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# Contents

**ETHNICAL AND REGIONAL PARTIES IN EUROPE**

*The study identifies regionalist policy impact in the areas of agenda setting, institutional and noninstitutional autonomy and in other policy areas unrelated to autonomy policy. Regionalists have had impact in opposition, in regional government and also in alliance with central government. Policy impact has been especially important when a regionalist party is in regional government. In particular, the existence of regionalists in regional government facilitates a rare linkage between the two sets of literature on regionalist parties and regional governments. However, any simple causal connection between regionalist parties and regional government is difficult to sustain because of the variable success of regionalists and the role of "top-down" factors in generating regional governments. The progressive regionalization of European states in the post-war period has created opportunities for regionalist mobilization and policy impact on a continuing basis. Whilst the policy impact of the PNV or CiU in regional government is possible to establish at present, there is the additional likelihood of future policy impact by nationalist administrations in regional government in Scotland and Wales at some future point in time. Policy impact is not something simply to be measured historically but a continuing development as witnessed by the relatively recent growth of regionalist parties such as the Lega Nord and Bloque Nacionalista Galego.*

*Many States have introduced regional layers of government, often as a responparties se to demands for autonomy made by nationalist or regionalist move-*

*ments. Although regional autonomy is often presented as a way to accommodate ethnoterritorial conflict, and both regionalism and regionalisation have been important research themes over the past decades, empirical research on the effects of those decisions is sparse. This paper analyses the aspects of regional autonomy that affect regionalist politics through a comparison of three regions in European States where relatively recently regional autonomy was introduced: Galicia, Brittany and Wales. The states they are part of, Spain, France and the United Kingdom, introduced regionalisation in different ways: in degrees of regional autonomy, asymmetry between regions, and consideration of historical and cultural territories. This paper concentrates on the development of regionalism within the political parties within the three regions mentioned. It discusses trends after regionalisation in the representation of and utilisation of regional identities in political discourses, ideological developments, particularly on the issue of regional autonomy, and reactions to the political opportunities for mobilising support offered by the introduction of a regional political space after regionalisation. The paper analyses those elements with respect to regionalist parties, but also for regional sections of statewide political parties, which will be affected by regionalisation as well. The paper concludes with a discussion of the effectiveness of regional autonomy as a means to accommodate regionalist and nationalist conflict.*

*László Szarka*

*In the postcommunist period, there can be identified some prevalent principles in the activity of the organisations and political parties of the Hungarian minorities. Especially in the early 1990s their policies aimed at deepening and internationalizing minority rights protection and, as a sequel, at conceiving autonomy arrangements. Then a rethinking and institutionalization of the Hungarian governments-Hungarian minorities relations took place. Assumption of the governning role by Hungarian minorities parties was the next step that led to the creation of the consociative or the consensual pattern. The idea of "national reintegration" designed within the European integration process has emerged both in the form of regional cooperation with neighbouring states and of projects of extending Hungarian citizenship to Hungarian minorities abroad. Hungarian minorities parties participation to government, their activity in the coalition governments in Romania, Serbia, Slovakia have been perceived differently by the majority and the minority public opinion in the respective countries. In the last fifteen years, the correlations and contradictions in the above mentioned policy trends of the Hungarian minorities could not be brought together in one unitary framework, in*

*a strategical planning of national policies, the main obstacles being the ever deepening confrontations betweent the political parties in Hungary, the lack of proper consultations terms between Hungarian minorities abroad and the Hungarian government.*

## CASE STUDY

*The study focuses on one of the most serious interethnic conflicts between Roma and non-Roma that took place in Romania in the early 1990s and on the trial conducted by the Romanian courts regarding the issue as well as the sentence by the European Court of Human Rights. Victims of the enraged majority community the Roma later faced gross human rights violations by the authorities that gave in to political pressures and, instead of proceeding to an unbiased inquest, further fueled a conflictual frame of mind. After over a decade since the conflict, after both a trial and a lawsuit have been completed, after the European Court of Human Rights issued a sentence, the Hădăreni case is still of topical interest. First of all, the Romanian Government must comply with the obligations it assumed on the amiable solution to the case. Then, legal controversies are still to be dispelled as there are different interpretations to the ECHR solutions, some voices claiming that the sentences by the High Court of Justice quash all civil obligations of the criminals, while others say those sentences quash only the obligations whose object overlap the ECHR judgements. The ECHR noted that the attacks were directed against the applicants because of their Roma origin. The applicants' Roma ethnicity appears to have been decisive for the length and the result of the domestic proceedings, after the entry into force of the Convention for the Protection of Human Rights and Fundamental Freedoms in respect of Romania.*

## DOCUMENT

*The law itself is acceptable, and does not differ substantially from similar laws found in other democratic countries, except for Article 7. Whilst Article 6 of the Law stipulates that candidatures for local councillors and mayors can be put forward by i. political parties; ii. political alliances; iii. organisations of national minorities, as well as by iv. the candidates themselves, independently Ar-*

*ticle 7 seems to consider as organisations of National Minorities only those represented in Parliament. This definition makes entitlement to the special rights for national minorities, laid down in the law, dependent on a condition that may imply certain restrictions. This may amount to a violation of the obligation of Romania, laid down in Article 4, paragraph 1 of the Framework Convention, to guarantee to persons belonging to national minorities the right of equality before the law and of equal protection of the law. It may also block political competition within one and the same national minority in violation of the principle of pluralistic democracy It may well be that under the Romanian Constitution and the Romanian Law on Elections to the Chamber of Deputies and the Senate, organisations of citizens belonging to national minorities failing to obtain the number of votes for representation in Parliament have the right to one seat in the Chamber of Deputies. However, not only does this not solve the unequal position of separate organisations within a particular national minority, the right to one seat in the national Parliament is subject to certain requirements which a certain national minority may not be able to meet at the national level, while that national minority has a strong numerical presence at the local level. Precisely as participation of national minorities in public affairs at local level may, in some respects, be even more important for them and their members than participation in the public affairs at the national level, participation should not be made dependent on their numerical representation at the national level. Even if the objective to avoid excessive fragmentation of the elected bodies is legitimate, it must not hinder pluralism excessively*

## TRANSYLVANIAN CONVERGENCIES

*Admitting from its very outset that historiography cannot be completely objective, the aim of the study is to dispell some of the stereotypes imbuing the present Romanian collective perception of Transylvanian history built up by the recent communist and postcommunist history teaching.*
*The pre-Hungarian medieval Transylvania never was an ethnically or politically unitary country on the contrary, it was characterized by a changing ethnical pluralism. On the other hand, medieval Europe had as its paradigm legal cathegories of masters/subjects and not the ethnical one. Reading medieval history in ethnical terms can be misleading. All the three political entities – the aristocracy the Szeklars and the Saxons – were partial entities of the Transylvanian principality which was a part of the Hungarian kingdom and as such a subject to the developments occuring in it. There was no historical conspiracy of the Hun-*

*garian, Szeklar, Saxon communities in Transylvania against the Romanian community, as history handbooks still claim. „Unity in diversity" is therefore one of the best collocations to describe medieval Transylvanian history.*

*A foray into the medieval history the paper examines the contribution made by the Teutonic Order to the history of Transylvania.Taking advantage of the already extant Saxon community in Transylvania, King Andrew II proposed the Teutonic Order to settle its knights along the Eastern border of the Hungarian Kingdom, considering thus that he would have an outstanding guardian both against the constant Cuman expeditions and against his adversaries from among the nobility Indeed, the Teutons managed to defend the kingdom, they pushed the borders beyond the Carpathians, strengthened the new territories by building fortresses, defeated Cumans and even converted many of them to Christianity The Teutonic Order also had the support of the Holy See that envisaged a widening of the crusade's horizon and a scope enlargement of the strategies employed in the crusade in order to carry out its twofold aim: setting Jerusalem free and reuniting the two Christian Churches. Relying on the Pope's support and on their own strength, the Knights sought to gain independence from the Hungarian Kingdom, a fact that determined the Hungarian king to invite a new wave of Saxon settlers in the area to whom he bestowed certain priviliges in order to counterbalance the influence the Teutons enjoyed. Despite all papal insistency Andrew II finally expelled the Teutons keeping at the same time the Saxon settlers, his victory being thus a diplomatical one. Although short-lived, the Teutons' presence left traces in the area – demographical, social, political and confessional. One of the most significant contributions made by the Teutons was the emergence and consequent spreading of the idea of a statal entity distinct from the overall Hungarian Kingdom.*

*The debate initiated by the Pro Europa League had as its starting point the need to conceive a consistent package of laws on national minorities, on political parties, on electoral processes, on regionalisation as all these aspects are closely related. Apprehension was expressed that the Romanian State, instead of taking advantage of its envisaged EU accession and integration and instead of using those processes as a vehicle for further democratization, will enter the European*

*family in its present unreformed, inconherent and contradictory form. Institu-
tional reform should have been a priority, but there has been a lack of political
will to this end as the political class is the first to profit from politization of state
institutions. This state of affairs has its roots in 1948 when the Romanian State
ceased to exist, when the communist Constitution was adopted, an act that simply
abolished the State, all its function being taken over by the Communist Party. A
pillar that could have sustained reform, the Constitutional Court, is not solid
enough since it does not play its part in a check and balances system, but, on the
contrary it has become involved in political games.*

*Regarding regionalisation, the Agencies for Regional Development now extant can-
not be seen as the first step in a proper decentralisation/regionalisation, but rather
as obstacles in the way of such a proces since their only purpose is to provide a
framework necessary for EU fund absorption. Placing Romanian problems in a
wider context, one notes that Central European transition has been based on an
elite settlement, but, while this fact has been acknowledged and overcome in other
postcommunist countries, in Romania this elite settlement boils down to the cre-
ation of a partitocracy frozen in its present state for over a decade.
Extreme skeptical voices claimed that no reforms are possible in this country
since there are two major obstacles: we ourselves and the EU. When talking about
and tackling reforms, we don't have a common language, while some commenta-
tors think that the Romanian State has ceased to exist, others think the State is
exceedingly strong, pervading areas of societal life where it should have no part
at all. The EU acts as an obstacle inasmuch as it requires reforms, but does not
check thoroughly enough whether they are really implemented.
The political elites and the state institutions, frozen as they are, seem less and
less able to manage the complex reality in this country; regionalisation could
make the country more manageable as it would split the complexity into smaller,
easier-to-handle entities; on the other hand, the EU can be seen as a mechanism
that could help Romania come out of a too long lived deadlock*

**ECUMENICA**

*Pertti Ahonen*

*Finland is a unique member among those other countries that apply the "state
church" regime in organising church-state relations. In Finland there are two
national churches, but despite this the state is both de jure and de facto non-
denominational. There is the large Lutheran Church of Finland (LCF), and there*

*is the small Orthodox Church of Finland (OCF). This paper focuses upon the latter of these. Finland has had a rather liberal church-state regime since the 1870s, and there has been further de-regulation lately both as regards the OCF and the LCF Note that unlike the LCF, the OCF is also subject to a certain amount of international regulation through its canonical lien with the Ecumenical Patriarchate of Constantinople. The OCF is a representative of religios-political pluralism in Finland, and it has played roles as a link between many of the 1940 and 1944 Finnish and Finnish-Karelian refugees to the remaining Finland. It is also a community to attract some but not all of the recent Russian immigrants to Finland. Although it is a minority state church, the OCF is well visible in Finland, it has a good reputation, and it has an established slot in the religious life of the Finns. The position as the smaller state church has been beneficial for the OCF, although there are no gross benefits with at least some costs such as some degree of dependency. The particular Finnish "state church" regime with two state churches and without any serious candidates to that same status may not always have nurtured the trite feature of economic efficiency of the state churches in the best way. In principle the Finnish state could proceed in the de-regulation by admitting other religious communities to a similar position as the one of the state churches, but de facto there are no communities for the present moment that would have the volume and the interest to proceed in this direction.*

## INTERVIU

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*Gábor Kolumbán defines the governing crisis as one of the main problems Romania is facing today and which dates back to communist times. In the postcommunist period Romanian society has developed faster than the political class and the political-administrative system so it is mandatory that a deeper societal structuring should be identified and used as a pattern for redefining the political-administrative system. In the European context, regional parties can better respond to the public opinion's expectation as they are closer to everyday problems; greater, nationwide parties themselves are compelled to give up very clear-cut ideologies and to come to the fore with trans-ideological messages. A solution for Romania could be the stregthening of civil society that should be allowed to participate in local elections and thus fill the democratic deficit existing now at the local level. Then nationwide political parties would have to undergo a thorough reform in order to compete on the political stage. On the other hand, it is hard to think of*

*having sound regional political parties in Romania as long as there are no terri-torial-administrative regions within which they could compete. Although the po-litical class constantly dismiss the issue of regionalisation claiming it has al-ready taken place as there are eight regions for development, regionalisation is a process Romania should undertake in order to close the protracted transition chapter and also to smoothly integrate into the European Union.*

## REVIEW