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REGIONALISM AND REGIONALISATION

The reformation of the French administrative system in the direction of regionalisation started in 1982 as a litigious issue having been often perceveid as a threat to the unitary state and, consequently, as contrary to constitutional provisions. These fears have meanwhile proved to be groundless: while federalism and regionalism are incompatible with the constitution and do not enjoy the support of any significant political party, the regions have nevertheless gained importance, through their relative financial autonomy, in the decision making in certain areas as education and territorial planning.

There is no other country in Europe where the emergence of the nation is so closely related to the birth of the state. Regionalism and federalism have been supported in France's history by movements opposed to the Republic (the founder of the modern France). Regions here are not the expression of regional identities liable to lead to regionalist claims, but the expression of the necessity of smooth administration of the state territory — the regional borders were set up in 1955 by central decision, without consulting the local officials.

While the nature and the role of regions are still matters of contention in Europe, the French regional decentralization emerges as a new model, alternative to federalism and regionalism.

After a brief terminological clarification where the descentralization of the Greek administrative system is described as rather a result of a process of deconcentration, and also as different from the German model since „Regional state authorities have general competences in solving the issues of their regions. Central administration have, apart from their special competences, the competence and the responsibility of coordinating and supervising the regional authorities", the study outlines the historical background of descentralized system in Greece.

One of the oldest decentralized entities within the country has been the prefecture (Nomos), its structure having much in common with its French counterpart and its head being not elected, but appointed. A law issued in 1994 changed both the prefecture's and the prefect's status, turning the former into a self-governed entity, and the latter into an official who is no longer appointed, but elected for a four-year term.

The prefecture was also the entity which rendered two attempts at regionalization irrelevant because the prefect's competences often overlapped the competences of the region's governor generating thus confusion.

The new attempt at regionalization through the successive 1986, 1987, 1994 laws were aimed at „coordinating, planning and programming of the regional development" and gradually distinguished between the firs level of self-governance (towns and villages) and the second level of self-governance, the former's official heads not being included into the latter's structure (the regional council). The regional level of self-governance has financial competences which include direct cooperation with the European Union.

Given the novelty of the new administrative structure, it is still difficult to predict its evolution, its success or failure.

Ralf Kleinfeld – Theo A.J. Toonen
Political, Institutional and Legal Aspects of the Regions
in the Netherlands

Regions in the sense of a governmental structure with a distinct constitutional status do not exist in the Netherlands, the notion itself being still unsettled. At first sight, provinces would be the entities to fit best the definition of a region, but, in fact, they are by far the least important level of government.

The principle of the decentralized unitary state still form the basic formula for Dutch public administration. It contains three elements: the concept of unitary state, the concept of decentralization, and the concept of co-governance. Central government, provinces and municipalities form the three administrative layers; the central government sets national policy while the provincial and the municipal authorities may supply additional service if these have not been provided for by central government. For a long time policy implementation took place in a two-level-system with the central government creating the legal and financial frame and the municipalities acting as the most important implementation agencies. The place and function of the provinces gradually became of higher importance when planning and coordination became a more prominent precondition in the policy-making process. Provinces got more and more involved in those tasks that had a scale larger than the abilities of the single municipality and that were at the same time smaller than the needs of nation-wide coordinated action.

The emerging European structures may be a factor of reinforcing the provinces and municipalities' position within the Dutch administrative system.

Gurutz Jáureguy
The Nation and The National State in View of the European Union

The present political world order, having its inception in the Renaissance and its peak in the formation of national states, is challenged by the economic globalization which renders state borders and sovereignty more fluid. Nevertheless, in Europe, for instance, the political scene, while theoretically unanimous on the necesssity of European unification, practically displays hesitation, controversies, and lack of will.

Nation states are now challenged both by the growing interdependence in the social, economical, political, and military fields, and by the autonomy claims of the collective or/and regional identities they contain. It is supposed that nation states will carry on their integration into larger structures, and will, complemetarily, give away a great part of their competences to the entities within.

While the emergence of nation states brought about the endeavour to level the diversity of identities, the processes now under way are aimed at preserving and encouraging otherness. The peaceful coexistence of different identities is better served by federal mechanisms which provide the proper framework for striking a balance between (supranational) unity and (subnational) diversity. The difficulties arise when considering the actual construction of such a European mechanism — different countries are differently structured, falling into three not so distinct categories representing as many stages of adequateness to federal structure: federal states (Germany, Switzerland), states which have undergone a devolutionary process (Great Britain, Spain), and decentralized unitary states (France, the Netherlands).

Alexandru Cistelecan

History has continuously been re-written to legitimize the present; the reference point for the history of Romania is its birth in 1918 through the union of the Kingdom of Romania with the provinces of Transylvania and Bessarabia. The Union acquired from the very beginning a mythical aura and maintained it even during the communist regime which imprisoned the central figures of the Union's making.

In spite of its aura, the event proves, at a closer and unprejudiced look, to not have been so smooth as described in history handbooks or in festive speeches. The Great Union (as it is usually referred to) was perceived by the central government in Bucharest rather as an annexation — epitomized in the formulae of "Transylvania without Transylvanians" and of "guests in their own home". The latter one internalized by the Transylvanians themselves among whom many still fear they might be given away.

Never since 1918 have there been conceived policies to bridge these gaps: marginalized before 1918 within the Dual Monarchy, Transylvania has hoped to find a more suitable place within Romania (and the province has been, at least partially, entitled to crave for an equal footing since it has always been closer to European values than any other Romanian province), but, instead, she turned into a disappointed, then a failed province. To this contributed the arrogance of the center as well as Transylvanians' clumsiness in politics and their wasting of its religious difference (the history of the Romanian Greek-Catholic Church which, unlike Orthodoxism, reconnected Romanians to the Latin family of peoples, has been one of martyrdom).

It is now Transylvania's turn to "conquer" Romania for the progress of both of them.

Gábor Kolumbán
Romania in a „Europe of Regions" 86

Regions existed in the history of Europe long before the idea of a „Europe of Regions", but they were eclipsed by the nation states which, as such, are now unable to cope with the challenges of integration. Therefore, nation states are compelled to consider giving away some of their sovereignty, both upwards (to European institutions) and downwards (to the regions within).

The reappraisal of the concept of region should take into account two related facts: European integration and economical globalisation, the former being, to a great degree, a response to the latter; the strengthening of regions can be viewed as couterbalance for these „threats". On the other hand, regions have come to the fore as European integration acquired, apart from the economical dimension, a cultural one, being understood as a union of diversities.

In this context, Romania's political will to regionalisation is rather weak. The process was started in partnership with European institutions which provided the funds for researches in regional discrepancies and resulted in a document without official status and which divided the territory into eight macroregions (the counties being the entities usually reffered to as regions). Nevertheless, the counties have initiated by themselves cooperation agreements, thus setting up an intermediary administrative level (though not one to enjoy a juridical status).

Finally, coming to the issue of regionalism, it should be noted that it has a political source as well as a historical source, both carrying a tension potential. Consequently, regions should not be conceived of in a hard *form, where the borders between them are rigid and closed, but in a* soft, *opened form allowing for criss-cross initiatives and cooperation.*

DIALOGUE

If modernity has been the age of the nation states, postmodernity has brought about the postnational states. In the case of Romania, the question arises whether she will carry on pursuing the integration model notwithstanding that she will not be able to integrate into Euro-Atlantic structures in the next few years, or she will get stuck into an undecided political mode. Here Transylvania, whose tradition is preeminently national, should accordingly reinvent its tradition and turn into the tank engine able to pull the rest of Romania to Europe. To accomplish this, Romania as a whole must, in its turn, distinguish between the national idea and that of the ethnic, and she must also shift from rural traditions to an urban mentality; another starting point could be the critical redeeming of Transylvania's federalist traditions.

CASE STUDY

Marius Cosmeanu
Romanian (Fu)tourism: Migration Strategies Through Hungary   122

Based on various data sources, the study highlights the main characteristics of the Romanian illegal migrants in the general context of other foreign (transit) migration in Hungary. Presenting primarily a qualitative analysis of the topic, the work describes the evolution of the Romanian migrational process through Hungary since the end of the communist period (started as soon as Hungary opened up its borders to the former East German citizens) up to the present; it also tries to determine the expectations of the phenomenon.

While during the communist regime the main reason for leaving the country was of political nature, today the reasons are no longer political or conflictual (as they were at the beginning of the transition period), but economic. Another push factor is the growing political convergence of Eastern European states with those of Western Europe.

The most important place to cluster Romanians in groups and also the most symbolically charged one is the Moscow Square in Budapest, this being the reason why the study concentrates on the analysis of the socio-dynamic of the place which epitomizes the features of the phenomenon considered as a whole.

A person entering a foreign culture and wishing to became part of it, must pass through each stage of the socialisation process. For the Romanian irregular immigrants in Hungary, since most of them do not intend to settle here, the integration process finishes even before its proper inception. Thus, irregular Romanian immigrants in Hungary are confronted here with new push and pull factors, their discontent remaining unchanged.

DOCUMENT

The OSLO Recommendation Regarding the Linguistic Rights
of National Minorities & Explanatory Note   *138*
The Oslo Recommendations focus primarily on those situations involving persons belonging to national/ethnic groups who constitute the numerical majority in one state but the numerical minority in another (usually neighbouring) state, thus engaging the interest of governmental authorities in each state and constituting a potential source of inter-state tension if not conflict since such tensions have, indeed, defined much of European history.

It is important to note that all OSCE States are bound by United Nations obligations relating to human rights, including minority rights, and that the great majority of OSCE States are also bound by the standards of the Council of Europe.

International human rights instruments refer to the linguistic rights of national minorities, i.e. the right of persons belonging to national minorities to use their language in the private and public spheres in a number of different contexts. On one hand, language is a personal matter closely connected with identity. On the other hand, language is an essential tool of social organisation which in many situations becomes a matter of public interest. Certainly, the use of language bears on numerous aspects of a state's functioning. In a democratic state committed to human rights, the accommodation of existing diversity thus becomes an important matter of policy and law. Failure to achieve the appropriate balance may be the source of inter-ethnic tensions.

Insofar as existing standards of minority rights are part of human rights, the Oslo Recommendations presume compliance by states with all other human rights obligations including, in particular, equality and freedom from discrimination, freedom of expression, freedom of assembly and of association, as well as all the rights and freedoms of persons belonging to national minorities.

They also presume that the ultimate object of all human rights is the full and free development of the individual human personality in the conditions of equality. Consequently, civil society should be open and fluid and, therefore, integrate all persons, including those belonging to national minorities. Insofar as the use of language is also a fundamentally communicative matter, the essential social dimension of the human experience is also fully presumed.

The Oslo Recommendations Regarding the Linguistic Rights of National Minorities attempt to clarify, in relatively straight-forward language, the content of minority language rights generally applicable in the situations in which the High Commissioner on National Minorities is involved. In addition, the standards have been interpreted in such a way as to ensure their coherence in application. The Recommendations are divided into sub-headings which respond to the language related issues which arise in practice. A more detailed explanation of the Recommendations is provided in an accompanying Explanatory Note wherein express reference to the relevant intemational standards is to be found.

The Recommendations may provide a useful reference for the development of state policies and laws which will contribute to an effective implementation of the language rights of persons belonging to national minorities, especially in the public sphere.

Although these Recommendations refer to the use of language by persons belonging to national minorities, it is to be noted that the thrust of these Recommendations and the intemational instruments fom which they derive could potentially apply to other types of minorities. The Recommendations are meant to clarify the existing body of rights. They are not meant to restrict the human rights of any person or groups of persons.

TRANSYLVANIAN CONVERGENCIES

Nadia Badrus
Saxon Scholars on Jewish People   158
The Jews' representation in the mentality of Christians has always been a paradoxical one: they have been the symbol of otherness and, at the same time, of relatedness since both Christians and Jews recognise the Old Testament as their founding book. Modernity, and its setting up of the nation state model, was only to complicate even more the perception of Jews: they were the only people without a homeland. The Saxon scholars in Transylvania are no exception; while interested and specialising in Jewish culture, they nevertheless contributed to the reinforcement of stereotypes about Jews.

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