

OURANIA RODITI-ROWLANDS

Resume:

I graduated from the University of Athens in 1994 reading *Communication and Mass Media* and since 1995 I have been at the Sussex European Institute, University of Sussex. In 1996 I completed an MA in *Contemporary European Studies* for which I researched *'The Social Integration of Immigrants in Europe'*. I have submitted my doctoral thesis on whether civil society can provide a bulwark against the resurgence of exclusivist nationalism in the countries of Central and Eastern Europe. Over recent years I have been fortunate enough to travel throughout Europe, an experience that has been both educational and extremely enjoyable.

COMPARATIVE STUDY OF THE ROLE OF NGO'S IN HUNGARY AND ROMANIA

The experience of democratic transition in Eastern Europe demonstrates that democracy needs both well-functioning society and institutions. Without disregarding the potentially undemocratic nature of civil society, this paper explores whether the democratic elements of civil society have prevented the resurgence of exclusivist nationalism in Hungary and Romania. Among all civil society's spheres, non-governmental organisations (NGOs) have been selected because of their link to the development of a democratic political culture and active citizenship. Civil society's contribution will be assessed through a comparison of NGOs according to structure, activities, contribution to institutional development and the advancement of democratic political culture.

Following the work of several political scientists such as White¹, Keane² and Schopflin³, one can argue that historic legacies based on authoritarian rule and incomplete modernisation, coupled with more than four decades of Communism, hindered the development of a democratic political culture for the people of Eastern Europe. Imperial rule⁴ followed by national independence, found societies unprepared for democratic statehood, where parliamentary practices and liberal values were unfamiliar concepts. Authoritarian regimes were propagating exclusivist nationalism while successive transformations of borders resulted either in the gain/loss of substantial territory or the inclusion of large numbers of minorities into the newly created national states. Grievances and irredentism presenting destabilising factors in the past, tended to be skilfully exploited by post-Communist leaders in order to compensate the population for the economic and social dislocation of the transitional period. The post-Communist period witnessed the return of nationalist rhetoric in the region and the dramatic rise in racism and xenophobic attitudes. Ethnic minorities have suffered significantly but the most disadvantaged group of all is the Roma, who experience discrimination and exclusion in every aspect of their lives.

¹S. White, J. Gardner G. Schopflin, Communist Political Systems: An Introduction, 2nd edn, (London, Macmillan Press, 1987)

²J. Keane, (ed.), Civil Society and the State New European Perspectives, 2nd ed., (London, Verso, 1993)

³G. Schopflin, 'Central Europe: Definitions Old and New' in G. Schopflin and N. Wood (eds), In Search of Central Europe, (Cambridge, Polity in association with Basil Blackwell, 1989)

³G. Schopflin, Politics in Eastern Europe (1945-1992) (Oxford, Blackwell, 1993)

⁴H.S. Watson, The 'Sick Heart' of Modern Europe The Problem of the Danubian Lands (Washington, University of Washington Press, 1975) & ZAB Zeman, Twilight of the Habsburgs, The Collapse of Austro-Hungarian Empire (New York, British Commonwealth and American Heritage Press, 1971)

The Roma population of Hungary exceeds half a million⁵, which is the largest minority in the country and they also constitute approximately 6% of the total population of Romania⁶. With the political changes of 1989, the full employment scheme of the socialist regime in Hungary ceased to exist; consequently during the past eleven years, two-thirds of the jobs that had been occupied by Roma employees were eliminated. According to a report by the Central European Review (CER)⁷, illegal migration of Romanian Roma to neighbouring countries continues. It is estimated that in 2000 the number of illegal Romanian émigrés doubled, reaching almost 3000. 80% of them were Roma.

In this paper formal democracy will be equated with the classification that Robert Dahl⁸ provided for the democratic polity of a country. Yet, within the multicultural context of the modern expanded form of nation-state, whose citizens do not always perceive Rousseau's reflection of 'common good' or where apathy and disillusionment about politics are usually reflected upon the electoral process, representative procedures tend to satisfy the needs of a minority. It seems unreasonable to reduce democracy simply to voting; emphasis should be placed on participation rather than merely on representation. Satisfying the criteria of formal democracy has been the main preoccupation for the post-Communist societies of Eastern Europe and are considered indispensable prerequisites for these countries' 'return' to the European family of representative democracy and free market. The limitations of the system were not appreciated by the majorities of the respective populations, for whom restoring formal democracy was perceived sufficient. Issues such as democratic accountability or the rights of minorities did not originally constitute a major preoccupation for policy-makers. It was only after increasing pressure by human rights activists and international condemnation that these issues were brought onto the political agenda.

The flaws of democratic practice and the tyranny of the majority are undoubtedly real and existing problems for any modern democratic polity.

⁵ Information provided by Autonomia Foundation in Budapest

⁶ "Raw News", ABCNews.com. http://www.abcnews.go.com/wire/World/reuters2001207_669.html

⁷ Dragomir, Marius. "Europe's Beggars, Romania's Roma". Central European Review. Vol. 2. No 41. [wysiwyg://103/http://www.ce-review.org/00/41/dragomir41.html](http://www.ce-review.org/00/41/dragomir41.html). (27 November 2000).

⁸ including: 'control over government by elected officials', 'free and regular elections', 'fight for all adults to vote and run for elective offices', 'freedom of expression', 'access to alternative sources of information', and 'right to form relatively independent associations or organisations'. A. R. Dahl, Dilemmas of Pluralist Democracy Autonomy vs. Control (New Haven, Yale University Press, 1982), p. 6, 10-11

Tocqueville condemned majoritarian politics due to the ‘obtuseness’, ‘psychological immaturity and rashness’ of the majority itself. He stated that the majority is “...shortsighted and unable to formulate long-term goals...”⁹. Madison realised the danger that a united majority poses for the minority and therefore proposed to enlarge the sphere of community by dividing it into a large number of interests and parties. That was conceived as an adequate measure against the potential willingness of the majority to strive for a common interest opposing the minority or even in the case where the majority is united by an interest it should not have the ability to pursue it¹⁰. Democracy as Joseph Schumpeter acknowledges cannot be an end to itself, since discriminations have been repeatedly performed by states, which tend to satisfy formal democratic criteria, while its ideal functioning presupposes that it is expected to work in certain ways approved only by the majority of the population¹¹.

Although formal democracy has been taken for granted, its substantive features remain incomplete. Within the framework of this paper, political participation is regarded as the key element in a broader conceptualisation of the substantive nature of democracy, by placing particular emphasis on the ‘redistribution of political power’¹². Substantive democracy equals participation and individual or group deliberation on key issues, in order to guarantee civic empowerment in terms of activating public debate without being swayed by populist and undemocratic appeals. Substantive democracy is linked to civil society and more specifically to all those spontaneous associative initiatives undertaken by ordinary citizens with the goal of directly or indirectly influencing, lobbying or criticising the state and majoritarian politics. Civil society is not perceived as antagonising the state; on the contrary it needs both an institutional framework and a legal basis capable of guaranteeing its survival and future. What makes civil society capable of safeguarding human rights and the rule of law is the evolution of a democratic political culture. Acknowledging the existence of a democratic political culture makes feasible the elaboration of that kind of civil society that can be distinguished from authoritarian and undemocratic forms of political engagement. The concept of civil society as treated in this paper is

⁹M. Meyers, (ed.), The Mind of the Founder: Sources of the Political Thought of James Madison, (USA, The Bobbs-Merrill Company, Inc., 1973), p. 91

¹⁰Meyers, ‘The Mind of the Founder’, p. 102, 103

¹¹J. A. Schumpeter, Capitalism, Socialism and Democracy, (London, Routledge, 1994), p. 243, 244

¹²M. Kaldor, ‘Nation-states, European Institutions and Citizenship’ in B. Einhorn, M. Kaldor & Z. Kavan, Citizenship and Democratic Control in Contemporary Europe, (Cheltenham, Edward Elgar, 1996), p. 9

one of the major contributions that the 1989 revolutions in Eastern Europe gave to world politics. Among all civil society's spheres non-governmental organisations (NGOs)¹³ have the capacity to address specific problems and provide channels for diffusing solutions to the wider public. NGOs provide the basis for people to learn how to negotiate, how to compromise and how to co-operate in common activities, which are the indispensable prerequisites for the development of a democratic political culture and active citizenship. These organisations are linked directly to the concept of training for active citizenship and the development of a democratic political culture.

Civil society represents another domain where the violability of national borders has been reversed¹⁴. Nation-states remain powerful actors, however, they have to co-exist and co-operate with an array of other agencies, organisations and institutions on a global scale. This development is interrelated with the argument that socio-political, economic, ecological problems, military questions, geopolitical concerns and security issues, or even questions challenging religious or moral preconceptions have transcended what traditionally was viewed as nation-state and have entered the global arena. The internationalisation of human rights and human welfare suggests a different aspect of world politics. An issue that was traditionally considered purely domestic, is now dealt by the 'international normative order'¹⁵. As far as Eastern Europe is concerned, civil society has a sort of collective transnational and transregional democratic identity. The NGOs' community in the area is vital, since it provides the best available guarantee for preventing a complete absorption or sterile imitation of Western patterns of political and social behaviour. NGOs have developed to such an extent that they possess the potential to expand their capacity as 'schools for democracy', so that they should be considered as sites of civic education, capable of influencing people's behaviour and attitudes.

¹³For practical purposes the study of social movements has not been part of the current research. NGOs have more tangible and well-defined programmes than social movements. Social movements are also underdeveloped in the region and their social impact should be seen as minimal. Another critical factor for choosing NGOs over social movements is the fact that the type of advocacy organisations studied links directly to the concept of training for active citizenship and the development of a democratic political culture.

¹⁴M. Kaldor, 'Transnational Civil Society' in T. Dunne and N. Wheeler (eds), Human Rights in Global Politics, (Cambridge, Cambridge University Press, 1999), p. 195

¹⁵A. Watson., The Evolution of International Society A comparative Historical Analysis, (London, Routledge, 1992), p. 65

Existing literature on NGOs focuses mainly on civic initiatives in the developing world, Asia and Latin America aiming at alleviating poverty, redressing social exclusion and sustaining pro-democratic forces. NGOs in Eastern Europe are often understood to derive from the democratic oppositions in these countries in the late 1970s' and early 1980s'. As Siegel and Yancey argue "the revival of civil society saw the blossoming of independent organizations, initiatives, and movements that repopulated the almost barren political and social landscape, and helped to spark the dramatic citizen revolutions of 1989"¹⁶. Brian Harvey suggests that the functions of these grassroots organisations or movements can be classified: firstly, as 'unreformed associations from the communist era'; secondly 'reformed, ex-communist associations trying to find a new role'; thirdly, 'former dissident groups and associations now operating openly'; fourthly, 'entirely new indigenous groups and associations with none of the connotations'; and finally, 'Western-originated branches of international organisations of movements'¹⁷.

The 55 NGOs examined in Hungary and Romania contribute directly and indirectly to further democratisation, institutional development, provide services for the non-profit sector and generally contribute to the development of a democratic political culture. Half of the NGOs studied are advocacy organisations, however, they constitute only a small fraction of the total number of civic organisations in the region. Service providers, charities and recreational NGOs rank among the most numerous and popular non-profit initiatives in both countries. A critical issue regarding non-profit activities is the tendency to substitute the services provided in the past by the state. Service provider organisations are the most popular category of NGOs and it is common for the public to associate civil society with service provision and charity. Similar developments not only do not enhance the possibilities for the development of a democratic political culture, but they also provide an excuse for the lack of civil responsibility on a variety of issues.

¹⁶D. Siegel and J. Yancey, The Rebirth of Civil Society The Development of the Non-profit Sector in East Central Europe and the Role of Western Assistance (New York, Rockefeller Foundation, 1992), p. 15

¹⁷B. Harvey, National Council for Voluntary Organisations, Community Development Foundation, Networking in Europe: a Guide to European Voluntary Organisations, 2nd edn, (London, The Council, 1995), p.15

ASSESSMENT OF NGOS' FUNCTION:

Contrary to the Hungarian pattern of centralised civic society, in Romania some of the most predominant NGOs have originated from initiatives outside the capital. Yet, even NGOs concentrated in the capital diffuse their activities to other urban areas and to the countryside. Branches or offices of international organisations are common in both countries; however, the inclusion of foreigners in the structures of NGOs is more pronounced in Hungary than Romania. The attraction of Budapest to foreigners probably explains why a number of internationally prestigious organisations, such as the European Roma Rights Centre (ERRC), the International Centre for Non-for-Profit Law (ICNL) etc., are located in the city. Contrary to the Hungarian pattern, with the partial exception of the NGO 'Rromani Criss', Roma themselves have not initiated any of the large advocacy groups dealing with the problems facing their community in Romania.

Financial support for the voluntary sector usually stems from international organisations, embassies, consulates etc. Depending on the project some organisations secure state contribution or support from local authorities, but these instances are usually confined to community development schemes. Following the withdrawal of the USA Agency for International Development (USAID) from both countries in 1999, financial insecurity for a significant number of NGOs has increased. However, USAID continues to support projects in Hungary¹⁸, including providing assistance to Romani non-profit organisations. NGOs that are branches of international organisations do not encounter particular problems with regards to financing. The lack of adequate funding is more evident in Romania, probably due to the relative scarcity of foreign experts in some of the well-established NGOs.

Co-operation among NGOs on a national level can be restricted by competition for scarce financial resources and personal conflicts. The trend is for the larger and 'influential' NGOs to develop projects with smaller NGOs, especially in the countryside. One of the most impressive Hungarian NGOs is the Romani Civil Rights Foundation, which does not have permanent collaborations with other groups, but has been exceptionally competent in organising protest campaigns involving other 'large' NGOs, domestic and foreign activists, intellectuals etc. Romanian advocacy NGOs in general have proved on several occasions that they are capable of acting

¹⁸Information was provided by the Autonomia Foundation in Budapest.

unanimously in notorious cases of human rights violations, or when the voluntary sector as a whole is threatened. The launch of the ‘Public Integrity Initiative’ two months prior to the 2000 Parliamentary Elections is a typical example of co-operative efforts among NGOs¹⁹. The aim was to monitor and assess the steps taken by the Romanian authorities in adopting and implementing integrity and transparency in the political, administrative and economic domains.

Co-operation with authorities has not always been an option for the voluntary sectors in both countries. Where authoritarianism and populism prevailed, the political environment was not conducive to criticism and acts of civil disobedience. As will be discussed in the section on institutional development, Romanian NGOs have not been particularly successful in co-operating with central authorities. With the change in regime in 1996 more channels of communication opened for civil society, however, problems and prejudices remain. Yet, some positive developments are already apparent. An indication of this is the agreement that the Association for the Human Rights Defence-Helsinki Committee (APADOR) from Bucharest reached for inspecting a number of prisons throughout the country. A similar agreement between the police, the Hungarian Helsinki Committee (HHC) and the Constitutional and Legislative Policy Institute (COLPI) was reached in 1999²⁰. Despite the persistence of prejudices against human rights and minority issues, Hungarian local authorities have been increasingly prepared to further develop communication with civic organisations. According to a report prepared by the Project on Ethnic Relations (PER-Hungary)²¹, a number of civilian advisory boards²², following the example of Nograd County have been established and function in all counties across the country, aiming to promote positive police and community relations.

Community development as a concept is particularly new for post-Communist countries and it could be argued that it has generally gained more support in Hungary than Romania. This feature can again be partially explained by the limited presence of foreign experts in the country. Two of the most prominent examples in this field are

¹⁹The participants were the Transparency International Romania, Pro Democracy Association (PDA), Academia Catavencu and the Civil Society Development Foundation (CSDF).

²⁰Until 1999, HHC and COPLI had focussed only on cell monitoring.

²¹PER “The Roma in Hungary: Government Policies, Minority Expecations and the International Community” (6 Dec. 1999); “The Year 2000 Elections in Romania: Interethnic Relations and European Integration” (11-12 Feb. 2000); “Towards Community Policing: The Police and Ethnic Minorities in Hungary” (July 2000). <http://www.per-usa.org/Year2000.pdf>.

²²These civilian boards are partnerships between the police and local community leaders, especially the Roma.

the USA-based World Vision and the Centre for Studies and Programmes for Development, which was established by the USA-based International City-County Management Association. The Hungarian voluntary sector can demonstrate only a few but very successful examples of community development schemes. For example, Autonomia Foundation focuses on promoting community development schemes and encouraging a market mentality among the Roma population of the country. The Foundation has been instrumental in encouraging, both financially and logistically, the establishment of new Roma civic organisations throughout the country aiming at promoting their social and educational opportunities, by providing training and re-qualification courses for the unemployed.

A feature common to NGOs in both countries is the aspiration for international co-operation. Whilst some are genuinely seeking international co-operation to further their cause, others perceive such co-operation as merely a means for securing financial support. Romania demonstrates some of the most impressive examples of cross-border co-operation, such as the initiative undertaken between the Romanian Foundation for Democracy (RFA) and the Centre for Strategic and International Studies in the USA. Hungarian NGOs are also keen to co-operate with international non-profit organisations, as well as with NGOs from neighbouring countries. In both countries, most advocacy NGOs are in permanent communication with international bodies, such as the European Commission, the Council of Europe or Amnesty International, in order to work on common projects or to provide information on cases of human rights violations.

Providing educational opportunities for Roma is one of the most pressing challenges for post-Communist countries. The segregation of Romani children from mainstream educational systems includes classroom and school facilities segregation. The organisation of separate graduation ceremonies for Romani and non-Romani pupils at the Ferenc Pethe Primary School in Hungary in 1997 was followed by the revelation that pupils had been physically segregated for eleven years. The over-representation of Romani in 'special schools' for handicapped children is an additional discriminatory practice that the Roma community has to come to terms with. In that respect the increase in educational initiatives undertaken by Roma NGOs is a very promising sign.

Examples bear testimony to an increasing interest and desire to develop educational initiatives in both countries. These include the Centre for Citizens Studies

(CCS) in Budapest, which is seeking to develop a diploma on non-profit management and the Foundation for Human Rights and Peace Education, which is the only Hungarian organisation dedicated exclusively to the teaching of human rights and its inclusion in the school curriculum. On the local level, with the support of Autonomia, the Foundation for 'Educated Roma Youths' was established in Gyomaendröd in 1999, aiming to assist Roma youths in their further education. Romanian NGOs have developed some pioneering educational initiatives. The Romanian Group for the Defence of Human Rights (GRADO) is one of the leading examples with a number of projects aiming to provide educational opportunities or re-qualification training for juvenile prisoners. The Pro Europe League (PEL) in Tîrgu-Mures has among others established the College of Democracy, offering a course on developing leadership skills for a multi-ethnic group of people.

The extent of professionalisation within the voluntary sector is instrumental in identifying and interpreting issues, such as financial sustainability, scope of activities etc. Professionalisation should not be evaluated in isolation from the availability of funding sources, the presence of foreigners in the voluntary sector and the development of PR activities. In the first instance, NGOs that are satellite branches or offices of international organisations are normally highly professionalised. Contrary to Hungarian civil society, most Romanian human rights NGOs are insufficiently professionalised, being subject to scarcity of funds, occasional lack of adequate personnel²³ and inability to produce annual reports and electronic services. A paradox occurs when NGOs have to professionalise their activities in order to secure trust and grants from international funding bodies, while professionalisation of the voluntary sector is generally perceived as a negative indicator of the development of civil society. NGOs find it difficult to maintain a volunteer structure, since that gives the impression of being unreliable to potential sponsors. An important scheme has been undertaken in that respect by the Foundation for the Development of Civil Society (CSDF) in Hungary to improve partnerships between NGOs, local authorities, the state and businesses.

Media promotion and PR activities are instrumental for civil society's efforts to familiarise the public with its work and raise social awareness of authorities' abuse of power and human rights violations. Despite the negative political environment, for

²³That has been the case for CENTRAS, PDA and Club Europe.

most of the last eleven years, Romanian NGOs have been particularly active in this respect. Although the media in general is accessible to only a minority of NGOs, such as the Lawyers Association for the Defence of Human Rights (AAPADO) in Brasov, which broadcasts on a regular basis on both TV and radio, most organisations seek to communicate their message to the public through the printed media, involving the distribution of newsletters, magazines, leaflets, bulletins etc., and by press-conferences. Hungarian NGOs are also very anxious to publicise their work, especially through the organisation of press-conferences and the distribution of brochures and leaflets, however, few of them can be seen or heard on television and radio. A promising development in that respect has been the Non-Profit Foundation whose guiding principle is the development of third sector initiatives through media publicity²⁴. In 2000 with support from the Autonomia Foundation the RADIO C public company was established, to run the first Roma Community Radio²⁵. For many NGOs it is more plausible to develop a strategy through a campaign of awareness aiming at the general public and hoping to tackle the issue of ignorance regarding the concept and practices of civil society. This is the case for the European House in Hungary, which organises the annual Non-Profit Expo, renamed ‘Civiliada’ in 1999, where NGOs from different countries gather to present their work. Finally the advantage of including foreigners in the structure of an NGO or the privileged position acquired after a celebrity favours an organisation can be instrumental to PR activities and subsequently to the organisation’s success. This is the case for RFA, initiated among others by the country’s President, Emil Constantinescu.

DIRECT IMPAT ON LEGISLATION AND INSTITUIONAL DEVELOPMENT:

In both countries civil society’s impact on legislation and institutional development is conditional on the extent prejudices and stereotypes among the higher echelons of bureaucracy and administration persist, as well as how far the political environment has been open-minded and ready to work with NGOs. The eleven years following the collapse of Communism is not a sufficient period of time to positively influence well-rooted mentalities, given the fact that the majority of administrators were educated and trained under Communism. Both voluntary sectors are committed

²⁴The Association for Community Development (HACD) has established a Civic Radio in Budapest.

²⁵A Temporary frequency has been granted by the state radio board and transmission starts in February 2001.

to promote institutional development and influence the legislative process, however, they are always dependent on the willingness of the regime to co-operate. Although the change of government in Romania in 1996 created a more favourable environment for civic initiatives, negotiating with the Romanian state remains a difficult task. NGOs have not been often invited by the government to comment, present their amendments of specific laws or assist ministries in co-drafting new laws. This is the reason why some of the ‘larger’ NGOs, among them APADOR-CH, the Romanian Independent Society of Human Rights (SIRDO), the League for the Defence of Human Rights (LADO), the Pro Democracy Association (PDA) etc., have formed coalitions in order to lobby and force themselves into the political arena. That was the case for draft laws regarding sponsorship, national security, access to the files of the former Securitate, the introduction of a Non-Profit Law²⁶, the formation of the “Group for the Implementation of 1999 NGO National Forum Resolutions”²⁷ etc. On numerous occasions they have fiercely questioned the Romanian Parliament on critical issues regarding religious tolerance and minority issues. Whilst central government remains resistant to the non-profit sector, Romanian NGOs have been very efficient in opening good channels of communication with prison and local authorities regarding community development schemes. APADOR-CH for example was granted permission to visit the cells of the General Police Inspectorate²⁸.

Hungarian civil society has been fortunate to the extent that the state recognised it as a partner in the process of the country’s institutional development. This partly explains the success of the Hungarian voluntary sector in negotiating with the government during legislative processes. Authorities do not only take into consideration NGOs’ comments or amendments on specific legislation but also invite them, such as the Defence Bureau for National and Ethnic Minorities (NEKI), HHC or the Hungarian Civil Liberties Union (UCLU) to prepare draft laws. The positive relationship between the state and the non-profit sector should not overshadow the tremendous militancy of the NGOs themselves. Compared to the past, local

²⁶The new Non-Profit Law was eventually introduced as an Ordinance on the 30th of October 2000.

²⁷During the annual NGOs’ Forum, organisations across the country gather and discuss contemporary issues affecting the sector and Romanian political and social life in general. The formation of this coalition in 2000 aimed, among others, to discover ways for the institutionalisation of the NGOs’ Forum.

²⁸The Association visited detention centres in 1993, but only in the company of foreign organisations’ representatives, while a request in 1996 to the Central Directorate of the Bucharest Police by APADOR-CH for a permanent pass to visit and inspect the police cells in the capital was declined.

authorities are more receptive to community development schemes. Groups dealing with refugees, such as the Centre for Defence of Human Rights (MEJOK) and the Martin Luther King Association (MLKO) and those focussing on police and prison systems, such as HHC, have increasingly gained recognition by the respective authorities. Yet, local authorities' hostility towards Roma persists, as the Székesfehérvár incident²⁹ and the frequent evictions of Romani families illustrate. Representatives of the Romani Civil Rights Foundation are often present when evictions take place. Such actions are usually an indication of the willingness of local authorities to remove Roma from their area.

CONTRIBUTION TO THE DEVELOPMENT OF DEMOCRATIC POLITICAL CULTURE:

Assessing civil society's impact on the development of a democratic political culture at this stage should be regarded as premature, due to the limited time available for the democratic transition coupled with economic dislocation and falling living standards. The contribution of civil society to the development of a democratic political culture can be gauged through its role in preventing the resurgence of exclusivist nationalism. In that respect the results have been impressive.

Civil society has managed to 'force' its presence into the political and social arenas. As a result the bargaining capacity of civil society has increased. NGOs constantly send human rights reports to international bodies and therefore indirectly further pressurise national governments in order to adopt sound laws; support legally, verbally or financially the victims of racially motivated attacks and strive to redress societal injustices and racism. In many cases, NGOs have been elevated to the level of partners with central government and local authorities and have been able to criticise discrepancies between domestic and international standards of human rights and democratic practices. In Hungary where democratic principles, at least in their formal sense, were not questioned, civil society did not face the challenges of other post-Communist countries. Although it never encountered open hostility from the

²⁹When local authorities decided to create a Roma ghetto on the outskirts of Székesfehérvár, it met the resistance of both the Roma and the 'Anti-Ghetto Committee'; an organisation initiated by the Roma Civil Rights Foundation and composed of several civil rights organisations. The issue emerged in a public debate in the Parliament and the press. Approximately 500 intellectuals signed a so-called 'Civil Rights Charta' protesting against all forms of discrimination. Finally, the Székesfehérvár issue was resolved and the Roma residents were able to stay in the city and move into sub-standard social apartments.

government, it has maintained its audacity and vigour. Of course, such a positive development does not necessarily entail an equivalent increase in public awareness.

In those cases where authoritarianism or populism prevailed in state structures, civil society found it all the more difficult to reverse official policies, since it did not have enough space to manoeuvre and was denied access in key areas, where the interests of the state or other actors, such as the police force were at stake. Another major obstacle that civil society has to overcome is the decrease in living standards following the fall of Communism³⁰. Romanian civil society had a much more difficult task during the initial period following the demise of Communist regime and it was not until the fall of Iliescu in 1996 that civil society gained at least a measure of self-confidence against the state. Yet, on the 26th of November 2000³¹, 36.7% of the Romanian electorate voted for the return of Iliescu and 28.4% for Vadim Tudor, the leader of Greater Romania Party. This development does not suggest that Romanian NGOs have failed to address the question of nationalism in society but merely indicates the limitations that civil society faces. Falling living standards have disillusioned a substantial section of the population, for whom the return to nationalism seems an alternative.

Volunteerism as a concept is one of the most fundamental components of a democratic political culture. With regards to Eastern Europe, the perception is that volunteerism is associated with Communism and as a result remains weak. Volunteerism, when available, is mostly concentrated in service provider and charity related NGOs, whilst advocacy groups rank last in the preferences of the public.

The Romanian voluntary sector has been impressive in mobilising relatively large sections of the population on numerous occasions. Certain NGOs, such as PDA and LADO are constantly working to this end. For example, LADO has around 4,000 members and sympathisers all over the country. PDA is able to mobilise nationally thousands of volunteers in order to monitor electoral processes³². The Association has

³⁰ Approximately 40% of Romanians live in poverty, inflation is approximately 40% and the average monthly salary is roughly US\$90 [Lovatt, Catherine. "Glutton for Punishment". *Central Europe Review*. Vol. 2., No 42, 2000. [wysiwyg://112/http://www.ce-review.org/00/42/lovatt42.html](http://www.ce-review.org/00/42/lovatt42.html) (4 Dec. 2000)]

³¹ During the second round ballot, Ion Iliescu of the Party for Social Democracy in Romania was elected President with a clear majority over Corneliu Vadim Tudor.

³² The figures for the 1992 local elections were 7,000 volunteers and 6,000 for the general elections. The respective figures for 1996 were 4,500 and 3,800. (Figures for 2000 are not available yet).

also established a network of 42 clubs involving over 1,500 volunteers throughout the country.

The study of Hungarian civil society has revealed the fact that it is remarkably self-sufficient. One should not expect to discover volunteers in large numbers in Hungarian NGOs. What is actually taking place is that a large number of external collaborators and an equally large number of lawyers are included in the organisations' structure. NEKI for example, has a volunteer network including approximately 100 solicitors, 4 filmmakers, 22 journalists, 20 interviewers and several partner organisations that identify human rights violations and collect relevant information. An appropriate word to describe the Hungarian voluntary sector is "*rational*", in other words being able to plan and realise concrete goals within a certain period of time, while guaranteeing the reliability and trust of funding bodies. This development has not affected the efficiency of civil society *per se*, but it has taken away the possibility to include other segments of the population in the NGOs' structure. In order to develop further the spirit of volunteerism, NIOK launched a Volunteers Programme in 1998, including work opportunities, training, and assistance to organisations willing to recruit volunteers.

Linked to the development of a democratic political culture is the existence of a militant legal community, which is willing to fight and redress societal injustices. Within Romanian civil society the majority of advocacy groups are unable to offer legal representation; only some sort of legal consultation. All NGOs can address their cases to AAPADO in Brasov, whose activities are based on the volunteer contributions of lawyers throughout the country³³.

A very impressive legal community in terms of sheer numbers and militancy is to be found in Hungary. Certain professionalised NGOs recruit either professional lawyers or trainees, working on numerous cases where human rights violations are suspected. Despite the presence of several smaller advocacy groups throughout Hungary, it is Budapest-based NGOs such as NEKI, ERRC, MLKO, MEJOK etc., which provide legal services to Roma, refugees and citizens whose basic rights have been infringed. A noteworthy feature of the Hungarian legal community is their interest in refugee issues, and the inclusion of African or Asian immigrants in NGOs' structure, in order to promote better their cause. A further initiative in the legal field

³³The number of lawyers joining the ranks of AAPADO is constantly growing: at the beginning of 1998 there were no more than 60, while at the beginning of 2000 they were approximately 75.

has been introduced by NIOK in co-operation with the Foundation for Clinical Legal and SL Programmes, which launched a Non-Profit Law Clinic to run over the period 2000-01, under the auspices of the Public Interest Law Initiative in New York and ICNL in Washington. The aims of the project are to develop the teaching of non-profit law within traditional law training, enhance the interest of future lawyers in non-profit law, extend and develop the practical character of legal education by involving students in NIOK's consultative activities and enhance the number of consultants for NGOs³⁴. Finally some of the smaller Roma NGOs that Autonomia promoted in the countryside aiming at Community Development have themselves initiated a Legal Defence Bureau³⁵. This development signifies the diffusion of civically orientated initiatives to the wider spectrum of the population. As such this is 'true' civil society at work.

Regarding the extent to which the legal system renders social justice, perpetrators are often given low sentences, or are usually convicted for hooliganism rather than racism. This is a very sensitive and often neglected issue. NEKI is among those NGOs in Hungary who monitor and examine incidents of racism and it was the first advocacy group in the country that won a case on the grounds of racial discrimination in 1997. Civil society has the dual task of combating racism and skinheads as both an ideology and a movement. NGOs face a multiplicity of challenges. As a primary objective they have to promote human rights education and develop means of further legally representing victims of racially motivated attacks. Their task is compounded by the fact that impartiality is required by other bodies, such as police forces and the justice system, which cannot be taken for granted.

The numbers of racially motivated attacks have decreased considerably in both Hungary and Romania. According to AAPADOR incidents of group attacks against Roma are relatively infrequent in Romania. MLKO in Hungary registered 120 attacks on non-European students in Budapest between 1991 and 1992. Nowadays attacks are rare. The Orban administration introduced in 1999 an inter-departmental committee in order to co-ordinate the work performed by the various Ministries with Florian

³⁴Non-Profit Law Clinic Program "Non-Profit Law Clinic Program Proposal Elte University School of Law Foundation for Clinical Legal Education and SL Programs". <http://www.joglinika.hu/engl/lawclinic/nonprofit.htm>

³⁵Examples include the Foundation for 'Educated Roma Youths' in Gyomaendröd and the Organisation of 'Lungo Drom Roma Advocacy Association' in Kisköre, whose legal aid is mostly concentrated to Roma evictees.

Farkas, in his capacity as President of the National Roma Self-Government³⁶. A series of positive measures included: educational and family support to young Roma, scholarships, encouragement of televised minority programmes, regular information broadcasts by Hungarian Radio, etc.

The prospects of inter-ethnic conflict in Romania have not been completely eradicated, however, significant progress has been made to resolve some of the hatred that exists between the Hungarian minority and the Romanians. The Hungarian minority does not suffer from racism. It is only due to 'historically based' prejudices and misconceptions that inter-ethnic relations have not been dramatically improved. In Transylvania one finds a number of prestigious NGOs, such as PEL and CIVITAS, where Romanians and Hungarians work together to promote and strengthen the democratic development of the country. Despite some positive developments, confidence-building measures between the majority and minority do not reach the level anticipated.

PER is one of the few NGOs constantly working on building bridges between the two groups. Following an initiative undertaken by PER, a meeting was organised in February 2000 in Poiana, where political leaders and representatives of all Romanian parties, including the Democratic Alliance of Hungarians in Romania (UDMR), participated. The meeting in Poiana ended with an agreement among all participants to maintain and improve peaceful co-existence between the majority and minority, particularly with the prospect of forthcoming elections. Pessimists believe that the inter-ethnic conflict in Transylvania is not over, especially if one considers the anti-Hungarian feelings of politicians such as Gheorghe Funar, the mayor of Cluj. According to PER, following the coalition with UDMR, Romanian democratic parties suffered a considerable decrease in public support, since their collaboration in the coalition government was contrary to the wishes of some radical Hungarians and many Romanians.

³⁶The introduction of the Minority Self-Government System in 1993 established links between NGOs and the local community. The Act guarantees that the 13 'historic' minorities in Hungary have the right to establish local and national self-governments. This means that minorities can establish elected bodies, which can represent their interests and serve as collaborators with the government at local and national levels. Following the Minority Self-Government Elections in 1998, the number of local minority self-governments doubled in comparison to the period 1994-1995. In that respect, 3,000 Roma became involved in public activities in local settlements across Hungary. [Kosztolanyi, Gusztav. "All Roads Lead to Roma The Roma in Hungary and the EU Enlargement Debate" (Part 1). Central Europe Review. Vol. 2, No 35. 2000. <http://ce-review.org/00/35/csardas35.html> (16 Oct. 2000)]

The status of the Hungarian minority is far superior to that of the Roma. Financial and moral support from the mother country is forthcoming. Hungarians are always urging the Council of Europe to accept higher standards for Hungarian minorities in neighbouring countries. In 1999 UDMR continued its campaign for the establishment of an independent Hungarian department within the Babes Bolyai University. The creation of the department although eventually accepted by the Parliament, was recently postponed until September 2001. Without much support among the coalition members, in September 1999, the Education Law was amended in order to permit state universities to organise groups, sections, colleges and faculties in minority languages. It also allowed the foundation of multicultural universities pending permission from the Minister of National Education. With support of UDMR and funding from the Hungarian government, a private Hungarian university is to be established in Cluj, with branches in Oradea, Tîrgu-Mures, Brasov, Timișoara and other Transylvanian towns³⁷. According to CER³⁸, the new Prime Minister Adrian Nastase was sceptical about the establishment of higher educational institutions in minority languages. Yet, in January 2001 and despite protests by members of the Romanian Greater Party, the Romanian Chamber of Deputies passed the Local Public Administration Act, where a clause was included, which states that local authorities are expected to provide services to the local community in the language of a minority composing more than 20% of the population³⁹.

The abuse of Roma's rights represents one of the most persistent human rights violations manifested in both countries. To this end, transnational NGOs are in the process of strengthening their activities across borders in the region. For example, ERRC has developed a tangible programme and strategies to aid the Roma on a worldwide scale. Its activities range from direct monitoring to legal advocacy both on domestic and international levels. These cases, although not representative of a cross-border trend in Eastern Europe, imply the beginning of a much more general attitude: domestic concerns are not so domestic as they used to be, and therefore it is more efficient to deal with them on a transnational level. Internationalisation of what used to be considered 'national' already takes place on a large scale. NGOs send petitions

³⁷Lovatt, Catherine. "Hungarian University in Transylvania". *Central Europe Review*, Vol. 1, No 20. 1999. <http://www.ce-review.org/99/20/lovatt20.html> (8 Nov. 1999).

³⁸Names, Paul. "New from Hungary". Vol.3, No 2. <http://www.ce-review.org/01/2/hungarynews2.html>. (15 January 2001).

³⁹Lovatt, David and Lovatt, Catherine. "New From Romania". *Central Europe Review*. Vol 3. No 3. [wysiwyg/18/http://www.ce-review.org/01/3/romaniannews3.htm](http://www.ce-review.org/01/3/romaniannews3.htm). (22 January 2001).

to international organisations and unsolved cases of racism to the European Court for Human Rights in Strasbourg. They also seek to attract Western attention and establish partners in order to support their cause. Considering the connection between the human rights situation and EU accession, one grasps the influence of transnational organisations in domestic affairs⁴⁰.

CONCLUSIONS:

In concluding, Hungarian civil society can be characterised by its militancy and audacity. Over the last eleven years it has managed to open good communication channels with the government. Human rights issues are always a more delicate area, but NGOs, despite occasional conflicts directly negotiate and influence governmental policies. A Romani movement centred on a few charismatic individuals has managed to attract international attention to the problems of everyday discrimination that the Roma minority in Hungary experiences. The Romanian non-profit sector has been instrumental in providing the civic alternative to exclusivist nationalism. Although this danger is still present, it should be acknowledged that violence and racially motivated attacks have decreased. This is not a sign of increased societal awareness but of a general realisation that civil society is present, vigilant and militant. The Romanian third sector has managed on several occasions to force itself into the political arena. Public support for it is still minimal mostly due to the general ignorance regarding the concept and the role of civil society, the lack of an associative culture and falling living standards.

Civil societies in both Hungary and Romania have reached a certain level of stability. Goals, dangers and future challenges are known and taken for granted. Advocacy groups are not among the most popular civic initiatives, while active citizenship is far from being endorsed by the wider strata of the population. If not radical changes, some progress has been achieved, with remarkable results regarding people's participation in organising themselves around a civic cause. However, considerably more has to be done before a democratic political culture becomes the cornerstone of political thinking.

⁴⁰UDMR entered the governing coalition in Romania in 1996. Three years later in 1999 at the Helsinki EU summit, Romania received approval to start negotiations for integration into the EU.