



Conflict and Convergence: Regionalisation Plans and Autonomy Movements in Romania

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Abstract. This paper examines the possibilities for regionalisation in Romania, a project that requires a break with Romania's present constitutional heritage. Regions can be constructed by creating their territorial, symbolic and institutional forms combined with the final establishment of the entire regional system. For more than one-hundred years, Romania's historical regions have been subjected to a unifying process of Jacobin state-building. Even if this process resulted in serious hindrances to regionalisation, it could not do away neither with regional identities, nor with certain symbolic and institutional aspects of the regions. In the last few years, several plans for regionalisation have been devised. Arguably, the Hungarian community in Romania would benefit most from asymmetrical regionalisation, but in order to be successful the Szekler autonomy movement should formulate its goals using the language and concepts of regionalisation without reference to minority rights or cultural autonomy.

Keywords: regionalism, regional identity, culturally 'thin' and 'thick' regions, regionalisation (symmetrical and asymmetrical), internal self-determination, administrative structure, decentralisation, state-building, (regional) autonomy, federalism, development regions, Romania

It is commonplace that the development of the Romanian state from the 'Old Kingdom' (i.e., Romania before the First World War) to *interbellum* Greater Romania meant not only territorial completion and achievement of nation-state unity, but entailed also a choice regarding the kind of political modernization to be accomplished, specifically, the choice to continue with the Jacobin tradition

adopted by the Romanian political elite in the 19th century. Moreover, in spite – or perhaps because – of the Communist constitutionalism (that is, the period between 1948 and 1989 influenced by Stalin’s constitution from 1936), this tradition was resuscitated by the 1991 Constitution (Stanomir 2005: 228-229). The present paper examines the possibilities and ways for regionalisation on the basis of this constitutional heritage.

Regional identities and state-building: introductory considerations

The idea of regional identity has been present for a long while in traditional geographical approaches to regionalism. Regional identity was often seen as the primordial nature of regions, researchers belonging to this school of thought stressing the internal ‘harmony’ of regions, which meant for them unity between the regions and their inhabitants (see Paasi 2003: 475-479). But the manner how this nature, this unity is constructed, albeit an old question, still elicits interest and is periodically revisited by geographers, anthropologists and political scientists alike. Generally, we may consider that regions preceded the rise of nation-states, but were later effectively omitted or exploited – depending on context – by the emerging states while organising governance and control over their territories. Many strong modern states assimilated former regions and areas, transforming them in frames or parts of territorial governance – linked, however, to a certain extent to historical and cultural contexts. In some states, regions became instruments of state power being defined more or less ‘from above’, and because of their administrative importance, remained culturally ‘thin’ (Paasi 2001: 15). In this case, regional identity did not emerge as a separate and competing focus of political loyalties in contrast to the national identity constructed by the modern state. In other cases, regions were deeply rooted historical and cultural (‘thick’) entities, their existence becoming manifest not only through and in their identity, but also through various social and cultural institutions (Paasi 2001: 15). Consequently, such regions became powerful competitors in the struggle for capturing the political loyalty of a territorial community and challenged the loyalty pattern constructed and prescribed by the state. Regions wield such power in Spain, Italy and Belgium, and – more recently – in Great Britain, where the positions of Scotland and Wales have been significantly strengthened during the last ten years¹.

¹The question of political competition for the loyalty of territorial communities is related to the recent debate on multicultural citizenship. (See Kymlicka–Straehle 1999, Fowler 2004.)

These two ways of assimilating regions into the structures of governmental power distribution can be interpreted as two types of state construction. Hechter (2000) made a clear distinction between primary states and secondary states. Primary states are all the large states which existed before the 19th century and adopted indirect rule because of technical limits to central control. Their political structure was based on indirect rule relying on “the existence of groups mediating between individuals and the state” (Hechter 2000: 40). This type of rule allowed primary states to arise and function as growing and culturally diverse political units. Furthermore, Hechter called secondary states all the states that introduced direct rule with modern state-bureaucracy. However, the functioning of such states required legitimation by nationalism and, hence, forced these states to strive for cultural homogeneity.

It is clear that a state administration based on institutionalised regions exhibiting strong identities (i.e., ‘thick’ cultural entities) inherited many of its features from a primary state. However, if regionalisation occurs as a political programme, every part of a centralist state may be regionalised (even if some parts were not considered ‘regions’ previously). Yet, a sense of regional identity and cohesion as well as regionalist movements will emerge only if these can rely on a long-standing regional tradition, a common history and experience, or a distinct language².

A region’s construction – may it be strong and ‘thick’ or weak and ‘thin’ – “is part of the perpetual transformation of the spatial system in which regions emerge, exist for some time and may then disappear. This process may be labelled the *institutionalisation of regions*” and, analytically, presents four simultaneous aspects, which in practice are always different sides of the same process: 1) the creation of the territorial, 2) symbolic and 3) institutional forms of a region, as well as 4) its establishment as an entity in the regional system and the social consciousness of the society concerned. It is a process through which a territorial unit becomes an established entity in the spatial structure and is afterwards identified in institutionalised political, economic, cultural and administrative practices and social consciousness alike, while being continually reproduced in all these practices (Paasi 2001: 16).

In conclusion, Romania’s regional perspectives should be analysed according to the above two ways of (creating and) embedding regions and the four simultaneous aspects of their institutionalisation.

²See Hans-Jürgen Puhle *Regions, Regionalism and Regionalization in 20th-Century Europe*. [<http://www.oslo2000.uio.no/program/papers/s9/s9-puhle.pdf>], downloaded on 2 August 2009.

Romanian parties: symmetrical regionalisation ‘from above’

In what regards the first aspect mentioned by Paasi – that is, territorial shaping – Romania can be divided into so-called historical provinces: Transylvania, Banat, Partium (referred to in Romanian as Țara Crișurilor or Crișana), Maramureș, Moldavia, Oltenia and Muntenia (composing together Wallachia or Țara Românească, in Romanian) as well as Dobruja. The said provinces reflect diverging historical-political evolutions, which left their mark on perceptions of spatial differences as this can be gleaned both from local mentality and everyday discourse. Moreover, many daily practices contribute to the reproducing of the cultural differences between these regions. Notwithstanding these differences, the modernization of the Romanian state in the 19th century and later, in the third decade of the 20th century as well as under Communist rule, was based on a rather artificial administrative-territorial division. This division generated new social practices (mainly during the Communist period), which altered the mentioned spatial differences, however, only moderately and without being able to cancel them out. According to Sandu (2002), the differences between various cultural areas interpreted as subdivisions of historical regions in Romania should be interpreted as sociability variables combined in specific patterns. (More precisely, the main regional types of sociability in Romania are combinations of closeness or openness, context-conformity in relations with institutions and poverty or richness in network capital.) Bearing in mind that Paasi defined the regions’ boundaries not as fixed, but saw them as resulting from processes in which territories and their contested meanings are socially and culturally constructed (Paasi 2001: 16), these cultural areas could be used for the formation of territorial units in a wider sense.

Turning to the second aspect, it should be noted that numerous symbolic elements of the cultural areas and historical regions making up Romania are present in the public sphere³, but the centralist ethos of the dominant Romanian parties constitutes a serious hindrance to their political usage. However, the political usage of regional symbols is an open question. Until now, only the Szeklerland’s symbols gained political significance, thanks to an ethnoregional(ist) movement which emerged apparently in the last five years. One may rightly hypothesise that if a regional(ist) party had obtained seats in the

³The coat of arms of Romania contains the blazons of the most important historical regions; but the new coats of arms of counties and municipalities were created in a rather haphazard and arbitrary manner after 1990 (Cf. *Heraldica României*, [http://ro.wikipedia.org/wiki/Heraldica_României], downloaded on 20 August 2009).

parliament or in important county councils, it would have used regional symbols and watchwords, and would have pushed for the enactment of regional policies. But the Party of Moldavians (*Partidul Moldovenilor*), founded in late 1997, was rather short-lived since its leadership accepted the merger of this organisation into the Social Democratic Party (*Partidul Social Democrat*, hereinafter PSD) in 2002⁴. Another initiative aimed at the creation of the Transylvanians' Party (*Partidul Ardelenilor*) ended in failure because of the very restrictive registration criteria stipulated by the Romanian law on political parties and the arbitrary judicial practice which characterised the 2001-2004 parliamentary cycle.

The third aspect, institutional forms of regions, exists only in the cultural realm: important museums, universities and publishers bear names referring to historical regions or serve a manifestly regional function. The most obvious examples are *Muzeul Banatului* (Banat Museum), *Muzeul Național de Istorie a Transilvaniei* (National Museum of Transylvanian History) and *Székely Nemzeti Múzeum* (Székely National Museum). However, these institutional elements may represent a good starting point for the development of the regions' social capital once the required political bodies and administrative structures have been established for these regions – the fourth aspect mentioned by Paasi.

For various reasons to be found in Romanian political traditions⁵ and because of the specificity of the Romanian party system and political régime – described as “administrative consensualism and patronage” (Preda-Soare 2008: 50-57) –, the larger parliamentary parties have no interest in launching a radical regional reform targeting the Romanian administrative system. Their ultimate goal in this respect is a controlled symmetrical regionalisation⁶.

Between 2000 and 2004, two conceptions regarding regionalisation have been formulated. According to the views of the National Liberal Party (*Partidul Național Liberal*), the Romanian parliament should have passed an organic law introducing symmetrical regionalisation with regions enjoying equal status. The Liberals' proposal took into account the existing cultural and traditional boundaries of the regions, but remained very cautious in what concerns

⁴See ‘Partidul Moldovenilor s-a înscris la Tribunal.’ *Ziarul de Iași* (25 August 1998). [<http://www.ziaruldeiasi.ro/national-extern/partidul-moldovenilor-s-a-inscris-la-tribunal-nig8s>] (downloaded on 20 August 2009) and Bakk 2003: 426.

⁵On the traditions of Romanian political thinking see Barbu 2005: 11-24.

⁶However, in recent years, several civic organisations raised the question of federalism or asymmetrical regionalism (e.g., the Pro Europa League/*Liga Pro Europa*/ and the *Provincia group*).

the degree of the decentralization. However, the Liberals organised no public debate on their proposal (Szokoly 2005b: 10).

Another conception was put forward by the PSD, even though the politicians belonging to this party could not agree on the precise form of regionalisation. On the one hand Ioan Rus, the Transylvanian ideologist of the party, suggested a regional reform based on local autonomy and traditional-cultural delimitations, (Szokoly 2005b: 9-10) while on the other hand, Octav Cozmâncă, the Minister of Administration, envisaged symmetrical regions created through merging two or three counties.

After 2004, only the idea of transforming the extant statistical and development regions into administrative regions (governed by elected political bodies) was present in political discourse. Needless to say, this is another method of achieving symmetrical decentralization.

The Hungarian minority's autonomy: pushing for an asymmetrical regional reform?

After the fall of Communism in December 1989, the Democratic Alliance of Hungarians in Romania (*Romániai Magyar Demokrata Szövetség*, hereinafter RMDSZ) was established as an ethnic party representing Hungarians in Romania. The RMDSZ, a party which for the last two decades has obtained the large majority of votes cast by ethnic Hungarians, raised the question of (regional) autonomy. However, no concrete guidelines for attaining this goal have been formulated initially. The clarification of the party's conception occurred only later, after lengthy debate and controversy. In search for a workable and defensible conception, four types of proposals have been taken into account: a) the autonomy proposals put forward between the two World Wars; b) the Romanian Statute of Nationalities adopted in 1945; c) various international instruments and documents on human and minority rights, which attracted much attention recently because – in the process of European integration – the stipulations contained in these documents were regarded as requirements of European accession; d) examples of functioning autonomies in several member states of the European Union that have been regarded as good practices.

The first proposals made by Hungarians, such as the concept of 'internal self-determination' or the *társnemzet*⁷ idea, mirrored an expectation regarding

⁷This term, which translates approximately as 'partner nation', suggests that a certain state, in our case Romania, is formed and inhabited by two (or more) national communities – here the Romanian and the Hungarian national communities – which are and behave

a possible rapid and fundamental change of the Romanian state structure in a manner which would have allowed the attainment of a collective legal status by Hungarians. But in the early nineties, post-Communist Romanian parties and elites followed a nationalistic political course to legitimate their leading role. This state of facts put to the fore the Jacobin way of state organisation stipulated in Article 1 of the Constitution, defining Romania as a “unitary and indivisible national state”. The consolidation of the Romanian moderate right – including the RMDSZ – in the second half of the nineties did not result in another definition of the state and of the political community.

After the adoption of this new Constitution (in 1991) the RMDSZ, enjoying strong support from ethnic Hungarian voters, submitted to the Romanian parliament a bill on national minorities and autonomous communities in 1993. It was the draft of a framework law defining three possible forms of autonomy: personal autonomy, regional autonomy and special status for local governments. As interpreted by the RMDSZ, the law did not contradict the Constitution, and was meant to be only a regulatory frame on a conceptual level, while stipulating no concrete institutional solutions. The bill was based on the idea that autonomy represented a sustainable project both in the domestic and the international political arena. The reasons why Hungarian politicians in Romania reasoned in this manner were the following: first, in those years, the Council of Europe apparently preferred policies aiming to augment special minority rights through autonomy-based institutional solutions⁸; second, the RMDSZ was not ‘trapped’ yet by the cooperation with center-right Romanian parties, a situation in which the ethnic Hungarian party was offered coalition membership in 1996 provided it shelved its plans for achieving some form of autonomy.

After the rejection of the bill on autonomous communities, the topic became a marginal one within the RMDSZ, too; although the idea of autonomy has not been deleted from the political programme of the party. In fact, autonomy is still viewed in symbolic terms as a central identity trait of Hungarians in Romania, but ceased to be a source of political initiatives. Nonetheless, in 1995, a group elaborated a draft statute on Szeklerland’s autonomy, but this has not been submitted to Parliament and remained a solitary initiative for many

like partners while enjoying equal constitutional status. (Put differently, the *társnemzet*-conception is aimed at avoiding the political situation in which members of a national minority are treated as second-rate citizens.)

⁸Recommendation 1201 (1993) of the Parliamentary Assembly on an additional protocol on the rights of national minorities to the European Convention on Human Rights can rightly be interpreted in this way.

years. All in all, shelving the idea of autonomy meant that the politicians who between 1990 and 1995 argued for drafting and submitting various autonomy conceptions were gradually marginalised inside the RMDSZ.

From 1996 onwards, the course of action taken by the RMDSZ was strongly influenced by its (perceived) chances to participate in coalition governments. This attitude towards government participation seems to be shared by most ethnic parties in Central and Eastern Europe, and appears to be a direct consequence of the European integration process and the basic treaties signed by the countries in question. A kind of ‘consociational strategy’ replaced the barren autonomy strategy, and this orientation was supported by the process of European integration. The reason is that the European Union, in the absence of an *acquis* stipulating minority rights, was guided by a security-based approach which preferred the consensual settlement of disputes over the enforcement of universalistic norms (see Brusis 2003).

In the meantime, the short time-span before EU-accession offered possibilities for finding a way towards an internal autonomy arrangement or, at least, of creating a framework for a later arrangement of this kind. (In this respect, reference was made to the Copenhagen criteria.) In the case of Hungarians in Transylvania, these opportunities presented themselves roughly at the same moment when new political organisations claiming to represent political alternatives to the RMDSZ have been founded.

In 2003, a splinter group that left the RMDSZ established the Hungarian National Council of Transylvania (*Erdélyi Magyar Nemzeti Tanács*, hereinafter EMNT). The goal of this (legally unregistered) organisation was to revive the autonomy conceptions, which were shelved and neglected by the RMDSZ. Somewhat later the Szekler National Council (*Székely Nemzeti Tanács*, hereinafter SZNT) was also created, born out of the desire to push for the territorial autonomy of the Szeklerland. At the beginning of 2008, a new Hungarian party – reuniting first and foremost mayors and local councillors from the Szeklerland – has been registered. This organisation, called Hungarian Civic Party (*Magyar Polgári Párt*, hereinafter MPP), focuses on Szekler territorial autonomy, too.

In the context of EU-accession and under the circumstances of fierce competition between the four political organisations representing Hungarians in Transylvania, three strategic conceptions regarding the territorial autonomy of the Szeklerland have been formulated:

- 1) Considering the history of the proposals, one must mention first the autonomy statute adopted by the SZNT since its original version has been elaborated in 1995, prior to the establishment of the organisation that eventually embraced it. This proposal is based on the concept of *internal self-determination*. The leading body of the SZNT brought some amendments to the initial draft stemming from 1995 and adopted it as an official document. Finally, the bill was submitted to the Romanian Parliament in February 2004. In fact, the SZNT, which initially was another unregistered civic organisation, could not introduce the bill. Hence, the draft law was submitted to Parliament by a group of MPs belonging to the RMDSZ but maintaining informal political ties with the SZNT. Needless to say, their action attracted criticism from the RMDSZ leadership, but no severe crisis developed within the ranks of the party since, in March 2004, the Parliament rejected the bill.
- 2) During the Party Congress held by the RMDSZ in 2003, another strategic conception was outlined. This was based on the idea of *territorial precedent*. The advocates of this idea set out from the possibility of transforming the extant regions of development into political-administrative regions or units. The present development regions – created in 1998 without taking into account historical-cultural traditions within Romania – do not have administrative competencies and correspond to NUTS II level divisions in EU member states. Consequently, the RMDSZ aims, as a first step, to create the Szeklerland Development Region by reuniting three counties (Harghita, Covasna and Mureş). However, the SZNT criticises this idea because the three counties do not coincide with the historical territory of Szeklerland.
- 3) The third conception has been elaborated as part of the package deal offered by the EMNT to the RMDSZ. This package contains three proposals: the draft of a framework law on regions (without specifying their geographical boundaries), a bill on the creation of the Szeklerland development region, which would enjoy special status and the draft statute of the Szeklerland region. This whole package is rooted in a vision of *asymmetrical regionalism* being in the meantime based on the assumption that the prospective Romanian regionalisation will be similar to the Spanish or the Italian one. Hence, the idea of Szeklerland's territorial autonomy should be included in a larger scheme regarding Romania's regionalisation, and should be put forward using the language and terminology of regionalism (not the language and terminology of 'internal

self-determination'). This conception includes another presupposition as well, namely, the idea that such a conception will attract more support from ethnic Romanian political actors as opposed to other plans, which focus exclusively on the Szeklerland.

These proposals have not been submitted as bills to the Romanian parliament yet, but it should be noted that the expert commission on constitutional reform nominated by the head of state, President Traian Băsescu, in the autumn of 2008 (the so called Stanomir Commission) drafted a lengthy and detailed report delineating a possible way for administrative reform and towards asymmetrical regionalism.

Apart from these proposals on territorial autonomy, two conceptions tackling the idea of cultural autonomy for Hungarians living outside the Szeklerland have been elaborated. First, in June 2004, the EMNT submitted to Parliament a draft framework law on personal cultural autonomy. If enacted, this bill could have served as the basis for the establishment and operation of autonomous cultural institutions in case of 15 autochthonous national minorities living in Romania. In what concerns Hungarians, the draft law did not specify clearly how Szeklerland's territorial autonomy shall be correlated with the cultural autonomy enjoyed by ethnic Hungarians who live outside the Szekler region. The bill, lacking even the support of the RMDSZ, was eventually rejected by Parliament.

Nevertheless, the RMDSZ introduced later, as member of the coalition government formed in December 2004, another, similar bill. This bill did not pass either, because the coalition partners of the RMDSZ did not support it.

Conclusions and perspectives

The society made up by ethnic Hungarians in Romania, due to its diverse ethno-demographic situation, regional-territorial fragmentation and intricate social structure, needs a combined autonomy arrangement based on the political consent of its members. Such a conception can be constructed only in time.

The relatively large number of autonomy conceptions elaborated by ethnic Hungarian political organisations mentioned in the present paper shows that no agreement – necessary for putting forward and eventually enacting a certain arrangement – has been reached, neither in what regards the required institutional framework nor in what regards the subsequent strategies. Although all political actors representing ethnic Hungarians accept this diagnosis, little ef-

fort has been spent in the last twenty years in order to reach at least a minimal consensus.

Romania's accession to the EU represented an important turning point because this period offered some possibilities for political arm-twisting and for launching a negotiation process on autonomy arrangements. However, the political actors involved in the process seemed to be unable to practice consensus-oriented politics and imagine creative policies. This statement holds true both for political parties in Hungary, the kin-state, and for the political groups which assumed the task of representing the Hungarian minority in Romania.

Now that Romania became a full member of the European Union, Szeklerland's regional autonomy can emerge as a successful political project only if treated as a completely separate matter, without connecting it to the topic of minority rights construed as individual rights or to the idea of cultural autonomy seen as a legal solution for the entire Hungarian national community living in Romania⁹. More precisely, success may be achieved only if the movement for Szekler autonomy will follow the models and the path taken by Western ethnoregional(ist) movements, which interpreted territorial autonomy as part of a larger regionalising process consonant with various national and EU-level policies. In this respect, the achievement of territorial autonomy by a specific linguistic or cultural group is the result of mutual accommodation between two processes: one that is directed 'from above' (like a reform of the state structure or of the administrative system) and another one which is coming 'from below' (like a grassroots level communitarian movement). This mutual accommodation means that regional movements and parties must accommodate and redefine their goals while the processes themselves are underway (Schrijver 2006). The manner how these processes evolve depends on the measure of decentralisation, on the available instruments of direct democracy (local initiatives and referenda etc.), on the community's identity as well as its internal solidarity. All in all, it is a lengthy process involving various conflicts, but seeking convergence.

However, another set of questions also arises. Can the failure of autonomy conceptions be attributed to an inherent structural trait of our region? Is it somehow encoded in a specific part of Central and Eastern Europe or, put differently, does it require a certain level or degree of democratic consolidation? It is rather difficult to explain why in countries that until the early 1990s were parts of the former Soviet Union previously established territorial autonomies still operate and new ones were also created (Kolstø 2001), and in Western Eu-

⁹It should be mentioned that the strategy of the RMDSZ combines these two ideas.

rope various autonomies contribute significantly to democratic consolidation, while in our region¹⁰, which is more developed and shares more features with Western European countries as compared to non-Baltic republics of the former Soviet Union, plans for territorial autonomy usually fail.

An unfavourable ratio between the two powers of the state, the despotic and the infrastructural one¹¹, seems to offer a possible explanation. In the ‘more Oriental’ region of Central and Eastern Europe, where the despotic power of the state is greater, the state itself seems to be based on an agreement between territorial-oligarchical elite groups. Here autonomy does not need democratic legitimacy since it is well established and entrenched by this elite consensus. However, in Western Europe, autonomist movements targeted the territorial reorganisation of the state (structure), which in fact allowed them democratic access to a (proportional) share of infrastructural power. More importantly, as Western examples show, such arrangements eventually serve(d) the public weal.

Finally, in the ‘more Occidental’ area of Central and Eastern Europe, democracy and democratic legitimacy weakened the despotic power of the state to such an extent that territorial-oligarchic elite groups cannot entirely control the state and restrain public (democratic) will. Nonetheless, this democratic consolidation occurring within the civil societal arena of democracy (cf. Linz–Stepan 1996: 7-15) does not mean that the state is able to construct some kind of inter-group democratic legitimacy, embodied perhaps by a contractual power-sharing arrangement among several communities. Regionalisation based on territorial communities characterised by strong regional identities could be, however, a possible path towards instituting such a contractual power-sharing arrangement.

¹⁰Latvia, Lithuania, Estonia (the Russian community in Narva and Sillamäe), Subcarpathia or Subcarpathian Ukraine (the Ruthenian and the Hungarian minorities), Slovakia (the Hungarian minority) and Romania (Hungarians in Transylvania) can be ranged in this category.

¹¹The despotic power of the state elite refers to the range of non-routinised actions that the elite is authorised to undertake, while the infrastructural power to the state’s capacity to penetrate civil society and logistically implement political decisions on the whole territory of the country. (See Mann 1984: 185-201.)

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