to be handed over – also

5 MOL KÜM XIX-J-1-j. 18. d. 16/b cs.: Kolozsvári Magyar Tudományegyetem: 695.

raised the issue of the professors of Hungarian nationality to be allowed to stay only if they were compelled to be nationalised. But this was unacceptable to the Hungarian party, and the discussions reached a dead-lock again. (Gaal, 2002: 128.)

In the end, the Gordian knot of the collaboration between the two universities was cut by the Romanian government with an unexpected decision. On 29 May 1945, a royal decree was published in the Official Gazette, signed by the ruler. The first decree, bearing no. 406/1945, stipulated that King Ferdinand I University shall return to Cluj, and all university estates shall be handed over to it. On the other hand, the second decree, bearing no. 407/1945, stipulated that a new Hungarian university was to be established to replace the existing one in the spiritual capital of Transylvania. (*Monitorul Oficial*, 1945. 05. 29.: 4423–4424.)

This basically meant that the new Romanian regime that moved in Northern Transylvania refused to recognise the legal continuity of the Hungarian University of Cluj, an institution with a centuries-old tradition, and decided to replace it with an entirely new university, allowing them to shape its spirituality and internal structure at will. This unjust decree was probably the most telling sign of the fate that awaited the Hungarian community in the region as a minority.

Only a few days after the publication of the two royal decrees, on 1 June 1945, King Ferdinand University returned to Cluj. At the same time, the Rector's Council of the former Hungarian university, closed indirectly by decree, presented its resignation on 3 June, effective from 1 June. (Gaal, 2002: 128–129.) In its place, the management of the new university was taken over, on basis of decree no. 137.851/1945 as of 4 June, by an interim managing board consisting of three members: Dr. Lajos Csögör, who was to become later the rector, Dr. János Demeter and Dr. Elemér Jancsó. (B. Kovács 1997: 152.)

This body was designated to hand over the main building on Farkas street, along with other 46 estates to the Romanian university on 5 June.<sup>6</sup> At the same time, the Hungarian university was forced to move into the building of the former De Gerando girls' grammar school, further away from downtown, whose indoor space usable for classes was merely 60% of the capacity of the main building. (Gaal, 2002: 128.)

Due to the sudden lack of space, but in concordance with the provisions of royal decree no. 407/1945, the Legal and Political Science Faculty and the Economics Faculty had to be merged, and the Hungarian university returned to being an institution with four faculties. Moreover, after being banished from the clinics of Cluj, the Faculty of Medicine was rendered inoperative, and after several months of protraction it moved to Târgu Mureş, where it was accommodated in the large but worn down building of the former Royal Hungarian "Csaba Királyfi" Cadet School. (Marosi, 1978: 31.) The faculty, which by then had increasingly weaker

6 MOL KÜM XIX-J-1-j. 18. d. 16/b cs.: Feljegyzés a volt Ferenc József Tudományegyetem épületeinek átadásáról és az újonnan létrehozott egyetem karainak elhelyezéséről: 596.

ties to Cluj, resumed its activity on 1 October 1945 as an institution that gradually gained its independence. (Lázok–Vincze, 1995: 30.)

The Hungarian university that gained its official name after mathematician János Bolyai on 9 February 1946 (B. Kovács, 1997: 132.) managed to preserve the traditions of the autonomous Hungarian higher education in Cluj for one and a half decade until it was forcibly closed in 1959.

After the merger of the universities, the issue of a missing autonomous Hungarian university has risen again, and suddenly broke to the surface after the regime change in 1989. I believe the model applied in 1945, as awkward as it was, would be a way to approach this unresolved and increasingly critical issue, since in recent years the lack of a state-funded Hungarian university in Transylvania led to a state of confusion, which the government tried to address by partial solutions (establishment of autonomous Hungarian departments at so-called multicultural universities according to the new law on education), while, on the other hand, the Hungarian minority looked for alternate ways to remove this dead-lock by establishing and operating private Hungarian universities (Sapientia Hungarian University of Transylvania, Christian University of Partium). But they are in no way a substitute for a state-funded Hungarian university. The former solution was difficult to implement (see the unfortunate situation of the Medical and Pharmaceutical University of Târgu Mureş), while the latter one is, for the time being, inadequate, since the scarcity of their funds prevents them from meeting all the needs of the community.

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# The Performance of Agriculture in Denmark and Hungary with Special Focus on Sustainability and Lack of Capital

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**Abstract.** The main purpose of the present study was to examine whether the lack of capital could be a significant constraint of agricultural performance in Hungary, whereas in Denmark, commitment to advancing the sustainability of agriculture results in a lower agricultural performance. Two European country groups were formed (an Eastern and a Western group), then their potential output paths were constructed by applying a Cobb-Douglas-type agricultural production functions. The output figures were compared to the potential output of the group. Compared to the average group performance, Denmark showed a 9%, while Hungary a 5% point difference. In Hungary, the lack of capital greatly reduces performance; however, because of the low employment rate, the replacement of capital by labour can be justified. In Denmark, agricultural performance is weakened because significant efforts are made to ensure sustainable agriculture.

**Keywords:** agriculture, Hungary, Denmark, performance of agriculture, sustainability, practical guidelines

## Introduction

It is particularly important to assess the performance of agriculture not only in the underdeveloped regions (where the agricultural sector provides food and employment for an ever-increasing population), but in developed regions as well. The reason is that although the sector's contribution to the GDP is only about 1–3%, feeding the population has remained strategically important, food consumption is of a very high ratio (approx. 15–20%), large amounts of state and community (EU) support are provided to the sector, and in many developed

countries the external trade (exports) of agricultural products still represent a significant share.

While technological progress is transforming products and services, it is the agricultural sector that provides and will always provide food and fibre, therefore more emphasis is put on the new and diversified activities of a multifunctional and sustainable agriculture. We have decided to analyse Denmark and Hungary since both of them are traditionally agricultural countries with relatively high performance in their regions. In these countries, the climate, the geographical location, the topographical conditions and the traditions are suitable for agricultural production. In spite of the similarities, a lot of differences can be observed, e.g. the development of agriculture is determined by the different cultural conditions, by the inherited differences in economic development and by the historical roots. Hungary has natural endowments and high-quality agricultural lands, but in Denmark the conditions for agricultural production are more unfavourable, but cooperative collaboration, the various means of support and the use of advanced technologies resulted in significant progress. Technical development in Denmark has been significant from the seventeenth century while our country has still been struggling with technical incapacity and the lack of capital improvements. Despite the fact that both countries are known to have prominent agricultural sectors, our studies examining 12 EU countries show that performance is below the regional average. According to our hypothesis, the reason could be that in Denmark a significant proportion of the resources are devoted to sustainability, while Hungary still faces the problem of the lack of capital.

## **Material and methods**

Our study begins with a systematic literature review of studies on agricultural performance and considers the different methods to assess the performance of Hungary and Denmark. First, a simple comparative analysis has been performed; secondly, Cobb-Douglas-type agricultural production functions and two-variable linear regression have been applied in the comparison of the actual and potential outputs of the two countries with the involvement of additional data from 12 European countries. In the third part of our study, we have endeavoured to show that the relatively lower performance of Danish agriculture could be partly the result of sustainable farming practices, which can require some short-term sacrifices in economic performance (with the long-term goal of providing public goods and enhancing the multifunctionality of agriculture). For this reason, we have examined pollution from agriculture (chemical use and GHG emissions) and the importance of organic products (area under organic farming and the share of organic pigs). Our research was based on figures released by Eurostat and FAO.

## **1. Scientific literature on the measurability of the performance of agriculture**

Literature on agricultural performance was reviewed, and in the present paper only those important aspects are summarized that served as a starting point in our study. To measure the performance of agriculture, first labour and capital were considered as the determinants of output, then fertilizer use, irrigation and other agricultural services, and finally the impact of institutional economics were involved.

The first production function was made by Cobb and Douglas (1928). Productivity was studied by Barton and Cooper (1948), and Cooper, Barton, and Brodell (1947). The first comparative country study was made by Bhattacharjee in 1955. Bhattacharjee compared the 1955 performance of 22 countries where only land, labour and fertilizer use were the considered inputs. Paige and Bombach made similar studies in 1959.

Capital became one of the most important factors in the analysis of the performance in the studies of, e.g. Hayami and Ruttan (1970), Evans and Kislev (1975), Nguyen (1979), Yamada and Ruttan (1980), Mundlak and Hellinghausen (1982), Rao (1986, 1992). The authors considered the role of property, machinery, livestock and plantations. Human capital was first considered by Hayami and Ruttan (1970), where the role of education and expertise were emphasized. Nguyen (1979), Yamada and Ruttan (1980) and Ruttan (2002) studied the role of general education and the level of technical skills.

Research and development and technical expertise were also involved by Evensen and Kislev (1975), the infrastructure by Antle (1983). Non-agricultural inputs (energy, pesticides) and non-agricultural use of services (maintenance and construction, real estate, rental, administrative, veterinary, irrigation, insurance services) are considered by Maddison (1970), Maddison and van Ooststroom (1993), Maddison and Rao (1996). In the United States, the reported inputs were land, labour, capital, fertilizer use, pesticides, seeds, livestock, feed and energy in the studies of Kendrick and Grossman (1980), Jorgenson, Gollop and Fraumeni (1987), Ball, Bureau, Nehring and Suwaru (1997), and Ball, et al. (2001).

From the early and mid 1990s, technology and many other factors affecting the economy, which have been identified by social sciences, have become an integral part of the analysis. The role of technology in agriculture was intensively studied by Crego et al. (1998). According to Mundlak, the applied technology is determined by factors such as state variables like resources (capital is scarce and of poor quality), the incentives (price ratios), the physical environment (weather, soil quality), or the available technologies (crop yields) and the general development, i.e. the level of development compared to the U.S. (Mundlak, 2000).

In the model of Mundlak (1992) and Mundlak, Larson and Butzer (1997), the output depends on the inputs, technology, as well as on other determining factors. In a study published by the World Bank in 2008, Mundlak, Butzer and Larson argue that agricultural efficiency and productivity growth plays a direct role in economic growth and welfare, often in the developing world, where a significant proportion of the population lives in rural areas and depends on agriculture. The authors conclude that changes in technology result in an increased factor productivity, changed role of labour and capital and in restructuring in the economy.

## **2. Scientific literature on the productivity of agriculture in Denmark and Hungary**

No study comparing the productivity of agriculture in Denmark and Hungary was found; however, many researches compared the performance of developed countries, European, European Union or Central Eastern European countries.

Agricultural productivity change in Denmark was studied by Hansen and Rasmussen. Hansen (1995) estimated that the total factor productivity index (which was measured by aggregate input and output rate:  $TFP = QY / QX$ ) grew by 1.8% between 1973 and 1980, and by 3.2% between 1981 and 1993. He argued that productivity change is primarily a consequence of technological change and depends on the size of farms to only a lesser extent. Rasmussen (2000) conducted a similar research, but he applied econometric techniques, cost functions and flexibility tests. Since the 1990s, technology has changed in Denmark, institutional changes have occurred; new regulations have been put in place, which have led to a rise in productivity (NN 2008).

Udovecz (2009) found that efficiency in Hungary is about 20%, below the average of the EU-15 countries, since we need more inputs to reach 1 euro output. Production value per one hectare in Hungary is only half as much; food processing is 75% less than in more developed countries.

Rao et al. (2004) calculated that in the 1970s agricultural output growth rates in Hungary were more than double of the Danish agricultural output growth (4.09 vs. 1.72), then between 1980 and 1990 the annual average growth rate was a little higher than zero (0.09%) compared to 1.85% in Denmark. In the 90s, annual growth rates in Hungary were negative (-3.21%), against the increase of 0.76% in Denmark. TFP calculations were also made by the same authors. In the 1970s, the Hungarian values (1.67) were higher than the Danish values (1.38). Hungary performed slightly worse (1.34 compared to 1.46 in Denmark). In the 90s, productivity was higher in Denmark (1.29 compared to 0.68 in Hungary).

Agricultural productivity in the European countries was examined with the application of the Malmquist productivity index by Rungsuriyawiboon and Lissitsa (2006a, 2006b). In one of their studies, agricultural productivity in 44 countries, while in another study, agricultural productivity in 46 European, mainly Central Eastern European and emerging economies was considered in the period between 1992 and 2002. Inputs were land, tractors, fertilizer, labour and the number of live animals and the outputs were the total value of crops and live stock.

The direction and extent of productivity growth was examined together with the sources of growth. TFP growth was divided into two factors: (technical) efficiency changes and changes in technology. It was found that in the first decade of the 20<sup>th</sup> century eight European countries including Hungary were highly efficient. The authors conclude that both in Denmark and Hungary the real outputs are closest to the potential outputs.

In the EU, TFP growth is higher in Malta and Estonia than in Denmark. The average annual change in productivity in Denmark was 3.65% and in Hungary 1.62%. In Denmark, productivity has increased by 2.5 times faster than in Hungary, and this was achieved by using modern technology and by improved efficiency. The Hungarians have acquired modern techniques to a lesser extent and the efficiency of using the available techniques has not improved.

Blaas (2004) compared the performance of the EU-15 and some of the newly joint Member States, including Hungary, and he found that in Hungary the size of agricultural areas (hectares) and work units (AWU) per capita performance was extremely inefficient with low levels of intermediate consumption and capital stock. The net investments per hectare figures are high in Denmark, preceded only by the Dutch and the Greeks, while Hungary is the 6<sup>th</sup> out of 19 countries. According to the results of Blaas, in Hungary, agricultural production employs a limited amount of capital and low levels of intermediate consumption, a lot of people work in the sector with low efficiency; however, the output of the sector is relatively high.

### **3. Scientific literature on sustainable agriculture**

There have been numerous attempts to define sustainable agriculture. The common feature is that the definitions include three main issues, namely the demand for satisfying humane food and fibre needs, enhancing environmental quality and satisfying the society's needs. Among many others, the three-pillar approach is considered by FAO (1991), USA Congress CRS Report, (1991), SARE (1997), DFID, (2002), ATTRA, (2005), Yunlong–Smit, (2003).

However, it is very difficult to define the *practical guidelines* which may serve as a standardized, acceptable guidance on farming issues for every farmer.

Sustainable farming ensures both the increase of profitability and the improvement of life and food quality. There is increasing intention for a change-over to bio or organic farming where farming practices are harmonized with the natural resources and the special characteristics of the ecosystems. Many practices have been consistent with sustainable agriculture, e.g. extensive agriculture, low input or organic agriculture. In an attempt to be sustainable, organic farming applies farming practices that minimize the amount of pesticide residue on the products, particular pest control practices and renewable resources are used as much as possible. Diversification, green manuring, crop rotation, cover cropping are key strategies for soil building. Low-input farming refers to using less off-farm inputs, while extensive agriculture combines practices like crop rotation and green manure crops, weed management with careful use of current technology. There is no single solution; farmers are required to pursue farming to ensure sustainability that is suitable for local circumstances and is profitable (the literature of sustainable practices is broad; only some examples are given here: Tilman et al. 2002, ATTRA 2005, USAID 2009, Institut de l’agriculture durable, 2011).

## Results and discussion

The agricultural performance of Denmark and Hungary was compared by a multi-method analysis.

### 1. Land use efficiency (output per hectare)

First, the efficiency of the two countries was compared, where the output is at basic price in purchasing parity standard (PPS) and land use is calculated by utilized agricultural area (UAA) figures. The ratios are shown in Table 1. The index value is 34% higher in Denmark, i.e. output per land figures are higher than the output per land figures for Hungary.

**Table 1.** Land use efficiency (1000 euro/ha) in Denmark and Hungary between 1997-2008

Years	Denmark - 1000 euro/ha	Hungary - 1000 euro/ha
2008	2.47	2.02
2007	2.44	1.74
2006	2.17	1.69
2005	2.09	1.64
2004	2.37	1.82



Years	Denmark - 1000 euro/ha	Hungary - 1000 euro/ha
2003	2.27	1.63
2002	2.37	1.68
2001	2.53	1.79
2000	2.42	1.61
1999	1.95	1.56
1998	2.03	1.63
1997	2.22	1.64
<b>Average</b>	<b>2.28</b>	<b>1.70</b>

Source: own compilation based on Eurostat, a, b

## 2. Real and potential outputs estimated by two-factor (land and labour) agricultural production functions

In an earlier study conducted by fellow researchers (Forgács - Beke - Tarján, 2010), we made the simplistic assumption that agricultural output depends only on the size of the land used and the hours worked because reliable and consistent data were found only for these factors, and these are closely linked to the output of the sector.

Agricultural output figures were considered as dependent variables, agricultural area (hectares) and the hours worked in agriculture (AWU) as independent variables.

Assume that a Cobb-Douglas production function is given by the equation  $Y = s \cdot L^b \cdot LD^{1-b} \cdot z$ , where Y is agricultural output, L is labour in agriculture, LD is land (Utilized Agricultural Areas in hectares), s and z are constants, b is labour, 1-b is land elasticity; the value of s, z and b were estimated by fitting the real terms logarithms of independent variables by two variables linear regression, where  $\ln Y = \beta_0 + \beta_{LD} \ln LD + \beta_L \ln L + \varepsilon$ . The potential paths were estimated for six Western European countries (Austria, Denmark, France, the Netherlands, Germany and Italy). Student's test was applied to test whether the null hypothesis is supported. The t-test value of all the three coefficients in the six Western European countries are well above the thresholds, so the linear model assumption is correct. Table 2 depicts the Hungarian and Danish Y' potential output levels estimated based on the linear model fitted to the six countries, the real output (Y), the annual labour in agriculture and the size of agricultural area in hectares.

**Table 2.** The deviation from the potential agricultural output in Denmark and Hungary (1997-2008)

<b>Denmark</b>					
Year	Land (ha)	Labour (AWU)	Y (PPS)	Y'	Y/Y'
<b>1997</b>	2781.9	86.1	6087.81	6436.05	0.95
<b>1998</b>	2801.1	82	5545.84	6234.65	0.89
<b>1999</b>	2821.5	77.9	5379.49	6029.73	0.89
<b>2000</b>	2468.1	75.5	5919.65	5792.59	1.02
<b>2001</b>	2493.6	75.8	6260.76	5816.57	1.08
<b>2002</b>	2478.8	72.2	5761.93	5624.74	1.02
<b>2003</b>	2445.7	70	5449.69	5498.46	0.99
<b>2004</b>	2470.2	66.9	5706.08	5341.27	1.07
<b>2005</b>	2480.8	62.9	5631.84	5127.72	1.10
<b>2006</b>	2475.8	60.5	5870.52	4994.01	1.18
<b>2007</b>	2451.3	58.2	6460.1	4877.26	1.32
<b>2008</b>	2452.7	56.9	6376.05	4803.74	1.33
<b>Average</b>					<b>1.07</b>
<b>Hungary</b>					
Year	Land (ha)	Labour (AWU)	Y (PPS)	Y'	Y/Y'
<b>1997</b>	4710.8	735.1	10194.7	29302.08	0.35
<b>1998</b>	4274.7	700.8	9900.75	27985.70	0.35
<b>1999</b>	4167.6	723.5	9448.11	28488.08	0.33
<b>2000</b>	4457.5	676	9768.59	27480.28	0.36
<b>2001</b>	4734.1	642.9	10855.02	26798.27	0.41
<b>2002</b>	4958.7	646.7	10305.78	27083.16	0.38
<b>2003</b>	4497.7	581.9	9213.32	24879.85	0.37
<b>2004</b>	4499.6	553.8	10007.77	24067.69	0.42
<b>2005</b>	4503	522.2	8956.74	23138.81	0.39
<b>2006</b>	4500	504.4	9202.28	21884.76	0.42
<b>2007</b>	4493.8	459.3	9715.3	21221.24	0.46
<b>2008</b>	4487.8	421.8	11618.48	20522.72	0.57
<b>Average</b>					<b>0.40</b>

Source: own compilation based on Eurostat c, d

As it can be seen in Table 2, in the test period, Danish agricultural outputs acted according to the estimated agricultural production functions of the 6 Western European countries (average 1.07), while the average in Hungary was 0.4, i.e. almost 40% of the Danish performance. These results can be explained as follows: in Hungary, a lot of people are employed in agriculture, but the wages are low. Table 2 shows that, as opposed to Denmark, in Hungary, employed labour (in annual work units) is eight times higher, the cultivated area is twice

the size, and less capital is available, however, almost the same result was achieved. Hungarians work just as much as less is the capital available for them. In summary, few well-equipped, well-paid Danish labour force and many poorly equipped, poorly paid Hungarian labour force show the same factor productivity.

### 3. Real and potential outputs estimated by three-factor (land, labour, capital) agricultural production functions

**Table 3.** The deviation from the potential agricultural output in Denmark and Hungary (land, labour and capital)

<b>Denmark</b>						
Year	Land	Labour	Capital	Y	Y'	Y/Y'
1997	2781.90	86.05	10598.90	6087.81	5760.87	1.06
1998	2802.10	82.03	10524.94	5545.84	5758.27	0.96
1999	2821.50	77.93	10450.98	5379.49	5754.17	0.93
2000	2778.70	75.54	10377.01	5919.65	5777.84	1.02
2001	2493.60	75.79	10303.05	6260.76	5890.16	1.06
2002	2478.80	72.18	10229.09	5761.93	5897.61	0.98
2003	2445.50	69.99	10155.12	5449.69	5921.44	0.92
2004	2470.20	66.90	10081.16	5706.08	5919.58	0.96
2005	2480.80	62.90	10007.20	5631.84	5912.61	0.95
2006	2475.80	60.47	9933.23	5870.52	5923.59	0.99
2007	2451.3	58.40	9859.27	6460.10	5935.61	1.09
2008	2452.7	56.90	9785.31	6376.05	6010.34	1.06
<b>Average</b>						<b>1.00</b>
<b>Hungary</b>						
Year	Land	Labour	Capital	Y	Y'	Y/Y'
1997	4710.80	735.10	6328.29	10194.70	9763.25	1.04
1998	4709.50	700.78	6277.53	9900.75	9775.71	1.01
1999	4708.00	723.49	6226.76	9448.11	9866.10	0.96
2000	4499.80	676.05	6176.00	9768.59	9916.11	0.99
2001	4516.10	642.94	6125.23	10855.02	9923.00	1.09
2002	4515.50	646.74	6074.46	10305.78	9990.33	1.03
2003	4515.50	581.91	6023.70	9213.32	9948.24	0.93
2004	4510.30	553.79	5972.93	10007.77	9963.35	1.00
2005	4513.10	522.25	5922.17	8956.74	9967.83	0.90
2006	4500.00	504.40	5871.40	9202.28	9953.42	0.92
2007	4493.80	459.29	5820.64	9715.30	9974.33	0.97
2008	4487.80	421.80	5769.87	11618.48	9991.85	1.16
<b>Average</b>						<b>1.00</b>

Source: own compilation based on Eurostat c and d; estimations are based on  
FAO Statistical Yearbook data

Capital was involved in the calculations in an extended version of the production function. Capital stock data were only available in the FAO Statistical Yearbook.

These results suggest that – as have been mentioned above – the relatively low performance of Hungary may be the result of the lack of capital. As it can be seen in Table 3, when the amount of capital available to the sector was taken into consideration, we found that the performances of both countries are similar to the path determined by the six Western European countries. Consequently, the efficiency of the two countries is nearly identical. The Danish and the Western European model is the so-called intensive agriculture, the Hungarian and the Eastern European model is called extensive agriculture. In the next phase, the two models were examined separately.

#### 4. Intensive and extensive agricultural models

Since the direct comparison of Denmark and Hungary was considered irrelevant, their relative performance was examined. The performance can only be understood by the comparison of each individual country to group of countries at similar levels of development; therefore, the countries with intensive and extensive agricultural models were analysed separately.

Next, with the actual labour input and with the arable land figures, we estimated the potential agricultural output ( $Y'$ ) of each Western European country by applying a Western European production function. The potential output was compared to the real output ( $Y$ ), then a production function was applied to Eastern European countries and, finally, the ratio of  $Y/Y'$  was calculated. The  $Y/Y'$  values are shown in Table 4.

Finally, the average difference from the potential output of the period was calculated, then group averages were calculated and the performance of each country was compared to them (Table 4).

**Table 4.** Agricultural performance of 12 countries (1999–2009)

$Y/Y'$	DK	D	F	I	NL	AU
1999	0.90	1.02	1.12	0.87	1.64	0.49
2000	1.03	1.12	1.18	0.88	1.78	0.51
2001	1.09	1.20	1.23	0.91	1.85	0.53
2002	1.04	1.16	1.25	0.88	1.84	0.53
2003	1.01	1.17	1.18	0.90	1.78	0.53
2004	1.09	1.32	1.23	0.93	1.85	0.56
2005	1.02	1.20	1.24	0.87	1.91	0.51
2006	1.09	1.28	1.17	0.87	2.11	0.55

Y/Y'	DK	D	F	I	NL	AU
2007	1.23	1.50	1.34	0.93	2.25	0.62
2008	1.23	1.60	1.38	0.99	2.26	0.64
2009	1.13	1.44	1.29	0.87	2.18	0.60
Average in the period	1.08	1.27	1.24	0.90	1.95	0.55
Group average	<i>1.16</i>	<i>1.16</i>	<i>1.16</i>	<i>1.16</i>	<i>1.16</i>	<i>1.16</i>
Difference from potential output (%)	-8.75	10.94	7.15	-26.41	78.36	-61.28
Y/Y'	CZ	H	PL	RO	SI	SK
1999	0.98	0.87	0.76	0.87	0.94	0.79
2000	1.07	0.90	0.79	0.79	0.99	0.73
2001	1.17	0.98	0.85	1.10	0.97	0.88
2002	1.11	0.92	0.87	1.08	1.07	0.89
2003	0.99	0.90	0.87	1.15	0.96	0.83
2004	1.22	1.02	1.07	1.46	1.14	0.97
2005	1.10	0.94	1.02	1.06	1.09	0.86
2006	1.11	0.98	1.03	1.10	1.08	0.88
2007	1.36	1.03	1.26	1.05	1.13	0.94
2008	1.33	1.22	1.22	1.39	1.05	1.01
2009	1.09	0.86	1.08	1.05	0.95	0.92
Average in the period	1.14	0.97	0.98	1.10	1.03	0.88
Group average	<i>1.02</i>	<i>1.02</i>	<i>1.02</i>	<i>1.02</i>	<i>1.02</i>	<i>1.02</i>
Difference from potential output (%)	12.2	-5.1	-3.42	8.23	1.6	-13.5

Source: own compilation based on Eurostat b, c, d

Table 4 consists of two parts. In the first six columns, the efficiency of the Western European countries (Denmark, Germany, France, Italy, the Netherlands and Austria) can be seen in relation to the performance of the group average of the six Western European countries. In the second six columns, the efficiency of the Eastern European countries (Czech Republic, Hungary, Poland, Romania, Slovakia and Slovenia) can be seen in relation to the performance of the group average of the six Eastern European countries.

Data for the Eastern and the Western European countries cannot be compared directly; however, the efficiency of a given Western European country can be compared to the average efficiency of the six Western European countries.

Similarly, the efficiency of an Eastern European country can be compared to the performance of the six Eastern European countries. For example, Italy's

performance in relation to the Western European countries is about 75%, while the performance of the Czech Republic exceeds the average by more than 12%.

Table 4 does not show the relationship between the Western European and Eastern European countries. The Y/Y' index (real output/potential output of the own group of countries) shows the relative performance of a given country in a given year compared to the expected performance of the whole period. Larger numbers indicate higher performances.

In Hungary, the efficiency of resource use (land and labour) is about 5% lower than the group average, whereas resource use is approximately 9% less efficient in Denmark than in the six Western European countries.

## 5. Sustainable vs. conventional agriculture

Once we have found that in Hungary the lack of capital hinders production, in the last phase of our study, we intended to find a relationship between the more sustainable practices or producing organic crops and livestock and the relatively lower performance of Danish agriculture. During the past decades, significant efforts were made in Denmark to adopt sustainable farming practices that can bring improved environmental performance. We have found that there is a relationship between agricultural performance and the application of sustainable farming practices.

Regarding sustainable farming, two indicator groups were applied.

– Pollution of the environment: two indicators were chosen to show whether agricultural practices ignore sustainability, namely intensive fertilizer use and considerable GHG emission of agriculture.

– Share of organic products: two indicators were chosen to show the commitment to organic farming, namely the share of organic crop area and the share of organic pigs.

For the period of 1999–2009, data indicate that among the 6 Western European countries examined Austria, Denmark and in some areas (e.g. crop production) Italy pursue environment-friendly agriculture, while the Netherlands, France and Germany pursue not at all environmentally friendly farming practices, however, for the two bigger countries only to a lesser extent. It must be noted, however, that there were no data on the share of organic pigs available for France and Germany.

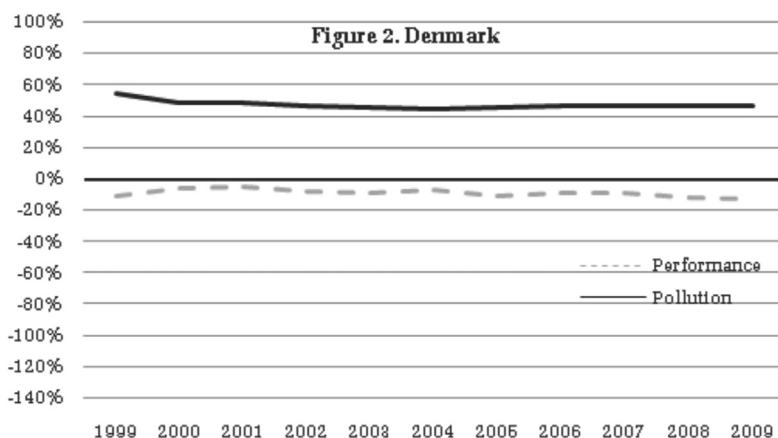
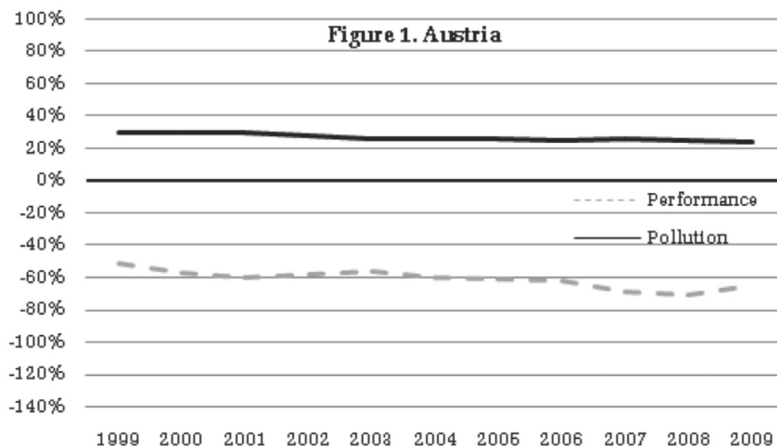
### 5.1 Pollution of the environment

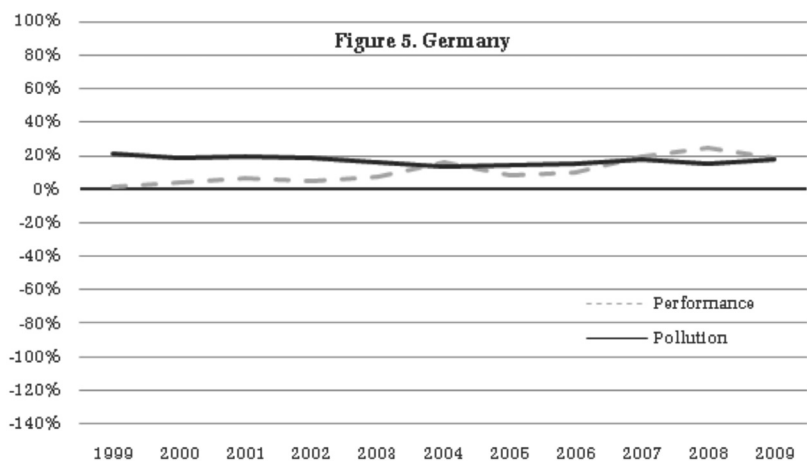
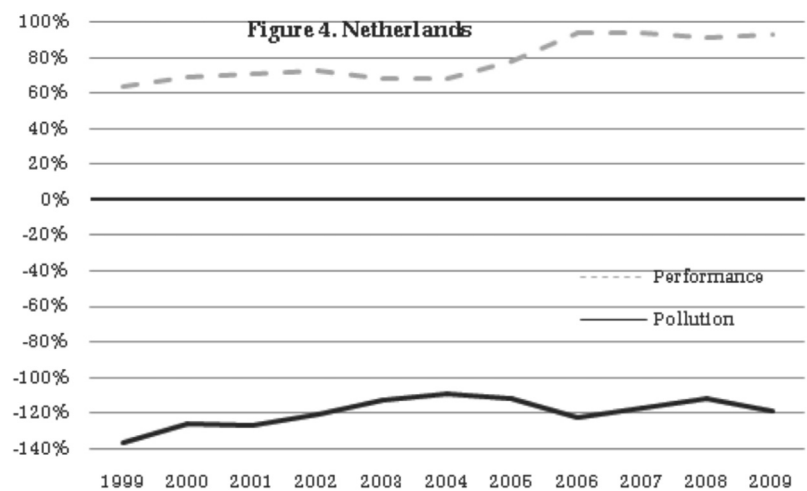
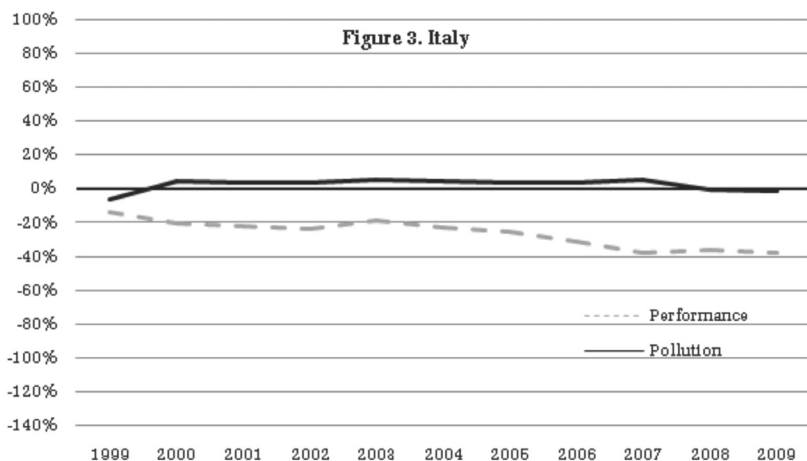
As regards ignoring sustainability, inorganic fertilizer use (nitrogen and phosphorus) in tons per 1000 hectare of arable land, and greenhouse gas emissions ( $N_2O$ ,  $CH_4$  and  $CO_2$ ) from agricultural practices were applied. GHG emission is considered to have a significant (more than 10%) impact on air quality in the

EU-27, which is the result, among others, of fertilizer and manure use, livestock emissions and stored animal manure (Eurostat).

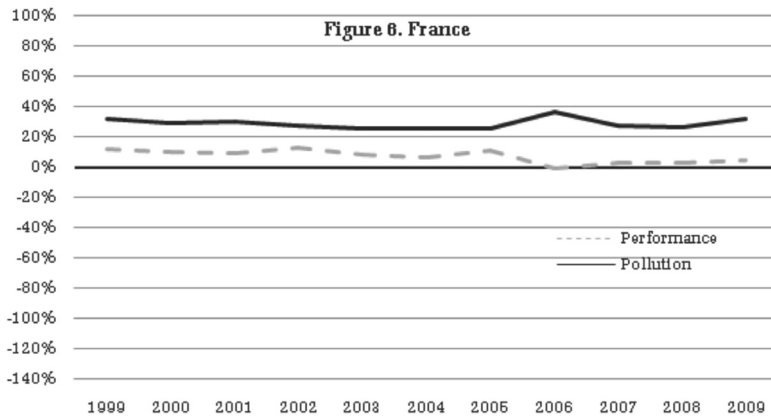
Inorganic fertilizer use and GHG emissions (hereinafter pollution) were summed up and expressed as per hectare figures for the period between 1999 and 2009. The average values of the six countries were calculated and each country data was compared to the group average. The deviation from the average for each year was considered for the period as it can be seen in figures 1–6. Pollution is converted into inverse in order to help the reader capture the extent of the pollution in the given country. If pollution is massive, the line is in the lower part of the graph. The figures will be assessed considering how the time series for performance and pollution changed over the period of 1999–2009.

**Figures 1–6.** Performance and sustainability of agriculture in the selected countries (1999–2009)









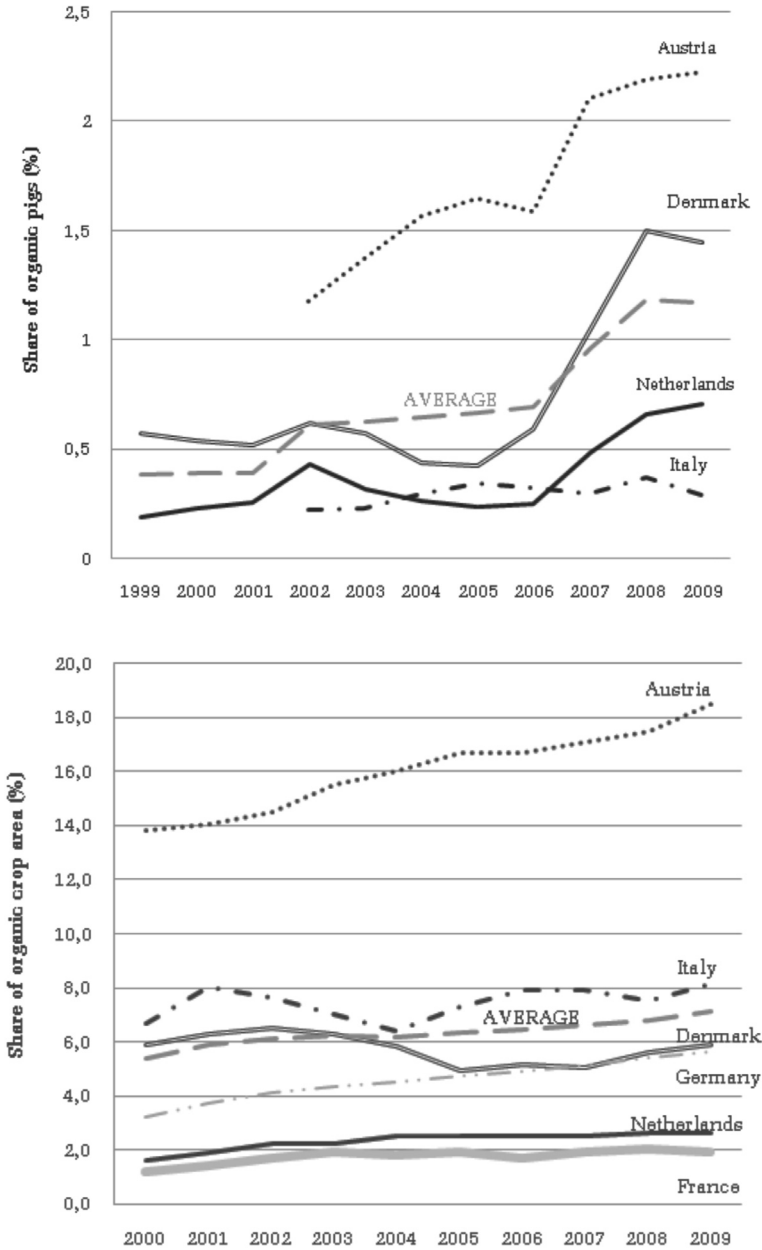
Source: Own compilation based on Eurostat

The figures depict that environmentally conscious countries (listed in order of its extent) are Denmark, France and Austria, where less inorganic fertilizer is used and the GHG emissions are the lowest. Germany, Italy and the Netherlands can be said to be rather polluting countries (listed in order of its extent). To be able to conclude that there is a strong correlation between performance and pollution, we should have found a reverse order regarding performance. However, we found that Austria was the farthest behind the average, followed by Italy; the third in line was Denmark. France was almost average, a somewhat better performance was reached by Germany, but far the best performance was achieved by the Netherlands. It can be concluded that although there is a relationship between the two, it cannot be stated that environmental consciousness is a cardinal factor, but it certainly boosts achievements.

## 5.2 Share of organic products

Regarding organic production, two indicators were considered: the share of total organic crop area out of the total utilized agricultural area (hereinafter UAA) and the number of organic pigs out of the total of pig population (Eurostat). The above-mentioned indicators were chosen because in Denmark the number of pigs was approximately 13 million in the past decades, which is 8% of the EU total figures, while the total population of Denmark was about slightly more than 1% of the EU's population. Pork production per capita was almost 330 kg in 2009, which is 5 times as much (56 kg/capita) compared to the EU average. The per capita pork production is the highest in Denmark, the second biggest producer is the Netherland with 137kg/capita pork production, which is 40% of the Danish figures.

**Figures 7–8. Organic agricultural production in the selected Western European countries (1999–2009)**



Source: Eurostat

How widespread is the population's commitment to sustainable practices depends on many factors, one of the indicators could be the share of total organic crop areas. Organic farming regulations date back to 1991 in the EU. The figures depict that the share of organic production is the highest in Austria (for pigs approx. 2% and for crops it is about 20%), whereas regarding organic crop area the next in line is Italy, where the share is only 8%, and regarding pigs the second highest share can be seen in Denmark (1–1.5%). Only restricted conclusions can be made as no data regarding organic pigs were available for France and Germany. The performance of Austria, Denmark and the Netherlands is in accordance with the above-mentioned. Due to data availability, conclusions be drawn only based on the size of the crop area, and this is not in opposition with our hypothesis. The only atypical country in this context is Italy since commitment to organic production can be observed for the share of crop production and low performance is in accordance with it. However, the share of organic pigs is the lowest among the countries, which does not harmonize with the above-mentioned low performance. The reason for this atypical feature of Italy is that the country has experienced organic movements as early as the beginning of the 1980s. Olive trees are grown by a large part of Tuscany's organic farmers and in Emilia-Romagna cereals, fruit and vegetable are grown, and these regions highly promoted organic farming (Organic Report).

To sum up, we found that by all means there is a correlation between agricultural performance and sustainable practices, but they are not decisive in performance. If a country is environmentally conscious, performance is hindered, and organic production results in lower yields. Despite that Denmark is committed to sustainability to the largest extent among the countries examined, its performance is not the lowest but slightly below the average. This can be explained by the fact that Denmark has a traditionally highly developed agricultural sector.

## **Conclusions**

The main purpose of the study was to examine whether lack of capital could be a significant constraint of agricultural performance in Hungary, whereas in Denmark commitment to advancing the sustainability of agriculture results in a lower agricultural performance. Since Denmark is a Western European country and Hungary is Eastern European, their performance can only be assessed relative to their country group; therefore, two European country groups were formed (an Eastern and a Western group).

Within the groups, there can be seen significant differences among the countries. In the Western group, the Netherlands performed substantially better, almost twice (1.95) of its potential output, while Austria managed to reach

only slightly more than half (0.55). In the Eastern group, the Czech Republic and Romania exceeded the potential figures by almost 10%, whereas Slovakia showed a 10% lower performance. It deserves attention that within the members of the Western group the deviations from the average are significantly higher, while in the Eastern group, performance was almost equal to the potential output. Compared to countries at similar levels of development, Denmark exceeded its potential output by 8%, while the group average showed a significantly higher positive (16%) difference. Hungary lagged behind its potential output by 3%, while the group average showed a 2% positive difference. At their own level of development, the relative efficiency of Hungary was -5% and the efficiency of Denmark was around -9%. Denmark was the 4<sup>th</sup>, Hungary was the 5<sup>th</sup> one in their 6-member country group.

In the Eastern European countries, capital scarcity and old technology results in a lower level of performance. In the Western European countries, an increasing share of resources is devoted to environmentally friendly practices, which gives rise to lower performance.

First, we have found that in Hungary it might have been the lack of capital that caused a nearly 60% shortfall compared to the developed countries; secondly, there is a correlation between agricultural performance and sustainable practices, although being environmentally conscious is not decisive in the performance. If a country is environmentally conscious, performance is hindered, and organic production results in lower yields. Despite that Denmark is highly committed to sustainability, its performance is only slightly below the average. It can be explained by the fact that Denmark has a traditionally highly developed agricultural sector.

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# Contribution of EU Supports to Sustainable Rural Development in Three Counties of the Center Region of Romania

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**Abstract.** The main challenge of the rural development in Romania as well as in the whole European Union is to achieve the sustainability from economic, social and environmental point of view. Rural development actions and financial supports must focus on the simultaneous development of these three dimensions, which, however, often generate contradictory objectives. The aim of our study is to analyze whether the EU supports serve sustainable rural development in three counties of the Center region of Romania: Covasna, Harghita and Mureş counties, in the programming period of 2007–2013. The first part of the study contains a literature review regarding sustainability and sustainable rural development. In the second part, the results of an analysis regarding the use and territorial distribution – on the level of settlements – of rural development supports in the above-mentioned counties are presented.

**Keywords:** rural development, sustainable development, EU supports, Center Region of Romania

## Introduction

The concept of the sustainable development has become widespread by the report “Our Common Future” of the World Commission on Environment and Development from 1987 (the Brundtland Report). Since then, it entered in the center of attention in several fields, and a lot of studies and publications appeared concerning this topic.

Sustainability has become a central issue also in the rural development policy of the European Union. Adinyira et al. (2007) state: “from its beginnings in

economics and ecological thinking, sustainability has become a planning concept and has been widely applied in rural development.” (Adinyira et al. 2007: 18)

Rural development has a particular importance in Romania because – compared to the EU average – the share of the rural population in the total population is relatively high and a high share of rural areas is undeveloped, characterized by the lack of infrastructure and few employment opportunities. Thus, it is very important to obtain EU rural development supports and to use them as efficiently as possible in order to realize the sustainable development of rural areas.

The aim of this study is to analyze whether the EU supports serve sustainable rural development in the current programming period<sup>1</sup> of 2007–2013. The first part of the study contains a literature review regarding the concept of sustainability and sustainable rural development. The second part presents some analyses concerning the use of rural development supports in three counties of the Center Region of Romania: in Covasna, Harghita and Mureş counties. Based on these analyses, in the last part of the study, some conclusions are formulated regarding the contribution of EU supports to the sustainable rural development.

## **The concept of the sustainable rural development**

Sustainable development has many definitions. According to the Brundtland Report, sustainable development means a development which “meets the needs of the present without compromising the ability of future generations to meet their own needs” (UN 1987: 15).

Sustainability appears as “the main principle” of the Declaration of Rio and Agenda 21 established in 1992 at the United Nations Conference for Environment and Development (UNCED), too. According to the Agenda, sustainability is a multidimensional concept including ecological, social and economic objectives (EC 2001). Between these dimensions appears interdependency (EC 2001) and, many times, due to their often contradictory character, simultaneous realization of these objectives seems to be difficult.

Agenda 21 shows a “comprehensive plan of action to be taken globally, nationally and locally by organizations of the United Nations system, governments”, and so on (Euracademy, 2007: 7). It highlights that local communities have a significant role in achieving sustainable development. Hereinafter, we focus on the concept, aspects and components of the sustainable rural development. According to the European Commission - Agriculture Directorate-General’s report, sustainable rural development can be achieved first of all by “strengthening the economic

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1 The idea of this research is based on some earlier researches, where the authors were involved and which were financed by the Transylvanian Museum Society.

viability of rural areas,” which “is the basis for providing the means of preserving their social and environmental functions” (EC 2001: 3). Creation of rural employment opportunities, diversification of economic activities, promotion of local products, services, craft activities and agri-tourism bring closer the achievement of social sustainability (EC 2001). Conservation of natural resources and of the environmental quality is “also a precondition for developing a lasting economic potential in rural areas.” It is essential to “strike the right balance” between the mentioned three elements of sustainability (EC 2001: 3).

In the above-mentioned document, the concept of sustainability is defined as “the maintenance of a certain level of capital stocks (natural, human and man-made capital) as well as achieving efficiency and equity” (EC 2001: 4). Maintenance of the capital stock may be measured in several ways, for example as the maintenance of different environmental or human capital stocks, or even as social cohesion. Efficiency can be expressed by the maintenance and creation of jobs, viability of holdings and so on, while equity by equal opportunities, labor conditions and others (EC 2001).

Adinyira et al. (2007) considers that “beyond the traditional productive function of rural areas, i.e., supplying agricultural, agro-food and forestry goods, goods from extractive industries and craft products, rural areas have become an environment for living and leisure. In this view, sustainable development is paramount to maintaining its function of conserving nature and protecting natural resources” (Adinyira et al. 2007: 19).

According to Csete (2005), the main characteristics of a sustainable settlement are the followings:

- The settlement provides favorable living conditions; people like to live there.
- The settlement is sustainable from financial point of view.
- The situation of the incomes of the population is adequate.
- The agricultural production has a sustainable character.
- The level of knowledge and literacy of the population is adequate.
- The population’s health, training, cultural and information needs can be satisfied.

A research made by the North Central Regional Center for Rural Development (NCRCRD 1999) on measuring community success and sustainability shows interesting results. They asked rural communities to identify “the outcomes associated with their community activities that spell «success»”, and the communities named the followings:

1. Increased use of the skills, knowledge and ability of local people.
2. Strengthened relationships and communication.
3. Improved community initiative, responsibility and adaptability.
4. Sustainable, healthy ecosystems with multiple community benefits.
5. Appropriately diverse and healthy economies.” (NCRCRD 1999: 1)

In Thematic Guides One and Two of the Euracademy, rural development is defined “as a deliberate process of sustained economic, social, political, cultural and environment change, designed to improve the quality of life of the local population of a rural region” (Euracademy 2007: 7). In this definition, the word “change” suggests that rural development is about “making things better” rather than “protecting the status quo” (Euracademy 2007: 7).

Borec and Turk (2009) state that “rural areas are diverse worldwide but the paradigm of sustainable development and the improving of rural development has become an issue that occupies most of the world’s governments. The global goal is the same everywhere: to improve the well-being of rural people in the broadest possible sense, but the strategies are various and depend on many different factors and sectors.” (Borec – Turk 2009: 37) This point of view emphasizes the importance of creating adequate, suitable rural development strategies, which focus on the special needs of a given community. Actually, this idea represents a starting point for analyzing the distribution and use of rural development supports.

Another important issue is that it is not enough to find out the way how development can be sustainable: “However, simply being sustainable does not make a development path desirable. It also matters whether it is the sort of development path society wants to follow and this depends on what determines well-being for its members” (UNECE/OECD/Eurostat 2008: 20). This affirmation also emphasizes the fact that in order for the rural development strategies to bring sustainable development, they should be acceptable and even realizable in the communities they support.

## **Territorial distribution and use of EU rural development supports in three counties of the Center Region**

In the second part of the study, the use of EU rural development supports is analyzed on the level of the settlements in three counties of the Center Region of Romania in the period between 2007 and 2011. Data were collected from selection reports of the applications for the EU supports provided under the National Rural Development Programme 2007–2013 (NRDP) measures. These reports are published on the website of the Payment Agency for Rural Development and Fishing (PARDF), functioning in the frame of the Ministry of Agriculture and Rural Development of Romania.

Analyses refer to measures of the NRDP 2007–2013, which are presented in Table 1. It has to be mentioned that the implementation of these measures began only in year 2008 or later. Final selection reports concerning some of

these measures from year 2011 (or, in some cases, even from previous years) and selection reports of other measures (for example, measure 122 - Improving the economic value of forests), which appeared later, as well as data regarding LEADER axis, were not yet available.<sup>2</sup> Thus, it must be taken into consideration that the analyses carried out in this study only refer to the current situation of the distribution and use of the EU rural development supports.

Out of these, there exist some measures, such as the 211 - *Support for mountain areas*, the 212 - *Support for less favored areas-other than mountain areas* or the 214 - *Agro-environment payments* measures, in case of which payments are effectuated in the frame of the Paying and Intervention Agency for Agriculture, so selection reports for these measures were also not available.

**Table 1.** Priority axes and measures of the NRDP the financial allocations were provided through

<i>Priority Axis 1: Improving the competitiveness of the agricultural and forestry sectors</i>
Measure 112 – Setting up of young farmers
Measure 121 – Modernization of agricultural holdings
Measure 123 – Increasing the added value of agricultural and forestry products
123. A – State aid scheme – Agricultural sector
123. F – State aid scheme – Forestry sector
Measure 125 – Improving and developing infrastructure related to the development and adaptation of agriculture and forestry
Measure 141 – Supporting semi-subsistence agricultural holdings
Measure 142 – Setting up of producer groups
<i>Priority Axis 2: Improving the environment and the countryside</i>
Measure 221 – First afforestation of agricultural land
<i>Priority Axis 3: The quality of life in rural areas and rural economy diversification</i>
Measure 312 – Support for the creation and development of micro-enterprises
Measure 313 – Encouragement of tourism activities
Measure 322 – Village renewal and development

It has to be mentioned at the very beginning that economic and financial crisis have had significant negative effects in Romania in the past period, and it “reduced the capacity of co-financing European programs from national public and private sources” (Dachin-Ailenei 2010: 47).

Looking at the number of applications which were selected for financing, major differences can be observed between the selected three counties. In the analyzed period, in Covasna County more than 400 applications, in Harghita County more

<sup>2</sup> Last selection reports downloaded by the authors are from October of 2012.

than 1600 applications, while in Mureş County more than 600 applications were selected for financing.

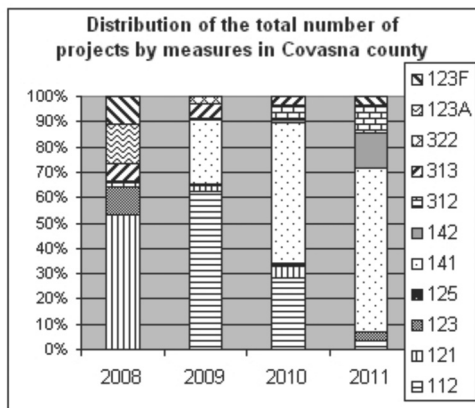
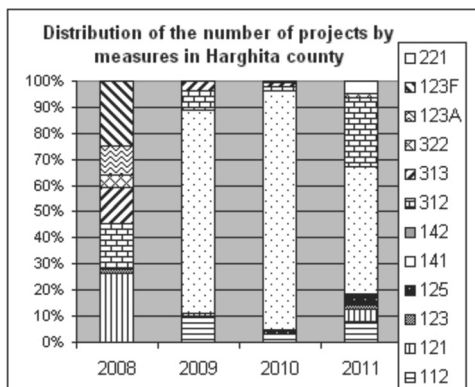
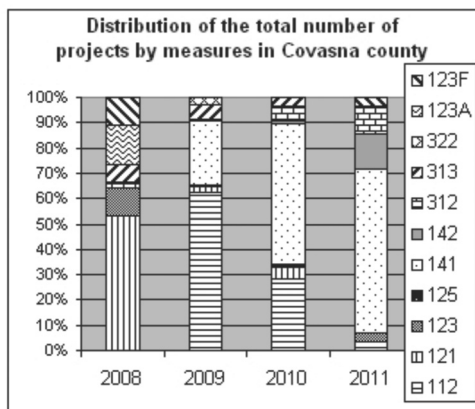
Regarding the distribution of the numbers of these applications by measures, significant differences can be observed between the analyzed counties and between the years. In 2008, the number of projects which obtained financing under Measure 121 was the highest in all three counties, but while in Covasna county this share was more than 50%, in the other two counties it was about 30%. A relatively high share of the projects selected for financing under Measure 123A has to be mentioned in Covasna County, and that of the 123F projects in the other two counties. In 2009 – since when measures 112 and 141 have been implemented –, the share of Measure 112 was the highest in Covasna and Mureş counties, while in Harghita County the number of applications obtaining support under Measure 141 was in the first place. In 2010, the share of Measure 141 was the highest in all three counties due to the fact that applications financed under Measure 141 had a relatively low unique value: 7,500 euro. The situation was the same in 2011 (except for Mureş County).

It has to be mentioned that very few applications under Measure 221 (which is connected to the environmental sustainability) were selected for financing in the analyzed period: only 3 projects obtained funding (in 2011, in Harghita County).

The share of measures significantly differs also in the case when the distribution of the total value of the applications selected for financing is analyzed. Absorption capacity of the counties significantly differs. While in Covasna County, the total value of financial supports was almost 48 million euro, in Harghita County it was more than 85 million euro and in Mureş County it was more than 76 million euro.

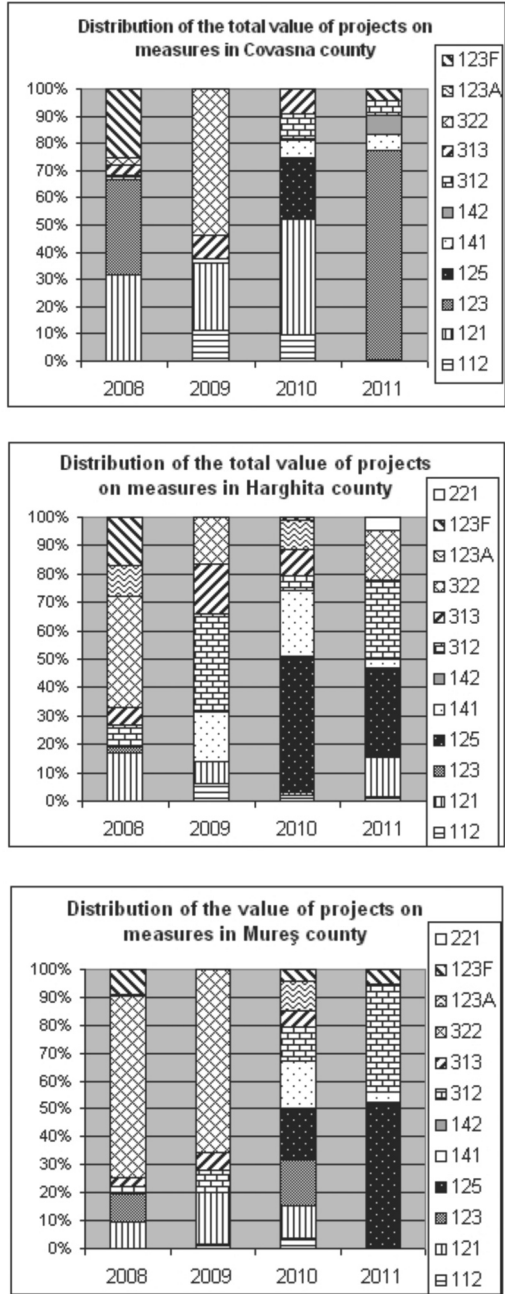
In year 2008, the highest financial supports were obtained under Measure 123 in Covasna County and under Measure 322 in Harghita and Mureş counties. The share of measures 121 and 123F was also considerable in all three counties. In 2009, the share of Measure 322, which is dedicated for village renewal and development, was the highest in Covasna and Mureş counties, while in Harghita County micro-enterprises obtained the highest financial support through Measure 312. In 2010, the share of Measure 121 was the highest in Covasna County, Measure 125's share – which is dedicated for infrastructural investments providing the development and adaptation of agriculture and forestry – was the highest in Harghita County, while in Mureş County the shares of measures 141, 125 and 123 were considerable, having an almost similar share. In 2011, projects belonging to Measure 123 in Covasna County and to measures 125 and 312 in the other two counties gained the most considerable financial supports in 2011.

**Figure 1.** Distribution of the total number of projects by measures in Covasna, Harghita and Mureş counties



Source: own calculations based on PARDF data

**Figure 2.** Distribution of the total value of projects on measures in Covasna, Harghita and Mureş counties



Source: own calculations based on PARDF data



Evaluating the analyzed measures from a sustainability point of view, it can be observed that the measures of the Priority Axis 1 seek to increase mainly the economic sustainability. However, measures 112 - *Setting up of young farmers* and 141 - *Supporting semi-subsistence agricultural holdings* are dedicated not only to the economic growth, but they may also refer to social justice and equity, providing social sustainability, too. Measure 221 - *First afforestation of agricultural land* belonging to Priority Axis 2 is connected to the environmental sustainability, while measures of the Priority Axis 3 – and especially Measure 322 - *Village renewal and development* – stimulate an attractive environment to live and work in by seeking mainly economic and social sustainability (Szócs et al., 2012).

Thus, in the following part, we investigate the types of investments and projects financed under the measures of the third axis. Measure 313 encourages touristic activities, so, we will not enter into details regarding this measure. In turn, it is interesting to analyze projects selected for financing under Measure 312, which provide the diversification of rural economy and promote entrepreneurship by developing different services that are important in increasing the quality of life in rural areas. Measure 322 is interesting again because it is dedicated to make rural areas more “liveable” and more attractive.

#### *Measure 312*

In the analyzed period, 16 enterprises obtained EU financing under Measure 312 in Covasna County in the following fields: auto service or showroom: 4 projects, veterinary centers: 4 projects; dental centers: 3 projects; wood processing: 2 projects; cutting, shaping and finishing of stone, producing flexographic printing forms, and construction: 1 project for each.

In Harghita County, 80 microenterprises were supported under Measure 312, out of which more than 20 work in construction or land preparation field. Other enterprises are auto services, TIR wash, or have as main activity wood processing, electrical installation or infrastructural works. Other enterprises work in manufacturing such as boiler manufacturing, manufacturing of elements for vehicle decontamination, manufacturing of paper towels, refractory mortars production, organ preparation, plastic waste processing, cutting, shaping and finishing of stone, and so on. Some of the enterprises run service activities, which also have an important role in the diversification of rural economy: as joinery and carpentry, textile works, laundry, tinker works, data processing and web page management, dental surgeries, medical center, veterinary center, restaurant, sanitation services, special events organization, and so on.

In Mureș County, 51 microenterprises obtained EU financing under Measure 312. Several of them are auto services, laundries, effectuate tinker works or activate in constructions and land preparation works. Other enterprises are dental centers, medical centers or active in manufacturing such as: manufacture of metal

structures, wood processing, producing of biofuels and so on, or in the services such as hairdresser, restaurant, computer services, agricultural services and so on.

#### *Measure 322*

In the period between 2007 and 2011, four communes obtained supports under Measure 322 in Covasna County. These are integrated projects having the following objectives: 1. Rehabilitation of roads, construction of a building for after-school activities, purchasing traditional costumes for the folklore group; 2. Construction of drinking water or wastewater network, rehabilitation of roads, modernization of cultural centers, construction of a building for after-school activities; 3. Rehabilitation of roads, construction of wastewater network, equipment for the folklore centre, modernization of the library building; 4. Rehabilitation of roads, realization of the services for the rehabilitation and maintenance of the roads, rehabilitation of the cultural center, realization of a social centre for persons with handicap.

In Harghita County, 5 projects were selected for financing under the mentioned measure. All of them have as main objective the construction, rehabilitation and modernization of the communal infrastructure regarding roads, drinking water or wastewater networks. Some of the projects also focus on the development or construction of some cultural, social or educational centers such as: information and promotion center of cultural and natural heritage, day nursery for children, social care center, cultural center, community care service.

In Mureş County, 14 communes were selected for financing under Measure 322. Similarly to the other two counties, the main objective of the projects was modernization or even creation of the basic infrastructure: roads, drinking water or wastewater networks. Besides infrastructural development, some of the projects intended to realize day nursery for children or develop and modernize cultural centers.

## **Distribution of the EU rural development supports by settlements**

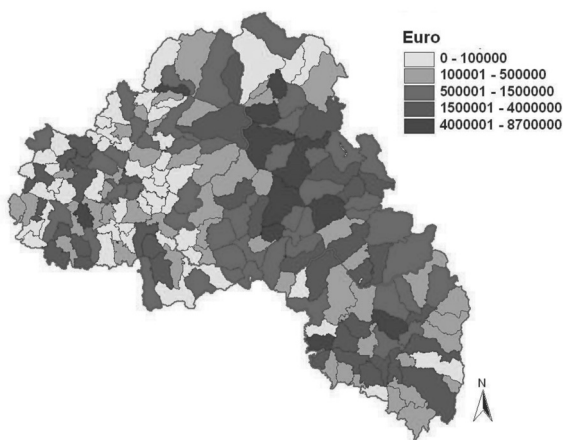
As analyses from the previous part have shown, EU rural development supports contribute to the sustainable development of the rural areas of the analyzed counties because all of them focus on relevant problems of the rural communities and provide economic and social development of the communes making them more liveable and attractive (Szócs et al. 2012).

The following part of the study contains a commune-level analysis in order to see how rural development supports are distributed among the communes of the analyzed counties. The aim of the analyses is to correlate the value of the

EU rural development supports to some socio-demographic and developmental characteristics of the communes.

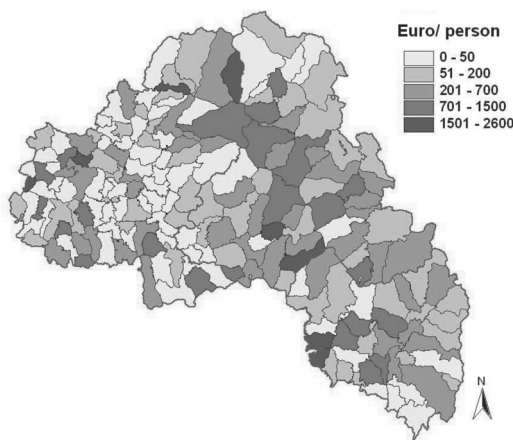
Figure 3 shows the value of the rural development supports by settlements in Covasna, Harghita and Mureş counties in the period of 2007–2011. It can be observed that, generally, the communes of Harghita County obtained more support.

**Figure 3. Value of the rural development supports on the level of settlements in Covasna, Harghita and Mureş counties in the period of 2007–2011**



Source: own edition based on PARDF data

**Figure 4. Value of the rural development supports per inhabitant on the level of settlements in Covasna, Harghita and Mureş counties in the period of 2007–2011**



Source: own edition based on PARDF data

Figure 4 presents the value of supports per inhabitant on the level of the settlements of the analyzed counties. The highest values appear in the following communes: Tăureni (Mureş County), Brădeşti (Harghita County), Stânceni (Mureş County), Belin (Covasna County) and Ruşii-Munţii (Mureş County).<sup>3</sup>

Table 2 contains the results of some statistical analyses: correlations between the value of supports and some socio-demographic and developmental indicators on the level of the communes of Covasna, Harghita and Mureş counties were calculated.

Indicators chosen for describing the socio-demographic and developmental situation of the communes were the followings (based on Szócs et al., 2012):

– *Population* – average of the period between 2008 and 2011 (number of inhabitants) and *total surface*.<sup>4</sup> We chose these indicators because we propose that a more populous, larger commune is more capable to obtain supports.

– *Population change index (2005/2011)*<sup>5</sup> (%), which shows the liveability of the communes. In other words, those communes where population change is positive are theoretically more capable of providing good life conditions for their inhabitants, while communes with a decreasing population may be the most dependent on supports.

– *Development indices of Dumitru Sandu*<sup>6</sup> (2007–2008), which – based on some complex socio-economic indicator system – state a score for the communes according to their development level (IDC) or classify communes in five (IDC5) categories (poor communes – developed communes).

– *Social development indicators of Dumitru Sandu*<sup>7</sup> (2010), which also give a score or classify communes based on some social and economic criteria (IDSL, IDSL6).

It can be observed that significant correlations appear in four cases in Harghita County and in one case in Mureş County. According to these results, if a commune in Harghita County is more populous or more developed, it is probably more

3 Hun. Mezőtóhát, Fenyéd, Gödemesterháza, Bölön, Marosoroszfalu.

4 Source of data: National Institute of Statistics – Tempo Online Time Series (<https://statistici.insse.ro/shop/index.jsp?page=tempo2&lang=ro&context=10>, respectively <https://statistici.insse.ro/shop/index.jsp?page=tempo3&lang=ro&ind=AGR101B> at 17.07.2012.)

5 In Covasna County, index is calculated for years 2006 and 2010 because one of the communes has existed since 2006.

6 IDC, IDC5 indicators are based on the values of the following indicators: habitable dwelling surface (m<sup>2</sup>), gas consumption per inhabitant (m<sup>3</sup>), water consumption per inhabitant (m<sup>3</sup>), income from own sources per capita, capital costs per inhabitant, number of cars per 1,000 inhabitants, life expectancy at birth, infant mortality rate etc. Source of data: the website of Dumitru Sandu - <http://sites.google.com/site/dumitrusandu/bazededate>

7 IDSL and IDSL6 are based on the following indicators: education level of population, mean age of population over 14 years, life expectancy at birth (2006–2008), number of cars per 1,000 inhabitants, average size of dwellings, gas consumption per inhabitant, size of settlements by categories (this indicator is not used in the case of IDSL6). Source of data: the website of Dumitru Sandu - <http://sites.google.com/site/dumitrusandu/bazededate>

capable of obtaining EU rural development supports. In the case of Mureş County, only the population number correlates with the value of obtained supports. In turn, in the case of Covasna County, no significant correlations can be observed.

**Table 2.** Correlation between value of supports and some socio-demographic and developmental indicators on the level of communes of Covasna, Harghita and Mureş counties

County	Statistical values	Population	Population change	Surface	IDSL	IDSL6	IDC	IDC5
Covasna	Pearson – correlation	.289	.235	.147	-.056	-.201	-.218	-.258
	Sig.	.071	.144	.366	.733	.213	.177	.108
Harghita	Pearson – correlation	.388(**)	.115	.149	.444(**)	.360(**)	.280(*)	.175
	Sig.	.003	.390	.265	.000	.006	.033	.189
Mureş	Pearson – correlation	.212(*)	.037	.158	.182	.141	.124	.163
	Sig.	.044	.728	.134	.085	.182	.242	.123

\* Correlation is significant at the 0.05 level (2-tailed).

\*\* Correlation is significant at the 0.01 level (2-tailed).

Source: own calculations

Based on these results, we suppose that the absorbing capacity of a commune is often influenced mainly by factors like abilities, knowledge, relationship, mentality and access to information of the mayor's offices' staff and the way they provide information on supports for the population (which generally happens through the local governments). But these factors are not related to the real needs for supports of the communes (Szócs et al., 2012).

Thus, from this point of view, the allocation system of the financial supports is not equitable enough since not necessarily those communes receive the most supports, which are the least developed or the most dependent on these supports (Szócs et al., 2012). On the other hand, in the case of Covasna and Mureş counties, not even those communes obtained the most financial support which, being relatively developed, theoretically, should have the highest absorption capacity.

## Conclusions

Literature review on sustainable rural development provided a short presentation on the characteristics of a sustainable rural settlement. Based on these findings, we tried to find out whether the EU supports in the current programming period serve sustainable rural development. Analyses carried out in three counties of

the Center Region of Romania demonstrated that supported rural development projects contribute to sustainable development focusing mainly on its economic dimension (Szócs et al., 2012).

In the same time, the allocation system of the financing does not seem to be sustainable, as often the size of the communes or their need for the supports does not correlate with the value of supports. Rather the abilities, relationship and access to information of the local governments' staff are the key of success. In other words, EU supports serve sustainable development but not in the most sustainable way. Thus, in order to achieve sustainable rural development – among others –, a more efficient allocation system of the EU supports for rural development would be required (Szócs et al., 2012).

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# The Relevance of Mahatma Gandhi's Philosophy for the 21<sup>st</sup> Century<sup>1</sup>

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**Abstract.** The central question emphasized by the paper is that whether in the 21<sup>st</sup> century's globalized world the Gandhian message still has or could have any actuality in managing our century's real challenges such as terrorism or the deepening moral crisis of the humanity.

In order to be able to do this, the paper will first of all present, analyse and comment on the most important concepts I consider the Gandhian thought is based on such as satya (Truth), ahimsa (non-violence) and satyagraha (as Gandhi loosely translated: holding on to truth, which in fact is the philosophy and practice of the non-violent resistance). I have to admit that in my paper I will consider Gandhi as a philosopher or a thinker even if he did not agree with me or even if it were hard to consider him a philosopher according to European traditions and European canon regarding philosophy. As we know, he personally declared that writing an academic text was beyond his power and he was not built for such kind of writings.

Secondly, the paper will emphasize those aspects and concepts of the Gandhian thought which could give an answer to the core question of the paper, trying to prove that at least two of the presented concepts could be considered relevant and useful in our times, even if at first impression all of these key concepts of the Gandhian thought seem to be a utopia and useless. It seems that Gandhi, through his ideas and thoughts, "is still alive" and is among us after more than 60 years of his death. It seems that we, all human beings, still have to learn from the ideas, from the writings and acts of the Mahatma.

**Keywords:** Gandhi, Mahatma, truth, satya, ahimsa, satyagraha, relevance

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*„The problem of human conflict is perhaps  
the most fundamental problem of all time”*

(Joan V. Bondurant)

*„My life is my message.”*

(M. K. Gandhi)

Mohandas Karamchand Gandhi, one of the greatest and well-known personalities of the 20<sup>th</sup> century, had a very deep influence on the second part of the last century, which is incontestable and beyond any dispute. Then again, there are voices which proclaim that even in our globalized world the Gandhian spiritual heritage still has its actuality and relevance.

What this paper tries is to give an answer regarding the relevance of the Gandhian thought in the 21<sup>st</sup> century. Thus, I will try to demonstrate that the Gandhian spiritual heritage – with accent on the concepts of satya (Truth), ahimsa (non-violence) and satyagraha (as Gandhi loosely translated, holding on to truth or “[T]he force which is born of Truth and Love or nonviolence” (Gandhi 1999a: 93), which in fact is the philosophy and practice of the nonviolent resistance) – should have or must have an important role in dealing with the real problems of our globalized world. In order to do this, first of all, I will have to outline the meanings of the three above-mentioned categories and, after having done so, I will try to emphasize those aspects of the Gandhian concepts which I think that could be considered relevant in our times or could be useful and helpful in managing some of the real challenges of the 21<sup>st</sup> century such as the problem of armed clashes, globalizing terrorism or the moral crisis of humanity.

At the beginning, I think we can agree that we are living in a world which is divided increasingly day by day by global unrest, fear, anger, hatred, discontent, despair, immorality etc., and the number and intensity of ethnic and religious conflicts seem to grow, gaining higher and higher intensity all around the world.

In my opinion, Gandhi’s political and social philosophy in general and his approach to the concepts of Truth, non-violence and satyagraha in particular, could be the starting point of the regeneration or rebirth of non-violent or less violent cultures and societies. The whole non-violent philosophy of the Mahatma, based on the two core concepts of the Gandhian heritage, is not a new proposition. Gandhi himself says that “I have nothing new to teach the World. Truth and non-violence are as old as the hills. All I have done is to try experiments in both on as vast scale as I could.” (Gandhi 1960: iii) In other words, we can say that the Mahatma just tried to revive and to make much more understandable those old teachings for the whole world, to make them usable in the new social and political context.

Gandhi pictured to himself how an ideal society, based on love, truth and non-violence must look and function, and he tried to realize it as much as possible in

the real life. His attempts and results in making this operable have had echoes and followers all around the world. For example, Edward Thompson wrote in his paper, *Gandhi: A Character Study*: “he will be remembered as one of the very few who have set the stamps of an idea on an epoch. That idea is ‘non-violence’ which has drawn out powerfully the sympathy of other lands.” (Radhakrishnan 2010: 297)

As I said before, one of the most important fundamental concepts of the Gandhian thought should be considered the concept of satya or Truth. The importance of satya is underlined, too, by the fact that the Mahatma's *Autobiography* was entitled by himself “The story of my experiments with Truth”, which let us deduce the importance of Truth in his everyday life. As a self-statement of the Mahatma regarding the importance of the Truth in his life, I will quote a part from one of his letters addressed to Narandas Gandhi.

“Generally speaking, [observance of the law of] Truth is understood merely to mean that we must speak the truth. But we in the Ashram<sup>2</sup> should understand the word satya or Truth in a much wider sense. There should be Truth in thought, Truth in speech and Truth in action.” (Gandhi 1999b: 383)

As we can conclude from this quotation, for Gandhi, the concept of Truth has a much deeper sense than it is understood by the majority in the everyday life. Over and above of truth-saying or abstention from lies, for Gandhi, the term of satya has extensions on all levels of the everyday life, such as the level of thinking, of talking and even the level of acting, which means that Truth is the category which has to be permanently present in our life and, at the same time, it is the measure of our thought, speech and acts.

I think it is not necessary to make a detailed presentation regarding the role and the importance of the satya in the major Indian religions such as Hinduism, Buddhism or Jainism. I consider that it is enough to state that the above-mentioned term – just like the another core concept, the ahimsa – has a central role in every Indian religion which influenced the thought of the Mahatma. We have just to remember the “Satyannasti paro dharmah” or “there is no Dharma higher than Truth” aphorism, which is well-known in every village in India and which propagates the superiority of the Truth above all. But equally known is the postulate “Ahimsa paramo Dharmah” or the “Non-violence is the supreme religion or engagement”. These terms can be easily found in the religious texts of Hinduism (such as the Upanisads, Bhagavad Gita, the Mahabharata, The Laws of Manu, etc.) and, at the same time, it could be considered basic concepts both in Jainism and Buddhism.

In the next part of the paper, I will try to sketch what Gandhi was thinking about these concepts. As we could find in his writings – especially in his *Autobiography* – Gandhi, except for a short period of his youth, was deeply

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2 Traditionally, the word's meaning is spiritual hermitage, a place far away from populated areas, suitable for meditations and prayers. Today, the sense of the word has changed and it could be described as a teaching or cultural space, a kind of school.

religious. In his *Autobiography*, he states: “What I want to achieve—what I have been striving and pining to achieve these thirty years—is self-realization, to see God face to face, to attain moksha.” (Gandhi 1999c: 90)

However, his piety does not mean that he is simply a follower of Hinduism. During his studies in England and his work in South Africa, he continuously and thoroughly studied the major religions of the World, such as Jainism, Christianity, Buddhism or Islam. Quoting Lord Bhikhu Parekh’s words: “Although he was profoundly influenced by Hinduism, Christianity and Jainism, his religious thought cut across all of them and was in a class by itself. Belief in God was obviously its basis.” (Parekh 1997: 26) His religiosity, according to Akeel Bilgrami, was “eclectic and individual” (Bilgrami 2011: 93), a mix between what was given to him as a child by his mother and what he achieved from other religions and philosophies during his study in England and his stay in South Africa, such as Jainism, Buddhism, Islam and even Christianity. Due to these influences, his religiosity became a very maverick mix, and that is why he was considered very often Christian or even Jain among the Hindus.

The Mahatma himself makes a statement regarding his open-minded and open-hearted interest shown in other religions than Hinduism. He says that “My religion enables me, obliges me, to imbibe all that is good in all the great religions of the earth.” (Gandhi 1999d: 27) And to have an idea how the Mahatma was selecting all the good things from a religion, we have to quote him again. In one of his writings entitled “Sanatana Hindu”, he states: “I am not a literalist. Therefore, I try to understand the spirit of the various scriptures of the world. I apply the test of Truth and Ahimsa laid down by these very scriptures for interpretation. I reject what is inconsistent with that test, and I appropriate all that is consistent with it.” (Gandhi 1999e: 335)

It is very important to observe that the attitude of Gandhi regarding the major world religions was rather an interpretative–explanative attitude than a dogmatic and mystic one. The Mahatma was concerned about the spiritual, philosophical message of a religion and not about the written revelation of the sacred books. This kind of attitude allowed Gandhi to formulate critical remarks and disapprobative observations and to oppose some elements of his own religion (for example, child marriage, the status of the harijans or untouchables, etc.). This kind of interpretative–explanative attitude characterizes his philosophical approach towards the concepts of ahimsa and satya, too. These two concepts have been developed and improved in their meanings and became the core concepts of the Gandhian heritage.

The concept of ahimsa was used as a synonym of the Brahman (God) in the ancient religious literature of the Hinduism. According to this religious tradition, the Mahatma considers that the Truth must be more than a moral idea or an ethical demand. He states that God is Truth: “My religion is based on truth and non-violence. Truth is my God. Non-violence is the means of realizing Him.” (Gandhi 1999f: 61–62)

A direct consequence of this statement is that in his early period Gandhi is thinking about truth as one of the many other qualities or attributes of the God. At the same time, the concept of God enjoys logical priority over ahimsa because the last one only describes or characterizes the first one.

A few years later, due to his experiments with truth, the Mahatma reconsiders his view and he decides that it is much more exact and correct to say that Truth is God than God is Truth. About this process of enlightenment he wrote: "I would say with those who say God is Love, God is Love. But deep down in me I used to say that though God may be Love, God is Truth, above all. If it is possible for the human tongue to give the fullest description of God, I have come to the conclusion that, for myself, God is Truth. But two years ago I went a step further and said that Truth is God. You will see the fine distinction between the two statements: God is Truth and Truth is God. And that conclusion I came to after a continuous, relentless search after Truth which began so many years ago. I found that the nearest approach to Truth is through love. But I found also that love has many meanings, in the English language at least, and human love in the sense of passion becomes a degrading thing also. I found too that love in the sense of ahimsa and nonviolence has only limited number of votaries in the world. And as I made progress in my search, I made no dispute with 'God is love'. It is very difficult to understand 'God is love' (because of a variety of meanings of love) but I never found a double meaning in connection with Truth and not even atheists have denied the necessity or power of Truth. Not only so. In their passion for discovering Truth, they have not hesitated even to deny the very existence of God—from their own point of view rightly. And it was because of their reasoning that I saw that I was not going to say 'God is Truth', but 'Truth is God.'" (Gandhi 1999g: 261)

We have to mention that, as a Hindu, Gandhi understood satya to be synonymous with the stem *sat*, which is reality itself, which means being. In this way, Truth became God and not only an attribute of God. Thus, Satya (Truth) and Sat (Being) became denominations of the very same substantial because, in the new definition given by Gandhi, Truth is described as Being. In a letter written to P. G. Matthew, Gandhi himself explains that in the "Truth is God" statement truth has to be interpreted as God and not as an attribute of God. At the same time, the one and only being is God; God is, besides him, nothing else exists, which means that "therefore the more truthful we are, the nearer we are to God. We are only to the extent that we are truthful." (Gandhi 1999h: 128)

As we could see, in Gandhian interpretation, the Truth – in addition to its ethical or moral dimension – gets a new, ontological dimension, too, because the Truth denotes Being, the complex entirety of all beings, including those we know and those we did not or could not know. Thus, the Truth gets a transcendental meaning and becomes synonymous to God, taking God's role in the life of Mahatma and becoming appropriate as the subject of religious practices, of

unconditioned human adoration and devotion. According to his idea of Absolute Truth, Gandhi was able to consider not only the satya as the real basis of every being – and in such a way, the basis of the whole human society –, but at the same time he defined every human being as “truth-seeker”. He could do this because the direct consequence of the faith in the Absolute Truth is that every human being will share in this Absolute Truth or God. A human being could remain a moral one only if it embodies and continuously seeks the truth, because the truth is the substratum of morality, where morality means not only the forbearance from lying or the conviction that we must say the truth because this is the most adequate and profitable attitude in the long run, but it has to mean that our whole life must be subordinated to the law of truth, even in cases when such a situation can have an undesirable consequence. Gandhi claims that the abstracted and unworldly truth has its worth only in case that it is embodied in human beings who are ready to die for the truth. For this Western part of the world, it could be hard to understand what Gandhi means because in our minds the truth is an epistemological question and not an ontological one or a question of practical philosophy. In Gandhi’s way of thinking, the truth in his narrow epistemological sense is only a part of what satya means. This could be called latent truth because, according to the Gandhian thought, the truth is realized or materialized only when it is enacted, when it is embodied in action.

According to Hinduism, a human being is not able to realize the Absolute Truth while imprisoned in the cycle of rebirths, which means that we have to accept that everything we can grasp is only relative. Because of this, every human being has a fragmentary grasp of the truth and in order to be able to get closer to the Absolute Truth we have to recognize the partiality of our perception of truth and to act open-minded towards the truth that comes from other people. That is why is wise not to impose one’s truth on another. And if we could accept and understand that not one single man can be the possessor of the Absolute Truth, we would exclude violence from our lives because we would be able to recognize our partial perception of truth, to listen to others and to accept their point of view regarding truth. At the same time, the relativity of truth led Gandhi to teach the necessity of making the means continuous with the ends sought. If a human being could see only partially the truth, then he or she had to focus on the purity of means. Paying attention to the means is very important because, according to the Gandhian thought, only good means lead to good ends. It is impossible, for example, to obtain peace through violence or violent acting. Gandhi repeated several times that those who sow violence, will reap violence, but who sows peace and non-violence, will reap peace.

As in the case of the satya, the roots of the Gandhian concept of ahimsa could be found in the religious tradition of India, being “a cardinal virtue of the Hinduism through the centuries”. (Rynne 2009) In addition to satya, the ahimsa

can be considered the second fundamental category of the Gandhian philosophy. According to his religious thought, he had been rejecting violence from early beginning. He was proud that the religious tradition of the Hinduism and of India in general refused the use of violence. "The most distinctive and the largest contribution of Hinduism to India's culture is the doctrine of ahimsa. It has given a definite bias to the history of the country for the last three thousand years and over, and it has not ceased to be a living force in the lives of India's millions even today. It is a growing doctrine, its message is still being delivered. Its teaching has so far permeated our people that an armed revolution has almost become an impossibility in India, not because, as some would have it, we as a race are physically weak, for it does not require much physical strength so much as a devilish will to press a trigger to shoot a person, but because the tradition of ahimsa has struck deep roots among the people." (Gandhi 1999i: 143)

Besides his religious belief, he declined violence because of historical experiences and observations. He witnessed the ongoing carnage that resulted from the practice of retaliation during the years he spent in South Africa, in the First and Second World War, in the Hindu-Muslim conflicts and between individuals. He read and knew history, but at the same time he experienced, too, the destructive power of violence several times. That is why he states: "My experience daily growing stronger and richer tells me that there is no peace for individuals or for nations without practising truth and nonviolence to the uttermost extent possible for man. The policy of retaliation has never succeeded. We must not be confounded by the isolated illustrations of retaliation, including frauds and force, having attained temporary and seeming success. The world lives because there is more love than hate, more truth than untruth in it. This is a proposition capable of being verified by everyone who will take the trouble to think. Fraud and force are diseases, truth and non-violence is health. The fact that the world has not perished is an ocular demonstration of the fact that there is more health than disease in it." (Gandhi 1999j: 29)

During the Second World War, he declared that Hitler, Stalin and Mussolini will demonstrate once again the emptiness of violence, which means in his perception that all the violence used by the above-mentioned people has an immediate effect, which is, as a matter of fact, transitory and will leave behind hatred and devastation. From his point of view, only the "effects of Buddha's non-violent action persist and are likely to grow with age." (Gandhi 1999k: 261)

As he did in the case of the concept of satya, he operates important meaning changes in the sense of the ahimsa, too. Despite of its negative prefix (ahimsa or non-violence), Gandhi was able to make from this fundamental concept an active force and to charge it with positive energy and sense. Ahimsa went beyond its usual understanding: refusal to do harm and become a quality or attribute of a satyagrahi, which enables him in conflict situations to act in "a positive, non-

judging, creatively forbearing and loving way.” (Rynne 2009: 58) Ahimsa has to be more than a rejection of everything which needs violence; it is not a passive status or condition. In Gandhian philosophy, it is one of the most active forces of the world, which could be understood as love or charity in the positive, biblical sense of the word, which is exposed in the Sermon on the Mount or in a poem of a Gujarati poet that sounds like this: “There is no merit in returning good for good. Merit lies in returning good for evil.” (Rynne 2009: 60)

As we could see, in the Gandhian spiritual heritage, the concept of ahimsa gets a positive sense and it is understood as a “universal law acting under all circumstances” (Gandhi 1999l: 93-94), as “one of the world’s great principles which no power on earth can wipe out”. (Gandhi 1999m: 374) It is considered by the Mahatma as a new weapon in politics, which is in the process of evolution. Its vast possibilities are yet unexplored, and this exploration can take place only if it is practised on a big scale and in various fields.

In the Gandhian spiritual heritage, as we could see, there is a mutual relationship between satya and ahimsa, between Truth and non-violence. This mutual relationship could be useful to treat the negative aspects of the globalization, such as the ethnic and religious conflicts are or the existing moral crisis, which is the source of economic and financial crises. Using the words of Margaret Chatterjee, Gandhi has “pinpointed violence as the chief malady of the modern times”. (Rynne 2009: 57) One of the fails of our modern time is that its trying to manage those violent acts we can see all around the world and almost day by day has been unsuccessful till now.

If this statement is true, it remains a very logical question to ask: if the globalization, which is sustained on several levels all around the world, was not able to cope with this violence, if the history of the last two decades shows us that our efforts in violent fighting has had as goal the domination of the other, the political and economic control of the other, then what are we waiting for? A domination of the other, obtained by using brute force and violence, is not a guarantee of less violence on the part of those who are dominated, and this way the dominant party could become very easily the dominated one and, at the same time, the sufferer of the resulting violence.

Our question must be what we have to do to cure this malady with good results. And the answer could be: to listen to what Gandhi says about ahimsa and satya, about non-violence and truth, and to follow his teachings. We have to understand to be aware of using violence against others because violence leads to violent responses and, at the same time, it concentrates power in the hands of a few people, which is the contrary to what democracy means. And, finally, the violence leads to psychical suffering and degradation, which contradict human dignity.

We have to remember that the Gandhian way of non-violent resistance against the brute force of the colonialism was successful. At the same time, we are not to



forget that the social reform and civil rights movement of Martin Luther King in the USA or the anti-apartheid resistance of South Africa under the leadership of Nelson Mandela became effective after the leaders managed their campaigns on the basis of the Gandhian satyagraha, which relies on the concepts of ahimsa and satya. The same story happened in Poland in the late seventies – early eighties with the anti-communist movement of *Solidarity*, and the result is well-known: Poland became the first democratic country in the former Eastern Bloc of the communist countries.

All these are obvious and self-evident examples of the fact that the Gandhian political philosophy, the so-called “moral jiu-jitsu”<sup>3</sup> (Gregg 1966: 43-51) could have real and concrete results in cases when violence and brute force are not efficient. His multidimensional social and political thought is derived from India’s thousand-years-old religious and philosophical traditions, but it was rethought and developed according to the real challenges of the modern times by his own experiments during his non-violent fight against the colonialism in South Africa and India.

Finally, at the end of my paper, to stress and underline the great personality of the Mahatma, let me quote two character-drawings concerning Him. The first one is from an Indian thinker and former president of India, the second one from a German, one of the first Christian leaders arrested by the Nazis.

Sarvepalli Radhakrishnan says in his book that “[s]ince Buddha, Gandiji was the greatest moral force in Indian history. For the accomplishment of liberty, justice and peace, he rediscovered the old techniques of Ahimsa and Satyagraha. He revealed to the masses a power not of rifles and machine guns, but the power innate in each individual, a power which this war-haunted world can exploit fully in making wars impossible.” (Radhakrishnan 2010) At the same time, Martin Niemoeller’s words are quoted by Rynne in his book: “When the Christian church and Christian world did not do anything effective about peacemaking, God found a prophet of nonviolence in Mahatma Gandhi [...]. In our days Gandhi has shown this to a great part of the world, and I wish that Christians would not be the last group of men and women to learn the lesson that God is teaching us through this prophet.” (Rynne 2009: 169)

After all these being said, the only questions for me remains whether we, the people of the 21<sup>st</sup> century, are moral, open-minded and wise enough to understand the Gandhian teaching and to apply it in our everyday life, irrespective of the fact that we are statesmen, policy makers, businessmen or simple world citizens.

I only could hope that the answer is yes. I hope an affirmative answer because I think that the message of the Gandhian heritage could be considered universal,

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3 The term of “moral jiu-jitsu” is a very plastic expression because it creates an analogy with the martial art jiu-jitsu, which is based on the fact that a person will be able to defeat his enemy only in case that he is able to use the energy of the opponent against him.

irrespective of time, geographical space and cultural background, thus relevant even in the 21<sup>st</sup> century because it is based on such values as truth (satya), non-violence (ahimsa), human dignity and respect and the love of our fellow beings.

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## **Youth Self-Identification in the Carpathian Basin**

### *Book review*

**Andrea SZABÓ – Béla BAUER – Péter PILLÓK (co-ord.):  
MOZAIK 2011. Magyar fiatalok a Kárpát-medencében  
[Mozaik 2011. Hungarian Youth in the Carpathian Basin]**

The self-identification of youth, the image it has of itself, as well as the role the young generations assign for themselves within a certain society, is always a fascinating subject, all the more so if one is talking about a youth belonging to an ethnic or national minority. Such is the case of the Hungarian minorities inhabiting the Carpathian Basin. MOZAIK 2011 is a comprehensive study dedicated to exploring the different varieties and levels of identity that the youth from this specific group experiences. It is, in part, a continuation of a 2001 study, bearing the same name, but while the latter one drew its information from questionnaires, the former is based on a more qualitative research done through focus group interviews.

The main purpose of the research was to explore the lifestyle and values of the youth belonging to Hungarian minorities in seven different countries and to sketch a possible identity, or rather the problems and dilemmas that these youngsters face in establishing an identity for themselves. In order to be able to compare these findings, the focus group interviews in the different regions revolved around the same topics: homeland, citizenship (dual citizenship), family, education, culture, use of language, work and future prospects. The interviewees were aged 15 to 25, and the groups included high-school students, college students, as well as people who were already working.

The findings of the study were published in a book which can be divided into four parts: an introduction, which briefly summarizes the scope of the research and its methodology, two middle parts, which we will elaborate on in the followings, and a conclusion. The first major part of the study contains the description and analyses of the focus group interviews according to the regions (Chapter 3). The seven regions in which the research was conducted are to be found in the countries surrounding Hungary, namely: Burgenland (Austria), Upper Hungary (Slovakia), Sub-Carpathia (Ukraine), Transylvania (Romania),

Vojvodina (Serbia), Southern Baranja (Croatia) and Prekmurje (Slovenia). The second major part of the research contains the thematic analysis of certain regions as well as comparative studies of the regions concerning specific issues (Chapter 4). In the followings, we shall briefly consider the studies within the two main chapters of the book referred to above.

The studies of the seven regions are in fact thorough descriptions and explanations of the information obtained through the focus group interviews. Some of the studies follow the thematic structure of the interviews, while others discuss the different cities in which the interviews were conducted separately. These structural differences do not interfere with the general understanding of the results or the findings they convey. Nevertheless, it is rather confusing that there is no presentation of the socio-cultural context of the specific region in all of the studies. Most of them are restricted to analysing the answers given to the questions of the focus group interviews. Where there is such an introductory explanation, it proves quite helpful in grasping the overall situation of the youth living in that region, and it considerably facilitates the interpretation of the results. Such is the case of Viktória Ferenc's and Magdolna Séra's analysis of Sub-Carpathia. They start their study by providing a short description of the history of this region, followed by demographic data from the cities concerned.

On the whole, these primary studies outline a wide variety of views, values and feelings concerning the identity of the Hungarian youth in these countries. They range from a quite remote sense of Hungarian cultural identity, as testified by some youngsters in Burgenland, to a strong sense of Hungarian national identity exhibited in Szeklerland (Transylvania) or in some parts of Sub-Carpathia, for example.

While this part of the book relies heavily on the data collected and it is restricted to its interpretation, the comparative studies in Chapter 4 analyse this data within a socio-cultural, socio-economic and even socio-political context. In the first study of this chapter, Botond Dániel addresses a burning issue of our times, namely the situation of the youth on the labour market. He shows that the choices these young people make concerning their career and where they want to work is strongly influenced by their national identification and minority status. (He focuses on the Hungarian youth of Transylvania.) In the second study, Barna Bodó analyses the question of identity by comparing the different regions and sub-regions. He examines how the conflict between the majority and the Hungarian minority endangers the minority identity. It is interesting to note in connection with this study that it detects signs of strengthening regional–minority identities in some regions, while in others the minority identity is rapidly fading. In another study, András Déri looks at the political dimensions of the issue of identity, mainly in view of Hungarian party politics and how the youth reacts to these. Finally, the last comparative study analyses the relationship between the

digital culture and the minority status. Anna Galácz and Bence Ságvári showed that national identity is a secondary factor for the young generations in choosing the language of digital communication, which, on the whole, is influenced by more pragmatic considerations.

In conclusion, it can be said that MOZAIK 2011 is a truly significant study as it provides a complex image of the youth of the Hungarian minorities living in the Carpathian Basin. As such, it also fills a void within the sociological spectrum since it continues and completes the similar study conducted in 2001. Thus, this study makes it possible to examine the issues concerning the minority identity of the Hungarian youth, its changes and variations through a wider period of time.

**Erika IMRE**

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## **Hungarian Minority in Romania**

*Book review*

**Nándor BÁRDI: *Otthon és haza. Tanulmányok a romániai magyar kisebbség történetéről*  
[Studies concerning the history of Hungarian minority in Romania].**

**Miercurea Ciuc. Pro Print, 2013, p. 608.**

The author, Nándor Bárdi, a well-known historian analysed, on the one hand, the process of the formation of the Hungarian community in Romania and, on the other hand, the support of the Hungarians who live on territories annexed to Romania. The central questions of the book – to which the replies have been shaped over a period of 20 years of research – are the following: a) how to organize and institutionalize a community, a social group that does not benefit from the process of building a nation-state?; b) to what extent and under what circumstances it may be considered that the political activity of the Hungarian elite in Romania is independent and that there were limitations imposed by the governmental policies from Bucharest or Budapest?; c) in a more general approach, which is the space of manoeuvre for a nationality situated between two parallel processes of nation building (processes which in Transylvania were overlapped): the Hungarian and Romanian?; d) to what extent can we talk in this case of a political entity and autonomous community?

The volume contains eight chapters, grouped into three units called Töréspontok [Turning points], Keretek [Frames] and Folyamatok [Processes]. These chapters are separated both thematically and methodologically: the first chapters represent case studies related to historical changes, followed by materials related to the history of institutions and of the concepts thematically focused around issues of Hungarian minority policy, and finally a model is presented, explaining and analysing the integration of the Hungarian elite in Romania in the period of 1919–1989.

In addition to the explanatory and conceptual results (concerning concepts such as involuntary minority, regional and national minority, policies related

to minorities, national policy, i.e. minority policies, etc.), the volume presents important elements regarding the history of minority institutions. On the one hand, it provides an overview of the Hungarian policy regarding Hungarian minorities and, on the other hand, the author presents the process by which the Hungarian political elite of Romania – manoeuvring among the interests of Budapest, Bucharest and the interests of its own community – has created a new political entity.

B. B.



## University Evenings

### Lectures on Global Politics

One of the main events of the Department of Juridical Sciences and European Studies within the Sapientia – Hungarian University of Transylvania is the *University Evenings. Global politics in the 21<sup>st</sup> century*, a session of lectures where social scientists, politicians or public intellectuals are invited to talk about current issues in global and regional politics. In the past year, our Department invited several well-known academics from Hungary and Austria, providing interesting lectures not only for our students, but for the wide public of Cluj, as well.

On December 11, 2012, Béla Bauer, a sociologist from Hungary talked about the *Identity construction of youth from Transylvania*. Being a regional expert of youth sociology and youth policies, the sociologist presented findings from his newest research on young people in a comparative perspective.

On May 9, 2013, Zsolt Rostoványi, the rector of Corvinus University from Budapest, Hungary, presented a lecture on Islam and the west. The renowned expert of international relations theory deconstructed the bases of the conflict between the Islam world and the Western civilization.

On May 14, 2013, Katalin Szili, the former president of the Hungarian Parliament, presented her thoughts about the national politics of the Hungarian government. In a lecture entitled *Nation and politics = national politics?*, she presented the dilemmas which every Hungarian government faces when dealing with kin-state politics.

On November 14, 2013, historian Archimedesz Szidiropulosz, the founder and editor-in-chief of the journal *Trianoni Szemle* (Trianon Review), presented a lecture on the Turkish–Greek conflictual history with the title: *Can Kemal be a role model? The Greek Trianon*. After the event, the newest issue of the journal *Trianoni Szemle* was presented.

On December 17, 2013, a historian, Ernő Deák, presented an interesting lecture on the Hungarian–Austrian relations. The event entitled *The centuries of the Austrian–Hungarian vicinity* gave us important insight not only into how the Austro–Hungarian Empire worked, but also into how the two nations' relations changed in the period of the Cold War.

**Tibor TORÓ**

Department of Law and European Studies

## **Nurturing talents for the BA Students in International Relations, European Studies specialization**

In the fall of 2011, a tutoring program was started. In this, six BA students were included, namely: Tekla Vincze, Noémi Hegyi, Csongor-Zoltán Király, Viktória-Nóra László, Brigitta Német, Ágnes Szenkovits and Gergely Végh. The students were each working together with a tutor – some of the teachers working at the Department of Law and European Studies, namely: Emese Szőcs, Márton Tonk, Barna Bodó, Zsolt Kokoly and Tünde Székely – on different topics such as organizational management, student unions in the high schools of Transylvania, Transylvanian NGOs led by women and feminism in Transylvania, European cultural capitals, the role of the transnational corporations in the Romanian economy, minority civil society in Central and Eastern Europe.

The outcome of these joint tasks of teachers and students was expected to be realized by including students in some projects to work together with their tutors, and also by papers presented by them at Student Research Conferences. On the 24<sup>th</sup> of April, the Department organized a Student Research Conference, and the jury gave the 1<sup>st</sup> prize for the EU Section to Csongor-Zoltán Király; the 2<sup>nd</sup> place was taken by Andrea Csilip and the 3<sup>rd</sup> prize went to Brigitta Német and Viktória-Nóra László. Noémi Hegyi presented her paper in the Law section, and she received honourable mention.

As the next step, between the 24<sup>th</sup> and 26<sup>th</sup> of May, the Hungarian Student Union of Cluj-Napoca organized the “16<sup>th</sup> Transylvanian Students’ Scientific Conference”, where our students presented their research findings. All of them were rewarded by the jury. In the Law Section, Noémi Hegyi took 2<sup>nd</sup> place, and in the Political Science Section Csongor-Zoltán Király took the 1<sup>st</sup>, Viktória-Nóra László the 2<sup>nd</sup> and Andrea Csilip won 3<sup>rd</sup> place, while Brigitta Német received honourable mention.

Finally, we can conclude that this pioneer program of our department – this is the first program of nurturing students’ talents at the Sapientia University –, which was organized for the second time, reached its goals by helping students and teachers work together and nurturing students’ talents to pursue their own professional development.

**Tünde SZÉKELY**

Department of Law and European Studies

## Hungarian Science Day in Transylvania

In the frame of the 12<sup>th</sup> *Forum of the Hungarian Science Day in Transylvania*, having as central topic “Science living with us”, organized by the Transylvanian Museum Society, a two-day scientific conference was organized by the Economics, Juridical and Social Sciences Section of the Transylvanian Museum Society in collaboration with the Department of Juridical Sciences and European Studies of the Faculty of Sciences and Arts within the Sapientia – Hungarian University of Transylvania from Cluj-Napoca, on 20–21 November of 2013.<sup>1</sup> The conference entitled “Dilemmas and Challenges in Central and Eastern Europe” took place in Cluj-Napoca, in the Óváry Hall of the Bocskai House.

The program of the conference contained seven presentations from various scientific domains and research fields such as political and social sciences, history or economics. Thus, mainly due to the interaction of many visions, the presentations were followed by interesting discussions.

Miklós Bakk (Babeş-Bolyai University, Faculty of Political, Administrative and Communication Sciences, Cluj-Napoca) held an interesting presentation, discussing the following topic: double tradition of the Romanian state building and the regionalization.

The presentation of Artúr Lakatos (Romanian Academy of Sciences, Cluj-Napoca Branch, “George Bariţiu” Institute of History) covered contemporary and very actual geo-economic issues in Central and Eastern Europe, namely the effects of Nabucco and South Stream pipelines.

János Kristóf Murádin (Sapientia University, Faculty of Sciences and Arts, Cluj-Napoca) presented – revealing interesting details – the presence and role of the Transylvanian Party in the Hungarian National Assembly between 1940 and 1944.

Emese Balla (Sapientia University, Faculty of Sciences and Arts, Cluj-Napoca) presented some research results regarding the main challenges of Szeklerland’s agriculture, highlighting effects of the climate change.

The presentation held by Tibor Toró (Sapientia University, Faculty of Sciences and Arts, Cluj-Napoca) was based on a research on the development of the Transylvanian Hungarian political science as a discipline in the 2000s, and it provided new and useful information on this issue.

Márton Tonk and Tünde Székely (Sapientia University, Faculty of Sciences and Arts, Cluj-Napoca) discussed an interesting topic: the relation of the civil society and the Church in the Transylvanian Hungarian society, investigating the cooperative, rival or complementary character of this relation.

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1 The conference represented, in the same time, the Social Sciences Section of the conferences organized by the above-mentioned section of the *Transylvanian Museum Society*, in the frame of the 12<sup>th</sup> *Forum of the Hungarian Science Day in Transylvania*.

The presentation of Barna Bodó (Sapientia University, Faculty of Sciences and Arts, Cluj-Napoca) contained a detailed and comprehensive analysis regarding the characteristics and development of the Transylvanian Hungarian scientific activity organized in civil (NGO) framework.

Summing up our experiences, it can be concluded that – mainly due to the different scientific backgrounds of the participants and to the variety of the issues discussed – the conference was interesting and successful.

**Emese BALLA**

Department of Law and European Studies

## **Notes on the 2013 EU-Camp at Izvoru Mureşului**

The motto of the 2013 EU-camp at Izvoru Mureşului was “A Changing Europe, a Changing Transylvania”. This idea was well reflected in the presentations, workshops and the entire program of the camp held between the 2<sup>nd</sup> and the 7<sup>th</sup> of July.

The focus of the program was on the actual political issues concerning Transylvania, and these issues were embedded in a global context, as well. The lecturers, who were invited to give presentation and share their ideas and views on different concerns, were highly qualified and succeeded in portraying these matters to an audience consisting of individuals with various qualifications, interests and belonging to different generations.

The topics of the presentations varied as well. One of the first topics introduced was the problem of the constitutional amendments in Romania. We were given an insight into this topic by a Democratic Alliance of Hungarians in Romania (RMDSZ) representative, a member of the committee responsible for constitutional amendments, Árpád Márton, as well as by Attila Varga, associate professor at the Sapientia University.

Another topic was the possible future of Turkey in the European Union. This presentation given by RMDSZ MP Attila Korodi interpreted the recent past and present of Turkey’s political situation and portrayed relevant characteristics of the Turkish society such as the discrepancy between the rural and urban regions, religious aspects, the situation of the Kurdish minority and their pursuits of emancipation. At the same time, the possible consequences of the acceptance of Turkey as a member-state in the European Union were discussed.

Another relevant question of the program was the problem of minorities and the local government. This discussion was led by the mayor of Săcuieni, Csaba Béres and the mayor of Avrămeşti, Szabolcs Simó-Dezső. Lóránt Vincze and Attila Markó (RMDSZ) spoke about the issue of the civil initiative of the minorities.

The YEPP's vice-president, Stefan Schnöll, presented the various endeavors and YEPP projects to lower the number of unemployed young people in Europe. The idea of a "new" Europe was discussed by RMDSZ EP representative Gyula Winkler, who also offered suggestions to the younger generations and spoke about the possibilities for young people in the European Union and its different institutions. Some participants in the camp had already had the opportunity to learn under the supervision of EP representatives and they shared their impressions with the audience.

Some presentations raised very specific questions such as Europe's dependence problem from the point of view of energy, the issue of regionalization, metropolis areas in Transylvania, the inclusion of women in politics and their impact.

There were several programs intended to entertain the audience such as the integration of humor in politics – best illustrated by Hungary's Kétfarkú Kutya Párt – or the presentation given by Glenda Nagy, the PR representative responsible for the program, on the objectives of Cluj-Napoca as the Youth Capital in 2015.

Besides the daily presentations and discourses given by guest lecturers and politicians, the participants were involved in a competition with several challenges related in one way or another to some of the topics discussed during the presentations. The competition also tested their general knowledge about the traditions, the past and the present of the European Union. The grand prize of the competition was also European Union-related: the opportunity to travel to Brussels and understand the mechanism of the Union's institutions and to try to envisage the role they could play in it in the future.

**Réka MUSZKA-PÁL**

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