

# UNCERTAIN CITIZENSHIP OF MINORITY INHABITANTS IN RUMANIA

BY

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Rumania as enlarged by the Peace Treaties of 1919 has, according to the official census taken in 1930, a population of 18 million inhabitants. Of these 72% (13 millions) are Rumanians and 28% (5 millions) are members of various racial minorities. *The most important and largest of these racial groups is the Magyar minority, which numbers nearly 2 million souls.* Before the war, according to the figures of the 1912 Rumanian census, about 7 million inhabitants (93.5%) of the old Rumanian Kingdom were Rumanians, while the rest (Magyars, Bulgarians, Turco-Tartars, Russians, Germans, Jews, etc.) numbered only 473.000, or 6.5%. The Paris Peace Treaties thus attached to Rumania more than ten times the number of national minority subjects she had before the war. It is therefore natural that those Treaties should have endeavoured to ensure that the non-Rumanian nationals should be able to acquire Rumanian citizenship in the enlarged country, in order that they might enjoy the rights guaranteed to national minorities. Unfortunately, in this respect the Treaties did not create a clear situation, *so that even today there are hundreds of thousands of minority inhabitants who, owing to the chaos surrounding the question of citizenship, are to be regarded as "Stateless".* It is the Magyars numbering some two million souls who, forming, as I have said, the largest national minority in Rumania, suffer the greatest disadvantage. A few figures will serve to illustrate this point. According to the report submitted to the Pension Office in Nagyvárad by the Mayor of the town, *only 54.000 of that town's 86.000 inhabitants are registered as Rumanian citizens.* This means that in this one

town on the western frontier of Rumania the citizenship of 32.000 people is uncertain through no fault of their own. In *Sepsiszentgyörgy*, a town of the *Széklers* in the heart of Transylvania, the fact has been established that only 7200 of a population of some 12.000 are in the national register, so that one-fourth of the autochthonous inhabitants are not citizens of the Rumanian State.

The difficulties surrounding the question of citizenship arise from the circumstance that the relevant provisions are not the same in the *Rumanian Minority Treaty of 9th December 1919* and in the *Treaty of Trianon*. The *Minority Treaty* makes Rumanian citizenship conditional on permanent residence and descent from parents permanently domiciled in the areas attached to Rumania, that is to say, on birth in Rumanian territory (Articles 3, 4 and 6). The criterion established by the *Treaty of Trianon*, on the other hand, is parish right of domicile, and the provision is that every person possessing a parish right of domicile in any of the areas formerly belonging to the Austro-Hungarian Monarchy thereby acquires citizenship of the political State exercising sovereignty over those areas (Article 61). The first Rumanian Citizenship Act of 24th February 1924 was not in conformity with the *Minority Treaty*, but with the *Treaty of Trianon*. In terms thereof, in order to acquire Rumanian citizenship it was necessary for the inhabitants of the area in question to have had rights of domicile in that area on 18th November (1st December) 1918. Besides this, citizenship was made conditional on certain formalities (an application for registration in the list of citizens had to be submitted in person), although in terms of Article 4 of the *Minority Treaty*, Rumania had undertaken to recognize former citizens of Austria and Hungary as Rumanian citizens, once and for all and without any formality. What gave rise to difficulties was that those who had neglected to apply for citizenship before the expiration of the time limit, or who could not produce the necessary documents in time, were omitted from the national register. On two occasions — in 1929 and 1932 — the Rumanian

Government prolonged the time limit. *The lists were not definitively closed before 1st September 1933, but even at that date there were several hundred thousand people who were still "Stateless".* Since the change of rule two decades have elapsed, and in that period a new generation has grown up. If at the time their parents neglected to apply for Rumanian citizenship, the children who have been born, have grown up, or have come of age meanwhile, are treated as aliens. Many pensioners have lost their pensions because their names did not figure in the lists of Rumanian citizens. *Then Valerian Pop's National Labour Protection Bill, which introduced restrictive measures weighing very heavily on non-Rumanians in every field of economic life, became law and began to be put into operation.* These measures heralded the beginning of new troubles for those Magyars who were "Stateless" merely because they had omitted to comply with certain formalities. Later on decrees dealing with the control of aliens were issued in quick succession. In most cases these decrees were interpreted by the various local authorities in different ways. People belonging to the peculiar category of "Stateless" began to be treated as aliens, and were ordered to produce permits to reside in the country. Owing to the uncertainty surrounding the question of citizenship hundreds of thousands of minority inhabitants have been, and are still being, subjected to an unending series of annoyances. They are forced to submit to extortion in order to obtain or prolong their permits of residence, or lose their property through expulsion from the country. Among numerous other instances we shall mention only one that took place this July in Temesvár. On the pretext that their papers were not in order, the Police Prefect of that town arrested some Magyar minority citizens and kept them in custody. They were ordered to pay the tax imposed on aliens. Those who did so were released, but those who had no money were kept in confinement until at last, thanks to the intervention of certain leaders of the Magyars, the Minister of the Interior ordered them to be set free. It then

turned out that the whole affair was simply a case of extortion, for the men arrested were those who had refused to "contribute" towards the expense of building the new Ministry of the Interior in process of erection in Bucharest.

After a hard and prolonged struggle, the leaders of the Magyar minority in Rumania have at long last been successful in achieving a modification of the Citizenship Act. A Law promulgated on 27th July 1939 supplements or rather amends certain provisions thereof. In the first place it allows persons who for various reasons neglected to comply with the requirements of the Act in time, to apply for enrolment in the national register within three months of the date on which this Law is promulgated. According to statistics collected by the Rumanian Ministry of the Interior, 30.000 Magyar families have already filed applications. If we take a family as consisting on an average of only three or four persons, we may safely reckon that about 100 or 120 thousand Magyars will be deprived of the opportunity of recovering their citizenship and therewith their rights and liberties.

Unfortunately, the new law does away with the difficulties of the question of citizenship only in so far that it allows people another three months in which to submit their applications. *It does not, however, exempt them from having to prove the right of domicile as hitherto required.* Only those who can prove domicile but had carelessly neglected to apply for citizenship before the oft-postponed time limit expired will benefit by it. It will be of no advantage to persons unable to prove that they had domiciliary rights at the critical time in the areas attached to Rumania. For this means that they must supply evidence that on 1st December 1918 they had been living in the place of their abode for at least four years without interruption and had paid rates and taxes there. It is quite certain that the greater number of applicants will not be able to do this. This applies particularly to the lower classes, the agricultural labourers and factory hands, and we must not forget either that many people were

forced to change their places of residence owing to the four years of war. Another defect of the Law is that it does not apply to those who for some reason or other have been struck off the lists of Rumanian citizens by the authorities. Their number is considerable. The Magyars of Transylvania have a vivid recollection of how, when in 1924 the lists of Rumanian citizens were being compiled, denunciations galore were lodged against minority applicants, and how, during the inquiries instituted, thousands of them were deprived of their citizenship for technical flaws in their papers, or because some document was not forthcoming.

*The only satisfactory solution would be a legal measure that would waive formalities and recognize as citizens of the Rumanian State all who on the date when the Trianon Treaty was signed (4th June 1920) were permanent residents in the areas attached to Rumania, and who still live there, as well as all descendants of parents whose permanent place of residence is in those areas. All that would be necessary would be to carry into effect the relevant provisions of the Minority Treaty. But this Rumania for two decades has contrived to evade, notwithstanding her treaty obligations to the Allied and Associated Powers.*