

Introduction to the special section: minority politics and the territoriality principle in Europe

Magdalena Dembinska^a, László Márac^{b*} and Márton Tonk^c

^a*Political Science, University of Montreal, Montreal, Canada;* ^b*European Studies, University of Amsterdam, Amsterdam, The Netherlands;* ^c*International Relations and European Studies, Sapientia Hungarian University of Transylvania, Cluj-Napoca, Romania*

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Territorial arrangements for managing inter-ethnic relations within states are far from consensual. Although self-governance for minorities is commonly advocated, international documents are ambiguously formulated. Conflicting pairs of principles, territoriality vs. personality, and self-determination vs. territorial integrity, along with diverging state interests account for this gap. Together, the articles in this special section address the territoriality principle and its hardly operative practice on the ground, with particular attention to European cases. An additional theme reveals itself in the articles: the ambiguity of minority recognition politics. This introductory article briefly presents these two common themes, followed by an outline of three recent proposals discussed especially in Eastern Europe that seek to bypass the controversial territorial autonomy model: cultural rights in municipalities with a “substantial” proportion of minority members; the cultural autonomy model; and European regionalism and multi-level governance.

Keywords: European minority regimes; territoriality vs. personality principle; threshold rule; territorial and cultural autonomies; European regions and multi-level governance

Territorial arrangements for managing inter-ethnic relations within states are far from consensual. Surprisingly, during the twentieth century, it was the hypercentralized communist Soviet Union that used this tool to manage its ethnic diversity. On the basis of the Soviet Leninist principles of territorial federalism, ethnic groups were assigned their own territories, either federative states or autonomous territories (see Motyl 1995 for discussion). The Soviet model was applied in Central and Eastern Europe only in Romania, on Stalin’s insistence, by granting Hungarians in the Szeklerland a Hungarian Autonomous Region (HAR). In this region, the Hungarian national minority was granted full linguistic and cultural rights. The HAR existed from 1952 to 1968, when it was abolished by Romania’s communist leader Nicolae Ceauşescu as part of his policy of de-Stalinization of the country (Bottoni and Novák 2011, 398–403). Only at the end of the twentieth century was “territorial autonomy” put on the international agenda as a means of handling ethnic diversity. Various international documents acknowledge the merits of territorial autonomy for the inclusion and participation of minorities within the decision-making processes of the state. However, as this special section will show, there are very few empirical cases of the implementation of autonomy and nowhere is the principle effectively applied. Although,

*Corresponding author. Email: magdalena.dembinska@umontreal.ca

for example, the 1999 Organization for Security and Cooperation in Europe (OSCE) Lund Recommendations pay considerable attention to autonomy, little has changed on the ground (Palermo 2009, 654). This section's main argument is that conflicting principles of minority regimes, self-determination vs. territorial integrity, and territoriality vs. personality, along with diverging state interests and power politics account for this gap. At the same time, because the language of self-determination and minority rights used in international documents has led minorities to make increasingly radical claims and has given them more "ethnic bargaining power" (Jenne 2007), alternative arrangements have been emerging in practice, notably the personality principle, thresholds, and regionalization.

In this special section, arising from a panel on minority regimes in Europe at the general conference of European Consortium for Political Research (Reykjavik, 2011), four papers have been brought together that shed light on the question of whether the territoriality principle or the personality principles operate in Europe. This collection includes two case studies, one on South Tyrol and one on the Transcarpathian area of Ukraine, an article accounting for the different minority rights regimes in Western and Eastern Europe, and a study investigating minority regimes in Central and South-Eastern Europe. The purpose of this introductory article is to introduce the debate and to evaluate the practice of territorial solutions to majority–minority conflicts in Europe. It is argued that minority rights, including territorial autonomy for ethnic groups, are dependent on politics and power rather than on norms. Minority regimes adopted throughout Europe are thus plural and do not follow any guiding principle *per se*. Moreover, every arrangement has its shortcomings and majority–minority tensions persist. The latter, however, are no longer seen as threatening stability and security across Europe.

Minority regimes: guiding principles in tension

The fall of the Berlin Wall in 1989 and the ethnic conflicts that followed in the former Yugoslavia, Georgia, Azerbaijan, and Moldova were seen as potential threats to the security of Europe. Thus began the process of establishing regional standards for dealing with minorities, along with the still unresolved debate on the principles that should guide them. Central questions are whether cultural and self-determination rights should be attached to individuals or to communities and whether they should follow the personality or the territoriality principle. A recurrent tension exists in international law between the right to self-determination of peoples and the territorial integrity of states. Some authors insist on the collective right to some sort of self-governance necessary for maintaining minority communities within their historic territories. Others prioritize the territorial stability of existing states (Jackson Preece 1997a, 1997b, 345). These contrasting views reflect diverging state interests and two opposing camps that emerged during the norm-making debates. States having large external minorities, such as Hungary and Germany, actively promoted standards that would include territorial self-determination for concentrated minorities in historic territories. This option was not only conceived as a means of ensuring minority group survival in "nationalizing" states but also as a way to impede massive immigration of the members of the external minority to the parent-states, which would have important socio-economic implications there. On the contrary, countries hosting relatively large and concentrated minorities, such as Slovakia, Bulgaria, and Romania, in addition to republican France, only accepted the personality principle when adopting standards for minorities (Jackson Preece 1997b, 353; Tesser 2003, 484–485).¹ In this view, minority rights should be subservient to the right of sovereign states to territorial integrity and should be limited to individual human rights, as opposed to collective rights, particularly those related to territorial arrangements.

To accommodate both camps, international documents are rather ambiguously formulated. They opt for individual rights for persons belonging to minorities that may be exercised together with other members of the group. In other words, they may be exercised by and as a group. As for territorial solutions, international norms promote territorial autonomy within existing states as a potential inter-group political arrangement but clearly distinguish it from secession, since they seek to preserve the territorial integrity of states (Jackson Peerce 1997, 348). Nevertheless, in practice, this solution is almost inexistent, particularly in the post-Cold War period, and international documents are unclear with respect to its application. The OSCE 1990 Copenhagen Declaration endorses territorial autonomy as a means of protecting and promoting minority identities. Three years later, in 1993, the Parliamentary Assembly of the Council of Europe went further by formulating Recommendation 1201. This *draft protocol* recognizes territorial autonomy as a *right* of persons belonging to minorities in a specific historic territory. In 1995, however, the Framework Convention adopted by the Council of Europe did not even mention territorial autonomy. Subsequently, the 1999 Lund Recommendations again endorsed territorial autonomy as a good practice, but no right or obligation was attached to it. The OSCE high commissioner asserted that territorial autonomy is not “the best practice” but a “last resort,” arguing that it has destabilizing effects in the context of the “existing conditions of geopolitical insecurity” (Kymlicka 2008, 30). The territoriality principle is thus a second best option. For stability and security reasons, states, whose representatives constitute the international norm-makers, cling to their territorial integrity. The territoriality principle is also in conflict with the globalized world, mobility, and migration. Hence, as will be evident throughout this special section, the personality principle is easier to implement, as it is easier to gather political support for it.

Together, the articles in this special section address the above-mentioned puzzle concerning the gap between the territorial norm and its practice on the ground, with particular attention to European cases. The territorial principle is hardly operative as the papers in the special section demonstrate. An additional common theme in the section’s articles is the question of minority recognition and the ambiguity with respect to the groups that can claim various kinds of rights. Different rights tend to be attached to different categories of groups (see for example, Kymlicka and Opalski 2001). Individual rights are said to apply in countries with a hegemonic, monolingual orientation and are mostly associated with so-called “new minorities,” which are immigrant groups that want to integrate while preserving and reproducing their cultural characteristics. Individual rights are the only rights that are recognized, however, in most countries with historically established minorities, such as Romania (see Appendix B of the Horváth and Székely article). It has to be noted, however, that even individual rights for minorities can contribute to a pluralistic society, as Csergő and Deegan-Krause (2011) argue. Territorially defined rights are intended for indigenous peoples who want to govern their homeland territories. Kymlicka (2008) observes though that this division is incorrect when applied to most European cases, where national minorities are “old” inhabitants of a particular region that was incorporated into a wider state territory by a different (majority) nationality. They are not labeled “indigenous,” a word that is used in “the context of New World settler states and refers to the descendants of the original non-European inhabitants of lands colonized and settled by European powers” (Kymlicka 2008, 8). The question of who is granted which rights is clearly associated with group recognition politics and with the way groups are categorized and categorize themselves, and this, in itself, is a conflict-prone matter. This paper argues that, in practice, regardless of the norms adopted, we observe a variety of arrangements and adaptations of the territoriality principle.

This article briefly introduces these two common themes, the role of norms and their implementation, and the territoriality principle in practice, followed by an outline of three recent debates taking place in Europe that seek to bypass some of the controversies associated with the territorial autonomy model, namely: cultural rights in municipalities with “substantial” numbers of minority members; cultural autonomy that recognizes the sovereignty of collectivities independently of their geographical location; and European regionalism and multi-level governance. It is argued that these alternatives, while coping with the tensions among the guiding principles, remain dependent on politics, interests, and power and as such are still controversial. Muddling through and incremental politics seem the only ways to attain functional majority–minority relations and the formation of minority regimes.

Norms and states’ compliance: minority recognition and rights as politics

Europe has established norms intending to protect peaceful inter-group relations and the ability of groups to reproduce. The so-called “European norms,” a somewhat vague part of the package of conditions for candidates for membership in the EU, were developed in the early 1990s. As mentioned above, the elaboration of these norms was a direct response to the perceived security threats caused by post-Cold War ethnic conflicts and, therefore, the standards that were formulated were intended for Eastern European countries. West European states not only were already EU members but also were not eager to be subject to minority rights protections themselves.

As a whole, according to Tesser (2003, 486–487), the standards can be summarized as follows:

individuals belonging to national minorities should have full recourse to human rights accorded to all individuals, even when they come together with others from the same group (...); they are equal before the law and free from state-sponsored discrimination (...); they are guaranteed the chance to maintain and develop their own culture and to publicly manifest their national identity (...); they may form contacts with others of the same cultural background living abroad (...); they have the right to bring their case to European-wide forums (...); persons belonging to national minorities are expected, in turn, to demonstrate their loyalty to their respective states.

Central and East European states were evaluated according to these general points, but the main criterion was whether the minority issue would raise problems for security and stability. Concrete rights and obligations are enumerated in different documents, particularly in the Council of Europe’s Framework Convention for the Protection of National Minorities, 1995, and the European Charter for Regional or Minority Languages, 1992 (Trifunovska 2001; Wilkinson 2002). The Language Charter was adopted in part because of the fact that the language issue is a key element in the management of ethnic conflict in multi-ethnic European states, especially in the Central and Eastern part of the continent. A number of commentators have observed that ethnicity in Europe is strongly related to people’s first language (L1), i.e. their mother tongue. In Central and Eastern Europe, this association is even stronger (Brubaker 1996a, 79–106; Smith 1991, 11–13, 20; and see Smith 2002, 5–9 for a critical discussion). If you are of *X* ethnicity, then language *X* is your L1. Most of the time, ethnic and linguistic groups are interchangeable in Central and Eastern Europe (Csergő 2007, 5–7; Marác 2011, 157–162). As a consequence, territorial claims are put forward in terms of ethno-linguistic unity (Gal 2009, 33). The indivisibility of these ethno-linguistic territorial units is the foundation for understanding ethnic conflict and violence in this region (Posen 1993; Toft 2003).

In cases such as Transcarpathia studied by Csernicskó and Ferenc in this section, the situation is particularly challenging as the association between territory and ethno-linguistic groups as well as the historic relation of these groups to political power is ambiguous. In “Hegemonic regional, minority and language policy in Transcarpathia,” the authors argue that, in this region of Ukraine, the European norms of minority rights protection are completely absent because of the monolingual, hegemonic attitude of the Ukrainian state towards language and culture (except towards Russian).² Ukraine, which gained its independence in 1991, inherited the region from the Soviet Union. In the course of the twentieth century, the Transcarpathian region has belonged to several different states, including the Austro-Hungarian Monarchy, Czechoslovakia, the short-lived independent Carpatho-Ukraine, the Hungarian Kingdom, the Soviet Union, and finally Ukraine. Csernicskó and Ferenc demonstrate that in all these cases, states tried to develop a policy of asymmetric bilingualism in the territory with the aim of holding onto power. In cases of asymmetric bilingualism, the speakers of the majority language only speak their own native tongue, which is the official language, but are not familiar with the minority language, which is excluded from the official and public domain. Minority-language speakers, however, speak their first language but also the official language of the state, the majority language. Such asymmetric bilingualism often gives rise to conflict.³ As a consequence, while the region is composed of Ukrainians, Hungarians, and Rusyns, today the language and education policy is characterized by the absence of a common language for inter-group communication in Transcarpathia. This situation creates a latent conflict due to tensions surrounding minority rights claims and state policies.

The lack of consensus among Council of Europe member states over minority rights has resulted in “grey zones” (Skovgaard 2007). For Henrard (2001, 55), the standards provided in the Convention and the Charter are vague statements with escape clauses that leave considerable room for states to maneuver. The Charter, for example, allows members to choose obligations *à la carte* (Henrard 2001, 56). Consider Article I.2.2:

In respect of each language specified at the time of ratification, acceptance or approval, ... each Party undertakes to apply a minimum of thirty-five paragraphs or sub-paragraphs chosen from among the provisions of Part III of the Charter, including at least three chosen from each of the Articles 8 and 12 and one from each of the Articles 9, 10, 11 and 13.

It is the state deciding on the list of languages “specified at the time of ratification” that will be subject to the chosen provisions. According to Gregg (2003, 2), the norms are “indeterminate,” and subject to interpretation and change. Because they are indeterminate and are thus interpreted, their application and their effects depend on who establishes them and where they will be applied.

Norms guide states when they establish their own laws, rights, and obligations. As there is no universal definition of a “nation,” “ethnic group,” “minority,” or “language,” it is also up to each state to adopt its own criteria (Dembinska 2012a). Indeed, groups have to be recognized to be able to access resources for their cultural development. It is up to the state to determine who is who and who will get which rights and resources depending on the category attributed to the minority. Recognition itself often constitutes a contentious issue. Are Rusyns part of the Ukrainian ethnic nation or are they a distinct Eastern Slavic people? They are unrecognized as a distinct people in Ukraine, whereas in Poland they are formally an ethnic group, in Slovakia and Hungary, they are a national minority, and they enjoy cultural autonomy in Vojvodina (Csernicskó and Ferenc in this special section; Dembinska 2008; Samyai and Pap 2012). Are Hungarians to be treated as a constitutive nation of Romania and Slovakia or as a national minority? (see for discussion

Kovács 2003; Kántor et al. 2004; Bárdi, Fedinec, and Szarka 2011; Csergő and Deegan-Krause 2011; Vizi 2002, 2012). Are Russians in Estonia and Latvia to be considered immigrants or national minorities (Ozolins 2003; Pettai 2001)?

These questions and examples point to the political (and historical; Uhlmann 2011) aspects of recognition. The “politics of recognition” are widely discussed in the literature not only because “nonrecognition or misrecognition of [one’s] identity imprisons people into an educed mode of being and gives rise to deep unhappiness and a sense of powerlessness” (Parekh 2004, 203; see also Tamir 2003, 224; Taylor 2003), but also because when minority identities are not recognized, “a legitimate collective frustration nurtures which may lead to excesses” (Stivell 2003, 197).

European and other norms notwithstanding, group recognition and categorization, as well as the rights and obligations of groups differ from one state to another, as shown in Stefanova’s and Horváth and Székely’s articles here, reflecting different situations in each country. According to McRae (2007, 21), four structural factors influence state minority policies: (a) the relative size of ethnic communities and their stability over time; (b) their geographic distribution; (c) the relationship between identity divisions and other social cleavages such as economic status; and (d) external influences from neighboring states. In addition, more symbolic factors play a role: each community’s collective self-image and the image of others; the areas of (dis)agreement between the majority and the minority on socio-political issues as well as on values and beliefs. Relying on states for the determination of groups that should be subject to minority regimes is controversial, because these decisions are often politically charged and/or based on some perception of threat. However, according to many analysts, fixing a priori who is who and the specific rights associated with each group would prevent taking into account the situational and contextual characteristics of groups necessary for minority regimes to be adapted to each situation and to respond to actual group needs (Nelde, Labrie, and Williams 1992; Paulston 1997; also Uhlmann 2011 for the Swiss case of self-determination rights that are fixed in history for old minorities as opposed to their inexistence for new minorities).

Territoriality principle in practice

Context and politics thus determine the kind of minority regime that will be adopted. A territorial solution was found in the South Tyrolean case in the context of a supranational organization (the United Nations, UN) and two states embedded in the democratic system of states, as argued by Pallaver (this section). Such territorial solutions to majority–minority relations are among the most controversial norms. As mentioned above, territorial autonomy is presented in the Lund Recommendations, among others, as an effective instrument for minority participation, but the “principle of territoriality,” when rights and obligations apply to a given territory as opposed to individuals or to groups of individuals as in the “principle of personality” (Daoust and Maurais 1987; McRae 2007; Nelde, Labrie, and Williams 1992; Paulston 1997), is rarely applied. Moreover it is applied only under extreme conditions, like in the case of Bosnian state-building (see Horváth and Székely in this section). The explanation can be found in international documents’ formulations themselves, these being elaborated through a negotiation process between states, each acting within the context of its own majority–minority situation. In the case of UN documents, the territoriality principle applies only to concentrated minorities which fall into the “indigenous” category which “include(s) the Indians and Inuit in Canada, the Aboriginal peoples of Australia, the Maori of New Zealand, the Sami of Scandinavia, the Inuit of Greenland, and Native American tribes in the United States”

(Kymlicka 2008, 8); in the case of recent European documents, it applies also to the category of “old national minorities.” Indeed, Kymlicka (2008) points to the twists and turns of the territoriality principle in these two sets of UN/European minority norms. Discussing the analyses and findings by McGarry, O’Leary, and Simeon (2008), Kymlicka argues that “various international organizations have struggled with this issue for the past fifteen years without any clear resolution and their current policies and practices remain full of ambiguities and inconsistencies” (Kymlicka 2008, 2).

McGarry, O’Leary, and Simeon point to “integration,” as opposed to “accommodation,” as the dominant strategy for regulating diversity. Integration strategies privilege non-discrimination at the individual level and the inclusion of members of minority groups in shared institutions. Accommodation approaches, on the other hand, seek the creation of institutions specific to particular minority groups. These two strategies are associated with different categories of minorities. The official position of the United Nations, according to Kymlicka (2008, 3–4), is to accord “accommodation rights” to indigenous peoples who want self-determination and self-government, while granting “integration rights” to minorities whose aim is merely to secure cultural survival. This categorial division of rights is, however, inappropriate when we look at the demands formulated by minorities such as the Catalans in Spain or the Hungarians and the Rusyns in Ukraine (this section), who claim accommodation rights, usually involving the territoriality principle, rather than integration only. These minorities are not categorized as indigenous but still are “old” and attached to a territory they consider their “homeland” (Kymlicka 2008, 9). There is thus a gap between integration rights discourse and empirical cases.

Although the territorial-accommodation strategy seems to have been dismissed in UN norms, the European standards somehow recognize and integrate it, although with much caution and ambiguity. Indeed, European minority rights texts advocate minority self-government for old minorities with historic homelands when independence is not possible (Jackson Preece 1997b, 358). Still, as the above account of the documents produced by the Council of Europe shows, territorial solutions are formulated in an ambiguous manner, as a last resort, not as a best practice. The debate on the adoption of territorial autonomy as a right for minorities was closely related to the European political context of the early 1990s when Yugoslavia disintegrated into independent republics each having “old” national minorities. A special status was then recommended for them, modeled on South Tyrol’s (Kymlicka 2008, 22). However, rather than an outcome of applied principles, the latter model of territorial autonomy for ethnic Germans is the result of an intense process of negotiation and consensus-building, involving the domestic situation, the international context under the framework of the UN, and later the arrangements that arose in the general governance framework of the EU. This is made clear in Pallaver’s contribution entitled “South Tyrol’s changing political system: from dissociative to associative conflict resolution.” For similar contextual and political reasons, the debate on territorial autonomy in the 1990s did not culminate in the adoption of clear norms nor did it result in the voluntary adoption of territorial autonomy structures, except for the Gagauz Yeri in Moldova but this may be understood better in the geopolitical context and the parallel post-civil war situation in the breakaway Transnistrian region of Moldova. This unresolved issue of the norm of territorial autonomy is due to politics and state interests in safeguarding the predominance of the principle of state territorial integrity. Indeed, the fear of territorial autonomy being the first step to secession haunts most states. Although territorial solutions to majority–minority conflicts are put on the table by international and European “norm-makers,” there are vigorous debates in the literature on their consequences. Cornell (2002) shows how federalism and territorial autonomy may be a source of conflict rather than a solution, and

Snyder (2000, 273) sustains that it constitutes a recipe for future partition rather than for peaceful cohabitation (see also Burg 1996; Dorff 1994; Lapidoth 1997).

It is thus not surprising to observe diverging attitudes of state actors towards territorial solutions, depending on majority–minority relations in each case, which affect the perception of security and stability issues. Again, as argued in the previous section, the official policy on minority rights depends on politics and the particular structural situation within a state. Moreover, the perception that autonomy is a source of conflict is further amplified during the period of state-building, when post-communist states, for example, seek to legitimize their newly acquired (or re-acquired) sovereignty (Kuzio 2001). This state legitimization usually involves nationalizing policies (Brubaker 1996b), where majority nations are said to be titular of the state and confronted with historically dominant minorities (Kymlicka 2008, 16). Such minorities are typically members of the nation that used to control a state or empire and ruled over the nation that now forms the majority. Minorities there are often seen as a fifth column and a direct threat to the existence of the state and to the majority nation's survival. This is the case of Russians in the Baltic states, Turks in Bulgaria, and Hungarians in Ukraine who are viewed as potential collaborators with neighboring “enemy” states (see Cserniczkó and Ferenc in this special section). The memory of the collapse of communist federal states, Yugoslavia, the USSR, and Czechoslovakia, the only post-communist states that disintegrated, adds to the lack of confidence in territorial solutions. Recent experience with autonomous regions, although scarce, does not enhance this perception. Indeed, where minorities have come to power, as in Abkhazia, Nagorno-Karabakh, or Kosovo, the former majority nations, Georgians, Azeris, and Serbs, respectively, have been subject to discrimination. Fearing for their continued existence, governments working for the stability of newly (re)gained independent borders, have a hard time accepting and adopting territorial solutions. Contrary to most West European states where territorial devolution of power and regionalism are in place (see Linder 2010 on the Swiss case; Witte and Van Velthoven 2011 on the Belgian case), East European countries have tended to adopt unitary state regimes and resist decentralization and devolution.

Indeed, as shown by Horváth and Székely in “Diversity recognition and minority representation in Central and Southeast Europe: a comparative analysis” in this section, the territoriality principle is rarely applied, although there are a number of cases where minorities are territorially concentrated and, instead we observe a genuine potpourri of patterns. The aim of this article is to compare one specific aspect of the minority rights regimes of Central and South-East European (CESE) states: how the general recognition of ethnocultural diversity (as reflected in the constitution) is linked to the manner in which minority groups get represented in the political system, both at the level of the national polity and through autonomous political institutions of their own. The states covered by the analysis include the Visegrad countries, the Balkans, and the Western Balkans, but, interestingly, also Greece and Turkey, which are rarely discussed together with the CESE region. Horváth and Székely reflect on the application of the territorial and personality principles of minority empowerment, anchoring their occurrence in the broader philosophy according to which states define themselves and handle ethnocultural diversity. The authors identify several patterns for the recognition of diversity, including the mono- or dominant ethnic model, the accommodative model, or the civic or neutral pattern. They then discuss the political representation of minorities, which refers to both the existence of elected bodies of minority self-government and to aspects related to the participation of minorities in elections to the national parliament. It is clear from this article that the minority rights regimes of CESE countries are complex and diversified because their elaboration was

influenced not only by the internal need to handle ethnocultural diversity, but also by the external pressures of Euro-Atlantic integration. Moreover, it is demonstrated that the selective treatment of minorities, that is more or less arbitrarily labeling and attaching rights to certain categories, is the most important tool for states to maintain control over their minorities. Also, the greater willingness of governments to settle the representation of minorities at the level of the national polity than to allow them an autonomous arena is probably not unrelated to the fact that, in the latter case, states would face more difficulty maintaining control over their minorities.

Territorial autonomy is exceptional in the CESE region. There are only two such cases: the Serbian Province of Vojvodina, and Bosnia and Herzegovina, however, neither case is a real instance of territorial autonomy for minorities. Vojvodina is not ethnically defined, but rather a multi-ethnic region with a mixed population of mainly ethnic Serbs and Hungarians, while Bosnia and Herzegovina is a multinational federation. Although much resisted and clearly dependent upon contextual power politics, international actors recommend territorial solutions in belligerent, or potentially belligerent, cases only. Frozen conflicts are an example here as quasi-federal solutions are put on the negotiation table in the cases of Abkhazia, Northern Cyprus, or Transnistria. Referring to this inconsistent practice of international institutions, Kymlicka states thus that “these recommendations seem arbitrary, and, at worst, they appear to be rewarding belligerence” (2008, 20).

Territoriality principle revisited/replaced: emerging norms and new debates

As this paper has shown, ambiguity regarding norms of minority treatment is widespread in international documents and practice. At the same time, the overall discourse gives legitimacy to territorially based minority rights claims. As a result, arrangements adopted depend on contextual politics. As highlighted by Csergő (2007, 3), inter-ethnic relations and policies result from “a combination of domestic agency and international influence.” Thus, facing the political load with respect to the adoption of territorially defined standards of minority rights and thus the difficulty, and even impossibility, of elaborating norms for minorities, some creative practices have emerged that have resulted in new debates aimed at reconciling the conflicting principles of territoriality vs. personality and of state territorial integrity vs. self-determination. Three such alternative practices that give “some autonomy” to minorities without undermining state sovereignty are shortly discussed here and illustrated in the subsequent papers: cultural rights in municipalities with a “substantial” threshold of minority members, cultural autonomy, and European regionalism and multi-level governance. All of these alternatives to territorial autonomy, it must be stressed, are still controversial and resisted by most central governments that oppose any collective rights and particularly those involving territorial devolution.

Threshold rule: cultural rights for “substantially” concentrated minorities

Facing minority claims and European conditionality, Eastern European states have arrived at some creative but still controversial solutions. One of them, quite particular to this part of Europe, is the threshold rule. Refusing to adopt any strictly territorial principle, but adhering to the European discourse as stipulated in the Convention, most East European countries have granted minorities a set of linguistic and educational rights in regions where a “substantial” number of minority members reside and where “needed” (as per articles 12 para. 2 and 14 para. 2 of the European Convention). Still, norms being undetermined, the exact number of minority inhabitants that would be considered “substantial” is

debated in the various parliaments. Differences are thus observed: in Lithuania the use of minority languages in public administration is limited to regions where the concentration of minority members justifies it; in Estonia, to regions inhabited by a minority population of at least 50%; in Kosovo, a 10% rule is applied; in Romania, Hungary, Slovakia, and Poland, the threshold is 20%. Although this solution is far from self-determination in the sense of self-rule on a historic territory, the territorial principle is somewhat present. Even though the right to use the minority language is accorded to individual members of the minority, it is territorialized and given a public status in the form of administrative and topographic bilingualism.

The search for compromise is not without controversy. The “threshold rule” is arbitrary and politically driven. In Poland, for example, minority representatives asked for an 8% threshold, which would permit 79 municipalities to eventually become bilingual. At the other extreme, in addition to political parties refusing to even consider any bilingualism, the proposal was 50%, which would allow five municipalities to get bilingual topographic signs and use minority languages in public administration. After months of parliamentary debates, the Senate intervened by amending the Sejm proposal of 50% and downscaled it to 20% (51 municipalities based on 2002 census data) arguing that this is the existing practice in other countries, notably in Hungary and Slovakia (Dembinska 2012b; for the political process of elaborating the “threshold rule” in Slovakia for the Hungarian minority, see Csergő 2007, Chap. 4).

This integrating-accommodating solution has not been exempt from criticism. Bilingualism in municipalities has to be registered and, to get registered; it must be approved, in Poland, by the majority of the inhabitants that take part in consultations. Moreover, in Slovakia, even one Slovak speaker who does not speak the minority language can block the use of the minority language at a meeting of the municipal council (Marácz 2011). The presence of 20% of minority residents is thus no guarantee for the establishment of bilingual territorial units. Furthermore, census data are often questioned as they depend on the calculation formula used, on the questions asked and on the way enumerators ask them and record different categories of people (Arel 2001; Dave 2004). At each census, bilingual municipalities are threatened with the potential withdrawal of their minority regimes since it depends on the 20% threshold to be maintained. For example, the Hungarian-speaking inhabitants of Transylvania’s capital Cluj-Napoca are not allowed to use Hungarian for contact and communication with the municipal administration because, in the last census, only 19.9% of the people interviewed had registered as ethnic Hungarians (Brubaker et al. 2006). Note that there are around 70,000 Hungarian-speaking people living in the city, which is much more than in the smaller Transylvanian towns with a Hungarian majority, where Hungarian can be used in communication with municipal officials (Péntek 2006).⁴ The threshold provisions do not concern dispersed minorities, such as Ukrainians in Poland, who were forcibly displaced from their historic territories in the 1940s. The arrangement is a creative one but it is still subject to internal state politics and to changing relations between the host-state and the kin-state (triadic nexus, Brubaker 1996a; Kovács and Tóth 2009; Tóth 2004). In Slovakia, for example, the 1995 minority law was modified in 2009 due to a nationalistic streak under the previous government of Prime Minister Robert Fico which pushed back the use of Hungarian to the private sphere and imposed a penalty for violations of the law (Marácz 2011, 167).

Cultural autonomy

The resistance to territorial autonomy as well as problems with finding consensual solutions to territorially defined minority regimes have led to another emerging literature and

practice, mostly in Central and Eastern Europe (see Horváth and Székely in this section), which stresses the advantages of cultural autonomy, based on the personality principle rather than territoriality. The model was proposed at the end of nineteenth century in the Austro-Hungarian Empire and discussed then by Bauer and Renner (for an account, see Nimni 2007). To prevent secession, the creation of new minorities and ethnic discrimination that is inherent to territorial autonomy, minorities were to be granted constitutional collective rights and cultural, non-territorial self-determination. Cultural autonomy recognizes the sovereignty of collectivities regardless of their geographical location; collective rights are thus dissociated from territory and can be attributed to dispersed groups, something that cannot be done with thresholds. The model gives complete sovereignty to communities over all their cultural affairs. Even in locations inhabited in majority by one group, other groups are not subject to the cultural practices of this local majority but enjoy “sovereign areas of competence” (Nimni 2007). Self-determination does not follow territorial lines but rather revolves around functional competencies. Competencies in this system are thus strictly separated between groups in order to avoid conflicts when it comes to decision-making on sensitive issues such as language or education (Stroschein 2008, 661). It is up to the joint juridical apparatus to oversee the implementation of policies and to solve controversies.

At first sight, cultural autonomy resembles the consociational model (Lijphart 1977), much praised in the Western literature and widely recommended and applied to conflict-prone situations such as Bosnia-Herzegovina. It is, however, dissimilar in substantial ways. The difference resides not only in structural arrangements, but also in the emphasis put on cooperation between citizen-members of different groups rather than between elites (Nimni 2007, 357–358). Indeed, the consociational model, with its grand coalition, power sharing, veto power on cultural matters accorded to each group representatives, proportionality, and the need for the stability of cultural segmentation at the societal level in order to maintain a stable ethnic vote, puts obstacles on the internal dissent of group members, on cooperation between groups and thus on the formation of cross-ethnic societal cleavages (Bieber in Mungui-Pippidi and Krastev 2004). Although consociationalism has positive results in the short- and medium-term in post-conflict settings, it tends to maintain rigid institutionally defined group boundaries and over time has difficulty dealing with new cleavages or new groups, such as migrants as the paper presented by Uhlmann (2011) on the Swiss case shows.

In his appraisal of the cultural autonomy model, Nimni (2007) points to its four advantages over territorial autonomy, as well as over consociationalism: (1) cultural autonomy, which supposes the existence of multinational states, allows us to do away with the concept of minorities and their protection, which are only relevant to the context of the nation-state model; (2) unlike territorial autonomy which gives rise to dominant regional majorities and their subordinated minorities, cultural autonomy allows cooperation between equals, as internal dissent does not threaten the integrity of the group for which there is a constitutionally guaranteed public space independent of group membership; (3) in the contemporary world where the nation-state model is giving way to new governance structures such as the European Union with its trans-national institutions, it seems just right to think of cultural autonomy as a replacement for territorially conceived solutions to protracted ethnic conflicts; (4) given that there are more nations than possible states, cultural autonomy presents a strong incentive for integration into multinational states and thus serves to contain separatist nationalism.

However, some difficulties remain. The model is based on the premise that conflicts between groups revolve solely around issues of cultural recognition, language, and

education. Moreover, the model requires continuous dialogue between communities to secure the management of all other issues that emerge in a common cross-group public space. Similarly to the federal or consociational solutions, this may be a problem in post-conflict settings where trust between groups is lacking and where resentment or even hatred is ever-present (Kaufman 2001; Petersen 2002). Finally, there is the issue of who is empowered to recognize the right to cultural self-determination and for whom. As argued in the sections above, recognition in itself is a political act granted to some and not to others. Rusyns are a case in point. The problem is that if the personality principle is implemented, it may turn out that it is not enough. National minority entrepreneurs often seek an arrangement closer to territorial autonomy, while states frequently try to curtail personality rights out of fear that minorities will pursue territorial autonomy. The few empirical cases, Belgium, Serbia, Hungary, Russia, and to some extent Kosovo (Stroschein 2008), shed light on some of the problems and point to “the ambiguities inherent in putting non-territorial autonomy into practice” (Deets and Stroschein 2005).

Deets and Stroschein (2005) point to one such problem: the representativity of cultural autonomy structures in liberal democracies, where individuals are supposed to self-identify and participate in the public sphere in an unrestricted manner. The Hungarian case is worth noting here (at least as it functioned until 2005). Since there is no registry of minority members, anyone can vote for members and be candidates for office in the cultural self-governing institutions. Ethnic Hungarians are thus often candidates to Roma councils; Serbs have been elected to Croatian councils (Deets and Stroschein 2005). There are, therefore, discussions about whether restricting the individual right to self-identification is an appropriate means to control access to autonomous cultural institutions. Another problem concerns the allocation of resources for the implementation of cultural policies. Budgets are allocated by central governments and rarely meet the amounts required for the promotion of minority cultures (Deets and Stroschein 2005; Hungarians in Vojvodina case in Rácz 2012, 595). It is worth noting that contrary to point (1) of Nimni’s appraisal of cultural autonomy mentioned above, in practice (at least, up to now) the model has been applied within nation-states and thus is designed as a collective right for minorities to protect themselves from cultural domination by majorities who possess sovereignty over the state. Also, the purpose and powers of cultural self-government are much debated. It is often argued that Hungary did not implement cultural autonomy and other minority rights out of sympathy and solidarity with fellow citizens from different ethnic backgrounds but rather to press neighboring states to do the same for their Hungarian minorities. Hungary after all has few and very small minorities itself but large external minorities as a result of the 1920 Trianon Treaty. If genuine concern for cultural development and survival is absent, experience shows that it is difficult to ensure the model functions correctly. Sarnyai and Pap (2011, 616) show, for example, the lack of cooperation between local administrative bodies while implementing decisions taken by National Councils in Serbia. In the same case and line of thought, Rácz (2012, 595) points to the need for reconciliation between groups and for changing the image of the “Other” for the model to work.

Nowhere in Central and Eastern Europe is there a strong case for cultural autonomy in practice (see Horváth and Székely, Appendix B), although, in two regions of the former Yugoslavia, the assignment of cultural autonomy has been introduced as a means of avoiding ethnic conflict. The two territories are multinational Vojvodina, an autonomous province of Serbia, and northern Kosovo where a Serbian minority lives. The constitution of Vojvodina offers the six “co-habiting nationalities,” including Serbs, Hungarians, Romanians, Slovaks, Croats, and Ruthenians group rights in the domains of language use, education, culture, and information that cover “cultural autonomy” (Sarnyai and

Pap 2012, 261). The Serbian minority in northern Kosovo received “cultural autonomy” in Annex II of the Comprehensive Proposal for the Kosovo Status Settlement, adopted under the supervision of the UN Security Council in 2007, which specifies the rights of communities and their members (see for further discussion Marácz and Rosello 2012, 174–175). Commentators report that both cases do not function optimally in practice. Serbs in northern Kosovo have pushed successfully for a kind of territorial autonomy with the support of their kin-state Serbia in light of the recent agreement on 19 April 2013 between Serbia and Kosovo.⁵ Still, interests, power, and international influence made this arrangement possible. Moreover, it was only agreed on after violent confrontations which seem thus to have been rewarded. The future of this arrangement is, therefore, far from settled. Tensions remain but pan-European security has been ensured, for now.

Regions within Europe and multi-level governance opportunities

Besides these intra-state arrangements, there is much debate on the role of Europeanization in the development of complementary opportunities for the management of majority–minority relations. Pallaver in this section argues, for example, that Europeanization is at the origin of the transformation of dissociative to associative relations in South Tyrol. The rationale behind the original dissociative solution was to consider the three groups as separate ethnic entities in order to guarantee a peaceful co-existence between ethnic Germans, Italians, and Ladins in South Tyrol. Subsequently, this concept was transformed into an associative cooperation in which not only the elites of these ethnic groups but also the civil society of the different ethnic groups participated in trans-ethnic societal organizations, structures, and frameworks. Hence, according to Pallaver, the three ethnic groups developed a genuine common South Tyrolean “territorialization” and identification. This process towards an associative model for overcoming ethnic separation in South Tyrol took off when Austria joined the EU in 1995, thus contributing to confidence building between Austria and Italy. This had positive repercussions for the co-existence of the ethnic groups in South Tyrol as the borders between North Tyrol (Austria) and South Tyrol (Italy) became transparent and vanished later on due to EU-integration (Markusse 2004). The will to cooperate among elites was supported by favorable economic circumstances. South Tyrol is among the 20 wealthiest regions in Europe and it is allowed to keep 90% of taxes collected in the province. Political and economic cooperation between South Tyrolean elites could be extended to education. A bilingual education system, with German taught in Italian schools and Italian used in German schools, was developed and the bilingual university claimed by intellectuals ever since the 1970s was founded as the tri-lingual Free University of Bozen/Bolzano in 1997. These educational efforts in the domain of multilingualism among youth have made it easier to establish an associative model in which South Tyroleans are overcoming ethnic and social differences.

This particular solution to minority conflict, although its starting point is the territoriality principle, is the associative model in which Italians, Germans, and Ladins fully cooperate. This is actually realized within the framework of the EU, involving cross-border cooperation. As a result, territorial ethnic autonomy for the German minority in South Tyrol is being transformed into a multi-ethnic territory with its own South Tyrolean identity. As stated by McGarry and Keating (2006, 6), Europe provides minorities with “some autonomy.” “The European theme was taken up by minorities as a substitute for irredentism [separatism]” (Keating 2004, 370). This is so, and it is also clear in Stefanova’s article in this section, in two ways, namely: through decentralization and regionalization policies, and through multi-level governance.

Europe was created by sovereign nation-states voluntarily delegating some of their authority to supranational institutions (Zielonka 2006). However, member states are under pressure: ethnic and regional identity claims suggest the existence of threats of secession or territorial fragmentation (McGarry and Keating 2006). By challenging the principles of sovereignty and territorial integrity, notions, such as “Europe of regions,” that were widely discussed in the 1990s, are viewed with much suspicion among national states. Challenging state structures, Scots, Bretons, Catalans, Moravians, and others embrace the idea of a Europe composed of historic regions retaining most cultural, economic, and political competencies, based on the subsidiarity principle. This minimizes without eradicating the role of states. The European Free Alliance (EFA), a European political party that gathers regional and autonomist parties from all over the European Union (Scotland, Wales, the Basque Country, Silesia, Moravia, etc.), “defend[s] stateless nations, regions and disadvantaged minorities”⁶ and “subscribes to the right to self-determination of peoples (...) to provide democratic nationalism and regionalism with a political structure for the development of concrete initiatives at the European level.”⁷ Of the two principles of international law, the territorial integrity of states vs. the self-determination of peoples, the latter takes precedence in this regional idea. However, the concept of a “Europe of regions” has lost much of its appeal. When confronted with the already heavily institutionalized “Europe of states” its realization was doomed. Instead, minority organizations, and much of the related literature, talk of the “regions *in* Europe” within a “Europe *for* regions,” that is, the aim is to be in the game by institutionalizing regional participation in Brussels (Moore 2008, 517–518 and 532) and by promoting further regionalization within existing states through territorial devolution of powers. Regionalization policies push for institutionalized cooperation within the EU that would provide minorities with regional solutions (Bort 2005, 84), without affecting the sovereignty and territorial integrity of central states. Overall, so far, the decentralization promoted by European integration has had little effect on the organization of Eastern European institutions, as opposed to relatively decentralized Western Europe (Nikolova 2008; Pasquier and Perron 2008; Stefanova in this section). The unitary and centralized state model is quite resistant in this respect.

Nevertheless, in addition to regional arrangements that do not necessarily favor (East European) minorities, another European venue provides them with “some autonomy.” There seems to be a consensus on the fact that we are witnessing the “development of a mode of governance now located at several levels and involving interactions between multiple partners, including the state” (Hooghe and Marks 2001; Quermonne 2006, 211). The decision-making process in Europe takes place at multiple levels and involves interactions between various territorial units within the states, supranational institutions and societal actors such as interest groups that often cross boundaries (Dowding 1995; Pappi and Henning 1998; Thatcher 1998). To achieve their goals, interest groups, including ethnic organizations, now have different means at their disposal: they can take action in partnership with groups within the state, join similar groups outside their borders, or ask for assistance from lobbying associations at the European level and act through them. A vast literature examines the behavior and choices made by interest groups that adapt their strategies and discourses to the opportunity structures (Kitschelt 1986). Della Porta and Tarrow (2005) and Keck and Sikkink (1998), among others, argue that unrepresented groups on the domestic political arena or those who suffer repression seek allies elsewhere to put external pressure on domestic policymakers, a mechanism called the “boomerang effect.” Even when not recognized by the respective states, minorities thus gain status and power through European institutions. This has been the case of Silesians in Poland and Rusyns

in Ukraine, for example (Dembinska 2008, 2012a). This process may defuse territorial conflict and ensure pan-European security.

Stefanova's study "An ethnonational perspective on territorial politics in the EU: east–west comparisons from a pilot study" makes interesting conclusions regarding the impact of European structures and institutions on majority–minority relations. It is based on a typology of territorial and regional structures in the EU, emerging as a result of its regional policies, including interface regions, centers, and peripheries in Western Europe (UK/Wales and Scotland, Belgium/Flanders), Central Europe (Austria/Carinthia and Burgenland, Romania/Northwest and Center), and the EU's southeastern periphery (Bulgaria/South-Central and South-Eastern regions). Similarly to Pallaver's contribution, it asserts that European integration affects the territorial aspects of majority–minority relations at the regional level that are reflected in political attitudes, like preferences for decentralization, and social identities. Interestingly, it further concludes that there is no uniform preference across Europe's regions for channeling political demands for self-governance and representation via the EU rather than via the domestic political system. The paper shows that interface/peripheral regions acquire more resources than internal and external peripheries in order to justify demands for institutionalized territorial representation. Such interface/peripheral regions benefit from cross-border functional regimes of market homogenization, enhanced cultural links with kin-states, institutional setups, and their geopolitical position. As a strictly state-centric territorial organization, the EU has been undermined by regionalism and by multi-level governance (Bruszt 2008; Hooghe and Marks 2001), sub-state territories and peripheral regions have a number of new instruments they can use to revise their relationships with existing states. In increasing order of importance, such options range from: (a) increased supranational and interregional cooperation, an option compatible with the governance perspective on European regionalism; (b) demands for a larger share of state resources or devolution, options compatible with neo-regionalism and liberal versions of the "Europe of the regions" perspective; and (c) irredentism and forms of separatism, compatible with the constructivist view which holds that regional identities and loyalties supersede loyalties to the national center.

Stefanova concludes that interface/periphery regions do not differ significantly from national centers, which, according to the data presented in her paper, remain the most pro-EU territorial constituencies. The results demonstrate that demands for participation at the EU level are weaker in Eastern Europe than demands for representation in the West, and, therefore, demands for autonomous/separatist tendencies in the context of European integration should be less pronounced in Eastern Europe. Despite stronger identification with Europe, citizens in the interface/border regions are not overwhelmingly satisfied with EU democracy, with the exception of Bulgaria and Romania where dissatisfaction with national democracy is particularly high both in border regions, the center, and overall in the country. These findings suggest that the EU is relevant as a resource and a preference for national minorities, however, only in particular territorial settings, those defined by overlapping ethnic and regional boundaries. This partially supports the macro-political thesis on territorial restructuring which regards regional integration as a stage of state-building in the European system. European integration may affect the territorial aspect of majority–minority relations at the regional level. However, the interaction between territorial and ideational resources does not necessarily reinforce regional demands for decentralization vis-à-vis the state.

Overall, multi-level governance provides minorities with an extra political arena that assists them in the pursuit of regionalization while allowing the "boomerang effect."

Regionalization, in turn, has a neutralizing effect on the need for the territoriality principle and accommodates the personality principle. Still, there is no guarantee of the result or the stability of these regional solutions since states continue to be able to take back competences that they have devolved. Moreover, this is a political process involving perceptions of security threats and of territorial stability.

Conclusion

The territoriality principle for linguistic and religious minorities is applied in its most purest form in Switzerland (Linder 2010; Uhlmann 2011) and in Bosnia and Herzegovina, which was restructured in a way similar to Switzerland as an outcome of the Dayton Peace Agreement of 1995. South Tyrolean territorial autonomy no longer depends only on the ethnic rights of the German minority. South Tyrol has a multi-ethnic status where Italians, Germans, and Ladins are developing an associative model for co-existence (see Pallaver). Most of the cases where the territoriality principle was fully applied can be found in Western Europe, where we find movements toward territorial autonomy, like Flanders in Belgium, Wales and Scotland in Great Britain, and Catalonia and the Basque Country in Spain. In the Eastern part of Europe, states are much more reluctant to adopt territorially based arrangements due to the perception of threat inherited from history together with the perceived need to maintain central control in order to preserve the territorial integrity that legitimizes post-communist states.

Overall, this special section demonstrates that the problem of minority regimes is not fully settled in Europe and that it is driven by political and power considerations. Minority rights have not even been granted as individual rights in Ukraine, Turkey, and Greece. In these countries, a hegemonic, monolingual attitude towards linguistic and cultural diversity prevails. By denying minority rights, i.e. Ukraine to the Rusyns, Greece to the Macedonians in the North of Greece, and Turkey to the Kurds, all three states want to avoid autonomy claims that could yield territorial revisions. Although it may be partially concluded that minorities are better off where there is supranational EU-involvement, there is no guarantee that that will be the case. Greece is a member of the EU but it has still not harmonized its norms and values in the domain of minority rights. This is due to the fact that these European norms were adopted specifically in the context of and for Eastern Europe. Moreover, as argued above, norms, which are elaborated in a debate between actors with their own particular minority issues and interests, are indeterminate. They follow two competing guiding principles, territoriality and personality, without settling on any rules, which would often be contentious. They are thus subject to interpretation. As such, they leave much room for states to determine who is who and who should be granted which rights. Further comparative work should be undertaken to uncover the conditions and circumstances under which territorialization actually happens. One aspect of such an investigation includes the difference between the rights of new compared with old minorities. As ethno-linguistic diversity is getting more complex due to global mobility and migration, on what normative and political grounds are new minorities refused the rights old minorities have?

The papers unambiguously demonstrate that the territoriality principle is scarcely applied in practice and hardly appears in its pure form, mainly because of power relations and the insistence on maintaining territorial integrity. However, given growing talk in the international arena of territorial solutions to minority conflicts, as discussed above, some interesting developments are taking place that seek to circumvent the territoriality principle by offering some intermediate alternatives. Three such alternatives are identified in this special section: the threshold rule used in a number of CESE-states (see Horváth and

Székely) and in the case of the Hungarians in Transcarpathia (see Csernicskó and Ferenc); some “weak” forms of cultural autonomy have been granted in a number of CESE countries (see Horváth and Székely); and “regions within Europe” and multi-level governance, which appear in West- and East-European minority cases (see Stefanova this section). Are similar processes occurring in other parts of the world or is it typical of European arrangements? Comparative work is still needed to get a more global picture.

The case studies in the four papers presented in this special section confirm that the territoriality principle in Europe is rarely applied in practice and is being replaced with different variants of the personality principle. Recently, Kraus proposed an alternative way of developing minority regimes that scholars could investigate further, namely “a non-essentialist approach to recognition can be developed by recognizing not groups, but culturally grounded contexts of praxis, as embodied by languages, religions, territorial affiliations, collective memories and sense of historicity” (Kraus 2012, 20). In other words, these contexts of praxis may provide more stability and satisfying results for all the sides concerned than the group rights approach.

Minority rights, including territorial autonomy for ethnic groups, are dependent on politics and power rather than simply on norms. Minority regimes adopted throughout Europe are thus plural and do not follow any guiding principle *per se*. The result is a potpourri of patterns. The European minority discourse and documents provide ethnic entrepreneurs with new levers and instruments to put forward their collective rights claims. How these are used on the ground is a research issue still to be explored. Experience shows that every arrangement has its shortcomings and that majority–minority tensions persist. The latter, however, no longer seem to threaten pan-European stability and security. In sum, in the context of inevitable power relations, muddling through and incremental politics seem to constitute our second best, and the only, solution for functional majority–minority relations and the formation of minority regimes.

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Notes

1. Bourdieu (1991, 46–47) argues that dialectical variants of French were marginalized by the efforts of the local bourgeoisies after the French Revolution to promote the official language, the language of cultivated Paris, to the status of national language. In this way, the gains of the French Revolution could be secured via the control of language. This political attitude, rooted in the French Revolution, of excluding variants of the French language and minority languages from official domains for reasons of political control and social engineering has been the dominant approach for dealing with linguistic diversity in modern France.
2. Although the Ukrainian state demonstrated a monolingual, hegemonic attitude toward ethnically different minorities this attitude did not affect the Russians in the Eastern part of Ukraine. From the creation of an independent Ukraine, Russians, in the eastern part of Ukraine, were allowed to use their own language. Hence, the Russian minority was accommodated in the new Ukrainian state. We agree with Posen (1993, 38–43) that this was due to the fact that conditions preventing an “Eastern Ukrainian security dilemma” were present. These included: Ukrainians and Russians have no traumatic inter-group history; the presence of former Soviet nuclear forces in both Russia and Ukraine acted as stabilizers; geographic patterns created comparatively less pressure for offensive action: Russians in Ukraine are not settled in small vulnerable islands and can be protected in numerous ways; no violent bands engaging in communal terror emerged; no shifts in relative power were expected; external factors reinforced restraint in Russian–Ukrainian relations.

- Each side had reason to fear being seen by Europe and the USA as an aggressor in case of conflict, since neither side had strong external ties.
3. See Brubaker et al. (2006, 239–234) for a discussion of Romanian–Hungarian asymmetric bilingualism in Transylvania.
 4. According to the last Romanian census in 2011, the percentage of Hungarians in Cluj-Napoca dropped to 15.9%. This, however, does not affect the argument developed here.
 5. See the text of the historic agreement between Serbia and Kosovo, available at: <http://www.europeanvoice.com/page/3609.aspx?&blogtemid=1723>, accessed August 14, 2013.
 6. The Greens/EFA, “EFA; Members”, EFA-Greens website, available at: <http://www.greens-efa.org>, accessed April 23, 2008.
 7. EFA, “What is the EFA”, official webpage, available at: <http://www.e-f-a.org>, accessed August 31, 2013.

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