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Acceptance or Lack of Tolerance towards Minorities in Romanian Public Administration

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Romanian Academic Society

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**4. National Case Studies - Political Life
Final Country Reports**



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ROBERT SCHUMAN CENTRE FOR ADVANCED STUDIES

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ROMANIAN ACADEMIC SOCIETY

**Work Package 4 – National Case Studies of
Challenges to Tolerance in Political Life**

**D4.1 Final Country Reports on Concepts and
Practices of Tolerance Addressing Cultural Diversity
in Political Life**

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Responding to the Challenges of the 21st Century in Europe**
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Tolerance, Pluralism and Social Cohesion: Responding to the Challenges of the 21st Century in Europe (ACCEPT)

ACCEPT is a Research Project, funded by the European Commission under the Seventh Framework Programme. The project aims to investigate whether European societies have become more or less tolerant during the past 20 years. In particular, the project aims to clarify: (a) how is tolerance defined conceptually, (b) how it is codified in norms, institutional arrangements, public policies but also social practices, (c) how tolerance can be measured and how the degree of tolerance of a society across time or of several countries at the same time can be compared (whose tolerance, who is tolerated, and what if degrees of tolerance vary with reference to different minority groups). The ACCEPT consortium reviews critically past empirical research and the scholarly theoretical literature on the topic, and conducts original empirical research on key events of national and European relevance that thematise different understandings and practices of tolerance. Bringing together empirical and theoretical findings, ACCEPT generates a State of the Art Report on Tolerance and Cultural Diversity in Europe targeting policy makers, NGOs and practitioners, a Handbook on Ideas of Tolerance and Cultural Diversity in Europe aimed to be used at upper high school level and with local/national policy makers, a Tolerance Indicators' Toolkit where qualitative and quantitative indicators may be used to score each country's performance on tolerating cultural diversity, and a book on Tolerance, Pluralism and Cultural Diversity in Europe, mainly aimed to an academic readership. The ACCEPT consortium is formed by 17 partner institutions covering 15 EU countries.

The ACCEPT project is hosted by the Robert Schuman Centre for Advanced Studies and co-ordinated by Prof. Anna Triandafyllidou (anna.triandafyllidou@eui.eu).

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The Romanian Academic Society (SAR) aims to further the ideas of freedom, democracy and good governance in Eastern Europe. Starting with our own region we seek to raise the public awareness level of policy issues, contribute through research and advocacy to informed policy formulation and assist administrative reform through performance assessment.

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Executive summary

On the occasion of the Hungarian Revolution Day on March 15 2010, Mr. Barna performed a public show in the streets, which portrayed Avram Iancu on trial and later sentenced to death for crimes against the Hungarians during the 1848 Revolution. Csibi Barna's protest, an ethnic Hungarian, Romanian civil servant and keen promoter of a Hungarian ethnic autonomous region Szekler Land who hanged a doll representing a Romanian national hero, was a test of tolerance for the society and a challenge for the Romanian political elite and the relevant public institutions. This event, with its many implications and developments, is a tolerance boundary conflict case between the majority and the minority. While the Hungarian minority, unaccustomed to its minority status, intends to move the tolerance border by requesting a new public status through the recognition of collective rights, for the majority of ethnic Romanians, the limit is much lower. The majority is intolerant when it comes to the institutionalization of any ethnic differences, which would require the public presence of ethnic diversity (Robotin, 2002). Through the Romanian media, political representatives and state institutions, the majority asks the minority to display a civic loyalty beyond the formal-legal obligations, and expresses its intolerance towards what it considers to be the lack of loyalty toward the Romanian state, through its national symbols.

The case of Csibi Barna proves the paradoxical situation of Romania, where a strong legislative and institutional framework against discrimination does exist, but without any substantial effect because of the intolerance towards the other community's views and interpretation of historical events, which in turn are used to justify the current political designs. As Mungiu-Pippidi argued (1999) the two groups have separate and opposite views of entitlement, grounded in different interpretations of history. Despite the strong centralization of the Romanian school curricula, the two groups are socialized into two antagonistic versions of history. Amplified by the political entrepreneurs, this leads to an environment of intolerance and distrust manifested on every occasion.

Keywords: Csibi Barna, Romanian-Hungarian relationship, dual loyalty, mythological blockage, autonomy for Szekler Land, regionalization, tolerance, recognition



Image 1. Romania - historical regions map

1. Introduction

The Csibi Barna episode, the Hungarian Szekler who hanged a doll representing Avram Iancu, a 19th century Transylvanian fighter for Romanians’ rights, was the first from a series of four chained events, which dominated the public debate in the spring of 2011. The scandal on the "execution" of Avram Iancu’s icon was followed on March 16th by a session of the Romanian Parliament where a letter sent on Hungary’s National Day by the Hungarian Prime Minister Viktor Orbán to the Hungarians living in Transylvania was subject to debates and considered by the opposition as "irredentist". By the end of April, the national press informed that the authorities in Harghita, Covasna and Mures wanted to open a commercial representative office of the Szekler Land in the European Parliament on May 31st. Exactly two weeks after Csibi Barna’s dismissal from the Tax Authority on May 5th, the president of Romania, Traian Basescu revealed, in an interview for the Romanian Television, his intention to initiate the country’s administrative – territorial reform. The head of the state did not hesitate to make his take on things public: the replacement of the 41 counties with 8 regions, with the counties from the Szekler region, i.e., Harghita, Covasna and Mures (Figure 2), going to become part of two different regions where the majority population was Romanian. All the four actions converged to the same point, namely, the creation of a special status autonomous area in the Szekler Land, claimed by Romanian Hungarians politicians.

Csibi Barna was on several occasions the protagonist of an action considered offensive towards the Romanian people, as well as anti-semitic or racist. His action became well known after Csibi Barna himself posted on youtube a 3-minute recording of the entire performance. In the film, Csibi Barna pronounced the following sentence to death "Avram Iancu, who committed crimes and incited to crimes is found guilty for the accusation of betrayal and sentenced to death. The sentence shall be immediately executed. May God have mercy of his soul and of the persons who oppressed the Hungarians and the Szeklars". Then, Csibi Barna hanged the doll representing Avram Iancu (photos 1, 2, 3). According to a survey conducted by the Romanian Institute for Evaluation and Strategy – IRES – between March 17th and 19th, 2011, his action became known by 57% of the Romanian citizens within a few days only (IRES, annexes).

Csibi Barna's protest was a test of tolerance for the society and a challenge for the Romanian political elite. The Romanian politicians were in the position to choose how to approach the case of Mr. Barna: either as an isolated example that needed to be dealt with by the relevant criminal institutions, to decide whether the action represented an instance of instigation to discrimination, or not, or, as it happened, as an event of epic importance, to be voiced loudly in the political and public discourse. As it happened, important parties' leaders and state office holders such as the prime minister stated their indignation and claimed immediate and firm measures against the office holder. Opposition Parliament members filed a petition whereby they requested from the manager of the Tax Authority where Csibi Barna was employed, to promptly dismiss him.

Mr. Barna's action exposes the conflict between historical narratives of Romanians and Hungarians. Over the last 20 years, Romania was the scene of many scandals which had to do with statues as national symbols of an exclusionary nature, which raise specific challenges to both Romanians and Hungarians, challenges defined by historian Lucian Boia as a "mythological blockage". The presence in opposing camps of Romanians and Hungarians in the 1848 revolution is still resented today, and widespread social representations exist of each group as the victim of the other (Mungiu-Pippidi, 1999).

This case study is meant to answer the following questions: Is the action of the civil servant Csibi Barna a case of conflict between ethnic and civic loyalty? Was the answer of the Romanian politicians and mass-media to his protest immoderate and intolerant? Was Csibi Barna, as member of a minority, discriminated by the public state authorities following his political protest? Is the Romanians' resistance to offer special administrative status to the 'Szekler region' as one autonomous region a proof of intolerance towards cultural difference? What solutions can there be as to avoid reigniting intolerant behavior of both sides in 2012, once conflicting projects of territorial organization are advanced by the two groups?

1.1 Summary of the events

Romanian tax service employee Csibi Barna, an ethnic Hungarian inhabitant of Harghita county and keen promoter of a Hungarian autonomous region Szekler Land, drew Romanians' anger after hanging an effigy of Romanian 1848 revolution hero Avram Iancu in a mock trial in Miercurea Ciuc, during the Hungarian Revolution Day commemoration on March 15th, 2010. Mr. Barna showcased the trial and sentence to death of Avram Iancu for his crimes against the Hungarians during the 1848 Revolution. Both party members of the ruling coalition in the Romanian Parliament, as well as those in the opposition parties, denounced the gesture, and 200 people gathered at Avram Iancu's grave in Tebea, Hunedoara County, as a sign of protest. Soon after, Tax Authority director Sorin Blejnar decided to transfer Mr. Barna from Miercurea Ciuc, Harghita county to Abrud, Alba County, where Avram Iancu grew up. In response, Romanian cultural organizations, local counselors and mayors from Alba county made an appeal to the prime-minister to withdraw the transfer and dismiss the director of the Tax Authority, accusing him of instigating an inter-ethnic conflict through his decision. The parliamentarians in the opposition parties urged members of the ruling coalition to sign a joint petition addressed to the Tax Authority Director, asking him to dismiss Mr. Barna. As a consequence of further protests, Sorin Blejnar transferred him again, this time to Bucharest, far away from Miercurea Ciuc, and eventually fired him on grounds of absenteeism. During the same period, Mr. Barna was under investigation by the General Prosecutor's Office, following the accusation of instigation to discrimination, assault and disturbance of public order. In addition, the decision of the Tax Authority to transfer him, and later his dismissal, were under investigation by the National Council for Combating Discrimination, following the complaint of Mr. Barna.

1.2 Transylvania, a border region - historical considerations

Hungarians represent the largest ethnic minority in Romania. 1,431,807 ethnic Hungarians were registered at the 2002 census, which meant 6.60% of the country population, 200,000 less than the previous census, i.e., 1992. The loss of almost 200,000 ethnic Hungarians registered is due to migration, between 55,000 and 67,500 ethnic Hungarians have emigrated, mainly in Hungary. Some investigations cited by Levente Salat claimed that at least half of the registered loss (approximately 100,000) was caused by the negative natural increase, various forms of assimilation being included (Salat, 2007). The remaining part of the loss is attributed to the changes in the methodology of the 2002 census as compared to the one in 1992 (Salat, 2007).

The largest Hungarian community lives in Transylvania, especially in Harghita (84.61%), Covasna (73.81%) and Mures (39.26%) counties, the former Szekler Land in Middle Age (see map below, Figure 2)

Counties	Total	Hungarians	%	Romanians	%
Covasna	222,449	164,158	73,8	51,790	23,3
Harghita	326,222	276,038	84,6	45,870	14,8
Mures	580,851	228,275	39,3	309,375	53,3

Table 1. The Romanian census of 2002



Image 2: The map of the Szekler Land

Historically, Transylvania, a region inhabited mainly by Romanians, Hungarians and Germans, was at times an autonomous principality, or it belonged to different national or supranational

units. Levente Salat notices that, during the first half of the 20th century, Romanians and Hungarians exchanged three times the role of majority and of minority within Transylvania.

After the Second World War, the ethnic Hungarians in Romania made an attempt to obtain the individual and collective rights they were promised on the occasion of the 1918 Union, when Transylvania became an integral part of Romania. The coming to power of an international Communist regime brought about hope, and in 1952, the Romanian Popular Republic designated, under the pressure of Moscow's autonomous policies, the Hungarian Autonomous Region, which was later abandoned in 1968 as a result of an administrative-territorial reorganization. After Bucharest abandoned Moscow's policy favorable to minorities, and turned towards Nationalism – Communism, ethnic Hungarians living in Romania became "cohabitant nationalities" or "Hungarian-speaking Romanians", a kind of second-ranked citizens. Although the Hungarian leaders continued to be part of the Communist Party leadership until 1989 (Mungiu Pippidi, 2000), this did not spare the community from persecutions. The clustering and cancellation of Hungarian schools, the mandatory assignments after graduation from university, the change in the ethnic composition of Transylvania through the industrialization process and the transfer of population, are all policies and tactical measures which supported Ceausescu's assimilating project (Andreescu, 2004, Gallagher, 1999).

The start of the Romanian revolution against the Communist regime in Timișoara in 1989 with the persecutions of the secret police against a Hungarian pastor created a new window of opportunity for Hungarians to negotiate their status as a community and to define the institutional framework meant to protect and administer their identity (Robotin, 2000). The first and last violent Romanian – Hungarian inter-ethnic conflict burst-out in March 1990 in Targu Mures, during the post-revolutionary confusion. Although the Parliament set up a special investigation committee, so far no coherent and unitary explanation was found for what had happened..

The disputes between the Romanian and Hungarian political elite concerning the rights of the minorities were constant during post-Communist politics. The intention of the Romanian political elite, of whom some former communist partisans and former members of the historical nationalist parties, was to continue the Communist and inter-war nationalist tradition: the construction of the nation state by imposing the domination of the majority over the minority (Andreescu, 2004). In spite of this, the international context - Romania's aspiration to become a member of the European Union and NATO, as well as in-country political events, sabotaged the process. One step a a time, the Hungarians living in Romania gained significant political, cultural and linguistic rights.

1.3 Political representation of Hungarians in Romania

Hungarian minority is mainly represented by the Democratic Alliance of Hungarians in Romania (DAHR). The organization was established in December 1989 for the purpose of “defending

and representing the Hungarian community's interests". As a party in the Parliament, often member of the ruling coalition, DAHR initiated and contributed to the law-making process that resulted in the improvement of the status of Hungarians and of other minorities in Romania. The Hungarians, as well as the other minorities, obtained the right to association, to participation in and to political representation at central and local level, the right to signage in mother tongue in the localities and counties where their number reached or exceeded 20% of the overall population, to use their mother tongue in the local public administration, in Court, and in relation to the state institutions from the localities where their number reached or exceeded 20% of the overall population, the right to education in their mother tongue on all education levels, including universities.

DAHR was accused of no longer representing the community's interests, but the interests of its leaders. As a result, it split into two different political parties: the Hungarian Civic Party and the Hungarian People Party. They both act at local level, especially in the counties where Hungarians represent a significant share of the total population and they both promote the right to territorial autonomy for the Szekler Land within the borders of the three former Szekler shires from the Middle Ages (Figure 2).

DAHR has been running for the Parliament since 1990, and the Hungarian community has been constantly represented in Parliament since. In 1990, DAHR obtained the largest share of seats, i.e., 40, representing 7.34%, and in 2008, the fewest, i.e. 30, representing 6.39%. DAHR has also participated in the local elections, winning seats in the local administration in the counties and localities inhabited by Hungarians. In 2008, DAHR occupied 4 positions of County Council President in Harghita, Covasna, Mureş and Satu Mare, from a total of 42 positions (including the municipality of Bucharest), 89 county counselors positions representing 6.41% of the mandates, 184 mayor positions representing 5.78% of the mandates and 2195 local counselors positions representing 5.44% of the mandates.

DAHR is part of the Romanian government since 1996, except the period between 2000 and 2004 and the year 2009. It held ministerial offices, positions of State Secretaries and of directors of ministries, prefects in the counties with Hungarian population, management positions in other public institutions. DAHR obtained these positions because of a distribution algorithm used among the parties forming the Government coalition to decide upon the nomination of the management of the Romanian central and local administration, and not because of any ethnic criteria. Hungarian leaders have called many times for proportional representation for Hungarians in sub-state institutions, but in vain. At the moment, no public information with respect to the representation of Hungarian minority in the public administration is made available. The Civil Service Agency does not collect data on the ethnic affiliation of civil servants, since this would be seen as a violation of the individual liberty to not declare one's ethnic affiliation.

To this day, the ethnic Hungarians living in Romania are not permitted to hold decision-making positions in the defense, public order and national security institutions. In 2009, during his electoral campaign in the Szekler counties, the president of Romania, Traian Băsescu, stated that he was in favor of hiring Hungarians in the national security system and of promoting them to command the Romanian army. Yet, the president's declarations were not followed by actual measures. Under DAHR's pressure, which became again part of the government in 2010, the police education institutions published open competitions dedicated to ethnic Hungarians.

Departments for the protection of minorities operate within the government and the ministries where Hungarians hold the largest number of management positions, by appointment. The main institutions for the protection of minorities are the National Council for Minorities, the Department for Interethnic Relations, the Institute for the Study of Minority Issues and the National Council for Combating Discrimination. The organizations of the national minorities represented in the Parliament receive financing from the state in the same way the political parties do. However, in order to promote ethnical, linguistic, cultural and religious diversity, the government grants special funds for the projects dedicated to minorities, through the Department for Interethnic Relations.

2. Literature review: when ethnicity and citizenship clash, the concept of “dual loyalty”

Mr. Barna's action was perceived by Romanians as a confirmation of their historical suspicion that Hungarians are not 100% trustworthy citizens, being more attached to their own ethnicity than to the State. Dual loyalty arises when a citizen or group of citizens holds political allegiance to another state or entity which could challenge their loyalty to the state, according to Ilan Zvi Baron. Conflicts between loyalty to a national state, on one hand, and solidarity with an ethnic community, within or outside the boundaries of that state, on the other, may lead to accusations of “dual loyalties” (Smith, 1986). Transylvania, nowadays, a border region between Romania and Hungary (see Figure 1), has long been an area of conflicting nationalisms (Mungiu-Pippidi, 1999). Romania's EU integration, supported by neighboring Hungary, was the most important common goal for both the Romanians and Transylvanian Hungarians, and sidelined for a short period of time the historical rivalries. Following Romania's EU accession in 2007 there were hopes that the “Transylvania issue” will lose salience. But once the common goal was achieved, the old adversity reappeared, largely due to politicians in both Romania and Hungary. Three recent political events had once more brought it to the fore: the adoption, of a new citizenship-law by the Hungarian government in 2010, which enables any Romanian citizen of Hungarian ethnicity to also acquire Hungarian citizenship; in 2011, the escalation of demands by an active minority of local Romanian politicians of Hungarian ethnicity for the designation of a special status-area comprising the counties of Harghita, Covasna and –Mureș, an area vaguely matching the medieval Szeklers Land; in 2011, the initiative of the Romanian government,

backed by Traian Băsescu, the president of Romania, to undergo a territorial-administrative reorganization policy, based on the European NUTS II regions, proposal which clashed with the DAHR demands .

Ethnicity is defined as a sense of common ancestry based on cultural bonds past linguistic heritage, religious affiliations, claimed kinship, or some physical traits (Michael, 2011). Ethnicity is perennial, "once formed tend to be exceptionally durable under normal vicissitudes and to persist over many generations, even centuries" (Smith, 1986). It has in his core a sort of engine, the "myth-symbol complex" (Smith, 1986). The "mythomoteur" diffuses the myths, memories and symbols through the ethnic group and across generations, preserving, maintaining the form of the group, and the distinct and separate content of its identity in the long term (Githens-Mazer, 2007). The most emotionally potent and conflict driven social representations are those of disaster, tragedy, massacre and defeat (Githens-Mazer, 2007).

Many studies suggest that people see groups as providing them with security, safety, status and prestige in return for their loyalty (Druckman, 1994). Allport asked if one's loyalty to the in-group automatically implied disloyalty, or hostility, toward the out-groups. But, it is the authors' opinion that concentric loyalties need not clash. Civic loyalty, as defined by Anthony Smith, as a loyalty to the political unit, the state, and expressed in terms of citizenship rights and obligations, operates with different myth-symbol complexes than does ethnic loyalty. This can indeed lead to conflicts. According to Linklater, the nation-state continued to be "an engine of exclusivity" using the "myths of national unity and idealized conceptions of political loyalty as it sought to secure and to maintain its monopoly powers ".

A potential area of tension between ethnic and civic loyalties exists when the civic loyalty arrangements claimed by state are beyond the formal-legal obligations and reach to include cultural considerations belonging to the ethnic loyalty such as language, traditions and customs (Soreanu, 2005). Also, in-group loyalty can conflict with political obligations to the state when there are normative judgments that challenge the reasons for one's political loyalty to the state (Baron, 2009).

Baron draws attention that dual loyalty can function as a security risk: firstly, when the minority community fears the accusation of dual loyalty; secondly, when the state or the majority perceive a minority to be guilty of dual loyalty, or as posing a risk of dual loyalty. This second discourse assumes the potential of a minority to become disloyal, subversive, and possibly even treasonous against the society (Baron, 2009). Some practices seen to be different from those of the majority, the behaviors that are not up to the expectations of the majority, or the demands for special rights for the preservation of the minority identity could constitute a potential indicator of dual loyalty and , consequently, a risk to the identity of the majority.

The concept of dual loyalty entails another concept, that of the "societal security" dilemma. Paul Roe describes it as follows: "the security dilemma defines a situation whereby one actor, in trying

to increase its security, causes a reaction in a second, which, in the end, decreases the security of the first. As a result, a spiral process of action and reaction is manifest in which each side's behaviour is seen as threatening". Roe believes that the threats to societal security exist when a society believes that its "we" identity is being put in danger, whether this is objectively the case or not. One of the cases analyzed by Roe refers to the Transylvanian Hungarians.

3. Methodology and Research Design

The analysis based on the case of Csibi Barna draws on interviews with relevant individuals from Bucharest and Covasna county, discourse analysis (media and public declaration made by public officials) and archival research. The authors conducted seven interviews, with the following people: Csibi Barna, high ranking officials from local and national Romanian administrative institutions, a historian, a sociologist and a journalist who covers issues regarding interethnic relations. Discussions with representatives of Covasna County Administration managed to obtain information regarding the share of jobs held by the Hungarian minority in the local and county State institutions, the stories behind their experience as ethnic Hungarians holding high public positions, and a thick description of the case and the general theme if interest. The media coverage analysis focused on the narrative of Csibi Barna's case; news articles from all print and online newspapers with high circulation, and recordings of TV shows were considered. The politicians' response to Mr. Barna's case, both Romanians and Hungarians was studied on the basis of official transcripts of the dedicated parliamentary hearing of March 16, 2011, newspapers articles, agencies news and recordings of TV shows. The official response was traced through the decisions that what taken, and analyzed in terms of their consistency with the legislation, and in combination with the public justification provided by the relevant actors.

4. Media-coverage of the events

The video posted by Csibi Barna on youtube became the main news of the national press in Romania within just a few hours. Bucharest's main press paid a lot of attention to the event, making it "hot" news for three months, until Csibi Barna's dismissal from the Tax Authority on May 5th. Adevarul, counting 194, 000 readers per edition, was one of the newspaper that allocated most space for this event. On March 15th, Adevarul published the information in news about the festivities dedicated to the Hungarians' National Day whose headline was: "The Hungarian extremists killed Avram Iancu". In the same news, illustrated with images of the symbolic execution, the journalists from "Adevarul" reminded that the presidents of Harghita, Covasna and Mures county councils (the counties that represent the former three Szekler seats) all took the oath to obtain Hungarian citizenship

on Hungary's National Day. In the same news, the newspaper's online edition referred to an interview from the previous year of the National Szekler Council's president when he claimed the autonomy of the Szekler Counties. The daily online newspaper, Gandul, included the information on Csibi Barna in the news on the three presidents of the Szekler County Councils taking the oath for the Hungarian citizenship under the headline: "Hungary's National Day: an extremist hanged Avram Iancu in Miercurea Ciuc. Several UDMR leaders took the oath towards Hungary". On March 23rd, Jurnalul National, counting 149 000 readers per edition, tells its readers how Csibi Barna appeared before the prosecutors: "Csibi Barna appeared accompanied by his father and, lacking respect for his Romanian fellows, he answered the journalists' questions in Hungarian. We could say that he had some nerve to act like he did, considering that he is a public servant within (DGFP) Harghita Public Finance Directorate. By the way he behaved yesterday, Csibi Barna proves that he does not regret for a second his action at the celebration of Hungary's National Day". The same newspaper attached to the press release a music video with a ballad on Avram Iancu's mystical mission. Historia Magazine dedicated an entire issue to the Romanian fighter, and Evenimentul Zilei (the thirdly ranked newspaper) made a dossier on Avram Iancu. The televisions Antena 3 and Realitatea TV broadcast nonstop the movie with Csibi Barna hanging the effigy of Avram Iancu, news and debates on this topic. Both television stations invited as special guest commentator Corneliu Vadim Tudor, member of the European Parliament and president of the ultranationalist party "Romania Mare", without seats in the Parliament. Vadim Tudor criticized in his inflammatory speech the Hungarian revisionism that would not give up Transylvania.

According to the persons interviewed, the attention paid by the national press explains the reputation of the case. "The national press paid too much attention to this event, trying to create an artificial conflict between the Hungarian and the Romanian community in Transylvania and trying to generalize this isolated event to create the impression that all Hungarians act like this" (Antal Arpad, Mayor of Sfantu Gheorghe, Antal Arpad's interview). "The press exaggerated this singular event (because there was only one participant, not a crowd) amplifying the phenomenon with its mirrors" (Vlad Mixich, Hotnews journalist, Vlad Mixich's interview). "A predictable reaction that multiplies the prejudices of the masses" (Sabina Fati, historian, Sabina Fatis's interview)

It is relevant that only 37.9% of the Hungarians asked by IRES declared they knew about Csibi Barna's action. The Hungarian press paid little attention to this event, most of them just told what had happened on March 14th in Miercurea Ciuc, the institutional effects of the event and the reactions of the Romanian and Hungarian politicians, taking declarations from the Romanian politicians for the national televisions and newspapers. The Hungarian newspapers from the Szekler region, Haromszek and Szekler Hirmondo, underlined that Csibi Barna's action was rash, condemnable, stupid, foolish, theatrical and irresponsible and that the incident was used as pretense to revive the Hungarian accusing-discourse. The Hungarian journalists commented more on the

Parliament's session where the opposition brought the case of Csibi Barna in the debate about the letter addressed by the Hungarian Prime Minister Orbán Viktor to the Hungarians in Transylvania. The Hungarian daily newspaper *Haromszek* (Three Seats referring to the three Szekler historical 'seats' (fiefdoms)), published in Sfântul Gheorghe, Covasna county commented on March 22nd: "the many politicians who worry for their country proved how deep is the Romanian political elite's fear - close to paranoia - with respect to the permanent prophecy of losing Transylvania. (...) The area is covered by hatred, obsessions and fears that are easily and irresponsibly used by politicians and public speakers".

5. Political discourse: from regional autonomy to the prospect of a national-security threat

This prophecy of losing Transylvania is present in the Romanian political discourse since the early '90s. The issue was introduced immediately after the revolution from December 1989 by the first post-communist president of Romania, Ion Iliescu, who in a televised speech spoke publicly about certain separatist tendencies in Transylvania, just one month after the Ceausescu's fall. Iliescu was a trend setter by invoking the separatist threat. At that time, his intention was to mobilize the masses around him and also to block requests for granting and guaranteeing the rights of Hungarian minority (Gallagher, 1999). In time, the separatist threat lost its privileged place in the Romanian political discourse, but it is revived whenever politicians believe that by nationalism can win votes, as it happened in the analyzed case.

But this fear of separatism still exists, and the Romanian Constitution is the proof. Article 30 designates the limits of the freedom of expression: "the law prohibits the country's and the nation's defamation, instigation to an aggression war, to hatred based on nation, race, class or religion, instigation to discrimination, to a territorial separatism or to public violence, as well as obscene, indecent manifestations".

The main parties' leaders and state office holders such as the prime minister stated their indignation and claimed immediate and firm measures against the office holder. Opposition's Parliament members filed a petition whereby they requested from the president of the tax authority to promptly dismiss Csibi Barna. The opposition approached this subject in the Parliament's plenary session on March 16th. The loyalty for the Romanian state of the head of the government part of which DAHR used to be was questioned. One of the opposition's leaders, the head of the National Liberal Party, Crin Antonescu, asked the prime-minister right in front of the Parliament whether he represented "Avram Iancu's halter effigy" or "the new head of Romania who was no longer the president Traian Basescu, but Viktor Orbán". Another liberal politician proposed the adoption of a declaration by the Romanian Parliament to express its astonishment and indignation over the content

of the "irredentist and anti-Romanian" message of the Hungarian Prime Minister Viktor Orban, sent on March 15th to the Transylvanian Hungarians, who "unleashed the ghosts of the past". One of the senators of the Social-Democratic Party accused the Romanian Government of being supported by the Hungarian who symbolically hanged Avram Iancu. He linked the declarations of an ethnic Hungarian politician, Laszlo Tokes that he was happy to obtain Hungarian citizenship on the day celebrating the Hungarian Revolution, to Avram Iancu's hanging. The social-democrat senator also blamed the DAHR politicians for commemorating, not celebrating the Treaty of Trianon, although they are Romanian citizens. (Parliamentary debate of March 16, 2011) A PSD Parliament member who represented Harghita county accused in the same Parliament session, Csibi Barna's provocative gesture, showing that this was not the first time he acted this way. He criticized the presidents of Harghita, Covasna and Mures County Councils because "they glorified the obtaining of the Hungarian citizenship" and wondered which Constitution they shall respect, the Romanian or the Hungarian? The Parliament member discussed the autonomy of the Land, claimed by UDMR and supported by Viktor Orban, although it is against the Constitution of Romania which "clearly states that Romania is an indivisible, unitary and national state" (Parliamentary debate of March 16, 2011)

DAHR leaders condemned Csibi Barna's "extremist" action and specified that it did not represent Hungarians. They also answered to the wave of indignation in the media and to the Romanian politicians' accusations of Hungarians' lack of loyalty. DAHR's President, Hunor Kelemen asked for mutual respect between communities and underlined that "if there was no DAHR, we would go 20 years back. DAHR's presence in the Parliament confers a feeling of safety to the Hungarian community". Commenting on the Parliament's session, DAHR's Harghita senator, Verestoy Attila, stated that the opposition lit the "nationalist fire" in order to create diversion in the ruling coalition and that "that Hungarians are part of this country is not merely an election cry, they are loyal and useful citizens, which is almost unanimously accepted at the Romanian people".

6. Dealing with the Csibi Barna case: procedural fairness and the response of the public institutions

On March 15, the prosecutor's office of Harghita Court referred the matter to itself and announced that it shall investigate Mr. Barna's action, otherwise authorized by the City Hall, for instigation to discrimination. Art. 317 of the Criminal Code provides that "instigation to hate based on race, nationality, ethnicity, language, religion, sex, sexual orientation, opinion, political affiliation, convictions, fortune, social origin, age, disability, non-contagious chronic disease or HIV/ AIDS infection is punished by prison from 6 months to 3 years or by fine". On March 21st, 2011, the case was transferred to the Romanian General Prosecutor's Office and the number of charges was growing with two new counts: crime of indecent exposure and of disturbing public order and peace. March

23rd, Csibi Barna was heard at the General Prosecutor's Office where he was informed on the charges brought against him. Additionally, according to his own statement, in this case, the prosecutors searched Csibi Barna's home and evidence was taken, the accused's computer inclusively (Csibi Barna's interview). In his defense, Csibi Barna invoked the right to freedom of expression provided by the Constitution of Romania.

On March 18, the Tax Authority, where Csibi Barna was employed by contest, made public a press release which showed, in the following order, that he violated the public servants' code of conduct and that the institution's director, Sorin Blejnar, decided to send him before the Discipline Committee and transfer him for six months to the Public Finance Administration of Abrud locality, Alba County. According to the press realese, Mr Barna has violated the rule which required the civil servant to put the public interest above the personal interest, when exercising its attributions. Mr Barna was also accused that he has violated its loyalty obligations toward the institution which impose to the public servant to defend "the prestige of the public authority or institution where they perform their activity, as well as to refrain from any action or act that could cause harm the image or prejudice its legal interests". The press release established that Mr Barna breached the Code of Conduct before the Discipline Committee rendered a decision to this effect.

The decision to transfer to Abrud aroused protests among the citizens and the politicians. Representatives of Abrud public administration, as well as thousands of locals, met at the city hall and signed an open letter to the Prime Minister of Romania where they protested against Csibi Barna's transfer to Abrud and they asked him to revoke the Tax Authority order. The Mayor of Abrud, member of the government party, publicly asked the dismissal of his party colleague, the Tax Authority director because "an anti-national action should not be administratively sanctioned" and because if the transfer is not withdrawn, this could generate inter-ethnic conflicts. March 24, approximately 500 inhabitants of Muntii Apuseni along with 12 mayors of the same area gathered in Piața Avram Iancu of Câmpeni locality, where they adopted a decision whereby they requested from the President, the Government and the Parliament "to analyse the irredentist and xenophobe actions, regardless who undertook them".

Csibi Barna's transfer to Abrud, Alba county, has two arguable elements. The first element has to do with legality and the second with morality, because Avram Iancu, whose doll was hanged, spent his childhood in Abrud, and during the revolution of 1848 had one of his general headquarter there. In one of its articles, the online publication Hotnews underlined that the transfer is not a disciplinary sanction, as Law 188/1999 on the Public Servants Statute shows. The law stipulates that "the transfer is ordered in the interest of the public authority or institution", only based on his written consent, which was not the case in this situation. The fact that the head of the Tax Authority acted outside the rules of the institution was proved by his own justification for the transfer decision. Sorin

Blejnar said in a television show that he wanted to personally teach Csibi Barna a lesson of tolerance not mentioned in the job description.

Due to the hostile reaction of citizens and mayors from Abrud area, Tax Authority decided that the public servant shall be transferred to Bucharest, 200 km away from Csibi Barna's home town and again without his consent. Once again, the institution's president, Sorin Blejnar publicly explains his decision, in an ironic style, saying that this is an appropriate measure, because Csibi Barna should be able to promptly respond "to the prosecutors' request whenever necessary", given that he is investigated by the General Prosecutor's Office. On May 5, Sorin Blejnar announced that the Discipline Committee proposed Csibi Barna's dismissal on the ground that he was absent at his work in Bucharest without leave (Art. 77, par. 2, c of the public servants' statute law) and that he ordered that Barna's employment contract be terminated. Csibi Barna's dismissal for a reason other than its action of March 14, 2011 finds its explanation in the legal provisions. According to the public servant's statute (Art. 77, para. 6), "if the action was notified as disciplinary misconduct and crime, the procedure of triggering disciplinary liability is suspended by the date the court of law orders the discharge or the termination of the criminal trial".

Tax Authority's decisions were analysed by the National Council for Combating Discrimination (NCCD), notified by Csibi Barna on April 2011 (document 4, annexes). Mr. Barna considered that he was "discriminated against based on ethnicity, because in the action of 14 March 2011, the events that occurred during the 1848 revolution were presented from the Hungarian and Szeklar ethnics' opinion". The claimant considered that he was discriminated against based on his political affiliation, his right to express or manifest his political convictions or to participate to public life being limited. ANAF, the institution against which the complaint was filed, communicate to the NCCD an opinion where it held that the notification of the discipline committee and Csibi Barna's transfer were legal, that they did not represent sanctioning measures, and that they did not have the effects that Mr. Barna claims, as the petitioner's ethnicity or political opinions were not taken into account.

On 6 July 2011, NCCD issued decision 278 adopted by five votes for and two votes against, which finds that neither the disciplinary investigation nor the transfer represent discriminative actions because the two measures applied by the Tax Authority are not in a causal relation with Csibi Barna's ethnicity or political opinions. A separate opinion was filed to the decision where the authors considered that the transfer from Miercurea Ciuc to Abrud represented a discrimination based on opinion, instead of ethnicity: "the transfer occurred further to the expression of an opinion. Ethnicity is not relevant, because other persons within Harghita GPF, of Hungarian ethnicity, were not transferred to Abrud Public Finance Administration". The separate opinion authors' find that Csibi Barna was applied a different treatment, because the Tax Authority did not provide any objective and

reasonable justification, according to the case law of the European Court of Human Rights. (Document 5, annexes)

Both criminal and administrative institutions have acted in Csibi Barna's case with a unusual promptness and turned it into a state issue. The head of Tax Authority, a controversial politician of the main governing party, has made of Csibi Barna's case a personal cause in hopes he will get more public sympathy if he will act firmly even with violation of the institutionale procedures. The decisions of the Tax Authority's head and of the institution in Csibi Barna's case were considered by the interviewed persons an abuse and instigation as big as Csibi Barna's action itself. The journalist Vlad Mixich believes that "the decision to transfer Csibi Barna in an area very much attached to Avram Iancu's mythical image had the same meaning as Csibi Barna's action, both can be considered an instigation" (Vlad Mixich's interview, annexes). "

The president of the NCCD Csaba Asztalos, who abstained from NCCD voting because he expressed in public its opinion on the case, believes that "the institutional reactions proved that Csibi Barna ethnicity was not favourable to him": "We must note that Csibi Barna action had an ethnical meaning, in the sense that it referred to a moment of the history of the relations between the two communities". NCCD's president Csaba Asztalos believes that the institutions' reactions were more visible than in other cases due to the "excessive debate in the media and manipulation" and explains them by the intention to prevent "the escalation of the subject and its expression by verbal violence or of other nature". Csaba Asztalos mentions that "the actions of a national minority are much more harshly appreciated and even publicly sanctioned".

NCCD's President Csaba Asztalos draws attention on the fact that the criminal institutions act differently in similar situations. He supports this affirmation on the profanation case of the statue representing the Hungarian revolutionary Gabor Aron of Chichis commune, Covasna county. A young Romanian satisfied his physiological needs on the revolutionary's monument, and another one mimed their satisfaction, the episode being recorded and posted in May 2010 on you tube under the headline "for Hungarians". The Prosecutor's Office of Covasna Court decided not to initiate criminal proceedings against the persons who profanated the monument of the 1848 revolutionary Gabor Aron. "If Hungarians are victims and Romanians aggressors, the public authorities minimize the cases" stated the NCCD's president Csaba Asztalos (Csaba Asztalos's interview, annexes).

7. Interpretation of the findings: how dual loyalty and a mythological blockage inflame the public and lead to intolerant public and political behavior

7.1 Clashing interpretations of autonomy: cultural diversity and the fear of segregation

Transylvania's history as border province, where the Romanians and Hungarians represented at times the majority or the minority in the population, determined both communities to develop competing identities (Mungiu, 2000, Salat, 2007). This is proved by all polls conducted after 1990 in connection with the way in which both groups define their identities. Romanians choose legal – formal criteria to define both identities (place of birth, citizenship, language) and self-identify as belonging to the civic in-group, in which they include Hungarians as well. However, they refuse to Hungarians their ethnicity stating that, in order to be Hungarian, you must be born in Hungary. Hungarians opt for self-revising subjective-cultural criteria (mother tongue, feel Hungarian, be born in a Hungarian family, be baptized in a Hungarian church) and the legal-formal criteria that help define the identity as Romanian. Romanians expect Hungarians to assume their civic identity the way they see it and give up ethnicity, whereas Hungarians put to value ethnical identity and self-exclude from the civic in-group.

Highlighting the ethnic dimension of identity leads to a lack of trust and suspicion between the majority and the minority. 13% Romanians consider Hungarians a threat and 19% a problem, if not a threat (TNS-CSOP, 2007). This situation is due to the fact that DAHR made more visible, by its presence in the government, the claims of the Hungarian community for granting more rights, including cultural and territorial autonomy to the Szekler Land. Since early 90s, the Hungarian elite came up with models of autonomy, programs and legal initiatives meant to support Szekler Land's autonomy. The Hungarians' leaders initiated people's consultations and local referenda in the counties inhabited mainly by Hungarians, which were dismissed in court. The theme is maintained on the Hungarian political elite's agenda mainly for electoral purposes, in order to determine the Szekler Hungarians to go to vote, votes which are significant for the existence of ethnic parties.

The majority is concerned that the legal rights obtained by ethnic Hungarians might lead to separation/segregation. The suspicion that behind the claims for autonomy lie actually intentions of secession has been frequently expressed in public, and the international recognition of Kosovo's independence intensified this anxiety. The fear of secession is also enhanced by the official stand adopted by Hungarian prime-minister Orbán Viktor, a nationalist populist politician beloved among the Transylvanian Hungarians. Orbán managed to convince the Parliament to change the Hungarian Constitution, whose preamble now refers to the "Hungarian nation". Budapest supports the autonomy of Hungarians living in Romania, and the new pro-autonomy parties competing against DAHR. It has recently granted Hungarian citizenship to the Hungarians outside state-borders. The Romanian

political elite dismisses even discussions on autonomy. The president Traian Basescu publicly stated that the Szekler counties would have as much autonomy as Galati county and that the Hungarians would never obtain territorial autonomy. The Romanian government views autonomy as a matter of national security, fact proven by the existence in the 90s of an anti-irredentist division within the Romanian Intelligence Service.

7.2. Symbols and rituals as triggers of intolerant behavior

The sense of injustice felt by both Romanians and Hungarians throughout history and whose instrument of oppression was the other community, emerges through political rituals and "reify perceptions that an opponent is holding back" the development of the nation, respectively the ethnies, as Githens- Mazer observed. This is also the engine of the myth of "Great Hungary Golden Age" for Hungarians, on one side, and of the myth of Hungary as the potent enemy of the Romanian state, on the other. In the second case, the actors are the Hungarian minority and their international lobbying, which is considered to have subordinated all the major Romanian developments, as Lucian Boia pointed out. Both of these myths have an exclusionary effect and are generating mutual intolerance.

The most powerful symbols of the Romanian majority, the National Day and the national Anthem, are about two moments of the common Romanian-Hungarian history who signify for the Hungarian minority huge defeats and implicitly rank Hungarians as the enemy of ethnic Romanians. As Irina Culic noted "both represent the struggle of national emancipation from Hungarian domination". The National Day, the 1st of December, marks the Union of Transylvania with the Kingdom of Romania in 1918 and represents one of the greatest tragedy in the history of the Hungarian nation, the end of the Great Hungary through the Treaty of Trianon which confirmed the union. The Romanian national anthem "Awake, Romanians" symbolizes the 1848 Romanian national revolution in Transylvania carried out against the Hungarian domination (Culic, 2001). Mirrored, the political rituals of the Transylvanian Hungarians are related to the Revolution of 1848 and to the Treaty of Trianon, the peace agreement signed in 1920, at the end of World War I, between the Allies and Hungary, one of the successor states to Austria-Hungary.

For the Hungarian politicians, but also for the Hungarian people in general, the Peace Treaty of Trianon is still a trauma and is considered to have been a huge injustice. After the Trianon Treaty, over 1,600,000 Hungarians who were living in Transylvania became Romanian citizens and, thus, a minority community. As Githens Mazer noted, the ritualised commemoration of defeats are emotionally loaded with the collective memories of "suffering and anxiety about one's fate and the fate of one's family". This types of ritualised commemoration "can form some of the most potent and inflammable bases for political action"(Githens Mazer, 2007).

The claims made during the recent years by Hungarian representatives, including that of the right to self-government, are based on Romania's commitments to the Hungarian community from Transylvania, as expressed in 1918 in Alba-Iulia. The Proclamation of Union of Alba Iulia guarantees "Full national freedom for all co-inhabiting people. Each people will educate, administrate and judge cases in its own language, with its own people, and each people will receive representation rights in all legislative bodies and in the government of the country, in proportion with the number of individuals". For the Romanian majority, the event from Alba Iulia has the opposite meaning: the repair of a great historical injustice, that of the split of Romanian living in multiple states. The union of all Romanians was in fact the foundation myth of the Romanian modern state, and it was inscribed in Article 4 of the Constitution. Many scholars believe that this constitutional provision, alongside the one which states the unitary and national character of the state, has an exclusionary nature, and also that it has more than a symbolic meaning, by restricting the legal possibilities of obtaining and practicing self-government by the national minority (Culic, 2001, Salat, 2007). The same historical moment is considered by Hungarians to be the foundation for their claims for special rights, including some form of cultural and political autonomy. But it is the majoritarian Romanians argument interpretation that Alba-Iulia stands as an argument against these rights, on behalf of the unity of all Romanians and of that of the Romanian territory.

By hanging Avram Iancu, Csibi Barna made a direct reference to the 1848 revolution, when the Hungarians fought for the unification of Transylvania with Hungary, against the Austrian Empire supported by Romanians, who fought for their national rights against the Hungarians. The ritual performed by Csibi Barna is also "metonymic", in the sense described by Githens Mazer: "using one entity to refer to another that is related to it and aiding in the social determination what events from the past are important" (Githens Mazer, 2007). The performance was related metonymically to the autonomy of Szekler Land, a region who existed as a legal entity in the medieval times (Figure 2), and by virtue of the right to "full national freedom for all co-inhabiting people", promised to the minorities in 1918.

The reason for which Csibi Barna's action on Hungary's National Day had such an impact on the public is highly dependent on the choice of the "victim": the Romanian national 1848 revolutionary Avram Iancu. He was a fighter for the rights of Romanians from Transylvania during the revolution of 1848, a traumatizing moment for both communities involved in a direct conflict, that made many victims among the civilians as well, and that was used by Romanian and Hungarian politicians in their struggle to construct a more convincing identity profile of the community they were addressing. After the revolution of December 1989, Tebea, the city where he was buried, was a place of pilgrimage for Romanian politicians. Their presence at the commemoration of Avram Iancu is a test of patriotism and a rite of legitimacy as Romanian true patriots.

Avram Iancu is a historical character turned into myth for ideological reasons, and both Romanians and Hungarians know him from the history school books, folklore and the political propaganda. The Hungarians in Transylvania have more information on the 1848 revolution due also to the fact that Hungary's National Day is the anniversary of March 15th, 1848, while Romanians know only their legendary hero Avram Iancu (Mungiu-Pippidi, 1999). For the average Hungarian, he was a traitor of the 1848 Revolution in favor of imperial interests (Mungiu-Pippidi, 2000). Thus, Csibi Barna justified his choice of Avram Iancu: "He was the leader of the hoards of criminals who ethnically cleansed Central and Southern Transylvania, the carnages in Aiud, Roşia Montana, Abrud, Zlatna are thoroughly presented in his written memoirs" (Csibi Barna's interview). Csibi Barna's opinion is not singular. At a City Council meeting in Miercurea Ciuc, Zoltan Szondy Hungarian Civic Party councilor conducted an investigation related to the symbolic hanging of Avram Iancu by Csibi Barna. The councilor said that although most Romanians felt offended by what Mr. Barna had done, it must be said that this is not a matter of opinion because "Avram Iancu was a criminal", as the Hungarian-language newspaper the Szeklerhon.ro reported (apud ziare.com).

The Romanian folklore mentions Avram Iancu as the "little prince of the mountains", as he was praised in popular songs, one of which is today a jingle in the Transylvanian railway station. The National Bank of Romania issued a banknote with Avram Iancu's portrait on one side. Avram Iancu was also included, on political grounds, in the national pantheon by King Ferdinand, the ruler who unified the Romanian state, and later by the fascist legionary movement during the period between the two world wars, by national Communists, and by the Transylvanian nationalist parties after the revolution of December 1989 (Boia, 1997). In the early 90s, Avram Iancu's character was subject to one of the most important political and media confrontations that took place in Cluj, a city from Transylvania inhabited by Romanians and Hungarians. The former mayor of Cluj, Gheorghe Funar, an outspoken nationalist, raised in 1993, in the middle of the town which was then dominated by the statue of the King of Hungary, the Transylvanian Matthias Corvinus, a huge Avram Iancu statue, with an inscription saying that 40.000 Romanians were killed during those battles suggesting that they were killed by Hungarians (Mungiu Pippidi, 2000).

All interviewed persons agreed that the image of Avram Iancu hanged stirred many emotions. "Avram Iancu is a historical character, revealed to Romanians as national myth since the secondary school. The history books from primary school do not describe him as a real character (this does not happen only in Romania). Thus, Avram Iancu is not perceived in Romania at his actual historical dimension, but as the hero icon. Any nation is built on a story where the main roles are played by true heroes. Avram Iancu is such hero" (Vlad Mixich, journalist, interview). "Avram Iancu's hanging would have a public impact almost as great even if it was made by a Romanian. In the collective memory, Iancu is a fighter, a hero, a savior. History textbooks do not explain too clearly why he would be a hero. Legends were given more weight in textbooks, but the facts could possibly consecrate him

as a defender of the Romanians against Hungarians. Perhaps if Csibi Barna had "hanged" Emil Boc (a Romanian politician, former prime minister n.a) , that would not have had any ethnic connotation"(Sabina Fati, historian, interview).

7.3The threshold of loyalty for the majority and the minority

Both Romanian and Hungarians living in Romania have naive expectations from each-other, as Irina Culic observed. Hungarians expect Romanians "to acknowledge their existence as a national minority" with specific needs and interests. As for the Romanians, they expect that "Hungarians should feel and relate to institutions, processes and symbols in a similar way" (Culic, 2001). For example, the Romanians expect the Hungarians to celebrate the National Day of Romania, even if for them the union of Transylvania with Romania meant the lost of their majoritarian status and the separation from the mother country. The lack of joy of the Transylvanian Hungarians on the 1st of December, especially if it is manifested by the Hungarians politicians, is seen by the majority as a sign of disloyalty. Both Romanian media and politicians have publicly expressed, in the context of Csibi Barna's case, doubt on the loyalty toward the Romanian state of the ethnic Hungarians officials who received Hungarian citizenship, although the Romanian law does not prohibit dual citizenship. The same suspicion was expressed by politicians concerning DAHR' demands for the autonomy of the Szekler land, a claim against the provisions of the Constitution they vowed to uphold (Parliamentary debate of March 16, 2011).

The problem of Hungarians' loyalty towards the state dates back to the debates taking place inside the Hungarian community by intellectuals between the two World Wars, and it has been raised numerous time since then. After Transylvania became part of Romania and the Trianon Treaty was concluded, the Hungarian minority had to come up with strategies that were appropriate to their new status, i.e., as minority within the Romanian state. Two competing movements developed within the Hungarian community: that of a conditional loyalty towards the Romanian state, and that of integration on its own terms and separation from the Romanian state and non-cooperation with Romanians, while waiting for Transylvania to reunite with Hungary. "Hungarians believed it was a temporary situation. (...)Their expectations made Hungarians refuse to sign the required loyalty oath to the Romanian State. Thus many public servants and State employees were fired. An emigration wave of Hungarian population from Romania to Hungary was recorded between 1918 and 1923, about 70,000 Hungarians left the country in 1920" ("Hungarians of Romania", Center for Documentation and Information on Minorities in Europe - Southeast Europe).

Providing more substantive rights to the Hungarian minority, including certain forms of autonomy, as a condition for loyalty was made known by many Hungarian intellectuals, after Transylvania became part of Romania and the Trianon Treaty. This integration strategy is illustrated

the best by a text of the writer and Transylvanian politician Karoly Kos, published for the first time in 1921 in Cluj: "Loyalty (...), provided that the new situation gives us that minimum of our national culture, old customs, the conscience of a nation, social feelings, economic development, the knowledge that we acquired over our history of one thousand years, as they are all indispensable to us (...) We, citizens of Romania, Hungarians by ethnicity, faith and language want a national autonomy, and if you obtain it, Romania shall win us as trustworthy citizens" (Nastasa, Salat, 2003). All conditions invoked by Karoly Kos are still applicable, so is loyalty. As the NCCD's president stated: "I am a good citizen, patriot and loyal to the Romanian state if I can be a Hungarian in Romania, in the sense that I can keep and develop my national minority identity (Csaba Asztalos's interview, annexes).

Most often the majority expects more from the minority than from itself, in terms of loyalty. In one of the Romanian volumes dedicated to the theory of national minorities, Ion Diaconu, law professor and rapporteur representing Romania in the UN's Anti-Discrimination Committee, exposed a thesis on regarding the minorities' obligation of loyalty, shared by most of the Romanian politicians and by the Romanian majority. His book "Minorities. Statute, perspectives", published in 1996 by an institution subordinated to the Parliament, distinguishes between the majority members, whose political loyalty towards the states they live in is not questioned, and the minority members, for whom the loyalty or fidelity towards the country they live in" is a specific obligation (Andreescu, 2004).

The president of the National Council for Combating Discrimination, Csaba Asztalos pointed out that Hungarians are generally asked additional evidence of loyalty toward the Romanian state compared to ethnical Romanian citizens, even more so they are persons of high official positions (Csaba Asztalos's interview). Csaba Asztalos alleged that both he and some of his other Hungarian colleagues were often put to "tests of patriotism" by their colleagues: "My loyalty towards the Romanian state was often questioned, I was the witness of certain declarations according to which "a Hungarian can never be the president of a public institution such as the National Council for Combating Discrimination. Any national minority-related incident generates conducts and attitudes that question my loyalty towards the Romanian State due to the fact that I hold this position. Tests of patriotisms are very common, from linguistic skills related to the State's official language to the positions that I adopt when I settle claims or I officially represent the Romanian institution. I can state that the minority developed in time a protection system towards these expectations, with respect to such stereotypes respectively, namely, by the belief that a Romanian citizen belonging to a national minority, generally Hungarian, is suspect of treason. (historical stereotypes – Hungarian danger, scary Hungarians who refuse to sell bread to the non-Hungarian speaking Romanians, taking Transylvania etc.)" (Csaba Asztalos's interview). The others interviewed highly ranked Hungarian officials declared that the Romanian colleagues asked them for proofs of loyalty towards the state (Tamas Sandor's Interview, Arpad Antal's interview). The reasons why Romanians would question the loyalty of Hungarians are historically constructed, as Irina Culic pointed out. In the collective memory of the

majority is still present the past of Hungarian political and cultural domination and of symbolic territorial claims (Culic, 2001).

The dual status of ethnic Hungarian and public servant of Csibi Barna contributed to the public impact of his gesture, and raised the question of double loyalty. The national media presented Csibi Barna as a "public servant who symbolically hanged Avram Iancu". A Hungarian who hanged Avram Iancu "is guiltier than a Romanian that would make the same action, just because the hero's legendary aura is related to fights against the Hungarians. Avram Iancu lost the battle, even if the whole liberal revolution of 1848 was turned to defeat. The fact that Barna was a public servant of the Romanian state adds an aggravating circumstance in terms of Romanian observers, accustomed to the nationalist rhetoric under Ceausescu's rule" (Sabina Fati, historian, Sabina Fati interview). Sabina Fati believes that the deed is not a proof of lack of civic loyalty, but that such thing can be symbolically perceived by the public opinion (Sabina Fati's interview).

Legally, according to the Code of Conduct, the civil servants are required, on behalf of the principle of loyalty to the Constitution and to the law, to observe the Constitution and to comply with the legal provisions on restricting certain rights, due to the nature of their public duties. Also the civil servants can participate in activities or public debate, with the obligation to make known that their opinion does not represent the official views of the public authority or institution in which they operate. Csibi Barna did not make this statement when he hanged the effigy of Avram Iancu, expressing in this way his opinion about the Revolution of 1848. Unfortunately, the way in which state institutions have acted in this case made it impossible to formally decide whether or not Csibi Barna violated its duty of loyalty provided in the Civil Servants Code of Conduct.

7.4. The quest for autonomy as a tool in the political discourse

Central media and the Romanian politicians have liked Mr. Barna's action, who promoted himself as the exponent of a movement supporting the independence of the Szekler Land, with the DAHR' request to grant autonomy to the Szekler Land, goal endorsed by the Hungarian government led by Viktor Orban. The linguistic rights obtained by DAHR through negotiation with Romanian parties actually meant almost nothing for Szeklers, because those rights existed de facto. For example, the Szekler Hungarians used Hungarian in administration before the enactment of certain laws to this effect, because they represented the majority. Although the Szeklers in Romania face the same problems as most Romanians, i.e., of economic nature, the autonomy is promoted by politicians and by the Hungarian media in the Szekler Land as a solution both for community's economic development and for its cultural survival.

Specificity of the Szeklers has been used as a political instrument between the two world wars. The Hungarian populist ideology idealized the Szeklers who were seen "as the pure and unbroken

keepers of the Hungarian spirit" (Tamás Szilágy). The Hungarian Autonomous Region, which survived for a short period of time, established by the Soviet ruler after the Second World War, had a significant impact on the self-image of the Szeklers who became a "nationality in majority" provided with extensive cultural rights. (Bottoni, 2003). The autonomist idea seems to be the only one with a potential of ethnic mobilization of the Szeklers, who are the most ethnocentric Hungarians. The Szeklers identified themselves as Hungarians from Transylvania (35.5%) or Szeklers (28.6%) (Lazar, 2000, Mungiu-Pippidi, 1999). The conducted studies show that "the more the primordial ethno-territorial identity prevails upon modern state identity, the higher the demands for political autonomy" (Arriba, Morreno, 1996). This is exactly what happens in the case of autonomy of Szekler Land: representatives of Hungarians, from the State institutions and the majority, relate the recognition and institutionalization of ethnic differences through the granting of collective rights, to the idea of cultural and territorial autonomy.

Central authorities did not even accept the official use of the name "Szekler Land", although many official government documents refer to other geographical regions as "country": Barsa Country, Hateg Country, Almaj Country. For example, Barsa Country is found in the name of an institution subordinated to the Ministry of Interior: the Inspectorate for Emergency Situations - Territorial Unit - ISU "Barsa Country" Brasov. The Romanian politicians try to avoid at all costs to discuss the autonomy of the Szekler Land, rejecting the possibility from the start. Some scholars believe that by granting more rights to the minority, including some form of autonomy, the outcome could be more loyalty toward the Romanian state, as Karoly Kos pointed out at the beginning of the 20th century. But the experiment of the creation of Hungarian Autonomous Region by the Romanian Stalinist regime after World War II did not make the Hungarians more loyal toward the Romanian state (Bottoni, 2003). As Romanians, they probably will feel that granting autonomy for Szekler Land meaning Harghita, Covasna and Mures counties is a curtailment of their idealized projection of the national territory and as an act of aggression.

The mayor of Sfantu Gheorghe, Covasna, Antal Arpad believes that "certain interests in Bucharest used Csibi Barna's action to compromise Szeklers' autonomy, and tried to create a false image that when the Hungarians talk about autonomy, they actually want the independence of the Szekler Land" (Antal Arpad's interview). The historian Sabina Fati believes that Mr. Barna's action could establish, in the conscience of the general public, a connection between the symbolic violence he performed, on one hand, and autonomy, on the other, the latter actually being a goal formally acknowledged by the Hungarian minority's political leaders (Sabina Fati's Interview.).

Although Csibi Barna's case did not directly influence the public debates on Romania's administrative territorial reorganization, the perceptions it aroused, as discussed by Antal Arpad and Sabina Fati, did have an impact. Traian Băsescu, Romanian president, opened the debate in May 2011, two weeks after Csibi Barna was dismissed from office. Without support from any technical or

impact analysis, the public discussions were carried out around the status of the three Szekler counties, Harghita, Covasna and Mures, that the ruling party wanted to separate, by integrating them in two regions with a Romanian majority, whereas DHAR wanted to reunite them in one single region.

The psychology of communication describes the cognitive detonator process: "if i get to use the aggressiveness concept to think in T1 on the conduct of a person X (he beats somebody who did not do anything), I shall use the same concept of aggressiveness easier when faced in T2 with the conduct of a person Y who shall only say something unpleasant about somebody" (Beauvois, Rainaudi, 2008). The Csibi Barna event represented the cognitive detonator for the debate concerning Romania's administrative-territorial reorganization in relation to the autonomy of the Szekler Land.

DAHR and other Hungarian organizations threatened to organize street protests and civic disobedience because they considered that the proposal of the ruling party would force "the dissolution of the Hungarian community ". Certain political Hungarian representatives reminded the revolts after the Hungarian Autonomous Region was dissolved during the Communist period. The government of Hungary supported the Hungarian politicians from Transylvania, through the vice-prime minister Zsolt Semjen, who declared that the administrative reorganization would pose a threat to the Hungarians in Transylvania and the Szekler Land, whose reality must be respected. He said that the project resembles the policy implemented in Transylvania by the former dictator Ceausescu.

The main ruling party accused DHAR that it opposes the state modernization, and a leader from Covasna, from the governing party, showed that an inter-ethnic conflict could be generated: "If a future Kosovo is wanted, then, it should be clearly stated from the very beginning that this is the goal and we all know what we have to do: either we all take our weapons or we all leave to more peaceful other areas of the country or of the world". According to a survey conducted by a national television using the CATI method, 72% of the Romanians declared that they do not want the current delimitation of the counties to be changed, and 69% declared to be against DHAR's proposal to create the Szekler Land region.

8. Conclusions

Csibi Barna's action to hang the effigy of the Romanian revolutionary Avram Iancu exposed the extraordinary intolerance at the level of political elites of the Romanian present state, the identity fears, self-victimization and mutual blame of Romanians and Hungarians. The case of Csibi Barna proves the paradoxical situation of Romania, where a strong legislative and institutional framework against discrimination exist, but do not have a substantial effect because of the intolerance of the others' view on history, used to justify present-day political designs. As Mungiu-Pippidi stated (1999) the two groups have separate and opposite views of entitlement grounded in different interpretations of history. Despite the strong centralization of the Romanian school curricula, the two groups are

socialized into two antagonistic versions of history. Amplified by the political entrepreneurs, this leads to an environment of intolerance and distrust present on every occasion.

The Csibi Barna case-study, with its many implications and developments is a tolerance boundary conflict between the majority and the minority. It has to do with the minority condition and the ethnic loyalty, as well as to a historical ethno-nationalist ideology which puts emphasis on the superiority of ethnic identity. Salat considers that Hungarians failed to self-revise their status within the Romanian State, to find the alternative forms of "self-assertion" that would have been more appropriate to the minority's current situation. The self-pity for the loss of majority status after the separation of Transylvania from Hungary due to the 1920 Treaty of Trianon, the self victimization as a people who suffered throughout history, "the attempts of institutionalized "separateness" within the state" (Salat, 2006), the misuse of the dominant position in regions where Hungarians are in majority by excluding Romanians from the decision-making process at the local level, these are all evidence supporting the argument. The Hungarian political elite, supported by Budapest, makes use of ethno-symbolism and keeps alive the traumatic memory of Trianon, the cancellation of the Hungarian Autonomous Region, and the fear of assimilation. The rhetorical exercises of certain Hungarian politicians, from within and outside Romania, multiplied by the Hungarian media, contribute to the consolidation of ethnic identity, as means of protection against a potentially aggressor state, to the detriment of the civic identity. Although the Romanian state and the majority had a bigger responsibility, the minority nationalism, whose extremist exponent is Csibi Barna as well, contributes to the creation of a vicious circle in terms of identity fears and mutual incriminations. The young Hungarian Csibi Barna, as well as the young Romanians who profaned the statue of Gabor Aron, did not come from out of nowhere, their hard feelings were fed by media and the politicians. The Hungarians' failure to assume civic identity also relates to the way the state and the Romanian majority formulate it (Salat, 2006). The recognition of the multiethnic character of the Romanian state was dismissed by the Romanian political elite and by the Romanian majority. Constitutionally, Romania is a nation-state, and this nature cannot be changed by revision, the 1991 Constitution states. The constitutional text is considered by Hungarians as an "exclusion agent" (Salat, 2006).

While the minority intends to move the tolerance border above fundamental rights such as the use of mother tongue, requesting a new public status through the recognition of collective rights, considered to confer some form of autonomy, for the Romanian majority the limit of tolerance is much lower. The majority is intolerant towards the institutionalization of any ethnic differences, which would require the public presence of ethnic diversity (Robotin, 2002). It opposes the DAHR's mandatory cooptation to government, the use of mother tongue in public, giving extended rights to the Hungarians who are living in majority in some counties such as hiring minority ethnics in police (M.W, 2006). The majority, through the Romanian media, political representatives and state institutions, claims to the minority a civic loyalty beyond the formal-legal obligations. It show

intolerance towards what it considers to be the lack of loyalty toward the Romanian state with its national symbols, The National Day and Anthem, the national heroes. Csibi Barna's case showed the capacity of the Romanian political elite to cynically instrument the identity competition of the two communities for electoral purposes. The arbitrary decisions of the Tax Authority's president, a prominent member of the ruling party, were investigated for discrimination and they were about to generate an actual inter-ethnic conflict by transferring Csibi Barna to Abrud, a city historically connected to the life of Avram Iancu. The objectivity of the public institutions, reacting differently in similar cases, such as the hanging of Avram Iancu's doll and the profanation of the monument representing Gabor Aron, is also questionable.

The Hungarians' claims for collective rights, including cultural autonomy and autonomy for Szekler Land, expressed in the language of the historical contest between two nations, and not in the rational language of the benefits of the self-administration of one's own ethnic group (Culic, 2001), revive the memories of the majority and their fears of Hungarians domination, as it was cultivated by the political elite. The autonomy issue can be construed as a "societal security dilemma" as Paul Roe described. Autonomy viewed by the Hungarian elite as an instrument meant to preserve the community's identity and security, or, in its rhetorical use, a piece of discourse meant to mobilize the ethnical electorate, is perceived by the majority as a threat to national identity, to the state's sovereignty and unity. In its defense, the majority can resort to counter-measures. Such a counter-measure could be DAHR's marginalization, thinking, naively, that once the organization disappears from the political scene, the agenda will no longer include Hungarians' ethnic issues. According to the same theory, i.e., "societal security dilemma", DAHR's disappearance from the political scene could result in the radicalization of Hungarians who live in the Szekler area and in higher insecurity among the general population. Csibi Barna is the exponent of such a radical movement that appeared in the recent years in the Szeklers counties area, one that feels that DAHR actions are not enough.

The debate regarding the administrative-territorial reorganization was initiated by Traian Băsescu at the worst possible moment, and failed by turning into a nationalist hysteria, after Csibi Barna's case and the chain of events that followed it. If Traian Băsescu's regionalisation project will at one point be adopted, the new territorial organization shall result in the significant reduction of the share of Hungarians, and thus a reduction of their representation and participation on a local/ regional level, and the forfeiture of rights, such as the use of mother tongue because of their reduced percent from the total of the population. In terms of "security dilemma", it is the authors' opinion that the adoption of this proposal to reorganize the country under these conditions would have produced a dramatic result.

9.Recommendations

In order to address the more profound causes of intolerant public and political behavior between the Hungarian and the Romanian living in Romania, we put forward the following recommendations:

- **Common projects** Most Romanians know the Hungarians only indirectly, through the historical narratives they were taught in school or they were exposed to through political discourse. Hungarians are visible in the public space primarily on the occasion when they make their claims for identity rights, although minority representatives have held over time positions in the Romanian government that would have allowed them to link to the image of the Hungarian community to projects which are beneficial for both groups. Except for some small scale programmes implemented by non-governmental organizations from both communities, and which are meant to address the whole society, no important joint projects were implemented. At the time when the Romanian society considered its national objectives to integrate into the European Union and NATO integration, Hungarians, through their public representatives, were perceived as promoters of state modernization. After the objectives of NATO and EU integration were achieved, Romanians and Hungarians were left without a common project to mobilize both communities and to reduce mutual distrust and intolerance. The Romanians and the Hungarians returned to the old historical rivalries, the case of Csibi Barna being a proof.

Promotion of such common projects, on micro and macro-level, could have the effect of de-stigmatization of the minority claims and strengthening civic identity of Hungarians. State's modernization through regionalization can be a major common project as long as this would happen through a process of negotiation between the majority and the minority, and by balancing the economic development goal with the needs of maintaining the cultural identity of the minority. As Alina Mungiu Pippidi suggested, the risk of nationalist mobilization in this process can be controlled by introducing incentives for inter-ethnic cooperation in the evaluation process of European Union funds which are administrated by regions.

- **Proportional representation** Although DHAR is a ruling party or is collaborating with the government since 1996, the hope espoused by scholars like Alina Mungiu Pippidi and Levente Salat on the gradual development of a consociationist model, based on mutual agreement and power-sharing, is still an intellectual project. Although UDMR is one of the ruling parties, the Union has a position that became vulnerable due to the political competition inside the Hungarian community and to the Romanian parties' power game. The principle of proportionality of the electoral system has also been disputed for a few years and a bill for a majoritarian system, who will probably substantially reduce the minorities from parliamentary representations, was proposed in Parliament. The

proportional representation of minorities in the public administration did not even get to be subject to public debate, although DHAR's local leaders proposed such a project.

The proportional representation of minorities in the public administration from the government level to the sub-state institutions is the solution recommended by several consociationism adepts as a solution to the fear of the minorities of "the numerical superiority of the dominant group", "to promote citizens' identification with the state" and as "a tool to buy loyalty and to make disloyalty expensive" (Bangura, 2005, Steven Van de Walle and Zoë Scott, 2009). In order to promote autonomy, for which there is no consensus between the minority and the majority, it would be advisable that the representatives of the Hungarian community mobilize in order to to encode the principle of proportionality. The proportional representation would solve the matter of purging of DHAR's representative from the local and county public institutions, if the Union were no longer part of a ruling coalition, or it did not manage to secure seats in the Parliament. Additionally, it could facilitate the access to public offices and positions in the public administration of ethnic Romanians who are a minority in Harghita and Covasna counties, given that they declared that they felt discriminated because they did not speak Hungarian, and also filed petitions to the National Council for Combating Discrimination.

- **a new National Day** A small but meaningful gesture meant to help the two communities to overcome, in time, historical trauma and mythological blockage, could be the change of the National Day of Romania. In the recent year, there has been a debate around this proposal, because the nowadays date for celebration has an exclusionary nature, and it was criticized by scholars from both communities. The suggestion would be the celebration of the National Day around a historical event that would reflect the interests of the two groups, Romanian and Hungarians. Two alternative options were put forward: the celebration of the anti-totalitarian revolution in 1989, date when Romania became a member of the European Union.

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