

A FALSE “REFERENDUM” FOR GAINING AN ANACHRONISTIC ALREADY EXISTING AUTONOMY

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ABSTRACT

This material starts from the book entitled A false “referendum” for gaining an anachronistic already existing autonomy²⁹⁶, written by sociologist Ioan Lăcătușu and lawyer Ioan Solomon. Published in 2007, the book is of great public interest because it discusses a serious problem that still affects state sovereignty. The subject of discussion is Hungarian leaders seeking ethnic autonomy over the so-called “Szeklerland”, which is unconstitutional. In this respect, under the unfounded pretense of acquiring citizenship rights, the leaders of the Hungarian community have tried (and are still doing so) to obtain autonomy on ethnic grounds for the area in question, creating the preconditions for the establishment of a state within a state, which is contrary to the Constitution, which stipulates for a sovereign, independent, unitary and indivisible national state. Thus, since December 2006, the leaders of Hungarian civil associations, which are not legally registered, have initiated an action in Covasna, Harghita and Mureș counties, called a “referendum for the autonomy of Szeklerland”, which was nothing more than a fake “referendum” to obtain a “de facto” autonomy in that area. The paper points out the geostrategic importance of the subject, argues the unconstitutionality of the action, and demonstrates that in these counties we can already speak of anachronistic autonomy, which is why the creation of a legal framework to protect Romanians in this area is a state emergency.

Keywords: referendum, autonomy, anachronism, Romanians, discrimination.

1. BRIEF INTRODUCTION

Obtaining autonomy on ethnic grounds for the area artificially called “Szeklerland” (in fact, the geographical area covering the counties of Covasna, Harghita and south-eastern Mureș) is a recurring theme in Hungarian leaders’ discourse, despite the fact that this initiative is unconstitutional. In other words, under the false umbrella of obtaining citizenship rights (Romania being an example of good practice at European level in terms of respect for minority rights), the leaders of ethnic Hungarians in Romania want to create a “state within a state” by establishing a “Szeklerland” right in the heart of the country.

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²⁹⁶ Ioan Lăcătușu and Ioan Solomon, *Un fals „referendum” pentru impunerea unei autonomii anacronice deja existente [A false “referendum” for gaining an anachronistic already existing autonomy]*, St. Gheorghe, Eurocarpatica Publishing House, 2007.

The name is ironic, to say the least, considering only two aspects: first, Hungarian leaders want the autonomy of a land with no inhabitants, as no more Szeklers were registered in the 2021 census²⁹⁷. Second, the autonomy of the “land” in question is demanded by those who assimilated the Szeklers, and historical documents show that this process has not been a “friendly” one over the years²⁹⁸.

In less than 200 pages, the authors of the book *A false “referendum” for gaining an anachronistic already existing autonomy* present a detailed and precise description of the problems faced by the Romanian community in this area. The work is also a veritable collection of documentary sources, as it includes several appendices that elaborate on the problems presented. Note that the publication of this book is a private initiative and is not supported by any state institution. For this reason, it should no longer surprise anyone that this monumental work has been completely ignored by Romanian decision makers.

2. THE CONTEXT OF THE BOOK AND THE PUBLIC USEFULNESS

Although the Romanian model of protection of national minorities is appreciated by European institutions as an example of good practice, some Hungarian leaders in Romania continue to claim that the rights and freedoms of this minority are being violated by the Romanian authorities²⁹⁹. Thus, the leaders of Hungarian civil associations, such as the National Szekler Council – NSC, the National Council of Hungarians in Transylvania – NCHT, or the Hungarian Civic Union – HCU, tried to misinform the European Union forums and other transnational organizations, claiming that the Romanian authorities discriminated against the Hungarian minority³⁰⁰.

Noticing the attempt of Hungarian leaders, sociologist Ioan Lăcătușu and lawyer Ioan Solomon presented in their book entitled *A false “referendum” for gaining an anachronistic already existing autonomy*, in an objective manner, the main steps taken under the egis of NSC, NCHT and HCU to initiate, organize and conduct, since December 2006, in the counties of Covasna, Harghita and the south-eastern part of the county of Mureș, an action pompously called “referendum for the autonomy of Szeklerland”, which was nothing other than a false “referendum” for obtaining a “de facto” autonomy in the area in question³⁰¹.

²⁹⁷ Ion Teleanu, „Bomba recensământului 2022. În România nu mai există niciun secu. Adio Ținutul Secuiesc!” [“The 2022 census time bomb. In Romania, there are no more Szeklers. Goodbye Szeklerland!”], in *Puterea*, January 17, 2023, Available at: <https://www.puterea.ro/bomba-recensamantului-2022-in-romania-nu-maieexistaniciunsecuiadiotinutul-secuiesc/>, Accessed on August 9, 2024.

²⁹⁸ Ioan Lăcătușu, *Argumente împotriva autonomiei teritoriale pe criterii etnice ale așa-zisului „Ținut Secuiesc”* [Arguments against the territorial autonomy based on ethnic criteria of the so-called “Szeklerland”], St. Gheorghe, Eurocarpatca Publishing House, 2008.

²⁹⁹ Ioan Lăcătușu and Ioan Solomon, *quoted work*, p. 7.

³⁰⁰ *Ibidem*.

³⁰¹ *Ibidem*.

The current legal framework in Romania fully guarantees the protection of national minorities, ensuring that Hungarians can exercise all their identity, cultural and educational rights at higher standards than Europeans. On the other hand, representatives of Hungarian ethnic groups monopolize all decision-making levers at the local level in county councils, local councils, town councils, prefecture, etc., while at the national level, the Democratic Alliance of Hungarians in Romania (DAHR) actively participates in major decision-making processes. For example, the President of the DAHR, as Deputy Prime Minister from 2004 to 2007, precisely coordinated the areas of education, culture and European integration with representatives at all state institutions³⁰².

Even if almost 20 years have passed since the publication of this paper, the topic is (still) relevant, because Hungarian organizations in Romania (still) promote and carry out segregationist and separatist actions on ethnic grounds, which are in deep disagreement with European practices and theories on minorities, in flagrant violation of Romanian law³⁰³. The problems of Romanians in this area have not been solved, not even partially. On the contrary, the process of the accelerated assimilation of Romanians by Hungarians is even more aggressive, discrimination is more frequent, and the (Romanian) state is increasingly absent.

3. WHERE IS THE SO-CALLED “SZEKLERLAND” LOCATED IN THE HUNGARIAN COLLECTIVE IMAGINATION?

The authors of the book entitled A false “referendum” for gaining an anachronistic already existing autonomy clearly state from the outset that the so-called “Szeklerland” does not exist as an administrative territorial entity in Romania. However, the NSC conception includes the region formed by the counties of Covasna, Harghita and the southern part of Mureş county³⁰⁴.

4. WHY IS THE AREA OF GEOSTRATEGIC INTEREST?

Covasna, Harghita, and partially Mureş counties are located in the center of the country and have played a crucial role over the years in the communication between the three Romanian provinces. In other words, southern Transylvania has always been an area of cultural and demographic crossroads and confluences, providing a close link between the three Romanian provinces, as well as between the Carpathian Basin, the Balkan-Danube area and the North-East³⁰⁵. The importance of the center is explained by German geopolitician Friedrich Ratzel through the concept of the “state center” or “Mittelpunkt”, which is defined as follows:

³⁰² *Ibidem*, p. 10.

³⁰³ *Ibidem*, p. 47.

³⁰⁴ *Ibidem*, p. 8.

³⁰⁵ *Ibidem*.

“the natural geographic embryo from which states have emerged through spatial evolution (...). The Mittelpunkt becomes, politically and culturally, the ethno-spiritual nucleus of a nation’s civilization. In time, it will become an exemplary symbol of that culture and its political and territorial landmark”³⁰⁶.

The strength of this Mittelpunkt “quantifies the energy of the people, its full crystallization occurring in the form of the state”³⁰⁷. Considering that “the state is maintained around a center, and this center is precisely the Mittelpunkt from which the state is molded”³⁰⁸, the state of health of the “state center”, which in this case is precarious with strong accents of “de-sovereignization”³⁰⁹, indicates the state of health of the entire social called Romania.

In Romanian geopolitics, the one who addressed the issue of the “Mittelpunkt” is Ion Conea, who spotted Romania’s “pulsar” in the Transylvanian area, pointing out in a 1941 study entitled “Transylvania, heart of the Romanian land” that:

“Transylvania (...) is destined from the beginning of the world to be the heart of a country, as we see it in Great Romania – and not a secondary, marginal piece, as it was – and would be! – in a Great Hungary”³¹⁰.

5. SOME DEMOGRAPHIC ASPECTS OF THE AREA UNDER DISCUSSION

According to the 1992 census, 1.603.923 Hungarians were living in Romania, 1.434.377 in 2002, and 1.224.937 in 2011 (6,2% of the country’s population). Most of them lived in the north-western part of Romania, Transylvania, and comprised Harghita’s majority (85%) and Covasna’s (75%)³¹¹. At the last census in 2021, the

³⁰⁶ „embrionul geografic natural din care s-au izvodit prin evoluție spațială statele (...). Mittelpunkt-ul devine, din punct de vedere politic și cultural, nucleul etnico-spiritual al civilizației unui popor. Cu timpul, va deveni simbolul exemplar al acelei culturi și reperul său politico-teritorial”, in Ilie Bădescu et al, *Sociologia și geopolitica frontierei [Sociology and geopolitics of the border]*, Vol. I, Bucharest, Blue Flower Publishing House, 1995, p. 48.

³⁰⁷ *Ibidem*.

³⁰⁸ *Ibidem*, p. 49.

³⁰⁹ Dan Dungaciu, „Ce înseamnă de-soveranizarea României în Transilvania? O clarificare pentru presa de la Budapesta” [“What does de-sovereignization of Romania mean in Transylvania? A clarification for the Budapest press”], in *Larics*, June 4, 2020, Available at: <https://larics.ro/dan-dungaciu-ce-inseamna-de-soveranizarearomanieiintrasilvania-o-clarificare-pentru-presa-de-la-budapesta/>, Accessed on December 12, 2021.

³¹⁰ „Transilvania (...) e sortită de la începutul lumii să fie sâmbure de țară, cum o vedem că e în România Mare – și nu piesă de margine, secundară, cum a fost – și ar fi! – într-o Ungarie Mare”, in Ion Conea, „Transilvania, inimă a pământului românesc” [“Transylvania, heart of the Romanian land”], in *Geopolitica și Geoistoria Journal*, Year. I, No. 1, 1941, pp. 18–34.

^{311***} „Ai cui sunt maghiarii din România?” [“Whose are the Hungarians in Romania?”], in *Corbii Albi*, n.d., Available at: <http://corbiialbi.ro/index.php/contact/481-ai-cui-sunt-maghiarii-din-romania/>, Accessed on January 8, 2020.

number of Hungarians was 1.002 million (6% of the country's population)³¹². Although the number of Hungarians decreased from one census to the next, in the Covasna, Harghita, and Mureș areas, the number was relatively stable. On the other hand, statistical data show that Romanians are decreasing from one census to the next in this area: while in 2011, 33,73% of the population of the three counties was Romanian³¹³, and in 2021, the share of Romanians will have dropped to 32,55%³¹⁴.

In Covasna, unlike in 2002, at the 2011 census, preliminary data showed the following ethnic distribution of inhabitants: 45.560 people declared themselves Romanian (compared to 51.790 in 2002), 151.787 declared themselves Hungarian, and 8.238 declared themselves Roma (Gypsies)³¹⁵. A comparative analysis of the data regarding the nationality structure of the population of Covasna County shows that in 2011, compared with 2002, the total population of the county decreased by 7%, the Hungarian population by 7%, the Romanian population by 12%, and the number of Roma increased by 38%. The Romanian population has decreased by 12% in urban areas and by 7% in rural areas³¹⁶. The population percentage of Covasna County in the 2011 census was 22,09% as Romanians, compared to 23,28% in 2002, a decrease of 1,20%, Hungarians 73,58% (compared to 73,79% in 2002), a decrease of only 0,21%³¹⁷. Overall, over the period 2002–2011, *i.e.*, about 9 years, the Romanian population decreased almost 6 (5,71) times more than the Hungarian population.

Harghita County experienced the following dynamics between the two censuses: 45.870 Romanians and 276.038 Hungarians (in 2002), 40.431 Romanians and 258.615 Hungarians in 2011, out of a total of 326.222 in 2002 and 304.969 in 2011. In other words, in 2002 in Harghita there were approx. 14% Romanians and 85% Hungarians,

³¹² Oleg Ghilas, „Numărul maghiarilor din România a scăzut dramatic cu o cincime într-un deceniu. «Este de parcă ar dispărea întreaga populație maghiară a județului Harghita»” [“The number of Hungarians in Romania has fallen dramatically by a fifth in a decade. ‘It’s as if the entire Hungarian population of Harghita County is disappearing’”], in *Monitorul de Cluj*, January 3, 2023, Available at: <https://www.monitorulcj.ro/stiridintransilvania/105892numarul-maghiarilor-din-romania-a-scazut-dramatic-cu-o-cincime-intr-un-deceniu-este-de-parca-ar-disparea-intreaga-populatie-maghiara-a-judetului-harghita>, Accessed on August 7, 2024.

³¹³ Own calculations based on data available here: NIS, „Rezultatele Recensământul 2011: Vol. II. Tab.2. Populația după etnie – macroregiuni, regiuni de dezvoltare, județe și categorii de localități” [“2011 Census results: Vol. II. Table 2. Population by ethnicity – macro-regions, development regions, counties and categories of localities”], 2011, Available at: <http://www.recensamantromania.ro/noutati/volumuliiipopulatia-stabila-rezidenta-structuraetnicasi-confesionala/>, Accessed on October 21, 2020.

³¹⁴ NIS, „Recensământul Populației și Locuințelor 2021. Rezultate definitive: Caracteristici etno-culturale demografice: Tabel 2.02.1 și Tabel 2.02.2” [“Population and Housing Census 2021. Final results: Ethnocultural demographic characteristics: Table 2.02.1 and Table 2.02.2”], 2021, Available at: <https://www.recensamantromania.ro/rezultate-rpl-2021/rezultatedefinitivecaracteristicietnoculturale-demografice/>, Accessed on December 27, 2023.

³¹⁵ Lazăr Lădăriu, „Concluziile unui recensământ sau cine pe cine deznaționalizează” [“Census findings or who is denationalizing whom”], in *Condeiu Ardelean*, 2012, Available at: <http://www.condeiuardelean.ro/articol/concluziile-unui-recensamant-sau-cine-pecinedeznationalizeaza>, Accessed on April 1, 2020.

³¹⁶ *Ibidem*.

³¹⁷ *Ibidem*.

while in the 2011 census there were approx. 13% Romanians and 85% Hungarians. The percentage of the population of Romanian nationality in the total population of Harghita County in 2011 decreased by 0,81% compared with 2002, whereas the percentage of the population of Hungarian ethnicity increased by 0,19%³¹⁸.

Note that the numbers analyzed are official and often double in reality; thus, we expect discrepancies to be more pronounced in reality. From this perspective, the statistics presented by His Holiness Andrei, bishop of Harghita and Covasna, are illustrative, stating that in a relatively short period of time, the Harghita-Covasna area has perhaps seen perhaps the biggest demographic collapse in the country: “a decrease in the number of Romanians by 30.000” (from 81.000 to 50.000³¹⁹, *i.e.*, 37% in just 4 years – 2015–2019).

According to the latest Romanian census conducted in 2021, Romanians account for only 11,5%³²⁰ of the population in Harghita county (33.634 people out of a total of 291.950)³²¹, 21,4% in Covasna³²² (out of 200.042 people, only 42.752 were Romanians³²³), and 48% in Mureș³²⁴ (out of a total of 518.193 inhabitants, 252.400 were Romanians³²⁵). We note that from 2021 onwards, Romanians will no longer exceed 50% of Mureș County. The demographic situation differs from 2011 when: only 12,6%³²⁶ of the population of Harghita county (39.196 out of 310.867 inhabitants) was Romanian³²⁷, and in Covasna 21,42%³²⁸ (out of 210.177

³¹⁸ *Ibidem*.

³¹⁹ Iulia Drăghici-Taraș, „Exodul românilor din Covasna și Harghita provoacă îngrijorare” [“Exodus of Romanians from Covasna and Harghita causes concern”], in *Covasna Media*, January 28, 2019, Available at: <https://covasnamedia.ro/stireazilei/exodulromanilordincovasna-si-harghita-provoaca-ingrijorare>, Accessed on November 4, 2020.

³²⁰ Calculations based on the data available here: NIS, „Recensământul Populației și Locuințelor 2021. Rezultate definitive: Caracteristici etno-culturale demografice: Tabel 2.02.1 și Tabel 2.02.2” [“Population and Housing Census 2021. Final results: Ethno-cultural demographic characteristics: Table 2.02.1 and Table 2.02.2”], 2021, Available at: https://www.recensamantromania.ro/rezultate_rpl_2021/rezultate_definitive_caracteristici-etno-culturale-demografice/, Accessed on December 27, 2023.

³²¹ *Ibidem*.

³²² *Ibidem*.

³²³ *Ibidem*.

³²⁴ *Ibidem*.

³²⁵ *Ibidem*.

³²⁶ NIS, „Recensământul populației și locuințelor. Vol. II. Populația stabilă (rezidentă) – structura etnică și confesională. Tab.10. Populația după etnie și limba maternă – județe” [“Population and Housing Census. Vol. II. Permanent (resident) population – ethnic and confessional structure. Table 10. Population by ethnicity and mother tongue – counties”], 2011, Available at: <http://www.recensamantromania.ro/noutati/volumul-ii-populatia-stabila-rezidenta-structura-etnica-si-confesionala/>, Accessed on October 13, 2020.

³²⁷ NIS, „Rezultatele Recensământul 2011: Vol. II. Tab.2. Populația după etnie – macroregiuni, regiuni de dezvoltare, județe și categorii de localități” [“2011 Census results: Vol. II. Table 2. Population by ethnicity - macro-regions, development regions, counties and categories of localities”], 2011, Available at: <http://www.recensamantromania.ro/noutati/volumul-ii-populatia-stabila-rezidenta-structura-etnica-si-confesionala/>, Accessed on October 21, 2020.

³²⁸ NIS, „Recensământul populației și locuințelor. Vol. II. Populația stabilă (rezidentă) – structura etnică și confesională. Tab.10. Populația după etnie și limba maternă – județe” [“Population and Housing Census. Vol. II. Permanent (resident) population – ethnic and confessional structure. Table 10. Population by ethnicity and mother tongue – counties”], 2011, Available at: <http://www.recensamantromania.ro/noutati/volumul-ii-populatia-stabila-rezidenta-structura-etnica-si-confesionala/>, Accessed on October 13, 2020.

inhabitants, only 45.021 were Romanian³²⁹), while in Mureș county 53%³³⁰ (out of 550.846 inhabitants, 277.372 were Romanian³³¹).

Drawing the line, although the number of Romanians places them in a local minority position in Covasna and Harghita³³², and in the Covasna-Harghita-Mureș area, the Romanian population does not exceed 32,55%³³³, the current structure by nationality of the three counties is far from that of a mono-ethnic Hungarian bloc. In spite of this demographic reality, Hungarian leaders are taking steps to obtain autonomy on ethnic grounds without considering the position and interests of the non-Hungarian population in the area³³⁴.

6. WHY ARE ROMANIANS A LOCAL MINORITY IN THIS AREA?

In Harghita and Covasna counties, the Romanian community has become a local minority³³⁵. When we say local minority or dominated, we refer to “the population that is a majority on the national level but a minority on the local level”³³⁶.

This status became more pronounced between 2011 and 2021 due to the demographic collapse among Romanians.

In the Covasna and Harghita counties, during the last centuries, an extensive process of assimilation of Romanians has taken place through Secuization and then Hungarianization, a process demonstrated by official and confessional censuses³³⁷. Secuization’s process of the Romanians occurred over time, slowly, peacefully, and naturally, but there were also ethnic and confessional pressures and constraints. The

³²⁹ NIS, „Rezultatele Recensământul 2011: Vol. II. Tab.2. Populația după etnie – macroregiuni, regiuni de dezvoltare, județe și categorii de localități” [“2011 Census results: Vol. II. Table 2. Population by ethnicity – macro-regions, development regions, counties and categories of localities”], 2011, Available at: <http://www.recensamantromania.ro/noutati/volumul-ii-populatia-stabila-rezidenta-structura-etnica-si-confesionala/>, Accessed on October 21, 2020.

³³⁰ NIS, „Recensământul populației și locuințelor. Vol. II. Populația stabilă (rezidentă) – structura etnică și confesională. Tab.10. Populația după etnie și limba maternă – județe” [“Population and Housing Census. Vol. II. Permanent (resident) population – ethnic and confessional structure. Table 10. Population by ethnicity and mother tongue – counties”], 2011, Available at: <http://www.recensamantromania.ro/noutati/volumul-ii-populatia-stabila-rezidenta-structura-etnica-si-confesionala/>, Accessed on October 13, 2020.

³³¹ *Ibidem*.

³³² Radu Baltasiu *et al*, *Slăbirea comunității românești din Harghita- Covasna. Raport de cercetare [The weakening of the Romanian community in Harghita-Covasna. Research Report]*, Bucharest, Ethnological Publishing House, 2013.

³³³ NIS, „Recensământul Populației și Locuințelor 2021. Rezultate definitive: Caracteristici etno-culturale demografice: Tabel 2.02.1 și Tabel 2.02.2” [“Population and Housing Census 2021. Final results: Ethnocultural demographic characteristics: Table 2.02.1 and Table 2.02.2”], 2021, Available at: <https://www.recensamantromania.ro/rezultaterpl2021/rezultate-definitive-caracteristici-etnoculturale-demografice/>, Accessed on December 27, 2023.

³³⁴ Ioan Lăcătușu and Ioan Solomon, *quoted work*, p. 10.

³³⁵ Radu Baltasiu *et al*, *quoted work*, 2013.

³³⁶ „populația care este majoritară în plan național, dar minoritară în plan local”, in *Ibidem*, p. 14.

³³⁷ Ioan Lăcătușu and Ioan Solomon, *quoted work*, p. 9.

process of Hungarianization, on the other hand, which began in the second half of the 19th century, was violent and constrained and was based on the forced conversion of Hungarian-speaking Romanians to Hungarian religions³³⁸.

7. FALSE, UNCONSTITUTIONAL AND POINTLESS “REFERENDUM”

7.1. When began, and how long did it last?

The authors of A false “referendum” for gaining an anachronistic already existing autonomy point out that the so-called “Referendum” lasted more than nine months because the NSC leadership failed to collect half plus one of the signatures of eligible voters in Covasna, Harghita, and southern Mureș County in a shorter time. Note that this is the first situation in democratic countries in which it is not known exactly when the consultation of the population started and ended³³⁹.

7.2. Why is this approach not justified?

The action of the NSC does not correspond to any scientific theory or practice on the matter, being outside legal, sociological³⁴⁰, ethnic, political, historical, economic, geopolitical, and other principles, in short, outside all known common-sense principles. Here, only a few arguments in support of the above assertion will be highlighted:

a) Legislative perspective

From a legislative perspective, the “Referendum” is useless according to the Romanian Constitution and Law 3/2000³⁴¹. Art. 148 of the Constitution states in para. (2) that no revision can be made if it results in the suppression of the fundamental rights and freedoms of citizens or their guarantees³⁴². On the other hand, Art. 3 of the Referendum Law (3/2000) provides that:

“matters which, according to Art. 148 of the Constitution, cannot be subject to revision may not be subject to referendum”³⁴³.

b) Sociological perspective

From a sociological point of view, the action is not only not a “Referendum”, but even more, it cannot even be considered an opinion poll because it violates elementary rules such as the following:

- Absence of a representative sample;
- The exclusive use of a “mobile voting box” to collect the votes;
- Repeatedly extending the deadline for collecting signatures;

³³⁸ *Ibidem*.

³³⁹ *Ibidem*, p. 13.

³⁴⁰ *Ibidem*.

³⁴¹ *Ibidem*.

³⁴² *Ibidem*.

³⁴³ „problemele care, potrivit art. 148 din Constituție, nu pot fi supuse revizuirii nu pot face obiectul referendumului”, in *Ibidem*, p. 14.

- Secrecy in the vote was not ensured; moreover, the vote was directly influenced by a representative of the NSC;
- The process was conducted in the absence of impartial persons (“observers”) representing non-governmental organizations from home and abroad;
- The collection, centralization and interpretation of the results were not objective, as they were carried out only by members of the NSC;
- Last but not least, in the process of collecting signatures, the Romanian population was not questioned, and a large number of “voting forms” that did not support the cause of autonomy were ignored (not counted)³⁴⁴.

The position of the Romanian Academy (expressed through the European Center for Ethnic Studies and the Institute of Sociology), which is the highest scientific forum in the country, confirmed the multiple irregularities associated with this initiative:

c) Constitutional perspective

Constitutionally, a referendum is a state institution that cannot be used outside the will of the state. Therefore, anyone who uses the institution of a referendum outside the will of the state is guilty of violating the integrity of the state³⁴⁵. On the other hand, the two academic institutes also pointed out that a government that allows the use of a state institution in ways other than those legally permitted is itself guilty of complicity in a type of operation that strikes at the state³⁴⁶.

d) Data credibility perspective

Neither the data collection nor the data itself is credible because:

- “the problem raised by the CNS is illegal, as the idea of local autonomy on ethnic grounds is unconstitutional”³⁴⁷;
- “the procedure initiated by the CNS is outside the elementary legal principle that evidence collected outside the legal framework cannot be formally used and is devoid of legal relevance and effectiveness”³⁴⁸;
- “the claim that the referendum is merely advisory is absurd”³⁴⁹.

e) Historical, political and ethnic perspectives

Considering that the Hungarian minority enjoys all the rights provided for in the Founding Act³⁵⁰, the insistence of the initiators of the “referendum” to refer to the Alba Iulia Declaration (Resolution) is in contradiction with their public statements that they are not willing to recognize the founding principle of the Romanian state, namely its

³⁴⁴ *Ibidem*.

³⁴⁵ *Ibidem*, p. 15.

³⁴⁶ *Ibidem*.

³⁴⁷ *Ibidem*.

³⁴⁸ *Ibidem*, p. 16.

³⁴⁹ *Ibidem*.

³⁵⁰ *Ibidem*.

national, unitary and indivisible character³⁵¹. Moreover, the excessive insistence on the thesis of identity between the “Szekler minority” and the “Hungarian national community” jeopardizes the cultural identity of the Szeklers³⁵². Based on solid evidence, scientists have demonstrated that Hungarians and the Szeklers were two distinct nations³⁵³. On the other hand, territorial autonomy on ethnic grounds would mean for Romanians in this area, instead of eliminating the sources of discrimination, the legislative enshrinement of the aberrant status of national minority in their own state³⁵⁴.

f) Economic perspective

While promoting the myth of Secession as a “little Switzerland” that “must be allowed to develop”, the area is one of the poorest in the country, in which case autonomy would be de facto financed by the other regions. Thus, the myth of “economic emancipation” is thus based on an incorrect political judgment³⁵⁵. In 2014, Harghita had the lowest salary in the country, according to the National Institute of Statistics (NIS)³⁵⁶, and in 2016, both Harghita and Covasna had the lowest salaries in the country³⁵⁷. In other words, the Hungarian elite wants autonomy for the “Szekler” region, but it should be financially supported by the Romanian state, which it is doing through the National Local Development Program (NLDP), for example (see the conclusions of the report on the state of Romania’s north-western border 100 years after the Treaty of Versailles³⁵⁸).

g) Geopolitical perspective

The new philosophy of international relations after the 1990s shows that regional autonomy creates conflictual communities by deepening differences, gradually leading to severe threats to the state³⁵⁹. The authors emphasize the following points on this topic: “we are faced with a fake ‘referendum’, devoid of legitimate and real motivation, organized by associations not legally registered and led by nostalgic leaders, out of touch with reality, who maintain and exploit the ‘dream of Great Hungary’ and the non-acceptance of the irreversible political-state realities after the Great Union of December 1, 1918, trying in every way to force the legislature to legislate an anachronistic, medieval type of autonomy, which will never be accepted by the Romanian people”³⁶⁰.

³⁵¹ *Ibidem*, p. 17.

³⁵² *Ibidem*.

³⁵³ Ioan Lăcătușu, *quoted work*, pp. 11–12.

³⁵⁴ Ioan Lăcătușu and Ioan Solomon, *quoted work*, p. 17.

³⁵⁵ *Ibidem*.

³⁵⁶ ***, „Cele mai mici salarii din România sunt în județul Harghita” [“The lowest salaries in Romania are in Harghita county”], in *Ziar Harghita*, October 2, 2015, Available at: <https://ziarharghita.ro/cele-mai-mici-salarii-din-romania-sunt-in-judetulharghita>, Accessed on September 23, 2021.

³⁵⁷ ***, „Harghita și Covasna, cele mai mici salarii din țară în 2016” [“Harghita and Covasna have the lowest salaries in the country in 2016”], in *We Radio*, September 26, 2017, Available at: <https://weradio.ro/harghita-si-covasna-cele-maimicisalariei2016/>, Accessed on September 23, 2021.

³⁵⁸ Radu Baltasiu (coord.), *Situația actuală a frontierei de nord-vest a României la 100 de ani de la Tratatul de la Versailles – raport de cercetare [The current situation of Romania’s north-western border 100 years after the Treaty of Versailles – research report]*, Bucharest, Ethnological Publishing House, 2022.

³⁵⁹ Ioan Lăcătușu and Ioan Solomon, *quoted work*, p. 18.

³⁶⁰ „ne aflăm în fața unui simulacru de «referendum», lipsit de motivație legitimă și reală, organizat de asociații neînregistrate legal și conduse de liderii nostalgici, ruși de realitate, care întregin

8. ANACHRONISTIC AUTONOMY EXISTING IN COVASNA AND HARGHITA

The two authors point out in their book, entitled *A false “referendum”* for gaining an anachronistic already existing autonomy, that Hungarian minorities have even more rights than the law provides for³⁶¹. Furthermore, ethnic Hungarians have more rights than Romanians, even though they are theoretically equal in terms of rights. This leads to a situation in which Romanians are discriminated against in their own country, while Hungarians enjoy all kinds of rights and are constantly gaining new privileges that cover all aspects of life:

8.1. Education

Considering the educational situation in Covasna, Harghita, and partly Mureș counties, the separation of schools along ethnic lines during the 1989–1990 school year laid the foundation for a Hungarian-language education network, from kindergarten to university and postgraduate education³⁶². The educational process in most of these schools, however, has strong ethnocentric tendencies, which is why many graduates of Hungarian-language schools are unable to converse in the official state language³⁶³.

8.2. Culture

Hungarians enjoy opportunities to freely express, preserve, and develop their ethnic, cultural, linguistic, or religious identity. To this end, their own cultural institutions – theaters, museums, libraries, cultural centers, and cultural houses – are created, maintained, and actively financed by the state. On the other hand, Hungarians can edit and publish books, newspapers, and broadcast radio and television in their mother tongue³⁶⁴. County, municipal, and town museums have become Szeklers museums, as have the two professional folklore ensembles in Covasna and Harghita counties, which have become “state Szekler ensembles”. This situation also applies to county, municipal, and city libraries and cultural houses in the two counties³⁶⁵.

8.3. Church

The church, whether Roman Catholic, Reformed, Unitarian, or Evangelical, has become one of the main pillars of autonomy in southern Transylvania. All Hungarian churches enjoy the support of the state, considering that they have regained their patrimony nationalized by the communists, while also benefiting from the support of the Romanian state. A major act of reparation for the Hungarians was the restitution

și exploatează «visul Ungariei Mari» și neacceptarea realităților politico-statale ireversibile de după Marea Unire de la 1 decembrie 1918, încercând cu orice chip forțarea legiferării unei autonomii anacronice, de tip medieval, ce nu va fi acceptată niciodată de poporul român”, in *Ibidem*, pp. 47–48.

³⁶¹ *Ibidem*, p. 23.

³⁶² *Ibidem*, p. 24.

³⁶³ *Ibidem*.

³⁶⁴ *Ibidem*, p. 25.

³⁶⁵ *Ibidem*.

of Hungarian churches, denominational schools, and community associations over an area of over one million hectares and important buildings. This gesture has not been, and is not being, appreciated and recognized for its true value³⁶⁶.

8.4. Publishers, printers, and libraries

Other important components of the autonomy of the Hungarian community in Covasna and Harghita counties are the countless publishing houses and printing houses, the dense network of libraries (most of which are local subsidiaries of Hungarian libraries), shops and newsstands, as well as the network of shops selling handicrafts and Hungarian folklore³⁶⁷.

8.5. Media

In addition to print media, Hungarian-language media includes several local and regional radio and television stations as well as the possibility of receiving broadcasts from Hungarian radio and television stations. Cable TV companies have translated the broadcasts of the main international TV channels into Hungarian. However, part of the local Hungarian-language press in Covasna and Harghita counties practices hyper-ethnic discourse and aggressive identity policies, which feed intolerance and discriminatory actions toward Romanians³⁶⁸.

8.6. Civil society

A large part of the objectives of ethnic autonomy in Covasna and Harghita counties has been realized by Hungarian-speaking civil society through its many civic, cultural, sports, tourist, and other associations. In Harghita County alone, in 2004, 1.443 NGOs were operating, of which 1.025 had economic, tourist, sports, and social profiles, 381 had Hungarian identity, 12 had Romanian identity, and 25 promoted multiculturalism³⁶⁹. However, there are very few Hungarian associations and foundations that promote the promotion of interethnic dialog, most of which have objectives that consolidate the status of the Hungarian minority in the area as part of the Hungarian nation³⁷⁰. This explains the fact that in most localities in the two counties, local Hungarian authorities have raised more than 300 monuments, commemorative plaques (with texts in Hungarian only), trophies, and other signs marking the 1000th anniversary of Hungarian statehood and the 1100th anniversary of the settlement of Hungarians in Transylvania³⁷¹.

8.7. Policy

Ever since the first parliamentary elections on September 27, 1992, the Democratic Alliance of Hungarians in Romania (DAHR) has obtained numerous seats as deputy and

³⁶⁶ *Ibidem*, p. 26.

³⁶⁷ *Ibidem*, pp. 26–27.

³⁶⁸ *Ibidem*, p. 27.

³⁶⁹ *Ibidem*.

³⁷⁰ *Ibidem*, p. 28.

³⁷¹ *Ibidem*.

senator, each time constituting its own parliamentary group. Deputies and senators representing the Hungarian minority form the leadership structure of both chambers. Moreover, in several legislatures, DAHR politicians have taken part in government affairs, serving as ministers, deputy prime ministers and heading numerous national agencies³⁷². At the local level, County Councils, Local Councils, and Town Councils in Covasna and Harghita counties are formed and permanently run by members of ethnic Hungarian parties and, in fact, impose quasitotal autonomy (self-government)³⁷³. The ethnic composition of councilors, mayors, and deputy mayors of most localities in the two counties shows that the effective holders of local power are Hungarians. Romanians are not represented in the local councils of ethnically mixed localities, not having the possibility to defend their own interests, values, and identity³⁷⁴.

9. NEED FOR POSITIVE DISCRIMINATION OF ROMANIANS IN NUMERICAL MINORITY IN THE AREA

In Covasna and Harghita counties, Romanians are discriminated against, which is why they need a legal framework for protection. Although they constitute a numerical regional minority subject to marginalization in the middle of Romania, Romanians in Covasna and Harghita do not benefit from the protection of the legal status enjoyed by all national, confessional, sexual or other minorities³⁷⁵. In a situation in which the Hungarian minority in the area dominates politically, economically, culturally, etc., it is the Romanians who need protection to preserve and assert their ethnic identity³⁷⁶. The leaders of the Hungarian community worked methodically to enclave this area from the rest of the country: first, through decentralization, they gained control over some priority areas of social life in the two counties, and then they initiated a process of “deromanization” of the area, by excluding the Romanian element from decision-making processes at the local level³⁷⁷. As a result, the only remaining option is to emigrate to other parts of the country, or abroad.

The lack of an effective system of protection for Romanians and the refractory climate of interethnic coexistence have perpetuated and accentuated the frustration and marginalization of Romanians in many localities in Covasna and Harghita counties. Since the Romanians in these counties do not have the legal, institutional, and logistical framework to counter the effects of the ethnocentrist policy of the DAHR administration through their own forces³⁷⁸, the only way to solve this problem is to apply the stipulations of the Explanatory Memorandum to

³⁷² *Ibidem*, pp. 28–29.

³⁷³ *Ibidem*, pp. 29–30.

³⁷⁴ *Ibidem*, p. 30.

³⁷⁵ *Ibidem*, p. 11.

³⁷⁶ *Ibidem*, p. 33.

³⁷⁷ *Ibidem*, pp. 33–34.

³⁷⁸ *Ibidem*, p. 35.

Recommendation 1201 of the Parliamentary Assembly of the Council of Europe, which states that: the protected minority rights apply to everyone, including a majority ethnic group when it is a minority in a region of their country³⁷⁹. The creation of this legal framework of protection requires, first, the political will of those who run the state and, second, the establishment of a central consultative structure to finalize this much-needed reparatory process³⁸⁰.

10. ARGUMENTS AGAINST ETHNIC SEPARATISM OF COVASNA, HARGHITA AND MUREȘ COUNTIES

The arguments that discredit separatism on ethnic grounds can be multiple: cultural, historical, ethnic, demographic, and educational grounds. They have been detailed in another work³⁸¹, also reviewed and published; therefore, this time, we will limit ourselves to highlighting only a few of them:

– First, it is enough to say that administrative organizations on ethnic grounds represent a real danger to the cohesion of contemporary European states, which is based on the principle of social inclusion³⁸²;

– Second, it should be noted that aligning the administration along ethnic grounds leads to ethnic cleansing, *i.e.*, to ethnocratic state theory, which is the heaviest strike against the national state, a member of the European Union³⁸³.

The Romanian Academy's European Center for Ethnic Studies notes that among the arguments undermining autonomy on ethnic grounds is the following:

– Romanians in Covasna and Harghita will have the feeling that they belong to a community abandoned by their own state³⁸⁴;

– Permanent risk of animosities between ethnic groups living in the same area, which have not existed until now³⁸⁵;

– The fact that ordinary Hungarians will be indoctrinated with the idea that they must marginalize Romanians from this area to develop their own community³⁸⁶.

11. FINAL REMARKS

The above shows that ethnic autonomy already exists in Covasna and Harghita counties³⁸⁷. In this area, where the ethnic vote determines the perpetuation of power

³⁷⁹ *Ibidem*.

³⁸⁰ *Ibidem*, p. 36.

³⁸¹ Ioan Lăcătușu, *quoted work*.

³⁸² Ioan Lăcătușu and Ioan Solomon, *quoted work*, p. 37.

³⁸³ *Ibidem*.

³⁸⁴ *Ibidem*, p. 42.

³⁸⁵ *Ibidem*.

³⁸⁶ *Ibidem*, pp. 42–43.

³⁸⁷ *Ibidem*, p. 30.

by the ethnic Hungarian party, regardless of the alternations of power at the national level, we cannot speak of democracy, but of ethnocracy³⁸⁸. Therefore, it is fair to say that the Hungarians in the area represent a community in a symbolic minority situation that is claimed only to gain privileges. In reality, they are a dominant community that perpetually occupies local power with a monopoly on resources. In this case, the need for them to have special legal protection is not justified. Those who really need legal protection to preserve their ethnic identity are Romanians who are in danger of being extinction in the two counties³⁸⁹. I conclude by saying what I have said on other occasions on this subject, namely, that the Romanian state is no longer an important actor in this area. This implies the loss of sovereignty of the entire state because its duty is to protect all its citizens, including in terms of identity (ensuring societal security³⁹⁰). In the absence of the Romanian state, the Hungarian state is becoming increasingly present and taking over its prerogatives. If concrete action is not taken as soon as possible, Romanians in this area will be completely assimilated.

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³⁸⁸ Ioan Lăcătușu, *Tendențe de enclavizare a unui spațiu românesc – Covasna și Harghita [Tendencies of enclaveization of a Romanian space – Covasna and Harghita]*, Bucharest, Romania plain and simple Publishing House, 2004.

³⁸⁹ Ioan Lăcătușu and Ioan Solomon, *quoted work*, p. 31.

³⁹⁰ Barry Buzan *et al.*, *Securitatea. Un nou cadru de analiză [Security. A new framework for analysis]*, CA Publishing, 2011.

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