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**MINORITIES' SITUATION
DURING THE HABSBURG MONARCHY
AND ROMANIA AT THE END OF THE 19th CENTURY AND
THE BEGINNING OF THE 20th CENTURY**

The modern world, mostly made of nation-states, as it came to be as the result of long historical processes and phenomena that have taken place throughout the last centuries has created the reality according to which ethno cultural differences became a central problem of the global system¹. Solving this problem has greatly involved the normative system that was applied to the nations that are international subjects, due to their self-determination rights. The creation and the manifestation of nationalities principle – and of equivalent – the self-determination principle – were important reference points of the 19th and of the 20th century, being notably prolonged to present day. Implementing the above mentioned principles and formulating a nation's international statute have had direct, major consequences on the modalities ethno cultural diversity has dealt with. Nevertheless, the normativist perspective has to be taken into account with caution, as the international laws have not yet defined the nation, which is considered to be as only having the right to self-determination. Thus, any historical analysis of the nationalities' statute (minorities or ethnical groups, using nowadays terminology) has to be calibrated using other methods derived from paradigms that are specific to the investigated chronotopic sequence. Within the context of the study I have carried on, that is the comparison between the statute of the nationalities in Romania and Austria-Hungary, I have considered to be as relevant elements specific to two main processes: modernization and

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democratization². Therefore, my intervention has as purpose a comparison in the classic sense and will use as support – in some cases – the situation of an ethnic group that is well represented within both state entities – the Jews.

But before initiating the analysis, a few methodological and conceptual clarifications are absolutely necessary. They will target aspects regarding the nationalities and their legal statute, the content and the manifestation forms of the democratization and the modernization processes within the two states and, finally, the importance, the role and the specific situation of the “witness” nationality, the Jews.

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Using the term “nationalities” when we analyze the realities of the second half of the 19th century and of the beginning of the last century is supported by at least two categories of arguments: those regarding the meaning and the usage of the term in that period, with the implications of some mentalities and of a time spirit (*Zeitgeist*), which has generated the background of the general evolution of the term and, in this respect, the semantic value in certain stages becomes clear; and those regarding the conceptual distinct formulations regarding the national issue, formulated more recently, in the 20th century, which tried to capture *another* reality, both from an internal perspective, as well as from that of the relations between states, and, in this respect, new formulations appeared, like ethnic, national, etc. minorities, bearing another value and having a different echo in the contemporary society.

By *nationality* we understand, in the period we analyze, *a social group which is distinct by ethnicity, which has its own culture, a language, a religion and a moral code that differentiates it within the nation state it belongs to and which, by number and the effort to create a national identity, it proves to be a dynamic, active element at a social level*. Along with ethnicity, I have also introduced in my definition the dynamic element of constructing the national identity, especially for avoiding considering nationality function of all human formations above clans or tribes, so those that have been known so far as ethnic groups and in relation to which the nation definitely represents a superior form of aggregation and integration as far as human general evolution level is

² For further and more detailed explanations please check my article *Modernization and/or Westernization in Romania during the Late 19th Century and the Early 20th Century*, in “Transylvanian Review”, Vol. XVII, No. 1, Spring 2008, p. 3-11.

concerned. A specification is needed – in many situations, during the 19th century and the first decades of the 20th century, nationality was considered to be a nation that lacked political personality, this approach explicitly deriving from the famous formula of the *principle of nationalities* launched in 1810 by M-me de Stael and which had a brilliant career in the history of the 19th century in Europe. In this respect we only bring again to attention the formula: *La nationalité est une nation en germe et la nation est une nationalité épanouïe*, launched by R. Johannet³ and supported, among others, by Th. Ruysen⁴, L. Duguit⁵ and B. Lavergne⁶, formula that has to be perceived through juridical perspective and through what the Peace Conference in Paris in 1919-1920 has established at an international level.

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Born after the Second World War as a support theory for the differences that appeared throughout the world, the theory of modernization gradually became one of the major concerns of the researchers of the social, economical, political and, also, historical phenomena, reaching its peak when the problems regarding decolonization and development became important international issues in the 50^s and the 60^s. The concept and the theory of modernization are clearly opposite to the theory of the cycles in the historical evolution of human kind; they are positivistic and treat human kind history as a history of progress. Modernization involves an intellectual, technological and social revolution, transforming the fundamental relationships of the individual with time, nature and human kind. Seen from this perspective, modernization appears like an ethically complex, neutral term⁷. Yet, the interpretation of modernization, its diffusion and its uniformity create obscurity, arguments and controversies with obvious political implications.

Modernization theory had many sources and many interpretations, yet all of these deriving from the Eurocentric perspective, according to which the process developed in the European West, involving progress, has been perceived both as means and as model by the rest of the world.

³ R. Johannet, *La Principe des Nationalites*, Paris, 1923, p. 425.

⁴ Th. Ruysen, *Les minorites nationales d'Europe et la guerre mondiale*, Paris, 1923, p. 94.

⁵ L. Duguit, *Souverainete et Liberte*, Paris, 1922, p. 31.

⁶ B. Lavergne, *Le Principe des Nationalites et les Guerres*, Paris, 1921, p. 16.

⁷ See, C. Turliuc, *National Ideology and the Modern State*, in C. Turliuc, *Intertwined Destinies. Modern Romania and its Ethnic Groups*, Iași, 2003, p. 7-20.

Among the modernization theorists there is a so-called group of “evolutionists” like W. W. Rostow⁸, Alex Inkeles⁹, Myron Weiner¹⁰ etc. who claim that the Western experience has to be copied by the countries that want to develop. Another important group of theorists is the one that claims that absolute mimicry is not necessarily the way for development, as there are substitutes, “shortcuts”, options, there is the possibility of “telescoping” the modernization or “burning stages”. Common for all the modernization theorists is the fact that they give a central position to *industrialization* in this process, sometimes totally omitting factors that, in my opinion, are important. The reasoning these thinkers propose is simple, determinist and linear: technology started having extremely powerful effects on food, comfort, lifespan of all Western population. It started to occupy a central position, it became merchandise wanted by everybody, being appreciated both by masses, as well as by elites. The countries that had it became “civilized”, “advanced”, while those that didn’t have it became “primitive” or “uncivilized”. This labeling was the result of searching for a justifying principle, according to which the beneficiaries of new technological civilizations equated their success with moral virtue and were ready to equate others’ industrial lack of success or their keeping the traditional economy to a lack of morality. Within the boundaries of those thinking patterns, the Western nations became the equivalent of the “ruling class”, the obvious effects of capitalist industrialization having determined those who hadn’t reached them to accept the theories of those who had taken full advantage of them. This way, inequality became official in a more complex and harder to contest form. *The modernization politics, thus, had as purpose not only the transfer of technology and the specific means of production, but also of the liberal idiom and of the Western like institutions.*

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Democratization¹¹ involves, in the chronotopic sequence we deal with, the expressing and the very complete affirmation of the principle of popular sovereignty, even through as many members of a society participating into the electoral process. In both states the vote based on

⁸ Walt W. Rostow, *The Stages of Economic Growth*, Cambridge, 1960.

⁹ Alex Inkeles, *Making Man Modern*, in „American Journal of Sociology”, Nr. 75, 1969, p. 208-225.

¹⁰ Myron Weiner (ed.), *Modernization. The Dynamic of Growth*, New York, 1966.

¹¹ One vision upon this process can be traced down in Charles Hauss essay *Democratization*, published on line at <http://www.beyondintractability.org/essay/democratization>

wealth and the limitations of “electoral geometries” imposed on political grounds by leaders animated by different “national” views have obstructed and compromised even electoral “democratism”.

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In our comparative analysis we have chosen the Jews for several reasons: a) on many occasions, the statute of this ethnic group was used as a test zone to establish the tolerance degree that existed within certain societies. Other times, the statute and the presence of the Jews was interpreted as being a marker of modernization and democratization of a society; b) the Jews were, in the Old Kingdom, unlike the multinational dual Empire, the only nationality that was numerically significant in the analyzed period (almost 5% of the population). Yet, in Romania, as well as in Austria-Hungary, the Jews were an ethnic group, significant in number, role and social positions. By the end of the 19th century and the beginning of the 20th century, out of the 11,6 million Jews in the whole world, 7,2 were to be found in the Central and Eastern Europe. As far as the proportion per thousand inhabitants is concerned, it was 45 in Romania at the beginning of the 20th century, a little higher in Austria (46,8) and closely followed by Hungary (44,2). That was the highest proportion in the world. Thus, the situation of the two countries was similar, as far as the numbers within total population was concerned¹²; c) Also, in an overwhelming proportion, the Jews in the two states belonged to the group of Ashkenazi and they spoke Yiddish; d) finally, there were significant reactions to Jews in both of the states and this offers a ground for analysis from the perspective of the social change model.

Yet, aside from this similitude there are significant differences, which will be underlined in our analysis, where necessary. One of them, that has to be mentioned even from the beginning, is the fact that the juridical statute of the Jews in the two states was different, meaning that they were politically evolved (emancipated) in Austria-Hungary, while, in Romania, this thing happened widely only after the end of the First World War.

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¹² More data concerning the topic can be found in C. Turliuc, *Aspecte și realități demografice*, in *Organizarea României moderne. Statutul naționalităților 1866-1918*, Vol. II, *Dilemele conviețuirii*, Iași, 2004, p. 91-106.

Creating the duality was exclusively a “compromise” between the Emperor and the Hungarians. They only recognized one larger state in case of war and for the external affairs, while Franz Josef used to leave Hungary’s (Transleithania) internal affairs to the “Hungarian nation”. At the same time, the Hungarians recognized the customs unity with the rest of the Monarchy, renewed every ten years. There were basically two constitutional states left, Austria and Hungary¹³. The Hungarian constitution was based on the laws in March 1848, with minor modifications. The new Great Hungary wanted to be a state with clear borders that it never had had and which now comprised a large number of non-Hungarians out of which mostly Romanians and Serbians had violently protested against 1848-1849 Hungary. Formally, Deák Ferenc was ready to make some concessions. Thus, Laws XLIII and XLIV appeared in 1868, The Law of Nationalities (XLIV), theoretically unlike Kossuth Lajos’s chauvinism. This Law was trying to make peace between the Hungarian national statute and the existence of other nationalities in Hungary, giving minorities rights without creating a multinational state. According to minorities’ rules, they had the right to a local government system in their language; they could occupy administrative positions in non-Hungarian regions, while in public schools, any nationality that “lived together in sufficiently large numbers” were entitled to education in their maternal language “up to the level where higher education began”. This law, with its title that was referring to “the equalization of the nationalities’ rights” was to be admired, but has never been really applied. It may be the clearest example of political demagoguery with respect to nationalities’ rights and was an instrument that was practically conceived against the principles it was supposed to support. It officially created the thesis of the existence of a single political nation and of only one national language, that of the Hungarian state¹⁴. Doubled, in time, by other laws (especially the ones concerning education), it widely opened the gate to the forced magyarization policy, reality known by all the nationalities that lived in Hungary between 1868-1918. No nationality had ever had a public school, primary or secondary, in its own language; secondary schools founded by Romanians and Slovaks for own use were closed in 1874 and Hungarian was introduced as official language in all

¹³ See, A. J. P. Taylor, *The Habsburg Monarchy 1809-1918: a History of the Austrian Empire and Austria Hungary*, London, 1948 and also Alan Sked, *The Decline and Fall of the Habsburg Empire 1815-1918*, London, 1989.

¹⁴ See, R. W. Seton-Watson, *A History of Roumanians*, Cambridge University Press, 1934, p. 402-408.

schools in the late 19th century. The highest form of this policy was represented by the 1907 Albert Apponyi law¹⁵, which forced all teachers to take a special loyalty oath and threatened with firing them if their students wouldn't learn Hungarian. At the beginning of the last century, 95% of the state employees, 92% of the regional employees, 89% of the doctors and 90% of the judges were Hungarian, 80% of the newspapers were in Hungarian language and the rest mostly in German. Over 3 million Romanians had 2,5% of the newspapers published in their language, 2 million Slovaks 0,64% and around 300.000 Ruthenians 0,06%¹⁶. Similar dispositions are also to be found in the December 1867 Laws (Austrian Constitution, of Cisleithania) which referred to having equal rights for certain "populations". Positing a balanced level of languages in schools and public positions, the constitutional article had a few interpretable lines, as it mentioned both the "language of the province", as well as "the language usually used in the province". The Czechs, for example, were saying that the Czech and the German language were the two "languages of the province" Bohemia and, thus, Czech could be used in schools and public positions throughout Bohemia, while the Germans argued that "Czech wasn't the common language in the province", in the German areas¹⁷.

In the Bohemian Diet, the German majority approved a decree by which the compulsory teaching of a second "provincial language" was forbidden. Nevertheless, we have to notice, even from the beginning, that Austria had a more liberal system of national policy than Hungary¹⁸, offering nationalities greater chances for development in the period to come.

"Pilgrimage to Russia", "The Camp in Ripa", rejecting the 1890 compromise by the "Young Czechs" and the Blaj Pronouncement, the

¹⁵ Law 27 from 1907 adopted on 19th of March the same year.

¹⁶ There is a wide literature concerning this topic published in Romanian, Hungarian, German and other languages. In spite of slight difference in figures used, the bulk of historical literature seems to agree in what concern the magyarization policy which was brutally enforced during this period. See Keith Hitchins, *Afirmarea națiunii: mișcarea națională românească din Transilvania (1860-1914)*, București, 2000; Zenovie Pâclișanu, *Politica minoritară a guvernelor ungurești (1867-1914)*, București, 1943; Mircea Popa, Valentin Tascu, *Istoria presei românești din Transilvania de la începuturi până la 1918*, București, 2003; Vasile Popeanga, *Școala românească din Transilvania în perioada 1867-1918 și lupta sa pentru Unire*, București, 1974 etc.

¹⁷ See Arthur J. May, *The Hapsburg Monarchy 1867-1914*, Cambridge, 1965.

¹⁸ One notable occasion created by the „Ordinance of April 5, 1897” the Prime Minister Kasimir Felix Graf Badeni gave Czech equal standing with German in the internal government of Bohemia, leading to a crisis because of nationalist German reactions. Badeni was finally dismissed.

1892 Memorandum are just a few examples of the way the Czechs and the Romanians in Transylvania reacted to the official abuse. The Hungarian and the German hegemony that was institutionalized in the double monarchy will be the target of all the emancipatory movements of the nationalities that lived within the Empire until the long awaited moment of its welcomed falling apart.

A collateral beneficiary of the system established by dualism on the 17th of February 1867 was represented by the large masses of Jews, which were politically and socially emancipated as a result of this evolution. Thus, by the 1867 17th Law, promulgated by Franz Josef in December, the same year, Jewish population in Hungary received equal politic and civil rights. The Jews will be assimilated – that is magyarized – rapidly and massively and, moreover, in some provinces like Transylvania, they will become the leaders of the magyarization policy of other nationalities. Jews were the most active supporters of the “assimilation” and brought brilliance in art and literature for the rulers of that time. A similar situation, though regarding Germanization, took place in Austria, too and we will mention only the case of Bucovina, which we are more familiar with. Of course, Jews and their elites must not be blamed for the position they had, which was no more than gratitude towards the rulers of the times and a natural reflex for taking advantage of a historic opportunity and of a political context. Still, they will suffer as a result of anti-Semitism that will strongly develop for the whole analyzed period.

As far as Romania is concerned, nationalism has crystallized and manifested itself in the form of nativism, later developing into ethno-nationalism. Between the latter and the modernization process there is a tight connection and interdependency, both being influenced by the central position occupied by the state (state centrality). Based on this reality, we can easily observe the fact that the nationalities’ statute in our case was determined by the way they were perceived by the political elite and by the public opinion as having congruent purposes with the Romanian state and with the private interests of the ruling class. The Romanian ethno-nationalism in the period we are talking about had, *in nuce*, a “modernization promise” as long as the ideology of the national identity was defined in relation to “civilized Europe” and liberalism. In this way, modernization was equivalent to westernization and that is why the communication and the social mobilization, the assimilationism manifested as important elements by the end of the 19th century and, especially, in the beginning of the 20th century.

The juridical statute of our nationalities, element out of which the other *statutes* and their role within the society derive, has a tight connection with the society's general level of development, with its route towards modernization and democratization. The formula implemented by the 7th article of the 1866 Constitution (with the restrictive stipulation for non-Christians) is the result of respecting a long legislative tradition, the result of the moment conditioned at the time by the processes of consolidation, organization, centralization and institutionalization of the Romanian national statute and of the affirmation of its need for an independence that wouldn't be altered by external pressure. Thus, the juridical problem of nationalities focused on Mohammedans and, especially, on Jews. Not having the citizenship had prohibited some Jews from occupying public functions and having jobs controlled exclusively by the state (the legislation was elaborated in this respect, similar, regarding foreigners, to the ones in other states of the civilized world). The modification of the Constitution, in 1879, in the sense of ignoring religion when it came to citizenship, established the modern principle of individual naturalization. Unfortunately, the nationalization pace wasn't constant. Dobrogea's inhabitants, no matter their religious beliefs or their nationality, became Romanian citizens after the Union, but didn't have full political rights until the adoption of the 1909 Law. The restrictions related to civil rights, resulted from our legislation that was adopted after the independence haven't exclusively affected the nationalities (especially the Jews) but also most of the Romanian people, the peasants, excluded from the common rights by the legislation on the agricultural agreements. This is far from a justification that would explain certain restrictions, but it proves the degree of modernization and democratization reached by our society at the moment.

As far as the role-played by our nationalities is concerned, a special place is occupied by Jews. No other nationality will ever have the importance that the Jews had for our society. As the result of an internal migration, they will become an important factor in the large urban concourses with an intense economic activity (the capital, the Danube ports etc.). During the economic crisis at the end of the 19th century, many Jews emigrated (around 60000) but, at the same time, statistics show that Romania was again a "target" country for immigrants (obviously the newly arrived weren't only Jews).

In the economic life of the country, the Jews represented a dynamic and active factor, have been more present than any other nationality or ethnic group, have, generally, interposed between the elites and the

masses and formed an intermediate *sui generis* class – without having the characteristics of what we nowadays call *the middle class* – allo-geneous and powerful, thus competing with the newly emerged Romanian bourgeoisie, which perceived its interests and aspirations as endangered. The Jews had an important weight considered their number in report with the population of the country, in most areas of the economic life (industry, craftsmanship, commerce and so on). A series of professions and handicrafts were specific to Jews in our country. Also, important positions were occupied by the representatives of this nationality in liberal professions. We find it paradoxical because, in spite of the numerous and undeniable evidence of modernity, whose carriers were also the Jews in all the domains of the economic and social life, the impact of modernization on the Jewish community as a whole wasn't as strong. The North of Moldova, which had the highest numbers of Jews, was and still is one of the poorest in the country. A possible explanation of this paradox would be the fact that there is no direct relation between modernization and development or that the modernizing agents (in this case, the Jews) have manifested in a sense that wasn't necessarily good for modernization, but for their own interests.

Obviously, the Jewish community in our country wasn't homogenous. The Jewish elite – mainly the economic one – has cooperated with the state authorities, either because of pragmatism or because they clearly understood the situation their minority was in and represented a positive factor in the process of modernization of the industrial and managerial infrastructure and also an active partner in the battle for the full rights of the minority they represented. Yet, these elite were “incomplete” because of the impossibility to manifest itself at an institutional politic level inside the country. The process of integration and acculturation was more rapid at its level. The large masses of Jews were permanently searching for solutions which would satisfy their needs and the needs of their families and that may be why the level of their integration into the Romanian society was very low.

As far the cultural life was concerned, the Jews were active in almost all of its areas. Two main directions, with their nuances, are to be distinguished in this period. A first direction was about asking political rights for the Jews in Romania with the argument of a long cohabitation and the importance of this population for the Romanian society, presenting their destiny to other Jews in other countries and conveniently interpreting the obligations taken by Romania at an international level. This direction was generally integrationist and had to do with cultural

assimilation in its aspirations. Another direction, equally powerful, especially towards the analyzed period, militated in favor of Zionism – the specific form of Jewish nationalism – and, not by chance, the first modern colonies in Palestine were created by Jews in Romania, one of the first Zionist conferences in the world being organized in Focșani, in 1882. These directions could be found in the writings of all the Jewish authors in that era, but also in the numerous Jewish papers written in that period in Romania.

Along with the democratization and the modernization of our society, the public opinion towards allogenous people (nationalities) that lived in our country. At the same time it has to be mentioned that the Romanians in Transylvania, Bucovina and Basarabia were treated as second-hand citizens, at best and that is why it would be absurd to expect from the Romanian public opinion a high degree of empathy and tolerance with the allogenous people in our country. There is also another thing that has to be mentioned, the fact that, on some occasions, the situation of the nationalities in our country (especially the Jewish one) was used for political purposes.

Affirming the national identity of the Jews their specific nationalism came to be in a contradiction with Romanian ethno-nationalism and with the national becoming program and that is why the Romanian public opinion looked with suspicion upon any attempt to forcefully impose the solution of a problem that wasn't perceived as being of maximum importance from the point of view of the national interest, as it was perceived at the time.

As a final remark, we can underline the fact that the statute of the nationalities in our country between 1866 and 1918, within the context of organizing a modern Romania, resulted from and was created in tight connection with the particularities of our society, with its needs and aspirations, with its struggle towards modernization and democratization, with what had been perceived as being the major concern, that is the will and the national interest.

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A series of conclusions of this analysis can be formulated as follows:

a) The statute of the nationalities in the two states has evolved politically, economically, culturally etc. in a tight interdependency with the processes of modernization and democratization specific to Central East European area in the second half of the 19th century and in the beginning of the last one;

b) The national projects within the double monarchy ended on antagonistic positions and were overlapped by concrete realities of the international environment, as well as by internal political contexts that were sensitive to the “National” dimension. In the case of Romania, the project of national construction has sometimes collided with national like aspirations formulated by the ethnic Jewish group and its elite. Moreover, it had real barriers in the international environment within which it evolved both when Romania was an object of international relations, as well as when the country became their subject, after proclaiming and being recognized as independent;

c) Noble and modern in formulation, the legislation regarding the nationalities in the double monarchy was generally nothing more than a promise that was rarely kept, partially and sometimes locally. It is a good example of politics and an instrument for measuring the distance between talk and action or theory and fact. In Romania’s case, the legislation developed gradually, at the same pace with the processes of modernization and democratization of the society as a whole, sometimes the changing of the juridical frame of the nationalities being rushed by international events or reunions (The Congress in Berlin, the events that accompanied the First World War);

d) In spite of the more rapid, mass emancipation of the Jews from the double monarchy, compared to those in Romania, in both cases there was a anti-Semite component that manifested with variable intensity and which cannot be neglected, for having important repercussions at a historical scale;

e) Despite the obvious disproportions and differences of the two compared political entities, similar elements that underline the idea the processes of national construction in this European area have significant common features can be found;

f) Finally, I am convinced that refining and deepening the research in this field from our methodological perspective will lead to new, important results that would seriously contradict many of the stereotypical assertions regarding the “retardation” of this area and the “poor quality” of the national construction process in the region.

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(Summary)

Keywords: Habsburg Monarchy, nationalities, minorities, Jews, modernization, anti-semitism.

Any historical analysis of the nationalities' statute (minorities or ethnical groups, using nowadays terminology) has to be calibrated using other methods derived from paradigms that are specific to the investigated chronotopic sequence. Within the context of the study I have carried on, that is the comparison between the statute of the nationalities in Romania and Austria-Hungary, I have considered to be as relevant elements specific to two main processes: modernization and democratization. Therefore, my intervention has as purpose a comparison in the classic sense and will use as support – in some cases – the situation of an ethnic group that is well represented within both state entities – the Jews.

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