

The Ethnobarometer Reports

Ethnic Conflict and Migration in Europe

First Report of the Ethnobarometer Programme

© CSS/CEMES for The Ethnobarometer Programme 1999.

All rights reserved

Designed by Utta Wickert-Sili, Rome

Setting by Cecilia Bazzini

Printed by ??????????????????, Rome

ISBN 92-9184-004-1

Keywords: Ethnicity – Migration – Europe – Human Rights

Consiglio Italiano per le
Scienze Sociali (CSS)
Via Brescia 16
00198 Rome
Italy
Fax: +39 06 841 71 10
e-mail: cssroma@rmnet.it
Website: www.ethnobarometer.org

Centre for European Migration
and Ethnic Studies (CEMES)
PO Box 4
Torpoint PL11 3YN
UK
Fax: +44 (0)1503 230031
e-mail: Secretariat@cemes.demon.co.uk
Website: www.cemes.org

Contents

<i>Preface</i>	7
<i>Executive Summary</i>	9
<i>Section I - Introduction: an overview of events and issues</i>	13
<i>Section II - Towards an analysis of inter-ethnic relations</i>	37
Chapter 1 Constructing a typology of ethnic conflict	39
Chapter 2 Territorialist conflicts: separatism in the post-Soviet space	53
Chapter 3 National minorities: Hungarians in Romania, Slovakia and Ukraine	81
Chapter 4 Ethno-caste conflicts: the Roma in Slovakia, Bulgaria, Romania, Hungary and the Czech Republic	105
Chapter 5 Ethno-class conflicts: industrial minorities in European cities	125
Chapter 6 New migration: undocumented immigrants in Italy and Greece	139
Chapter 7 Temporary migrants: the search for asylum	159
<i>Section III - Case studies in inter-ethnic relations</i>	169
Chapter 8 Eastern Europe	171
8.1 Russia	171
8.2 Ukraine	193
Chapter 9 Central Europe	211
9.1 Slovakia	211
9.2 Hungary	223
9.3 Romania	236
Chapter 10 South-Eastern Europe	249
10.1 Greece	249
10.2 Turkey	259
10.3 Bulgaria	272
Chapter 11 Western Europe	285
11.1 Germany	285
11.2 France	299
11.3 Belgium	312
<i>References</i>	323
<i>Appendix A - Programme staff</i>	330

Preface

This is the first report of the *Ethnobarometer Programme*. The Programme is based on a network of social scientists providing independent and research-based reports on levels of racism, xenophobia and ethnic conflict in selected countries of Central, Eastern and Western Europe. It commenced its work in January 1998 and this report covers the period up to the Spring of 1999, concentrating mostly on issues and events in 1998. In 1999, the attention of the world has focussed on events in Kosovo but these occurred after the material for this report had been collected. As the report makes clear, however, the underlying issues in Kosovo are far from unique, and may indeed be seen as an extreme form of a type of conflict found elsewhere in Europe. The *Ethnobarometer Programme* is dedicated to understanding such conflicts in the belief that social scientists have a contribution to make in providing information and analysis that can assist in the long-term task of finding political solutions.

The international community faces a number of challenges in this field which, while not new, have taken on an increased importance in recent years. Among these, two stand out as posing particular difficulties for the political process. The first is the growing demand for forms of representation which reflect local and regional identities. This issue appears to have grown in importance as international communications have been made easier and have become more significant in the management of today's global economy. The second is the importance of international migration as individuals take advantage of increased knowledge and cross-border networks to improve their opportunities and life chances. To some extent these developments are linked. As events in the former republic of Yugoslavia have so dramatically and tragically revealed, frustrated ambitions for self-determination can lead to conflicts of such intensity that flight is the only feasible option open to the victims. Whether population movement is motivated by an attempt to flee from the atrocities of 'ethnic cleansing', or whether it is based simply on a desire to improve the chances of a job and higher income, it has important consequences for countries of net inward migration. The management of multi-ethnic societies is now high on the political agenda of many states that have hitherto regarded themselves as more or less culturally homogeneous. Even the task of *controlling* migration flows has internal effects. Strict policies of control, which in western Europe are developing steadily at a regional level, may be politically popular but, ironically, they can harden the attitudes of less tolerant

citizens against new minorities already resident. Exploring the link between ethnic conflict and migration is one characteristic feature of the *Ethnobarometer Programme*. The project operates mainly through correspondents in each of the countries included in the first year of operation (Russia, Ukraine, Turkey, Bulgaria, Romania, Hungary, Slovakia and selected countries in Western Europe including Greece, Italy, France, Germany and Belgium). Using a common methodology, our associates provide information on major events, research studies and policy initiatives in these countries. Their 'country reports' are a major resource for this interpretation and synthesis. This report has *three* sections that reflect to some extent the different audiences for work in this field. The first is an overview of the main events and issues which is intended to highlight positive and negative developments. The *Ethnobarometer Programme* is not designed to offer guidelines for policy but this section can be read as indicating areas where creative policy thinking is particularly important. The second section is much longer and seeks to integrate the issues in an existing social science literature. It would be wrong to suggest that such a relatively brief overview can *explain* complex issues but this section attempts to classify comparable situations as a first step towards exploring whether or not generalised conclusions are possible. Finally, the report contains summaries of eleven country reports that provide a sense of the descriptive detail obtained from the programme's correspondents. Their full reports are available from either CSS or CEMES.

This report provides an opportunity to thank the sponsors of the *Ethnobarometer Programme* who believe with us that an understanding of the factors creating ethnic conflict is critical for avoiding even more human misery and political instability. Our hope is that the work will continue and improve. To this end, comment and suggestions for improvement in our approach and methods are always welcome.

May 1999

Executive Summary

The first report of the *Ethnobarometer Programme* has three sections with separate functions. The first contains an introduction that is intended to highlight and comment upon issues of major international importance emerging during the first fifteen months of the programme's work. The link between ethnic tensions and international population movements is selected as an issue of critical importance. International migration is both a consequence of ethnic conflict and a cause of tensions between newcomers and established populations. Western European states, seeking to control inward population flows, are not seen as yet having established either coherent migration policies or strategies to integrate new arrivals. The first section also reviews a number of areas of ethnic conflict and tension in Europe ranging from the North Caucasus to South-Eastern Turkey. While each case is unique, it would be unwise to assume that ethnic conflicts are confined to the Former Republic of Yugoslavia, however severe they may be in that case. On the other hand, these tensions and conflicts are not inevitable and the introduction concludes with a discussion of more positive cases, ranging from the Crimea to Northern Ireland. A central feature of the *Ethnobarometer Programme* is the objective of extracting relevant lessons from both negative and positive cases.

The programme is an interdisciplinary collaboration of social scientists and the second section focuses on how ethnic conflicts can be understood in social science terms. It suggests that conflicts evolve around three central issues, namely the aspiration for political autonomy, for a greater share of resources and for membership in a political system. On the basis of these three themes, summarised as issues of *exit, equity and entry* the second section proposes a simple classification containing six types which are used to order the discussion.

Using this typology immediately reveals some shortcomings since every instance takes place within a particular structure of opportunities, and it is this political context which is shown to be very influential in shaping the course of events. In this sense the report is critical of explanations of ethnic conflict that rely on the existence of ethnic differences only as causal factors. Rather, it can be shown that where ethnicity has been codified and adopted as a way of organising populations (as in the former Soviet Union) it can be readily mobilised for political purposes. This was the case with the transformation processes in Eastern Europe. Such mobilisation is particularly powerful

when history and demography combine to create diasporas and external homelands. Attempts at creating new states, or even more limited autonomy, frequently generate armed conflict. By comparing a number of cases, this report shows how difficult it is to find a resolution of conflicts of these kinds once the option for military intervention has been adopted. In particular, there is no evidence that military repression resolves separatist tendencies but appears by contrast to increase support for such outcomes. Policies of accommodation, while often politically difficult to achieve, are shown to be much more effective in maintaining political and economic stability.

At another level, issues of conflict occur where ethnic minorities seek fairer treatment and an end to discrimination. The position of the Roma in Central Europe is shown to have worsened dramatically over the last decade. Largely excluded from the political process, they are also severely economically disadvantaged and, on the whole, rather poorly treated by the states in which they live. High levels of crime among these communities are recorded but it remains unclear whether this is a product of deviant behaviour or the result of inequitable targeting by police services. Certainly personal insecurity and a fear of racial violence, sometimes perpetrated by official agencies, remains a central problem.

In a similar but less extreme form, the report also identifies ethnic minorities in many cities of Western Europe as experiencing high levels of unemployment and other symptoms of social exclusion. The point is made that the difference between Europe and North America in terms of urban problems may be more one of degree than of kind. As such, research on US cities is held to be more significant than is sometimes claimed, even though it has to be revised to make it relevant for Europe. A positive development in this context is the recognition by the European Commission that new policy developments are needed to address these issues. Regional economic integration itself may, at least in the short term, exacerbate problems of urban poverty and this makes it reasonable to address these issues at a European as well as at national and local levels.

The issue of continued migration into Western Europe was identified in the introduction as a topic of concern. From a social science perspective, however, the particular pattern of population movement, in which undocumented migration has increased, cannot be divorced from the cessation of opportunities for legal entry. Many governments hold that strict limitations on new arrivals are essential for the social integration of newcomers already resident. This may be so, but policies on integration

are far from universal, and in Southern European countries largely absent. At the same time, public opinion is overly influenced by the negative message of strict migration control, which has consequences for levels of xenophobia and intolerance. A more positive approach to undocumented migrants can be seen in the treatment of the *sans papiers* in France, largely as a response to vocal and organised sections of public opinion.

Those claiming political asylum in Western Europe have become linked in the public mind with 'economic migrants' and tend to be treated by governments more harshly than in the past. Partly this may be explained by the non-availability of other options for entry but it is also a reflection of a failure of the conventions governing asylum to take the changes of the last fifty years into account. Among these has been the greater likelihood that those seeking refuge will be fleeing from ethnic conflicts, of which 'ethnic cleansing' is perhaps the most notorious instance. A rethinking of the whole approach to asylum is overdue.

Section I

Introduction: an overview of events and issues

The purpose of this Introduction is to recap briefly the main events of 1998, most of which are dealt with more in detail in the other sections of this report, and to highlight the main issues that, in our view, ought to be prominent on the agenda of European governments and concerned international organisations.

1998 will be remembered as the year when the armed struggle started in Kosovo leading, in 1999, to intervention by NATO. At the time of writing (April 1999) it is impossible to predict what the outcome of the confrontation between Serbia and NATO will be. What we do know already, however, is that the conflict has opened a new era in infra-European relations and that the wounds will take decades to heal. Furthermore, no matter what the solution of the conflict, it will open up a period of instability in South-eastern Europe. It is unrealistic to expect that *all* the ethnic Albanians who were forced to leave Kosovo, or who chose to seek refuge elsewhere, will eventually return home.

Inevitably, the conflict in Serbia has overshadowed other problems and other issues that threaten inter-ethnic relations and peace in Europe. But there are other issues, and latent or potential conflicts, which also command attention. One is illegal immigration and, more generally, the failure by Western European governments to agree on common immigration and asylum policies, and to pursue coherent strategies for the integration of immigrants. Another is the open sore still represented by those minorities who, after the collapse of the Soviet Union, are mobilising to assert their identity and right to autonomy or independence. In other regions of Europe, too, there are minorities whose claims and action have sometimes produced much violence and continue to represent a threat to state authority and social peace.

There have nonetheless been some positive developments, but these too have been overshadowed by the conflict in the Balkans and have attracted less attention than they deserve. This introduction will discuss them briefly in the last section (*Peace signals*).

Population movements and illegal immigration

In 1998, once again, population movements in Europe highlighted a problem that represents the main challenge Europe will be confronted with in the coming years. No

real and lasting solution to this problem will be found as long as European governments limit themselves almost exclusively to measures aimed at curbing immigration, in a context of discordant admission and integration policies. Reports from the OECD and UNHCR showing that world-wide rates of migration are declining, are misleading. The collapse of the Soviet Union, as well as conflicts in the Balkans and in other regions of the world, have triggered new waves of migrants whose destinations are the EU and other Western European countries.

At least 600,000 illegal immigrants entered the European Union in 1998, in addition to 300,000 asylum seekers, although the two figures probably overlap to some extent. Drawing the map of such migration flows is a difficult task, migration being one of those fields that statisticians loathe because of the impossibility of collecting accurate and reliable data. Nonetheless some trends can be identified. They deserve attention and interpretation.

One is in relation to the choice of country of final destination. While 'illegal' immigrants can be expected to end up in one of the main countries (Germany, the UK, France and, to a lesser extent, Italy) because the very size of their territory and population makes it easier to hide and avoid controls, small countries appear to be the favourite choice of asylum seekers.¹ Thus in Switzerland the ratio of asylum seekers to inhabitants is 170, in Luxembourg 250, in the Netherlands 340, in Belgium 460. That compares with a ratio of 830 in Germany, 1,010 in the UK, 2,670 in France, 12,170 in Italy and 29,740 in Portugal. The European average is 1,310 (UNHCR data).

In the 1995-97 period, about 30 per cent of the immigrants who sought asylum in 15 West European countries came from other countries of Europe, 47 per cent from Asia, and 20 per cent from Africa. Most Asian migrants are in transit through the Balkans or through countries of the former Soviet Union and Central and Eastern Europe. Most Africans enter through Spain and Italy.

Examination of the routes of migration flows leads to another interesting finding. Southern Italy has long been a favourite entry for Tunisian and Albanian migrants, as well as migrants using Albania as a transit point. An emerging transit country is Finland, for migrants coming from Russia or passing through Russia. Today, however, a significant proportion of illegal immigrants enter the EU through Poland, the Czech Republic and Hungary. These are the gateways most favoured by would-be immigrants coming from other Eastern European countries, Asia, Russia and former USSR countries. Many migrants enter these countries, often legally, with the hope of

eventually reaching Germany or another EU country one way or another. These flows are facilitated by the post-1989 abolishment of exit visas and other restrictions in former communist countries.

According to OECD analysts (SOPEMI 1998), the prospect of sizeable uncontrolled immigration flows toward future members of the EU should not be overemphasised. In the long term, they argue, the fact that certain key economic and social performance levels are a prerequisite to membership will lead to a reduction in standard of living disparities (including harmonisation of living standards, increase of minimum wages, etc.) and therefore also to a reduction in the incentives to emigrate. In the short term, transitional measures (such as postponing the free movement of persons to a date beyond that of a particular country's entry to the Union) and bilateral agreements (of the kind Germany and Austria have signed with Ukraine, Slovakia and the Czech Republic) can succeed in keeping migration down to an acceptable level. However, SOPEMI's 'cautious optimism', as they describe it, does not seem to take into account that so far all attempts to curb illegal immigration into these countries have failed except in a marginal sense.

The re-admission treaty that the Czech and Slovak governments signed recently, based on the model of the treaties which Germany has with all its neighbours (requiring that all undocumented immigrants including asylum seekers be returned immediately to the country where they were last before entering Germany), is unlikely to produce substantial results, since many immigrants destroy their identity papers and - if they happen to have them - travel documents upon entering the Czech Republic. Therefore, in most instances the police lack the evidence they need to ship them back to one country or another. In November 1998, the Czech Parliament asked the government to introduce visa requirements for the citizens of several former communist countries (official statistics show that the main countries of origin of immigrants are Bulgaria, Romania, Armenia, Afghanistan, Iraq, ex-Yugoslavia), but why should would-be emigrants, except perhaps asylum seekers, bother to apply for a visa, which would probably not be granted anyway?

In recent years, illegal migration trafficking has grown enormously and has turned into a most profitable business. Services include not only transportation but often also forged identity papers and occasionally even assistance in the country of destination. Illicit organisations can be very effective in marketing their services, which represent an additional attraction to would-be migrants, recruiting clients

among people who would not know how or would not dare to try to do it on their own. Many migrants invest all their savings and sell all their belongings in order to pay (up to US\$5,000) for their travel to the promised land, at which point going back home is no longer an option. When they are caught and turned back, they try over and over again, until they succeed. The 'package tour' offered by some traffickers also covers additional attempts to cross the border if the first one fails, and in some instances may include bed & breakfast accommodation and other kinds of assistance between attempts.

Large-scale illegal trafficking of human beings for migration purposes is a recent phenomenon. It did not exist in any significant way until the early 1990s. Since the mid-nineties it has been growing steadily, although it has not yet reached the dimensions of trafficking in other areas such as drug and arms. Some law enforcement sources claim that it is still very much the product of local organisations working with other organisations in the countries of destination or transit. Other sources (like a high-ranking officer of the Hungarian border police) say that it involves 'hi-tech' networks. The fact that they should have strong national or regional roots is hardly surprising, since traffickers are dealing with human beings who, unlike arms and drugs, need special, personal care. A would-be migrant will trust his neighbour, or his friend, or anyway a fellow countryman, but normally will not put his destiny and his money in the hands of a stranger. Therefore, the fact that these traffickers are local organisations should not be perceived as a weakness, but rather as a strength.

Be that as it may, traffickers are bound to play a major role in sustaining the level of migration flows toward and within Europe. Italy and Russia, two states whose authority is being challenged almost daily by national and international mafias, have learnt that organised crime can have a remarkable capacity to adjust its strategies to counter new policies and measures designed to fight it. The European Union does not have a common immigration policy, despite the Schengen Accord, and this represents an additional weakness. There are no concerted policies based on an evaluation of economic trends and the dynamics of the labour market, no attempt to apply quotas and preferential criteria looking at the European market as a whole. Co-operation exists only as far as the prevention of immigration is concerned. The re-admission treaties mentioned above are just one expression - and the least aggressive at that - of the steps taken in this direction.

The measures adopted so far, or presently under consideration, will lead inevitably to

violations of human rights. Austria, which held the EU presidency in the second half of 1998 and which, with Germany and Italy, is feeling the pressure of immigration more than other EU members, has proposed that the EU end the right of an individual to apply for asylum under the 1951 Geneva Convention. The EU ministers of the interior agreed in December 1998 to set up central system, Eurodac, for comparing the fingerprints of asylum seekers (the procedure has precedents: e.g. in 1927 Czechoslovakia passed a law that introduced identity cards with fingerprints for Gypsies living in the country). The main reason given was that of preventing immigrants from applying for asylum in more than one country, but the uses that can be made of such a system could go far beyond that and could, if unchecked, lead to practices that would come dangerously close to those of a police state.

EU co-operation aimed at preventing immigration is also curtailing national sovereignty, which is not necessarily a bad thing *per se*, except that one would wish that it would also take place in other, politically more significant areas. Italian military and police forces are stationed in southern Albania to help the Albanian police fight the traffic of migrants across the Adriatic Sea. The German Federal Office of Criminal Investigation and the Federal Border Police are operating in Polish territory, in liaison with the Polish army and police. Again, the German police are authorised to pursue suspects into Dutch territory within ten kilometres from the border. These measures are largely ineffective (law enforcement officials in most countries estimate that illegal immigrants caught crossing the border represent a mere 10-15 per cent of the total) and at the same time they tend to create the impression that a new kind of iron curtain, although much more permeable than the old one, is being erected in Europe. The emerging mood is encapsulated in two words, 'zero immigration', a slogan launched by the new German Minister of the Interior, Otto Schily, in November 1998, who claimed that most Germans agreed with him, because 'the burden has become too great'. 'I do not even dare', he added, 'to publish the costs that stem from immigration'.

It can be argued that while European economies needed immigrants in the 1950s and 60s, immigrants have become more of a burden today, partly as a result of the high rate of unemployment in most European countries, and of the financial squeeze imposed on economies by the need to meet the standards set by the Treaty of Maastricht. In the case of Germany, reunification represented an additional demand on public funds. Furthermore, while in the past governments were able to plan

immigration flows to fit their needs (the example was set by General de Gaulle's France in 1945, when the government planned 'with method and intelligence' to let in two million immigrants over a period of ten years), today they feel threatened by what they perceive as an uncontrolled and uncontrollable 'invasion'. They believe that the choice of how many should be allowed in and from where is no longer theirs, especially after 1989 and the break-up of Yugoslavia. This is despite the fact that, according to UNHCR, many of the refugees from Bosnia who sought asylum in Western Europe have since returned home (there were 350,000 Bosnians in Germany at the end of 1995 when the Dayton agreement was signed, over 200,000 have returned and close to 10,000 have been granted refugee status in the United States, Canada and Australia, about 2,500 have been deported).

The reaction of public opinion to the new 'waves' of immigration is not helping those politicians (like the Greens in Germany, but others elsewhere as well), who oppose 'zero immigration' because they believe that their country could absorb annual quotas of immigrants (the figure generally quoted in the main countries is about 200,000 each) without too much pain, and who advocate integration policies. Italy, a country where foreign residents are only two per cent of the total population (compared to nine per cent in Austria, Germany and Belgium, and 19 per cent in Switzerland), is a case in point. The waves of Kurdish, Albanian and North African immigrants which reached the coasts of the peninsula in 1997 and 1998 generated reactions that in some instances were almost hysterical, notwithstanding warnings from the business community in the north-east that without foreign labour many factories would be forced to close down and a statement by the Governor of the Bank of Italy that the Italian economy needed immigrants.

In Italy and in many other countries immigrants are increasingly perceived not just as unfair competition to the national labour force and a burden on the finances of the state, but also as a threat to law and order and to the very fabric of society. Not only right-wing parties, but also significant segments of the moderate electorate today associate immigration with the growth of crime, and yet such alarmism is almost always caused by emotional reactions to specific episodes of violence and is seldom supported by statistical evidence.

Social unrest triggered by policies aimed at meeting the standards set by the Treaty of Maastricht has not encouraged solidarity. This is indeed one factor that has weighed negatively in the public debate concerning immigration policy. Another factor that

feeds irrational fears is ignorance of the actual size of the irregular immigrant population, whose employment options are presumed to be limited to the informal economy or criminal activities.

According to available data (the SOPEMI reports of OECD) *legal* migrations to Europe and within Europe, after peaking in 1992-93, have been declining. UNHCR data show that requests for asylum have also declined in recent years. By definition, measuring *illegal* immigration is impossible, and estimates can vary dramatically (e.g. from a minimum of 235,000 to a maximum of 1.5 million in Italy alone). Empirical observation and press reports seem to indicate that it is increasing (border police sources in the Czech Republic and Hungary, for instance, claim that in 1998 they caught 30 to 40 per cent more illegal migrants than in 1997 - an increase that cannot be attributed just to the fact that security measures are tighter than in the past). Our analysis suggests that the decline in legal migrations and the increase in illegal flows are linked in a cause and effect relationship. In most European countries new regulations have been introduced in recent years to limit immigration. As a result a growing number of would-be migrants do not even try to enter legally - they follow different routes. They know that even those who enter legally often do not know for how long they will be allowed to stay, and many are left in doubt about their legal status indefinitely and suffer discrimination. Paradoxically, the Schengen system may be perceived as an incentive, in the sense that once a migrant succeeds, one way or another, in setting foot in one of the Schengen countries, the range of choices that he or she is offered is much wider than in the past.

How much have recent developments in Kosovo and Albania contributed to the latest migration flows? It would be delusory to think that Europe should not worry about the increase in these flows simply because they are a temporary phenomenon. Today it is Kosovo, but there will be other conflicts, possibly in Africa or in Asia. Many of the migrants who crossed the borders of Hungary, the Czech Republic and other eastern European countries in 1998 came from Afghanistan. According to UNHCR data, migrants who applied for asylum in 1998 coming from Kosovo were about 20 per cent of the total. And according to law enforcement sources, many Albanians claimed to be Kosovars hoping thus to obtain the status of political refugee.

Above all, it would be delusory to believe that conflicts in Europe and other parts of

the world are the main cause of migration flows. Kosovars flee from Milosevic's police, Afghans from the Taleban and Kurds from the Turkish army. However in 1998, these flows represented, all together, in spite of the conflict in Kosovo and of widespread violence in Afghanistan, much less than half of the total number of immigrants to Western Europe. The main motivation has always been and still is essentially economic. Conflicts are a variable that can make flows peak periodically in certain countries but flows will level off over the longer term.

One significant consequence of a situation in which economic and political motivations combine, is that it is practically impossible for the governments of the receiving countries to determine whether an immigrant is entitled to the status of refugee. The case of Turkish Kurds is a good illustration of the problem, although by no means the only one. South-east Anatolia, the home of most Kurdish migrants, is Turkey's poorest region. Whereas 14.2 per cent of the overall Turkish population is below the poverty line, the percentage of the poor in the Aegean and Marmara regions is 1.4, while it is in the eastern and south-eastern provinces 30 per cent. In the assessment of the United Nations' *Human Development Report for Turkey* (UN Development Program, Ankara, 1997), if 'some provinces in Turkey are at European levels of development, the poorest are on a par with some of the poorer sub-Saharan countries'. In terms of economic growth, the southeast recorded a mere +0.59 per cent between 1987 and 1995, while the country's gross domestic product increased by 11.7 per cent. During the same period, the share of income in those provinces decreased by almost one third compared with a population percentage that remained largely the same. This great regional imbalance has characterised the Turkish economy in recent decades. However it also reflects the prolonged security problem in that region. Unquestionably, the armed conflict had an important impact on life there. If you are already very poor and the PKK or the Turkish army destroys your house and your crops, what else can you do but migrate elsewhere?²²

The conclusion that can be drawn from this analysis is that asylum legislation and practices in European countries are inadequate to cope with the problem. They were devised in the context of a world divided into two camps, the communist one and the Western one. This made it relatively easy to establish that those who ran away from the Soviet bloc did so for political reasons. The real issue in Europe today is not political, although it does have obvious political implications. It is, instead and, above

all, an issue that can best be described as a *humanitarian emergency* representing a challenge to the traditional civic values of Western societies.

Tensions and unresolved conflicts

The developments occurring in the period 1997-98 clearly indicate that the temporary solution of the Chechen crisis has not brought stability to the *North Caucasus*, which remains to date a region with a high potential for the explosion of violent ethnic conflicts. Chechnya's instability, with effects on the surrounding area, can be summarised by the difficulty President Mashkadov's administration is encountering in bringing under control the armed groups that emerged during the war against Russia and which are divided territorial or clan lines. By mid-1998 it was clear to most observers that the political scenario in Chechnya was characterised by rising tensions between the government and various military-political organisations. In the second half of 1998 republican security forces repeatedly clashed with paramilitary groups, particularly those headed by Raduiev (one of the leading figures during the war with Russia). This situation is considered very dangerous by Chechen observers, and some go as far as to claim that Chechnya risks going towards an Afghan scenario. As for relations between Chechnya and Russia, despite Mashkadov's moderation, most Chechen leaders consider the republic fully independent while federal authorities implicitly still consider it a part of the Federation. The international community has not taken a clear position as yet. In the meantime radical Chechen nationalists are carrying out a clear strategy of destabilisation of the North Caucasus and especially neighbouring Dagestan.

During the 1990s *Dagestan*, with its delicate ethnic mosaic (it comprises 10 different officially recognised titular nationalities), has managed to avoid widespread violent conflicts through an embryonic version of an ethnic consociational political structure, allowing a segmented vertical control of each national elite over its social constituencies. In 1998, it clearly emerged how this fragile balance is under threat from the high number of para-military groups formed on ethnic lines. The destabilising effect of the 'Chechen factor' has also exerted an influence on them. Even after the Chechen war ended, Dagestan, especially its districts bordering with

Chechnya, was the object of repeated terrorist incursions by Chechen paramilitary groups and this further stimulated the spontaneous militarisation of the peoples of Daghestan. The current situation may result either in inter-ethnic armed conflicts between Daghestanian and Chechen or, conversely, it may lead to the unification of Daghestanian armed groups with Chechen ones, and give rise to concerted terrorist action against the republican and federal authorities.

In *Turkey*, the capture of Abdullah Ocalan has focussed international attention, once again, on the war that the PKK (Kurdistan Workers Party) has been fighting for close on 14 years against the Turkish Army. It also raised hopes that it might at long last encourage new approaches to the Kurdish problem and strengthen those elements on both sides that may help to get a peace process started. Unfortunately, events so far suggest that the political establishment in the country is not yet prepared to seize such an opportunity.

The Prime Minister, Bulent Ecevit, did say that 'if and when conditions become more conducive to solving certain problems', that is if the Kurdish guerrilla movement lays down its arms, 'then new approaches may prevail'. But, he added, 'autonomy is out of the question'. Yet it should be acknowledged that in recent years the PKK's claims, although couched in ambiguous language when talking about autonomy, clearly no longer included independence for south-eastern Anatolia. Kurdish leaders want the Turkish state to grant Kurds broader cultural and political rights, education and broadcasting in Kurdish, the use of their language in courts and more generally in their dealings with the public administration. Even politicians from the mainstream parties have been warning that 'if Turkey does not recognise Kurds' identity today... and fails to respond to moderate demands such as the right of Kurds to some official use of their language, it will only encourage more extreme demands in the future'. However the military and Mr. Ecevit believe that ethnic pluralism in politics means disintegration of the state, and that any concessions would encourage separatist movements. The problem, they believe, must be addressed from an economic and social angle. 'As these parts of the country are economically and socially developed', Mr. Ecevit declared recently, 'peace will prevail, and terrorists of any kind would not find a suitable environment for their action'. In the meantime, however, even the most peace-minded of Kurdish nationalists are being regarded and treated as a threat to the state if not, plainly as criminals. This attitude can only intimidate potential mediators (who can be accused of being linked to the PKK) and provides a moral and political alibi for the

most extreme wings of the Kurdish movement. 'The Turks', one Turkish political analyst said after Ocalan's capture, 'have convinced themselves that every Kurd wants a separate state and supports the PKK. They have created a monster and now they cannot step away from it'.

The weakness of the social and economic strategy advocated by the government (Mr Ecevit recently announced a \$90 million development plan for 26 eastern and south-eastern provinces) lies in the fact that it would, if successful, produce results only in the very long term. No significant results were achieved by past attempts (no less than seven) to promote the development of South-Eastern Anatolia. The \$32 billion South-east Anatolia Project which thanks to the construction of 22 dams and 19 hydroelectric power plants will eventually increase the amount of irrigated land in Turkey by almost 40 per cent, provide 25 per cent of the electric power needed by the country and improve the standard of living of 6 million Kurds, has so far mainly been used to serve the needs of the western provinces of the country. It has brought few visible benefits to the Kurdish population. On the other hand, the project, one of the world's largest and most expensive, was much more than just a development plan. Turkey intended to take full control of the flows of the Tigris and Euphrates rivers, not only because the country needed water for its own development, but because water could be used as a powerful tool in its relations with both friend and foe. A pipeline will be built to bring water to Cyprus and another one is being planned to Israel. 'Conflicts over water', King Hussein of Jordan once said, 'could drive the nations of the region to war'. Syria and Iraq need the water from the two rivers, and one of the reasons why they supported the PKK in the past was to apply pressure on Turkey to give them more of it. They failed, and water rights was one of the strongest arguments put forward by Ankara in its successful negotiations with the two countries which forced them to stop backing the PKK and harbouring Ocalan. The importance of the two rivers for the Turkish economy is also one of the reasons - although undoubtedly only a secondary one, given the strong ideological connotation of their defence of the unity of the state created by Atatürk - why the government and military establishment do not want to grant autonomy to the region.

It is important to keep all these factors in mind to understand the complexity of the Kurdish issue. In the end, however, the question that must be raised is whether a solution of this issue can be reached as long as the ideology and the organisation of

the Turkish state, and the role of the military, remain unchanged. Turkey has a long record of violations of human rights. It has outlawed and keeps outlawing the Islamist and the pro-Kurdish parliamentary parties which, in the 1995 elections, received 63 per cent of the popular vote in south-eastern Anatolia. Dozens of intellectuals and journalists who dared to express their sympathy for the ordeal of the Kurdish people were imprisoned. The handling of Ocalan after his capture blatantly contradicts the government's commitment to a fair trial. The PKK is weaker today but has not been defeated. The army's latest offensive has forced many of its men to flee and take refuge in the mountains, and as a result the PKK leadership can be expected to shift its strategy from open, armed confrontation to terrorist action. There will be more bombings, and, consequently, an escalation of the repression from the army. Words of reason and calls for mediation and justice (see below) will be lost in the rumble of intolerance and fear.

In all the countries of East-Central and South-Eastern Europe monitored by the *Ethnobarometer Programme* (Hungary, Slovakia, Romania, Bulgaria) the conditions in which *Roma* communities live, as well as the institutional discrimination and xenophobic attacks to which they are subject, raise humanitarian concerns. In all these countries, since the fall of the Communist regimes and with the transition to the market economy, their socio-economic position has markedly and steadily deteriorated. Under communism they relied on unskilled and semi-skilled employment in low productive enterprises, and with the transition to the free market they were the first to lose their jobs. Unemployment rates among *Roma* in these countries range from 50 to 70 per cent. Moreover they live in conditions of socio-cultural segmentation. Finally, they are increasingly the preferred target for the xenophobia of local majorities. In 1998 there were countless cases of institutional discrimination, harassment, beatings and violence. Whereas they were once tolerated as an historical anachronism to be assimilated under the blanket of state socialism, they are now the object of archetypal scapegoating, seen as both the creators of all that is painful in the transition *and* as failures in the new order.

The new and most significant expression of xenophobia in *Russia* in 1998 has been a clear recrudescence of traditional anti-Semitism. In May 1998, a bomb damaged a synagogue in Moscow, but the most relevant events occurred in autumn with open and threatening anti-Semitic pronouncements made by various public figures in the media and in parliament. This ominous revival must be taken seriously as it contains

the typical feature of blaming the Jews for the economic difficulties of the Russian population. This was especially noticeable after the August banking crisis, for a large segment of the financial oligarchy is allegedly Jewish. In December, V. Ilyukhin (Chairman of the Duma Defence Committee), for instance, speaking in the Duma went as far as to accuse the 'Jewish circles' surrounding Boris Yeltsin for causing all the problems of today's Russia, indicting them also as responsible for the hidden genocide of the Russian people.

In East-Central and South-Eastern Europe, NATO and EU enlargement are creating new divisions and tensions both between states and between states and their diasporas in neighbouring countries. In the long run, should all the countries of East-Central and South-Eastern Europe become members of the EU and/or NATO, this would certainly ease tensions and problems related to national minorities. Today, however, in Slovakia, Romania and Bulgaria, in the media as well as in the business community and among parliamentarians, clear resentment is being expressed at being left out of these negotiations. In the case of Hungary, new diplomatic tensions have been created by the fact that Budapest is perceived as trying to present itself as a self-appointed arbiter deciding on the fate of two neighbouring countries, Romania and Slovakia, using the Hungarian minority rights as leverage.

Finally, problems arise from the pressure to converge to EU migratory and visa policies. These are particularly evident in Hungary, where in early 1998 a heated debate took place over the introduction of visas for citizens of neighbouring countries. According to the Hungarian authorities, one possibility was issuing long-term or multiple-entry visas to citizens of Hungarian descent in Romania and Slovakia. This, however, would amount to discrimination based on ethnicity, and would be contrary therefore to EU rules. An alternative solution could be double citizenship for ethnic Hungarians in neighbouring countries which, however, is opposed by the governments of these states. As this debate continued in Budapest, Romanian authorities rushed to make clear, through several public statements, that if Hungary required visas for Romanian citizens this would inevitably lead to a worsening of Hungarian-Romanian relationships. Several deputies in the parliament proposed modification of the law on citizenship ensuring that anyone acquiring the citizenship of another state would automatically lose that of Romania.

After the November 1996 elections, which led to the formation of a coalition

government, including the Democratic Alliance of Hungarians in Romania (DAHR), the diplomatic relations between Romania and Hungary substantially improved, but 1998 has seen new political tensions. The DAHR has repeatedly threatened to leave the government coalition over various minority issues. The most controversial of which is the re-establishment of the Hungarian University of Cluj (abolished in the late 1950s). While the Romanian public at large sees this demand as segregationist, the Romanian parties of the government coalition are willing to accept only multiculturalism, and ethnic Hungarians consider the establishment of the university and an institutionally complete system of education from kindergarten onwards as the only insurance of their cultural identity. These tensions have been fuelled, particularly toward the end of 1998, by the new assertive position of the Hungarian government. Shortly after winning the elections in the summer of 1998, the new Hungarian Prime Minister Victor Orban, who had promised to promote the interests of Hungarians abroad more forcefully than his predecessor Gyula Horn, made a victory tour of ethnic Hungarian towns and villages in Transylvania where the warm and excited welcome he received alarmed Bucharest, Bratislava and Belgrade. Tensions have been further raised by statements by Zsolt Nemeth, State Secretary for Foreign Affairs, who - again during a visit to Transylvania - affirmed that 'nation-state is a thing of the past and the Hungarian nation's borders do not coincide with Hungary's borders'. Finally, Budapest has repeatedly expressed concerns over the destiny of the ethnic Hungarians of Vojvodina and protested against the mandatory draft of young men sent to fight in Kosovo. Not surprisingly the new government approach is praised by the far-right nationalist Hungarian Truth and Life party. Critics in Hungary and outside observers point out that this new turn might strengthen the more radical wings in ethnic Hungarian parties in neighbouring countries, namely those whose demands go as far as territorial autonomy.

In Bulgaria, in the village of Tranak, 10,000 ethnic Turks marched in protest when a monument to three Turkish heroes was removed in September 1998, after the regional authorities ruled that the three men concerned had been terrorists. The event led to a significant worsening of relations between the Movement for Freedom and Rights (MFR - a major political organisation voicing the interests of the Turkish minority) and the Bulgarian government. New tension also arose within the ethnic Macedonian community in the summer of 1998, when representatives of Macedonian organisations were not allowed to take part in the celebration for the 95th anniversary

of the Ilinden Preobrazhene rebellion against the Turks. In spite of these events, however, the year 1998 saw a number of positive improvements in inter-ethnic relations (see below).

Tensions and conflict of this type are not an exclusive prerogative of the Balkans and Central and Eastern Europe. In Western Europe, Corsican separatism still constitutes an unresolved issue with the potential for violence. Since 1980 terrorist attacks perpetrated by Corsican separatists have taken at least 220 lives. In February 1998, Corsican terrorists killed the Prefét, Claude Erignac. In August, the Bastia Head Quarters of the Gendarmerie was hit by a bomb and one Corsican nationalist faction claimed a bomb attack in Avignon. In September, in Penta-di-Casinca, a Gendarmerie barrack was the target of a machine-gun attack. Violence is not only the result of the struggle against the French state, but also of a fierce fight for hegemony between various fractions and clans of Corsican nationalists, a struggle which overlaps with fights between organised crime groups. Among these various clans, the 'Concolta Nazionalista' seems to be the most influential with its armed wing known as 'FLNC-canal historique'. Corsican separatists, however, also try to voice their cause in the political arena and are represented in the regional parliament established in 1991 (when Corsica had the status of 'Territorial Collectivity' and accordingly established a local assembly). Toward the end of 1998 the possibility of giving up the armed struggle and stepping up political mobilisation started to be discussed among the various nationalist fractions. Since October 1998, 'Concolta Nazionalista' has been trying to unify most of the other factions into a 'Front populaire nationaliste' to form the basis for a new non-violent strategy.

In most West European countries, violence is linked to the presence of immigrants and to acts of racism. In Belgium, in November 1997, the killing by the police of a young drug dealer of immigrant origin triggered three days of rioting by young people in Anderlecht (Brussels), a district with a large presence of immigrants. The riots were repressed violently by a large number of policemen with open acts of racism. In September 1998, a young Nigerian refugee, Sznira Adamu, who had been served a deportation order, died when policemen forcefully tried to make her enter the plane that was to repatriate her. The incident caused large-scale protests and led to the resignation of the Minister of the Interior.

In France, in February 1998, a woman of immigrant origins was refused naturalisation on the ground that swearing the Islamic scarf showed her unwillingness to integrate

into the French community. While 1998 saw stronger public support for immigrants in France than sentiments against them (linked to the mobilisation for the regularisation of *sans papier*), and a decline in the number of xenophobic attacks, various reports point toward continuing practices of discrimination against immigrants. A report of the National Commission on Human Rights indicated that racist discrimination is widespread, especially - but non only - in the labour market. Trade unions have denounced the fact that local administrations require papers that are impossible for immigrant workers to produce, thus excluding them from retirement benefits.

In 1997-98, the Greek government has moved some way toward a more pragmatic approach to relations with its neighbours and has taken steps to meet some of the demands of its minorities. But this evolution is slow and discriminatory practices and attitudes are still widespread at the local level, while nationalism and xenophobia are apparently increasing. In Greek Macedonia, for instance, 1998 saw the revival of the old conflict over land tenure with open discrimination against ethnic Macedonians. Also in the same year, various instances of discrimination and xenophobic behaviour against Turks were reported. Noteworthy is the continuing practices of denying Muslim students access to several university departments and the possibility of serving in the police and other public bodies.

Peace signals

In a year marked by turbulence and conflict in the Balkans and by ugly outbreaks of racism in many European countries, some positive developments have contributed to brightening the picture. Solutions are emerging for problems that have been a source of conflict for many years and, in some cases, were regarded as insoluble. One lesson of history is indeed that, if people want to build peace, they must be prepared to forget history. Ireland is a case in point. The case of Crimea confirms that, once a separatist mobilisation has taken root, accommodation, containment and bargaining are the lesser evil compared to repression and the use of force. Bulgaria and Macedonia too have settled important issues in 1998, both within their own societies and in their relations with each other, by overcoming old prejudices inherited from the past and renouncing some of their earlier claims. In Serbia and Turkey, on the other hand,

history - and its myths - stands as a major roadblock to change, sustained by the political and military leadership.

In Northern Ireland, the 'Good Friday Agreement' of 10 April 1998 (endorsed by 71 per cent of the voters the following May), created a number of north-south bodies linking Northern Ireland and the Irish Republic and at long last started a peace process. Sinn Féin's entitlement to sit on the Northern executive is still very much a live and unresolved issue at the time of writing (April 1999), because of the dispute over the IRA's 'decommissioning' or handing in weapons. Overall, the peace process has been progressing slowly and may still collapse. Nonetheless the agreement marks a turning point. The disputes have not been settled but hopefully they will be continued by more civilised means. History has not been buried, but popular sentiment does appear to see the past as an impediment to a new future, and the majority in both communities clearly wants the agreement to work.

The economy is an important factor. The standard of living in the Republic, Europe's 'tiger economy', is over 10 per cent higher than in the north. It is significant that the Republic's new-found wealth led to a record number of immigrants in 1998, more than half of them Irish nationals returning to their country, which for centuries has seen its population shrinking as a result of famine and emigration. The population is now the highest (3.7 million) in the Republic's history.

Something which is not yet a peace process, but which may lead to it, is also occurring in Spain. In September, 1998 the Basque guerrilla group ETA announced an indefinite cease-fire, a move that six weeks later, in early November, prompted the Prime Minister, José María Aznar, to authorise his government to hold talks with 'people close to ETA', in order to verify, as a first step, whether there was 'a real willingness to abandon violence' and end the 30-year armed fight for an independent Basque country. In December, the leader of ETA's political arm, Euzkadi Herritarok (HE), took the unprecedented decision to vote in favour of the new regional government formed by the moderate Basque Nationalist Party (PNV), which until then had chosen only national parties as coalition allies. In September 1998, the PNV, reversing its past policies, had signed a joint statement with HE calling for a constitutional reform that would give the Basque people the right to self-determination, thus paving the way for ETA's cease-fire.

In Crimea, 1998 saw the final settlement of the political conflict between the mostly ethnic Russian leadership of this autonomous republic and Ukraine. Given that

Crimea belonged to Russia from 1783 until its transfer to Ukraine in 1954, that ethnic Russians amount to two-thirds of the population and that Russian and the Ukraine had been disputing over Sevastopol and the Black Sea fleet, Crimea's wish for separatism, which started in 1991-92, could have exploded in a highly disruptive violent conflict. After six years of political confrontation, reaching a peak in the period 1993-94, the Crimean parliament approved a new constitution for the republic in October 1998, which was later accepted and ratified by the Ukrainian parliament on 23 December 1998. Throughout the period 1991-98 both Kravchuk and Kuchma adopted a low-profile strategy of accommodation and containment that spared Ukraine the outburst of violent ethnic wars which occurred in Moldova (Trans-Dniestr), Georgia (Abkhazia and South Ossetia) and Azerbaijan (Nagorno-Karabakh). In these cases the repressive state response to separatist or irredentist mobilisation triggered the escalation of the conflict.

The state of the economy was the main issue in the parliamentary elections held in Macedonia in October/November 1998, won by the 'Coalition for Change' formed by the nationalistic Macedonian Revolutionary Organisation-Democratic Party for Macedonian National Unity (VMRO-DPMNE) and the moderate Democratic Alternative (DA), which solicited votes from all ethnic communities. During the electoral campaign, VMRO-DPMNE played down its traditional nationalistic propaganda, and after the vote that gave the two parties 62 of the 120 seats in the new parliament, it described the coalition as one between 'people who not so long ago had different, often conflicting ideologies', and as an attempt to construct 'a national reconciliation' that would bridge the 'political differences within the Macedonia national body'. The new Prime Minister, Ljubco Georgieski, also included in the government the DPA, the more nationalistic of the two Albanian parties, which advocated for ethnic Albanians a status similar to that of Kosovo until 1989 and did not rule out secession as a long-term objective. He left out PDP, the more moderate Albanian party, which had won less seats (10) than DPA (14) and had been a partner in the outgoing government led by the Social Democratic Union. An improvement in inter-ethnic relations in Macedonia was listed as one of the priorities of the new government, along with economic reform, the reform of the welfare and health systems, the reduction of unemployment and the fight against corruption. In presenting his cabinet to the parliament, Georgieski said that he had included the DPA to 'prove to the international community that the Republic of

Macedonia has the firm intention to move away from Balkan standards and create stability in the region’.

Doubts have been expressed as to the likely duration of such a heterogeneous coalition. Both the DPA and VMRO-DPMNE have problems in keeping their most radical members under control, and will eventually clash once sensitive ethnic issues are addressed, especially in the fields of language, education, and access to jobs in local and national administrations. Progress has already been made in some of these areas, but the most controversial issues, including the claim by ethnic Albanians to be granted the constitutional status of constituent nationality of the Macedonian state, are unlikely to be taken on in the short term. On the whole, however, the novelty that Georgieski’s approach represents in Macedonian politics, and the impact it has already had on the climate of inter-ethnic relations, should not be underestimated.

Another important pledge Georgieski made was to improve Bulgarian-Macedonian relations (as well as relations with Greece). Throughout the 1990s, the traditional Bulgarian claim was that Macedonians (including ethnic Macedonians in Greece) are in fact ethnic Bulgarians and that their language is nothing but an artificially revised version of Bulgarian. On the other hand, Skopje’s claim to represent the Macedonian minority living in Bulgaria, had led to tense relations between the two countries. On 22 February 1999, in Sofia, the Macedonian and Bulgarian governments signed a joint declaration to end these ‘artificial problems’ between the two countries. In the past, the issue of language prevented the two governments from formally signing treaties or protocols on matters of mutual interest. The declaration noted that the language of the document was ‘Bulgarian in accordance with the constitution of Bulgaria, and Macedonian, in accordance with the constitution of Macedonia’. In their joint declaration, the two governments also renounced territorial and nationality claims upon one another, thus settling the issue of the Macedonia minority in Bulgaria. Furthermore, the document indicated that neither would allow its territory to be used by forces hostile to the other. Noting that NATO troops now in Macedonia should remain there in one form or another, one observer remarked that ‘Macedonia, not Kosovo, is at the heart of Balkan politics... Bulgaria has become an important artery sustaining that heart’. When these words were spoken NATO had not yet intervened in Serbia and Milosevic’s ethnic cleansing in Kosovo had not yet caused the massive exodus of ethnic Albanians from their lands. Whether or not that artery will survive

the effects of the war is too early to say. If it does, then indeed it would represent a major cornerstone in the building of peaceful co-existence and a new order in the region.

As for Bulgaria's own ethnic problems, 1998 has seen substantial progress, despite the difficult economic situation. The negative example coming from neighbouring Yugoslavia has been an important factor in promoting tolerance. Although Bulgarian society is not yet prepared to accept the idea of integration and multiculturalism, the debate on ethnic issues has been constant and significant steps have been taken to enhance the rights of minorities, especially in the areas of education and religion. In 1998, the Council of Europe Convention for the Protection of National Minorities became effective, and in September of the same year the government announced its intention to include representatives of national minorities in the policy-making process. A new law will allow ethnic Turks to be appointed to governmental posts, including heads of department in ministries, and to be named deputy governors and governors. In the mid-1980s, a forced assimilation policy required ethnic Turks to change their names and mosques were closed down. About 350,000 people, or half the ethnic Turks living in Bulgaria, chose to leave or were expelled. Many have now returned. The Roma minority of close to 700,000, the worst hit by the economic crisis and unemployment, is also now receiving much more attention than it did in the past, although their problems, which are mainly of social exclusion and economic deprivation, are not yet being seriously tackled.

Finally, it is important to note that in Turkey too, in spite of the internal tensions and conflicts caused by the Kurdish issue, there are some forces at work aiming to overcome social, ethnic and political divisions and to promote national reconciliation. The main one is TOSAV, the Foundation for the Research of Social Problems, which since 1995 has been organising meetings, both in Turkey and abroad, with the participation of Turks and Kurds, to discuss mutual problems. An important conference was held in Istanbul in December 1998, and more recently the Foundation's board approved a 'Document of Common Understanding' that advocates a new constitutional framework for Turkish democracy, based on multiculturalism, political pluralism and the rule of law. The analysis that the Document offers of Turkey's problems is merciless. The 'centralised, restrictive and authoritarian structure' of the polity has led to the 'estrangement of society from the state... and the perception of any popular demand or objection to policies of the

government (as) unjustified rebellion, undeserved quest or outright rebellion'. The uniformity and unity built by an authoritarian state is a fictive reality, and the political and military elite have betrayed the pluralistic and multicultural richness of the society inherited from the Ottoman empire. 'Official practices have reflected an unresponsive attitude to the existence of Kurdish and other cultural realities... Turkish nationalism has turned out to be perceived as exclusive rather than inclusive of non- ethnic Turkish citizens contrary to the intention of the founders of the Republican regime ... political parties have resisted change'.

On the Kurdish issue, the Document points out that 'had the armed struggle been a conflict between the security forces and a group of bandits on remote mountain tops, then the society would not have been much affected by it... But we are confronted with a widespread economic disaster that impoverishes the nation... Because the conflict is seen merely as a security issue and not as a 'social conflict' we suffer from an unnamed war fought on our own lands amongst our own people in which citizens kill each other'. The parties to the conflict should meet outside the 'official institutions which are the creators of the conflict... The Kurds only want legal and concrete steps that would make them feel that this is their state too...'. The Document goes on to outline a number of very specific proposals, an action plan ('political menu') for change in the fields of public administration, legislation, culture, education and the economy. The very fact that TOSAV decided to make public this outspokenly critical document can be regarded as a very significant event. [As we go to press, we have learned that the Document has been banned by the State Security Court and the president of TOSAV, Dogu Ergil, indicted for promoting the cause of terrorist organisations.]

¹ These categories of migrants are not always as clearly separable as is sometimes supposed. 'Illegal' migrants, or those without a current right of residence, frequently become applicants for asylum and may return to their previous status if they fail to achieve refugee status. Moreover, those offered asylum, particularly on a temporary basis, may not pass through the normal individual hearing.

² The issue of whether the impact of the armed conflict adds up to a qualitatively different character for the migratory phenomenon or whether it constitutes only an incremental factor in the long-term exodus from the underdeveloped east has been dealt with in Ethnobarometer's *Working Paper no. 4*.

Section II
Towards an analysis of inter-ethnic relations

CHAPTER 1

Constructing a typology of ethnic conflict

In the first section of this report, we offered an interpretation of the major events of 1998. The aim here was not to be systematic; rather it was to highlight some key events or to select from the myriad of possible candidates areas of positive and negative developments within the domain of the *Ethnobarometer Programme*. Our purpose in this section is different; it is to stand behind rather than in front of events. As social scientists we are interested in the underlying processes that give rise to ethnic tensions. Are patterns discernible which might help understand why conflicts evolve as they do? In Section III, we return from the general to the particular, but in this case to give a flavour of the descriptive detail provided by our country-based correspondents.

1.1 Building a typology

It is perhaps helpful to reflect that classical social science was born from an urge to discover how a society cohered or managed threats to disruption and decay. Internally, these threats were largely seen in terms of a battle for resources or power; externally, they were perceived in terms of a conflict between 'peoples', most commonly as manifest in terms of battles between nation states. The generation that worked on these issues from 1890 illuminated but did not challenge these broad contours. Why should they have done? Even though Marx had by the turn of the century been dead for almost two decades his influence was still waxing. Moreover, the decades of nationalism, at least in Western Europe, were also gaining momentum. It would not have made sense to reverse the logic of these assumptions in the face of their overwhelming relevance for the problems of that age.

Indeed, it would be false to assume that these classical concerns were not also significant at the close of the 20th century. The social science libraries of the world are full of texts confidently written in the 1970s in neo-marxist language. Similarly, many of the real theorists of 'ethnicity' have actually been scholars of nationalism. Ernest Gellner, for example, developed his famous theories partly from the social anthropology of the Berber, and partly from his profound understanding of the cultures of Central Europe. And yet, today, there is a difference. No longer can

nineteenth century assumptions go unchallenged. In some countries at least, nationalism has become 'internalised' into ethnic conflict, while at a global level the divisions between rich and poor peoples have become so entrenched that they appear almost taken for granted and no longer arouse the passions even of the young. While it is easy to overstate the case, there is a sense in which the primary divisions have become reversed. Class conflicts in the industrial societies at least have become ameliorated or accommodated by co-option, internal division and a growth in real wealth; inter-nation conflict has been constrained by the development of pan-national economic interests, security pacts and the threat of nuclear annihilation. World tensions are no less evident, however, for in the place of those splits which characterised industrialisation have come those apparently more suited to the post-industrial age. Globalisation has not undermined nationalism; it has simply transformed it into the localism of 'ethnic' struggles. Class conflicts have similarly not disappeared; they have become increasingly institutionalised into a struggle between confederations of the rich and the disorganised poor (Wieviorka, 1996). It has been estimated, for example, that the ratio of GNP per capita income in the top quintile of population to the bottom quintile has widened from 60: 1 in 1993 to 74: 1 today (World Bank 1998).¹ Ironically, it is not true that income disparities in the rich world have narrowed; they too have become significantly wider. The change is one of *organisation* and *perception*. Trade union membership has fallen throughout the western world and *class* advancement is no longer perceived as viable. On the other hand, *ethnic* organisations - whether in the form of cultural associations or political movements - are burgeoning.

This is not the context in which to explore the implications of these tendencies but there are three points of importance that may help to understand some of the analysis that follows (cf Cross 1999). First, the resurgence of ethnicity has led to a concomitant rise in the importance of social space. Unlike class divisions, ethnicity tends to divide 'whole' communities which have no necessity for daily interaction. Indeed, because ethnicity is based on putative cultural distinctions, rather than economic functions, 'territory' becomes of critical importance. Space becomes in this sense *the* resource over which conflicts occur. The horrors of 'ethnic cleansing' are perhaps the most obvious example in recent years but there are many other instances ranging from 'weak' forms in the case of, say, the quest for Scottish self-government to 'strong' forms in the struggle for Chechen autonomy from the Russian Federation. In the analysis which

follows, we shall make frequent references to the renewed importance of 'homeland', a term which captures the imbuing of geographical space with social (in this case 'ethnic') significance.

A second major process that follows from this argument is the increasing importance of international migration. The link is obvious. Just as the industrial revolution created an unprecedented movement from countryside to city as it generated the proletariat, so has the growing divide between the rich and poor worlds stimulated international population movement. From this vantage point, it is important not to become overly distracted by the administrative distinctions between 'economic' migrants and asylum seekers. While it is true that there are clear differences in social and economic characteristics between different population flows, it is the rise in the urgency of flight that has the most important impact. This is not to discount either the importance of state responses. State action does make a difference in terms of flow rates, flow composition and consequent incorporation and integration. The central point, however, is that high levels of international migration are not chance events, or phenomena that can be squeezed out of the system. They are integral to it. It is important to stress that this is not an economic argument. The increasing salience of space which flows from the 'internalisation' of nationalism into ethnic feuds carries with it profound implications for international migration. For example, it is not the case that most of the growth in asylum seekers in Western Europe has come from a dramatic surge in individual claims for refuge; rather it has come from the displacement of ethnic groups. The flight of four million Muslims and Croats to other European countries from various parts of the former Yugoslavia is the most obvious and telling instance (Münz, 1995).

International migration has combined with the importance of socialised space in European cities. Ethnic conflicts that have their origins in recent migration are almost invariably *urban* phenomena. European cities are being transformed by international migration and one consequence of this new demography is the rise in levels of intolerance that produce many of the tensions and conflicts that lie at the heart of this project. The advent of undocumented migration makes it hard to be certain about the proportions that are involved, but many Western European global cities are well advanced in transformations that have become commonplace in North America. The familiar combination of selective outmigration, continued inward movement from abroad and differential fertility rates mean that the 'minority-majority' city is not a

very distant prospect in Europe, just as it has already occurred in New York, Los Angeles and Miami. Thus, even though the proportion of those deemed 'foreign' or culturally different may be small overall, their impact locally may be immense. Where these changes are defined in terms of threat, displacement and take-over the social conditions exist for criminalisation and a disinclination to consider policies of integration or amelioration (Cross, 1999).

A third element in the new situation is that where ethnicity becomes a salient social divide it possesses the potential for *mobilisation*; that is, it can become a potent political and economic force. We do not have enough empirical studies to be entirely clear about the circumstances that give rise to ethnic mobilisation. To the extent that ethnic communities are not heavily stigmatised, economic mobilisation may be more feasible. Some non-Islamic minorities in Western Europe, for example, have often been remarkably successful in economic terms despite (or perhaps because of) distinctive ethnic traditions. Unlike economic class mobilisation (*für sich*) this is not a process of appropriation. Rather, it is the result of successful entrepreneurship or educational performance. These experiences point to some of the complexities involved in formulating effective policy responses to the challenges of multi-ethnicity. All minorities are not in the same position in terms of economic, educational and other aspects of social integration. The most positive experiences are not found only amongst those who are most culturally similar to the majority.² Moreover, those that are the least successful are not always those against whom most antagonism is directed. As the poignant history of anti-Semitism shows, creativity and success may be precisely the conditions for stimulating violent reactions from insecure and less successful members of majority communities.

From the point of view of the *Ethnobarometer Programme* these transformations are important because they provide the context in which its relevance can be assessed. Unfortunately, the last decade of this century has not been as creative in social science terms as that of the century before. Where is the Marx of globalisation or the Durkheim of ethnicity? Their absence creates a problem for lesser mortals following in their footsteps. While it may be true that the intensity of class conflict has given way to the challenge of migrant incorporation, it is clearly not relevant to advocate the refilling of old theoretical bottles. Class theory was based on the challenge to minorities of those who were denied control over resources that was commensurate with their numerical dominance. 'Minority' theory today, if it existed, would focus on

the challenge to majorities posed by newcomers or established groups usually lacking economic, political and symbolic power. In democratic polities it could be argued that in this sense newcomers are the true inheritors of the dispossessed. It is for this reason that new terms to describe the co-occurrence of various dimensions of poverty, such as 'the socially excluded', are so often euphemisms for ethnic minorities.

In the absence of a rich vein of theoretical ideas, all that can be attempted is a classification. Classifications, schemas and typologies have the dual advantage of ordering complex empirical material and focussing the mind of the analyst on the central differences between one category and the next. It is critical, therefore, to be clear about the focal point that underlies any classificatory attempt. In this case the general problematic towards which the *Ethnobarometer Programme* is directed is the understanding of social tensions *arising from disputed claims, and perceived claims, made by groups that are defined, and define themselves, as differing in terms of ethnicity from those against whom the claims are made*. Three issues stand out in this definition. First, the claims and perceived claims are *disputed*, or are regarded as illegitimate. If they were not then the consequences in terms of social instability or the maintenance of social order would not arise. It is also important to stress that the phrase 'claims or perceived claims' is intended to encompass *both* sides of a relevant encounter. In some cases actual claims may not be made at all; it will be the perception or threat of a claim which triggers a negative reaction. Indeed, these are intrinsically political encounters and, as Steven Lukes (1968) reminded us, *manipulation* is one of the most powerful uses of power, so that it may be the claim by majorities (e.g. states) of the existence of demands by minorities that is most important in shaping outcomes. For this reason we shall deliberately select terms that emphasise the *interaction*, both real and symbolic, between those groups and agencies that are party to any specific encounter.

Second, it is the mobilisation of *groups* which is relevant in this case. While it is true that events may turn on encounters that originate with individuals, if they remain at that level they fall outside the scope of this report. Of course, this is not as easy in practice to discern as it is to declare. If a young man is murdered on the streets of a city in Europe, that event itself may be of no direct relevance to this project. If, on the other hand, he was attacked *because* he was seen as a representative of a stigmatised minority, then it immediately becomes so.

Finally, it is the denial of group claims, or perceived claims, on the grounds of *origin*

that is critical. If French truck drivers are in conflict with representatives of the state, it would only become an issue for our concern in the unlikely event that it was their *frenchness* which was considered to be at stake. This link with *identity* is a necessary, but of course not sufficient, condition for fulfilling the 'ethnic' requirement. We are well aware of the conceptual and empirical difficulties that arise at this point. 'Ethnicity' is far from being an unambiguous concept, particularly when examined across very disparate cultures. Moreover, 'ethnicity' often lacks solidity as a concept precisely because of its ideological properties. A claim for a more equitable allocation of resources to a region suffering economic decline may be defined as 'ethnic' precisely to undermine its legitimacy. This phenomenon can work both ways round. In a country such as the Netherlands where ethnicity has been accorded legitimacy as a criterion for resource allocation, there will be more claims of this kind than in France where to make such claims is frequently perceived as tantamount to national betrayal (Boussetta, 1995). Nonetheless, we believe that it is possible to identify a subset of group claims, and perceived claims, that do share a common element; namely, an appeal to a common cultural tradition (possibly but not necessarily including language and religion). The hoped-for benefits deriving from the claim are expected to accrue to all those who define themselves as sharing this tradition. This is not to assert, however, that all groups so defined, or all claims they may make, are necessarily of the same type. Indeed, we wish to argue that a simple typology of *ethnic conflicts* can be derived from further consideration of these two issues. It is to that task that we now turn.

1.2 *Minority types*

Because of the richness of empirical variation, it is all too easy to develop typologies that are overly complex. Our aim is to err on the side of simplicity, and to risk the charge of being simplistic. Our use of the term 'minority' is sociological and not legal. By no means is it true that all 'ethnic minorities' in our definition would be regarded by European states as falling under the rubric of a 'minorities policy'. For example, it would be entirely out of line with what has been set out so far in this section to exclude recent migrants and those defined as 'foreigners'. On the other hand, not all foreigners or recent migrants are seen as 'ethnic' by majorities. Those that are defined in other

ways, ranging from short-term visitors to majority co-ethnics (e.g. *Aussiedler*) are excluded from our classification.

It has also been made clear at the outset that the *Ethnobarometer Programme* was deliberately formulated so as to challenge the convention that draws a firm line between the circumstances in Western and non-western (Central and Eastern) Europe. The challenges induced by recent migration are found in Central and Eastern Europe just as they are in the West. Moreover, the claims made for territorial autonomy, while more common in the East, are not confined to that region. We have opted for a six-fold division of minority types based on the three key processes identified earlier as relevant for the study of ethnicity in its modern forms; namely the salience of socialised space (territory), the endowing of cultural difference with political importance as a means of group mobilisation, and international migration. The six types are as follows:

- *Territorial minority* - a minority identified by ethnic characteristics and its association with a specific geographical area
- *Border minority* - a minority identified in terms of its affinity with a bordering nation
- *Historic minority* - a minority perceived as traditionally different in terms of ethnicity but not geographically concentrated or having an affinity with a border nation
- *Industrial minority* - a minority whose origins lie in *recruitment* from elsewhere for employment, largely into the secondary sector
- *Post-industrial minority* - a minority whose origins lie in the search for sanctuary from poverty or repression elsewhere
- *Temporary minority* - a group which seeks temporary sanctuary from civil war or repression elsewhere

A number of features of these distinctions deserve some additional comment. First, they are based upon mixed criteria. This is a reflection of the reality that minority status has multiple origins. It may depend on former conquests, the vicissitudes of peace settlements following warfare (that often have rather arbitrary consequences for borders) or on international migration. Second, the term 'historic' is not meant to imply that other minority-majority situations do not derive from history. Rather, it is to make reference to a setting where historical memory is the critical factor in ethnic consciousness, rather than a sense of nationhood. Because the term 'minority' is being used in a sociological sense to refer to a group in an inferior power position, this is a

category that would be relevant for many colonial situations. Finally, the division between 'industrial' and 'post-industrial' minorities may appear controversial. But from the perspective of minority-majority encounters in Western Europe there is a clear difference between the recruitment of labour for industrial survival in the period 1945-74 and the rise in migration in the 1980s and 1990s (Castles and Kosack 1973). This is not just a distinction in terms of time scale. Migrants everywhere seek better opportunities, but legal incorporation was not originally the central issue in the first period whereas it is in the second. Moreover, the world in which migrants found themselves was very different. The motivation of a man from, say, south-eastern Turkey may not be very different today than thirty years ago, but being a regulated factory worker in a low unemployment economy is very different from finding oneself struggling to gain any form of employment in a service economy where unskilled jobs are scarce and where those there are tend to be filled by indigenous part-time women workers.

1.3 Minority - majority encounters

We are specifically concerned with emphasising the relationships between minorities and majorities, both real and symbolic. These interactions or 'encounters' have three fields that combine in different ways. First, a central set of issues concerns equity, or the issue of overcoming inequalities to generate a fair distribution of resources. Clearly definitions of what is 'fair' or 'equitable', and what constitutes 'unacceptable inequality', are major points of debate and division. Second, minority-majority encounters typically reveal aspects of the relationship between the encounter and the world beyond. Is there a perception, on behalf of either minority or majority, that the long-run solution lies outside the present geographical space? This may encompass the quest for national autonomy, on the one hand, or the desire to expel or remove what is perceived as a dissident minority on the other. Finally, another aspect of the 'external' relates to inward, rather than outward, movement. These are aspects of the encounter that have to do with who is allowed into the territory, including re-entry or return, and on what conditions.

In proposing that debates (or indeed struggles) over *exit*, *equity* and *entry* are the three main fields that define minority-majority relations, we are not suggesting that each is

present to the same degree in every setting. At one extreme, debates (or more probably *conflicts*) concerning political autonomy for a territorial minority have more to do with exit than deliberations over who should or should not be allowed membership or residence rights. Rather, the point is to stress that membership, accommodation and autonomy are the poles which define, albeit in very different ways, the debates around which minority-majority encounters turn.

Figure 1 sets out these 'key processes' and links them with the minority types identified above. The figure then suggests a term for the encounter thereby generated and indicates what negative outcome may occur when conflict arises. Ideal type constructs are not intended to capture empirical reality but to *order* it. In this instance, the goal is to suggest a heuristic purpose. The proposition is that each of the six types of minority identified can be associated with a typical pattern of encounter and form of conflict.

FIGURE 1: Ideal types of minority-majority encounters

Key process	Minority type	Central issue	Minority-majority encounter	Conflict threat
<i>Exit</i>				
	Territorial minority	Autonomy	Ethno-national	War of secession
	Border minority	Self-determination	Sub-national	Civil war
<i>Equity</i>				
	Historic minority	Cultural pluralism	Ethno-caste	'Apartheid'
	Industrial minority	Civil rights	Ethno-class	'Underclass'
<i>Entry</i>				
	Post-industrial minority	Membership	'Immigrant'	Xenophobia/ criminalisation
	Temporary minority	Sanctuary	Asylum	Rejection/refusal

The focal point of each identified type may become clear from the following brief characterisations.

Ethno-national encounter

The ideal typical ethno-national encounter is one where a geographically concentrated minority feels itself to be a nation within a nation and determines to

break from bonds that are perceived as subordinating and ultimately damaging to valued national ambitions. There are many such examples, particularly amongst the Russian republics, and one important line of analysis is to seek an explanation for recent mobilisation against what may have been a very longstanding condition. Analysis has tended to focus on three areas of explanation. The first is the claim that nationalism has *re-emerged* in the aftermath of communism's demise. This is essentially a primordial view of nationalism, stressing its historical roots and inevitable re-appearance once the blanket of state socialism is removed. A second argument is to stress the opposite logic; namely that nationalism is *the* ideology of capitalism and its emergence parallels the same process in Western Europe a century before. The third line of reasoning is to point to the enormous crisis of regional poverty and class inequality that has followed in the wake of the market economy. According to this thesis, ethnogenesis is probable in such conditions and claims for autonomy will inevitably follow.

These types of encounter rank amongst the most threatening to established political elites since they appear to threaten the basis of the nation state itself. It has been estimated that there are ten times as many 'nations', or communities aspiring to national sovereignty as they are members of the United Nations (Cohen, 1987). Wars of secession have been amongst the most violent since World War II. They continue to be a major cause of forced migration and human suffering.

Sub-national encounter

The term 'sub-national' is used to demarcate an encounter between a minority that sees itself and is defined by others in terms of its affiliation to a bordering nation and a nation state attempting to promote or impose national unity. The border becomes central because it is perceived as dividing co-ethnics. Ultimately it is national *loyalty* that lies at the heart of the issue. Language, schooling, political representation and constitutional arrangements are typical conflict arenas. Local self-determination is highlighted as the critical issue for it is normally the minimal condition set by a minority for its continued membership of the nation.

The threat in this situation is of civil war. As in Kosovo at the present time, the affiliation with the neighbouring state is stressed in the terminology that is used.

References are made to 'ethnic Albanians' or 'Albanian Muslims', when in fact many Kosovars may have very little day to day knowledge or experience of Albania.

Ethno-caste encounter

The term 'caste' should be read as 'caste-like' rather than a literal adoption of an Indian pattern of social segregation and sub-ordination. The hallmark of this ideal type is the severe restrictions on social mobility and the use of law and official policy provisions to uphold extreme inequalities in terms of housing, employment and political representation. Prior to the US Civil Rights Act of 1965, it was claimed by some commentators (eg. Oliver C. Cox 1948) to be characteristic of the rigidity of inequalities facing black Americans. More recently, the term has again been used in relation to the relationship between black and white South Africans prior to the elections of 1992 and the emergence of a black majority government. The term is useful, especially when qualified to indicate that the perceived separation is one of ethnicity.

As in the South African case, the negative scenario is a perversion of cultural pluralism in which demands for equal recognition of cultural difference become transformed into a structural division or 'apartheid'. Again this term is used outside its historical setting, but extreme forms of spatial segregation, poverty and social exclusion have often been referred to by it (cf Massey and Ferguson, 1993).

Ethno-class encounter

The point was made in defining 'industrial' minorities that their origins lie in relation to economies, particularly the secondary sector. Thus, the term 'class' is not an inappropriate term. We are not referring, however, to the working class but rather to a form of division where communities identified by their perceived ethnicity experience economic hardship as a result of industrial transformations and a subsequent decline in employment prospects. This is not an 'apartheid' system for it is not codified in law, statute and official policy, even though it may be upheld by widespread discrimination. There is no entirely satisfactory designation for this situation but in Europe it has been termed 'social exclusion' and in the United States it is referred to as an 'underclass' condition. Both terms are defective. 'Social exclusion'

has come to mean all those experiencing modern forms of poverty (for example affecting the employed as well as the sick, old or socially vulnerable). On the other hand, the 'underclass' debate in the United States has been deflected by the use of the term in popular rhetoric to connote the morally feckless and culpable.

Even though the terminology is inexact and defective, the phenomenon is real. A form of instability and social conflict is engendered when (largely urban) minorities become trapped in spatial areas of economic and environmental decline. These become high crime areas and are perceived as problems deserving public policy attention. In extreme cases, urban disorder and street level conflict is the form in which this type of encounter becomes manifest (Cross, 1994; 1995; 1997). The hallmark of these encounters is the quest for equality of opportunity and access to services and benefits on the part of minorities. Thus the typical conflict arenas would include the persistence of ethnic and racial discrimination, a lack of political representation and a perceived failure by majorities to address persistent inequalities. The response to these claims varies significantly from right to left on the political spectrum but industrial minorities may or may not be citizens. In some settings they have local voting rights, so that an opportunity exists within democratic polities for the use of the ballot box as one form of redress. In other settings they have full citizenship rights, while in still others this is in effect denied.

Immigrant encounter

'Immigrant' encounters are defined in terms of new arrivals. Since European countries have largely eschewed recruitment since 1974, these newcomers are unwelcome. The category covers undocumented arrivals and 'overstayers' who arrive as tourists and do not return. It also includes many who present themselves, either before or after arrival as 'asylum seekers' but who are subsequently unsuccessful in securing refugee status. Their presence is largely the outcome of growing inequalities between the rich and poor worlds.

The ideal type encounter with the majority population is very one-sided in this case. The one voice that is seldom heard is that of the individuals involved. The key issue is how majorities respond and, in the most negative instance, the outcome is xenophobia. Scapegoating, criminalisation and moral panic are the hallmarks of this phenomenon. Typically the issue is seen as out of control as nations feel themselves

responding as best they can to the tidal wave of humanity which threatens to swamp the ordinary life of the everyday citizen. The conflict arena involves the media as procreators of the images that fuel negative sentiments. In extreme forms, this phenomenon is associated with police violence and 'racial' attacks.

Temporary migrants

This encounter is created by forced migration, normally as a result of massive political conflicts that destroy the security and economic livelihoods of whole communities. The Bosnians, for example, who fled after the civil war in Bosnia-Herzegovina are a case in point, or the more recent attempts to find a temporary home for the Muslim population forced out of Kosovo. The issue here is political sanctuary, coupled with the revival of the community's strength to return to a setting of major conflict. Young people, women and the elderly often make up the vast majority of those affected by these flows.

These ideal types are merely sketches but they prompt important questions. Is Europe threatened by wars of secession? Are civil wars occurring? Is there a European form of 'apartheid' and, if so, which groups can be identified as suffering its strictures? Are their equivalents to the 'underclass' in European cities? Is Europe experiencing the construction of 'immigrants' as a dangerous social category whose existence justifies xenophobia and racism? There are instances that allow us to conclude that these questions are far from irrelevant. By concentrating on those instances where these dangers are most obvious it is important to emphasise that the overall situation is far from unprecedented, and certainly not hopeless. The whole point of the *Ethnobarometer Programme* is to highlight points of potential danger in time for remedial action to be taken.

The analysis in the following chapters is based on a number of sources, the most important of which are the reports produced by the *Ethnobarometer Programme* itself. The commentary does not do justice to the richness of the material in these reports and readers are urged to consult the 'Country Reports' for further information, or the summary versions of these reports contained in Section III of this report. The encounters to which we are referring cannot be considered solely in terms of official reactions, as important as these are. We shall also include popular reactions as manifest in elections, public sentiment, civic disorder and other forms of intolerance.

¹ These are actually estimates between countries. When comparisons are made in terms of people themselves the current ratio widens to 135:1 and, on some estimates, to 150:1 (*International Herald Tribune*, 5 February 1999).

² This phenomenon is also evident in the US. In Silicon Valley, for example, which represents perhaps the most modern post-industrial setting, it is reported that Indians and Chinese comprised more than a quarter of all new owners of hi-tech companies in the period 1991-96 while at the other end of the spectrum, Mexican immigrants are grossly under-represented in hi-tech industries and equally over-represented amongst the poor and unemployed (*Economist*, 17-23 April 1999).

CHAPTER 2

Territorialist conflicts: separatism in the post-Soviet space

Of the ten countries monitored in the first year of the *Ethnobarometer Programme* (EP), Ukraine presents an interesting case of separatism - in Crimea - which by the end of 1998 reached a final institutional settlement, making it a relatively successful example of containment and accommodation of a potentially disruptive conflict. Below we analyse Crimean separatism together with cases of separatism in Azerbaijan, Georgia, and Moldova which, on the contrary, exploded into armed conflicts of various intensity and, to date, do not seem to be headed toward a final resolution. We leave aside Chechnya and other instances of separatism affecting Russia because of the clear peculiarities which distinguish it as a post-imperial state with an inherited complex ethno-federal structure from the Newly Independent States (NIS), being built, at least that is the intention, as unitary nation-states.

2.1 Background to the logic of separatism 'in and after the Soviet Union'

The Soviet Union was organised as a federal ethno-hierarchy based on the strictly defined principle of exclusive ethno-national titularity over existing territorial autonomies. This means that members of titular nationalities were considered as the legitimate and indigenous (*korennye*) inhabitants of the territorial autonomies named after them. Within the borders of these autonomies, only the members of the titular nationality were entitled to various forms of positive discrimination and special rights, in principle provided for by the Soviet nationality policy. Formally such autonomies were a sort of quasi-nation-state and, in fact, the 1977 Soviet constitution literally referred to them as 'national-state formations' (*natsional'no-gosudarstvennye obrasovaniya*). Finally, individuals' ascribed ethnicity was registered in their passports and was a relevant variable in their interaction with state authorities. Thus in the Soviet Union, ethnicity, rather than being one of the possible forms of individual identification, was codified as an ascribed objectified and administratively mandatory category heavily influencing the individual's life prospects. In light of these and other considerations, Russian (i.e. Chesko 1996:

chaps. 4 and 6; Dragunskiy 1993; Razuvaev 1993; Tishkov 1997: chap. 2; Yamskov 1992: chap. 1), as well as Western scholars (Brubaker 1994; Kaiser 1994: chaps 3 and 7; Suny 1993; Zaslavsky 1993), have, in the nineties, pointed out the paradoxical and unintended consequences of Soviet nationality policy in reinforcing and consolidating ethno-national barriers, thus preparing the terrain for the demise - mainly as the result of ethno-nationalism - of the Soviet 'internationalist' state.

The Soviet ethno-federal hierarchy had four levels:

- *the Soviet federal centre;*
- *the 15 constituent Union republics (henceforth simply SSR republics),* directly subordinated to the federal centre, with their respective 15 titular nationalities, which were given the formal right to voluntary secession by the 1977 Constitution;
- *three types of lower level ethnic autonomies,* within the borders of the SSR republics and formally subordinated to their jurisdiction: 20 autonomous republics (ASSR, 15 in Russia, 2 in Georgia, 1 in Azerbaijan, 1 in Uzbekistan), 8 autonomous regions (AO, 5 in Russia, 1 in Georgia, 1 in Azerbaijan, 1 in Tajikistan), and 10 autonomous districts (AOK, all in Russia), for a total of 43 titular nationalities;¹
- *other nationalities non titular of any autonomy* (about 50) as well as segments of some titular nationalities which were territorialised outside of their autonomy.

Between 1989 and 1991, as the struggle of the 15 SSR republics to establish the sovereignty of their laws over those of the Soviet centre increasingly turned into an open mobilisation for independence characterised by nationalising laws (above all the laws on state language), all the lower level autonomies and some territorialised communities non titular of autonomy (the Russians of Crimea, Russians and Ukrainians in the Trans-Dniestr region of Moldova, Poles in the Vilnius region of Lithuania, Uzbeks in the Osh region of Kyrgyzstan, etc.) raised separatist claims against the SSR republics. In doing this they found the instrumental support of the federal centre, which saw in this second tier separatism directed against the republics a weapon to weaken the first tier separatism of the latter directed against the USSR. On their part, the second tier autonomies and non-titular territorialised communities appealed to the more distant federal centre because the self-interested protection offered by the Soviet leadership appeared to be the lesser evil when compared to the closer and potentially threatening control exercised by the nationalising republics to which they belonged. Outside of Russia, this was particularly evident in the immediate

negative reactions elicited among second level autonomies and other territorialised communities by the language laws adopted in most SSR republics between 1989 and 1990.

This wave of second tier separatism was institutionally built into the *matrioska* framework of 'autonomies within autonomies' and had a systemic character, in that it occurred in all the second level autonomies and in regions with territorialised communities, regardless of the clear differences in socio-economic, demographic, cultural, and historical conditions distinguishing them. On the other hand, there were also clear differences in the scope of the generically defined separatist claims, in the duration of the mobilisation, and in the outcomes.

As regards scope and duration, the most relevant cases were:

- Nagorno-Karabakh (Azerbaijan)
- Abkhazia (Georgia)
- South Ossetia (Georgia)
- Trans-Dniestr (Moldova)
- Gagauzia (Moldova)
- Chechnya (Russia)
- Tatarstan (Russia)
- Crimea (Ukraine)

Of these eight cases of separatism, the first six resulted in armed conflicts (of varying degrees of intensity), while the conflict in Tatarstan and Crimea remained at the political level. All of these cases of separatism, though initiated during the last years of the Soviet Union, radicalised after the collapse of the Soviet centre. Also in Nagorno-Karabakh, where armed clashes had occurred as early as 1988, did the conflict only turn into full-blown ethnic war in 1992-93.

2.2 *Nagorno-Karabakh*

The Nagorno-Karabakh (henceforth NK) conflict started in 1988 and, though there has been a cease-fire since 1994, has still not been solved. It involves the ethnic Armenian separatists of NK, the authorities of Azerbaijan, those of Armenia, as well as the organisations of the Armenian diaspora around the world. Soviet first and later Russian troops have also played a role, officially of peace keeping, but Azers claim that

both have tended to support the Armenian side. The claim raised by the Armenians of NK was originally irredentist, but as reunification with Armenia became impossible they switched to simple secession and the establishment of an independent republic.

Armenian-Azer conflicts had already occurred in this area at the turn of the century, in 1914-15, and from the outbreak of the October revolution until the Soviets re-established control over the Transcaucasian region. Soviet NK was an autonomous region included within the borders of Soviet Azerbaijan. Separated from Armenia by a small corridor of land, in 1989, 75 per cent of the population was composed of ethnic Armenians (in the 1920s, when the autonomy was created, Soviet ethnographers estimated that ethnic Armenians amounted to 95 per cent of the population of NK). Armenians of NK base their claim on both historical and demographic arguments, to which they added the lamentation about the intentional policy of demographic infiltration allegedly carried out by Azer authorities in the post-war period. The Azer counter-argument, apart from the standard appeal to the state right to territorial integrity, is a historical one: for centuries the mountains of Karabakh were used by Turkic nomadic shepherd tribes (allegedly the ancestors of contemporary Azers) who lived there during the 4-5 warm months of the year and then retreated to the plains of Mil'sko-Karabakh during the winter.²

In February 1988, the NK local Soviet sent an official petition to Moscow asking to be transferred from Azerbaijan to Armenia. While Moscow did not accept it, the petition triggered the escalation of the conflict both at the institutional level (authorities of Azerbaijan, Armenia, and NK) and at the grass-roots level. Inter-ethnic spontaneous clashes erupted in Baku and other towns of Azerbaijan causing the deaths of about 30 Armenians and 6 Azers. Similar episodes, with a reversed balance, followed in Yerevan and other towns in Armenia. As the NK irredentists continued their mobilisation, the Azer authorities did not attempt accommodation and responded, instead, with repressive measures, including a blockade on all supplies coming to Armenia and NK from other areas of the USSR.

The conflict exploded into a full-blown ethnic war only in 1992 after NK leaders, more concerned about the dangers for their cause once Azerbaijan became independent, in danger called a referendum on independence and elections for a new parliament which were held on 6 January 1992 and led to the proclamation

of NK's independence. The Azer leadership reacted by escalating the military offensive, which was initially facilitated by the withdrawal of Soviet troops ordered by Yeltsin. But while the Azer troops seemed to prevail easily over NK forces in the first months of the war, the latter, thanks to the increasing material support from organisations of the Armenia diaspora, launched a successful counter-offensive in May 1992 leading to the seizure of Lachin and surrounding areas outside of NK's borders, opening an important channel of direct communication with Armenia. It is important to note that the escalation of the conflict into war between 1992 and 1993 occurred when in all of the three political units involved (NK, Azerbaijan, Armenia) the counter-elites that had emerged with the national movements of the late eighties (to a large extent recruited from the ranks of the humanistic intelligentsia) were in power after having ousted the local national *nomenklatura*. Once the former party apparatchik, Heidar Aliev, regained power in Azerbaijan in the middle of June 1993 and decided to join the Commonwealth of Independent States (CIS), the situation changed substantially, primarily because of changes in Moscow's policy. Until then Russia had mainly disregarded the conflict and, according to Baku, covertly supported the NK forces. After Azerbaijan entered the CIS, Russian diplomacy and the Russian army entered the scene and contributed to achieving the cease-fire agreement of 1994 and starting the negotiation process co-ordinated by the Organisation for Security and Cooperation in Europe (OSCE).

Negotiations have been under way for almost five years now, but seem at the moment to have little chance of leading to a definitive settlement of the conflict. In 1996 NK, adding another element of statehood to its unrecognised but *de facto* independence, held presidential elections, which were won by the nationalist leader Robert Kocharian. A more salient development was that in February 1998 Kocharian, supported among others by the radical Armenian nationalists of the Dashnak, defeated the incumbent Lev Ter-Petrosian and became president of Armenia. As a result the positions in the negotiation of both Armenia and NK have hardened. The only concession they are ready to make is to renounce unification between Armenia and NK, but they refuse Azerbaijan's offer to secure constitutionally territorial autonomy for NK within Azer borders. They would accept a settlement based on a contractual horizontal relationship between Azerbaijan and NK, which means an independent enclave. Moreover, they consider the Lachin area, seized from Azerbaijan proper

during the war, through which a highway linking NK to Armenia is being built, as a non-negotiable gain of war.

2.3 Georgia: Abkhazia and South Ossetia

Soviet Georgia included three territorial autonomies: the South Ossetian autonomous region, the Abkhaz autonomous republic, and the autonomous republic of Adzharia. South Ossetia and Abkhazia were the ethnic autonomies of two nationalities distinct from Georgians, whereas Adzharia is a region historically populated by ethnic Georgians of Islamic faith. All of these three autonomies raised separatist claims against Georgia, but while Adzharia was satisfied with receiving more autonomy in specific areas of administration, South Ossetia and Abkhazia fought and achieved *de facto* independence from Georgia.

Not only was it Tbilisi's repressive response that led to open conflict with South Ossetian and Abkhaz separatists, but these separatist mobilisations were initially a defensive reaction to a mounting wave of radical Georgian nationalism. Ever since 1986, new Georgian movements and parties had launched a vibrant nationalist anti-Soviet mobilisation. Incipient nationalising policy initiated by the local Communist Party turned into an open attempt at Georgianisation after the nationalist coalition 'Round-a-Table-Free Georgia' won the October 1989 election to the Supreme Soviet. The former dissident and radical nationalist Zviad Gamsakhurdia was nominated head of the Supreme Soviet and later (May 1991) elected president of Georgia by popular vote. Once in power, Georgian nationalists stepped up the struggle for independence from Moscow, adopted nationalising policies and making clear their goal of eventually getting rid of the territorial autonomies threatening Georgia's unity and territorial integrity. These developments inevitably elicited a radicalisation of the mobilisation in both Abkhazia and South Ossetia.

Abkhazia. According to the 1989 census the ethnic composition of Abkhazia was as follows: Abkhaz 17.7 per cent, Georgians 45.6 per cent, Armenians 14.5 per cent, Russians 14.2 per cent, Greeks 2.7 per cent, Ukrainians 2.2 per cent, others 3.2 per cent. Abkhazia first became a Russian protectorate in 1810 and was formally annexed in 1864. In March 1921, it was established as a union republic and became part of Soviet Georgia in December of the same year. Only in 1931 was its status downgraded

to that of an autonomous republic directly subordinated to Georgia, a decision that met with Abkhaz manifestations of protest. In 1957 and 1967, Abkhaz intellectuals sent petitions to Soviet authorities asking that Abkhazia be separated from Georgia and unified with Russia (both instances were followed by small-scale clashes between Georgians and Abkhazs). In 1978, just before the approval of the new constitution of Soviet Georgia, the Supreme Soviet of Abkhazia with a formal resolution again asked Moscow authorities to be included in Soviet Russia. The request was rejected but Abkhazia received special subsidies from the Soviet centre directed mostly at supporting various initiatives in the field of cultural autonomy.

Myth-making on the side of Abkhaz separatism emphasises the voluntary nature of unification with Russia in the nineteenth century as well as the support given to the Bolsheviks during the civil war. While for Georgian nationalists, with their anti-Communist and anti-Soviet stance, the alleged support that both Abkhaz and Ossetians gave to the Bolsheviks in their struggle against independent Georgia is considered a collective guilt of these two nationalities.

The Abkhaz, being a numerical minority in their 'homeland', also lament the Georgian policy of demographic infiltration, as their share of the population has steadily fallen since 1926 while that of Georgians has increased. This simple fact leads one to wonder how, being in numerical minority, they were able to raise what turned out to be a radical and partially successful separatist mobilisation. First, at the political level, this is explained by the fact that, in the face of mounting Georgian nationalism and the related perceived threat of Georgiansation, Russian, Ukrainian, Armenian and Greek deputies in the Abkhazia Supreme Soviet sided with the Abkhaz, thus leaving the Georgians in the minority.³ Second, in opposing the anti-Soviet nationalists ruling Georgia since 1989, the local Communist *nomenklatura* and new national movements in Abkhazia joined forces on a common platform that was at the same time nationalist but also loyal to the official Leninist Soviet ideology, a fact naturally eliciting the sympathy and support of Soviet authorities. Third, when the conflict exploded into war between late summer 1992 and fall 1993, Abkhaz separatists were able to win it, securing what remains to date a *de facto* independence and achieving an almost complete expulsion of Georgians from Abkhazia,⁴ thanks to external support from: a) self-organised paramilitary units sent by Don and Kuban Cossacks and by the 'Confederation of North Caucasian Peoples'; b) the Russian army (covertly).⁵

The dynamics of the conflict were similar to those of most other cases which occurred 'in and after the Soviet Union', with an initial phase of mobilisation and a battle of laws and declarations between 1989 and 1991, followed by the explosion of war in 1992. The circumstances leading to the Georgian-Abkhaz war are complicated and controversial, for a Georgian civil war between the official troops and the loyalists of the deposed Gamsakhurdia was also under way at that time. As a matter of fact, Georgian troops entered Abkhazia on 14 August allegedly to fight Gamsakhurdia loyalists; this was nonetheless interpreted as an aggression by the Abkhaz and started the armed conflict.

Another typical aspect of this case is that a cease-fire agreement was reached (1994) and the OSCE co-ordinated negotiation process started only after Moscow changed its policy. These changes, favouring a peaceful settlement preserving Georgian territorial integrity, evidently occurred only after Georgia, under the new president Shevardnadze, joined the CIS and signed a bilateral treaty of friendship and co-operation with Moscow. But as negotiations continued to make little progress, Abkhazia proceeded to confer state attributes to its *de facto* independence, the most important of which are the creation of the presidency, a post won by Ardzinba, and new parliamentary elections in 1996.

Although Georgia has gone a long way in recent years from the initially radical, repressive position to a willingness to grant Abkhazia far-reaching autonomy (the juridical basis for which has been laid down in the new Georgian constitution), no solution has been reached so far because of the radical requests that the Abkhaz president, backed by the military victory, advances. Having renounced unification with Russia, Abkhazia is willing to accept only a sort of confederation agreement with Georgia based on a bilateral treaty recognising Abkhazia as a subject of international law. It also demands to maintain its own police and have a joint jurisdiction on issues of foreign policy, foreign trade and customs. A further sharp point of disagreement concerns the repatriation to Abkhazia of Georgian refugees (how many and which categories can return, where they can settle, under the supervision of which police should the repatriation occur, etc.). As in the case of NK, where war also erupted and was won by separatists, the conflict remains in a stalemate.

South Ossetia. In 1989, Ossetians accounted for 66.2 per cent of the population of 'their' autonomy, while Georgians were 28.9 per cent. South Ossetian separatism, even more than that of Abkhazia, also started as a reaction to radical Georgian nationalism.

In fact, the claims of the South Ossetian national movement 'Adamon Nikhas' (meaning popular front, henceforth AN) established in 1988 in the South Ossetian capital, Tskhinvali, were initially confined to economic issues.

Georgian nationalists claimed that immigrant populations did not have the legitimate right to residence in Georgia and considered South Ossetians the clearest example. According to Georgian nationalists, Ossetians immigrated into 'historical' Georgian territories in the late nineteenth and early twentieth century (during the first decades of Soviet rule) as a result of anti-Georgian Tsarist and Soviet policies, and so the Ossetian territorial autonomy in Georgia is deemed illegitimate. Ossetians on their part, besides the demographic argument, claim descent from the Alan, an Iranic-speaking people who established (11th-13th c.) one of the oldest state formations in the North Caucasus, thus dating 'their' historical right to the territories back to before that of the Georgians. A source of mutual distrust and spite are also the controversial memories Ossetians and Georgians have of the 1918-21 period: Ossetians recall the acts of violence perpetrated by the independentist Georgian troops, Georgians accuse them of collaborating with the Bolsheviks in suppressing their independence. To further complicate the picture, one cannot forget the legacy of the Soviet *divide et impera* logic used in drawing the borders of territorial autonomies: Ossetians in the Soviet Union were given two territorial autonomies bordering on each other, the autonomous republic of North Ossetia in Russia and the autonomous region of South Ossetia in Georgia. While this situation was acceptable for Ossetians as long as they were part of the same Soviet state, it became another incentive to separatism once they were divided by new international borders following the dissolution of the Soviet Union.

According to exactly the same political logic already seen in Abkhazia, the new South Ossetian national movement, born in opposition to anti-Soviet Georgian nationalism, joined forces with the local party *nomenklatura* on a common platform that was at the same time nationalist and loyal to the official Leninist Soviet ideology. The dynamics leading from political to armed conflict repeated the pattern already seen. As soon as Georgia declared its sovereignty vis-à-vis the Soviet centre, the Supreme Soviet of South Ossetia did the same vis-à-vis Georgia (early December 1990). On 11 December, the Georgian Supreme Soviet responded by abolishing the autonomous region of South Ossetia. This repressive response caused the radicalisation of the confrontation which eventually led to armed conflict. In 1991, South Ossetia

petitioned Soviet authorities to be included within the borders of Russia and unified to North Ossetia and soon after Georgian troops entered the region initiating a conflict which ended in June of 1992, with - again - the victory of the separatists. During the armed conflict, in December 1991, South Ossetia declared independence from Georgia and in January of 1992 held a referendum in which the overwhelming majority voted in favour of unification with North Ossetia. The military victory over Georgian forces was achieved thanks to the support received from North Ossetia and Moscow's policy of allowing that to happen.

After more than seven years since the end of the armed conflict, negotiations are still at a stalemate. Georgia's proposal, based on the principle of 'asymmetric' federation, offers to re-establish the status of autonomous region for South Ossetia (while Abkhazia and Adzharia have a higher status of autonomous republics). South Ossetia, on the other hand, asks at times for full federalisation in Georgia with an equal footing for all territorial subjects, and at others for its independence and unification with North Ossetia.

2.4 Moldova: Gagauzia and Trans-Dniestr

While Soviet Moldova - which corresponds in part to the region known as Bessarabia annexed to the Soviet Union from Romania in 1939⁶ - did not include any ethno-territorial autonomy, as the result of two separatist movements it had to grant territorial autonomy to a region mostly inhabited by Gagauz in 1994, and to date has not regained control over the self-proclaimed break-away republic of Trans-Dniestr.

In Moldova, a delicate issue since the late 1980s in the process of achieving and later giving content to independence, which indirectly influenced the rise of separatist claims, has been the choice between building a distinct state (on the principle one nation two states) and reunification with Romania - a choice over which both Romania and Russia exerted their contrasting and mostly destabilising pressure. When, in the late 1980s, the 'Moldovan Popular Front' (MPF) was established and launched its mobilisation against the Soviet centre, its main cultural-historical reference was the linguistic and cultural commonality with Romania and Soviet blame for what they consider the 'de-romanianising' policies conducted in Moldova.⁷ As the

influence of the MPF increased, the Moldovan Supreme Soviet adopted decisions going in the direction of romanianisation:

- on 31 August 1989 a law on language was adopted which defined Romanian as the only state language and made its knowledge mandatory for all state employees by the year 1994;
- in September 1990 the declaration of sovereignty over the Soviet centre was adopted, which also declared the nullity of the Soviet annexation of 1939.

The linguistic romanianisation introduced by the language law and the intentions of re-unification with Romania implicit in the declaration of sovereignty prompted the reaction of territorialised communities in Gagauzia and Trans-Dniestr. The escalation of the conflicts was also fomented by the initial rigidity of the Moldovan authorities' response to separatist demands.

This initial orientation toward Romania and rigidity towards the two separatist movements was later moderated under President Mircea Snegur and completely eliminated when Petru Lucinschi was elected president in November 1996. While this change brought about a final solution to the conflict in Gagauzia, it came too late to achieve the same in Trans-Dniestr.

Gagauzia. Although Gagauz separatism is a case practically unknown but to a few area specialists, it may be worth giving some details to show the limit of the analytical distinction between territorial and immigrant minorities.

The 'ethnogenesis' of the Gagauz is still object of discussion among ethnographers. As they speak a language belonging to the Turkic group but are of Christian Orthodox faith, mainly two hypotheses have been advanced as to their origins:

- they are descendants of Turkic tribes which settled in the territory of contemporary Bulgaria between the 12th and 17th centuries and were converted to Orthodoxy;
- they are descendants of Slavic populations which were linguistically turkicised as a result of conquest by the Ottoman Empire.

Their presence in Moldova (in 1989, about 150,000), as well as in Ukraine (in 1989, a community of about 30,000 residing compactly in an area of the Odessa region bordering on Moldova) is the result of relatively recent large-scale forced migration. They fled from territories of contemporary Bulgaria in the early nineteenth centuries as the result of the Russian-Turkish wars and settled mostly in rural villages in territories today partly included in Moldova and Ukraine. Before the Soviet annexation of 1939, the Gagauz were to a large extent assimilated to Romanian

language and culture (Fane 1993: 141-145). Within the Soviet framework of de-romanianisation of Moldova, the Gagauz, besides having to learn Russian, were allowed and encouraged to revive their native language. In 1989, 91.5 per cent of them reported Gagauz as their mother tongue, 72.6 per cent spoke Russian as a second language, and only 6 per cent reported knowledge of Moldovan.

In August 1989, in the town of Comrat, the largest urban centre in the Gagauz area of settlement, several thousand Gagauz marched in protest against the Moldovan language law. Largely in response to that law, the Gagauz formed their national movement Gagauz Khalk in September 1989. In November, the Gagauz Khalk held its first congress and declared the creation of an autonomous Gagauz republic within Moldova. In August 1990, the Gagauz Khalk adopted a declaration of secession from Moldova, asking to be subordinated directly to the Soviet centre, and calling parliamentary elections of the new Gagauz SSR republic for 28 October of that year. The Moldovan Supreme Soviet reacted by dissolving and outlawing the Gagauz Khalk. This period was the turning point that led to an escalation of the conflicts with both the Gagauz and the Slavic separatists of Trans-Dniestr. In September, the Moldova Supreme Soviet, after declaring sovereignty and nullifying the 1939 Soviet annexation, elected Mircea Snegur president with sweeping executive powers and called for 10,000 Interior Ministry troops to be stationed in the Gagauz and Trans-Dniestr regions. As the date of the election called by Gagauz separatists approached, tensions between the self-styled para-military forces of the Gagauz and the Moldovans exploded into armed clashes. The armed conflict was soon ended by the arrival of Soviet troops, but the political confrontation went on. In fact, having to face the much more dangerous challenge raised in Trans-Dniestr, the Moldovans took a more accommodating bargaining attitude toward Gagauz requests, which after the fall of the Soviet Union had been scaled down to territorial autonomy within Moldova. It must be stressed that the Gagauz have enjoyed the diplomatic support of Turkey.

The peak of mobilisation for re-unification with Romania was reached in January-February 1993 when president Snegur attempted to call a popular referendum on the issue, which was, however, strongly rejected by the majority of deputies in parliament. In February 1994, the first post-Soviet parliamentary elections were won by the centrist Agrarian Party favouring an independent Moldova distinct from Romania, a position supported in a referendum held the following March by 70 per cent of the voters. On 27 July 1994, the parliament adopted a new constitution providing for the

concession of territorial autonomy to Gagauzia and Trans-Dniestr. Subsequently it adopted a law establishing Gagauzia as a national-territorial autonomy and granting it the right to secession in case of Moldova's merger with Romania.

Gagauzia automatically included all districts in which the Gagauz account for more than 50 per cent of the population, while a referendum on joining the new territorial autonomy was held on 6 March 1995 in 36 other districts with a more mixed population. 30 of the 36 districts voted to join Gagauzia; in various districts the vote was 90 per cent in favour, far above the share of ethnic Gagauz living there. On 11 June 1995, in the run off for the presidential elections, Georgy Tabushchik, a former communist official was elected head (bashkan) of Gagauzia. Finally, in August 1995, after Gagauz fighters handed over weapons to Moldovan authorities, the Moldovan Prime Minister Andrei Sangheli officially declared the five-year conflict between Moldova and Gagauzia ended. Very significantly, the first relevant official initiative of the newly elected head of Gagauzia Tabushchik was an official visit to Turkey in September 1995, where he was received by president Suleyman Demirel, who expressed Turkey's readiness to provide the Gagauz people with any kind of support.

Trans-Dniestr. In 1989, the region of contemporary Moldova east of the river Dniestr known today as Trans-Dniestr had a population of 546,000, of which 40 per cent were Moldovans, 28 per cent Ukrainians, 25 per cent Russians, and 7 per cent various other nationalities. It must be noted that the Trans-Dniestr was the industrial heart of Soviet Moldova.

The region historically known as Bessarabia lies between the Dniestr, Prut and Danube rivers. The land east of the Dniestr was not part of Bessarabia and was never under Romanian rule, except during the Second World War occupation by Romanian troops allied to the Nazis. Ancient Slavic peoples inhabited these territories east of the Dniestr as of the sixth century, but settlements of 'modern' Russians only appeared in the 18th century. With the process of industrialisation of Moldova begun in the 1950s, a new wave of Russian immigration into the region took place.

In the Trans-Dniestr, Russians and Ukrainians represent a Slavic majority of Russian-speakers. This commonality was reinforced during the conflict with Moldova, despite clear attempts by the Moldovan authorities to appeal to the Ukrainian national identity and nationalism to split the Slavic coalition.⁸

The dynamics of the conflict here were similar to those seen in Gagauzia, with the fear

of romanianisation functioning as the irritant. In addition, the propaganda of Trans-Dniestr separatists emphasised the violence perpetrated in the region during World War II by the occupying Romanian troops. Thus they presented their claims as a legitimate defence against being unified with 'fascist Romanians'. The sharpest difference with respect to Gagauzia was the intensity of the armed conflict, its result, and the important role played by the Soviet and subsequently Russian 14th army.

In the late summer of 1990, repeated workers' strikes were organised in Tyraspol, the 'capital' of Trans-Dniestr, to protest against the language law. In September, the regional Soviet of Trans-Dniestr, in response to Moldova's declaration of sovereignty, created the Trans-Dniestr Soviet Republic and announced secession from Moldova. In October, armed volunteers from Trans-Dniestr joined Gagauz fighters in clashes with Moldovan Interior Ministry troops. The point of no return for the Moldova-Trans-Dniestr conflict occurred on 2 November 1990, when Moldovan troops sent to clear roadblocks set up by the separatists clashed with armed civilians and 6 people were killed and 30 wounded. Tension escalated, and both Slavic and Moldovan civilians set up self-defence units. The confrontation remained confined again to political moves and counter-moves until the winter of 1991-92. After Moldova declared independence on 27 August 1991, Slavic separatists proclaimed the independent Republic of Trans-Dniestr (henceforth RT) and called presidential elections, which on 1 December led to the election of Igor Smirnov, the leader of the separatist movement. Following the election, the separatists launched a low-key military offensive with fighting taking dozens of lives. Moldovan authorities accused Moscow of letting Cossack units come to fight alongside the separatists, while there were reports that the 14th army also fought on the side of the separatists. After a cease-fire reached in February 1992, the 14th army passed under the command of General Lebed in March and was assigned a peace-keeping mandate. Lebed pledged neutrality and distanced himself from separatist leaders. In May 1992, however, as armed conflicts between separatists and Moldovan troops resumed, 10 tanks of the 14th army joined the fight on the side of the separatists. This new round of armed conflict, sanctioning the military victory of separatist forces, lasted until mid-July with a death toll of 700. On 21 July 1992, a first preliminary peace agreement was reached providing Trans-Dniestr with autonomy and the right to secession if Moldova reunites with Romania. Peacekeepers from Moldova, Ukraine and Russia were sent to the region and started operating under the command of the 14th army.

No new armed conflict has taken place since July 1992, but no final solution has been reached either. Despite the initial 1992 agreement and the fact that the 1994 Moldovan constitution provides for territorial autonomy for Trans-Dniestr, the separatists have hardened their position. They can rely on the open support of the nationalist-communist opposition in the Russian Duma and on the presence of the Russian army which, despite various inter-governmental agreements, is still stationed in Trans-Dniestr. The separatist leadership is not satisfied with basic territorial autonomy and demands: a) a sort of confederation agreement between Moldova and Trans-Dniestr, based on a bilateral treaty; b) full jurisdiction over issues of foreign relations and foreign trade as well as the maintenance of its own army and police.

Moscow has declared that its army will be withdrawn only when an agreement is codified and we can reasonably assume that it is not very concerned about the stalemate in the negotiations to date. Within the new framework of eastward NATO enlargement, the permanence of troops in Trans-Dniestr is probably seen as very convenient by Moscow.

2.5 Crimea: a positive case?

According to the 1989 census, the ethnic composition of the Crimean peninsula, at that time a simple administrative region of Soviet Ukraine, was the following: 67 per cent Russians, 25.8 per cent Ukrainians, 2 per cent Belarus, 1.5 per cent Crimean Tatars, and 3.4 per cent various other nationalities. In terms of language usage, 80 per cent of the population were Russian-speakers. During the 1990s, about 200,000 Crimean Tatars, deported en masse to Central Asia in May 1944, returned to Crimea and are today estimated to account for 10 per cent of the population.⁹

As a result of the 1774 Kuchuk treaty between Russia and the Ottoman Empire, Crimea became a kind of Russian protectorate and was formally annexed to Russia in 1783. Russian immigration to the peninsula started immediately afterward and intensified in the nineteenth century: according to the last Tsarist census of 1897, Russians accounted for 50 per cent of the population, while Crimean Tatars were 25 per cent. A second intensive wave of Russian immigration occurred in the 1950s: from 560,000 in 1939, Russians increased to 858,000 in 1959, reaching 71 per cent

of the population. In the second part of the 1950s and in the 1960s a consistent influx of Ukrainians also took place.

Between 1921 and 1944, the peninsula was an autonomous republic within the Soviet Russian Federation in which Crimean Tatars were considered the nationality titular of the autonomy. In 1944, Crimean Tatars were deported to Central Asia and in 1945 the status of Crimea was scaled down from autonomous republic to simple *oblast* of the Soviet Russian Federation. Finally in 1954, Crimea was transferred from Russia to Ukraine.

Being part of Russia or of Ukraine did not matter to the Russian-speaking majority and local political elites as long as Crimea was one of the most well-off regions in the Soviet Union. The strategic geo-political position of the peninsula made it an important military zone with prestigious and well paid jobs in the Soviet army, mostly occupied by Russians. Crimea was also a favourite retirement spot for military and party officials from all over the Soviet Union. More generally, it was the most prestigious sea resort of the Soviet Union, with large hotels, governmental dachas and the like. This ensured that Crimea was provided with more resources from planning authorities than most other Soviet regions, allowing its population to enjoy relatively high (by Soviet standards) living conditions.

The situation changed in the early 1990s and as Ukraine started to take the first steps toward sovereignty/independence in 1990-91, Russian claims over Crimea gained strength both in Moscow and Simferopol (the capital of Crimea). The situation was further complicated, after the break-up of the Soviet Union, by the Russian-Ukrainian dispute over the division of the Black Sea fleet and the use of the port of Sevastopol, situated at the southern end of the peninsula.

Russian claims, raised by both Crimean and Moscow nationalists, rested on the usual historical (settlements dating back to the 18th c.) and demographic (current majority of the population) arguments, but also on a legal one. Russian nationalists challenged the validity of the 1954 transfer of Crimea to Ukraine and argued that post-Soviet Russia should not recognise it as valid. Throughout 1991 various Soviet leaders, including Gorbachev himself, threatened that if Ukraine seceded from the Union its territories (mainly Crimea and the Donbas) would be disputed. Even after the failed August putsch and the Ukrainian declaration of independence, Russia's position did not change. Andrei Kozyrev, then Russian foreign minister, adapted the Soviet position to the new situation announcing that Ukrainian borders would not be disputed only if Ukraine became a member of the CIS.

Russian claims were even stronger concerning the port city of Sevastopol. For the Russians, Sevastopol is a Russian city, not only historically and ethnically, but also legally. The argument, strongly voiced by Moscow's Mayor Yuri Luzhkov and set down in several Duma resolutions, is based on the following line of reasoning: since Sevastopol became a closed city for strategic reasons in 1948 and was administratively subordinated directly to Moscow and not the local Crimean administration, the transfer of Crimea to Ukraine in 1954 did not change the status of Sevastopol, which continued to be subordinated to Moscow. Therefore, even recognising the passage of Crimea from Russia to Ukraine, Sevastopol would still remain legally a Russian city.

Soon after the declaration of Ukrainian sovereignty (16 July 1990), the Crimean regional Soviet formally asked the USSR Supreme Soviet to nullify the decision by which Crimea was stripped of its autonomous status in 1945. On 20 January 1991, Crimea held a referendum on restoring autonomy in which 93.2 per cent of voters supported such a move. At this turning point, Ukrainian President Kravchuk and the Ukrainian parliament took a position radically different from those taken by Azerbaijan, Georgia and Moldova in response to the emergence of separatist claims.

Despite pressure from Ukrainian nationalists to crack down on Crimean separatism, on 12 February 1991, anticipating any decision by Soviet authorities, the Ukrainian Supreme Soviet voted a law restoring the autonomous republic status of Crimea. Kravchuk's strategy of accommodation and containment, which was later followed by Kuchma until at least 1995, saved Ukraine two negative scenarios (Kuzio 1998: 87). First, a repressive response could have led to a scenario similar to that of the Trans-Dniestr or Abkhazia. Second, given that during 1990 Soviet authorities had repeatedly threatened Ukraine of transferring Crimea back to Russia, had the Ukrainian Soviet denied Crimea autonomy in 1991, the USSR Supreme Soviet could easily have voted to nullify the 1954 decree and to transfer Crimea to Russia. This would have meant, after the break-up of the Soviet Union, Ukraine's complete loss of the peninsula.

The granting of autonomy did not, however, mean that the Crimean issue was solved once and for all. Indeed, while mostly remaining within the limits of the law and of non-violent protests, Crimean separatism went on and grew in intensity after 1992, in parallel with the dispute over the Black Sea fleet and Sevastopol. As of 1992, the

Crimea, as mentioned once one of the most prosperous areas of the Soviet Union, entered an unprecedented period of economic crisis - worse than that experienced by Russia - a fact which the majority of the population interpreted as being due to their belonging to Ukraine instead of Russia. Thus local authorities saw separatism as a way of exploiting popular discontent.

Between 1992 and 1994, a series of events in Crimea seemed to lead toward an escalation of the conflict. The most important are:

- *April 1992*, during his visit to the peninsula, Russian vice-president Rutskoi called for the secession of Crimea;
- *May 1992*, Crimea's Soviet adopted a new constitution and declared independence subject to a referendum scheduled for August 1992 (later a moratorium on the referendum was accepted by Crimea);
- *21 May 1992*, the Russian parliament passed a resolution declaring the 1954 transfer of Crimea to Ukraine illegal;
- *September 1993*, in clear contrast with Ukrainian legislation, the Crimean parliament passed a law establishing the presidency of Crimea;
- *14 October 1993*, the date for presidential elections was officially set for 16 January 1994;
- *30 January 1994*, in the presidential run-offs, Yury Meshkov, head of the radical pro-Russia Republican Party, got 75 per cent of the vote and was elected president of Crimea;
- *March 1994*, Meshkov called a non-binding referendum on the status of Crimea and other issues (see below);
- *27 March 1994*, in the referendum, greater autonomy from Ukraine was supported by 78.4 per cent of the voters (1.3 million people voted), allowing dual Russian-Ukrainian citizenship was supported by 82.8 per cent, and giving Crimean presidential decrees the force of law by 77.9 per cent;
- *April 1994*, Meshkov removed the chief for Crimea of the internal affairs ministry appointed by Kiev and replaced him with the former officer of the Soviet army, Valery Kuznetsov who, shortly after his appointment declared to Radio Rossiya that Crimea will shortly return to Russia.

With the election of Meshkov, Crimean separatism reached its peak and subsequently started slowly to decline. After being elected president of Ukraine in the summer of 1994 it became clear that one of Leonid Kuchma's priorities was to regain full control

of the situation in Crimea as soon as it was feasible. Suddenly, in spring 1995, Kuchma went into action decreeing the abolition of the Crimean constitution and of its presidency. This was not a political improvisation, but a calculated move, made possible by the opportunity to deal a blow to Crimean separatism. This window of opportunity had been opened by Russia's involvement in the Chechen war: as Russia was, in fact, acting to defend its right to territorial integrity, it could not deny Ukraine such a right and directly intervene to support Crimean separatism.

After 1995, the Crimean issue returned within the limits of political bargaining between Kiev and Simferopol and reached a final institutional settlement in December 1998. A new version of the constitution was approved by the Crimean Parliament on 21 October 1998. Article 10 of the constitution now states that, along with the state language (Ukrainian), the use of Russian, Crimean Tatar, and the languages of other nationalities is guaranteed in Crimea. Furthermore, it states that Russian, as the language of the majority, will function as the language of inter-ethnic communication in all spheres of social life. The head of the Crimean Parliament, L. Grach (leader of local communists), praised the new constitution and emphatically stressed that it allows Kiev and Simferopol to avoid what Moscow and Grozny were unable to avoid. He also indirectly warned the Ukrainian Parliament that rejecting the new constitution would be the best way to return to the ethnic tension that had characterised the period of the Meshkov presidency. As was to be expected, the new constitution has been attacked from both sides of the political spectrum: Ukrainian nationalists on the one hand, and Russian nationalists in Crimea and Russia on the other. Despite this, the Ukrainian parliament voted and ratified the new constitution on 28 December 1998.

2.6 Lessons from the cases of separatism in the post-Soviet space

The cases examined further confirm an element already observed in other historical and/or geographical contexts, namely that the political activation of ethno-national territorialism gives rise to irreconcilable arguments elaborated by the conflicting sides to sustain their reciprocal claims and counter-claims. While the demographic argument also plays a role, the historical one is the most relevant and manipulated.

This fact is best expressed in a passage from Pearson's well known analysis of the ethnic conflicts that arose after the fall of the Austro-Hungarian and Ottoman Empires:

What does the 'historic' claim mean? The *longest* chronological span of ownership? The *earliest* significant period of ownership? The *latest* or the most *beneficial* period of ownership? In practice, claimants select the criteria favouring their own case, transforming past history into present politics in the process (1983: 17).

This means that it is pointless to try to distinguish historically and/or demographically legitimate/strong from illegitimate/weak claims for the purpose of assessing the potential scope of separatism and its likely outcomes, or of finding a negotiable settlement. This is best illustrated by the case of the separatist claim raised by the Gagauz, a group characterised by:

- uncertain ethnic origins
- no memories of a glorious independent past
- hybrid 'ethnic markers' (linguistically Turkic but Orthodox Christian)
- present in what they claim as the 'homeland' as a result of relatively recent immigration (a documented and indisputable fact)
- non-dominant culture and, until its inclusion in the Soviet Union, mostly assimilated to the Romanian culture and language.

While hardly anyone would have indicated the Gagauz as a candidate for separatism on the basis of historical criteria, not only did they mobilise, but they were successful and obtained far-reaching territorial autonomy.

Anticipating a point further developed below, the implication of this first consideration is that, while history always play a role, ultimately the rise and outcome of separatism are a matter of internal politics, geo-politics and, unfortunately, the use of violence.

Second, and this is a complex matter that can be dealt with only briefly here, these six cases help us discuss the capability of mainstream middle-range theories developed in the literature on ethnicity and nationalism to explain the outcome of separatist mobilisation. Clearly it is beyond the scope of this essay to present a detailed and representative overview of such literature, thus what follows is a succinct illustration of the major middle-range theories and their respective hypotheses extrapolated from such literature.

From the general primordialist/perennialist view of ethnicity and nationalism springs the hypothesis that separatist mobilisation is more likely to arise and be strong among

ethnically very homogeneous communities, with a sharp cultural distance from the dominant majority, and with a repertoire of powerful symbolic historical resources (myth of a glorious past, lost independence, suffered repression).

The instrumental/modernist perspective has produced several middle-range hypotheses which share, though in different ways, the link established between various types of ethnic mobilisation and the processes of so-called social mobilisation produced by modernisation. The most well-known are: 'diffusion/erasure' (or 'developmentalist'), 'reactive ethnicity/internal colonialism', 'relative deprivation', and 'ethnic competition'. The 'diffusion/erasure' hypothesis is, in fact a residual one, in the sense that separatist mobilisation and conflicts are considered a deviant case produced by an unsuccessful process of modernising national integration. Hence, separatism occurs when a territorial community has been excluded from modernisation and has remained ethnically homogenous and culturally distinct, socio-economically isolated and backward, and socially immobile. On the contrary, the 'reactive ethnicity' hypothesis stresses, rather than isolation, the ethnic mixing between the territorialised community and members of the dominant nation, in the form of infiltration of the latter in the area settled by the former, leading to an ethnic division of labour and objective/perceived exploitative centre-periphery relations. Hence, separatism arises when a territorialised community actually experiences or simply perceives to be experiencing an erosion of its ethnic and economic basis. The 'relative deprivation' hypothesis, as applied to ethno-territorial mobilisation, can be seen as a refinement of the previous one. It retains the emphasis on ethnic mixing/infiltration, but drops that on the ethnic division of labour and centre-periphery relations, arguing that separatist mobilisation arises from the inability to satisfy rising level of expectations and identifying the causes as the presence in the region of members of another community (most likely the dominant one within the state taken as a whole) and/or the lack of independence. While 'reactive ethnicity' implies that separatism is more likely to arise in territorial units with lower than average levels of economic well-being, 'relative deprivation' does not generalise on the issue and suggests that the regions relatively better off than the national average are the more likely candidates for separatism. The 'ethnic competition' hypothesis posits that for an ethno-territorial community to mobilise there must be both a realistic possibility of success and a substantial benefit to be gained: it must be demographically strong, both within the region and in the state as a whole, and reside in an economically advanced region, possibly rich in

natural resources. These conditions ensure that the community is both solid enough to challenge the state and has something very concrete to gain. An additional condition is that social change and inter-ethnic mixing produce competition, within the region between members of the ethno-territorial community and of the dominant ethnic nation, and between the region and the state over appropriation of resources and centre-periphery fiscal relations.

Though it is an inductive lesson drawn from a number of empirical cases and not a theoretical hypothesis, some similarities with the previous models can be found in Horowitz's rule of thumb that the most likely separatists are 'backward groups' in 'backward regions', as it also refers to socio-cultural and socio-economic conditions.

Testing all of the above hypotheses against our six cases and other cases which occurred 'in and after the Soviet Union', we can reasonably conclude that, while all of these hypotheses have some explanatory power, none of them could have predicted and can fully explain all the cases. Strong mobilisation occurred in both relatively (for Soviet standards) 'backward' and relatively 'advanced' regions. It occurred among groups experiencing infiltration (Abkhaz) but also among those increasing their share of the population (South Ossetians). The examples of how the hypotheses above have limited explanatory power could go on, non only by contrasting different cases, but also by analysing each single case more closely.

With some differences, all of these hypotheses establish a direct, non-mediated link, between ethnic mobilisation and socio-economic and/or ethno-cultural conditions. In doing so, they miss a crucial intermediate level that exists between ethnic mobilisation and its outcome on the one hand, and the ethno-cultural and socio-economic conditions on which such mobilisation rests on the other. This intermediate level is that of the established institutional-political structures and of the short-term political and geo-political context in which such mobilisation takes place.

This critique leads to the suggestion that the understanding of separatism would be enhanced by borrowing from the field of political sociology (e.g. the study of social movements and collective action), from neo-institutionalist approaches increasingly applied in several disciplinary fields of the social sciences and also from the literature on international relations and geo-politics. Without entering here into the details of the alternative paradigm elaborated while setting up the *Ethnobarometer Programme*,¹⁰ suffice it to say that these insights have been used to extrapolate an institutional, political, and geo-political *contingent opportunity structure* for the analysis of potential

or full-blown cases of separatism. In practical terms, this means that data gathering and analysis on ethno-cultural, ethno-historical, and socio-economic conditions must be integrated by the same activity on

- relevant institutional arrangements and institutionalised practices (i.e. channels of claims access to the polity, institutionalised practices of dealing with ethnic diversity, etc)¹¹,
- the political field at both the national level (i.e. presence of state-level crisis, institutional power struggle president versus parliament, etc) and the level of the ethno-territorial community (federalist and secessionist division and power struggle),
- the international geo-political context (i.e. diaspora and/or external homeland intervention, regional powers, the international community, etc).

Let us now see, in an unsystematic way, how the cases analysed bear on the above discussion. First, the legacy of Soviet institutional structures and institutionalised practices have contributed to a large degree to the rise of separatist conflicts and to the ways in which they unfolded. The principle of strictly defined ethnic titularity codified and strengthened the idea of legitimate ownership of the autonomies by one nationality. As the actual scope of the autonomy was limited during the Soviet period, this produced frustration among titular nationalities and the conviction that they were being usurped. While nationalities of the first level directed these feelings against the Soviet centre, they became the object of the same feelings coming from second level nationalities. If Georgians accused the Soviet centre of demographic and cultural infiltration, the Abkhaz launched the same accusations against Georgians. The fact that some historically territorialised communities were not given territorial autonomy in the Soviet Union, on the one hand fomented their resentment, on the other contributed to the beliefs of the elites of the SSR republics (later independent states) that these communities had no legitimate right to ask for such autonomy, as illustrated by the initial reaction of Moldova to Trans-Dniestr and Gagauzia. The mismatch between the administrative borders drawn by Soviet authorities and historical ethnic settlements also exacerbated inter-ethnic tensions. Finally, an institutional legacy bridging our analysis with the short-term political dynamics is the Soviet-type parliamentary structures. Loyal to the slogan 'all power to the Soviets', the Soviets at various levels had been given formally sweeping powers, which remained void of substance because of the leading role exercised by the communist party. But as Gorbachev revived the slogan in his political liberalisation begun in 1989, the Soviets

became the main site of power and provided a legitimate channel through which all separatist mobilisations started with state-seeking and/or polity-upgrading petitions, declarations, laws. In other words, the paths and mechanisms for separatism were all institutionally prepared and ready to be used.

Moving to the short-term political dynamics, the most important aspect is that the new power acquired by Soviet-type parliamentary structures in 1989 and the quasi-democratic parliamentary election held in 1990 at all administrative levels sparked a struggle for power and created sharp political divisions in the national territorial autonomy of all levels. A political struggle that, with minor deviations from the dominant pattern, can be simplified as one between the incumbent national *nomenklatura*, trying to move its power basis from the party to the revived Soviets and moderately embracing a nationalist platform, and the counter-elite active in the new opposition national movements challenging local party elites with a more radically nationalist ideology and mobilisation. In a given SSR republic, this binary opposition was replicated in the second level national autonomy or region with a territorialised community included within its borders. In addition, there was the Soviet central level. This situation gave rise to a complex and unstable multi-layered competitive political field in which, for instance, the incumbent national *nomenklatura* in a SSR republic had to deal with the higher instances of the Soviet centre, cope with the challenges raised by national movements asking for more radical actions to achieve independence, and face the potential threat to territorial integrity coming from lower level autonomies and/or simply territorialised communities, which in turn colluded with the Soviet centre. It seems straight-forward that, regardless of considerations on the ethno-cultural and socio-economic basis of separatist mobilisation, with national issues becoming the main encompassing source for legitimising power, such intricate political dynamics determined and significantly shaped, if not the initial emergence of such mobilisation, certainly its subsequent development and outcome.

The clearest result of the six-case comparison is that separatist mobilisation was stronger and exploded into armed conflicts of various degrees of intensity in the five cases in which such political dynamics during and/or after the collapse of the Soviet Union resulted in threatening nationalising policies and/or outright repressive actions on the part of the authorities of the SSR/NIS against their respective separatists. The only case in which separatism remained within the limits of politics and reached a final settlement (Crimea), despite the existence of many conditions favouring the explosion

of violence, was where the reaction was one of accommodation and containment. In the five cases leading to armed conflict, the threatening nationalising policies and/or outright repressive actions were undertaken when the nationalist counter-elites had defeated the national *nomenklatura* and seized power (Georgia 1989-92, Azerbaijan 1992), or were at least able to heavily condition and influence it (Moldova 1989-93). In Ukraine, President Kravchuk, a former high-ranking official of the Communist Party, took a moderate nationalist position and, withstanding the pressure of the nationalist movement *Rukh*, granted Crimea autonomy, thereby contributing to saving Ukraine from ethnic war.

Finally the influence of external factors on separatism and especially their weight in determining, once separatism had exploded into armed conflict, both its results (the victory of the separatists) and the unfolding of the negotiation process, comes out so clearly from the accounts made of the six cases that it is not worth spending more than a few words on it. The diaspora and external homeland were crucial to the success of Armenian separatism in Nagorno-Karabakh. More in general, the role played by Russia as the hegemonic regional power of the post-Soviet space (when separatism involved Russians, such as in Trans-Dniestr and Crimea) was also crucial, but then Russia is also an external homeland. The broadly defined international community distinguished itself, at least until 1994, by its almost total lack of intervention.

Moving from the level of the implications for a theoretical understanding of separatism to that of more policy-relevant considerations on how violent conflicts can be avoided or settled once exploded, our six cases offer several practical lessons. Kuzio (1998: 81) has pointed out that since 1945 the support of the international community for territorial changes has declined and that of dozens of secessionist movements only two were successful, leading to border changes in existing states (the creation of Bangladesh and Eritrea). In the post-Soviet context, while two movements achieved the restoration (Crimea) or the creation *ex novo* of territorial autonomy (Gagauzia), this trend is certainly confirmed. None of the four regions, which are *de facto* independent as a result of military victory (Trans-Dniestr, Abkhazia, South Ossetia, and Nagorno-Karabakh), currently seem to have a chance of being recognised internationally. However, our cases also demonstrate that once the threshold represented by the recourse to violence is trespassed, it is very hard to reach a final settlement. The four difficult cases mentioned above are all in a deadlock situation, and years of negotiations have not brought any major improvement. The more the separatist self-

styled 'institutional' authorities enjoy *de facto* independence, backed by their military victories, the less they are willing to relinquish part of their power.

A second lesson that can be extrapolated concerns the difficulty that established democratic polities or, as in the post-Soviet space, democratising polities have in quashing and winning armed conflicts against separatists when they break out. Disregarding the relevant external support received by the separatist movements analysed, their victories confirm a trend observed in many other cases, namely that, unless the challenged state launches a full-blown campaign of military destruction unmindful of the possibility of killing thousands of civilians, it has little chance of winning the kind of war of guerrilla and terrorist actions usually chosen by separatists. In this respect, Russia's invasion of Chechnya (which, by the way, did not receive any relevant external support) shows that a large-scale military attack was not only unable to completely defeat separatist forces, but also became unsustainable with time because of the opposition of public opinion.

In light of the previous two points, and contrasting Crimea with the other five cases, a third inductive conclusion that can be drawn is that, once a separatist movement gains strength, accommodation and containment yield better results than repression. If we take the case of Georgia, for instance, the failure of the initial repressive strategy is evident: after bearing the costs of armed conflicts with related flows of internally displaced persons, Georgia is now offering far-reaching territorial autonomy to both South Ossetia and Abkhazia without being able to settle the disputes and with 200,000 ethnic Georgians unable to return to their homes in Abkhazia. A less radical language law in 1989 and the willingness to bargain in 1990-91 would probably have saved a lot of trouble. On the other hand, the practical observation that accommodation of separatism is probably the lesser evil as compared with the failure of repression does not mean that it is a panacea solving all problems and does not entail potential dangers. In his general normative discussion of the implication of self-government claims for democratic states, Kymlicka rightly warns that:

...there seems to be no naturally stopping point to the demands for increasing self-government. If limited autonomy is granted, this may simply fuel the ambitions of nationalist leaders who will be satisfied with nothing short of their own nation-state. (1995: 182)

and observes that:

Democratic multinational states which recognize self-government rights are, it

appears, inherently unstable for this reason. At best they seem to be a *modus vivendi* between separate communities, with no intrinsic bond that would lead the members of one national group to make sacrifices for the other. (*ibid.*)

Non-territorial cultural national autonomy - an alternative solution for territorialised communities - or the various forms of poly-ethnic rights accorded to well established immigrant communities presuppose the unity of the polity and aim at further inclusion and integration. Conversely, self-government rights weaken the bond binding a political community and, though not formalised as such, introduce a sort of differentiated and dual citizenship.

Putting these considerations together with the empirical evidence coming from our cases which confirm the pattern observed elsewhere (Kymlicka 1995: 183) that refusing demands for self-government rights inevitably worsens the situation by further alienating the territorialised minority, it is evident that separatism forces democratic states to make hard choices, with no best and perfect solutions.

The final observation is on the limited concrete impact that the broadly defined international community and international organisations (namely the OSCE) have had in solving separatist conflicts in the post-Soviet space. Whether intentionally or because of the impossibility of doing otherwise, the international community left the scene to Russia in its objective status of regional power, and the OSCE co-ordinated negotiations started only with the consensus and under the strong influence of Russian diplomacy. Russia has by and large followed a self-interested policy, initially favouring the escalation of the conflicts and later helping to reach and enforce cease-fire agreements. Apart from the Nagorno-Karabakh conflict, which is more a Azerbaijan-Armenia matter, a quick final settlement in Trans-Dniestr (in Moldova), and Abkhazia and South Ossetia (in Georgia) is not, at the moment, in the geo-political interests of Russia unless it ensures and sanctions the possibility of keeping a military presence in the two states.

¹ The number of second level autonomies (38) did not correspond to that of the titular nationalities (43) because some nationalities were titular of more than one autonomy, and some autonomies had more than one titular nationality.

² For an account of the opposing claims and for analysis of the root-causes of the conflict, see Yamskov (1991).

³ This supra-national coalition was not confined to the Supreme Soviet, but worked also at the level of new movements and parties: the Abkhaz national front *Ajdgylara* (meaning 'unity') found close allies in the organisation of Russians and Ukrainians *Slavyansky Dom* and the Armenian movement *Krunk*.

⁴ Before and during the war, a total of 200,000 Georgians were forced to flee Abkhazia.

⁵ The help received by Abkhazia from Russian troops sent with a peace-keeping mandate remains controversial: Moscow has always officially denied the involvement of its troops on the side of Abkhazia, but Georgians are convinced of the contrary. The Georgian accusation is, however, considered true by most external analysts.

⁶ Tsarist Russia annexed Bessarabia in 1812, then lost a large part of it to Romania after the Crimean War, to later recover it by diplomatic means at the Berlin Congress of 1878. After 1918, Bessarabia returned to Romania. Though recognising this territorial change, Soviet authorities in 1924 created on a territory east of the Dniestr river the Moldovan autonomous republic as part of Ukraine. In 1939, following the Molotov-Ribbentrop pact, the Soviet annexed Bessarabia (together with North Bukovina) and in 1940 part of its territory was included in Soviet Moldova, whose status was upgraded to that of a union republic. After 1941, Romanian troops, allies of the Nazi occupants, once again annexed Bessarabia to Romania proper while maintaining as occupied territories those east of the river Dniestr. For further details on the origin and object of the territorial disputes between Romania and the Soviet Union, see Dima (1982).

⁷ There is a large consensus among Western specialists on the substantial cultural and linguistic commonality existing between Romanians and Moldova (Eyal, 1990: 123-124). On the other hand, Romania and Moldova are not the only case of 'nations' with the same language being included in two distinct states.

⁸ On 29 February 1991, for instance, Moldova's president Snegur issued a decree providing state support for Ukrainian language instruction in schools and initiated radio and television broadcasts in Ukrainian.

⁹ The situation of Crimea is complicated by the issue of the Crimean Tatars which will not be addressed in details here, but is illustrated in detail in the *Ethnobarometer* country report on Ukraine.

¹⁰ This is done in the internal position paper 'Implementing the Ethnobarometer Programme.

¹¹ A complete operationalisation of indicators is presented in the paper mentioned in the previous note.

CHAPTER 3

National minorities: Hungarians in Romania, Slovakia, and Ukraine

In this essay we analyse the situation of Hungarian minorities in three of the countries monitored by the EP in its first year of operation: Romania, Slovakia, and Ukraine.

3.1 Hungarians in Romania

According to 1994 estimates, Hungarians in Romania numbered about 1.7 million, accounting for 9 per cent of the total population. The majority of the Hungarian national minority live in an area of Transylvania bordering on Hungary, where their share of the population is about 24 per cent. In the early 1990s, there were about 170 towns and villages in Transylvania in which Hungarians amounted to over 50 per cent of the population. The number of Hungarians in Romania has declined in the postwar period as the result of a falling birth rate and emigration. But their share of the Transylvanian population has also fallen due to decades of the Romanian policy of settling Romanians in the region.

Of the many possible indicators of the socio-economic position of Hungarians in Romania, level of education and employment structure will be referred to, as both are used by Hungarian activists to base their claims. Of all ethnic groups present in Romania, the Hungarians have the highest percentage of individuals aged over 12 with completed secondary education (74.6 per cent), but rank only 10th (out of 17 groups) for percentage of university graduates (3.6 per cent). This is interpreted by Hungarians as being due to the lack of available university education in the native language, and is considered the cause of a brain drain in their community as many students go to Hungary to complete their education. The employment structure of the Hungarians mirrors this situation: their proportion exceeds the national average among skilled workers, employees in trade and services and unskilled labourers, while they are present to a lower extent than their proportion of the population in jobs that require higher education. In the public administration, where officers are appointed, they are clearly under-represented. A similar situation characterises the professions, research and academic jobs.

In Transylvania, tensions between ethnic Hungarians and ethnic Romanians have deep historical roots. An administratively separate Transylvania ruled by *voivodes* was the home of three communities (Hungarians, Romanians and Germans) as of the 12th century. Following the defeat of the Turks in 1686, Transylvania came under direct rule from Vienna through an administrative body. In the 18th century, the Romanian presence increased, reaching half the total population of Transylvania by the end of the century, at which point the Romanians asked for more cultural and political rights. Rejection of this demand led to the first serious deterioration of Hungarian-Romanian relations. It further deteriorated in the second half of the 19th century, when the Hungarian 'Revolution and Freedom Fight' led to the merger of Transylvania with Hungary. As a result, Romanians (demanding autonomy) and Germans (defending their existing rights of autonomy) took up arms to resist the supporters of the Hungarian revolution. The establishment of a unified Romania in 1859, led to the rise of an irredentist Romanian national movement in Transylvania, which was met with repressive action from Hungarian authorities. After the collapse of the Austro-Hungarian empire in 1918, the kingdom of Hungary lost large parts of its territory: Transylvania, inhabited at the time by about 1.3 million Hungarians, was transferred to Romania by the 1920 Treaty of Trianon, and subjected to repressive assimilatory policies. During World War II, Transylvania was reoccupied by fascist Hungary, but was later recovered by Romania, after the latter withdrew from the Axis and joined the Allies. Romanian Law No. 86 of 6 February 1945 (formally never abolished) established a 'National Minority Statute' ensuring collective rights for national minorities. But it was never implemented, as Romanians mainly saw Hungarians as a threat to the unity of their state. After the communist take-over in 1948, the nationalistic-communist dictatorship maintained a openly discriminatory and assimilationist policy with respect to the Hungarian minority. In 1959, for instance, the Hungarian Bolyai University in Cluj was merged with the Romanian Babes University. After Nicolae Ceausescu came to power in 1965 the situation for Hungarians further worsened. His regime propaganda often blamed internal problems on minorities, encouraging state-sponsored xenophobia. And during the 1980s, the state stepped up its policy of forced assimilation in order to deprive Hungarians of their sense of cultural and linguistic identity: by the mid-1980s, not a single Hungarian secondary school remained open. Throughout Transylvania, bilingual signs all but disappeared, and in

1988 Hungarian-language publications were forced to render place names exclusively in Romanian.

After 1989 and until the 1996 elections, despite the regime change, no improvement occurred in terms of protection of the rights of Hungarians in Romania. The new Constitution (1993) and the public administration (1994) and education (1995) laws actually sanctioned the status quo of discrimination. The Constitution defines Romania as a unitary nation-state with Romanian as the only official language; it deals with national minority rights in several articles which are, however, generic in most cases and not backed by legislative regulations. The public administration law of 1994 established the exclusive use of Romanian language, and the educational law of 1995 placed restrictions on schooling in the mother tongue and on religious education. The main positive development made possible by the regime change was that Hungarians have been able to set up interest groups, the most important of which is the umbrella organisation Democratic Alliance of Hungarians in Romania (DAHR) created in December 1989.

In the period 1990-95, Hungarian-Romanian relations in Romania were characterised by steady tensions at various levels: domestic politics, grass-roots interactions, and intergovernmental Hungary-Romania relations. In March 1990, for instance, Hungarians demanding cultural and linguistic autonomy in peaceful demonstrations were attacked by Romanian nationalists in Tirgu Mures, tanks and troops had to intervene causing several victims. Romanian nationalists, especially the radical anti-Magyar *Vatra Romaneasca* (Romanian Hearth), repeatedly accused Hungarian organisations of planning the reunification of Transylvania with Hungary and called for curtailment of their rights. On 19 January 1993, the quasi-official daily of the Romanian presidency *Dimineata* accused Budapest of preparing an autonomy plan for the Hungarian minority presented earlier by the DAHR. In practical terms discriminatory actions have been undertaken by local administrators. In May 1992, for instance, the nationalist mayor of Cluj-Napoca, G. Funar, initiated a policy of 'de-Magyarisation', ordering the removal of Hungarian-language street signs in the city. Tensions and demonstrations by Hungarians followed. Tension rose to the point that the intervention of international mediators was deemed necessary. In February 1995, for instance, former US president Jimmy Carter chaired a meeting in Atlanta between Romanian government officials and representatives of the Hungarian minority.

The situation seems to have improved since the democratic opposition achieved victory in the November 1996 elections, defeating the Social Democratic Party of Romania of former President Iliescu and leading to the formation of the Ciorbea coalition government of which the DAHR is part. The presence of a Hungarian party (DAHR) in the government of Romania represented a radical and unexpected novelty. The government program directly or indirectly covers important goals for the DAHR and its constituency (decentralisation, application of international conventions, vocational training and university education in the mother tongue, etc). However, in order not to present itself as only an ethnic party and to preventively avoid accusations of 'fifth column politics', the DAHR included more general goals in its program, such as social and economic modernisation in Romania. The first concrete positive measures undertaken by the Ciorbea cabinet were two decrees issued in 1997 to correct the laws on public administration and on education:

- decree 1997/22 allowed for the use of the Hungarian language in public administration in settlements where the proportion of the national minority exceeds 20 per cent of the total population;
- decree 1997/36 cancelled anti-minority ruling in the educational law.

The change of government in Romania also produced a substantial improvement in diplomatic relations with Hungary. A new basic Romanian-Hungarian treaty on national minorities issues signed in 1996 led to the establishment in November 1997 of an intergovernmental committee to monitor the application of the principles established in the treaty.

Despite these new positive developments, it is not yet possible to conclude that the Hungarian minority issue in Romania is firmly on the way to being solved. First, the future of the government coalition remains uncertain as there are clearly different views among the parties composing it, drawn together mainly by their common opposition to the formerly ruling Social Democratic Party of Romania. Second, since the DAHR joined the government coalition, Romanian media have devoted a disproportionate amount of coverage to what has been labelled 'the Hungarian question'. In newspapers and on television, there has been an evident attempt to portray the DAHR and Hungary as holding a 'revisionist' separatist/federalist agenda. Similar views have been made public by various Romanian politicians, regardless of their party membership. Third, parliament ratification of the governmental decrees correcting the public administration and education laws has raised heated debates and

has not taken place. This leaves local elected Hungarian officials uncertain as to the possibility of enforcing the provisions contained in the decrees.

One of the most controversial issues is education in the mother tongue, especially regarding university level institutions. All major political figures in the Romanian parliament oppose the government's plans to gradually establish a separate Hungarian state university, and favour ill-defined forms of 'multiculturalism', using the argument that it is not a common practice within the European Union to establish a university on an ethnic basis. While this observation is basically correct, the Hungarians' counter-argument stresses that in the peculiar Romanian situation, where ethnic discrimination in the admittance to universities has been used against Hungarians for decades, a separate Hungarian language institution is a necessary remedial policy.

3.2 Hungarians in Slovakia

According to the last census carried out in 1991, Hungarians in Slovakia numbered about 567,000, representing 10.7 per cent of the population. Their share has fallen by about 1.7 per cent since 1961 (12.4 per cent) as a result of a lower birth rate, emigration to Hungary and assimilation. They mostly live in the south on the border with Hungary, in a area extending from Bratislava to the Ukrainian border. In this region, 272 settlements have an 80 per cent Hungarian population and 150 more than 50 per cent. Two administratively defined districts of southern Slovakia have a Hungarian majority population (Dunaszerdahely, 87.2 per cent; Komárom, 72.2 per cent).

The position of Hungarians in Slovakia is that of a socially disadvantaged minority. The level of education among Hungarians (both secondary and higher) is lower than among Slovaks. In term of employment, they are over-represented in agriculture, forestry, fishery, and the construction industry, and under-represented in science and research, education, culture, health care and other non-production sectors. This is explained by the fact that southern Slovakia is a typically rural area (25 per cent of all Hungarians in Slovakia make a living in agriculture). But according to Hungarians, agriculture in southern Slovakia is not very profitable today because of the high subsidies and government grants given to agriculture in the northern districts. A

further problem, and a source of dissatisfaction among Hungarians, is the lack of clarity in property laws and the fact that a considerable part of the land is still owned by co-operatives. The 1991 law on re-privatisation did not allow Hungarians to recover the land of which they had been expropriated after World War II (the Kassa government program [5 April 1945] declared Hungarians - and Germans - collectively to blame for the occupation and temporary dissolution of Czechoslovakia, depriving them of citizenship; later president Beneš ordered the confiscation of all their assets). The 1991 law allows for reclamation only of the property confiscated and nationalised after the 1948 communist take-over, regardless of nationality, thus discriminating against Hungarians who lost most of their property between 1945 and 1948.

Hungarians dominated the territory of today's Slovakia politically and culturally for about 1000 years until 1919 when Czechoslovakia was created. Hungarian-Slovak relations had already worsened in the 19th century because of the restrictions imposed on the use of Slovak language and Slovak schools, but today's enduring tensions are mostly rooted in the developments that took place in the inter-war period and after World War II. Between 1920 and 1924, nearly 88,000 Hungarians left Slovakia for Hungary. Various nationalising and anti-Magyar policies followed the creation of Czechoslovakia such as, among others, the redrawing of administrative districts so as to dilute the Hungarian share of the population in each settlement and the closure of many Hungarian schools, including Pozsony (today Bratislava) University.

After the end of World War II, with the already mentioned Kassa government program, schools with Hungarian language instruction were closed, publications in Hungarian prohibited, civil servants of Hungarian origin dismissed from their posts. A campaign to promote a transfer of populations between Slovakia and Hungary was resisted by Budapest so that only about 150,000 persons were thus 'traded', unlike the almost complete expulsion of ethnic Germans from the Sudetenland. Moreover, about 50,000 ethnic Hungarians were deported to work camps in the Czech lands. Following the communist take-over of 1948, Decree No. 245 re-established citizenship and basic rights for Hungarians. In March 1949, the Cultural Association of Hungarian Workers in Czechoslovakia, the CSEMADOK was formed under Communist leadership. Education in Hungarian language in primary and secondary schools started again, but new schools were not allowed to be built till the 1960s.

The fall of communism did not lead to substantial improvements in the conditions of the Hungarian minority, particularly after Slovakia's independence and the consequent loss of the mediating influence exerted by the Czechs. The 1994 elections allowed Vladimir Mečiar to form his third government with the participation of the ultra-nationalistic Slovak National Party and the left-wing Slovak Workers' Alliance. Slovak policies under Mečiar were characterised by left-wing populist and nationalistic measures.

It is worth reviewing some of these measures as they touch the same issues that have been central to the platform of the Hungarian political organisations since 1989 (see *infra*) and/or have been the object of protests in the last years. First, the law on re-privatisation of 1991, in practice maintained the 1945 Bene decree and discriminated against Hungarians. Second, a new controversial language law passed in November 1995 (contrasting with Art. 34.2 of the Slovak Constitution) introduced the use of Slovak - the state language - in virtually all aspects of public life. The only area of official communication in which members of minorities may use their mother tongue is before the courts. The Constitutional Court later confirmed that minorities have the right to use their own language in official business (or administrative proceedings). But local applications have been controversial and in practice the use of any language other than Slovak in official proceedings is severely restricted. A third area of controversy is, as expected, that of education. In 1995, the government tried to introduce so-called 'alternative education' in minority-language schools, namely, subjects such as history and geography would be taught in Slovak. The rationale was to improve the Slovak language skills and career prospects of pupils and students of the Hungarian minority. Hungarian political leaders protested that this was part of a gradual process leading to the assimilation of ethnic Hungarians in Slovakia and the program was abandoned. But the project was proposed again by the government in June-July 1998, causing a new wave of Hungarian protest, and was finally rejected by parliament. Fourth, throughout the 1990s Hungarians have lamented their under-representation in appointed positions in the state administration, especially at the local level. In 1996, the Slovak government, in disregard of a bilateral treaty of friendship and co-operation signed with Hungary in June 1995 and ratified in March 1996 (Art. 15.2d), passed a law thoroughly changing the territorial and administrative divisions of the Slovak Republic, now divided into eight large regions and seventy-four districts, in such a way that Hungarians end up being a minority in all eight regions - a move that will

inevitably decrease the number of locally elected Hungarian officials. Finally, two controversial electoral laws were introduced in 1998 before the September parliamentary elections leading to Meciar's defeat. In the face of various protests organised not only by Hungarian politicians but also by other parties, on 20 May 1998, the Slovak parliament passed an amendment to the national election law, introducing a 5 per cent quorum for every party of a pre-election coalition (formerly a 5 per cent quorum for individual parties, 7 per cent for two- and three-party coalitions, and 10 per cent for a four- or more-party coalition was required). Again amid protests, parliament passed an amendment to the Law on Local Elections on 1 July 1998, by which every ethnic group living in a town or village must be represented in the respective municipality regardless of the number of votes. What at first sight may look like a provision targeted to promote minorities, was in practice aimed at guaranteeing Slovaks a voice even in settlements with overwhelming Hungarian majorities (in almost all towns in southern Slovakia, the Hungarian population is large enough to be able to elect its own candidates). On 15 October, the Constitutional Court of the Slovak Republic issued a ruling that some provisions of the Amendment to the Law on Local Elections, including the one introducing the so-called ethnic mandate, are unconstitutional.

A positive consequence of the regime change for Hungarians has been that they were able to mobilise politically and they have become a relevant factor in the political life of Slovakia. Three major Hungarian parties formed after 1989: the conservative Hungarian Christian Democratic Movement (MKDH), the national-centrist-liberal Coexistence (*Együttes/Spoluzitie*) movement and the liberal-civic Hungarian Civic Party (MOS). The Hungarian Christian Democratic Movement (MKDH) and the Hungarian Civic Party (MOS) emphasise the principle of self-administration of minorities in the fields of education and culture without mentioning issues of territorial-administrative organisation. Coexistence, on the other hand, claims that neither cultural nor educational autonomy are possible without a general backing framework of territorial and administrative organisation, but does not go so far as to use the expression 'territorial autonomy'. In general, no political representatives of the Hungarian minority have ever raised the issue of territorial autonomy in the last year. In the September 1994 parliamentary elections, these three parties grouped together in the Hungarian Coalition and won 10 per cent of the vote, however, the amendment to the national election law introduced in 1998 has forced the three

parties to unify. This unification into the Party of the Hungarian Coalition caused some tensions but yielded positive results in the September 1998 elections which have completely changed the Slovakian political landscape. Opposition parties gained 93 of the 150 seats of the Slovak parliament, which means not simply a majority but a qualified majority, allowing for changes in the Constitution, election of the president, etc. The newly formed Party of the Hungarian Coalition received slightly more than 9 per cent of the vote (15 seats), making it the third strongest political entity in Slovakia. All potential ruling parties declared their willingness to form the new government with the participation of the Party of the Hungarian Coalition. In the current coalition government the PHC now has three cabinet positions: one deputy prime minister and two ministers. Although the Hungarian Coalition was a very close ally of the main Slovak political forces opposing Meciar's government, its primary focus are the issues of ethnic Hungarians in Slovakia. It remains to be seen if they will be able to carry out their agenda in the coming months, without raising tensions with Slovak parties.

3.3 Hungarians in Ukraine

According to the figures of the last Soviet census (1989), there were a total of 163,000 Hungarians in Ukraine, most of whom (155,000) resided in the administrative region of Trans-Carpathia (current estimates made by representatives of the Hungarian minority indicate their number in Trans-Carpathia to be 200,000). In Trans-Carpathia, Hungarians make up 12 per cent of the population and represent the second largest group after Ukrainians (78.4 per cent); 84 per cent live concentrated in a 20-km strip along the Ukrainian-Hungarian border in the Beregszász district and in parts of the Ungvár, Munkács and Nagyszoloz districts. A peculiarity of Hungarians, sharply distinguishing them from other national minorities non titular of a national autonomy in Ukraine and more in general in the Soviet Union, is the very high degree of mother tongue retention: in the 1989 census 96 per cent of Hungarians reported Hungarian as their mother tongue. They show not only a minimal level of assimilation to Russian (only 1.5 per cent declared Russian as their mother tongue), but also one of the lowest levels of knowledge of Russian as a second language.¹

Hungarians in Trans-Carpathia live in quite poor socio-economic conditions, but

mainly as a result of the general crisis that has hit Ukraine - and this region in particular - in the 1990s rather than discrimination. The economy of the region is prevalently rural, structurally of low efficiency, and has been particularly hit by the disorganisation and lack of financial resources caused by the fall of the planned economy. Per capita income is lower than the Ukrainian average, and in 1996 a further drop in production had a negative impact on the population's living standards. The few urban industrial structures are currently in decay. According to Hungarian activists, however, Hungarians are suffering the current crisis more than Ukrainians and Russians because of the social position they ended up occupying during Soviet times: employment of a lower level because of language problems (lack of schooling in the mother tongue and institutions where it could be used at work, but also little knowledge of Russian).

Historically Trans-Carpathia (Kárpátalja for Hungarians) has been under Hungarian cultural and political control since the 10th century, although it has always been an area with an ethnically mixed population of Hungarians, Germans and Romanians. In the 18th century, the region's ethnic composition changed radically with the Slavic Rusin population becoming a majority and large number of Slovaks and Jews also settling there. Since the end of World War I, the inhabitants of Trans-Carpathia have seen their citizenship change five times (from Austro-Hungarian to Czechoslovakian to Soviet to Hungarian, back to Soviet and, finally, to Ukrainian). With the dissolution of the Austro-Hungarian empire the region became part of the newly established Czechoslovakia. In 1939, following the Molotov-Ribbentrop pact, it was annexed by the Soviet Union, but during World War II returned to Hungary. After 1945 it finally passed to the Soviet Union and was included within the border of Soviet Ukraine, and since 1992 is part of independent Ukraine. With the partial exception of the new Ukraine, each change was followed by nationalising (Czechoslovakian, Hungarian) or de-nationalising (Soviet) policies. Neither under Czechoslovak nor under Soviet rule were the Hungarians granted minority rights. After re-conquering the territory, in 1945 Soviet troops sent 25,000 Hungarians to labour camps of whom only 30 per cent returned home, while large numbers of Ukrainians and Russians moved in.

It is worth noting that, unlike in Romania and Slovakia, there are no historically rooted tensions and sources of reciprocal resentment between Hungarians and Ukrainians, especially because the suffering experienced by the Hungarians after their

inclusion in the Soviet Union cannot be blamed on deep anti-Magyar attitudes among Ukrainians, but was rather the result of Soviet policies applied to them, as it was to other minorities (including Western Ukrainian nationalists).

Since 1989, various new Hungarian cultural societies and associations have been created in Trans-Carpathia, providing a new framework for the self-organisation and representation of the Hungarian national minority. In the course of Ukraine's struggle for independence, Hungarians played an active role in the social and political life of Trans-Carpathia supporting the Ukrainian anti-Soviet cause. This alliance between a non titular nationality and the titular nation mobilised to achieve independence was an exception to the rule, as most non titular nationalities presenting a high degree of Russification and fearing the nationalising policies of the SSR level nationalities tended to take a pro-Soviet position and have, in certain cases, made separatist claims. As shown, Hungarians in Ukraine were not at all Russified and the moderate course taken by the Ukrainian leadership with respect to national minorities did not represent a real threat. By the way, it is worth noting that, as early as May 1991, Ukraine and Hungary signed a protocol establishing the principle of co-operation between the two states and addressing the question of their respective national minorities. As a result, a joint inter-governmental committee monitoring national minority issues was set up and has already held eight annual meetings.

Unlike in Romania and Slovakia, the Hungarians of Ukraine do not have their own political party. The most representative organisation, and the only one registered at the national level, is the Hungarian Democratic Association of the Ukraine (HDAU). Mihály Tóth, its chairman, is the major spokesman of the Hungarian minority and its special representative to the Ukrainian Parliament. The main activity and goal of the HDAU and other associations is to promote higher education in the mother tongue and maintain the already existing Hungarian schools. In this field, the most ambitious goal is that of the Trans-Carpathia Association of Hungarian Teachers set up in December 1991, which wishes to use the possibilities offered by Ukrainian legislation and ensure that all Hungarian educational institutions, from pre-school to higher education, are uniformly controlled; in practice, this would amount to the establishment of a separate Hungarian educational region. Though setting up different forms of autonomy has been mentioned by Hungarian associations, it is mainly seen as a possibility for the future and is not voiced strongly at the moment.

As illustrated in the Ethnobarometer Country Report on Ukraine, since the early 1990s, Ukrainian authorities have adopted a number of laws in the field of national minority rights creating, at least in principle, a benign regime oriented toward accommodation of multi-ethnicity. Ukraine's nation- and state-building course cannot be defined as a radically nationalising one. The 1992 law on national minorities guarantees the use of the mother tongue in compact settlements, education in the mother tongue, cultural institutions and the right for national-cultural autonomy, as well as the right to use national symbols and names as under the rules of the mother tongue, and the freedom to establish contacts across borders with compatriots. Article 10 of the 1996 Ukrainian Constitution states that 'the free development, use and protection of national minority languages is safeguarded', and Article 11 assigns the state the responsibility of promoting the ethnic, cultural and religious peculiarities of all national minorities.

The practice of ensuring minority rights in Ukraine has to a certain degree lagged behind the declared principles, for two main reasons. First, the chaotic institutional framework for the application of new progressive laws, lacking the support of lower level legislation, prevents their full effect; second, the objective lack of funds of the Ukrainian state to provide the promised financial support for national minorities. As an example we can cite the fact that in many localities with a high concentration of national minorities, bilingual signs and names have not been set up, as requested by law, for lack of funds and due to technical problems. In the three-year period 1995-97, the state budget was able to allocate only about \$150,000 for support of national minorities' cultural associations. Nonetheless the principles declared in the legislation are already a positive step and, given the extreme conditions of economic and financial crisis, even such limited financial support can be seen as indicative of the intention to keep the promises contained in laws and public statements. Moreover, some positive changes, as recognised also by Hungarian activists, have been achieved since 1992. At a symbolic level the names of most places in areas of Hungarian settlement have returned to their old Hungarian names with the Latin alphabet replacing the Cyrillic one. A clear improvement has also been registered in the field of schooling and higher education in the mother tongue.

In synthesis, as recognised also by the Hungarian governmental body monitoring the situation of the Hungarian minorities abroad,² most of the problems of the Hungarian national minority are due to the economic difficulties in the Ukraine rather than to

discriminatory nationalising policy; at the moment pressing socio-economic problems are a priority with respect to more typical minority claims/rights.

3.4 The triadic relation: nation-states, national minorities and external national homelands

The question of national minorities in Central and Eastern Europe and in the post-Soviet states has recently been conceptualised by Brubaker as a triadic relational nexus between national minorities, nationalising states, and external national 'homelands' (1996: chap 3). Though this conceptualisation *per se* does not offer an explanation of the political dynamics of national minority claims, it is a good starting point for discussion of the issue of the Hungarians in the three states analysed.

A national minority is usually defined as group which, as a result of a border change, finds itself divided from an adjacent state controlled by its kindred, and constitutes a minority in the state in which it resides. However, as rightly stressed by Brubaker (Ibid.: 60), the political relevance of a national minority is not ensured by its mere demographic existence but arises when its members identify as part of a different ethnically defined nation (the dominant one in the external homeland), demand to be recognised as such in the state where they reside, and raise claims to various forms of collective rights.

The term 'nationalising' states instead of 'nation-states' expresses the idea of a dynamic project rather than of a static situation, and describes the situation of states characterised by an ethnically mixed population where dominant nationalistic discourses lament their status of 'unrealised nation-state', legitimising and calling for remedial policies promoting the language, culture, economic position of the dominant nation. Generally this applies to newly established or reconfigured states.

External national homelands (in this case Hungary) are politically relevant as such under two conditions, both of which must hold. First when a state is constructed as the nation-state of a minority by formal rules (dual citizenship) or symbolic political discourses elaborated by the elites of such a state. Second, when these elites actively monitor the situation of their co-ethnics in the states where they reside, possibly protest what they portray as violations of minority rights, and support them in various ways.

Finally, in Brubaker's conceptualisation each of the three poles of the triadic nexus are conceived of not as unified entities but as competitive political fields characterised by different positions.

Without a doubt, Hungarians in the three states considered here are not a mere ethno-demographic category but a community with a clearly distinct identity with strong ties to Hungary. The simple fact that the Hungarian parties in both Romania and Slovakia have in the last parliamentary elections received a percentage of the votes roughly equal to the percentage of Hungarians in the population indicates that such distinct ethno-cultural identities are also the basis of common political interests, not simply advanced by activists but also overwhelmingly supported by the communities at large.

There can also be little doubt as to the fact that Hungary conceives of Hungarian minorities in adjacent states as part of the Hungarian nation and acts politically as an external homeland to support and defend them. Hungary's responsibility toward them is officially expressed in Article 6.3 of its Constitution, stating that 'The Republic of Hungary bears a sense of responsibility for what happens to Hungarians living outside of its borders and promotes the fostering of their relations with Hungary'. A whole new government bureaucracy has been set up to monitor the situation of Hungarians abroad, while public foundations, such as the Illyés Foundation created in 1990, provide them with financial and organisational resources for initiatives aimed at supporting the preservation of their identity, development of their mother tongue and other related issues.

Application of the expression 'nationalising' to the three states considered here requires a little discussion. Certainly after World War I, Czechoslovakia was a newly established state which launched nationalising policies, while Romania was a newly reconfigured one as it gained new territories (above all Transylvania) where it also carried out nationalising policies. Mobilisation for and eventual achievement of separation from the Czechs also makes Slovakia a new state in the 1990s which, as we have seen, at least until the political change brought by the September 1998 elections, followed a political course with clear nationalising tendencies. On the other hand, the transition from totalitarian rule to an emerging democratic one in Romania did not change its configuration as a state. Nonetheless, the renewed political relevance acquired by minority issues in the post-1989 internal and regional context has led Romanian authorities to undertake measures clearly aimed at preventively reasserting the national character of the state in the self-definition as a unitary nation-state contained in the

new constitution or in the laws on public administration and education. Therefore, though with some reservations, Romania can also be seen as a nationalising state in the 1989-96 period. In 1992, Ukraine was certainly a new independent state which, having remained for centuries under Russian and later Soviet control and experienced evident processes of de-nationalisation and linguistic russification (except in its western regions), represented the typical candidate for remedial nationalising policies aimed at giving an ethno-national content to new statehood. Ukraine did adopt legislation of a nationalising nature, especially in the field of language. There is, however, a first difference with respect to the two previous cases, in that the Hungarian minority, given its very limited demographic relevance and the lack of a deeply rooted history of Hungarian-Ukrainian antagonism, was in no way the implicit and indirect target of Ukraine's nationalising project. The promotion of Ukrainian as the sole state language and, particularly, the refusal to grant Russian any special status affected ethnic Russians and other highly russified minorities (but also Russian-speaking ethnic Ukrainians), but not Hungarians. Moreover, as illustrated above, nationalising policies have been moderated by measures recognising quite extensive national minority rights, such as that of using their own language next to the state language in areas where they are compactly settled. Therefore, specifically as concerns Hungarians, the Ukrainian approach can hardly be characterised as a radically nationalising one.

One feature common to the three Hungarians communities considered here is the very high degree to which they have preserved a clearly distinct identity and remained relatively separate and isolated from the rest of society. While aggregate indicators are never definitive about the relative socio-economic position of a national minority in a given society and controversies may always arise as to their validity and interpretation, it is quite empirically grounded to conclude that Hungarians constitute a socially disadvantaged group, especially in Romania and Slovakia and to a lesser extent in Ukraine. This situation has been caused as much by nationalising and open discriminatory policies of the states where they happen to be included (as the Hungarians claim) as by Hungarian resistance not only to assimilation but also to a certain degree of cultural integration (as Romanians and Slovaks claim). Without implying any value judgement on the merit of granting or refusing collective cultural rights to a minority, it is a matter of fact that lack of fluency in the state *lingua franca* hinders the opportunities of its members in reaching positions of social prestige, unless they have their own separate territorial autonomy. The Hungarians' lamentation that

their under-representation in employment at higher prestige levels is the product of lack of university education in the mother tongue is correct as long as it rests on the assumption that they do not wish and/or are not in the condition to attend mainstream universities. It also implies that Hungarian specialists trained in Hungarian language universities would reach prestigious positions servicing the Hungarian community, which in turn presupposes that such a community exists as a more or less institutionally completely separate sub-society.

Actually, nationalising and discriminatory policies on the one hand, and unwillingness to integrate on the other, are the two self-reinforcing opposites in what seems to be a historically and geo-politically determined vicious circle resting on reciprocal distrust. In light of this statement, it is absolutely essential to distinguish Romania and Slovakia from Ukraine.

The Hungarians that remained in the Slovak part of Czechoslovakia and in the newly Romanian Transylvania after the collapse of the Austro-Hungarian Empire, being the former dominant group and presenting a long developed consciousness and culture, were deemed by Slovaks and Romanians as 'outsiders' who jeopardised their national unity. Accordingly their inter-war policies were not simply nationalising but openly anti-Magyar, which in turn elicited the reaction of resistance to any form of integration on the side of the Hungarian minorities and the very active role of Hungary as external homeland - a role that during World War II took it so far as to re-occupy lost territories, thus strengthening the perception among Romanians and Slovaks that the Hungarian minorities (in relation to their closeness to Hungary) constituted a threat to territorial integrity and legitimating a new and even harsher wave of nationalising anti-Magyar discrimination after World War II. This time the Hungarian minorities again resisted assimilation and a low level of integration was achieved during the communist regimes. Starting on these premises, the post-1989 period has been characterised by:

- renewed Romanian and Slovak nationalising state policies and the emergence of ultra-nationalist parties and movements with anti-Magyar platforms;
- rising Hungarian minority mobilisation finding new channels of political expression with the transition to multi-party politics;
- a newly assertive Hungary as external homeland.

All three elements have done nothing but reinforced each other in the perpetuation of a situation of tension, which has only showed signs of attenuation in the last two years.

While it is pointless to decide which of the fields in the triadic configuration triggered the new process of rising tension, the chain reaction linking the various forms of action (laws, public statements, organised protest, etc) undertaken in each of the three fields in an escalating spiral of reciprocal claims and accusations is evident.

As Slovakia and Romania took the controversial measures described in previous sections, Hungary has been very active since 1990 as an external homeland, also as a result of the increasing relevance that nationalism had assumed there. In February 1990, for instance, unilaterally abrogating a pact signed in 1979 with Romania, Hungary re-established dual citizenship for ethnic Hungarians in Romania and the following May Hungarian Prime Ministers Antall declared it 'inconceivable' to maintain good relations with a state suppressing the Hungarian minority. In June 1992, Hungary was reported as having officially called for territorial autonomy for ethnic Hungarians in Slovakia. Furthermore, Hungary has repeatedly opposed Romanian and Slovak admission to the Council of Europe on the basis of their unfair treatment of Hungarian minorities and is now trying to present itself as the entity that can facilitate or block the two neighbours' path toward the European Union and NATO. After winning elections in the summer of 1998, the new Hungarian Prime Minister Victor Orban has remained faithful to his election promise to promote the interests of Hungarians abroad more forcefully than Gyula Horn's cabinet did. Shortly after his election Orban made a victory tour of ethnic Hungarian towns and villages in Transylvania where the warm and excited welcome he received triggered alarm in Bucharest, Bratislava and Belgrade. After several months in office the new government actually demonstrated a more vigorous and potentially destabilising approach to supporting the claims of ethnic Hungarians living in neighbouring countries. Tensions have been further raised by statements by Zsolt Nemeth, state secretary at the Hungarian Foreign Ministry who, during a trip to Transylvania, affirmed that the 'nation-state is a thing of the past and the borders of the Hungarian nation do not coincide with Hungary's borders'.

Slovakia and Romania in turn, have instrumentally criticised (most recently in 1998) Hungary for failing to ensure representation of national minorities in its parliament.³ Hungarians in both Romania and Slovakia have, in fact, asked Hungary to ensure such representation since this would improve and strengthen their position in the two states.

While Hungary has never raised any territorial claim against Slovakia and Romania

and explicit requests of territorial autonomy for Hungarian minorities have been rapidly abandoned at the official level, its undeniable interventionism has heightened anti-Hungarian sentiments in Romania and Slovakia and facilitated the inflaming nationalist propaganda portraying the minorities as a 'fifth column' of an expansionist Hungary, thus conditioning the way claims raised by Hungarian minorities are framed.

As should be clear by now, the context of Ukrainian-Hungarian relations is radically different. In the first place, due to the simple and straightforward fact of the limited relevance of the Hungarian minority in Ukraine. They amount to only 0.3 per cent of the total population of Ukraine, which prevents them from becoming a national level political actor as in Romania and Slovakia. In the social and political life of Trans-Carpathia, Hungarians are a noticeable and active force, but not of such a dimension as to represent a real threat to Ukraine territorial integrity and in the future it cannot be excluded that on the basis of the 1995 Ukrainian law on local self-government they will be granted some form of self-rule in the few districts where they account for more than 50 per cent of the population. Second, there is obviously no historical basis of inter-state tension between Hungary and the newly independent Ukraine as confirmed by the fact that they signed a treaty of co-operation including minority issues as early as 1991 (similar treaties with Slovakia and Romania were signed, respectively, only in 1995 and 1996). Third, Ukraine ethnic policy, though hindered by economic problems, is largely benign for national minorities. Fourth, because of Ukraine's peculiarities (see *Ethnobarometer Country Report on Ukraine*) ultra-nationalistic movements have remained very marginal. Furthermore, even in western Ukraine, where Ukrainian national identity and support for nationalist movements are stronger, there have not been tensions with Hungarian organisations, since they supported Ukrainian mobilisation for independence. This situation clearly differs from Slovakia where, for instance, Hungarians did not support Slovakia's drive toward separation from the Czechs, rightly anticipating that without their mediating influence Slovakian nationalism would be radicalised.

Summarising the situation in Ukraine and recalling that the most pressing social problems are not peculiar to the Hungarian minority, given the dire socio-economic and financial crisis there, the major concern and claim of the Hungarian minority at the moment is to ensure that advantage is taken of the wide-ranging possibilities for cultural autonomy provided by Ukrainian legislation. In this respect, the lack of funds

resulting from Ukraine's budget limitations could be, at least partially, solved by material support from Hungary.

The situation is clearly more complex in Romania and Slovakia. In the context outlined earlier it is not surprising that in both cases 'territorial autonomy' is the 'magical' (for Hungarians) and 'taboo' (for Slovaks and Romanians) expression. Almost without exception in the early 1990s, when a representative of the Hungarian minorities or some public figure in Hungary (not necessarily an institutional one) made a public statement in which territorial autonomy was mentioned even only as an abstract optimal solution, the Slovakian and Romanian media and parliaments automatically resounded with accusations of irredentism and/or 'Hungarian chauvinism'. In the last years, Hungarian national level parties/organisations in Romania and Slovakia have by necessity cancelled the expression 'territorial autonomy' from their 'political dictionary' and have attempted to present themselves as not only ethnic parties by including in their programs more universalist goals such as economic and social modernisation, the strengthening of democratic institutions and the rule of law. Their current minority claims are framed, at least officially, in terms of what can be broadly defined as cultural autonomy in the field of language use, education, conduct of administration and business, denomination of localities, development of cultural initiative and institutions, etc.

Because no major concessions to these claims have been accorded by Romania and Slovakia so far, this more moderate stance presents some problems for the political leadership of Hungarian parties both toward their electorate at large and especially *vis-à-vis* the more radical wing within them. As anticipated in Brubaker's framework, none of the three constitutive poles of the triadic nexus can be considered a unified monolithic entity, and that of the Hungarian minorities is no exception. While electoral politics has forced Hungarian parties into coalition, they present different platforms, some more radical than others. In Slovakia, for instance, while both the Hungarian Christian Democratic Movement (MKDH) and the Hungarian Civic Party (MOS) emphasise the principle of self-administration of minorities in the fields of education and culture, Coexistence claims that neither cultural nor educational autonomy are possible without a background of territorial and administrative organisation (a disguised expression for 'territorial autonomy'). The Democratic Alliance of Hungarians in Romania (DAHR) is a loose umbrella organisation including other organisations some of which have more radical platforms. With

respect to DAHR, the Ethnobarometer correspondent for Romania reports that in 1998, after almost two years of being part of the government coalition without achieving major results, its leaders find themselves in a difficult situation. On the one hand, they want to prove that they are a universalistic party and cannot reject general reforms only because their ethnic demands have not been entirely satisfied. On the other hand, because of lack of important breakthroughs in the field of minority rights, it is increasingly difficult for them to face their electorate and argue that partnership with the Romanian parties was the right thing to do. Lack of results is fuelling a more radical discourse.

Different positions within the Hungarian minorities also interact with the different positions present in Budapest. So the political changes brought by the 1988 Hungarian parliamentary elections may have an influence on the politics of Hungarian minorities. The renewed assertiveness of the new coalition government in Hungary on the question of Hungarians abroad will probably influence the political processes internal to such minorities.

It is too early to develop the same analysis for Slovakia, since the Hungarian Coalition Party only joined the new government in late fall 1998. But it is clear that, if no concessions for the Hungarian minorities are achieved, the situation could unfold along the same lines sketched out above for the DAHR.

The final observation in terms of the triadic nexus framework concerns the interaction between the external homeland (Hungary) and the nationalising states (Romania and Slovakia). While bilateral Hungarian-Slovakian and Hungarian-Romanian treaties have been signed and ratified, they do not seem to have produced any noticeable result. The Hungarian-Slovakian treaty (signed in March 1995), for instance, contemplated recognition of borders and protection of minorities. A clause accepted by Slovakia calls for 'appropriate laws or autonomous authorities' in areas where the country's ethnic Hungarians constitute a majority, and in return Hungary recognises the inviolability of Slovakia's borders. Only a few months after signing the treaty, Slovakia adopted the controversial language law discussed earlier, and the Hungarian government responded with an official resolution of protest declaring the law a breach of the treaty just signed. It is indicative that the signing of the treaty was contrasted, from opposing standpoints, by Slovakian nationalists and by the Hungarian parties in Slovakia, as well as by the more nationalist politicians in Budapest.

The complexities of these inter-state relations is such that a breakthrough toward

complete normalisation has not yet been fostered, even though the Council of Europe 'Framework Convention for the Protection of National Minorities' has been effective in Hungary, Romania, and Slovakia since 1 February 1997.

3.5 Conclusions

While for various reasons 'territorial autonomy' and *a fortiori* complete separation have disappeared from the claims of Hungarian minorities, they nonetheless are an example of territorially based ethnic mobilisation like the ethno-cultural separatist communities analysed in the previous essay. Therefore, the theoretical implications deriving from the analysis in this essay follow the same lines as those of the preceding one; to avoid repetition, only a brief remark will be made.

Without doubt, the socio-economic and cultural conditions of Hungarian minorities in the three states considered and, especially, the historical antecedents of antagonism (or lack of it as in the case of Ukraine) constitute a crucial underlying structure shaping current developments. On the other hand, the current unfolding of the triadic relational nexus (national minorities, nationalising states, national external homeland) is not structurally determined by history and socio-economic and cultural factors. This nexus is, in fact, eminently a political and geo-political process, the outcome of which depends on political competition between different stances within each field (in a simplified version radical vs. moderate minority claims, nationalising vs. accommodating attitudes in the host states, aggressive interventionism vs. moderate pressure in the external homeland) and on how this within-field competition interacts with, and is influenced by, similar processes in the other fields of the nexus. To make this argument more concrete, it is clear that the lack of historically rooted Ukrainian-Hungarian antagonism was a benign starting condition, but the lack of tension surrounding the Hungarian minority in Trans-Carpathia is largely also due to the accommodating ethnic policy adopted by the Ukrainian leadership.

Going back to compare Hungarian minorities' claims for cultural autonomy with the openly separatist ones raised by territorialised communities in the post-Soviet space, the natural question is: what explains the difference? The answer reveals the limits of typologies matching different types of ethnic communities to different types of claims. It is generally argued that ethno-nations - regionally concentrated peoples

with a history of various forms of political self-rule later incorporated into another state - tend to raise claims ranging from a minimum of territorial autonomy up to outright secession. It is argued, on the contrary, that national minorities - groups which, as a result of border changes, find themselves divided from a state controlled by their kindred - limit their demands to a quest for equal rights and recognition of collective cultural and political rights. Yet, Russians and Ukrainians in the Trans-Dniestr, Russians in Crimea, and Armenians in Nagorno-Karabakh are all examples of national minorities that raised claims far beyond recognition of collective cultural and political rights. If on the basis of empirical evidence, one draws an inductive rule of thumb matching type of minorities with type of claims, it must be seen as nothing more than a rule of thumb. The scope of claims is, in fact, in no way determined solely by the characteristics used to distinguish the ethnic or national communities raising them (length of settlement, demographic weight, compactness, localisation, etc). Claims also depend on the institutional, political and geopolitical opportunity structure facing them. So we can have cases of national minorities which must struggle even to use their own ethnonym publicly (Turks in Greece), others which must refrain from asking for territorial autonomy and must substantially disguise equivalent claims as collective cultural rights (Hungarians in Romania and Slovakia), and others again which demand independence (the Slavic Russian-Ukrainian community of Trans-Dniestr).

Let's now return to the issue of the Hungarian minorities and, concentrating only on the two more problematic cases of Romania and Slovakia, draw some normative and policy relevant considerations. As amply illustrated, because of the vehement reactions that such a request elicits, both political representatives of the Hungarian minorities and Budapest authorities have formally renounced demands for full territorial autonomy. Does this mean, in substance, that they are asking for simple cultural collective rights and no longer for forms of institutionally and territorially based self-rule? To answer this question let us move to a more abstract discussion of ethnic claims in general and rely once again on Kymlicka's normative analysis (1995, *passim*). Ethnic and national communities can raise claims ranging from 'access' to (undocumented immigrant asking for legalisation) and exit from (secessionists) a political community. While there are many different types of demands lying between these two extremes, it is clear that demands for poly-ethnic and representational rights aim at a better and fairer inclusion in the polity, and demands

of self-government imply a certain degree of separation from the polity and, in last analysis, can be realised only through the devolution of political power to a unit where a minority can control such power. The demand advanced in Canada by Sikh men wishing to join the police force for exemption from dress codes so that they can wear their turban, is a demand for a poly-ethnic right (Kymlicka 1995: 31). They ask for a recognition of their cultural peculiarity which would allow them to be employed in a mainstream position. The Gagauz' successful mobilisation for territorial autonomy was a demand for self-government and relative separation from the polity. It is a little more problematic to decide where the generically defined cultural autonomy claim of Hungarian minorities falls with respect to the two alternatives of poly-ethnic and self-government rights. Formally, the claim is not for self-government in light of the renunciation of demands for territorial autonomy. In practice, however, given that they are territorially concentrated, present a clearly distinct cultural identity and have a very low level of integration within mainstream society, if full cultural autonomy were granted this would amount to more separation and less integration, even if not supported by territorial autonomy. The creation, for instance, of a uniform Hungarian educational system from school to university would be nothing but a territorially separated sub-institutional realm. Under this scenario, any Hungarian in Slovakia or Romania could spend an entirely ethnically self-contained life attending Hungarian school and university and then work servicing his/her community. This would then be nothing but a separate sub-society, whose members would still be frustrated because of difficulties in getting position in high level jobs in the public administration. It would be a different matter if cultural autonomy were realised simply through the full application of bilingualism (education, administration, street signs and localities names) in areas of compact settlement. This implies a willingness to accept a certain level of integration within the mainstream dominant culture and society.

In synthesis, the intractability of the Hungarian question in Romania and Slovakia seems to be due to the simple evidence that, at the moment and in light of Hungarian separateness, the only optimal solution would be 'territorial autonomy', exactly what the authorities of these two countries consider 'taboo' and have no intention of conceding. The only hope and possibility is that, by producing positive results in the near future both for the Hungarian minorities and more generally for socio-economic reforms, the experience of Hungarian parties' participation in the

new governments will enhance integration by deconstructing historically rooted antagonism and distrust.

A second practical lesson that can be derived from the three cases analysed, particularly by contrasting Ukraine against the other two, reinforces a consideration made in the previous essay: accommodation yields better results than repression. Ethnic and national identities are not primordial or natural, they are not monolithic; they are malleable and can be instrumentally manipulated, they change over time. Yet, when they have been established and used politically for a long time, they are extremely difficult to eradicate. Open repression reinforces them rather than weakening them.

This final consideration also confirms, though under slightly different conditions, a remark made on separatism in the post-Soviet states, namely how ineffective the action of the international community and international organisations has been in helping to solve these complicated situations of ethnic tension. Suffice it to note that Romania and Slovakia have been members of the Council of Europe since 1993, and that the Framework Convention has been effective within their territories since February 1997, and yet they have still not granted Hungarian minorities rights that should be mandatory for members of such a body and convention.

¹ Just for comparison, among Germans in Ukraine, only 23 per cent reported German as mother tongue, while 67 per cent reported Russian as mother tongue and 22 per cent Russian as second language.

² The Government Office for Hungarian Minorities Abroad (see <http://www.htmh.hu/rep-frame.htm>).

³ The criticism is based on the fact that Hungarian parties have seats in the Slovak and Romanian parliaments, which is, however, not due to any ethnic special collective right but has been achieved by ethnic Hungarians simply exercising their rights as citizens of these two states. On the contrary, given their numerically limited weight, ensuring representation in the parliament for minorities in Hungary would amount to affirmative action.

CHAPTER 4

Ethno-caste conflict: the Roma in Slovakia, Bulgaria, Romania and Hungary

There are no very reliable figures on the total number of Roma or Romany people in the world. The best estimates are about 8 million, of which three quarters live in Central and Eastern Europe. The normal range for the countries included in this report are:

Romania	1,800,000-2,500,000
Bulgaria	700,000-800,000
Slovakia	480,000-750,000
Czech Republic	250,000-300,000
Hungary	550,000-600,000

That is, these five countries contain between two-thirds and three-quarters of the Roma who live in the region. They vary as a proportion of the populations in which they are found but they are usually between 5-10 per cent of the total.

The Roma are perhaps unique in being a transnational community that has no homeland and thus does not constitute a diaspora. In some respects therefore they are like the Jews before 1948 except for their semi-nomadic aspects and for the fact that they have never used education or entrepreneurship as avenues to social mobility. Like the Jews, however, they aroused a hatred in the Weimar Republic which led to their own holocaust (*porajmos*) (Mercks and Ramkema, 1990). Romanies settled in Central Europe during the fourteenth and fifteenth centuries and since then their existence has been marked by periods of relative freedom, followed by periods of severe persecution (Crowe 1995). In parts of Eastern Europe, for example in Romania, Romanies were treated as slaves until as recently as the nineteenth century (Fonseca 1997; Mulder, 1998). The central issue affecting the Roma today is not just that of marginal status or poverty, since both are far from new. It is that with the transition to post-communism, the Roma people have become the scapegoats for the enormous tensions generated by the transition itself.

The US State Department in its Annual Report on Human Rights (1999) refers to the position of the Roma as one which has deteriorated markedly in recent years. In Romania, for example, it says that 'Roma continued to be subjected to discrimination, harassment, beatings and violence', while in Hungary it estimates Roma

unemployment at 70 per cent and reports similar patterns of exclusion, segregation and repression in Slovakia and Bulgaria. As the following sections show there is a remarkable consistency in the position of the Roma in different countries of Central Europe. Whether their circumstances can be captured by the concept of 'apartheid' as defined in the first part of this section is another matter. It would be necessary to show extreme levels of persistent inequality sustained, rather than ameliorated, by public policy. This would have to be supported by a racist ideology, reflected not merely in popular opinion but also manifest in agencies of social control, particularly but not exclusively, by the police. In order to examine this question it will be necessary to examine, albeit briefly, different institutional areas. There are five that are central in the appraisal of any minority's position. First, relations to the productive system, particularly through the experience of employment and unemployment. Second, what is sometimes referred to as 'collective consumption' or the experience of a group in terms of housing and the environment. The issue here involves both living standards and segregation. It was the issue of enforced spatial segregation that prompted the recent debate in the US on whether the position of African Americans could also be described as a form of 'apartheid' (Massey and Denton, 1993).

The third field is that of socialisation and education. The issue here is not simply educational performance. There is a well known correlation between poverty and poor school performance. The question is whether educational institutions are used to buttress systematic repression, either by denying access to schooling altogether or by corralling children into institutions of such inferiority that mobility options are effectively foreclosed. The fourth field concerns the agencies of social control, particularly the criminal justice system. As the South African situation showed so clearly, it was not just the occasional abuse of human rights that was the issue. Members of stigmatised minorities are always at risk of racial violence and inequitable treatment by police services. There is a difference between these events, where perpetrators are suitably punished, and the use of police power to maintain systematic intimidation and unlawful oppression. The defining condition is ultimately whether instances of police violence and oppression are punished or not, and whether indeed the issue is taken seriously as a cause for concern and reform.

It is worth repeating that reference to a term as pregnant with meaning as 'apartheid' is dangerous and potentially unhelpful if it distracts attention from what is unique and special about the Roma. There are clear differences between the South African

situation before 1992 and the position of Roma in Central Europe. The most important of these is that the latter are not a constituency waiting to support a new political system. It has become clear from the evidence to the South African Peace and Reconciliation Tribunal, for example, that police harassment was designed in part not merely to oppress but to disrupt and undermine an emerging political organisation. In looking at the fifth realm of policy development, including community organisation and self-determination, this difference must be borne in mind. The Roma are struggling for equity, not for autonomy.

4.1 Work and unemployment

A Gallup opinion poll in Hungary in 1998 showed that more than half the citizens of Hungary feel hostility toward Roma people while one in eight admits to some degree of anti-Semitism. The plight of Hungary's Roma population has been well recorded, both through domestic research studies and through other reports prepared by international bodies. For example, in 1998, the Annual Report of the International Helsinki Federation summarised the position as follows:

The major part of the 500,000 Roma community of Hungary comprises the poorest 10 per cent of the Hungarian population. With the introduction of market economy, the badly paid jobs for unskilled labor were liquidated, resulting in a unemployment rate of some 70 per cent among Roma while only 10-13 percent of Hungarians were out of work. In 1997, hostility towards Roma among non-Roma population was on the increase and the tendency to segregation was supported by local self-governments, often openly.

Hungary is unusual in having a special commissioner for minorities and his annual report for 1997 gives an unemployment rate of 45 per cent for the Roma but other estimates are as high as the one given above.

In Bulgaria also the economic changes have had serious repercussions for many segments of the population, but none more so than for the Roma, who comprise about 7 per cent of the population, (unemployment amongst the Roma has been estimated at between 60 and 65 per cent). In 1992, 52 per cent of the Roma population was urban and 48 per cent rural; the corresponding ratio for the Bulgarian population is 72:28, and for the Bulgarian Turks 32:68. Their unemployment rate in the rural areas

is 82 per cent and they have not benefited from the sale of land to smallholders and peasants; having never owned land, they have not been entitled to benefit from reprivatisation. This reinforces the process of migration to the towns for short-term employment. Some families try to make a living by gathering mushrooms, herbs, wild fruit and snails. But this can be no more than a very temporary solution of the problem. One can expect an influx of Roma into the towns. But there they are beginning to be seen as unable to cope with the problems of changing realities, useless to society and parasitic, relying on personal charity and social benefits. The Roma are becoming isolated and are gradually being left behind in all social areas, in education and culture as well as in socio-economic and political life.

It was reported by the Minority Rights Group in 1998 that in the town of Lom in north-west Bulgaria, over 95 per cent of the large Roma population were unemployed at the end of the previous year (MRG 1998, 1). The 1998 report from the Human Rights division of the US Department of State records events in Lom in the following terms:

In June a Rom set fire to himself in front of the Lom town hall to protest his unemployment and inability to feed his children. Local firefighters were present on the scene and quickly extinguished the flames. A spokesman for the Romani protestors in Lom explained that Roma in Lom had not received social assistance payments for 5 months, faced general societal discrimination, and were disappointed that a construction contract had been awarded recently without the stipulation that local labor be employed. (1999: 32)

The overwhelming majority of the Roma in Bulgaria attribute their employment exclusion to discrimination. While not denying criminality in their ranks, Roma leaders stress the unavailability of other ways of surviving.

In Slovakia, the situation is very similar. Roma unemployment in some regions of the country is nearly 100 percent and again Roma often claim that employers favour non-Roma applicants. In the Czech Republic and Romania also, while the overall unemployment may be as low as 5 per cent, it is not uncommon to find figures as high as 80-90 per cent for the Roma population (cf Mulder, 1998). In short there is ample evidence, both qualitative and quantitative, to support the proposition that the Roma face massive employment exclusion in Central Europe. In part this may be caused by educational deficiencies but this is not an adequate explanation. Central European economies are not yet so advanced that they have experienced the rise in educational

requirements common in western labour markets and, while general unemployment levels are often high, the only explanation which comes close to accounting for the recorded levels of employment exclusion is that the Roma experience massive and systematic discrimination.

4.2 Housing and spatial segregation

The Roma people are, of course, associated with nomadism but for a variety of reasons this has not been common in Central Europe for many years. Poor quality housing on the fringes of urban and rural societies has become the norm and in recent years, the issue of spatial segregation in areas resembling ghettos has become one of central importance.

In Hungary the events in Székesfehérvár typify the issues which have become to emerge there and elsewhere. The story concerns a conflict between the local government of this prosperous town and thirteen Roma families. The problems began in 1995, slowed down for almost two years but erupted again in October 1997. The families were inhabitants of a house that according to the local government needed to be demolished. The issue was about where these illegal tenants were to be moved to after being removed from the building. The Mayor's office first suggested that the town administration should buy containers - military barracks - and install them as a temporary measure at the edge of the town. Human rights and Roma organizations, together with several Hungarian intellectuals, deemed this solution unacceptable in that it was segregationist and did not meet national housing standards. Another solution offered by the local government was that they provide 30 million HUF for the local Roma associations to buy houses for the families concerned. The money was sufficient only for houses outside the city, in the surrounding villages. The Roma associations bought the houses, but the families could not move into these properties because the inhabitants of the villages collected signatures or organized protests to prevent the Roma from doing so. The town administrators in Székesfehérvár were accused of 'exporting their social problems to the poor neighboring villages'. After the long series of protests the local government of Székesfehérvár began to look for another solution in the town. Finally, the local government of the city undertook the task of finding appropriate racially integrated housing for the Roma families, but the issue has not been resolved.

In Slovakia, a dominant feature of the policy of the communist regime from the late

1940s was to support assimilation and to oppose both nomadism (Act No. 74/59 banned nomadic life) and segregation (Government decree No. 502/1965). The Roma population was not acknowledged as a minority until 1991, although it made up more than 10 per cent of the population in some localities. In 1965 some Roma families were forced to move to the Czech part of the Czechoslovak state.

In general these 'integration strategies' were not successful and led to a series of conflicts with members of the Slovak majority population. For example, measures adopted by the Ministry of Finance in 1966, whereby the state placed Roma families in blocks of flats together with non-Roma families led to protests and charges that Roma families enjoyed preferential treatment when apartments for which others had been waiting for several years were allocated to them.

Similarly, divisions were generated on the other side of the border following the demise of Czechoslovakia. In January 1993, when the Czech Republic became a reality, the new state treated as immigrants all those holding Slovakian papers, many of whom were Roma. As a result more than 100,000 were disenfranchised and made aliens in their own country. This meant that they were unable to benefit from any of the land allocation programmes or other benefits associated with the new political system.

It was reported in the London *Times* that in the Czech villages of Usti and Pilsen, local authorities had instituted a policy of fencing in Roma peoples who were designated as troublesome by their neighbours (*Times*, 26 May 1998). Such actions were condemned by Dimitrina Petrova, executive director of the European Roma Rights Centre in Budapest, as 'pure racist segregation [which] is totally unacceptable in a civilised society'. The *New York Times* went on to quote the mayor of Usti nad Labem, Ladislav Hruska, as saying:

This wall is about one group that obeys the laws of the Czech Republic and behaves according to good morals, and about a group that break these rules - doesn't pay rent, doesn't use proper hygiene and doesn't do anything right. This is not a racial problem. It is a problem of dealing with decent and indecent people (*NYT*, 2 July 1998).

These activities were roundly condemned by the Czech President, Vaclav Havel, who said in his New Year message at the end of December that 'new walls are emerging in place of those that have been demolished'.

A Dutch social anthropologist working in the city of Brno, the second city of the Czech Republic, recorded a similar situation:

During my research in spring 1996 and also during previous visits to Brno the spatial segregation of Romanies and Czech was obvious. There are certain districts of Brno where the population is mainly Romany. Often Romany people avoid going to the city-centre or to 'white' districts, because of feeling uncomfortable or even scared over there. Romany people who lived in a 'white' district mentioned the continuous struggle against prejudices and discrimination in their daily life. On the other hand: talking to white people gives sometimes the same picture. There are Czech people who do not dare to go into 'Romany' districts. And I have spoken to some Czech people who live in those areas who mention the negative experiences they have with Romany people and who would like to live somewhere else (Mulder, 1998)

It is obvious from these examples that the construction of the Roma people as a settled minority has been accompanied by a rise in the perception of them as undesirable neighbours. In October 1995, the Slovakian health minister was reported as saying that 'the government will do everything to ensure that more white children are born than Romani ones' which, coming from a state official, is an extraordinary instance of racist sentiment.

4.3 Education and schooling

Given the situation outlined above, it is perhaps not surprising to discover that educational segregation is also a central issue. In Hungary, for example, Peter Rado, an educational sociologist, is reported as saying that as many as 60 per cent of Roma children of average or above average intelligence are placed in classes for slow learners, making it impossible for them to achieve educational success. The Hungarian Ministry of Education estimates that less than 1 per cent of Roma children graduate from secondary school. The Special Commissioner for Minorities in Hungary writes in his annual report:

A significant number of the nearly 75,000 school-age Roma children faced segregation in schools. Fifty per cent of children attending correctional schools for mentally handicapped were Roma, most of them without apparently sound reasons for being there. In several municipalities Roma children had to attend separate so-called Roma schools or separate classes within the normal primary school. The personnel and financial resources of schools with a greater than

average number of Roma pupils were generally worse than those of other schools and fewer classes were instructed by professionally trained teachers. As of August 1997, in 132 of a total of 900 primary schools in Hungary, Roma children were required to attend special classes.

Even though there has been an increase since 1990 in the proportion of those who achieve some form of primary school education among the Roma, the proportion of the children who are continuing their studies at the secondary level is still very low among (3 per cent compared to 50 per cent for other Hungarian children). Only a tiny proportion of Roma children is accepted into higher education.

Even in integrated schools, there is a high probability that the Roma will be isolated as in need of special education. It is very hard for them to escape this second class education. In integrated schooling the greatest danger is the segregation within institutions - i.e. creation of so-called 'catch-up' classes for Roma children from which it is almost impossible to move to integrated classes.

An important example occurred in the town of Tiszavasvári in 1997. A graduation ceremony of Roma and Hungarian children was held separately on the pretext that this was for hygienic reasons. During the year the Roma children were not allowed to use the gym or the cafeteria for the same reasons. Litigation against the local government was started by twelve Roma children and their families for violation of their personal rights. The children ask for non-pecuniary damages (500,000 HUF each - equivalent to \$US2,500) for racial discrimination. Aladar Horvath, head of the Foundation for Roma Civil Rights, provided the legal representation for the children. On December 1st, at the City Court of Nyiregyháza, the local government of Tiszavasvári was required to pay 100,000 HUF per capita non-pecuniary damages for the Roma children, plus their travel expenses and the trial fees. The decision, which was appealed, is the first in Hungary in which discrimination against Roma children in education was found.

The proportion of children and youths in the Roma community is nearly twice as high as among other Bulgarians, but their chance of reaching the age of retirement is far less. The proportion of Roma children who are not in school has been increasing every year since 1989. In some of the regions with significant Roma population, more than half the children no longer go to school:

Many Roma and other observers made credible allegations that the quality of education offered to Romani children is inferior to that afforded most other students. For example, Bulgaria has 34 all-Roma schools; according to one

estimate, only half of all students at these schools attend class regularly. The Government has been largely unsuccessful in attracting and keeping many Romani children in school. Poverty has led to widespread school truancy as many children in Romani ghettos cannot afford shoes or basic school supplies and turn to begging, prostitution, and petty crime on the streets (US Department of State, 1999)

While it is true that some Roma children do not understand what is being taught to them because of their incomplete command of the Bulgarian language, it is also clear that they only have access to a far inferior service than is available to others. When combined with conditions of poverty at home, it is not surprising that education does not currently represent a way to improve employment options or to enhance social mobility.

The situation is even worse in neighbourhoods in which the Roma are heavily concentrated. The quality of education there is lower than in the other schools and the level of anarchy higher. All this leads to the deterioration of an already very low educational level for representatives of the Roma community, and in turn to their progressive marginalisation. Consequentially, it will become impossible for the vast majority of the Roma to integrate successfully into the country's economic and social life, even after the crisis is overcome. This real and psychological distancing of Roma children from the education system will have long-term consequences for the community, as people with no knowledge or skills will not be competitive in the labour market. As a consequence the social distance between the Roma and the other communities will broaden and the negative attitudes toward them increase.

There are, however, some signs for optimism. For example, there is an international project on the history and culture of the Roma funded by PHARE to be carried out with the participation of Bulgaria, UK, Poland and the Slovak republic. The objective of the Bulgarian team has been to prepare 16 books for different age groups and school classes on the history and culture of the Bulgarian Roma. It has proposed new programmes in history, literature and music, including rich data on Roma history and culture. The aim is to increase the self-confidence of Roma children, to make them learn more about themselves and to teach all pupils to live in a multicultural environment and to be tolerant of cultural differences and the rights of all ethnic groups.

The system in Slovakia has institutionalised a pattern of inferior education for Roma children, many of whom attend so-called 'grade zero' classes. These classes have been established to provide children lacking pre-school education with language

instruction, training in social skills and personal hygiene to prepare them for entering the first grade. So-called special schools also exist in the Czech Republic and nearly all are attended by Roma children. This is often seen as one of the most important examples of discrimination against Roma in the Czech Republic. Commentators have argued that due to Czech-biased testing-methods, the vast majority of the Romany children are directed towards special schools, even if they do not belong there on intelligence grounds. This strongly decreases the chances for these children achieving secondary education, which in turn negatively influences their chances in the labour market (Farman 1998; Mulder 1998). The 1991 census in the Czech Republic showed that only 1 per cent of Roma men and women had completed secondary schooling (Riková 1998: 6).

The position as far as Roma education is concerned is very consistent across Central Europe. Levels of functional illiteracy are high and access to high quality schooling poor. The residual language differences do not justify the continuation of this pattern, which is helping to maintain rigid barriers to social mobility.

4.4 Security and social control

Anthropological studies confirm that personal and family security is a pressing issue for the Roma. They fear harassment by skinheads and others, and have no confidence in the impartiality of the police. The full reports prepared for the *Ethnobarometer Programme* show this clearly. On the other hand, the Roma are frequently defined as congenitally prone to theft and other forms of criminal behaviour. Some illustrations can be given.

In late November 1998, the UN Committee against Torture (CAT), criticised Hungary for the number of Roma in detention and, in particular for 'persistent reports' of violence and cruel treatment by the police against those in detention. Earlier in the year, a study of the Hungarian police had shown that one in ten were 'racist' and more than a quarter prejudiced against the Roma. The Roma community was seen by the police as largely responsible for its own poverty because of fecklessness and dishonesty.

Another point was the reported failure of prosecution authorities to initiate investigations in a number of cases involving police violence and brutal interrogation,

or degrading treatment. There was also criticism concerning the situation in prisons and especially in the community shelters maintained by border guards for illegal migrants. The Committee recommends that the government ‘...ensures prompt access to defence counsel (and) provides improves training to law enforcement officials to prevent and eradicate torture and all acts of cruel, inhuman or degrading treatment or punishment’.

This criticism is mainly sustained by NGOs working in Hungary. The Hungarian Helsinki Committee in its commentaries supplementing the government report sent to CAT shows that every third person held at police stations complained about being brutalised at least once. This average is over 40 per cent in the case of Roma and people under 18. Victims of police violence, especially of Roma origin, have no chance of real remedy for their complaints. Similar criticism was addressed by Amnesty International, the European Roma Rights Center and Human Rights Watch to the Hungarian government. The Parliamentary Commissioner also criticized immigration laws and the community shelters for illegal immigrants.

There were many cases of physical attacks against Roma during 1998. For example, three drunk armed Hungarian man attacked the Roma community living in the Bánszállás district of Ozd on 28 February 1998 saying that ‘We will shoot dead all Roma!’ In Bulgaria, on 28 October, the European Court of Human Rights in Strasbourg found that the government violated the European Convention of Human Rights by inflicting inhuman and degrading treatment on a 14 year-old boy, Anton Assenov. The case arose because of police ill-treatment and violence against the boy which was inadequately investigated. Again on 30 August, Roma people were beaten by the police in the village of Mechka, in the Pleven region. The police denied these accusations, explaining they were looking for criminals. The US Human Rights report said, however, on the same issue:

The (Human Rights Project) reported that on July 10 approximately 80 policemen raided the village of Mechka and beat more than 30 Roma with truncheons, broke down doors, and smashed windows and furniture in Romani houses. The policemen beat men, women, and children indiscriminately while insulting the villagers with ethnic slurs. Those beaten reported that the police showed no warrants (with one exception, approximately 30 minutes before the real raid began) and gave no explanation for their actions. A 10-year-old boy’s arm was fractured with a truncheon. A disabled resident who was unable to flee

also was beaten. Altogether, despite initial difficulties in obtaining medical (forensic) certificates, 15 residents eventually obtained them, and 9 complaints were submitted to the Military Prosecutor's Office. By year's end, no action had been taken on the complaints (*Bulgaria Country Report on Human Rights Practices for 1998*, U.S. Department of State 1999: 6)

In 1995, the Slovak police registered nineteen assaults against Roma by members of extremist groups. In 1996, racist attacks were reported every month. In most cases, such incidents were initiated by skinheads acting alone or in groups; sometimes the Roma initiated the attack. The most tragic case occurred in 1995 in the town Ziar nad Hronom in central Slovakia, where a Roma teenager was beaten and burned by a group of skinheads. In March 1998 the murderer, an 18-year old skinhead, was sentenced to 14.5 years imprisonment. But this sentence has not had any significant influence yet on the activities of violent racist skinheads (Bauerová 1998).

In the Czech Republic at least 30 racially motivated murders have taken place against Roma since 1989 (Mulder, 1998). The new government, mindful of EU membership, appointed an inter-ministerial commission for Romany affairs in October 1997 and a new human rights commissioner at the same time. This commissioner has argued in favour of separate Roma schools (*Financial Times*, 19 January 1999). A recent research report concluded:

Most members of the majority group are full of prejudices towards Romanies. Even people with a strong social concern and with good educational background often have a negative attitude or are at least indifferent. In general one can say that the Czech and Slovak society is a xenophobic one. Cultural differences are not merely seen as differences but evaluated by the majority as worse habits and values of the minority. In their view integration means adaptation to the norms of the majority. There is no room for discussion about the role of the majority itself in creating this troublesome relationship. (Helmer 1995: 23).

In other words, the existence of discrimination, racism and racially motivated violence from the side of skinheads has a strong impact on the lives of Roma people in all countries under review, giving rise to a strong sense of insecurity amongst the Roma. The US Department of State report on Romania in 1998, stated:

Credible reports of anti-Roma violence continued, as did the harassment of Roma. In July a court in Mures sentenced 11 persons who in 1993 burned 13 Romani houses - resulting in the deaths of 3 Roma - to 3 to 7 years

imprisonment. Other cases dating to 1993 involving Romani deaths and property destruction still are under investigation by prosecutors or under review by the courts (*Romania Country Report on Human Rights Practices for 1998*, U.S. Department of State 1999)

This is not to deny that there have been positive policy responses and it is to those that we shall now turn.

4.5 Politics and policy

One of the major problems facing the Roma, both within their respective countries and more particularly *between* them is that - far from being united - they are divided by religion (Christian, Muslim and various syncretic beliefs), national culture and urban-rural splits. Although heroic efforts have been made recently to overcome this problem, they are also notoriously divided because the traditional leadership has little in common with the small, but very important, younger and more educated leaders. In addition, despite the fact that their numbers are relatively large, there are few settings where it would be a viable solution to found a self-contained Roma political party. Even if splits could be healed, it is unlikely that *effective* parliamentary representation would be possible. The Roma are very dependent, therefore, on the responses of the main political parties and here there is little enthusiasm for promoting Roma candidates in elections for fear of alienating hostile voters. In general, therefore, the Roma are highly dependent upon policy decisions made on their behalf by parties in which they are seldom represented in significant numbers. This is not to say that initiatives have not occurred in recent years, partly because of a realisation that conditions have significantly worsened, and partly with one eye towards EU membership and the requirement that significant human rights advances are prerequisite for membership.

In July 1997, for example, the government in Hungary passed a mid-term action plan package which set out policies concerning employment policy, education, culture, anti-discrimination and the mass-media, all with the Roma in mind (Government Resolution No. 1093/1997 VII.29). Hungary has been innovative in at least two ways. First, the government has sought to devolve some power to local institutions of 'self-government' defined in ethnic terms. The Roma National Self-Government suggested

in February 1998 that the issues of minorities be elevated to ministerial level. It was suggested that a Minority Ministry should be established in which a state-secretary would deal exclusively with the problems connected with Roma people, although no action has been taken in relation to this proposal.

The second initiative is the Commissioner for Minority Affairs who serves as an ombudsman and point of reference for all human rights and anti-discrimination measures. In June 1998, the Minority Commissioner argued that half the local governments in the country were using for other purposes the financial support provided by the state for improving education of minorities. The Commissioner also declared that he found problematic the fact that the medium term government programme for the improvement of the life conditions of Roma in Hungary 'has not brought any results as yet'. In August 1998, the new government declared that a division dealing with Roma issues would be created within the Office of the Prime Minister. This will have, among others, the task of deciding about the future of the mid-term action plan package that set out the governmental priorities concerning the situation of Roma.

As far as party politics are concerned, the position in Hungary is mixed. On the one hand there are important lobbies calling for improved legislation. For example, the constitutional lawyer Gábor Halmai argued that Hungary needs an Anti-discrimination Act because the prejudices of the majority population against minorities have dramatically increased. On 20-21 March, a conference funded by the Friedrich Ebert Foundation and the Human Rights Journal *Fundamentum* was organised on the necessity of introducing such an act. On the other hand, illiberal comment and policies are not uncommon. In January the former Prime Minister Gyula Horn made a speech at the Congress of Lungo Drom, the Roma organization, in which he argued:

...it is unacceptable that for more and more Roma families the only source of income is the social benefit they receive for their children. It is harmful also for the ethnic minorities if huge numbers of families choose themselves or have to choose the way of life of the unemployed...Otherness or origin cannot be a ground for social favoritism. In social policy there can be no positive discrimination on grounds of national or ethnic origin...The rules for peaceful social coexistence have to be respected by everybody. I think it is important that Roma face this problem and they separate themselves from criminal ways of life and from criminals.

Despite the relative absence of extremism from the electoral campaign, the new parliament has 14 MPs representing the extreme right-wing party, the Party for

Hungarian Life and Justice. Also, the Smallholders Party (14 per cent of the vote and member of the government coalition), though not openly extremist, made several anti-Semitic statements during the previous 4 years while in opposition.

In September 1998, the government of Bulgaria announced a desire to include minorities in the process of governing the country. In order to discuss its minority policy, it organised two seminars in Pamporovo with the participation of its major leaders (Prime Minister Kostov) and the leaders of the parties with which it is in alliance to discuss the integration of all ethnic groups. This decision of the government has been approved by the association representing Bulgaria's Roma population, but they are waiting for concrete action (Newspaper *Sega*, 25 September 1998). There are also two new projects under way: one is analysing the reasons why Roma children leave school in such large numbers and the other involves setting up an information centre in Sofia where Roma can find information on employment, education courses, cultural activities and possibilities for opening private businesses.

Although the Roma in Slovakia have three political parties of their own they have not so far been very effective. This is due to the population's low social standards, high unemployment and considerably lower level of education. The Roma Civic Initiative (ROI) was established right after the collapse of communism in 1989 and supported the ruling coalition of Prime Minister Meciar. Nevertheless, its leader, Jan Kompus (who joined Meciar's Movement for a Democratic Slovakia to be able to run for parliament in the 1998 elections) repeatedly criticised racist statements by Jan Slota, the Slovak National Party's (SNS) Chairman. In the summer of 1996, the political party called Roma Intelligentsia for Coexistence (RIS) was established. The RIS often criticised as discriminatory government programmes dealing with Roma social and economic problems. In the 1998 elections, the party supported the main opposition party, the Slovak Democratic Coalition (SDK). Finally, the third relevant Roma political party, the Party of the Protection of Roma Rights in Slovakia (SOPR), claims to represent Hungarian-speaking Roma in Slovakia. The party is an ally of the Roma Civic Initiative. In the 1998 election, the SOPR supported Meciar's Movement for a Democratic Slovakia (HZDS).

The issue of the legal status of Roma as an ethnic community was resolved in principle by acknowledging them an ethnic status equivalent to that of other minorities living in Slovakia. Full application of this in practice remains questionable. The Roma are, however, not at all confident about the respect shown for the rights of national

minorities and ethnic groups expressed in Article 33 of the Constitution of the Slovak Republic, according to which 'membership in any national minority or ethnic group must not be to the detriment of anyone else'. The experience of the Roma since the collapse of the communist regime in 1989, including manifestations of racism and prejudice among some majority groups, makes Roma's identification with the national effort very problematic.

According to one research project, the results of which were published in spring 1998, almost 88 per cent of all Roma families in Slovakia maintain certain Roma traditions. However, only 65.7 per cent of Roma consider it important to raise their children as Roma. M. Lenczova, of the Research Institute of Labour, Social Affairs and the Family is quoted as saying 'The identity of Roma is linked not only to songs and customs, it also means being different and isolated (from) the non-Roma part of the population'. The institute's research indicates that 55.7 per cent of Roma families regularly use Romani, the Roma language, while 27 percent use it rarely and 17.3 percent do not communicate in it at all. Generally, as the level of education increases for Roma, the use of Romani declines. Unemployment and housing problems are the most frequently faced problems in the Roma community, and almost 84 percent of Roma are discontent with their dwelling conditions. The majority of unemployed Roma say they seek jobs, yet 51 per cent of the respondents have not even finished elementary school. More than half the Roma interviewed in this study (55.4 per cent) only rarely come into contact with non-Roma citizens. The research was conducted in 1996-97 on a sample of 761 respondents. The only example, however, of an openly xenophobic and discriminatory attitude was the text on the pre-election poster of the ruling Slovak National Party: 'Vote for Slovakia Without Parasites!' Representatives of the party even explained who the parasites are: political representatives of the Hungarian minority in Slovakia, as well as those who do not want to work, namely Roma. The party received 9.01 per cent of votes (14 seat in the new parliament), but it will not participate in the new government.

4.6 Conclusion

The marginal position of the Roma (Romani) population of Central Europe is not new. Indeed, in some respects their position has improved now that they have become

more settled. On the other hand, in becoming an integral part of increasingly pluralistic societies, they have come closer to being set apart than any other ethnic group. Systematically excluded from employment and decent housing (and often education), they are the butt of racist violence and criminalised through the media and by police services. As Central European states have been re-asserting their national identities in the post-socialist period, they have not yet found it easy to embrace Roma culture or peoples.

Whereas once the Roma were tolerated as an historical anachronism to be assimilated under the blanket of state socialism, they are now seen (with the illogicality that is a characteristic of scapegoating) as both *creators* of all that is painful in the transition *and* as failures in the new morality. Capitalism, it is thought, requires self-discipline, respect for property and an acceptance of individual striving for education and advancement. The Roma are perceived as antithetical to all these values and therefore to be condemned as immutably pre-modern. The result has been an unprecedented rise in violence against the Roma, often sustained by the police or other state agencies.

The growing crisis of the Roma peoples is not simply generated, however, by symbolic issues. In contrast to their kin in the west, in Central Europe they had long given up nomadic life in favour of joining the industrial proletariat, in part because they were forced to do so by official state policy. They became reliant on unskilled and semi-skilled employment in enterprises that were doomed to suffer in the harsh climate of free market competition. The result has been a massive increase in unemployment. It is the combination of underclass status, popular resentment and institutional racism that characterises the current situation and represents a form of rigid social exclusion that comes close to an apartheid system. In particular, the use of state apparatus to sustain this position is symptomatic of a deep-seated malaise.

On a more positive note, the crisis has led to the mobilisation of the Roma communities themselves. Spurred on by the innovation of international interest, they have struggled to overcome centuries of division and difference in order to gain some influence over their deteriorating situation. Where this has not proved possible, they have taken to flight with the consequence of further rejection and condemnation on grounds of their putative ethnicity. The rejection by Canada and the UK of Roma asylum seekers from the Czech Republic in the summer of 1998 is an obvious case in point.

The Roma have succeeded, however, to a remarkable degree in voicing their concerns, particularly through print and electronic media (e.g. www.romnews.com). While it

would be false to suggest a complete consensus, nonetheless it is possible to see a coherent demand for cultural recognition and access to representative institutions. The establishment of the International Romani Congress, for example, and steps to regenerate a Romani language show this process at work. The problem with this struggle for ethnogenesis is that, in conditions of historically moulded repression, it is all too easy for pluralism to become perverted into supporting a form of *apartheid*. Some within the Roma themselves are well aware of this danger and argue against 'minority' status and for the implementation of universal civic values derived from the enjoyment of common citizenship rights (PER, 1997).

Commentators elsewhere have often noted the Janus face of pluralism. On the one hand, it is seen as positive, offering a way of using the resources of ethnic consciousness to mobilise support and strengthen community ties in the face of opposition and repression. On the other hand, it is seen by some as the high road to apartheid; as a way of confirming and sustaining second class status. As a way of out of this dilemma sociologists have argued for cultural pluralism in the private sphere, such as family and cultural festivals, with integration (or even assimilation) in the public sphere of employment and housing (Rex, 1991). This distinction does not work in practice for it can be used to deny the right to separate political mobilisation. Education too can be seen as a private issue and therefore allowed to be segregated. A far more productive distinction is that between *structural pluralism* and *cultural pluralism* where the former is defined in relation to rewards or resources. Thus in all areas where public or private resource allocation is the issue then the aim should be against separation and in favour of integration. In other fields, where difference does not intrinsically affect resources, separate provision is not so threatening. The plight of the Roma illustrates this point perfectly. The crisis of the Roma, which approaches a European form of apartheid, has arisen precisely because social institutions (employment, housing, education and public services) have incorporated systematic discrimination against the Roma, while there has been a reluctance to countenance cultural pluralism in terms of language, family life and cultural traditions. It may be thought that the term 'apartheid' is too strong when applied to the Roma, but the evidence shows systematic segregation in terms of housing and education, deep-seated discrimination in employment and the use of the law and enforcement agencies to deny citizenship and to ignore widespread racial violence. This comes close to fulfilling the conditions for an apartheid system.

In terms of policy provision, some advances have come from the promulgation of minority policies by central European states, and by the acceptance of Roma as an ethnic minority. At a regional level the 1994 initiative by the Council of Europe for a Framework Convention for the Protection of National Minorities was specifically designed with the Roma in mind, although it has not been universally adopted. Perhaps of greater long-term importance are the 'Accession Partnership' arrangements with the European Commission for all those countries wishing to join the EU, presented on 31 March 1998. These documents, where they relate to countries with significant Roma populations, all require integration measures as a 'medium term priority'. On the Czech Republic, for example, an EU report confirmed that Roma '... are the target of numerous forms of discrimination and suffer particular violence from skinheads, without adequate protection from the police or the authorities'. On Romania, the official opinion on membership identified 'discrimination in many areas of everyday life. [Roma] are quite often assaulted by police officers or members of the public, offences that go unpunished'. These responses are vital, since EU membership is perceived by the governments of all Central European states as critical for long-term economic success.

CHAPTER 5

Ethno-class conflicts: industrial minorities in European cities

The common assumption in Europe has always been that segregated areas of high ethnic minority concentration, where people live in conditions of relative poverty and environmental stress, was a phenomenon confined to the industrial cities of North America. Now there is a growing recognition that the differences may be more of degree than of kind. For example at the level of the European Commission, the directorate responsible for regional policy has recently shifted its attention from a single-minded focus on this issue to address the question of what is happening in the cities. Directorate-General XVI initiated a 'Core Inter-service Group' on Urban Issues in 1997 to prepare a policy paper for consideration in July 1998. This was followed by an 'Urban Forum' in November of 1998 that brought together Commissioners, officials and leading urban specialists to consider what policy initiatives were appropriate. The synthesis paper prepared for this group identifies three reasons why the Commission should become involved in urban issues. First, the cities of Europe are the focus for the main problems faced by European societies. Second, EU policies have an 'ex post' effect on urban areas; in other words constraints on public spending, environmental constraints and increased inequalities may make matters worse. Third, current policy approaches are seen as fragmented and incoherent. The analysis of the problem is important for it points clearly to a perception that Western European cities are facing a major transformation. As this paper says:

In combination with local processes of spatial and economic restructuring, demographic developments, including immigration and continuing urbanisation in some EU countries, as well as rising inequalities, have led to worsening degrees of deprivation in Europe's cities. Urban deprivation occurs in diverse forms. In social terms, conditions related to housing, unemployment and income differ. Also some forms of deprivation have led to homelessness and drug dependence, which are both essentially urban phenomena. Single-parent families involving a higher risk of social exclusion tend also to be concentrated in urban areas.

The most dramatic expression of urban deprivation in territorial terms concerns the emergence of urban 'ghettos' and segregation, involving increasingly deviant behaviour. In this context two trends are particularly

worrying. First, rising crime rates in some European neighbourhoods lead to further isolation and diminished attractiveness of those neighbourhoods, which in turn creates distrust between citizens. Second, segregation is reinforced by lower standards of public services. Paradoxically, police services are often better organised in areas which suffer less from crime, and schools usually perform worse in areas where children mostly need them ('Trends and challenges facing Europe's towns and cities, DGXVI, December 1997).

Observers of debates on the fortunes of urban labour markets are well attuned to the nuances of the language in which this discussion is couched. Cohesion, competitiveness and environmental sustainability are to the fore but, as the quotation above reveals, the real issue is a perception of ethnic minority or migrant concentration, poverty, spatial isolation and deviance. But are Western European cities experiencing these processes of ghettoisation and, if so, which migrant or ethnic or ethnic minority groups are affected?

As many commentators have noted, the key question turns on a crucial distinction and a problem of definition. 'Ghettoisation' is not the same thing as ghettos. One refers to a process, the other to an outcome. Even in relation to the latter in the United States, some commentators prefer to define a 'ghetto' as a urban census tracts with more than 40 per cent of households below the poverty line (Jakowski, 1996). Others prefer a more institutional definition emphasising a unique history and social structure, which preclude the application of the term to non-US cities (Waquant, 1996; 1997). There is more consensus that it involves the presence of an 'underclass' whose material, social and spatial separation sets them apart from participation in mainstream society. Perhaps the least emotive way of capturing this issue is to identify 'zones of relegation' or areas of cities characterised by the spatial concentration of migrants and minorities in conditions of marked economic disadvantage where they experience the deterioration in quality of life which poor conditions and high crime rates ensure.

There is also a link here with undocumented migration, at least in those countries with restrictive labour market regulation or long traditions of informal labour. The necessary conditions might be something like continued inward migration, relative concentration in low level services (cleaning, hotels, restaurants, etc) and evidence of undocumented population movement. Why however, given widespread evidence of discrimination and re-invigorated forms of xenophobia, do some groups appear to do

well in economic terms while others do so poorly? The question is not simply one of culture. The Iranians in Los Angeles, for example, are near the top of the income ladder, while their cousins in Sweden and the Netherlands languish near the bottom of the socio-economic pile. Whatever else may be involved, the answer appears to turn on economic independence and the use of educational opportunities.

5.1 The context

Whatever the contested term 'globalisation' denotes, there are certain aspects of economic restructuring over the last two decades that are less controversial. The first is that Western economies have gone through a phase entailing a massive shift from being reliant on manufacturing to being more dependent upon services. It is this change, particularly when coupled with the use of information technology within the service sector, that is sometimes termed the 'second industrial revolution', and it has had a dramatic effect on the fortunes of those whose lives hitherto depended upon manufacturing. Second, it is also clear that the service sector has remained rather heterogeneous. Although the attention of commentators has focussed largely on higher level positions within the financial services sector, there has also been a growth in low-level services. Whereas advanced manufacturing tends to create other opportunities in the secondary sector (e.g. suppliers), services generate a demand for other services. Tourism creates opportunities for cleaners, kitchen and portering staff; financial services generate opportunities for restaurateurs and cleaners as well as retail stores and software firms. Fast food, for example, provides a rapid entry point for employment to those whose opportunities are otherwise restricted by educational certification or legal status. Third, today's newly wealthy young people working in advanced services do not generate consumption demands that are the same as in those age cohorts that went before them. Working in a world of rapid and astonishing developments in communications, these consumers favour specialised, rather than mass, consumption. Whether in clothes, food or entertainment the young affluent consumer in a global city is a niche buyer; a supporter of the hitherto exotic and different rather than the wares of the mass-market purveyor whose effects have been to standardise high streets from Berlin to Bradford. The ethnic entrepreneur is ideally placed to occupy many of these myriad economic niches.

5.2 *The issue of 'ghettoisation'*

The first striking feature of European cities is the degree of concentration of migrants and ethnic minorities in them, and the degree to which this has grown in recent years. A second feature is the rising levels of unemployment of these groups in those cities when compared with the indigenous population.

Migrants who arrived in many European cities from former colonies, or those recruited under *Gastarbeiter* systems in the 1960s and early 1970s, originally revealed very low rates of unemployment. After 1980, this pattern changed rather dramatically and rates began to rise faster for migrants than for other groups. Before long, migrants and ethnic minorities were also strongly over-represented in the ranks of the long-term unemployed (cf. Hollifield, 1992; Cross, 1994; Dangschat, 1994; Kloosterman, 1994a). Some examples may show the extent of these phenomena.

In Germany older industrial cities on the Ruhr have undergone de-industrialisation with major job losses in the traditional sectors of mining and steel production. Between 1970 and 1993 in the city of Duisburg, for example, 41.7 per cent of jobs were lost in the secondary sector and unemployment rates rose faster even than for the other Ruhr cities. In 1970, the unemployment rate in Duisburg was 1.1 per cent; by 1993, it was 13.8 per cent. Over the period 1975-93, the proportion of foreign-born population rose from 10.2 per cent to 16.4 per cent and unemployment appears to have had a disproportionate effect upon the migrant population (Friedrichs 1995).

At the other end of the spectrum of cities, the position is remarkably similar. In Frankfurt/Main, which is the most famous financial centre in the country and the leading contender for the label of 'global city', with over three quarters of its jobs now in the tertiary sector, the foreign-born population was 78,857 out of a total population of 669,635 (11.8 per cent) in 1970. By 1994, the foreign population was 190,965 out of a total of 654,443 (29.2 per cent). This rise is not due to foreign bankers arriving to work in global finance; the fastest growing groups in the period from 1986-94 were Yugoslavs, Moroccans and Poles. The total unemployment rate for the city increased from 2.4 per cent in 1980 to 7.5 per cent in 1994. Over that period, foreigners increased from 21.6 per cent of the unemployed to 31.2 per cent which is approximately what one would expect on the basis of their overall representation. The interesting point is, however, that the designation 'foreign-born

population' masks a great deal of heterogeneity. Some are clearly prospering as entrepreneurs in a buoyant local economy while other groups appear to be destined to become part of a process of long-term exclusion from work. In 1982, 18.6 per cent of public assistance claimants were foreign-born; by 1993, this figure had risen dramatically to 46.4 per cent. Turks, in particular, appear to be vulnerable to long-term unemployment. In Germany as a whole the unemployment rate for Turks in 1995 was 24.4 per cent (OECD, 1997: 133)

The data for France, for example, are poor because they are seldom collected by ethnicity; nevertheless evidence by nationality appears to confirm the same picture. In Paris de-industrialisation has been accompanied by a compensating growth in the tertiary sector. Eighty per cent of France's advanced services are in the Paris region, which contains the same proportion of the headquarters of the country's 200 largest firms. But Paris has also experienced a large increase in the proportion of foreigners. The foreign population is becoming rapidly concentrated in the banlieues or suburban public housing estates on the urban periphery (Hargreaves 1994). In 1975, 15 per cent of households headed by foreign nationals lived in such estates; by 1990, it was 28 per cent overall, and 42 per cent for those from the Maghreb (INSEE 1992; Hargreaves 1994). In France as a whole the non-EU foreigner unemployment rate stood at 32.3 per cent in 1997, but for the 15-24-age bracket it rose to over half (OECD, 1997: 101). In October 1998, a survey was reported in *Le Monde* which revealed that 42 per cent of young people between 22-29 both of whose parents were Algerians were without work, compared with only 11 per cent of their peers of native French origin. French government policy has recently identified the concentration of unemployed young men and women of North African origin in the suburbs of Paris and to a lesser extent other cities as a major national crisis.

Another example comes from cities in the Netherlands. A city whose golden age was based on trade, Amsterdam is now close to most definitions of a 'global city' (Sassen, 1991). Eighty-five per cent of jobs are now in services, with most of the recent growth in the consumer sector. Overall population decline has halted and Amsterdam has been highly successful in attracting new employment opportunities. However, the increase in the proportion of the population from ethnic minority origins is evident here too. The growth has been from 18.2 per cent in 1983 to 28.7 per cent in 1994. It is probable that some groups, notably the Turkish and Moroccan populations, have

grown in recent years by about ten per cent a year (Cross 1995: 54). These populations reveal very high unemployment rates. Robert Kloosterman (1995) records unemployment rates of 12 per cent for Dutch males in the city in 1994; 20 per cent for Surinamese and Antillians, 25 per cent for Moroccans and 40 per cent for Turkish men. Overall the unemployment rate for Turks in the Netherlands was 41 per cent in 1995 (OECD, 1997: 133). In fact the position is frequently much worse than these figures suggest. Migrants faced with job losses may simply drop out of the labour force altogether. Out of one hundred indigenous Dutch adults, 64 participate in the labour force and 62 are working. For Turks, out of every hundred only 44 participate and only 26 are working. Moroccans are similar (42 participating and 31 working) (OECD, 1997:133). Thus, in 1995, more than seven out of ten Turkish adults in the Netherlands were living outside the world of formal work.

Again, in the period from 1986 to 1993, the proportion of the population of Rotterdam classified as 'ethnic minority' rose by nearly 40 per cent to 21.3 per cent of the total (Kloosterman 1995). Whatever successes Rotterdam may have had in building a modern industrial city on its trading base, this has not been translated into employment opportunities for the minority population. Only one in five Turks and Moroccans aged 15-64 is working compared with 41 per cent of the Surinamese/Antillian population and 61 per cent of the Dutch. This exclusion from active labour force participation is a combination of exceptionally high unemployment rates, high levels of registered 'disability' and low labour force participation rates for Muslim women.

Finally, in Brussels the data show that 279,810 people out of the city's total population of 953,175 are foreign-born (28 per cent) and that there are similar patterns of unemployment, particularly among the young. In 1998, urban unrest occurred in areas of Brussels as it has periodically since 1991. On November 7th, for example, in Anderlecht (Brussels) which is a district with important populations of Moroccans, three days of rebellions of young people broke out following the police killing of a young man of immigrant origin. Large contingents of police repressed these revolts and the behaviour of the police was heavily criticised. The Minister of the Interior Vande Lanotte acknowledged the inherent racism of police officers but also spoke about 'armed gangs' and 'organised crime' to describe the young rebels. The Anderlecht events followed Forest and Molenbeek revolts in Brussels a few years before. These rebellions only occur in districts with important concentrations of

populations of immigrant origin, problems of unemployment and severe housing and environmental decay.

Three features stand out from this brief overview of selected western European cities. The first is the pronounced concentration of migrants and people of migrant origin in those parts of cities with the poorest housing and facilities. This is not a universal phenomenon but it is certainly widespread. It is caused by selective outmigration from the cities, by natural population growth (which is higher mainly because of age profiles) and by new arrivals. The phenomenon is certainly affected by government policies but rarely is it transformed. For example, in the Netherlands public housing policies have largely broken the link elsewhere between external ethnic origin and poor quality accommodation. The second feature is the economic distress caused by extraordinarily high rates of unemployment. Unusually, this has not affected continued inward migration, some of which concerns undocumented or 'illegal' migrants (see chapter 6). This may be because migrant networks are already well established. Finally, there is the issue of so-called 'ethnic divergence' or the fact that not all migrants and ethnic minorities appear to be affected in the same way. In fact, some groups appear to be able to take advantage of new opportunities, however limited these may be, while others find great difficulty in escaping from poverty. The social science literature on these issues has been rather fragmented but has some important messages.

5.3 Three views of modern cities

The fortunes of migrants in Europe have tended to be explained either by reference to cultures of origin, or to processes of racial or ethnic discrimination. Neither approach adequately accounts for the facts. It is not always true that so called 'first generation' migrants are the most affected by job loss; on the contrary, in some settings it appears to be a greater problem amongst those with more linguistic and cultural familiarity with majority communities (Cross, 1992). Similarly, while discrimination may be widespread and severe, it cannot be a complete explanation when matters have got so much worse in recent years, and when some migrant communities appear to be much more affected than others (Cross, 1994). Despite the rise of extremist political parties and movements, it is implausible to suggest that discrimination has grown so much worse than in the past and it is also unlikely that it is so *selective* that some groups are

almost unaffected. It is therefore largely to the US that one has to turn for more adequate explanations.

While it is uncontroversial to propose that many cities are undergoing a process of major social transformation, social science explanations in the US have tended to arouse furious debate with no one perspective emerging unscathed. And yet three of the most important appear compatible in accounting rather well for some aspects of the changing picture just outlined. For example, William Julius Wilson in a series of widely acclaimed studies has shown how forms of de-industrialisation have devastating effects in some cities as they remove the jobs on which the low-skilled previously depended (1979; 1987). A consequence of this process is the generation of social exclusion within clear spatial boundaries, or a process of ghettoisation. Social isolation, the growth of single parent households and declines in the quality of local leaders are all claimed to flow from these dynamics of urban change.

This analysis, which has led to the most plausible propositions regarding the existence of an 'underclass' of the socially excluded, has also triggered a renaissance in 'cultures of poverty' theory, in which the argument is that the values of some groups account for their poverty. This perspective has spawned a tranche of more individualistic theories of group pathology and underfunctioning (Murray 1991).¹ While these have proved politically powerful in legitimating right-wing ideologies on the growth in moral turpitude, from a social science viewpoint they have not proved particularly compelling.

Wilson was at pains to distance himself from theories of black poverty which concentrate on discrimination effects, whether through direct racism or indirect processes. He rails against race-specific policy as a consequence, but what has often been overlooked is that his is nonetheless a theory of *black* or *minority* poverty. The majority of the poor in the US are not black and none of Wilson's research concerns this phenomenon. The *ghetto poor* are the *black* poor. While some of the same processes may affect the white population of rustbelt cities, this does not lead to their concentration and segregation in spatially isolated zones of enduring poverty, or at least does not do so to anywhere near the same extent. Research on recipients of public assistance in Europe also suggests that those from the indigenous population only experience short spells of welfare dependence, but amongst the racially excluded the evidence from both North America and Europe is that dependence will be for much longer (Andress 1994; Habich, Headley and Krause 1991). The central mechanism of ghettoisation is the interaction of

group rejection and indifference with the severing of the ladder of opportunity represented by the availability of low and unskilled work. Work in one generation was the way in which education could be afforded for the next; education was the only way to circumvent - or at least curtail - the effects of discrimination.

So far it has been assumed that the argument of a 'mismatch' between jobs and people has most salience in areas or cities hit by de-industrialisation. In fact manufacturing job loss has occurred in almost all cities; what differentiates the more from the less successful is whether they have shown the capacity to replace secondary with tertiary sector jobs. While it is not true that *all* jobs in consumer and producer services require higher skill levels, it is the case that cities whose economies are strongly based on the tertiary sector will have a larger proportion of their employment base requiring higher levels of education than those which do not. Thus, ghettoisation and spatial segregation may be more a feature of global cities than in those whose fortunes are based on manufacturing and trade. Moreover, the relative effects of poverty will be greater in these cities since the new poor and the new rich come to occupy contiguous zones. In this sense, problems of relative deprivation may be higher in Frankfurt, London, Paris and Amsterdam than in cities that have not made such a massive turn towards a services-based economy.

The second view from across the Atlantic derives from a specific focus on these 'global cities'. In addition to the decline in the significance of manufacturing and the rise to dominance of producer services, Saskia Sassen (1989; 1991; 1994) argues that the hallmark of such cities is the growth in low-level service jobs, usually accompanied by short-term labour contracts, privatised services, part-time work, a growing dependence on female labour and general informalisation. Cities that are joined by the cybernetic highways of the electronic age are not just new sites of wealth generation; they are also the locus for new forms of labour-intensive services. The central point here is that this provides the perfect setting for new waves of migration. The ban on formal entry is highly functional for this new labour supply, because it means that workers, many of them women, are available at wage levels below the legal minimum. They are also constrained by their non-legal status to be docile, flexible and compliant. In other words, in this approach there is an explanation for why migration has continued to rise in conditions of high unemployment. The new migrants, many of them perhaps undocumented workers, are prepared to work in new low-paid jobs that have been spawned by the service economies.

Although the issue of social polarisation, or growing increases in inequality, in global cities has aroused considerable interest and controversy (Hamnett, 1994; Thrift, 1994), very little attention has been given to the *relationship* between the growth in marginal work and new migration patterns.² Yet the contours of the global city depend intimately upon this relationship. The figures for gross representation of migrants and minorities in the labour force might therefore be a composite of two quite separate processes. The first depends upon a process of *disqualification* or *mismatch* as some become rejected as appropriate workers because of educational deficiencies; the second process is one of *deregulation* as changes in the organisation and control of work itself lead to an increasing reliance on unorganised and informal labour. The central point is that there is no reason why these processes should not occur concurrently, since they have entirely different origins; the first is a change in the quality of labour demand; the second a transformation in the organisation of work. Although it is an empirical question yet to be answered, each may have a different spatial organisation. There is very little reason also for thinking that the two worlds of excluded and marginal labour will necessarily feed each other. Excluded legal labour cannot be a reserve army for the new employment, which depends upon levels of desperation made unlikely by welfare payments and other forms of social protection. It is much more likely that both will co-exist with only some overlap, probably in the form of female workers whose insecurity in the legal system makes them more amenable to informalised work. Seen in this light there is a relationship between the 'industrial migrants', or those brought in to prop up the manufacturing sector before its ultimate demise, and the 'post-industrial migrants', whose experience is the main focus of the next chapter.

A third line of thinking, often counterposed to that of Saskia Sassen, originates in research on the demographic transition of cities. Population outflows from cities have tended to exceed job decline in both manufacturing sectors and some branches of consumer services (Waldinger and Lapp, 1993; Cross and Waldinger, 1992). The result is new opportunities for migrants and minorities. Perhaps the most interesting aspect of this phenomenon is the economic space opened up for entrepreneurship and self-employment. Much of the study of 'ethnic entrepreneurship', as it is normally called, has been interested in the issue of ethnic closure, or the limitation of markets to those of the same ethnic group, and the curtailment on the possibilities of wealth creation in manufacturing and consumer services that such market limitation implies.³ In global cities, however, with generally buoyant economic conditions, opportunities

would be greater and the probability will rise that migrant entrepreneurship will become a stepping stone to greater financial security. Again, there is no reason to suppose that this process can be regarded as inconsistent with the other two; all three are facets of a new situation which will fracture the employment fortunes of the minorities in cities exposed to economic restructuring.

Aspects of this process were outlined in the section on 'ghettoisation' but it is important to stress this aspect of migrant adaptation. Too often the relative success stories have been ignored in favour of seeing ethnic entrepreneurship as only a second or third best option forced upon minorities as a way of escaping institutional discrimination. While this may have been one factor in initial moves to establish small firms, it cannot account for the current position. In fact, it can be argued that ethnic entrepreneurs are the pool from which transnational traders are recruited and these can be seen as at the forefront of new economic ties (Cohen, 1997). Transnational traders are those whose businesses are even more intimately dependent on networks than most traders. They represent in many ways an advanced, rather than retarded section of the business community since they show how ethnicity may be mobilised for economic advancement.

Debates within the 'ethnic business' literature have moved slowly from the assumption that the ethnic entrepreneur was only in the business of shielding himself and his family from rapacious racism, to the gradual recognition that he or she might also be making enough money to live quite well. Even in a more sophisticated form, however, the debate has focused on whether globalisation or ethnic networks were more significant in shaping economic activity (Light, 1996). While it would be a mistake to suggest that ethnic networks could not exist in a pre-globalised world, nonetheless they have been energised by the communications revolution, itself perhaps the most important strand in globalisation. In other words, ethnic networks are able to become so significant precisely because they operate in a globalised economy. The best approach therefore is not to see 'ethnic business' as a self-contained and second-rate form of capitalism but to entertain the proposition that it may represent an inchoate form of commercial activity on which a large proportion of the global economy will ultimately come to depend.

Ultimately the issue here is to get away from the assumption that all minorities are in the same economic location. In fact there are two quite distinct economic outcomes. The first is entrepreneurial, using cultural distinctiveness and transnational networks

to sustain forms of closure on which social mobility comes to depend. In generational terms, younger cohorts from communities in this position tend to do well at school and use these routes into higher locations (Cross, 1998). The point here is not to argue that the experience is without discrimination or hostility. Racial or ethnic violence, for example, may be focussed on minorities that are seen as successful and culturally exclusive. The other ideal type is much more oppositional to the state and to its agencies. In this experience, the fact of discrimination is far from being a basis for cultural mobilisation and much more a corrosive and disruptive lesson in social rejection and stigma. Only on the basis of this kind of analysis can we account for the remarkable variation that exists between the fortunes of so many groups in European cities.

5.4 Conclusion

Migrants in Western European labour markets have been profoundly affected by the economic changes of the last two decades. Manufacturing decline has had a disproportionate impact on those who migrated to uphold the old system. It has led to the separation of spatial zones in cities where some migrant groups are concentrated in conditions of growing poverty. Where this has occurred, Western European welfare states have often been active in muffling the negative impacts of these processes but nonetheless it has led to urban violence and processes of what has been termed 'ghettoisation'. It would be folly indeed to ignore these emerging trends and in this sense the recognition by the European Commission that policy initiatives are needed is very welcome.

At the same time, new forms of migration have emerged, particularly at the skilled and unskilled extremes of the market. Somewhat unexpectedly, the arrival of new unskilled migrants has occurred while high unemployment continues amongst those who arrived a generation before. In fact new migrants have not been in competition with the old because they have tended to be undocumented, and therefore in an entirely different position in respect of welfare payments and training opportunities. This has been largely possible because of the new job opportunities that have opened up in today's service economies. It is also these economic transformations that have allowed some minorities to cut for themselves a slice of economic action, utilising ethnic niches

made available by demographic changes and ever more exotic cultural tastes. The result of this has been a pattern of ethnic divergence. The European city today may well be on the way to becoming a 'majority-minority' space but it will not be one with simple social divisions. It is in this sense that the term 'ethno-class' appears to capture some of these complexities.

¹ We have deliberately avoided the controversy over the label 'underclass'. It is noticeable, however, that every serious social scientist when seeking to investigate the issues for which the term was originally deployed has agreed that *some* new concept is essential.

² Nearly all of the debate has centred on the issue of *social polarisation* or the hour-glass shaped class structure. In fact, even if there were not a relative decline in the middle class, there could still be a newly divided proletariat.

³ The issue has been whether 'ethnic entrepreneurship' is to be considered an avenue out of subordinate economic locations or whether, as the bulk of previous research argued, it is curtailed by the poverty and small size of potential markets.

CHAPTER 6

New migration: undocumented immigrants in Italy and Greece

In this chapter we deal with what in Chapter 1 have been defined as ‘immigrant encounters’ involving the bottom end of the ethnic claims range, namely the quest for ‘entry’ into the polity of newcomers deprived of any legal status. While the ethnic encounters discussed in previous essays involved a two-way interaction minority-majority, this encounter is largely one-sided for, being ‘illegal’ or ‘irregular’, the voice of newcomers is rarely heard, unless indirectly through the activity of local human right activists of good will. The key issue is the institutional (migration legislation) and socio-political (anti-immigrant parties, grass-root xenophobia) responses that European majorities have given to this issue. The theme will be analysed by exploring the case of undocumented migrants in Italy, in comparison with the Greek case and with some brief comment on other comparable situations.

6.1 New immigration countries in the ‘Fortress Europe’ context

Italy, Greece, Spain, and Portugal, formerly emigration countries, have since the 1980s started to receive a share of immigration into Western Europe (King and Rybaczuk, 1993: 177). They are the new European countries of immigration. Some common societal traits and the peculiar context in which they became the destination of immigration distinguish them from the traditional European countries of immigration such as Germany, France, The Netherlands and Great Britain (Freeman 1995).

In the well established narrative on post World War II European immigration, 1974 marks the year of the ‘great stop’, when many Northern European countries eschewed recruitment and tried, with little success, to facilitate the return of so-called ‘guest workers’ to their countries of origin. From then migration regimes in Europe have gradually but steadily grown more and more restrictive, culminating in the construction in the 1990s of what is generally referred to as *Fortress Europe* or a political and economic space with diminishing internal barriers but higher and higher walls to the outside world. The political and social upheavals in Eastern

Europe, and the dissolution of the Soviet Union, were events perceived as likely to lead to a new wave of large-scale immigration. This helped to construct Western Europe as a space besieged by South-North and East-West migratory pressures and in need therefore of new high and strong entry walls. In turn this has led to what is defined as the *securitisation* of migration (see, among many, Huysmans 1995); namely its treatment as an issue of national security and public order. Another characterising element of this new climate is the rising anti-immigration attitudes of the population at large and the ever more common incidents of xenophobic and racist violence.

In response to the so-called 'crisis of control' in the 1990s, the partially objective but also largely constructed perception of losing the capability of effectively controlling and stopping immigration, legislation and policies in Europe have started to converge toward a restrictive regime characterised by:

- rigid restriction on new entries amounting in practice almost to a 'no new entry' approach (with the exception of family reunion)
- more severe conditions for obtaining and renewing first level residence rights (residence permits)
- more rapid expulsion procedures (with more discretion devolved to administrative structures)
- a redefinition of the Cold War regime for the concession of asylum and an assumption of the growing numbers of *bogus* refugees with the consequent increasing likelihood that asylum seekers would be treated in the same way as economic migrants
- curtailment of social benefits provisions.

This restrictive approach is allegedly aimed at regaining control and fighting undocumented immigration (Cornelius *et al.*, 1994: chap. 1). On the other hand, the effectiveness of the measures undertaken in achieving these objectives is low and they actually create the conditions for the reproduction of clandestine entries (Amersfoort, 1996). Moreover, they have had a negative impact on the integration side. In principle a postulate of migration policy in Europe is that 'immigration without control is impossible, but control without integration is indefensible'. This is based on the implicit assumption that control and integration policies are independent from each other, which is not the case. The new restrictive control legislation and policies, by imposing more rigid conditions for obtaining and/or renewing residence

rights, have had the effect of weakening the position of those recent immigrants already living and working in European countries. Many of these people have but precarious residence rights or live in conditions of irregularity (which is different from full illegality)¹. The new laws of the 1990s have ended up pushing into illegality individuals that might have been helped instead to climb the ladder of residence rights toward *denizenship* and eventually full *citizenship*. Just to take one example among the many possible, the Pasqua Law in France (1993) is thought by many commentators to have contributed to the problem of the *sans papiers*. As synthesised in Cornelius *et al.* (1994:5), this created the most radical anti-immigrant agenda in contemporary Europe. It proposes as a solution to the alleged 'crisis of control' the following measures:

- the exclusion of asylum seekers and undocumented migrants from social service based on taxpayers' contribution
- the halt to policies for the socio-economic and cultural integration of immigrants and their offspring
- restrictions to naturalisation and a more exclusionary citizenship law discouraging permanent residence.

Of course, those radically opposing immigration and immigrants will also see their goals achieved by less integration.

This excursus on the general context of *Fortress Europe's* new migration policies was necessary to understand the context in which migration regimes evolved in the new European countries of migration. As latecomers they have been heavily influenced and conditioned by the experiences and demands of their Northern European partners. Leaving aside the important differences distinguishing one from another, Italy, Greece, Portugal and Spain, have some common characteristics. First, when immigration started they all had relatively high (when compared to those in Northern Europe) levels of official unemployment. Second, their economic systems were (and are) structurally characterised by the presence of significant shadow economies (ranging from 20 per cent to 40 per cent of GNP) and by dualistic labour markets.² Third, the initial stock of immigrants was formed through a variety of independent processes. In each countries the peculiarities of these processes were determined by their location (border areas) and/or the history of their international relations (colonies), but all of them shared one feature. Unlike for many countries in the north, immigration was not due to active policies of recruitment. Finally, in

the 1990s it became evident that in all these countries non-protected labour markets were becoming more and more dependent on immigrant labour.

In all the new European countries of immigration, immigration has quickly been construed as a pressing social problem, a potential flood. Accordingly, it has been addressed by restrictive legislation (though often accompanied by several regularisation processes). These countries have rapidly converged toward the restrictive approaches of their northern partners, despite the fact that there was and is a demand for immigrant labour in their economic systems. In none of them, however, has the stock of immigrants, at least as measured through official surveys, reached more than two per cent of the population.

While such convergence aligned the new countries of immigration in the south with the old ones in the north of Europe, they differ from the latter in one relevant respect. In a matter of a few years they became countries of immigration with restrictive entry policies without having developed, as Northern European countries did over decades, any framework of integration and anti-discrimination policies. This has produced a particularly unfavourable opportunity structure for newcomers. In this sense, they are *de facto* developing very exclusionary models of immigrant incorporation (cf. Castles, 1995: 295; Freeman, 1995: 896). Against this general background we now move to look more closely at the Italian case.

6.2 The migration regime in Italy and the marginalisation of newcomers

In 1989, after about a decade of immigration and before the first major amnesty (1990), there were in Italy about 490,000 foreigners with a regular residence permit (of which 67 per cent were non-EU citizens, 26 per cent EU citizens, and 11 per cent US citizens). Because of repeated regularisation drives, there is no statistical way to measure yearly inflows and the only more or less reliable figures are those of residence permits issued at the end of each year (see next page). Alternatively for the stock of immigrants one can use data from the population registry, whose validity is limited by the fact that not all legally residing immigrants register with it, and also that those who registered and left the country rarely de-register themselves.

Residence Permits in Italy: 1989-97

Years	Residence permits
1989	490,388
1990	781,158
1991	862,977
1992	925,172
1993	987,405
1994	922,706
1995	991,419
1996	1,095,622
1997	1,240,000
1998	888,111

Source: Ministry of Interior data re-analysed by ISMU (available at <http://www.ismu.org>).

Some comments are in order on the figure for 1998 reported above. The drop in their number is simply due to the fact that the 1998 figure has been cleaned (as of 15 April 1998) of the number of expired residence permits. This in no way ensures that their holders are no longer present in the country. The figure supplied by CARITAS for foreigners registered with the population registry for the end of 1998 is about 1,030,000, and its estimate of the total regular presence as of the same date is 1,200,000. So, as the next regularisation drive is about to start, it is reasonable to estimate the number of legal foreign residents at between 1 and 1.5 million, equal to about two per cent of the total population. Before the 1998 regularisation process, more reasonable estimates of the number of undocumented immigrants ranged from 300,000 to 500,000. From the first official figures it seems that about 270,000 immigrants have applied for regularisation in 1998. So the best assumption is that there are between 1.3 and 1.8 million immigrants in Italy today.

In the context of uncertainty and lack of hard information, various commentators were free to play the 'numbers game' and create an image of high levels of uncontrollable migration. A second common feature of this reaction was the assumption that immigration into Italy was mainly the result of 'push' factors in the countries of origins, and of 'stop policies' in Northern European countries. The contrary hypothesis, that it was also due to 'pull' factors present in Italy (e.g. the demand for immigrant labour from marginal segments of the labour market) was mainly disregarded or played down.

Italian migration policy, at least until the adoption in 1998 of a new migration law, has been one which in Italian is defined as '*la cultura dell'emergenza*', namely a series of *ad hoc* legislative initiatives responding to the issue rather than trying to *govern* it by establishing a coherent policy and legislative framework. In this unsystematic process of regulating migration, it has become clear how the construction of immigration as a pressing problem (the flood) and restrictive policies have reinforced each other over time. Moreover, the rapidity with which restrictions to legal entries were imposed has created a situation conducive to a consistent inflow and presence of *undocumented* migrants. As early as 1982, the Ministry of Labour, by an administrative measure, stopped granting labour permits. This cessation lasted four years, while immigrants continued to arrive from countries where no visa was necessary for entry. Since the highest intake of immigrants took place between 1984 and 1990, it is reasonable to assume that this measure contributed to creating a large pool of undocumented migrants. Subsequent laws (N. 943/1986; N. 39/1990), while attempting without success to construct a general framework, mainly reinforced the restrictive policy on legal entries.

This characterisation of Italian migration policy would be incomplete if we did not stress another very peculiar element (observable also in the other southern European countries). This is the contradictory mix of increasingly restrictive measures on new entries together with liberal provisions for regularisation. Regularisation processes in Italy have followed the 1986 law, the 1990 law, and the 1995 restrictive governmental decrees. When the centre-left government presented the new migration bill in February 1997, known as the Napolitano/Turco bill and adopted in March 1998, it declared that no new regularisation would follow. Yet, events forced a fourth regularisation drive in early 1999.

This mix of restrictive laws followed by amnesties appears irrational. It might have been wiser to allow some opportunity for legal entries but resort less to regularisations, especially because the latter also have some negative effects. First, though regularisation allows immigrants to improve the legal basis of their presence, it also contributes to immigration being construed as a serious social problem requiring a dramatic response. For a number of days newspapers and television companies concentrate on the long queues of immigrants outside police buildings and the sporadic incidents occurring there. In this way, individuals who may have arrived over a number of years are all of a sudden presented as an invading army. Second, regularisation is presented

as 'legalisation', thereby implying that the people involved are deviant characters. In the large majority of cases, they are individuals who have simply been making an honest living. Third, it fosters the perception of state weakness and incapacity to control its borders thereby providing arguments for anti-immigrant political operators. Finally, it reinforces the dichotomy 'documented-undocumented' and contributes thereby to the social construction of the latter as something undesirable and dangerous. When added to a weak socio-economic position, this policy context has produced an extreme marginalisation for new immigrants in Italy. Indeed we are confronted with an increasingly criminalising discourse on immigration and with many manifestation of xenophobia, especially since the new Albanian wave of migration in 1997. This is not only at the grass-root level, but also at the political level and in particular in the statements made by local authorities (especially mayors). Some examples will demonstrate these phenomena.

The first ten days of 1999 in Milan were characterised by a series of killings (one every day). The last one involved the killing of a young tobacco shop owner during a robbery which triggered protests by the local population, scores of newspaper articles, discussions on all national television channels, and an emergency meeting between Milan's Mayor Albertini and Prime Minister D'Alema. No witness could identify the perpetrators as *extra-comunitari* (the Italian expression for non-EU citizens), yet all the subsequent discussions and activities were not about criminality as such, but about the link between criminality and migration. The issue was soon used by the centre-right opposition and by the Northern League to organise anti-government demonstrations where one of the major objects of protest was the new 1998 migration laws which were considered too permissive. Mayor Albertini, as well as other local administrators, have since gone to New York to be advised by Mayor Giuliani on his 'zero-tolerance' policy against crime. At the end of January and during February 1999 the alleged rise of the *Albanian Mafia* in Italy was a recurrent topic of in-depth reports in newspapers and magazines. To a lesser extent Maghrebian immigrants have also been the target of this criminalisation discourse.

By contrast it is important to examine three events which occurred in the summer of 1997. On the night of July 19th at the 'Murazzi', a river front with pubs and discos on the Po river in the city of Turin, after a street fight between a group of Italians and Moroccans, Abdellah Doumi, a 26 year old Moroccan, fell into the river. As he was trying to haul himself out of the water he was hit by bottles, cans and other objects

thrown by Italian youngsters watching and laughing at him. He fell back and drowned. The event did not elicit a large coverage in the major newspapers and the fact was explained as the result of drunkenness, complemented by the speculation that the victim was a drug dealer. A few days later on the outskirts of Milan in the neighbourhood of 'La Barona' (July 23rd) three young Moroccans (17, 19 and 23 years old) were attacked by a group of six or seven Italian youngsters on scooters who threw petrol bombs at them. Again, this event received little coverage in the press, there was no major manifestation of protest and little willingness to talk about racism which may have been a central factor. The interpretation was that it was a showdown between rival criminal gangs.

A completely different reaction was aroused in the middle of August 1997 when in the tourist resort of Rimini four young women (two Italian, one Swiss and one French) were victims of rape or attempted rape by *extra-comunitari*. A new wave of anti-immigration campaigning started at the local level and was picked up and reflected nationally. The parliamentary opposition, engaged in obstructing the approval of a new immigration law, suggested that there were one million undocumented immigrants present in Italy and called upon the citizens to protest against the government. The then Prime Minister, Romano Prodi, had to interrupt his vacation and meet the Minister of the Interior Giorgio Napolitano over the 'immigration emergency'. But the most radical and xenophobic position was that taken by the Mayor of Rimini, Giuseppe Chicchi (a member of the Democratic Party of the Left). Chicchi called for the introduction of a form of regional passport to allow local administrators to fight immigration and criticised the government for its lenient expulsion policy. After this view was expressed by a representative of the left, mayors of cities administered by the centre-right felt it more legitimate to promote an anti-immigration stance. The difference between the attention received by the first two episodes where immigrants were victims, and the last one where they were the perpetrators is evidence of systematic bias.

Empirical research also indicates that immigrants in Italy are frequently victims of violence perpetrated by Italians. A recent research report shows, for instance, that in 1996 violent acts against immigrants occurred on average every day 1996.³ The above episodes or data from empirical research cannot be used to draw judgements such as 'Italy is a racist country' or 'Italians are more racist than the Dutch'. This is not only because of a lack of more extensive empirical evidence but because racism or xenophobia cannot be imputed to a country. What one can say is that different paths of inclusion-exclusion, and different

national and local immigration policies, can lead to higher or lower rates of racism and xenophobia and to different forms of these phenomena. This is precisely what we are suggesting for the Italian case. In the absence of a powerful political lead against racism and xenophobia and appropriate policies, any time an immigrant commits an offence it automatically fuels a process of generalised criminalisation of immigrants, thereby making it harder to develop public support for positive political initiatives.

Before moving to look briefly at other cases, one final observation deserves to be made on the Italian case. When particular events trigger a wave of public opinion against immigration, the direct voice of immigrants - whether legal or undocumented - is hardly heard. Their interests are defended indirectly by three agencies, all of which are crucial elements of Italian civil society - the Catholic Church, the trade unions, and the NGOs. While their initiatives are positive this indicates an emerging model of incorporation, namely a paternalistic one in which immigrants' claims can be heard as long as they come from these three mainstream 'indigenous' social institutions.

6.3 Comparative perspectives

The first case we take is that of Greece, a country monitored in 1998 by the *Ethnobarometer Programme*, which is also a new European country of immigration. By way of introduction to the Greek case, it is important to stress the predominance of a restrictively ethnic definition of the Greek nation, both in legal terms and in symbolic discourse about the nation. One can be Greek only if he/she has been born of Greek parents, either on Greek territory or abroad. Ten years of residence are required for naturalisation. Application of *jus sanguinis* and 10 years for naturalisation are also characteristic of Italy and Spain. But Greece is characterised by a radically ethno-national definition of the political community. Italy, and to a greater extent Spain, both recognise collective rights for the national minorities present in their territory. Despite the presence of national minorities in Greece (Turks, Pomaks, Albanians, Macedonians), the established self-definition in Greece is that of a single nation ethnically, religiously and linguistically homogenous. Minorities and minority rights have been and are perceived as a threat to the purity, the continuity, the integrity and the security of the Greek nation and state. The Greek approach to minority issues is by and large one of denial.

While immigration started in the late 1970s, it is only after 1989 that it reached relevant quantitative dimensions. Immigration into Greece has originated mainly from former socialist countries (Poland, Albania, the former Yugoslavia and the former Soviet-Union). There is also, however, a relevant inflow through the 'Turkish route' mostly consisting of Kurdish immigrants, but including others from Asian and African countries. Some of the immigration affecting Greece is actually transit migration of individuals eventually aiming to reach Italy and other European Union countries.

Until recently migration has been almost entirely disregarded administratively, for Greece there are no official data. The official estimate of the entire stock of immigrants (documented and undocumented) is 500,000 which - if true - would correspond to 5 per cent of the total population. This is probably an inflated estimate.

To a larger extent than in Italy, immigration in Greece is undocumented and immigrants are mostly employed in the shadow economy estimated as accounting for between 30-50 per cent of GNP. Undocumented labour is now crucial for the survival of sectors such as agriculture, tourism, and construction. Undocumented migrants also work as sailors on Greek merchant ships, while women (mostly Philippino) are frequently employed in the domestic service sector.

With much delay with respect to the other new countries of immigration, it was only in 1998 that the Greek state made the first serious and comprehensive attempt to regulate migration. That year is a turning point for the 'migration issue' in Greece, as it became a very heated national-level political question for the first time. There had never been any major legislative basis to regulate the status of immigrants in Greece, other than the administrative rules and practices of the Interior Ministry. The acquisition of Greek nationality (an unlikely possibility for immigrants) remained the only way to access any civic, social or political rights. Before 1998 immigration had not been an issue for parliamentary debates, or for the programmes of major political parties.

After almost a decade of human rights violations perpetrated by bureaucratic structures, and embarrassingly (for Greece as an EU member state) publicised by international organisations, and rising xenophobia and racism with many violent incidents, the Greek government has been forced to act. Several presidential decrees in 1998 initiated a regularisation process for undocumented immigrants who arrived in Greece no later than 31 December 1997. For almost all of 1998 immigrants could register to receive a so called 'white card', or residence permit for temporary stay. Later

they can apply for a 'green card', or a residence permit lasting three years. These were the first residence rights established for immigrants in Greece, and should have been further confirmed in a new general migration law expected to be approved in 1998 but still under discussion at the present time in parliament.

The goal of the amnesty was also to gain some objective information on the size of the phenomenon and its characteristics. After the first months of the process, however, the number of immigrants applying was well below government expectations and the deadline was extended. While official results of the process are not yet available, it seems that most immigrants are wary of 'encounters' with the Greek bureaucracy, which indeed has given proof of ruthlessness several times in the past as well as in 1998.⁴ Moreover, several immigrants reported that they were fired immediately after receiving the 'white card'.

In 1998, migration became the subject of heated national debate, in part as a result of the new governmental action but also as a result of developments originating at the grass-roots level. As in the Italian case, these bore the features of a criminalisation of immigrants and were indicative of rising levels of xenophobia and racism. Especially in the border zone with Albania, but also in other areas of Greece, the local Greek population has started to take violent action against rising crime imputed to immigrants. There have also been cases involving policemen allegedly colluding with criminal immigrant gangs. These events triggered a full-scale investigation into the police and some departments of the Interior Ministry. As the months went by this situation, reinforced by the emotional perception that Greek citizens are not even protected by their police, fed public opinion with xenophobic attitudes and led to the emergence of a basically xenophobic and racist debate.

The process started with the 'right of self-protection' argument, necessary because of police corruption and apparent co-operation with criminal immigrants. This was first advanced by the newly established 'All-Greek Association of Robbed Citizens' (AGARC) whose leaders, appearing on national television at prime time in April 1998, declared that immigrants (mostly Albanians) are to blame for rising criminality and should all be expelled, except those strictly necessary and with legal residence. In the public opinion campaign triggered by these events and by the activities of the AGARC, the 'right of self-protection' argument and the generalised criminalisation of immigrants were widely supported, even though racism was until recently rejected as a characteristic of Greek society. Right-wing deputies have argued that the immigrants

are to blame for racism and that closing one's eyes to criminality is more dangerous than xenophobia and racism. This process soon involved national and local level authorities. The Interior Minister G. Romeos went so far as to declare publicly that Greek citizens are worried and have the right to self-protection. He also suggested that immigrants are mainly to blame for the rise in criminality. In April, for instance, the local authorities of the village Amarynthos-Chalkida issued an ultimatum demanding that all undocumented immigrants leave within 8 days. In a small village in Greek Macedonia (Palaio Keramidi) the local authority issued a decree in March forbidding Albanians to circulate in the streets after sunset. In various other villages alcoholic beverages are forbidden to immigrants. Last but not least, in this wave of xenophobia and racism, neo-fascist nationalist organisations are evident and have organised several anti-immigrant events. It is not surprising then, given this context, that the new law on immigration remained trapped in a heated parliamentary debate.

Fortunately, this explosion of racism and xenophobia has also elicited a more positive reaction. The more liberal press has tried to counter-balance the negative media coverage, while various anti-racist demonstrations have been organised in Athens and other major towns, supported by both Greeks and immigrants. The 'Network for Social Support of Refugees and Immigrants' (a network of NGOs close to the extra-parliamentary left) opened 'Immigrant's Place' a non-profit agency to provide immigrants with advice and legal help, as well as with a place to meet.

The Greek case presents the same 'pathological' elements observed in Italy but perhaps to a more extreme extent. Particularly evident is the fact that the precarious rights of immigrants, rather than being the result of increasingly restrictive legislation have been caused by an almost complete absence of any legislation (until 1998). This has led to a much more virulent explosion of racism and xenophobia than in the Italian case. On the other hand, this same situation has stimulated the emergence of an open national debate together with the mobilisation of anti-racist forces. The latter has been lacking in Italy.

Finally, for the purpose of comparison, we shall look briefly at the experience of a country with a long tradition of receiving immigrants and with an established model of incorporation. The French case is especially interesting, particularly the issue of the so-called *sans papiers*. France has such a long history as a country of immigration that it is clearly beyond our scope to give even a summary version. The basic immigration law of France, still in force today, is the 'Ordonance du 2 novembre 1945' issued by General

de Gaulle. Since then this statute has been modified 25 times, the last being on 11 May 1998 with the Chevènement Law. As in all other European countries, starting in the 1980s and especially in the 1990s, France has converged toward a more restrictive policy approach. In particular, under the centre-right governments during the first part of the 1990s, the Pasqua Law (1993) and the Debre Law (1997) significantly tightened regulations for entry into France and also for granting residence rights. These two laws greatly contributed to creating the issue of the *sans papiers* and have been at the centre of a heated national debate between anti-immigrants and pro-immigrants lobbies. During the campaign for the 1997 parliamentary elections, immigration was high on the agenda of all political parties; in particular the current Prime Minister, Lionel Jospin, promised to change the policy approach and abolish the 1997 Debre Law. After his victory, a new national debate on immigration started, particularly after the social scientist Patrick Weil was commissioned to prepare a report on immigration and nationality with proposals for new legislative initiatives.

Throughout the period 1996-98 the migration field in France was characterised by very active movement of *sans papiers*, strongly supported by NGOs and by a large number of public figures such as intellectuals, artists and movie stars. They occupied churches, went on hunger strikes, refused and blocked expulsions, and as a result achieved some significant changes to current policy. On 22 March 1996, about 300 undocumented immigrants from African countries occupied St Ambroise Church in Paris and requested residence permits. After several forceful expulsions by the police, the group finally occupied St Bernard Church. Eventually they were expelled by force on 23 August 1996 in an event shown on world-wide television programmes, with not only immigrants being removed but also well known movie stars. Supported by human right activists, (extreme) left movements and pro-immigrant associations, the movement provoked similar events throughout France. The government (at the time a centre-right coalition) promised that every case would be examined benevolently. Of 205 requests for permission to remain, only 22 were finally accepted and were given a one-year permit to stay. All the others were invited to leave French territory within one month. This decision provoked the indignation of a large sector of French public opinion.

The lobbying movement continued after the newly formed Jospin Cabinet took office. The new Interior Minister Jean-Pierre Chevènement nominated a number of mediators (selected among senior civil servants and representatives of human rights

associations) who met with the leaders of the *sans papiers* movement to discuss the situation. After these preliminary steps, the government decided to regularise the position of a number of categories of the *sans papiers*, on the basis of criteria established by the National Commission on Human Rights. On 24 June 1997 the Ministry of the Interior issued a *Circulaire* to the prefectures for the regularisation of 11 categories of undocumented immigrants.⁵

These 11 categories were established on the basis of two principles. First, preference was given to those who had been turned into 'illegal' immigrants by the previous legislation and who, at the most, could be defined as 'irregular'. Second, they clearly favoured families and were more restrictive toward single individuals. Unfortunately, this suggests a 'suspicious approach', as the single foreigner is the most classic archetype of the 'dangerous foreigner'. Between 26 June and 31 October 1997 (the deadline) about 177,000 requests were presented for regularisation, which was well beyond the Interior Ministry's expectations. In fact, because of the presentation of double the applications, the actual number of individuals making requests was about 150,000. In November 1997 the first results are disclosed: 6,200 applicants were granted a residence permit and 4,900 were refused, or 55 per cent and 45 per cent respectively. The cumulative update to January 1998 shows a similar but slightly more negative (for the *sans papiers*) pattern: 23,000 acceptances and 22,000 rejections. Preliminary data also confirm that families are privileged over single individuals. As a result of the high number of refusals, the protest movement of *sans papiers* and of French associations, intellectuals, artists and movie stars resumed with more strength. Various churches were again occupied, while various attempts at deportation were boycotted at the Paris airport of Roissy. In April 1998, *Le Monde* published a petition signed by various public figures asking the government to regularise all those who applied. Similar demands began to be made by the Communists and the Greens (two parties supporting the government) but also by some members of the Socialist Party. In May and June there were several demonstrations in the streets of Paris in favour of the *sans papiers*. In July the government again promised that all appeals would be looked into benevolently.⁶ Finally under increasing pressure, on the 10 and 19 of August the Ministry of the Interior sent two new *Circulaires* to the prefectures asking them to soften the criteria for regularisation on a number of counts (i.e. proof of financial resources, proof of stay, length of stay, etc). The Ministry forecasts that the softening of the criteria will allow the regularisation of an extra 10,000 to 15,000 undocumented immigrants.

The preliminary results of the process, including the result of appeals, indicate that about 90,000 residence permits were granted while 60,000 applications were rejected, or a 6:4 ratio which represents an improvement with respect to those cases settled before the August 1998 *Circulaires*. In general, it can be concluded that the *sans papiers* movement has been a striking case of successful mobilisation for entry into a polity. Without indulging in a facile comparison between new immigration countries (Italy and Greece) and a traditional immigration country (France), it is nonetheless unavoidable to conclude that a sharp difference emerges. The active self-organisation of *sans papiers* in France, as opposed to the almost complete lack of a direct and autonomous voice for immigrants in Italy and Greece, is striking. While it requires further analysis and investigation, our preliminary hypothesis is that this difference is shaped by the different models of incorporation of immigrants in the three countries. In France there is a long established and carefully constructed model, as opposed to the *ad hoc* emergence of mechanisms of incorporation in Italy and even more so in Greece.⁷ In the repeated amnesties occurring in Italy, and in the one launched in Greece in 1998, a degree of reluctance to emerge from clandestine status has been evident on the part of the immigrants. This is partially due to their informal employment and partially to the mere fear of encounters with the bureaucracy (particularly Greece). It might be suggested that immigrants in these cases have learned rapidly to distrust the state institutions and are content to make a living in the context of as little regulation as possible. They do not yet think in terms of rights they might aspire to gain. On the other hand, the vehement *sans papier* fight for residence indicates that having rights has been internalised as the main and only path for secure incorporation in the French system.

6.4 Conclusions

In these conclusions we will first abstract the issue of entry claims from the concrete empirical cases analysed above, and then go back to the Italian case to discuss the new 1998 migration laws and their possible effects. First, we want to re-state the point that restrictive migration policies have negative effects on the integration side. While a policy of open borders is a dangerous utopia, and governments must reassure their citizenry that they are in control, they should also make efforts at flexibility and

creativity to avoid the situation where new legislation pushes into 'illegality' individuals and families already making an honest, though precarious, living within their societies.

Starting in the 1980s in various fields of the social sciences we have witnessed a renewed interest in the concept of citizenship. In the 1990s, a number of authors have focused on the more specific theme 'immigration and citizenship' (see among others Bauböck 1991, 1994a, 1994b; Brubaker 1989; Castles 1994, 1995; Kymlicka 1995; Martiniello 1994; Soysal 1994). In various ways and from different positions, these contributions have pinpointed the embarrassing contradictions between the general principles on which liberal democracies rest and the illiberal migration legislation and policies of recent years. As illustrated by Martiniello (1994), in the member states of the European Union today there is a hierarchy of legal statuses (and correspondingly of access to the various citizenship rights) including from top to bottom the following categories:

- nationals
- foreigner residents, nationals of other EU member-states
- *denizens*, nationals of non-EU countries with secure and permanent residence rights
- nationals of non-EU countries with less secure and limited (subject to renewal) residence rights
- undocumented immigrants.

Realistically this hierarchy of statuses is here to stay for a long time still, not only because of the unfavourable public opinion and political attitudes, but also because maintaining firm boundaries is one of the few elements left to give substance to the idea of the national state. Yet, even accepting this situation as a given, it is reasonable to argue, as Bauböck does (1991; 1994a; 1994b), that liberal democratic states should: a) help immigrants climb the ladder of legal statuses and b) reduce the differences existing, in term of access to rights, between each status. The latter means regularising the position of irregular and undocumented immigrants, rendering more secure the residence rights of legally resident immigrants and avoiding the situation whereby new restrictive laws push them back into 'illegality'. In addition, there is a strong case for enlarging the rights of *denizens* by granting them, for instance, voting rights at the local level. One of the few non-controversial facts in the field of migration is that the recent restrictive policies and laws have achieved scant results. They have only marginally curbed new undocumented inflows and have not reassured nationals among whom

anti-immigrant xenophobic attitudes remain high. This brings us to our second general consideration.

Restrictive migration policies, presented by many as unavoidable measures to neutralise mounting xenophobia and anti-immigrant parties, are as much a cause of such phenomena as they are a response to them. They implicitly legitimise xenophobic attitudes and policies. Moreover, they symbolically and legally reinforce and reify the divide between 'legal' and 'illegal', thus reinforcing the social construction of immigrants as potentially dangerous deviants. The more migrants are inserted within a legal rights-based framework, the more they will be able to participate normally in social life, and the less they will be perceived as an alien and dangerous element.

Third, new countries of immigration, for a variety of reasons, are developing very exclusionary incorporation models. They have converged toward restrictive policies without having ever having established comprehensive integration and anti-discrimination policy frameworks and instruments. This situation must be readdressed to avoid increasing tensions.

The new immigration law adopted by the Italian Parliament in 1998 (No. 40, 6 March 1998) has been presented and repeatedly defended by the centre-left government as the first legislative measure ever attempted in Italy to end the '*cultura dell'emergenza*'. The law is, in fact, the best example of the principle '*no immigration without control, but no control without integration*' as it contains restrictive and some illiberal control measures as well as quite liberal provisions for the full integration of immigrants. It is also the best example of how this principle is shaky, since some of the restrictive measures actually undermine the provisions contained in the integration section.

Besides the strengthening of immigrants' right to family reunion, the most innovative (relative to the Italian context) and positive provision is the introduction of the *carta di soggiorno* (residence card) which in practice establishes the legal basis for *denizenship* as it entitles the beholder to wide-ranging civil and social rights such as :

- the possibility to exercise any legitimate activity
- re-entry without visa requirements into the national territory
- equal (to nationals) and full access to government subsidised housing
- equal and full access to free education
- equal and full access to public health services.

The integration side of the law also contains several anti-discrimination measures and

lays down for the first time some very general principles for an incorporation model which can be characterised as a form of ‘inter-cultural integration’.⁸

There is little doubt that at first sight these measures look quite progressive and would certainly contribute to making the presence of immigrants in Italy less *informal* and more secure. Yet some of the measures contained on the control side of the law actually undermine this effort. First, the residence card can be issued only to those who have been residing legally in Italy for 5 years. This leaves out many individuals who have been living and working in Italy since the mid-1990s but because of lengthy bureaucratic procedure have received their residence permit only much later.

Second, the residence card also requires that the applicant achieve a minimum criterion of income in relation to the number of persons in his or her family. This criterion, which inevitably will not always be clear-cut, will have to be ascertained and applied by an administrative structure such as *La Questura*, that is the police. The same requirement of financial resources also applies for the renewal of the simple residence permit. So, while according to the law an immigrant losing his or her job does not automatically lose a residence permit, when he or she applies for renewal of the permit and does not have enough financial resources, the request will be rejected. Thus, in fact, the law continues to address immigrants mainly as workers rather than as individuals entitled to some basic rights no matter what their economic well being may be.⁹ This means that immigrants finding themselves temporarily in difficult economic conditions will be pushed back into ‘illegality’, and the path to citizenship will be blocked.

Third, the residence card and the residence permits can be revoked immediately if the holder is even simply charged with certain categories of crimes, without waiting for the end of the trial. It must be noted that among the crimes indicated there are also several of which one can be accused and brought to trial simply on the basis of being denounced by another individual. So an immigrant could temporarily lose his or her residence card because of what might in the end turn out to be mere defamation. Again we see how measures inspired by the imperative of control and by the necessity of appearing ‘tough on illegal migration and criminality’ end up undermining immigrant integration.

¹ Because of the legislative and bureaucratic complexities characterising the regulation of immigrant residence and working rights in most European countries, and due also to repeated changes in such regulation, it is not uncommon to find cases of individuals with regular residence permits but working under irregular premises, or viceversa.

² Two of the major lines of segmentation, mostly matching each other, are the dimensional one (large corporations/small and medium sized firms) and the welfare protection one (socially protected versus unprotected employment).

³ The research was conducted by in the Sociology department of the Faculty of Communication Sciences of the University 'La Sapienza' in Rome (*Più di uno al giorno. Atti di violenza contro gli stranieri nel corso del 1996: analisi di 20 quotidiani italiani*). The study represents a census of all acts of violence perpetrated against foreigners in Italy through the scrutiny of 20 Italian newspapers.

⁴ As reported in *Eleftherotypia* (14 May 1998), for instance, a Tunisian immigrant legally residing in Greece (in Crete) was arrested and expelled simply because he dared lodge a complaint against two Greek citizens who, as he claimed, had beaten him. In the Summer of 1998 Amnesty International protested against Greek authorities over alleged violation of human rights for undocumented immigrants waiting for deportation in prisons (instead of temporary camps) in some cases up to 16 months. In August some of these immigrants detained in the Drapetsona prison started a hunger strike.

⁵ These categories are: 1. Spouses of French nationals; 2. Spouses of legally resident foreigners; 3. Spouses of refugees; 4. Foreigners having started their family in France long before; 5. Children older than 16 who arrived in France outside of the family reunion procedure; 6. Parents of children born in France; 7. Children who joined their parents in France, outside of the family reunion procedure, before they were 16; 8. Single individuals, who have lived at least 7 years in France or who at some time in the past held regular residence permits; 9. Individuals who do not possess refugee status but whose life would be in danger if repatriated; 10. Ill individuals, whose health problems do not allow repatriation; 11. Students;

⁶ After being refused regularisation, applicants have three degrees of appeal: 1. out of court settlement with the prefecture; 2. disciplinary complaint with the Interior Ministry; 3. litigation in the *Tribunal Administratif*.

⁷ A further negative factor in Greece not present in Italy, is the radically etno-nationalist concept of the nation.

⁸ The original proposal also included for the holder of the *carta di soggiorno* the right to vote and be elected in local elections. This provision was soon dropped (the government promised a separate law, so far entirely absent from the parliamentary agenda) in the face of radical opposition in the parliament.

⁹ From a normative standpoint the unfairness of this is clearly evidenced by the simple fact that unemployed persons are not deprived of their citizenship rights.

CHAPTER 7

Temporary migrants: the search for asylum

It is sometimes claimed that in moral terms those seeking the status of refugee have the strongest claims of all potential migrants. In fact, only a tiny proportion of asylum claimants ever achieve refugee status and very many never expect to do so. Increasingly those seeking sanctuary are not individuals opposing repressive regimes but whole categories of peoples fleeing from ethnic repression, many of whom have no political ambitions or interest whatsoever. Their only offence is that they are thought to belong to a despised ethnic group which others wish to purge from territories they control. Those removed in this way are amongst the weakest applicants for entry that one could imagine, often stripped of all they possess, half starved and decimated by violence and exposure. They are nonetheless the products of ethnic conflict and their presence, together with those whose plight is more orthodox, represent a major challenge to western governments. In particular, they raise the crucial question of how open and responsive rich societies are to those who are so desperately in need.

It is well known that, after peaking in the period 1990-91, the proportion of applicants granted asylum under the UN Convention has since fallen steadily, especially in the second half of the 1990s. The most common argument used to explain the fall in the rate of concession is that, with the cessation of alternative migration routes, a claim for asylum is the only option open to most people wishing to come to Europe. The implicit assumption is that many asylum seekers are in fact disguised economic migrants or, as they are also often termed, *bogus refugees*. Alternatively, it is argued that this change is the consequence of claimants whose individual circumstances fit less easily under the convention's restrictive codes. While there is no doubt that for some applicants the motive is a simple quest for work, and that others do not fit under the codes which were largely designed to accommodate dissidents fleeing communism, the greater part of the fall in the number of asylum claims accepted in Europe is the result of a more general political context. Basically, the political atmosphere has changed to one stressing opposition to further admissions, a reflection of which is the increasingly restrictive interpretation made within EU member states of Art. 1 of the 1951 Convention (ECRE 1995b, 1998).

As noted by a scholar studying asylum and migration from an international relations

perspective (Collinson 1993), in present day Europe to offer asylum no longer responds to a clear strategic and political interest. Between 1951 and the end of the Cold War there was much evidence that the concession of the right to asylum in Europe was based on ideology and foreign policy interests. This was well summarised by Zolberg with the famous saying that 'the enemies of our enemies are our friends'(1988: 219). Ironically these 'enemies of our enemies' in a matter of a few months between 1989 and 1991 lost access to the earlier benign asylum regime. In the changed context of post-Cold War Europe, asylum policies and regimes have converged toward the more restrictive approach characteristic of the construction of *Fortress Europe*.¹ Attempted harmonisation of asylum policies among member states of the EU has been occurring within the framework of the Schengen Implementing Agreement and the Dublin Convention, most often through intergovernmental negotiations characterised by a clear lack of democratic transparency (ECRE 1995b: 1; Rudge 1992). This state of affairs is manifested clearly in several EU level resolutions that do not observe basic safeguards and contrast with standards of international human rights provisions (for instance Art. 3 and 13 of the European Convention on Human Rights). Examples of these include the following:

- 1992 EU 'Resolution on Manifestly Unfounded Applications for Asylum'
- 1992 EU 'Resolution on a Harmonised Approach to Questions concerning Host Third Countries'
- 1995 EU 'Resolution on Minimum Guarantees for Asylum Procedures'
- 1995 EU 'Joint Position on the Harmonised Application of the Definition of the Term 'refugee' in Article 1 of the Geneva Convention of 28 July 1951 Relating to the Status of Refugees'.

The progression toward restrictive asylum policies has seen the increasing construction of barriers, starting with the introduction of visa requirements for nationals of countries from which refugees most often come, then continuing with the imposition of fines on airlines carrying undocumented asylum seekers, up to the introduction of the concept of 'safe third countries'² to avoid even an examination of asylum claims.

In other words, the current asylum regime and policies in Europe are characterised by several elements. First, the erection of barriers to entry, through border controls (sometimes carried out extra-territorially, when European border officials carry out pre-boarding checks abroad on passengers on Europe-bound flights), visa

requirements and airlines sanctions. Second, the unwillingness to grant full (as per the 1951 Convention) refugee status, resorting instead to a host of supplementary/surrogate categories and statuses of unclear duration and with limited rights to deal with a variety of 'refugee-like movements', which can be grouped under the general label of 'temporary protection'. Third, the restrictive interpretation of Art. 1 of the 1951 Convention and, fourth, a drive towards harmonisation (i.e. Schengen information system to avoid double applications) of review procedures, which could reduce the prospects for a fair review of applications as well as the chances for appealing against negative decisions. Lists of 'safe countries' and the concept of 'safe third countries' are part and parcel of this technocratic approach, as they automatically relieve the administrative review apparatus of the burden of a large number of cases. Below, after discussing briefly the problems of definition, we further develop on the second and third element.

It is well known that from a theoretical and conceptual point of view it is extremely difficult to make a clear-cut distinction between 'forced migration' (refugees) and 'voluntary migration' (economic migrants). Not only are individual decisions to move often determined by an intricate web of different subjective motivations, but also economic hardship and violence or persecutions often occur together (Zolberg 1989: 32-33). Yet, as rightly stressed by Pilkington (1998: 12), despite the fact that the grey areas between voluntary and involuntary migration are well documented in the academic literature, such distinctions persist and are reproduced in the interests of control in the receiving countries. Even leaving aside scholarly criticism of the distinction, and trying to define refugees in Europe in terms of legal categories, the situation remains quite unclear.

Unlike other part of the world (most notably Africa and Latin America), European countries do not apply a regionally-based definition of refugees, but stick strictly for all individual applicants to the definition in the 1951 Convention which entails the separate processing of each claim. As the procedure takes time, a first distinction is between asylum seekers and refugees. As a result of the second aspect of the new refugee regime in Europe mentioned earlier, when status is conferred the applicants very often do not receive a full refugee status but something much less secure. There are an increasing number of categories and statuses under which refugees can stay in a host country, enjoying only temporary protection. Perhaps the best example of this is the 'Duldung' status (temporary stay permit) granted in Germany and renewed or

withdrawn depending on the evolving conditions in the country of origin. Reasoning on these aspects and more in general on the new asylum climate in Europe, Joly *et al.* (1992) have proposed the following five types of refugees:

- 'Convention refugees' with full status under the 1951 UN Convention
- 'Mandate refugees', when claimants are granted the status by the UNHCR but not by the governments of host countries
- 'Humanitarian refugees', those granted a stay on humanitarian grounds but receiving less than full status
- '*De facto* refugees', individuals who are refugees in substance but have not applied for the status
- 'Refugees in orbit', individuals bouncing back and forth between states, some of which end up back in the country from which they escaped.³

The increasing differentiation in refugee statuses is the result of the unwillingness to grant full convention status and the resort to temporary protection, the second characterising element of the new asylum regime in Europe. This choice has been made possible by the strict application of the UN Convention codes which allows European states to refuse to grant full refugee status to individuals fleeing from situations such as civil wars and other instances of internal armed conflicts. The best and most evident case of this is the 1990s refugee crisis produced by the disintegration of Yugoslavia.

While the strict adherence to the individual review principle is arguable in its own right (see *infra*), given such a starting point, temporary protection can be seen as a reasonable administrative policy in situations of emergency, or when individual status determination is not immediately practicable. The administrative rationale behind temporary protection, as ECRE warns (1997), should not, however, be used systematically to erode in practice the more secure protection of the UN Convention. The handling of the Yugoslavia crisis by European states suggests that temporary protection is a strategy to appease short-term humanitarian concerns, as reflected in national and international public opinion, while not assuming any binding obligation for a long-term stay as might be entailed under the UN Convention. The same situation is currently being reproduced in the face of the new wave of refugees produced by the war in Kosovo.

Increasing resort to temporary protection is clearly related to the third characteristic of European asylum regimes, namely the restrictive interpretation of Art. 1 of the 1951

UN Convention, and particularly of Section A. In March 1995, the UNHCR issued the *Information Note on Article 1 of the 1951 Convention* warning that current interpretations of Art. 1, and guidelines issued in Europe to harmonise such an interpretation, risk contrasting with the 1979 UNHCR *Handbook on procedures and criteria for determining refugees status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees*. The new trend of interpretation of Art. 1 in Europe is restrictive and arguable on, at least, three counts:

- the concept of persecution, and more precisely the issue of agent of persecution
- the issue of ‘relocation within the country of origin’
- the issue of civil war and other forms of internal armed conflicts.

It is assumed in the review of asylum claims in Europe that the persecution leading to the granting of refugee status should be the result of state action (including local authorities). This is unfounded as Art. 1, Section A (2) of UN Convention does not specifically state that the persecution must come from the state. As a matter of fact we can easily think of many instances where agents other than the state carry out persecution, as well as persons the latter is unable to control.

Another trend in Europe is to refuse refugee status if an individual is the object of persecution in a well delimited area of a state and could find protection in other regions of the same state. This is also not supported by the letter of the UN Convention where the expressions used are ‘the country of his nationality’ or ‘the country of habitual residence’, while no mention is made of ‘limited areas of the country of his nationality’.

In the review process practised in Europe, whether or not the country of origin of the claimant claiming persecution is in a situation of civil war or other forms of internal armed conflict is considered irrelevant to the individual process of determination of the individual’s status. The solution in these situations is to grant temporary protection and not to consider the possibility of granting full status. During consideration, the determining factor in the decision remains the usual well founded fear of persecution based on one of the reasons stated in Art. 1 of the UN Convention. While it is true that the Convention does not provide a clear legitimate basis for collective granting of refugee status in such circumstances, nonetheless it does not state in any way that situations of generalised violence preclude the possibility of individual persecution. Therefore, even without making the legitimate claim that the UN Convention is outmoded and should be revised so as to include the collective granting of full status

under specific circumstances, a strict application of the Convention as it is does not justify the automatic denial of full refugee status to persons escaping a situation of generalised violence. Yet what has become the norm is to grant temporary protection on humanitarian grounds.

Reasoning at a more general level, the fact is that the rise in asylum applicants is a reflection of today's troubled world in which civil disruption, ecological disasters and 'ethnic cleansing' will inevitably prompt some to seek a way across the widening chasm between the rich and poor worlds. In this context, not only the restrictive trends in Europe appear increasingly illegitimate from a normative point of view, but even the more benign interpretation and application of the UN Convention itself appears increasingly outmoded as a basis for asylum claims. The basis for granting refugee status should be enlarged so as to include both individuals suffering in a situation of generalised violence because of membership in a group (i.e. in an ethnic civil war) and individuals who suffer from forms of discrimination and oppression not included in Art. 1 of the UN Convention. In respect to this latter point, the most obvious case is the increase in women asylum claimants. In some European countries women make up the majority of applicants but their chances of success are poorer than men because the type of persecution from which they are fleeing does not sit comfortably beneath the rubric of the UN Convention. The draftsmen of these codes, and they were mostly *men*, had in mind an individual whose legitimate rights of protest were being stifled by repressive regimes. They did not consider that women as a group might be subjected to forms of oppression on gender grounds whose impact on life experience might be just as oppressive. In principle a moderate revision of the UN Convention could consist of the specification of circumstances (i.e. generalised violence on ethnic grounds) and the listing of particular settings where the granting of refugee status becomes possible (e.g. where there is well documented proof of oppressive and discriminatory treatment of women or of sexual minorities). This would allow the granting of refugee status to individuals arriving from such circumstances/countries simply by ascertaining their membership in the group which can be reasonably assumed to be the object of persecution, discrimination, or oppression. In other words, if refugee law is intended to protect individuals from oppressive conditions and these are increasingly imposed on the grounds of group membership, rather than of individual conduct or belief, then the scope of the legal conventions must be widened to reflect this changed reality.

A final issue worth discussing within the context of EU asylum policy is its relation with the process of EU eastward enlargement (to Hungary, Poland and the Czech Republic) (see ECRE 1998). The EU enlargement process has produced as a by-product an increasing focus on immigration and asylum issues in the Associated States. This is in general a positive result, as the pressure from EU officials has facilitated the adoption of urgent legislation in these states. The interaction between the EU and the governments of such states, however, has focussed excessively on the imperative to crackdown on illegal transit migration, to the point where it might appear that enlargement will bring with it the export of *Fortress Europe*. One of the key issues has been the application of the 'safe third country' principle with re-admission agreements between the EU and the Associated States, and between the latter and other Eastern European states and former Soviet Republics (most notably Ukraine). This process, one of whose goals is the creation of buffer zones to insulate EU member states from further migration, disregards to a large extent the issue of basic safeguards in relation to the context of both the Associated States and their neighbours. Many negotiations and training programmes toward the Associated States concern issues of migration control, while far fewer resources are devoted to asylum and to the transfer of skills and practice on the fair treatment of asylum seekers. The fact that the Associated States have rushed to adopt immigration and asylum bills under EU pressure does not in any way ensure that they already have the experience necessary to handle asylum application fairly, and especially to accommodate claimants waiting for a decision in reasonable ways. The same holds true for other Eastern European countries hurriedly denied as 'safe third countries', to which many asylum seekers are re-admitted once they arrive in Hungary, Poland and the Czech Republic. As a matter of fact, EP correspondents in the region have signalled several instances in 1998 of unfair treatment of asylum seekers in these countries, confirming that the failure of EU policies in terms of respect for human rights are being reproduced elsewhere. This can be illustrated by a brief reference to the Hungarian case, which is even more telling as Hungary is recognised internationally as one of the Central European country scoring highest in human rights standards. Hungary signed the UN Convention in 1989, but with a limitation in practice excluding non-European asylum seekers. In the late 1980s, the first inflow of asylum seekers consisted of ethnic Hungarians fleeing an outburst of ethnic tensions and open conflicts in Romania. Since 1991, temporary protection has been offered to some 70,000 persons arriving from the former

Yugoslavia. In late September 1997, the Parliament approved a new asylum bill which entered into force in March 1998. The law, besides lifting the reservation with which Hungary joined the UN Convention, clearly attempts to harmonise Hungarian legislation with EU standards. Since the lifting of the reservation on the country of origin of refugees, the population of temporary refugee camps, and so-called 'community shelters', has tripled. There are eight community shelters in Hungary (one in Budapest airport and others at border posts where they are administered by border guard authorities). These shelters host asylum seekers whose claims will not be reviewed (awaiting re-admission) and in general undocumented migrants. After a mounting campaign indicating that individuals hosted in the shelters were responsible for rising crimes, and that they often escaped to try entering the West, in August of 1998 an Interior Ministry decree imposed a restraint on entry and exit from these shelters. Individuals must ask for permits and can go out only if accompanied by guards. This initiative provoked protests by local NGOs, which have also denounced the poor living conditions in both community shelters and refugee camps.

Finally, while asylum is presented here as an entry issue, it is worth addressing the problem from an equity perspective and considering very briefly integration and settlement problems for those individuals fortunate enough to be granted full Convention refugee status. As noted by Escalona and Black '... in contrast to the wide literature on asylum policy, information on the settlement and integration of refugees in Europe is more scarce' (1995: 379). From the few studies available and reviewed, these two authors suggest that on the integration side there is not a European level trend emerging but rather national policies, or a lack of them. Moreover, they conclude that, with the exception of NGOs engaged in assisting refugee integration, there has been little systematic effort at the level of policies to set some standards for the enhancement of refugee integration and settlement. This is particularly troublesome if we consider that the terms of the UN Convention can be seen as fulfilled only if the host state ensures acceptable living conditions and a minimum level of basic rights. The question is even more delicate for those individuals in the so-called pre-asylum period awaiting a decision on their application and for those granted only temporary protection on humanitarian grounds. Those in this latter category, whose future is uncertain and depends on either evolving conditions in their country of origin or the willingness of the host country to grant them permanent and full status, are forced to live in a social limbo, still traumatised by the experiences from which they

escaped and yet unable to start a new social life due to their uncertain status and limitations on the possibilities open to them (e.g. to work, to gain access to education, social assistance etc). As reported by ECRE (1997:3) many individuals living in this situation develop mental health problems as a result of insecurity and social exclusion in the host country.

In considering the issue of asylum there is a sense in which our classification comes full circle. Forced exit implies insecure entry. We started by considering cases in which a suppressed nation sought the freedom to be independent. Where conflict erupts as a result of denial of these claims, it often gives rise to forced exclusion. The question has been whether the machinery that exists to cope with this eventuality is adequate for the task. A negative answer to this question may come as no surprise because this was never the intention of those who created the machinery in the first place. Perhaps more telling, however, is that the possibility of interpreting some aspects of the legal provisions in ways that might come to reflect this changed international situation have also been foreclosed in the rush to erect barriers against further migration.

¹ For a detailed review of asylum policies and regimes in Europe, see ECRE (1994a, 1994b).

² On this concept, see ECRE (1995a) and Hailbronner (1993).

³ Various NGO members of the ECRE have documented cases which, due to the 'safe third country' practice, resulted in refoulement (ECRE 1995a).

Section III
Case Studies in Inter-Ethnic Relations

CHAPTER 8

Eastern Europe

8.1 Russia

The Russian Federation is a highly peculiar case to report on, given the institutional practice and policy apparatus inherited from the Soviet period, the complexity of its multiethnic population, the presence of ethnically defined territorial autonomy, and the increasing presence of immigrants and asylum seekers. The Soviet understanding of nationality is substantially different from that in Western Europe, where nationality is practically synonymous with citizenship. In Soviet practice nationality was understood as an indicator of individuals' ethnic belonging and became a mandatory ascribed legal category, irrespective of individual actual self-identification.

The last available Soviet census of 1989 reports data on 128 officially recognised nationalities for the USSR as a whole, all present in Russia. Although many things have changed in post-Soviet Russia (and precisely in the field of nationalities policy there is an attempt to abandon such strictly bureaucratic use of the term) the concept of nationality is still very much used in both official documents and scholarly works.

The nationalities of Russia

An important Soviet concept to be grasped is that of 'titular nationalities' (*titul'nye nacional'nosti*), which is strictly related to the Soviet federal structure and remains relevant for Russia today, although the new nationality policy aims to deconstruct and neutralise it. The Soviet Union was structured as an ethno-federal hierarchy of territorial autonomies, of which a number of nationalities were considered 'titular'. Being granted the titularity of an ethno-territorial autonomy meant that a nationality was recognised as the indigenous community of a territory, the legitimate bearer of state level authority within that territory, and the target of policies of positive discrimination within the borders of such autonomy (quota for access to higher education and for various positions of political and economic power and/or prestige in cultural institutions, schools with teaching in the native language, etc.).

According to the last Soviet Constitution of 1977, these ethno-territorial autonomies were, in hierarchical order, the following:

- 15 *Sovetskie Sotsialisticheskie Respubliki* (henceforth SSR), namely the constituent parts of the USSR, for which the Constitution provided the formal right to voluntary secession and which became independent states after the dissolution of the Union
- 20 *Avtonomnye Sovetskie Sotsialisticheskie Respubliki* (henceforth ASSR), autonomous republics included within the borders and under the jurisdiction of the SSRs (16 in Russia, 2 in Georgia, 1 in Azerbaijan and 1 in Uzbekistan).
- 8 *Avtonomnye Oblasti* (henceforth AO), autonomous regions included within the borders and under the jurisdictions of the SSRs (5 in Russia, 1 in Azerbaijan, 1 in Georgia and 1 in Tajikistan)
- 10 *Avtonomnye Okrugy* (henceforth AOks), autonomous districts all included within the borders of Russia.

Thus, the total is 53 ethno-territorial entities, corresponding to 58 titular nationalities (the two numbers do not match because some nationalities were titular of more than one territorial autonomy, whereas some autonomies were shared by more than one titular nationality).

Soviet Russia was a federation within a federation, its Soviet denomination being, in fact, *Rossiyskaya Sovetskaya Federativnaya Sotsialisticheskaya Respublika* (RSFSR), that is 'Russian Soviet Federative Socialist Republic'. As a federal structure it included two types of federal subjects, simply territorial entities (*oblast* and *kraya*, regions and provinces), and 31 ethno-territorial entities : 16 ASSRs, 5 AOs, and 10 AOks. During the separatist mobilisation of the early 1990s, four AOs unilaterally raised their federal status to that of ASSRs, while one ASSR (the Chechen-Ingush autonomous republic) split into two separate republics. The new 1993 Constitution of post-Soviet Russia ratified these changes and fixed the new structure of the Federation with its 89 subjects:

- 57 simply territorial entities: 49 *oblast* (regions), 6 *kray* (provinces), and two cities with the status of federal subjects (Moscow and S. Petersburg)
- 32 ethno-territorial entities: 21 republics, 1 autonomous region, 10 autonomous districts.

There are 32 ethno-territorial autonomies and 41 titular nationalities. Some autonomies contain more than 1 titular nationalities (10 in Daghestan, 2 in the

Karachai-Cherkess and Kabardinian-Balkar republics), while the Buryat and the Nenets are each titular of 3 different autonomies. So, following the data of the 1989 census, and leaving aside ethnic Russians, there are 41 nationalities in Russia with territorial autonomy, and 86 nationalities without territorial autonomy.

Officially recognised nationalities

Though Russians represented a substantial majority in 1989 (in 1994 they still accounted for about 82 per cento), the other 127 nationalities totalled about 27 million individuals. The 41 titular nationalities numbered 17.7 million people of which, however, only 55 per cento actually resided in 'their' autonomy. This means that almost 8 million individuals constituted an internal diaspora of the titular nationalities and that their conditions could be equated to that of non-titular nationalities since, according to Soviet practice, positive discrimination policies for titular nationalities applied only within the administrative borders of each territorial autonomy.

The 86 non-titular nationalities present in Russia amount to about 9.4 million individuals (6.4 per cento of the total), and can be divided into three categories:

- nationalities that were titular of Soviet republics (Ukrainian, Uzbek, Georgian, etc);
- nationalities whose historical homeland is outside the post-Soviet space (German, Polish, Greek, etc);
- nationalities with no autonomy and no links with any state formation within or outside the post-Soviet space.

Nationalities titular of Soviet republics

All nationalities titular of former Soviet republics were present in Russia in 1989. Since 1991 they have repatriated to their republics only in limited numbers, and therefore it can be assumed that their presence is still consistent today. With the exception of some Kazakh communities territorialised at the border with Kazakhstan, all other communities are the result of periphery-centre migration, which occurred mostly in the Soviet period, but started as early as the 18th and 19th century for certain nationalities (especially Armenians and Ukrainians).

In 1989 the two most numerous nationalities in Russia were the Ukrainians (4.3 million) and the Belarus (1.2 million), culturally very close to Russians to start with, have gone through a process of complete assimilation, and so far they have not been

at the centre of any form of ethnic tension. On the other hand, especially Azers, but also Georgians and Central Asian nationalities, in large cities where they are perceived as controlling trade activities, have been the object of xenophobia and in some case of inter-ethnic clashes. The Armenians, also numerically consistent in 1989 (532,000) and on the increase in recent years as a result of migration, have been object of Russian xenophobia in certain areas of southern Russia where they have been settled since the 18th century and constitute a trade and entrepreneurial minority .

In general, very few titular nationalities constitute a solid numerical majority in 'their' autonomy and all of them, though to different degrees, present substantial components residing outside the autonomy, in other territories of Russia.

Internal diaspora of titular nationalities

The most relevant 'diasporas' are Tatar (3.7 millions), Chuvash (867,000), Mordvinian (760,000), Bashkir (481,000), and Mari (320,000), all peoples of Daghestan (304,000), Udmurt (218,000), Chechen (164,000). This situation is due both to spontaneous processes of internal migration during the Soviet period and in recent years and to the mismatch between historical pattern of settlement and the way in which the borders of ethno-territorial autonomies were fixed by Soviet administrators. In the first case (migration) they constitute more or less closely related immigrant communities, whereas in the second (mismatch) they represent ethno-territorial communities living in areas bordering with, or very near to, their ethno-territorial autonomy. This situation can give rise to internal irredentist mobilisation, inter-republican territorial disputes and grassroots inter-ethnic tensions.

In the case of the nationalities of Daghestan and of the Chechen, their internal diasporas are only partially due to the administrative borders/ethnic settlement mismatch, and to a larger extent spring from long established pattern of migration to close provinces (Krasnodar and Stavropol) and regions (Rostov and Astrakhan) in southern Russia, and major urban centres such as Moscow and S. Petersburg (especially the Chechen). In recent years economic crisis and the outburst of ethnic conflicts (the Chechen war) have further stimulated the migration of these nationalities to these and other destinations.

Since the early 1990s the communities of Chechen and Daghestan immigrants have been at the centre of inter-ethnic grass-roots clashes and are the object of xenophobia in many of the areas where they are settled.

Special cases

Jews. The only autonomous *oblast* left in the federal structure of Russia is the Jewish AO also known as Birobizhdan, situated in the Far East of the federation. According to the 1989 census, Soviet Jews were 1,378,000, of which: 537,000 lived in Russia, 486,000 in Ukraine, 111,000 in Belarus, 65,000 in Moldova, 65,000 in Uzbekistan, and the rest spread in all other Soviet republics. Only about 9,000 of them (0.65 per cento of the total) actually resided in the Jewish autonomous region. Thus it is clear that the Jewish autonomous region can be considered as the autonomy of Jews only formally. Its creation responded only to unrealistic political goals of Soviet leaders, since Jews were settled in major urban centres and there was no rational reason for them to move to such a far and secluded area. Since the late eighties Jews have been emigrating to Israel in large numbers; though precise figure are not available, it is estimated that only about 200,000-250,000 Jews are left in Russia today.

Buryat and Komi-Permyak. The Komi-Permyatskiy AOk situated in the Urals region within the Perm *oblast*, is the territorial autonomy of the Komi-Permyak, a nationality belonging to the Uralic-Finnic linguistic family and very closely related to the Komi, titular of the Komi republic. They represent one of those few cases of a titular nationality amounting to a numerical majority in its autonomy, in 1989 their total in Russia was 147,000 of which 95,000 lived in their autonomy and 28,000 in neighbouring areas. They are Orthodox and quite assimilated linguistically and culturally to Russians; so far they have not been at the centre of any tension and conflict, but there are several cultural-social organisation asking local and federal authorities to support a cultural and linguistic revival for the Komi-Permyak who are allegedly under threat of complete assimilation.

Aboriginal Peoples of the North (APN). This term is used here to refer to a number of small population groups titular and non-titular of seven AOKs in northern forest and tundra zones, numbering less than 50,000 persons, and engaged in what have been defined as 'traditional occupations of the peoples of the North', namely: hunting, fishing, reindeer-breeding, and production of 'ethnic' cloths, food, etc. Paternalistic state policies toward these peoples, aimed at modernising them, go back to the 19th century Tsarist administration, and as of the 1920s became a cornerstone of official Soviet policy. In keeping with the Soviet ideology of 'civilising' and 'helping'

these people to reach the social and cultural level of other more 'advanced' nationalities, they were provided with a number of benefits such as: free stipends for those studying as teachers or medical specialists; free housing in the larger urban settlements; free training for industrial jobs; and free care for children in the seasonal boarding schools. But these policies resulted in serious problems for these communities: cultural and linguistic russification, alcoholism, loss of the knowledge of, and desire to practice, traditional occupations. In addition, industrialisation of the areas has steadily subtracted lands and resources from the traditional economy of the APN. This situation led various Russian scholars between the late 1980s and early 1990s to call attention to the conditions of these communities, framing the issue as a humanitarian problem.

Even the seven nationalities titular of territorial autonomy have not scored any better. First, they represent a small numerical minority in all of these autonomies and, consequently, their representation in the local institutions of executive and legislative power, dominated by ethnic Russians, is minimal. Moreover, their 'national' institutional elites artificially created by Soviet administrators are largely individuals who grew up and were educated in Russian dominated urban centres and are, therefore, distant from the traditions of their people and completely russified linguistically. When economic reforms brought about the commercialisation of strategic economic resources in autonomous districts rich in oil and gas, such as the Yamalo-Nenets and the Khanty-Mansiyskiy, this indigenous elite, instead of dealing with the ecological problems of their people, joined forces with ethnic Russians local administrators in an economic separatist struggle with the federal centre to profit from the export of such resources.

Since the 1990s, there has been a shift in the policies targeting the APN. First, the former idea of 'forced modernisation' is being replaced by a new approach that can be defined as 'neotraditionalist', in the sense that it stresses the importance of traditional occupations and the development of the traditional sector of the economy as the only basis for cultural survival and future well-being of the APN. Accordingly, special benefits and privileges for the APN have been preserved, such as a quota of free licenses for fishing and hunting for subsistence (non aboriginal peoples have to pay for them, the allocation of 'Territories for Traditional Use'(TTU), exemption from tax on the use of such territories.

Finally, a new development of the 1990s has been the emergence of forms of social and political organisation among APN. Several aboriginal NGOs have been formed, but

the most important development has been the creation of the 'Association of Small Numbered Peoples of the North' (ASNPN), representing all the APN at every level of administration, from the lowest of local rural districts up to Moscow where it functions as a lobby for the interests of the peoples it represents.

Nationalities with external homeland outside of the post-Soviet space

Germans, Koreans, Greeks and Finns have been living in the territory included in today's Russia for a long time. The first three, all of which were subject to deportation in the 1930s and 1940s, are typical examples of old settlers immigrated in 18th and 19th centuries, which over time gave rise to compact and territorialised communities. The Finnish presence is instead the result of repeated border changes. Further information is provided on the Germans, since they have been at the centre of relevant developments in the 1990s, with important implications for German/Russian diplomatic relations.

These so-called Soviet Germans are the descendant of rural settlers who immigrated to Russia in the last quarter of the 18th century, beginning of the 19th century. After Catherine II's so called 'Colonisation Manifestos' invited foreign peasants to Russia (1762-63), granting them relevant privileges and new land on which to settle at the periphery of the empire, the first settlements of German peasants in Russia were established in the Volga region in an area between Saratov and Kamyshin. Successively German settlers immigrated also to other areas of the Russian empire. In 1897, there were about 1.8 millions Germans and 2000 German settlements.

In 1918, the 'Labour Commune of Volga Germans' was created in the Volga region where Germans were more numerous and more compactly settled, which in 1924 was transformed into the Autonomous Republic of Volga Germans. In 1941, the Volga German ASSR was dissolved and about 800,000 Germans were deported from the Volga republic and other European areas of the Soviet Union to Siberia and Kazakhstan, but also in smaller numbers to other Central Asian republics.

Soviet Germans, unlike other ethnic Germans residing in Eastern European countries, did not enter into contact with their homeland for more than two centuries, and represent an example of what Russian scholars at times call true 'Soviet Peoples', that is nationalities showing a very high degree of linguistic russification and an almost complete assimilation to Soviet culture. Among the Soviet Germans, 40 per cento to 70 per cento consider Russian their mother tongue (a similar example is the Koreans).

Soviet Germans, as well as other ethnic Germans living in Eastern Europe, are defined in Germany as *Aussiedler* and have a constitutionally granted right to repatriate to their historical homeland. Soviet German emigration to Germany was limited throughout the postwar period, but increased substantially with the liberalisation of the late 1980s. In this context Germany has, in the early 1990s, put pressure on Russian authorities to re-establish the Volga German republic. The initiative had to be abandoned, however, as a result of the firm opposition of the regional authorities of Saratov and Volgograd *oblast*, the two regions which would have had to give up territories for their re-establishment. It is estimated that since 1989, more than half of the 2 million Germans present in the USSR have emigrated to Germany, and that about 500,000 are left in Russia, while 300,000 are still living in Kazakhstan, and a total of 100,000 between Kyrgyzstan, Uzbekistan and Ukraine.

In Germany the return of the *Aussiedler*, both from the former Soviet Union and from Eastern Europe, has created various problems of integration and has been at the centre of heated political debates in recent years. Given that, unless the constitution is changed, the repatriation of *Aussiedler* cannot be stopped, Germany's policy toward ethnic Germans residing in the post-Soviet space can be characterised as an attempt at 'containment'. Having realised the impossibility of recreating the Volga German republic, German authorities has chosen to provide financial support directly to the various local settlements of their compatriots, in collaboration with local authorities. One example of this policy has been the creation of a German national district with the opening of German cultural institutions and schools in the Western Siberia *oblast* of Omsk.

Nationalities with no external homeland

Russia has 43 nationalities non-titular of any territorial autonomy and with no external homeland to which they can repatriate or on which they can rely for political support. All together, they amounted to only 381,000 individuals in 1989 (0.2 per cento of the total Russian population) and very few number over 10,000 individuals. One case worth analysing in some detail is the Abasin, both for their number and because in the early 1990s they were at the centre of some ethno-territorial tensions. Historical traces of Abasin presence in the North Caucasus go back at least as far as the Middle Ages. They adopted Sunni Islam in the 17th c. The Abasin are one of the few North Caucasian nationalities not granted an ethno-territorial autonomy by Soviet administrators. According to the 1989 census, 33,000 lived in Russia, of which 27,000

in compact settlements in a region included in the Karachai-Cherkess ASSR where they constituted 6.6 per cento of the total population. In 1992 Abasins political activists constituted the 'Congress of Abasin People Deputies' which, lamenting the condition of being a 'second-rate' nationality, attempted an internal secession self-proclaiming the creation of the 'Abasin Republic'. This republic was not recognised by federal authorities and Abasins' political mobilisation has since abated, but they still constitute a potential source of tension in the republic.

Another case worth mentioning is that of the Meshketian Turks, both because of the tragic destiny of this people and especially because they have been the object of institutional discrimination in the Russian North Caucasian province of Krasnodar. The so-called Meshketian Turks are a group ethnically very similar to Georgians, converted to Islam and linguistically turkicised in the 17th century. They were historically settled in a region situated near today's borders between Georgia and Turkey, called Meshket-Javekhetia, hence the name Meshketian Turks. Between 1939 and 1944 they were deported from this region to Central Asia. They were later rehabilitated but not allowed to return to their territories because of the opposition of Georgia. Some remained in Central Asia, others - in a sort of stepwise repatriation - migrated to areas not far from their historical lands (Azerbaijan and North Caucasian areas of Russia). According to the 1989 census, there were 207,000 of them in the USSR, of which 106,000 in Uzbekistan (concentrated in the Ferghana valley region), 49,000 in Kazakhstan, 21,000 in Kyrgyzstan, 18,000 in Azerbaijan and about 10,000 in Russia, mostly in the Krasnodar province).

In 1989, Meshketian Turks living in the Uzbek part of the Ferghana valley fell victim to violent pogroms by ethnic Uzbeks and were forced to flee the area. Given the refusal of Georgian authorities to accept them, they moved into Azerbaijan and especially Krasnodar.

Titular nationalities

The various nationalities titular of ethno-territorial republics can be divided, into three geographical groups: European North (Karelian, Komi) and Volga-Ural nationalities (Bashkir, Chuvash, Mari, Mordvinian, Tatar, Udmurt); Siberian nationalities (Altay, Buryat, Khakas, Yakut, Tuvinian); and North Caucasian nationalities (Adygei, Chechen, Daghestanian nationalities, Ingush, Kabardinian, Balkar, Karachai, Cherkess, Ossetian, Kalmyk).

This geographical division to a certain extent groups together nationalities that share some common cultural traits and that were included under Russian control at about the same time. Actually, only Kalmyks represent an isolated case which has been included in the North Caucasian group because of its geographic proximity, although they have almost nothing in common with North Caucasian nationalities.

Demographic weight. Only a few nationalities constituted a clear-cut absolute demographic majority in 'their' republics in 1989: Daghestanian titular nationalities taken all together (80.2 per cento); Chuvash (67.8 per cento); Tuvinians (64.3 per cento); and Chechen (57.8 per cento).

Then there are a number of nationalities representing a relative majority but with a relevant presence of Russians: Tatars (48.5 per cento, Russians 43.3 per cento); Kabardinian (48.2 per cento, Russians 31.9 per cento); Kalmyks (45.4 per cento, Russians 37.8 per cento).

Economic performance. Taking per capita income and per capita capital investment in 1990 as indicators of economic well-being and growth, only three republics were above Russian average with respect to both indicators (Komi, Yakutia and Kalmykia).

Tuva and most North Caucasian republics (except for North Ossetia and to some extent Kabardinian Balkar) are structurally the most backward and depressed economies. Other republics (Udmurt, Mordovia, Mari-El, Chuvash), whose economy is characterised by relevant presence of heavy industries working for the military-industrial complex, have seen their socio-economic conditions worsen radically after 1992.

Level of urbanisation. The percentage of titular nationalities living in urban settings can be used as a rough indirect indicator of socio-economic and occupational status as compared to the Russian average, considering that, in the Russian Federation taken as a whole, the urban population represented 75 per cento of the total in 1989. All of the titular nationalities with no exception show percentages of urbanised population below the Russian average; on the other hand, there are quite sharp differences among them: the most urbanised nationalities (more than 50 per cento) are Ossetian, Tatar, Karelian and Balkar; these are followed by an intermediate group with urban population above 40 per cento (in descending order Kalmyk, Komi, Chuvash, Udmurt, Buryat, Kabardinian, Bashkir), while the remaining nationalities are predominantly settled in

rural areas. This is particularly evident, besides the Altay (89.5 per cento rural), for most of the North Caucasian nationalities (e.g. Chechen, 75 per cento rural).

Cultural distance. All Ugro-Finnic nationalities of the European North (Karelian and Komi) and of Volga-Ural (Mari, Mordvinian, Udmurt) groups present a low cultural distance from Russians, for they are all highly russified linguistically and are completely or to a large extent Orthodox with the exception of the Mari, among whom animist practice still prevails. In the Volga-Urals there are also three Turkic groups, Bashkir, Tatar and Chuvash, the first two are Muslim (Sunni), whereas the Chuvash are Orthodox. Though they are quite integrated linguistically to the Russian language, Bashkir and Tatar show a lower degree of complete russification (indicated by the percentage of those reporting Russian as their mother tongue). On the other hand, Chuvash present a level of russification similar to those of the Ugro-Finnic nationalities.

The Siberian nationalities, with the exception of the Yakut who are Orthodox, present sharp differences from Russians: Buryat and Tuvinian are Buddhist, Altay and Khakas animist. On the other hand, Altay, Buryat and Khakas present a high degree of russification, while Tuvinian and Yakut a very low one. Therefore, only the Tuvinians can be classified as culturally very distant from Russians with respect to both religion and level of russification.

With the exception of Ossetians (predominantly Orthodox), all North Caucasian nationalities are Muslim (Sunni). None of them present a high degree of complete russification, as the percentages of those reporting Russian as mother tongue are the lowest of all titular nationalities. They can, however, be distinguished in term of the percentages of those reporting knowledge of Russian at least as a second language, where the Chechen and Ingush rank the lowest and the Ossetians the highest.

Kalmyk are Buddhist and, while showing a low degree of complete russification, are characterised by one of the highest percentage of individuals reporting knowledge of Russian at least as a second language.

Although to different degrees and with different results, in all of these republics the 'national' institutional and/or political elites promoted ethno-territorial separatist claims *vis-à-vis* Moscow federal authorities in the 1990s. Moreover, in several republics there have been attempts at internal secession on the side of local ethno-territorial communities.

Overview of the republics

The high and low tide of separatism: 1990-94 and post-1994

In the period 1990-91 the fight between the Soviet centre of Gorbachev and the Russia of Yeltsin became a catalyst of the republics' separatism in a sort of domino effect. So, while the Russian leadership was fighting its battle for independence against the Soviet federal centre, the autonomous republics of Russia started their separatist mobilisation against the Russian federal centre. Such separatist mobilisation increased in the period 1992-93 to the point that the Moscow leadership became aware of the danger that Russia might territorially disintegrate in the same way the Soviet Union had. Despite the differences existing among the various titular nationalities, some level of separatist mobilisation emerged in all of them.

Besides the incentive and opportunities offered by the institutional chaos, a generalised separatism was also stimulated by the process of liberalisation of the economy and of privatisation of state property. This is particularly true for those republics rich in strategic natural resources yielding hard currency profits, where more autonomy meant that a larger share of these profits could be appropriated by the local elites. It must be stressed that it did not occur with the same intensity and did not produce the same results in all republics.

The strongest separatist mobilisation was in Chechnya and Tatarstan, followed by Bashkortostan and Tuva. The separatism of Yakutia, Komi, Buryatia, Karelia and Kalmykia concerned mainly economic matters and never actually challenged the territorial integrity of the Federation, while in all other republics it was practically over by the end of 1992.

These differences can certainly be explained by the different historical, cultural, and socio-economic conditions characterising each republic/nationality. But to a large extent they were also explained by the political dynamics internal to each republic (the competition between 'national partocrats', the members of the titular nationalities who constituted the local communist *nomenklatura*, and nationalist movements) and by how these internal political processes were influenced by Moscow.

Chechnya is the only case in which separatist mobilisation resulted in a violent secessionist war against Moscow. It is no coincidence, however, that Chechnya was also the only republic where the 'national partocrats' were overthrown by the new nationalist movements. The agreement reached in July 1996 states that the status of

Chechnya will be determined by the year 2001. Ever since then the paradoxical situation is that Moscow still considers Chechnya a part of the Federation, while Chechnya sees itself as an independent state. Nevertheless, since the signing of the agreement the situation has remained stable and calm.

Finally, it should be mentioned that, especially in North Caucasian republics, separatism from the centre has never been a central issue because these republics had to face the threat of internal disintegration and inter-ethnic conflicts.

Inter-ethnic tensions and conflicts

Ethno-territorial tensions and conflict have been particularly acute in the 1990s in the North Caucasian republics where the Prigorodnyi district is the object of an historical territorial conflict between Ossetian and Ingush; ethno-territorial tensions in Adygea have been caused by the revival and mobilisation of Caucasian Cossacks organisations; the Lezghin find themselves in a peculiar situation since what they consider their historical land has been split in half, the northern part being in Daghestan and the southern in Azerbaijan; a competition for land in a highly populated area of Daghestan, has taken an ethno-nationalist colouring in the 1990s and resulted in repeated inter-ethnic clashes between Kumyk on the one hand, and Avar, Darghin, Lak on the other; the Kizlyar Cossacks have tried to secede from Daghestan and join Stavropol province; Derbent was the theatre in 1994 of several violent inter-ethnic clashes between Azer and Lezghin, probably related to Lezghin irredentism; and Chechens repatriated to Khasayurtovskiy district mobilised for its restitution after the passing of the law on the 'rehabilitation of repressed people'; the Balkar in the Kabardinian-Balkar district attempted to secede and create a separate republic; and Karachai and Cherkess mobilised for secession from each other in the Karaciai-Cherkess republic with reciprocal territorial claims.

There have also been several other sources of ethno-territorial disputes in Russia: Volga Germans aspiration to reconstitute their republics in the Volga region; claims of Tatar nationalists over the territory of Bashkortostan; the claims of Kalmyk nationalists over the territories of the Astrakhan region which were part of Kalmykia before the deportation of 1943; the aspirations of Buryat nationalists to reunify the Republic of Buryatia with the two autonomous districts (Aghinskiy-Buryatskiy and

Ust'-Ordynskiy Buryatskiy) and with other territories today in the *oblast* of Irkutsk and Chita (in 1937 the then called Buryat-Mongolian ASSR was territorially diminished with the subtraction of the two autonomous districts and of other territories).

Legislative/Institutional/Policy Background

Citizenship regime

The law on citizenship grants Russian citizenship to all those who resided permanently in the Russian Federation before the laws entered into force and to all citizens of the former USSR still residing in the former Soviet republics or who moved permanently to Russia after 6 February 1992, if they apply by the year 2000. The goal of the liberal law was to ensure access to citizenship to ethnic Russians in the new abroad. On the other hand, the fact that the law left access to Russian citizenship open to all former Soviet citizens until the year 2000, regardless of nationality, can also be interpreted as a way of trying to perform the function of cultural and political hegemonic centre of the post-Soviet space. At birth citizenship is granted through the application of both *jus soli* or *jus sanguinis*; for naturalisation 5 years of legal residence is the only major requirement. Article 62 of the Constitution permits the holding of dual citizenship.

Bilingualism

In the republics, bilingualism is officially established by the Constitution and, given the control exercised by native politicians in their territorial autonomies, is actually practised. All republics, though to different degrees, have schools and universities where the native language of the titular nationalities is used. In the republics, all major newspapers are published in Russian and in the language of the titular nationality; radio and tv programs are also broadcast in these languages.

Though all nationalities are ensured the right to use the mother tongue, in practice those who are not titular of a territorial autonomy or live outside of their autonomy are at a disadvantage. This problem has been tackled by the new law on 'National Cultural Autonomy' (see below). However, in areas where non-titular nationalities are settled more or less compactly there are already elementary schools teaching in the native language (in 1996, 47 Armenian, 85 Kazakh; 66 Azer, 19 Turkmen schools).

Nationality policy

The main paradox of the Soviet nationality policy (initially taken over by Russia) was that, instead of leading to the birth of a de-ethnicised and internationalist Soviet nation, it actually promoted and crystallised ethno-national identities and cleavages. As a result of its mandatory registration on the passport, ethno-national belonging, rather than being one of the many possible forms of individual and/or group self-identification, became an objective legally ascribed attribute, influencing, if not determining, all the individual's interaction with the state.

On 11 April 1996, the Council of Ministries approved a new document entitled 'Conception of the State National Policy of the Federation of Russia', representing a clear attempt to deconstruct the rigid Soviet codification of ethno-national belonging and its strict relation to territoriality. The attempt is to put universal civic rights above all other considerations as most concerns are framed in terms of language, education, culture, preservation of traditions, life-style, etc. In this context, great emphasis is given to the need to sustain the cultural and socio-economic survival and reproduction of the Aboriginal People of the North, Siberia and the Far East.

The National Cultural Autonomy Act

The National Cultural Act (5 June 1996) provides for national-cultural autonomies (henceforth NCA or NCAs) at the local, regional or federal level. In the field of preservation and development of national languages, the Act states that the federal and regional organs of executive power must collaborate with NCAs in two areas: 1) the publication of books, newspapers and other periodicals, the broadcasting of radio and tv programs, all in national languages; 2) for those NCAs with ethnic links to communities residing in foreign states, the exchange of cultural and media material with such states.

In the field of education in the national language, NCAs can establish their own private schools, but also create special programs and classes within state schools where general instruction is given in Russian. The private national school must, however, ensure that pupils learn Russian. When NCA schools function within a republic they must also ensure the knowledge of the republican language. For instance, an Armenian school in Tatarstan must make sure that pupils taught in Armenian learn Tatar and Russian as well. Finally, NCAs are to be financed with the resources of their members, but will also receive support from federal and regional budgets.

Too little time has passed to assess the results of the new policy and the success in consolidating a new civic identity, or the use made of the possibility of establishing NCAs. On the other hand a risk and potential limit of this new orientation may be seen: the new conceptual and terminological apparatus might be a disguised and embellished version of the old Soviet rhetoric of the fusion of all nations into a non-national Soviet nation. While being criticised for its attempt to neutralise ethno-territoriality, on the one hand, and for the concessions made to cultures other than Russian and for not stressing the role of the Russian language and culture enough, on the other, the NCA has been judged very positively by those ethnic groups not titular of any territorial autonomy in Russia (e.g. in Moscow, as of 1 March 1998, regional NCAs had been registered by Armenians, Jews, Kazakhs, Koreans, Latvians, Germans and Kurds).

1998 in review

1998 has been characterised in Russia, above all, by economic and political crises. Two changes of government, the deep financial crisis that swept the rouble and the political instability caused by the health conditions of President Yeltsin have all led the country to the brink of collapse, a situation which probably represents the lowest point since the beginning of the post-Soviet era in 1992.

In this context both governmental action and national level politics have been monopolised by the financial crisis and by a new institutional power struggle, with increasing demands for Yeltsin's resignation and constitutional changes to give more power to the parliament. It is not surprising, then, that ethnic and migration issues have not figured at the top of the agenda of either the federal government or the federal parliament. Yet several developments in the orientation of the new government concerning federal relations and nationality policy can be outlined.

Already under Kirienko, the Ministry of Nationalities and Federal Relations was renamed Ministry of Regional Policy and Nationalities (MRPN), indicating a new prioritisation of issues in this regional policy area. Ideas in this direction include projects proposing to re-design the territorial-administrative structure of the Federation by strengthening the powers of the centre and abolishing the ethno-territorial subjects.

In July, implementing one of the points contained in the 1996 'Conception of the

State Nationalities Policy', the federal parliament passed a law establishing the Federal Assembly of the People of Russia. This is a consultative standing body in which all the officially recognised nationalities are represented and can convey their problems and interests to federal authorities.

The most important new development concerns the introduction of new passports (July 1997) and the reactions to it. The new passports no longer contain the indication of the ethnic nationality of the holder, have the two-headed eagle on the cover and are written in Russian only. Reactions, with a few noticeable exceptions, have generally been negative not only in the republics but also in Moscow: the two-headed eagle cannot represent all the people of Russia, since for centuries it symbolised the Tsarist autocracy (and its ties to Byzantium and the Orthodox church) and its colonial policy; the fact that nationality is not indicated is seen as the expression of a new assimilationist policy and of a new form of Great Russian chauvinism; the use of Russian only does not respect the constitutional provision of official bilinguism in the republics.

Developments in selected republics

Chechnya

The Chechen situation can be summarised as the confrontation between the newly elected president Maskhadov and his supporters in the executive, and various political factions (mostly formed along territorial-clanistic lines) opposing him within and outside of the republican parliament. While no segment of the Chechen political elite can be defined pro-Russian, the position of Maskhadov and his supporters is more moderate and pragmatic than the radically secessionist orientation of his opponents.

By mid-1998 it was clear to most observers that the political scenario in Chechnya is characterised by rising tension between the institutional organs of power and various military-political organisations. Tension reached the highest peak since the end of the war with Russia. Chechen observers consider the situation very dangerous and some go so far as to claim that Chechnya risks going down the road toward an Afghan scenario.

At the same time, the conflict has had a destabilising influence on Daghestan, especially in the districts bordering with Chechnya which have been objects of

repeated terrorist incursions by Chechen paramilitary groups. At the end of 1997 the Security Council of Daghestan decided to legalise paramilitary self-defence groups in the districts bordering Chechnya, which will receive uniforms and weapons and act under the command of Interior Ministry officers. This decision has raised worries both in Moscow and in Grozny, for it might become the basis of inter-ethnic armed conflicts between Daghestanians and Chechen or, conversely, might lead to the unification of Daghestanian and Chechen armed groups in the event of a new conflict between Chechnya and Moscow. A further source of tension is represented by the potential conflict and competition between the official republican policy and other non-institutional para-military corps in Daghestan, created on the basis of localistic and clanistic affiliation. The potential danger of the situation in Daghestan emerged clearly in a series of violent actions which occurred in May 1998.

Kabardinian-Balkar

The socio-economic crisis in the North Caucasian republic has slowed down the repatriation of members of the diaspora and led some returnees to leave again. This has caused the national movements of the nationalities involved to bring new pressure in 1998 on the institutional authorities for new laws and measures to support the repatriation of members of their diaspora.

In August the political inter-republican organisation Adighe Khase (active in Kabardinian-Balkar, Karachai-Cherkess and Adyghea) presented a bill in parliament to establish a single name for all the Adigo-Abkhaz nationalities (Adygei, Cherkess, Kabardinian). The single ethnonym would be Adyge in the native languages and Cherkes in Russian. The bill also proposes to drop the Russian assimilative suffixes 'ov' and 'ev' usually added to surnames. While at first sight this request might seem of little relevance, in reality, if accepted, it could lay the basis for further more dangerous territorial claims, namely the unification of all the ethno-territorial autonomies of the Adyge/Cherkes.

North Ossetia

On 18 January 1998, North Ossetia elected a new republican president, Dzasokhov. Like his predecessor, Dzasokhov is of Ossetian nationality, but during the campaign, former president Galazov's supporters used the ethnic card, accusing Dzasokhov of being pro-Georgian and pro-Ingush and anti-Russian. This strategy did not pay off and Dzasokhov obtained 76.8 per cento of the votes.

Judging the future prospects for reaching a solution to the Ossetian-Ingush conflict is premature. Several facts, however, suggest that the new president could be more moderate and less nationalist oriented than his predecessor. First, the election showed that ethnically based propaganda failed and that people are more concerned with socio-economic conditions. Second, Dzasokhov had a much longer career than Galazov within the ranks of the CPSU and could have a stronger disposition to bargaining and compromise.

Tatarstan

In January 1998, the All-Tatar Social Centre (ATSC) elected as its new chair Safulin, a deputy of the republican parliament. The ATSC, though its political influence has decreased since Tatarstan signed the bilateral treaty with Moscow, was one of the most influential nationalist Tatar organisations in the late 1980s and early 1990s with a clear separatist platform. The new leader declared that, if the tendency of the Moscow leadership toward a new national policy of assimilation continues, the ATSC will start the struggle for full independence again. He also invited all other Tatar nationalist organisations to join forces in a unified strategy aimed at gradually strengthening the Tatarstan state, including the introduction of Tatarstan citizenship; the opening of a Tatar state university; the development of a system of national schools; the opening of a republican tv channel in Tatar language; and transliteration of Tatar to the Latin alphabet.

At the beginning of 1998 both the republican government and the city authorities of the capital Kazan undertook several initiatives aimed at increasing the use of Tatar language, but the actual use of Tatar in Tatarstan remains limited. Figures show that publications in Russian are much more widespread than those in Tatar, despite the fact that Tatars are more numerous than Russians. The diffusion of Tatar press is mostly concentrated in rural villages.

On 10 February 1998, a bill for the institution of the citizenship of Tatarstan was presented in the republican parliament and soon became the object of a heated political debate, being criticised as anti-constitutional and representing a new manifestation of institutional separatism. The bill was withdrawn and presented again on 15 April in a substantially revised form (stating that a citizen of Tatarstan also possesses the citizenship of Russia) and approved on first reading. However, the bill still presents numerous ambiguities and contradictions with federal laws and requires further debate.

Xenophobia, tensions

Xenophobia among the ethnic Russian majority is not new in Russia. At the same time, there is anti-Russian xenophobia among other nationalities, and reciprocal xenophobia among various nationalities.

The xenophobia of the Russia majority, especially with regard to Caucasians, is the most studied phenomenon of recent years. North Caucasian and Transcaucasian (Azer, Armenian, Georgian) communities present in many large urban centres of Russia and in various southern Russian regions mainly as a result of voluntary economic migration are now often labelled all together as 'individuals of Caucasian nationality' in mass media and even in some official documents, or simply as 'blacks' in private, even though these people differ from each other in many ways.

Representative random sample surveys conducted in the 1990s by the Institute of Ethnology and Anthropology of Moscow and/or by EAWARN invariably show the same results: 'Caucasians' in general and/or ethnic Chechens in particular occupy the first and the second places in the list of most 'unliked/despised' nationalities. On the other hand, Jews in such surveys have moved very close to Ukrainians and Bielorrussians in enjoying the least negative attitudes. For example, in a survey carried out in June 1996 in seven ethnically mixed rural districts of the Orenburg *oblast* in the Ural region (note that Orenburg is far away from North Caucasus or Central Russia, and that while the surveyed districts border with Kazakhstan, Tatarstan and Bashkortostan, they contain almost no individuals of Caucasian origin), the strongest ethnic prejudice not only among ethnic Russians, but also among other nationalities present in the districts (Tatar, Kazakh, Bashkir, German), was against the Chechen, followed by generically defined Caucasians and then Gypsies.

Cultural and religious differences cannot be underestimated, nevertheless anti-Caucasian prejudices are directed both against Muslims (Chechens, Dagestanians, Azers) and Christians (Armenians, Georgians, Ossetians). Though available data do not allow a definitive assessment, trying to explain the prejudice by the alleged invasion of Caucasian migrants seems a clear exaggeration. Arguments about the role of the Chechen war and Chechen terrorism are serious, but the phobia emerged at least four years before the first terrorist attacks and the start of war. It is true that control of many food markets and of a certain sectors of the retail trade has placed 'Caucasians' in the social position of 'middlemen', traditionally an object of social and

ethnic prejudice. But this same condition applies to Uzbeks and other Central Asians nationalities, who are not a major target of ethnic prejudice and xenophobia. Press reports about the criminal activities of 'Caucasians' have also been very important in shaping public attitudes; nevertheless, these reports started to appear only in the mid-1990s when the basis of the phobia had already been formed. Moreover, there are many publications about the so-called 'Kazan mafia' but there are no strong anti-Tatar prejudices. In any case, in fall, the representative of the president of Russia in Stavropol presented to the press the figures on criminal acts committed in North Caucasus during the first six months of 1998. The main causes for the increase in crime were outlined as being: the growing dimension of uncontrolled migration; the revival of Cossacks and their conflicts with Caucasian nationalities; the concentration in the region of a large number of unregistered weapons held illegally by organised groups and also individuals; the geographical proximity to other area of conflicts and instability beyond Russian borders; the development of extreme nationalism.

Ethnic prejudice and xenophobia, mainly directed toward all those groups labelled as 'Caucasian', have in several cases in the last years resulted in manifestations of xenophobia and violent incidents. Krasnodar and Stavropol are among the federal subject which received the highest inflow of refugees produced by Soviet and post-Soviet violent ethnic conflicts in Nagorno-Karabakh, the Uzbek pogroms against Meshketian Turks, the Abkhaz-Georgian conflict and, finally, the Chechen war. The ethnically mixed composition of the refugee inflows has added an element of tension to an already tense situation. In addition, the two provinces have also been the destinations of major flows of voluntary migration in the 1990s.

In Krasnodar the major targets of xenophobia have been the Meshketian Turk refugees, but also Armenians and later Chechen and Daghestanian. In Stavropol, instead, only Chechens and Daghestanians have been targeted, and in some cases they have repeatedly clashed with Cossacks producing victims on both side. The most relevant aspect of the situation in these two provinces has been, however, the fact that local authorities have responded to the crisis by introducing openly discriminatory policies and laws against refugees and immigrants of non-Slavic nationalities widely denounced by Russian human rights activists.

The most relevant xenophobic incident of 1998, not only for its consequences but also for the media coverage it received, occurred in Moscow at the beginning of May. An Azer street market vendor, thus clearly falling into the category 'individuals of

Caucasian nationality', was killed in the Luzhniki market by unidentified Russians. The incident became a serious public issue because of the vibrant and spectacular reaction of the members of the Azer community. About 1,500 Azers marched (carrying the body of the victim) along Komsomolsky Prospect until they were attacked and scattered by the police. The event was shown on tv and had a wide impact. Unfortunately, soon afterward, other incidents between Russians and Azers occurred in several regions of the Federation.

While those described above are more episodic events occurring in urban contexts, in the Astrakhan *oblast* throughout April a series of group level inter-ethnic clashes between Russian and Chechen youngsters erupted in the rural districts in the south of the region bordering on Kalmykia. What was probably started because of drunkenness, soon turned into repeated inter-ethnic clashes and created a generalised situation of tension, also among those not directly involved in the clashes.

The activity and propaganda of radical nationalists in the Caucasian republics has also had the effect of fanning the resentment and fear of southern ethnic Russians. The radical wing of Chechen nationalists, for instance, does not hide the goal of establishing in the territory of all North Caucasus an independent Confederation of Caucasian people with its capital in Stavropol.

As a result of this and other factors, in Stavropol, as well as in the other federal subjects of North Caucasus and in general of Central and Southern Russia, there has been a rising mobilisation of the fascist Russian ethno-nationalist organisation 'Russian National Unity' (RNU), from no more than 100 supporters in 1994 to about 4,000 in 1998. RNU ideology reiterates the refrain of the Russian nation (*Russkaya natsia*) as a discriminated majority, and argues that it is necessary to support the demographic revival and cultural rebirth of a 'genetically pure Russian nation'. The RNU platform is strongly xenophobic, and particularly anti-Caucasian.

Positive developments

In 1998, some positive steps have been taken toward the solution of the humanitarian problems of the Meshketian ethnic community, which so far has received very little attention by international observers. First, between 27 April and 1 May, a delegation of Meshketian Turks was received by a groups of deputies of the Georgian parliament to discuss the possibility of repatriation to Georgia. Then, on 7 June 1998, in a small

town of Rostov *oblast* the General Assembly of Meshketian Turks was held, organised by the international association of Meshketian Turks 'Vatan'. The assembly was attended by a number of Russian federal authorities and, more importantly, by high level officials of the Georgian Ministry for Refugees and Forced Migrants Affairs. In addition, the Ataman of the Rostov Cossacks, N. Kozitsyn, promised to address the Krasnodar Cossacks and ask that they defend the civic rights of Meshketian Turks in their province.

8.2 *Ukraine*

Ukraine was first established as a state in 1922 as the Ukrainian Socialist Soviet Republic (Ukraine SSR). By 1945, the Soviet regime had assembled all of the territories claimed by Ukrainian nationalists as 'historical Ukraine' - territories which had been divided for over 500 years between Tsarist Russia, Austria, Hungary, Poland, and Romania - into the Ukrainian state formation. Constituted as an autonomous republic of Russian SFSR in 1919 and then downgraded to the status of an *oblast* in 1945, Crimea was transferred from Russia to Ukraine in 1954.

Between the mid-1860s and the 1980s, these areas were subjected to intense Russification and Sovietisation. The same fate, especially during the Stalinist era, occurred to the ethnic Ukrainians living in areas of Russia contiguous to Ukraine.

As a result of this history, independent Ukraine started its state- and nation-building process with a multiethnic population characterised by several territorialised ethnic communities facing the problems of securing recognition of highly contested borders, and with a significant cleavage between its western and eastern/southeastern regions.

The western and eastern regions of Ukraine present differences which, though they should not be exaggerated, as is done by those arguing for federalism, are quite relevant. The ethno-political situation of Ukraine cannot be analysed without considering the ethno-cultural, religious and political differences existing between the western and eastern regions.

First, the east is characterised by the presence of very large Russian communities and, as a result of Russification and Sovietisation, by the predominance of a Slavic/Soviet identity over clearly distinct Russian and Ukrainian ones, especially in consideration of the fact that a very large proportion of ethnic Ukrainians in the east are

Russophone. On the contrary, the presence of Russians in the west is very limited and western Ukrainians, who remained under Russian-Soviet influence only for about 50 years, are Ukrainophone and present a clear and distinct Ukrainian national and cultural identity. Finally, the religious situation of Ukraine is quite complex and the existing confessional differences are to a certain extent also linked to the east-west divide. The Uniate Church (Catholic of Byzantine rite) has its base in the west of the country. In central and eastern Ukraine the Orthodox faith predominates which is, however, split into three distinct Churches: the Ukrainian Orthodox Church subordinated to Moscow Patriarch (concentrated in the Russophone eastern regions); the Ukrainian Orthodox Church with its head in the Kiev Patriarch (central regions but also in the west); the Ukrainian Schismatic Orthodox Church (which split from the previous one).

Officially recognised nationalities

Ukrainians in 1989 were a clear numerical majority in the republic, amounting to 72.7 per cento (37.4 million) of the total population (51.4 million). In 1997 the Ukrainian diaspora throughout the world was estimated at 12 million individuals; Ukrainian communities are present in all seven states bordering Ukraine (Russia, Belarus, Poland, Slovakia, Hungary, Romania, Moldova).

The 1989 census registered the presence in Ukraine of about 100 other nationalities for a total of some 14 millions individuals, of which 11.3 million were ethnic Russians (22 per cento of the total). More than 30 nationalities number over 5,000, with the most numerous being Jews, Belarusians, Moldovans, Bulgarians, Poles, Hungarians, and Romanians.

Recent research indicates that the country is characterised by the *de facto* presence of dual identities and bilingualism: 57 per cento of the population self-identifies only as 'Ukrainian', 11 per cento only as 'Russian', while about 26 per cento show a dual identity in that they affirm to self-identify as both 'Ukrainian' and 'Russian'.

As for language, 95 per cento of the population of Ukraine (that is ethnic Ukrainians and ethnic Russians) can be divided in three groups: Ukrainophone Ukrainians (40 per cento of the population); Russophone Ukrainians (about 33-34 per cento of the population); and Russophone Russians (about 20-21 of the population). Thus Ukraine seems to be characterised by the presence of a majority of Russophones.

Leaving aside the Russians and the Crimean Tatars (both treated later), the other larger ethnic communities can be divided into three main types, according to the origins of their presence in the territory of contemporary Ukraine: ethno-territorial border areas communities (Belarusans, Moldovans, Poles, Hungarians, Romanians); communities of old settlers (Jews, Bulgarians, Greeks, Germans, Gagauz); communities formed mainly as a result of Soviet era migrations (Tatars, Armenians, Azers, Georgians, Chuvashes, Uzbeks and various others). But altogether they barely make up 5 per cento of the total population.

Russians in Ukraine

Of the Russians residing in Ukraine in 1989, 68.3 per cento lived in the eastern and southeastern regions, 14.5 per cento in Crimea, 13 per cento in the central regions and only 4.1 per cento in the west. In several of the eastern and southeastern regions, Russians amounted to between 30 per cento and 45 per cento of the local population. Although the number of Russians living in Ukraine today is certainly linked to the migrations of the Soviet era - their number tripled between 1917 and 1991 - Russian settlement in Ukrainian territories goes back a long time; about 50 per cento of Ukrainian Russians were born in Ukraine.

Besides the socio-economic difficulties which all citizens of Ukraine regardless of their nationality are facing due to the severe crisis affecting the economy, the demise of the USSR and the birth of an independent Ukraine posed problems for the Russians of identity and socio-cultural adaptation to the changed conditions of becoming, at least formally, a minority. There are three possible alternative strategies of adaptation to the new situation: a) competitive assimilation/integration; b) various degrees of separatist mobilisation; c) repatriation to Russia. The extent to which Russians outside of Russia have chosen and will choose one of these strategies depends on a number of factors such as, among others, whether or not they are territorialised in such a way to constitute a local majority; the history of their settlements and the percentage of those born and raised in the republic where they reside; the cultural distance/closeness from/to the dominant nation in the new independent states; the extent to which the policies of the new states can be defined as 'nationalising' and discriminating against the Russians; the policy of the Russian government toward the issue of repatriation of Russians or of support to their integration and political demands.

In general the cultural distance between Russians and Ukrainians is quite low and actually non-existent in the eastern regions where Russians, though numerically a minority, are a part - together with Russophone Ukrainians - of the same Slavic/Soviet cultural majority (the situation is objectively different in the west where the number of Russians is very small). Furthermore, the ethnic policy of Ukraine has been quite benign toward minorities in general and Russians in particular and, though it contains nationalising tendencies, cannot be compared to the policies adopted in the Baltic states. Neither can one find in Ukraine the grassroots anti-Russian attitude and discrimination typical of Transcaucasian and Central Asian republics.

One can therefore conclude that the ethnic push factor against Russians in Ukraine, though not absent and probably strong in the west, is relatively weak, while the potential for adaptation is high. As a matter of fact, in the period 1990-96, only 2 per cento of Russians present in 1989 repatriated to Russia. Yet, the Russian Federal Migration Service granted the status of 'forced migrants' and/or 'refugees' to about 7,000 individuals arriving in Russia from Ukraine (the majority of which came from west Ukraine) between 1992 and 1996. Though this figure cannot be overlooked and seems to indicate that there is some discrimination in Ukraine, it is much smaller than respective figures concerning other former Soviet republics.

Very interesting are the results of the research mentioned earlier with regard to the language situation. To the question 'do you agree that all Russians residing in Ukraine should speak Ukrainian?' among Russians, 48 per cento answered 'no' and 47 per cento 'yes', among Ukrainians 37 per cento 'no' and 57 per cento 'yes'. So Russians are evenly split on the necessity to use the Ukrainian language, but also a good percentage of Ukrainians do not consider it vital for Russians to use Ukrainian. On the other hand, 67 per cento of Russians but also 77 per cento of Ukrainians agreed with the statement 'it is necessary for Ukrainians to speak Russian'. Considering these answers and the fact that 58 per cento Russians declared to have Ukrainian relatives and 62 per cento of Ukrainians to have Russian ones, it looks as if the Russian language will continue to be used quite extensively in Ukraine at least in the short and medium term, unless radical policies of ukrainisation are undertaken by the government. As for the media, it does not seem that Russians have been put in a difficult situation: 83 per cento declared they read Russian newspapers and 85 per cento watch Russian tv channels.

Crimea

Tatar repatriation

Before the peninsula was conquered by Russian troops at the end of the 18th century, Crimea was a Tatar Khanate, of which Crimean Tatars consider themselves the descendants. After the turmoil of the 1917-21 period, Soviet authorities re-established control over Crimea which, on 18 October 1921, was constituted as an Autonomous Republic within Russia. In 1944, however, accused of collaborating with the Nazis, 500,000 Crimean Tatars were deported *en masse* to Central Asia, together with small numbers of other groups (Armenians, Bulgarians, Germans, Greeks, Karaims, Krymchatks). The status of autonomy was abolished and Crimea became a simple *oblast* of the Russian Federation, which it remained until it was transferred to the jurisdiction of Soviet Ukraine in 1954.

In 1957, under Khrushchev, Crimean Tatars were rehabilitated, but they were not given back their territorial autonomy. The Crimean Tatars struggled to repatriate to Crimea, but only a limited number managed, at least until the beginning of the 1980s, because of the bureaucratic barriers set up against their repatriation by the Crimean party and military structures. In fact, the return of the Crimean Tatars was 'politically' and 'socially' undesirable because of the peculiarities of Soviet Crimea. First, the strategic geo-political position of the peninsula made it an important military zone where, from the Soviet point of view, it was better to maintain a loyal Slavic population. Second, Crimea had become the major sea resort of the Soviet Union, especially for the party and military establishment, thus there was naturally no incentive to allow Crimean Tatars to return, also because they would have needed land and housing.

With the new political climate introduced by the liberalisation started in 1986, it was no longer possible to stop the repatriation of Crimean Tatars who have, since then, returned to the peninsula in large numbers. The 1989 census already registered about 38,000 Tatars in Crimea, and by the end of 1997 there were 254,000, amounting to 11.9 per cento of the population of Crimea (excluding Sevastopol). According to an empirical study conducted in Uzbekistan in the summer of 1997, about 188,000 Crimean Tatars still resided in the Central Asian republic, of which 73 per cento declared their intention to return to Crimea.

Soon after the fall of the USSR, however, the presence of Crimean Tatars in Crimea became problematic, raising issues of human rights and causing inter-ethnic tensions. First, Crimean

Tatars in Crimea live in very precarious socio-economic conditions which, in addition to the fact that they are already perceived as 'undesirable' by the dominant Slavic majority, contribute to fuelling anti-Tatars sentiments. In spring 1991, the Soviet authorities devised a plan for financial support of Crimean Tatars' repatriation, establishing joint responsibilities between Ukraine and the republics from which Crimean Tatars were returning (mainly Uzbekistan), but with the dissolution of the USSR, this plan was forgotten and Ukraine was left to carry the financial burden of supporting the Crimean Tatars' repatriation. As a result of the scant financial resources that Ukraine has to allocate to facilitate resettlement, in 1998 44 per cento of Crimean Tatars in Crimea (that is 128,000 individuals or about 40,000 families) did not have housing and lived in barracks and temporary camps, 58 per cento of them are struggling to build their own houses, while the rest are in line for public housing. In 70 per cento of the about 300 rural village where Crimean Tatars reside compactly there is no water supply, in 25 per cento there is no electricity; none of them has a sewage system. Finally the situation is also critical in terms of employment, for the rate of unemployment among Crimean Tatars in Crimea is 49.6%.

The second problem, which probably contributes to aggravating the precarious socio-economic conditions of the Crimean Tatars, is that, caught in the processes of the USSR's collapse and the building of new states, 107,000 of them do not have Ukrainian citizenship and are hence deprived of the civil, political and social rights entailed. In order to receive it, most would have to renounce citizenship in another state, a procedure which involves an enormous amount of red tape, a return to the state of origin for special documents and a considerable amount of money.

Third, political mobilisation is quite high among Crimean Tatars who consider Crimea their 'homeland' - it must be remembered that their national movement, born with the original goal of repatriation, has been in existence for several decades already. They aspire to some form of independent self-determination and demand a fixed quota of representation in the parliament of the peninsula. The contrast between such aspirations and their current situation contributes to fostering a widespread sense of frustration and to fuelling the most radical nationalist groups, which have already started to create their own paramilitary brigades. The political demands of the Crimean Tatars, on the other hand, further stimulate the anti-Tatar policies and attitudes of, respectively, the Crimean autonomous authorities (predominantly Russian) and the dominant Slavic majority. This creates a tense situation which already erupted in various inter-ethnic clashes between 1995 and 1997.

The more representative and moderate political leadership of the Crimean Tatars community has organised itself into sort of parallel political institutions: the *Milli Mejlis*, an elective council, whose members are chosen by the community in self-organised elections; and the *Kulturay*, an organ elected by the *Milli Mejlis* and which constitutes the self-government of the community.

Russian separatism in Crimea

In 1989, Russians constituted a solid majority in Crimea (67.0%), while Ukrainians were a consistent minority (25.8%). Today, the Crimean Tatars represent about 11 per cento of the population, while the share of Russians, Ukrainians and all other nationalities has slightly decreased. Still, about 80 per cento of the population is comprised of Russian-speakers (85 per cento of Ukrainians in Crimea are Russophones).

In the early 1990s, the peninsula became the theatre of ethno-territorial tensions, as a result not only of the return of the Crimean Tatars, but especially of separatist/irredentist claims raised by the Russians of Crimea and backed by various nationalist politicians in Moscow. The situation was further complicated by the fact that the Crimean city of Sevastopol, a closed city in Soviet times, was the base of the Black Sea fleet. As Ukraine started to take the first steps toward sovereignty/independence in 1990-91, Russian claims over Crimea gained strength in both Moscow and Simferopol (the capital of Crimea). Throughout 1991 various Soviet leaders threatened Ukraine that its territories would be disputed if it seceded from the Soviet Union (or later, did not become a member of the Commonwealth of Independent States).

In response to the Ukrainian Supreme Soviet's declaration of sovereignty (July 1990), in January of 1991 the Russian-dominated regional Soviet of Crimea unilaterally raised the status of the peninsula from simple *oblast* to that of a Union-level republic subordinated directly to the Soviet federal centre, a decision amounting to secession from Ukraine. In February, the Ukrainian Supreme Soviet headed by Kravchuk, while not recognising the Union-level status, decided to grant Crimea the status of autonomy within Ukraine. Kravchuk was harshly criticised for accepting Crimean autonomy, but in light of the experiences of the Trans-Dniestr (Moldova) and Abkhazia (Georgia), it was perhaps the most reasonable course and actually ensured that Crimea remain a part of Ukraine.

The granting of autonomy in 1991 did not, however, prevent Crimean separatism from continuing to grow in intensity after 1992, reaching its peak in 1994-95. First, the scope and limits of the autonomy granted had still to be defined, thus even those groups of deputies in the Crimean Soviet not radically oriented toward reunion with Russia joined forces with the more radical ones in view of the bargaining battle with Kiev. Second, a large proportion of both the local elites and the population at large consisted of former military and party personnel which constituted a strong base for the pro-Russia platform. Third, Crimea, once one of the most prosperous areas of the Soviet Union, started in 1992 to enter into an unprecedented economic crisis - worse than that experienced by Russia - a fact that the majority of the population interpreted as due to its being part of Ukraine instead of Russia. Last but surely not least, starting in 1992 the Crimean situation was influenced by the territorial claims launched by the national-communist opposition in Moscow, but also by the ongoing governmental dispute over Sevastopol and the division of the Black Sea fleet.

In concomitance with the Ukrainian parliamentary elections of April 1994, Crimean authorities organised a referendum (preventively declared not valid by Kiev) on independence from Ukraine which was supported by 78.4 per cento of voters. Nevertheless, as of 1994 Russian radical separatism started to decline and the issue of Crimea was brought back to the bargaining table. A final institutional settlement was reached in 1998. A new version of the constitution was approved by the Crimean Parliament on 21 October 1998. which states that, along with the state language (Ukrainian), Crimea ensures the use of Russian, Crimean Tatar, and the languages of other nationalities. Furthermore, it states that Russian, as the language of the majority of the population, will function as the language of inter-ethnic communication in all spheres of social life. The Ukrainian parliament voted and ratified the new constitution on 28 December 1998.

Immigrants and refugees

During Soviet times, Ukraine was a major receiving, but also a sending country in the inter-republican migration flows. In the 1990s, migration flows between Russia and Ukraine have remained important: shortly after independence (1991-92), about 90,000 Ukrainians repatriated from Russia, but starting in 1993 the flow reversed and

about 182,000 Ukrainians migrated to Russia between 1993 and 1996. Ukrainians also figure prominently among the imported contract labourers arriving yearly in Russia (150,000 in the period 1994-95). The novelty of the late 1980s and especially the 1990s has been the arrival of first refugees and later undocumented migrants, sometime in transit to Western Europe.

One category of refugee arriving in Ukraine is individuals escaping from conflicts in the Soviet Union. The first refugees arrived in Ukraine as early as 1988 as a result of the inter-ethnic conflicts in Armenia and Azerbaijan. In 1989 and 1990, the Meshketian Turks arrived, victims of pogroms in the Ferghana region (Uzbekistan). This type of flow continued after the dissolution of the Soviet Union; in summer 1992, the armed conflict between the separatists of the Trans-Dniestr and Moldovan armies led about 60,000 persons to seek refuge in Ukraine, of which 50,000 arrived in the Odessa region. Later about 3,000 refugees arrived from Chechnya and 2,500 from Abkhazia. Though precise data are not available, it is thought that many of these refugees from inter-ethnic conflicts in the Soviet and post-Soviet space were of Ukrainian nationality.

A second category of refugee, though originating from countries external to the former Soviet borders, are those forming part of the Soviet legacy in that they come from Asian and/or African countries which were close to the Soviet regime, above all Afghanistan and Angola. Both the data on the individuals officially granted refugee status and empirical research indicate that Afghan citizens account for about 85 per cento of all refugees present in Ukraine, while the remaining 15 per cento consist of citizens from about 20 African and Asian countries. In this category, the first to apply for refugee status were mainly students of institutions of higher education who resided in Ukraine when the USSR collapsed. Later, close and distant relatives and friends of this early group arrived, establishing a migratory chain. As the leading universities, etc, are concentrated in Kiev, the highest concentration of these refugees/asylum seekers is in the Ukrainian capital.

Starting in 1995, though Afghans remain predominant, the latest arrivals include individuals who did not have any previous contacts and knowledge of the country. The lack of a law regulating immigration flows and the status of migrants together with the flaws in the law on refugees produce a situation in which most foreign citizens arriving in Ukraine do not get any legal status and remain undocumented. On the other hand, the very weak system of immigration control allows the inflow of undocumented

migrants to continue and increase. According to estimates put forward by Ukrainian experts, while there are about 3,000 individuals who have received refugee status in Ukraine today, there are at least 15,000 undocumented migrants, most of whom concentrated in Kiev. The lack of legal status and the scant resources the Ukrainian budget can provide for the assistance to refugees and migrants leave them in very precarious socio-economic conditions.

Legislative, institutional, and policy background

Of the 15 post-Soviet independent states, Ukraine was the last to adopt a new constitution in July 1996. This delay was the result, among other things, of the difficulty and intensity of the political debate around critical issues such as the official definition of the nation, language and the organisation of the state.

Citizenship regime

The law on citizenship (effective as of 13 November 1991 and amended on 16 April 1997) grants Ukrainian citizenship automatically to: 1) All citizens of the USSR, who at the moment of the declaration of independence of Ukraine (24 August 1991) resided permanently in the territory of Ukraine; 2) Individuals, who at the moment when the Ukrainian law on citizenship entered into force (13 November 1991) permanently resided in the territory of Ukraine, regardless of their race, colour of skin, political, religious, and other convictions, property status, place of residence, language or other grounds and who are not citizens of other states; 3) Individuals who were born or resided in the territory of Ukraine, as well as their descendants (children, grandchildren), if they resided outside Ukraine, who do not hold the citizenship of another state, and submit an application for the Ukrainian citizenship until 31 December 1999.

At birth citizenship is granted through the application of both *jus soli* or *jus sanguinis*, for naturalisation, 5 years of continuous legal residence plus fulfilment of a number of other conditions, as well as renunciation of foreign citizenship. In contrast with the emphasis posed on the importance of the Ukrainian diaspora in the definition of the nation, Ukraine does not allow double citizenship, which is instead typical of countries with large diasporas (i.e. Portugal, Italy, etc). This is easily explained by the unwillingness to allow the millions of Russians living in Ukraine to get Russian citizenship.

Language rights

Although the important aspects of Article 10 of the 1996 constitution state that Ukrainian is the sole state language without mentioning bilingualism or the parallel use of Russian as an official language, that the state must ensure the use of Ukrainian throughout the entire territory of Ukraine, and that no special status is granted to Russian, which is bracketed together with the languages of other nationalities, the 1992 law on national minorities provides that in areas (regions, cities, towns, villages, etc) where nationalities other than Ukraine form the majority of the population, their national language can be designated as official language. If in areas (defined as above) citizens do not speak the national language duly or if in the areas several nationalities live compactly but none form the absolute majority, the language more widely accepted and used by members of all different nationalities can be designated as official language.

While the first provision is straightforward and could be used by, for instance, Hungarians or Romanians in small towns or rural districts where they amount to 80-90 per cento of the population, the second is a disguised means of paving the way for the designation of Russian as an official language. This has created a situation where eastern and southeastern Ukraine local authorities, legitimised by the provision of the language law but also by the initial proposal Kuchma advanced of giving Russian the status of second official language, went ahead and adopted local legislation granting Russian official status. At the end of 1997, the State Committee for Nationality and Migration drafted a new version of the language law which was quickly accepted by the Council for Language Policy under the president but is still under discussion in parliament.

In Ukraine, given the basic assumption that past wrongs should be remedied, a lot of public statements and documents declare the need for affirmative action in support of the Ukrainian language, such as resources to open more Ukrainian language schools and universities, to publish Ukrainian language text books and, last but not least, to prepare teachers able to teach in Ukrainian.

According to the data of the Ukrainian Ministry of Education for the school year 1996/97, of a total of 21,349 schools operational in that year, many were minority schools: 2,940 Russian (1,614,500 pupils), 104 Romanian (28,200 pupils), 64 Hungarian (14,800), 5 Jewish, 3 Polish (681 pupils), 2 Moldovan (814 pupils), 2 Crimean Tatars (705 pupils). In addition there are also mixed schools where teaching

is in both Ukrainian and one of the minority languages or in Russian and another minority language: 2,259 Ukrainian-Russian, 28 Ukrainian-Polish, 7 Ukrainian-Romanian, 1 Ukrainian-Hungarian, 1 Ukrainian-Slovak, 1 Russian-Moldovan, 5 Russian-Crimean Tatar (in Crimea), 1 Russian-Polish, 9 Russian-Romanian, 1 Russian-Bulgarian. In Ukraine, the state operates and finances 15 higher education institutions where teachers of minority languages and literature are trained.

In the more symbolic sphere of traditional use of personal names and names of public places, the Ukrainian government, following the principles of the 1992 law, has allowed: members of national minorities to use the traditional style of writing and spelling of their names, surname and patronymic in various official documents; in settlements where members of national minorities are the absolute majority, to write administrative inscriptions and topographical names in both Ukrainian and the language of the national minority.

Legislation and policy on national minorities

A number of laws and articles of the Constitution ensure equal treatment of citizens before the law regardless of their ethnic or racial origins, political beliefs, religion, sex and social status and protect against discrimination based on national, racial, or religious grounds. In terms of political representation, members of national minorities in Ukraine are present in regional Councils of Peoples' Deputies and in organs of local self-government.

In the field of information, culture, mass media, despite the very limited resources given the current economic crisis, some noticeable initiatives and results are nonetheless detectable. Since 1992, a state editorial office for the publication of books in minority languages has published about 330 textbooks, books on social and political issues and fiction in Russian, Hungarian, German, Polish, Romanian, Jewish, Gagauz, Greek, Crimean Tatar, Belarus, Czech, Bulgarian and various other languages. Ukraine has about 60 newspapers in national minority languages, and the official newspaper of the Ukrainian Parliament, *Voice of Ukraine*, sponsored in collaboration with national minorities associations (which cover 50 per cento of the costs), publishes six newspaper in minority languages illustrating political events (Bulgarian, Romanian, Jewish, Russian, Polish, Armenian). In areas of compact residence of minorities, their newspapers are financed by the regional councils (particularly in Trans-Carpathia, Chernivtsi, and Odessa, for Hungarians, Romanians and Moldovans). In 1996, according to data released by the Ukrainian Ministry of Information

1,229 television and 1,988 radio broadcasts were in the languages of national minorities. Art. 16 of the 1992 law on national minorities states that the state budget must annually allocate financial resources in support of national minorities, mainly by financing initiatives undertaken by minority associations. In the three-year period 1995-97, the state was able to allocate only a total of about \$150,000, but given the extreme economic and financial crisis, such support can nevertheless be seen as indicative of the state's intention to keep its promises. On the other hand, the contrast between such declaratory policy and the actual resources allocated represents a source of frustration for the active representatives of national minorities.

One of the main points of the official policies of Ukraine is the state programme 'The Ukrainian diaspora up to the year 2,000', aiming to support the cultural and educational needs of ethnic Ukrainians abroad and, particularly, of those communities that are present in all seven states bordering on Ukraine.

Minority policy institutions

The main and most active institution is the State Committee for Nationalities and Migration, which has 24 branches attached to regional organs of executive power and is the central executive body in the fields of national minorities rights, international relations, issues related to the Ukrainian diaspora, and migration. In 1996, a Council of Representatives of Civic Communities of National Minorities was created, attached to the State Committee for Nationalities and Migration, as a channel of communication and co-ordination between the state and the national minorities representatives. It includes representatives of 23 national minorities organisations that have an All-Ukrainian status.

In recent years, the Ukrainian parliament has been discussing the establishment of an Ombudsman for national minorities, but has not reached a solution due to contrasts on who can be appointed to this post.

International conventions, bilateral agreements

Ukraine has signed bilateral agreements of friendship and co-operation, containing provisions for joint responsibility for the protection of rights of respective national minorities, with all seven bordering states. Moreover with two bordering states (Hungary since 1991, Slovakia since 1994) and with Lithuania (since 1997), Ukraine has established standing intergovernmental commissions composed of representatives

of ministries and other institutions with responsibility in the sphere of minority policy. The commissions meet annually, alternately on the territories of the two states. Progress has recently been made in setting up three more bilateral standing commissions with Romania, Poland and Moldova.

Migration and refugee regime

As of 1 April 1998, the status of refugee had been granted to 2,757 individuals citizens of more than 45 states, 60 per cento of whom live in the capital Kiev and 11 per cento in the city of Odessa. However, their living conditions in Ukraine remain very precarious, not only because the state budget does not allow for the allocation of sufficient resources to assist and support them, but also because of problems arising from bureaucratic impediments. The clearest example concerns the application of the Interior Ministry regulation regarding the documents foreigners must carry with them. These documents must be registered with the Ministry of Interior; failure to do so implies a heavy fine. To register, however, foreigners must show official proof of having a place of residence (a hotel or rent contract). Most refugees are not able to provide proof of this kind as the four planned state reception centres have not yet opened and most live in rented flats whose owners for various reasons refuse to give a document confirming the rent agreement. The result is that refugees, already in precarious socio-economic conditions, are often fined by the police. The majority of foreigners arriving in Ukraine are without legal status.

Elections

In March 1998, in anticipation of the general parliamentary and local Crimean elections (the first round was to be held 29 March and the second two weeks later) and in response to a decision of the Ukrainian parliament forbidding the participation in the elections of those who had not yet received citizenship, Crimean Tatars organised a vibrant protest demonstration, blocking the major highway and railway line, marching in Simferopol, throwing stones at the Ukrainian Communist party building and violently clashing with the police and demanding their own state - a part of the platform of the most radical wing of their national movement. As a result, the 29 March/13 April two-round elections in Crimea were held in a climate of emergency with the streets and the polls heavily patrolled by police and army forces to avoid

incidents, but also to make sure that Crimean Tatars without citizenship did not try to vote - a situation judged by a large segment of Ukrainian intellectuals and media as a defeat of democracy.

Though the major cause for this new wave of mobilisation was the question of simplifying the procedures for citizenship and the fact that 85,000 individuals could not vote in the elections, the Crimean Tatars took the opportunity to voice other demands they had been making in the last years. First, fixed representation in the Republican Crimean Parliament of 20-25 deputies (after abolition of this provision by pro-Russian deputies) to be elected in specially created and delimited Crimean Tatar national electoral districts. Today in the Crimean parliament there are no deputies elected by Crimean Tatars, the only Crimean Tatar in the parliament, Lentun Bezaziev, was elected from the rank of the Crimean Communist Party and is not considered a representative of the community; their representation is minimal in other local councils. And second, the institutionalisation of their organs of community political self-organisation, the *Milli Mejlis* and *Kulturay*, into a legally recognised form of national self-determination. This would be something different than the simple cultural national autonomy generically ensured by the Ukrainian law on national minorities of 1992. It seems difficult that the Ukrainian government can satisfy such a demand, as it might be a precedent for similar and potentially more dangerous demands from the Russophone communities in east and southeast Ukraine.

In April 1998, parliamentary elections were held in Ukraine. Ethnic issues did not play a major role; in this context both governmental action and national level politics were monopolised by economic and financial matters. The new parliament inherited from the previous one the issue of drafting a new law on language and a new law on national minorities, but work barely started in this area in 1998. Parliament did create the 'Committee on Human Rights, National Minorities and Inter-ethnic Relations', however, headed by G. Udovenko, former foreign minister of Ukraine.

In addition to the mobilisation of Crimean Tatars and related tensions, Crimea registered two controversial decisions by the Russian dominated republican parliament in 1998. At the beginning of April 1998 the Crimean parliament voted to declare 19 April (the date on which Catherine the second issued the decree formalising Russia annexation of Crimea) as 'The Day of Russia' in Crimea; and to make Russian the language for the conduct of administration and business. While the first decision, despite its high symbolic meaning, can be disregarded and does not automatically produce any relevant

effect, the second one is in open contrast with Article 10 of the Ukrainian constitution stating that Ukrainian is the sole state language throughout the territory of Ukraine. These two decisions confirm that the question of Russian separatism in Crimea has not been entirely solved and remains a source of potential tension.

Xenophobia, discrimination

Research conducted by the Kiev International Institute of Sociology on the level of xenophobia in Ukraine since 1994 shows that in 1998 between 30 per cento and 40 per cento of the population holds some sort of ethnic prejudice. The most widespread ethnic prejudice is directed towards Roma and refugees from African countries. The research also indicated the persistence of a consistent share of the population (30%) holding some sort of anti-Semitic prejudices.

The research results reveal that the level of ethnic prejudice is higher among the less educated, a situation particularly characteristic of rural residents, among whom ethnic prejudice is on average higher than among urban dwellers. Three observations are worth reporting. First, the level of xenophobia in general and of anti-Semitism in particular registered in Ukraine, is higher on average than in Western European countries, but lower than in Russia and other post-Soviet countries. Second, the level of ethnic tolerance has decreased in 1998 as compared to 1994. Third, at the moment, because of widespread social apathy, the probability of widespread violent xenophobic incidents or of pogroms is low, notwithstanding the existence of a potential basis represented by the high percentage of the population holding ethnic prejudices.

Another research study, entitled 'Ethnic Groups in Ukraine', commissioned by the State Committee for Nationalities and Migration to the Institute of Sociology of the Ukrainian Academy of Science, is not limited to xenophobia, but extends more in general to inter-ethnic attitudes. Among Jews and Crimean Tatars, the percentage of those reporting to having been victims of discrimination sporadically and/or often is much higher (59 per cento and 57 per cento respectively) than among, for instance, Belarusians (8%), Hungarians (16%), Russians (26.5%), Moldovans (35%). Though lower than that of Jews and Crimean Tatars, a relatively high percentage of respondents among Romanians, Bulgarians, Germans and Poles also declared to have been the victim of discrimination. In terms of the sphere of discrimination, it is very telling that 60 per cento of the Crimean Tatars who reported having been discriminated against

indicated politics as the area of discrimination. Jews, instead, indicated education (69%) as the main areas of discrimination, while education was indicated in large percentages by Romanians (51.5%) and Moldovans (37.6%). Russians singled out education (10.9%), culture (22.8%) and politics (17.4%). Interestingly enough, the sphere of religion was indicated mostly by the Catholic Poles (26.8%), even more than by the Muslim Crimean Tatars (14.5%). Finally, the economic sphere was indicated as the place of discrimination by small percentages among all national minorities, with the important exception of the Crimean Tatars (39.8%). With few exceptions, among all national minorities the majorities of respondents indicated the provision of concrete material support as the area where government policy could help them most. In addition to widespread anti-migrant attitudes among the population, a further negative input has come from major Ukrainian newspapers (particularly central Kiev publications), all of which have published articles and editorial describing the influx of immigrants as a growing invasion and portraying undocumented immigrants as the major cause of rising criminality.

These and various other articles, however, do not limit their analysis to the usual complaint that representative of migrants minorities control the street markets, but go so far as to claim that those trading in the market are only the visible and less relevant tip of an iceberg of immigrant organised crime involving drugs and weapon trafficking, and controlling the prostitution business. Newspapers also suggest, after a patronising discussion of the unfortunate living conditions of immigrants, that they are bringing dangerous diseases and above all AIDS into Ukraine.

Another aspect of the media representation is the typical argument legitimising and calling for restrictive migration policies stressing the impossibility of integrating migrants because they have completely different cultural customs and tradition. This is presented as the reason why migrants live in segregated communities, forming the basis for the development of ethnic criminal activities.

Positive developments

In terms of legislation, the most important development in 1998 (6 July) in the ethnic field is the decree adopted by the Cabinet on 'The procedures to provide refugees financial support and pensions', entailing a one shot payment to cover the purchase of staple goods and travel expenses to reach the regional point of first reception.

Moreover, as of 1999, in drafting the state budget, the Ministry of Finance will have to include allocations for pensions to elderly refugees or those who have been declared unable to work. The level of the pensions for refugees are equal to the minimal social pension paid to Ukrainian citizens. According to Ukrainian experts, this important decision was taken to respond to a stimulus coming from the Council of Europe. Given the situation of economic and financial crisis, Ukraine has been promised a certain level of international aid (only in 1998, for instance, the UNHCR allocated \$4.5 millions to Ukraine to cover expenses related to primary assistance and accommodation for refugees).

In May 1998, the Islamic Bank of Development offered to provide financial support for the settlement of Crimean Tatars returning to Crimea, as well as to those still residing in Uzbekistan but wishing to return. The involvement of such a powerful and religiously coloured institution raised fears of Islamic fundamentalism in Ukraine. However, the chairman of the *Milli Mejlis*, Mustafa Djemiliev, replied to these basically xenophobic arguments that such aid will be exclusively of humanitarian nature, aimed to improve the leaving conditions of Crimean Tatars.

The most concrete and seemingly successful initiative of the Ukrainian government was the agreement with the Uzbek government to let the Crimean Tatars fill in a form in which they declare their renunciation of Uzbek citizenship (the form will be authenticated by Ukrainian authorities); the Uzbek government, upon receiving the declarations, will free the applicants from the obligation to pay and to come to Uzbekistan. The agreement lasts until 31 December of 1999. The drawback is that, given the short term of validity of the agreement and the length of the procedures involved, there is the risk that many Crimean Tatars will not be able to fulfil the procedures in time.

CHAPTER 9 Central Europe

9.1 Slovakia

Territorialised minorities

The percentage of the minority population in the Slovak Republic is relatively high in comparison with other European countries. According to the last census carried out in 1991, approximately fourteen percent of the population of Slovakia belongs to minorities. Of the total population of 5,300,000,

- 567,300 (-11 percent) belong to the Hungarian minority
- 76,000 (-1.5 percent) are Roma (estimates are much higher: 300,000 - 500,000)
- 59,300 Czech
- 17,200 Ruthenian
- 13,300 Ukrainian.

There are also other minorities but they are considerably less numerous. The problems of minorities in Slovakia differ. While the main concern of the smaller minorities is how to preserve their identities, Roma face serious economic and social problems and have experienced several racially motivated attacks against members of their community in recent years. The main problem of the Hungarian minority is to redefine its status in Slovak society.

Hungarians

The vast majority of the inhabitants of Slovakia belonging to the Hungarian minority live in the southern part of Slovakia near the border with Hungary. After World War I, they became citizens of the newly formed Czechoslovakia, but after the end of World War II, they were deprived of their citizenship pursuant to application of the principle of collective guilt. Schools with Hungarian language instruction were closed, publications in Hungarian prohibited, civil servants of Hungarian origin dismissed from their posts. President Edvard Benes and the Czechoslovak government wanted to solve the Hungarian problem in the same way they had the German problem - through expulsion, but under pressure from the great powers, Hungary signed an agreement with Czechoslovakia allowing for a population exchange. According to that agreement, more than 70,000 ethnic Hungarians were expelled from Slovakia, their

place being taken by almost the same number of ethnic Slovaks from Hungary. Moreover, about 50,000 ethnic Hungarians were deported to work camps in the Czech lands.

After the collapse of the communist regime, Hungarians have become an important factor in Slovak politics. The three largest Hungarian minority parties grouped together in the Hungarian Coalition received more than 10 percent of votes in the September 1994 parliamentary elections. Forced to unify after the new electoral law of 20 May 1998 introduced a 5 percent quorum for every party of a pre-election coalition (a list of candidates that includes even one name of a member of a different party is considered a coalition), the newly formed Party of the Hungarian Coalition received slightly more than 9 percent in the September 1998 parliamentary elections, making it the third strongest political entity in Slovakia. These election results correspond more or less to the share of ethnic Hungarians in Slovakia. The Party of the Hungarian Coalition is made up of the conservative Hungarian Christian Democratic Movement (MKDH), the national-centrist-liberal Coexistence (Egyuttes/Spoluzitie) movement and the liberal-civic Hungarian Civic Party (MOS). The MOS is the only minority party in Slovakia which has participated in a ruling coalition (between 1990 and 1992), at which time it (under the name Hungarian Independent Initiative) had a deputy speaker of parliament as well as the deputy prime minister of the Slovak government. The Hungarian People's Movement for Reconciliation and Prosperity, established in 1995 to support the coalition government of Prime Minister Vladimir Meciar, does not enjoy much support among the Hungarian minority (in the 1998 parliamentary elections, it received less than 0.2 of the total vote).

After the September 1998 parliamentary elections, in which the opposition won 93 out of 150 seats in the one-chamber National Council of the Slovak Republic (national parliament), which means a constitutional majority allowing them to change the Constitution, elect the President, etc., all potential ruling parties declared their will to form the new government with the participation of the Party of the Hungarian Coalition (15 deputies). The Party of the Hungarian Coalition has three positions in the cabinet: one deputy prime minister and two ministers; the Deputy Prime Minister for Human Rights, Minority Rights and Regional Development, Pal Csaky, the Minister of Environment, Laszlo Miklos, and the Minister of Construction Industry and Public Works, Istvan Harna. The party also has four state secretaries (deputy

ministers) as well as the Deputy Speaker of the National Council of the Slovak Republic, Bela Bugar, who is the chair of the party. Although the Party of the Hungarian Coalition is a very close ally of the main Slovak political forces that were on the opposition against Meciar's government, its primary focus is on issues of ethnic Hungarians in Slovakia.

While both the Hungarian Christian Democratic Movement (MKDH) and the Hungarian Civic Party (MOS) emphasize the principle of self-administration of minorities in the fields of education and culture and Coexistence claims that neither cultural nor educational autonomy are possible without a background of territorial and administrative organization, no political representatives of the Hungarian minority have ever raised the issue of territorial autonomy.

The main concerns of ethnic Hungarians in Slovakia regard the use of minority languages, education in minority languages, territorial and administrative division of Slovakia and the election law.

In November 1995, a controversial new law introduced the use of Slovak - the state language - in virtually all aspects of public life. Political representatives of the Hungarian minority in Slovakia had opposed the law from its origins, and after it was passed, deputies of the Hungarian Coalition and the opposition Christian Democratic Movement requested a ruling on its constitutionality from the Constitutional Court. The ruling confirmed that minorities have the right to use their own language in official business (or administrative proceedings) as stated in the Constitution of the Slovak Republic. But when local authorities (municipalities) in some ethnically mixed communities adopted decisions permitting citizens to use Hungarian together with Slovak for official communication with municipal offices, representatives of the Ministry of Culture nevertheless protested that these decisions were anti-constitutional. The parliamentary Committee for Public Administration, Territorial Governments, and National Minorities has reviewed the decisions, but has done nothing to invalidate them.

Slovakia has a well-developed network of elementary and secondary schools in which teaching is done in a minority language. In 1995, the government tried to introduce so-called alternative education in these schools, meaning that some subjects (e. g. history, geography) would be taught in Slovak. The government's rationale was to improve the Slovak language skills of pupils and students of the Hungarian minority, as well as their career prospects, but Hungarian political leaders protested that this was

part of a gradual process leading to the assimilation of ethnic Hungarians in Slovakia. Their protest was successful: alternative education was adopted on a voluntary basis in only one elementary and three secondary schools.

In January 1997 (in accordance with the new Law on the State Language), the Ministry of Education decided to end the practice dating back to 1921 of issuing bilingual report cards in schools with minority language of instruction. The Ministry's decision caused a wave of protest throughout the Hungarian community in Slovakia: in some schools, directors defied the Ministry's ruling and continued to issue bilingual school reports for which they were sanctioned; in others, pupils and students refused to accept mono-lingual report cards.

In 1996, disregarding alternative proposals by the Hungarian Coalition, the government passed a law introducing a massive change in the territorial and administrative division of the Slovak Republic. The country is now divided into eight large regions and seventy-four districts, with the map redrawn so that Hungarians are a minority in all eight regions. The share of ethnic Hungarians in the eight new regions ranges from 0.1 percent in the Zilina region to 30.58 percent in the Nitra region.

On 19 May 1998, about 500 people came to the protest rally in front of the Slovak Cabinet Office against the cabinet-tailored amendments to the law on local elections, according to which every ethnic group living in a town or village must be represented in the respective municipality regardless of the number of votes. This would mean that in a town or village with 95 percent ethnic Hungarians, the remaining 5 percent of inhabitants must be represented in the municipal body regardless of their election result - something which goes against the principle of equal representation. Municipal representatives, who were excluded from the drafting of the law, said reducing the powers of municipalities and subordinating them to the state administration were the real objective, even at the price of violating international norms and the Constitution of the Slovak Republic. Despite the protests, parliament passed the amendment on 1 July. Thirty-five members of parliament from all opposition parties submitted it to the Constitutional Court for a ruling on whether or not it is unconstitutional.

On 15 October, the Constitutional Court of the Slovak Republic issued a ruling that some provisions of the Amendment to the Law on Local Elections, including the one introducing the so-called ethnic mandate, are unconstitutional.

State financing of the Hungarian minority culture has continued to drop since 1996.

In 1994, the Ministry of Culture provided the Hungarian Cultural Union - CSEMADOK - with a subsidy of 10.8 million Slovak crowns (SK). In 1995, this was reduced to 4.11 million SK and in 1996 the subsidy was cut altogether. Since then, all CSEMADOK's costs have been covered by citizens' contributions, its own resources and some financial means provided by municipalities.

The money from the state budget which was supposed to support minority culture has been allocated by the state cultural fund - Pro Slovakia - to a four-language supplement to the pro-government daily newspaper, Slovenska REPUBLIKA and to similar activities (support of pro-government foundations, etc.).

After passing of the Law on the State Language in 1995, some acts occurred which can be described as anti-minority activities leading to the reduction of rights of minorities in the country. For example, in April 1996, at the Podunajske Museum in the town of Komarno in southern Slovakia (which is well-known for its displays of cultural artifacts of Hungarians living in Slovak territory), the Slovak-Hungarian name plates on museum exhibits were replaced by Slovak-English ones. This case was used as an example of the arrogant attitude of the state after passing of the Law on the State Language.

Roma

For three hundred years after its inception in the 15th century, Slovakia was a country that received Roma without any conflict. The situation changed in the 18th century, when Maria Theresia and Joseph II introduced a policy of forced isolation from their traditional way of life in an attempt to assimilate them. This policy, which aimed to assimilate, but also to educate and employ the Roma by settling them, was renewed in the early 20th century.

A dominant feature of the policy of the communist regime from the late 1940s was legally supported assimilation, particularly pursuant to Act No. 74/59 which banned nomadic life.

In Slovakia, the Roma population was not acknowledged as a minority, although they made up more than 10 percent of the population in some localities. Their national identity was determined by their way of life. Those who integrated and seemed to lead the same life as other citizens were not counted in statistics as Roma. In 1965, a new era started: some Roma families were forced to move to the Czech part of the common Czechoslovak state. Government decree No. 502/1965, reflecting the Decree of the

Communist Party of Czechoslovakia, established a Government Committee for Gypsy Issues which, *inter alia*, 'adopted' the principles for organizing the dispersion and relocation of the Roma population with the aim of liquidating undesirable Roma clusters. This planned transfer was not successful and therefore new political methods were sought.

Relocating programs in Czechoslovakia had negative repercussions on relations between Roma and the majority population. For example, in accordance with The Principles for Buying out and Providing Financial Refunds, and Using Exemptions in Buying out Gypsy Slums, adopted by the Ministry of Finance in 1966, the state placed Roma families in blocks of flats together with non-Roma families. Co-existence between the two was complex because of their different ways of life. Occasionally, Roma families enjoyed preferential treatment when apartments for which others had been waiting for several years were allotted them. Thus, there were conflicts and contradictions among the population which strengthened negative stereotypes about Roma.

In 1991, the Slovak government adopted a policy document (Principles of Government Policy in Relation to the Roma Population) proposing resolution of Roma problems in the ethnic, social, cultural, educational and economic spheres. In the document, the Roma were recognised as an ethnic group, with a status equivalent to that of other minorities living in Slovakia. However, full application of this remains questionable, especially due to the lack of readiness of the minority to identify internally with its own group. The experience of Roma since the collapse of the communist regime in 1989, including manifestations of racism and prejudice among some majority groups, makes the ethnic identification of the Roma more difficult. In the other spheres, government policy is based on one common pillar, namely, not to apportion separate, special social assistance only to the Roma (in the social area), not to set aside separate state funds for the Roma (in the economic arena), and not to render special care on the grounds of mere Roma ethnicity but to provide it to that part of the population that is socially dependent.

An essential turning point in addressing the problems of the Roma has not yet been reached. In 1995, the government established a Slovak Government Commissioner for Solutions of Problems of Citizens with Special Needs at the Ministry of Labor, Social Affairs and Family of the Slovak Republic. But this institution has often been criticized

because the position itself involves a discriminatory principle by identifying Roma as citizens with special needs.

According to an interesting research project carried out by the Research Institute of Labor, Social Affairs and the Family, the results of which were published in spring 1998, almost 88 percent of all Roma families in Slovakia maintain certain Roma traditions. However, only 65.7 percent of Roma consider it important to raise their children as Roma. 'The identity of Roma is linked not only to songs and customs, it also means being different and isolated towards the non-Roma part of the population,' said M. Lenczova, head of the institute. The institute's research indicates that 55.7 percent of Roma families regularly use Romani, the Roma language, while 27 percent use it rarely and 17.3 percent do not communicate in it at all. Generally, as the level of education increases, the use of Romani declines.

The Roma have still not been fully integrated into Slovak society. Differences in culture, lifestyle and values still lead to considerable tensions with the majority population. The social problems of the Roma community are the most serious issue. The main problems of the Roma population in Slovakia concern employment, housing, social isolation and political divisions. Roma unemployment in some regions of the country is nearly 100 percent. Roma often claim that employers favor non-Roma applicants but any discrimination in this respect is hard to prove. The majority of unemployed Roma say they seek jobs, but 51 percent of the respondents have not even finished elementary school. Almost 84 percent of Roma are discontent with their dwelling conditions. According to research conducted in 1996-97 on a sample of 761 respondents, social isolation rests heavily on the Roma in Slovakia and keeps them from interacting with the rest of society. More than half of the Roma (55.4 percent) only rarely come into contact with non-Roma citizens.

The political parties of the Roma community in Slovakia have not been very effective. This is due to the population's low social standards, high unemployment and considerably lower level of education. At the moment, there are three active Roma political parties or groupings which differ in their ideas on how to deal with the Roma problem.

There have been some manifestations of racism in the so-called grade zero classes established to provide Roma children who have not attended kindergarten with language instruction, training in social skills and personal hygiene to prepare them for entering the first grade. Creation of the so-called grade zero classes might be seen

as a manifestation of racism in itself because the classes are created for Roma children only who are automatically supposed not to possess necessary social skills and personal hygiene. But more importantly, there is a growing problem with racially motivated violence against members of the community. In 1995, the Slovak police registered nineteen assaults against Roma by members of extremist groups. In 1996, racist attacks were reported every month. In most cases, such incidents were initiated by skinheads acting alone or in groups; sometimes the Roma initiated the attack. The most tragic case occurred in 1995 in the town Ziar nad Hronom in central Slovakia, where a Roma teenager was beaten and burned by a group of skinheads.

The Slovak Roma started to emigrate from Slovakia after the story of the Czech Roma in Canada had become well-known. Slovak citizens do need an entry visa for Canada and therefore the Slovak Roma started to travel to those countries that do not require visas (all European countries, except Great Britain and the Republic of Ireland, since they have reintroduced the visa duty for Slovakia.). The social and communication network among Roma works very well, so after first information from relatives many of those who wanted to emigrate chose Great Britain.

Their motives are economic as well as political. There are regions in Slovakia where the unemployment of Roma is nearly 100 percent. Consequently, the social situation is also very bad. Most of these regions are in eastern Slovakia, where Roma live in settlements (*romske osady*) outside of the towns or villages. On the other hand, when Roma try to find a job, most employers do not want to hire them because of bad experiences with Roma employees in the past. The tendency is clear, even though there are no official statistics to prove it. In this respect, it is possible to speak about a certain form of (hidden) racism.

On 8 October, Great Britain decided to reintroduce visas for citizens of the Slovak Republic. The decision was taken because of the increase in the number of Slovak Roma requesting asylum there: in August and September, 1,611 Slovak Roma requested asylum in Great Britain (more than 2,000 since the beginning of the year, which means an increase of more than 100 percent with respect to 1997). According to British Foreign Minister Robin Cook, reintroducing visas has nothing to do with political developments in the Slovak Republic. He also stated that the vast majority of Slovak citizens who requested asylum in Britain were not motivated by persecution but merely by their desire for a better standard of living.

Legislative/institutional/policy background

The Constitution of the Slovak Republic officially recognizes the existence of national minorities in the Slovak Republic and guarantees that 'every person has the right to decide freely of which national group he or she is a member' and that 'membership in any national minority or ethnic group may not be used to the detriment of any individual.' Art. 34, para. 1 of the Constitution states: 'Citizens of national minorities or ethnic groups in the Slovak Republic shall be guaranteed their full development, particularly the rights to promote their cultural heritage with other citizens of the same national minority or ethnic group, receive and disseminate information in their mother tongues, form associations, and create and maintain educational and cultural institutions....'

Furthermore, the Constitution (Art. 34, para. 2) states that, 'In addition to the right to learn the state language, the citizens of national minorities or ethnic groups shall, under provisions fixed by law, also be guaranteed a) the right to be educated in a minority language, and b) the right to use a minority language in official communications . . .'. However, this provision of the Constitution regarding the use of a minority language has not yet been fulfilled. The right to use a minority language in official communications used to be guaranteed by the Law on the Official Language in the Slovak Republic (passed in 1990). Sec. 6, para. 2 of this law stated: 'If members of a national minority constitute at least 20 percent of the population of a town or a village, they may use their language in official communications in those towns and villages.' However, since the Law on the Official Language was replaced by the Law on the State Language in 1995, this possibility no longer exists, despite the above mentioned provision of the Constitution. The only area of official communication in which members of minorities may use their mother tongue is before the courts.

Minorities are also guaranteed the use of the minority language for the names of municipalities and bilingual street signs in those towns and villages in which members of a national minority constitute at least 20 percent of the population.

At the same time, as regards education, the education system of the Slovak Republic includes schools with instruction in a minority language at all levels, from kindergartens to secondary schools. The Hungarian minority has the mostly developed system of schools because of its number; there is of course no exclusive right of the Hungarian minority to have some schools. There are schools with the Ruthenian,

German, as well as the Bulgarian language of instruction. There are no schools with the Czech language of instruction because the Czech parents do not have an interest in sending their children to such schools because of the similarity of the two languages. The only minority policy institution in Slovakia is the Council for Nationalities led by one of the deputy prime ministers. The Council consists of representatives of all territorial minorities living in the Slovak Republic and has advisory powers, but the government is not obliged to follow its advice.

As a successor state to the former Czech and Slovak Federal Republic, the Slovak state has signed, ratified and applies the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, adopted in December 1992, the Document of the Copenhagen Meeting of the Conference on the Human Dimension of the Conference of the Security and Cooperation in Europe of June 1990, as well as the Framework Convention for the Protection of National Minorities of the Council of Europe (signed on 1 February 1995, entered into force on 1 February 1998).

Following the signing of the latter, the Slovak Republic and the Republic of Hungary signed the Treaty on Good Neighborliness and Friendly Cooperation between the Slovak Republic and the Republic of Hungary in Paris on 19 March 1995. According to Article 15, subpara. 2 d), 'Reaffirming their general integration policy, the Contracting Parties shall refrain from policies and practices aimed at assimilation of persons belonging to national minorities against their will and shall protect these persons from any action aimed at such assimilation. The parties shall refrain from measures which alter the proportions of the population in areas also inhabited by persons belonging to national minorities and are aimed at restricting the rights and freedoms of those persons that would be to the detriment of the national minorities'.

Citizenship regime

In order to acquire Slovak citizenship, at least one of the parents has to be a Slovak citizen. Naturalization requires the permanent residence in the Slovak Republic for at least 5 years, proficiency in the Slovak language, and no sanction from a court for a deliberate criminal act within the last five years. (Applicants who are not citizens of another country or those who have already undertaken legal steps leading to the loss of the citizenship of their country, have a priority in the process of acquiring Slovak citizenship.) Upon marriage to a Slovak citizen, a foreign

citizen is granted Slovak citizenship if she/he has an interest in acquiring it. Foreign nationals who have special merits regarding the Slovak Republic, can acquire the Slovak citizenship without fulfilling the above mentioned conditions. The children of foreign nationals included in their parents' application acquire Slovak citizenship automatically (if one parent applies and acquires Slovak citizenship, the other must agree with citizenship being granted to the children). The Slovak state accepts dual citizenship.

Immigrants and Refugees

The following figures illustrate that the issue of immigrants and refugees is still seen, despite developments in recent months, as a marginal one in Slovak society. According to the United Nations High Commissioner for Refugees Liaison Office in Bratislava, the border police of the Slovak Republic detained 412 persons trying to cross the Slovak-Hungarian borders in 1998 (from January to the end of September). This constitutes a 100 percent increase over 1997. Of the 412, the largest number of people trying to cross the borders were ethnic Albanians from Kosovo (about 300) , 45 were from Afghanistan, 22 from Sri Lanka, 8 from Algeria, 8 from Turkey, 5 from Romania, 3 from Iran, 2 from India, 2 from Liberia, etc.

In the same period (between January and end of September), 25 persons received asylum in the Slovak Republic: 16 persons from Afghanistan, 5 from Yugoslavia, 2 from Iraq, 1 from Pakistan, and 1 from Syria. In 1997, 65 persons received asylum in the Slovak Republic.

Official statistics are only available since 1992. In 1992, 87 persons applied for asylum in the Slovak Republic; 55 persons received it. The problem of illegal immigration did not exist. Between 1992 and 30 September 1998, 1,977 persons applied for asylum in the Slovak Republic; 431 persons received it, 275 did not, and in 1,168 cases, the procedure has been suspended (because the potential asylum seekers gave up their applications) and in 103 cases it has still not been concluded. Since 1992, only 39 persons from among these applicants received Slovak citizenship. The largest number of immigrants (645) arrived in 1997.

The country is constantly being used as a transit country for refugees, mostly from Sri Lanka, Afghanistan and post-Soviet Asian republics. They cross the Slovak borders illegally (in most cases from Ukraine) and leave the country mostly via the

borders with the Czech Republic and Poland on their way to the European Union and beyond.

The vast majority of mass media in Slovakia are fair to minorities and refugees. In 1998, only those media controlled by the ruling coalition, namely the Slovak Television, the daily newspaper Slovenska Republika and the weekly Zmena, contributed to creating negative stereotypes, criminalizing minorities and using the Hungarian minority as a scapegoat for a variety of problems in society.

The only exception regards the Roma: when reporting on crimes, the majority of media always clearly say that the person who committed the crime was of Roma origin (something which is never done when the subject is a non-Roma). After Great Britain's reintroduction of visas for Slovak citizens, the majority of media criticized the Roma community for forcing the British government to take this step.

Xenophobia, racism and discrimination

The only example of an openly xenophobic and discriminatory attitude was the text on the pre-election poster of the ruling Slovak National Party: 'Vote for Slovakia Without Parasites!' Representatives of the party even explained who the parasites are: political representatives of the Hungarian minority in Slovakia, as well as those who do not want to work, namely Gypsies. The party received 9.01 percent of votes (14 seat in the new parliament), but because of its extreme nationalism, it will not participate in the new government.

Positive developments

After the parliamentary elections, it is possible to expect a radical improvement of the political situation and that of interethnic relations in the Slovak Republic. Representatives of the largest minority, the Hungarian minority will be participating in the new government.

The most important issue for the Hungarian minority at the moment is the Law on the Use of Minority Languages in Official Business. The absence of such a law is strongly felt since the new Law on the State Language has restricted the use of any languages other than Slovak in official proceedings, evidently a setback from the 1991 Law on the Official Language in the Slovak Republic which guaranteed the use of

minority languages in such circumstances. The current condition has been criticized not only by the Hungarian minority representatives and the opposition but also by representatives of various Western governments and democratic institutions.

The US-based foundation Project on Ethnic Relations brought together for about two years an expert group of parliamentarians from both government and the opposition to draft a bill based on the European Charter of Regional and Minority Languages of the Council of Europe. With the change in government, the bill should be submitted to the new parliament for discussion and voted as soon as possible. Passing of the Law on the Use of Minority Languages in Official Business would be a positive signal and could provide a basis for a legislative resolution of the status of ethnic minorities in the country - the so-called minority law.

9.2 Hungary

The Constitution of the Republic of Hungary (written in 1949, adapted to the new political system after 1989) states in Art. 68 that national and ethnic minorities living in the Republic of Hungary are constituent factors in the state and are entitled to protection and the possibility for their collective participation in public life, guarantees them the right to establish self-governments at the local and national level, and enables them to foster their own culture, use and receive school instruction in their mother tongue, and freedom to use their names as spelled and pronounced in their own language. On the other hand the Constitution states in Art.6 that the Republic of Hungary bears a sense of responsibility for what happens to Hungarians living outside of its borders and promotes the fostering of their relations with Hungary.

It is obvious that the question of ethnic and national minorities is twofold in Hungary. When speaking of minorities, Hungarians mean on the one hand ethnic and national minorities living in Hungary, on the other hand Hungarians living in neighbouring countries - mainly Romania, Slovakia, Yugoslavia and Ukraine. These two problems are of equal importance for Hungary.

Concerning national and ethnic minorities living in Hungary the first and most important feature of the Hungarian minority protection system as defined in Act LXXVII of 1993 on the Rights of National and Ethnic Minorities (Minority Act in the following) is that it refers only to 'historical' minorities: ethnic groups that have

been living on the territory of Hungary for at least a century... whose members hold Hungarian citizenship and who differ from the rest of the population in terms of their mother tongue, culture, tradition. The Act lists 13 such groups, but allows for any other minority group to apply for recognition as minority if it fulfils the above conditions and is supported by at least one thousand citizens who profess to belong to that particular minority group. Out of the 13 listed minorities, the Roma minority is defined as an ethnic minority, the rest are national minorities.

According to census data (collected in 1990) minorities represent some 2 per cent of the population as measured according to belonging to national group and 1.3 per cent if according to mother tongue. The estimated number of persons belonging to national and ethnic minorities (source: minority organisations) is between 8 and 10 per cent, out of which 4-6 per cent are Roma (400,000-600,000) and the remainder are mainly Germans (around 200,000), Slovaks (around 100,000), Croats (around 80,000) and Romanians (25,000).

Roma

Most of the 600,000 Roma community of Hungary make up the poorest 10 per cent of the Hungarian population. Life expectancy is ten years less than for the rest of the population. According to a government report, inequality of opportunity between the Gypsies and the rest of the Hungarian population has increased in recent years. With the introduction of a market economy, the badly paid jobs for unskilled labor have been liquidated, resulting in an unemployment rate of some 70 per cent among Roma while only 10-13 percent of Hungarians are out of work. It also states that return of unemployed Roma to the labour market is low and further decreasing because of the low level of education of the members of this group. While there has been an increase since 1990 in the proportion of those who have primary school education among Roma (approximately 70 per cent) the rate of those who continue their studies at the secondary level is still very low (3 per cent compared to 50 per cent of Hungarian children). Only 0.22 per cent of Roma children are accepted into higher education institutions.

The major problem of the education of Roma is the trend towards the segregation of Roma children. Currently in Hungary there are 900 schools in which more than 10 per cent of the children are Roma, 132 educational institutions in which Roma children study in separated classes. Out of 10 Roma children, four are attending schools that are

inferior in material and pedagogical terms. 40 per cent of the 30,000 children attending special schools are of Roma origin; in according to a recent survey in the less developed part of Hungary, in Borsod-Abauj-Zemplen county 94 per cent of the children attending special schools are Roma. In places where there is more than one school the tendency to separation occurs sooner or later. In integrated schooling, the greatest danger is segregation within institution, that is, the creation of so-called catch-up classes for Roma children. While in theory intended to achieve equal opportunity and to develop the special talents of these children, according to specialists in education, in practice these schools work as a hindering factor to achieving equal opportunity for Roma children.

The Roma are still frequently subjected to attacks and discriminatory measures. In July 1997, the government passed a mid-term action plan package which set out the governmental tasks concerning the situation of Roma with respect to employment policy, education, culture, anti-discrimination, mass-media. However, most of these policies were still at the planning level in May 1998, when the new government was elected. In December 1998, the new government brought out its action plan which is aimed to focus more on cooperation in the long run between the different ministries dealing with the problem. Also, more emphasis is aimed to be put on the future and less on solving crisis situations, as such education is to play a very important role. Experts in minority education declare however, that despite the intentions, the education part of this new package is even less developed than that of the previous plan. In April 1998, the Institute for Agrarian Research and Informatics published the initial results of research on the agrarian and agricultural financial support of members of the Roma community in Hungary. The results show that approximately 10 per cent of the Roma population not living in Budapest received such support either in the form of benefits or loans.

Research on the image and representation of the Roma minority in the media ordered by the Office of Ethnic and National Minorities was published in May. It suggests creating a minority ethical codex for the media to promote a more sophisticated representation of minorities in the media. Despite the simplicity of the image of Roma in the media, and the incapability of the media to decrease the prevalent prejudices of Hungarians against them, the authors emphasise that in Hungary, contrary to neighbouring countries, hate speech is not a usual form of expression on minorities. In the majority of cases however Roma have no opportunity to be represented in the media as an integral part of the Hungarian society, they are generally mentioned as 'a problem'.

The research concludes that although there is an increase in the Hungarian media in the number of issues dealing with Roma and related to Roma, they are still rather restricted in the majority media. Furthermore, in most reports on Roma, the opinion of the everyday Roma is not asked, but rather, that of a representative of an NGO, a Roma interest group or some other Roma organization. Furthermore, in the media image of the Roma, the emphasis falls on tensions and conflicts; rarely are members of the Roma community presented who not only represent the minority status but are also integrated active participants of the society.

The conclusions also state that the majority of the representatives of the media have no contacts whatsoever with the Roma minority. The researchers consider it important to integrate the Roma in the media, to educate young Roma and help them become members of the media, both in its majority and minority organs, if need be, through affirmative action.

The research also criticizes the lack of access to information of members of the Roma community. The public television and radio broadcast no more than a half hour program weekly for the Roma. This is insufficient and a cause of the increasing gap between the Roma and the majority. Neither the Roma media, which is relatively small, nor the Roma minority local governments seem to be capable of making up for this limited access to information at the moment.

Legislative/institutional/policy background

It has often been argued that the Hungarian minority protection system has been created and is one of Europe's most generous ones for symbolic purposes, to provide the neighboring states which have Hungarian minorities with a model and to make Hungary's criticism on the minority protection systems of these countries as powerful as possible.

Minority self-governments

The Minority Act declares the right of ethnic and national minorities to establish their own local governments as a special community right. It provides for the establishment of minority self-governments at local level (these can be directly or indirectly elected councils or it can be only a spokesperson) and for the establishment of a national minority self-government. The national minority local

government is entitled to make decisions regarding its own affairs. It is free to establish institutions and to formulate rules for awarding decorations, and the like. National minority local governments may participate in legislative and administrative work at the highest levels of governance, express views on draft legal regulations, and request information from public administrative bodies, and local governments on issues affecting the minority they represent and propose and initiate measures. They have a right to veto over matters concerning education, culture, local media, efforts to sustain traditions and the use of the minorities' languages. In other areas their function is a consultative one.

Minority local governments were elected for the first time in 1995. Their distribution by minorities and by counties is shown by the diagram attached. New minority local governments were elected in October 1998: 1251 minority self-governments will be formed in 988 settlements. Of these, 721 will be Roma self-governments and 236 German. None of the other 11 minority groups will have more than 100 self-governments. This means a 60 per cent increase in the number of minority self-governments as compared to the previous four years. In addition, 1055 minority deputies were elected to different local governments all over the country, 403 were Germans, 375 Roma (voted by the entire population not only by members of the respective minorities).

However, the minority elections revealed a number of anomalies which have been widely debated since then and have led the Minority Parliamentary Commissioner to undertake an investigation. The most important concern is related to the question of who can vote and who can be elected in the minority elections. Given that the principles of free national or ethnic identification and of self-government for national and ethnic minorities in Hungary underlie the institution of minority self-government, it would follow that only those who consider themselves as belonging to one of the 13 national or ethnic minorities recognised in Hungary can vote and be elected in minority elections. However mainly because of data protection concerns everybody can vote or be elected in these elections. Thus, in October, more votes were cast for minority candidates than the number (as estimated by the minority organisation) of minority group members, leading to the absurd situation in which the representatives of the minorities were not elected by the group itself. In several cases, the minority candidates did not belong to the minority group for which they were running.

Thus, the results of the minority elections had a mixed reception. Representatives of the Romanian organisations were especially concerned, declaring one third of all the members of the Romanian minority self-government illegitimate. Similar concerns were expressed by Armenians and Poles. This is especially problematic since the directly elected minority self-government members are to elect the respective national minority self-governments. The current situation can lead to the illegitimacy of these very important national bodies.

Minority commissioner

The Hungarian Constitution provides for the institution of a Commissioner for the protection of civil rights and a Commissioner for the protection of national and ethnic minority rights (Art. 32/B). The latter is 'to investigate, or to have investigated any abuse of national or ethnic minority rights that has come to his attention, and to initiate general or particular measures for redress', but he investigates only abuses of the 'historical minorities'; complaints coming from immigrants are excluded by definition. In the first three years of its activity it can be said that approximately 50 percent of the cases investigated by the Minority Commissioner's office concerned discrimination on grounds of national or ethnic origin, and more than 60 per cent of all cases were related to the Roma community. More than half of the cases are complaints against local authorities.

Office for national and ethnic minorities

In 1990, the Hungarian government established the Office for National and Ethnic Minorities to carry out state tasks related to national and ethnic minority policy and issues in Hungary with nationwide competence.

Parliamentary representation of minorities

One of the most important political issues of 1998 concerned parliamentary representation of minorities. The Constitution ensures national and ethnic minorities representation, but does not state at what level. The idea was that each ethnic and national minority (the 13 recognized) has to have one representative in the parliament, meaning 13 MPs would be elected with less votes than the rest of the MPs. This however raised the problem of democratic equality. In addition, in a small parliament such as Hungary's a block of 13 MPs with no party affiliation could also be

problematic in more practical terms. In the light of these problems the parliamentary representation of minorities remains unsolved.

For 12 of the national minorities, given their low percentage in the population, the fact that no legislation on this issue was passed basically closed down their chances of parliamentary representation. But since the Roma population is estimated at 600,000, it might have had a chance to be democratically represented in the new parliament. Yet no Roma political party was organized for the general elections (some Roma candidates ran on other party lists, but unsuccessfully). This basically reveals two trends. One is the relative incohesiveness of the Roma movement and the severe conflicts and disagreements which exist between Roma activists and their respective movements in their approach to the solution and representation of their grievances. However it also shows, that for a minority such as the Roma, which is multiply disadvantaged, discriminated against and often segregated, being organized in one political party is not necessarily perceived as the solution.

Article 174/B of the Penal Code

In November 1997, Article 174/B of the Penal Code entered into force. It introduced heavier penalties for violations of rights or violence against persons if they are carried out on the basis of national, ethnic, racial or religious motivations as compared to similar crimes committed without a racist motive. The first cases for which this article is relevant came before courts in the first part of 1998. Of similar importance is the activity of the Bureau for the Defense of Ethnic and National Minorities (NEKI) which won its first discrimination test case before both penal and civil courts.

Citizenship

In order to receive Hungarian citizenship a person must be born on Hungarian soil or be the child of a Hungarian citizen. A non-Hungarian citizen may be naturalized after eight consecutive years of residence in Hungary upon fulfilling a number of conditions and passing a Hungarian language examination in basic constitutional knowledge. This examination is mandatory only for persons of full age. Preferential naturalization may be granted to a non-Hungarian citizen who has resided continuously in Hungary for at least three years for a variety of reasons. An ethnic Hungarian may be naturalized preferentially after only one year of residence in Hungary.

Minority language education

The 13 minorities of Hungary can be divided in three groups in light of their education systems. The largest national minorities (Germans, Croats, Romanians, Serbs, Slovenians) have their own educational network within the framework of the Hungarian public education system. The other group of national minorities (the smaller ones) have no autonomous network of education, only a few classes. The third group is the Roma minority (considered ethnic minority), the education of which is done within the network of the Hungarian public education system.

There are four types of minority education settings currently in Hungary. In the first type of setting minority language is taught as a separate language. In the second setting, called 'two language schools', only some of the subjects are taught in the minority language, in the third all subjects are taught in the minority language. Finally the fourth setting is: classes and sometimes schools for Roma children working on the basis of a special 'catching up' program. In high education minority education is constrained to departments for educating teachers for the minority languages. There are three departments of Romanology. Members of minority groups have the opportunity to apply for grants to the state for studying abroad, in the universities of their mother countries.

Act I. of 1996 on radio and television makes it compulsory for the public sector channels to broadcast information in the languages of the various minorities and to include programs about the minorities' life and culture. Publications and radio and television broadcasts are provided in all the minorities' languages.

Immigrants and refugees

Hungary first had to cope with the issue of immigration at the end of the 1980s when a flow of immigration came to the country from Romania. In 1989 the Office for Refugees and Migration Affairs was established within the Ministry of Internal Affairs and the first refugee camps were opened. In 1989 Hungary signed the 1951 UN Geneva Convention on refugees and the related 1967 protocol, but expressed geographical reservations to them, which meant the exclusion from protection of non-European refugees. In 1993 the Office for Refugees and Migration Affairs became an autonomous body.

From the summer of 1991, Hungary mainly provided protection for the refugees

arriving from the states of the former Yugoslavia. From the beginning of the war some 70,000 people were accepted as temporarily protected in Hungary. Following the Dayton peace treaty, Hungary no longer accepted any temporarily protected people from the states of former Yugoslavia, except family members of people already living in the country. In 1998, 3001 people who were under temporary protection in Hungary (especially Bosnia, Croatia and Vojvodina), but no longer qualified for it under the new Refugee Act, were re-registered. For those coming from countries where the situation is normalized (Croatia, 507 persons), temporary protection was suspended; for those coming from countries where return to their homeland is impossible, the government decided to prolong their temporarily protected status until June 1999. For the 589 people from Rump Yugoslavia, decisions will be made on an individual basis; different criteria will apply for those from Kosovo.

On 1 March 1998, a new law on asylum came into force. It attempts to harmonize the Hungarian legal regulations on asylum with those prevalent in the states of the European Union. The new law lifted Hungary's geographical reservation to the 1951 Geneva Convention relating to the Status of Refugees; this meant that the Office for Refugees and Migration Affairs would thereafter process and decide on asylum applications by individuals coming from all countries. (Earlier the UNCHR Budapest Branch Office processed and decided on applications filed by non-European asylum seekers while Hungarian authorities only dealt with asylum seekers coming from European countries including the former Soviet Union.) Additionally the law abandoned the 72-hour time limit for submitting applications which had been widely used to exclude asylum seekers from the asylum procedure. Finally the law provided the right for asylum seekers to seek legal counsel, and entitled NGOs to offer it to them.

The new law created three categories of status for individuals under protection: refugees recognised under the Geneva Convention, temporarily protected persons, and the so-called 'accepted' persons. The category of 'accepted' legalised the status of persons who were not recognised as refugees but could not be expelled from Hungary because of risk of torture, inhuman or degrading treatment in their country of origin. The law also changed the asylum procedure and provided for an accelerated procedure in case of 'manifestly unfounded' applications, cases in which a decision has been reached within seven days while only three days would remain for filling an appeal against the decision.

Following the lifting of the territorial reservation Hungary had for refugees (1 March), the population of refugee camps almost tripled, the newcomers being primarily non-Europeans. NGOs dealing with the protection of refugees and immigrants criticise that the new Asylum Act generates overlap between asylum and immigration procedures. They also criticise the conditions prevailing in the community shelters for illegal immigrants.

The community shelters came to be in 1998 one of the most debated points concerning Hungary's immigration and refugee policy. Until August 1998 exit from the shelters was relatively free for immigrants, and in the majority of cases this freedom was used for leaving Hungary illegally westward. With the new government a new discourse started on public security an element of which was crime committed by foreigners. As a result of this, in August 1998, by ministerial order exit from community shelters was severely restrained. Since August immigrants can only leave the shelters under very well defined circumstances. This - until now temporary - restrictive policy is to go before the parliament as an element of the public security improving package. Hungary had already been criticised by several NGOs and IOs for this restriction considered against freedom of movement, and for the inhumane treatment of people who are in the shelters for an indefinite period of time, sometimes weeks but sometimes more than a year.

The acting head of the Office of Refugees and Migration Affairs declared that in 1998 until 29 July, 2000 people had asked for and 240 received refugee status. Approximately 800-900 requests were still undecided, the rest had either been expelled or placed in immigrant communal shelters. Others 'left without destination' (most of them once allowed to leave for a few hours, never return, but try to leave the country illegally). He also said that Hungary is for most immigrants only a transit country. Most of the immigrants arrive illegally in the country, a large part of them not from Europe.

The change of government will probably imply a more severe immigration policy. The new government promises to lower the level of crimes and in order to achieve this promises to advance an entire legislative package. This package is to include, among other things, the modification of the immigration legislation. The new Ministry for Internal Affairs suggests that illegal immigrants should be allowed to leave the communal shelters only in exceptional cases. In the meantime, definitive expulsion would be introduced for foreigners who represent a danger for public safety. Another

element of the crime prevention package would be an increase in police powers. Yet another element of the package, a more severe visa policy, would also be a step in Hungary's process of harmonizing its laws with the regulations of the European Union states.

Hungarians abroad

The issue of Hungarians abroad is twofold. Understanding it implies considering, on the one hand, the position of the major actors of Hungarian political life, and especially the foreign policy represented by the different political parties, and, on the other hand, the declarations and policies of the political actors of the neighbouring countries.

The major issue of 1998 concerning Hungarians abroad was the debate concerning the necessity of Hungary introducing visa for its eastern neighbours as a precondition for integration in the European Union. This would have a strong impact on Hungarians abroad. It has to do also with the perception of the Hungarian nation and the naturalisation process in Hungary, since one of the solutions proposed is introducing dual citizenship for all Hungarians abroad.

With the new government, Hungary is expected to have a somewhat changed foreign policy. This, as became clear from the programmes of the parties forming the government coalition and from the statements of the government in its first six months, will give more emphasis to symbols and principles (the prime minister has stated that the Hungarian nation and the Hungarian state do not overlap and that he will be the prime minister of the Hungarian nation which also includes Hungarians abroad); it will be less pragmatic than the foreign policy of the previous government.

In November, the Hungarian Interior Minister declared that by mid-1999 Hungary will harmonise its visa policy with that of EU countries - at least for third non-neighbouring countries. For neighbouring countries with Hungarian minorities, Hungary would try to find an intermediate solution such as long-term visas by 2002.

General elections

The first half of 1998 in Hungary meant electoral campaign and parliamentary elections. Though relatively active in the field of minority protection, many of the

promises of the previous government remained unfulfilled. Police violence against Roma continued, financing of minority self-governments and minority education was not sufficiently organised and its workings were not adequately controlled. Yet all in all, the electoral campaign of all the parties avoided the problem of minorities living in Hungary. None of the parties conducted any campaign either pro or con the ongoing Roma policies, although a couple of month before the elections the former prime minister gave a speech with racist connotations, for which he was widely criticised by human rights organisations and the media.

Despite the relative absence of extremism from the overall electoral campaign the new parliament has 14 MPs representing the extreme right wing party: the Party for Hungarian Life and Justice. Another problematic aspect of the newly elected parliament is the Smallholders Party (14 per cent - member of the government coalition) which though not openly extremist made several anti-Semitic declarations during the previous four years on the opposition.

Xenophobia, racism, discrimination

In 1998, a relatively large number of conflicts, cases of discrimination or even segregation took place. The major common feature of these conflicts is that they were generated by the illegal or abusive behaviour of state authorities: police on the one hand and local governments on the other hand. The absence of education in democracy and the fact that most public employees have remained in their place following the transition to democracy has had an effect on the administration of all cases but has had a heightened effect upon those involving minorities and especially such vulnerable minorities as the Roma. Their poverty, low educational level, high unemployment rate make them vulnerable to the abuse of the authorities in every possible field of state administration. There seems to be a strengthening trend toward solving the Roma problem by getting rid of the Roma, by separating, segregating them.

The Székesfehérvár story, which actually began in 1995 but only came to an end this year, seems to have set the pattern for local governments. The story involved a conflict between the local government of this prosperous town and 13 Roma families, the inhabitants of a condemned building. The issue was about where these, in fact illegal, tenants were to be moved. As a solution, the local government first suggested

containers on the outskirts of town, which met with protests from human rights organisations, and later houses in surrounding villages, which met with the protests of the inhabitants of the villages. In the end, the local government of Székesfehérvár has taken on the responsibility to find appropriate, racially integrated housing for the concerned Roma families.

By the time it ended, a similar local government case was already evolving in Zámoly. But the wide media coverage given such cases may have had a role in increasing the population's awareness of the problems that the Roma have to face. The Székesfehérvár case has also strengthened the role of human rights organizations and the Parliamentary Commissioner for the rights of ethnic and national minorities.

A public opinion poll carried out by Gallup Hungary showed that every second Hungarian citizen feels aversion toward the Roma, according to 32 per cent the number of coloured people should be limited in Hungary, 13 per cent confessed that they do not like Jews.

The results of sociological research on the racist attitudes of the police forces - ordered by the Ministry of Internal Affairs - appeared on 28 March. The results show that every tenth policeman is racist, 27 per cent is prejudiced against the Roma population and 78 per cent sees a relationship between crime and members of minorities, considers avoiding employment part of the Roma identity, and deems the Roma population responsible for its poverty. The results of the research will be used in reshaping the education process of policeman.

On 30 March, the results of a public opinion poll about xenophobia were published by the Center for Research on International Migration and Refugees. According to them, one third of Hungarians believe that Hungary's borders should be closed down for refugees. The results show a slight increase in the xenophobia of the population with respect to the previous year. The majority believes that Hungarians from abroad should be allowed to come, but not others. The strongest xenophobic sentiments are displayed against Arabic people.

Positive developments

One major positive development is the increasing awareness of the policy making actors of the complexity of the Roma question. The Roma are no longer treated as a problem in general terms. The issue has been separated into an education policy

component, an employment policy component, a housing policy component, a social policy component and so on. This is not to say that these policies are well shaped and able to address the issue in its complexity, but it is an appropriate starting point. It is also important to mention that there is increasing cooperation regarding this problem between the research community and state authorities. In fact, the most important research regarding the Roma community has been ordered by ministries and other state offices active in the area.

Another important positive event was the publication by the Parliamentary Commissioner for the Rights of Ethnic and National minorities of the second Annual Report (1997). The report, highlighting a slight increase in 1997 in the number of cases investigated with respect to 1996, was presented to parliament together with the reports of the other two Parliamentary Commissioner (for human rights and for data protection) at the beginning of September.

It is also important to mention as important from the point of view of the Hungarian minority protection system that in 1998 for the second time successful minority elections took place resulting by the end of 1998 in the new minority self-government system, adding to the stability of this system.

9.3 Romania

Territorialised minorities

Romania really only started to face sharp inter-ethnic conflict after World War I, when it radically increased its territory acquiring most of Transylvania (from Hungary), Bessarabia (from Russia) and Bukovina (from Austria). Its territory grew from 137,000 km² to 295,049 km² and the population from roughly 7 to 16 million. The proportion of minorities at that time was approximately 27-28%. After World War II, Romania maintained Transylvania, but lost Northern Bukovina (which today, together with a part of Southern Bessarabia, forms a part of Ukraine) and Bessarabia (today the Republic of Moldova) to the Soviet Union.

According to the 1992 census, the present-day population of Romania contains the following more important ethnic groups: 20,353,000 Romanians; 1,620,000 Hungarians; 410,000 Roma; 119,436 Germans; 67,000 Ukrainians, Ruthenians; 39,000 Russians, Lipovenians; 29,000 Serbs and the same number Turks; 25,000

Tartars; 10,000 Bulgarians; 9,000 Jews, plus several thousand Czechs, Croatians, Greeks, Poles and Armenians.

The predominant religion in Romania is Orthodox, although there are groups of Roman Catholics, Calvinists, Greek Catholics, as well as Protestants and Muslims.

The two major minority groups - the Hungarians and the Roma - differ in their approaches to state authorities and to their problems. The Hungarian group, with an important parliamentary representation that has been in the governing coalition since 1996, uses political tools (in the narrow sense of the term) to frame its problems and demands in terms of historical cultural traditions and international law concerning minorities. The other major ethnic group, the Roma, has only one representative in Parliament (as granted by law), and is practically without efficient political tools. As a result, it has to resort to mobilisation and look for help against discriminatory measures from international organisations.

Hungarians

The strength of the Hungarians' identity is based on the difference in language and religion, on their conviction that they are subject to a different course of history and that they are part of a different culture. Since they consider themselves as being on a higher cultural level than Romanians, inter-marriage is frowned upon (2.9 per cento nationally), and there is a general social distance between the two ethnic groups. The major general issues framed in the public sphere concern: a) the formation of an autonomous institutional system (schools, universities, parties, churches, even museums and hospitals). In this respect it is important to note, that in comparison with the Roma minority, for example, the Hungarians do not ask for 'special programmes', for help from the state; they demand autonomy and that the state grant them the financial support they deserve as tax-paying citizens of the country; b) maintenance of the mother tongue in as many spheres of activity as possible; c) preservation of their cultural tradition (both 'high' and folklore), considered valuable. Demographically, the number of Hungarians in Romania has been declining since WW II due to both a high mortality rate and emigration. It is estimated that since the 1970s, around 100,000 Hungarians have left Romania. Today, most of the Hungarian minority live along the Hungarian border and in southeastern Transylvania.

Due to the low birth rate and emigration, the economically active Hungarian population is decreasing. Illiteracy among the Hungarian population is 1 per cent.

Approximately half are skilled workers. In the state administration, they have approximately the same number of elected positions as the national average, but in appointed positions their rate is half of their proportion in the population. Their participation is especially low in sea, river and air transport, and in the police.

Economically, they have been disadvantaged in the process of privatisation since they rarely sit on privatisation committees. However, in the entrepreneurial sector they seem to be in a rather good position, as a result, among others, of their contacts (friends, relatives) with Hungary.

The Hungarian general elections in May 1998 aroused keen interest in the Romanian media. After the elections the new prime minister stated that the borders of the Hungarian nation and those of Hungary did not coincide, so he felt responsible for those outside the borders as well. This statement created panic in the Romanian media, but gloomy predictions did not come true. After some months, it seemed that the position of the new Hungarian government had softened; it avoids public statements, and prefers to affirm that it will support the decisions of the legitimate organisations of ethnic Hungarians abroad.

Roma

The first written document referring to the presence of Roma on the territory of present-day Romania (more precisely in Wallachia) dates back to 1385. All reliable data show that they arrived in several waves to Wallachia first, and then spread to Moldavia and Transylvania. In Moldavia and Wallachia, where the institution of slavery was preserved much longer than in the rest of Eastern Europe, they automatically became slaves. They were the artisans of these principalities, due to the lack of skills in the majority population. In Transylvania, by contrast, where they always enjoyed relative freedom, they worked the fields of the Székelys, or the feudal lords. The relative freedom made many Roma from Moldavia and Wallachia flee to Transylvania. When slavery was abolished in the mid 18th century under the influence of Western liberal ideas, a second great migration of the Roma took place. At the time of their liberation, it was estimated that around one third of the Roma in Europe (approximately 200,000 out of 600,000) lived in the principalities.

From the time of the reign of Maria Teresa and Joseph II, successive attempts were made to stop their nomad life and integrate them. They received houses and land and were forbidden to lead a nomadic life, to wear their traditional clothes and to marry

among themselves. Their children were raised by non-Roma families. In many cases, however, they sold everything and returned to their traditional life. After Joseph II these radical attempts were forgotten, but by the beginning of the 20th century, nomad Roma were a small minority in Transylvania.

During the inter-war period a movement for the emancipation of Roma appeared (with organisations, reviews, programmes, etc.). The idea that the Roma should become a modern nation was first promoted at that time.

The new socialist regime initially ignored the special circumstances of the Roma. They were granted neither the status of a co-habiting nation nor allowed to constitute themselves into an ethnic minority that could promote its cultural traditions. Interestingly, however, during the early years of the regime there were a relatively high number of Roma in the party apparatus, the police, the army, and the Securitate, as the result of a policy favouring the poorer strata of society. The Roma were also the first to join the collective farms since they had little or no land. After a time, when the system realised that it needed competent people with a certain degree of education, this tendency was stopped.

Efforts were again undertaken in the early 1960s, 1970s and again early 1980s to settle the still nomad groups. The former regime's so-called 'clean-up' (read: destruction) of neighbourhoods with poor sanitation and serious social problems also had a strong impact on the Roma. The evicted people were usually offered much better houses in the centre of towns or in villages left by ethnic Germans. But while this gave the Roma, who generally lived on the margins of municipalities, access to the centres, by demolishing their neighbourhoods, it also destroyed their respective communities.

Some scholars have divided the Roma into several groups: a) those that present a lifestyle based on traditional values and consider themselves Roma both in official-administrative and in informal situations; b) those that show all the traditional characteristics identified by others with the Roma community, who identify themselves with the Roma in private, but do not do so in official contexts; c) 'modernised' Roma, which include two categories: ethnic activists and some new businessmen interested, for a variety of reasons, in identifying themselves as Roma; d) 'modernised' Roma who tend not to identify themselves as Roma, or do so only in certain contexts; e) 'former Roma', who are already so integrated into the majority population that their distinctive markers have disappeared, and no longer identify themselves as Roma. The authors do not consider stratum e) a part of the Roma

population. Layer d) tends to separate from the Roma population (or some will assume this identity, but on a modern basis.) The strata that are encountering major difficulties in the period of transition and that can be the source of inter-ethnic conflicts are a) and b).

According to some of their leaders, the Roma are presently going through a period of ethnogenesis, like that which other nations experienced during the 19th century. One can distinguish among them several cultural traditions, depending on the respective cultural environments in which they live. Almost 20 per cent identify with the populations with which they co-habit (Romanian, Hungarian, Tartar, etc.). Yet, in 1992, only 163,897 people declared that Romani was their mother tongue, i.e. 40.9 per cent of those who declared themselves to be Roma. The rest declared that their mother tongue was Romanian (54.3 per cent), Hungarian (4.7 per cent), etc. If one accepts that the real number of Roma is around 1,000,000, then only approximately 16 per cent use Romani as their mother tongue. The number of Roma who speak it is nevertheless higher, since the census does not account for bilingualism.

The overall unemployment rate for Roma (25 per cent for men and 70 per cent for women) is several times higher than that of the majority of the population, due to the lack of skills and discriminatory stereotypes. It is instructive to note that the proportion of unemployed Hungarian Roma is 71.8 per cento (!), while that of Romanian Roma is 'only' 40.2 per cent. This can be explained by the fact that Hungarian Roma live mostly in villages and small towns, where there are fewer economic opportunities and that due to poor schooling they hardly speak Romanian, which also influences their possibilities. Of those employed overall, 60 per cent are unskilled, and only 1.8 per cent have a middle level or higher qualification. Their incomes are much lower than those of the majority population. The exceptions are in the traditional trades (where incomes are substantially higher, even compared to the majority population) and the new businesses. But the traditional trades are being marginalised due to the modernisation of the production system (only 7 per cent of adult men practice them). Furthermore, they can assure the survival of only a small number of people. Another important drawback of the traditional system is the way in which the necessary skills are acquired: learning from parents stops the children from attending school, and thus makes re-training difficult. The income of the 'self-employed', which often exploit minor opportunities in the community, is irregular, and on the border of legality, leading to social and ethnic problems. In addition, they are outside the social security system. The

marginal exploitation of the community (petty thefts used to supplement a meagre income) only maintains marginality and poverty and strengthens negative stereotypes. Today, 35 per cent of adult Roma men know modern trades. The problem, however, is that 58 per cent of the men and 85 per cent of the women have no trade whatsoever, traditional or modern. 62 per cent of the Romani population is under subsistence level income (as compared to 16 per cent nationally).

Education is one of the means by which their situation could be improved. However, there is no particular hope for the near future: 27 per cent of the Roma population have no or little schooling and thus are practically illiterate. About 4.5 per cent of adults have attended high school or college. Only around 50 per cent of the children between ages 7 and 10 attend school regularly and the dropout rate increases rapidly after the age of 9.

Another aggravating factor is the number of children per family which, in traditional Roma families, is at least double the number in other families. This is to some extent the result of Ceausescu's pro-natalist policy. In certain cases, the sum offered by the welfare system assured the minimal subsistence of Roma families, but it also seriously aggravated their living standards, and raised the number of marginals and abandoned children.

This overall situation is one leading to isolation and delimitation of ethnically homogeneous pockets of poverty. Poverty-ridden despair and a clash between social and economic aspirations and the obstacles they encounter in turn lead to growing criminality and violence (violence given a marked ethnic character), as well as growing tensions between the Roma and the rest of the population.

There is indeed a widespread view in Romanian society that criminality is on the increase in the Roma community. It is not easy to demonstrate this. However, there has been a change in the character of criminality: it has become more serious, more violent, and is better organised. It seems that patterns of violence have appeared that were traditionally not present in the Roma majority. This has led not only to negative stereotypes, but also to group violence against the Roma. A survey carried out on a nation-wide sample showed extremely negative attitudes: 40 per cento of the population has very negative attitudes toward the Roma, 34 per cento have unfavourable attitudes, while only 19 per cento have favourable, and 2 per cento very favourable attitudes.

At the same time, human rights activists and Roma leaders feel that the law is applied unfairly, and that those who commit violence against the Roma are dealt with leniently.

It also seems that the central authorities often do not condemn ethnic violence in public. After the last inter-ethnic incident in January 1995 (with Roma victims), the police became more active in preventing inter-ethnic conflict. The method used is to raid Roma neighbourhoods with the aim of controlling Roma actions that could trigger the attack of Romanians or Hungarians living in the same village. There have been complaints and reports of police brutality, but it has to be acknowledged that since 1995, there have been no cases of Roma being chased out of villages, houses burned, violence, etc.

Many Roma have reacted to the present difficult conditions by trying to emigrate to Western European countries or to America. However, after a first lenient period, Western countries have taken steps to counter an exodus of East European Roma. Germany concluded an agreement with Romania by which they can be sent back to Romania. France is ready to pay Roma to leave the country.

Germans

Germans consider themselves - and are considered by others - as being more modernised and culturally developed. Historically, Germans settled in two major regions: southern and eastern Transylvania and Banat. However, they started to emigrate in the 1970s and by the 1980s it had become a general tendency. Officially, emigration was not encouraged, but according to an agreement with the German state, Romania received a sizeable sum (6,000 DM) for each ethnic German allowed to emigrate. In 1984 alone, over 14,000 Germans left the country. In 1990, the exodus more or less came to a halt.

With most of the towns and villages abandoned, the remaining communities can hardly hope for a distinct future, in spite of the assistance given by the German state. One third of the remaining members are elderly people. As a result, their demands have been less and less firmly raised. After 1990, their major concerns have been: a) preservation of the memory of their existence in the region (e.g. bilingual place and street signs even in towns where they hardly exist any more, but that are considered German, i. e. built by Germans); and b) a systematic inventory of every sign of their existence in Transylvania (done together with institutions from Germany).

Other minorities

After World War I, with the exception of Hungarians and Germans, most of the smaller minorities were more or less assimilated. A large number of Jews perished in

concentration camps during World War II and those remaining after the war mainly emigrated. Ukrainians and Ruthenians live in Transylvania along the Ukrainian border. The Serb population, which lives mostly in Banat close to the Yugoslav border, has also diminished steadily in the last hundred years due to emigration. Slovaks also live mostly in Banat: 28 per cento of them in the only town in Romania with a Slovak majority, Nadlac. Most Croats live in seven villages in Banat.

It is difficult to give a general, overall description of the situation of these and other minorities. Practically all have at least one organisation (even Poles and Italians) and each has the right to send one representative to Parliament. They are not seen as a problem and seldom appear in the media. Some groups are more or less assimilated, have forgotten their mother tongue, or have a dual identity (Jews, Armenians). Some enjoy the help of the countries to which they feel culturally, historically closer (Turks and Slovaks). Croats have been granted Croatian citizenship.

Legislative/institutional/policy background

Acquisition of citizenship at birth and naturalisation

Romanian citizenship may be obtained at birth, either in Romania or abroad, if one parent is a Romanian citizen, by adoption if the adoptive parents are Romanian citizens and the child is not over 18, by repatriation, and upon request under certain conditions. Persons who lost their citizenship prior to 22 December 1989, may regain it through a declaration.

Bilingualism and education

The Constitution of Romania ensures the right of persons belonging to national minorities to preserve, develop and express their ethnic, cultural, linguistic and religious identity and to learn and be educated in their mother tongue. Nevertheless, the current Law of Public Administration does not allow for the use of one's mother tongue in communicating with the local authorities or in court, and does not provide for the usage of bilingual inscriptions in public places. The problem has been complicated by the fact that in 1993 Romania signed the Council of Europe's Framework Convention on the Protection of National Minorities and Regional Languages, which stipulates exactly what the law does not enforce.

While the current Law of Education ensures that persons pertaining to national minorities have the right to study in their mother tongue at all levels and in all forms of education, it has become increasingly difficult since the 1970s to have a child educated in a minority language. Only 2946 ethnic Hungarians have the opportunity to study at university in their mother tongue (1.2 per cento of the total although Hungarians make up 7.1 per cento of the population).

The 1996 elections, it was thought, would change the situation in both these fields, since the Democratic Alliance of Hungarians in Romania (DAHR) was invited to participate in the government coalition. The government programme included some of the major requests of the DAHR - changing the Law of Public Administration and the Law of Education, creating a Hungarian language university; setting up a Ministry for National Minorities; and returning church and community goods confiscated during the previous regime - in return for the DAHR giving up its more general demand for autonomy, considered by the Romanian public opinion as an attempt to federalise Romania, which could lead to the secession of Transylvania, and as a next step, its unification with Hungary. When the decrees presenting the amendments to the Law of Public Administration and to the Law of Education came up in Parliament, however, they were rejected and the creation of minority universities explicitly prohibited. In the course of time, the DAHR slowly gave up (or postponed) practically all its major goals within the coalition, except for the university.

The problem of a Hungarian university became one of the top issues of 1998, with the press covering all events in minute detail. On the Romanian side, the main argument against a separate university was developed by the rector of the University of Bolyai-Babes university, later Minister of Education, and was centred around the concept of multiculturalism: young elites should be educated to learn to live side by side, to cooperate, to respect each other, etc. Separation means separatism, nationalism, arrogance, the self-ghettoisation of Hungarians.

The Hungarian argument is that this theory is just a smoke screen, since behind the concept of multiculturalism is the preservation of the status quo. Hungarian academics proposed a separation in two steps: first, the formation of independent chairs and departments, under the leadership of a Hungarian pro-rector; second, total independence. The whole argument is actually over the level of autonomous administrative decision making.

Despite ultimata from the DAHR to withdraw from the government, all proposals for the creation of a Hungarian university were rejected by the Romanian political class. A compromise decree calling for establishment of a multicultural Hungarian-German university based in Cluj and Sibliu respectively was also eventually annulled, as it had no legal basis. A week later, the government took the case to the Supreme Court. No decision had been delivered by the end of the year.

Minority policy approach

Romania has signed basic treaties with Hungary and Ukraine in which all countries abandon territorial claims and agree to promote the local and cultural autonomy of the minorities, in accordance with European standards.

In Romania, minorities are officially recognised and the official policy aims at integration and at what is called 'multiculturalism'. However, several measures taken by authorities, as well as some of the legislation are seen by both Hungarians and Roma activists as actually aiming at assimilation (e.g. the attempt to bring 10,000 gendarmes into a town of 60,000 inhabitants, thus breaking up a compact minority). Both the Roma and the Hungarians complain that they are often discriminated against by Romanian officials, politicians, etc. In addition, the Roma also complain about the absence of a coherent overall strategy of social integration: the government does not even recognise the existence of a Roma problem.

The most important institution destined to propose, create and implement minority policy is the Department of National Minorities, its head having the rank of a minister. Until now, it has outlined the Emergency Decree concerning the restitution of minority goods confiscated or nationalised during the Communist regime and is preparing a Law of National Minorities.

Both the Hungarian, and the German minorities demanded and prepared drafts of a national minority law. The Hungarian one was submitted in 1993, but the Romanian government only started dealing with the issue seriously after 1996, despite the recommendations of the Parliamentary Assembly of the Council of Europe (Romania has been a member since 1993). It seems that work on a new version of this law is now in its final stages.

The Party Law does not prohibit the existence of ethnic parties. However, its stipulations make the existence of two or more national minority parties practically impossible, since it calls for at least 10,000 members registered in at least 16 counties.

Migration and refugee regime

Refugee status, granted for three years, is given on request, if it can be proved that the person is in danger of persecution because of his/her race, ethnicity, religion, social group or political opinions. Humanitarian considerations may also be taken into account. Status may be granted for a limited period of time if refugees come from regions of conflict.

Refugees with refugee status receive documents of identity; can choose their place of residence and move freely; may work and learn; are free to exercise their religion; may be expelled only to places where their life is not in danger; have the right to social aid for 6+3 months (it has to be paid back, if the refugee finds a means of sustaining him/herself).

Romania has ratified (9 May 1997) the European Convention for Extradition and its additional protocols. It has also agreed to cooperate with the International Court in the proceedings against persons presumed responsible for the infringement of international humanitarian law in former Yugoslavia since 1991.

Migration into Romania

Romania has become - somewhat to its own surprise - one of the ante-chambers of international migration. In 1997, there were over 36,000 illegal residents in Romania. Over 4,000 entered the country illegally, over 1,000 were extradited. Over 2,000 committed serious crimes in Romania. Organised crime from Russia, Ukraine, Moldova, and Romania has become involved in illegal immigration. The major routes are Moscow — Moldova, Ukraine - Constanza, Turkey — Bulgaria. Most migrants are from Turkey, Pakistan, Sri Lanka, and Armenia and are on their way to Hungary and then the West. In September 1998, debate started in Parliament on a bill requiring every citizen to announce foreign guests to the police within 48 hours. Seemingly, it was adopted against illegal immigration, however, it reminds people of similar rules during the Ceaucescu regime, when one was not allowed to receive foreign guests at home, and was heavily fined if caught.

Migration from Romania

While (illegal) migration into Romania is not a major topic for the Romanian public, (illegal) migration *from* Romania is a painful issue. The reason is connected not only

to the difficult situation in Romania, but also to the fact that Romanians need a visa (or invitation) to travel to almost all countries except Hungary, Bulgaria and Turkey. Although related to the new influx of illegal migrants, the common view is that this situation is due to the improper behaviour of the many Romanians who have tried to remain in Western countries illegally. In 1997, 15,000 Romanian citizens were expelled from Western Europe. During the past 5 years, over 65,000 Romanian citizens have been expelled from Germany and sent back to Romania.. Many Romanians are reported to go as seasonal migrants and to work illegally in Yugoslavia, Hungary, Ukraine, Moldova

.

Media representation of minorities and migrants

Media in Romania are accused of lack of professionalism, manipulation, sensationalism, spreading rumours, distrust in the government's domestic and foreign policy, biased coverage of Roma issues. In most cases, the critiques of Roma activists are unfortunately right. However, it should be stressed that there are some weekly papers (22 deserves special mention) that do their best to offer a more nuanced view of the problems of the Roma ethnic group.

At a seminar held by the Project for Ethnic Relations on the image of the Roma in the media, members of the community complained that the Roma are often referred to as 'coloured' or 'dark-skinned' and described as having 'inherent' deviant behavioural patterns. A definite relationship between Roma and organised crime is also often implied. Another complaint was that the Roma are a subject for the press only when they commit anti-social acts.

An investigation coordinated by Ion Andrei Popescu, and done by the Institute of Studies and Polls ESOP OMEGA analysed the press coverage of the conflicts between the Roma and the members of the majority in four Romanian communities. Over the six years between the first and the last conflict investigated, the tendencies were: a) the Roma were increasingly characterised by negative attributes, while the majority were presented in increasingly positive terms; b) in the beginning the emphasis was on the malfunctioning of the justice system (not punishing the allegedly criminal Roma), and then it moved to the 'unlawful' behaviour of the Roma themselves; c) fear between the groups was mentioned only in the first cases; d) first, the blame was put on the inability of society to absorb the Roma, and then it shifted to the Roma community,

held responsible for lack of integration; e) the first cases were covered by articles that were largely speculative, but later journalists used more and more official sources and local documentation; f) the differences between 'we' and 'they' became increasingly accentuated.

Journalists present at the workshops said that the greatest difficulty they face in providing proper coverage of issues is the lack of communication between the Roma and the media. They said that if there were more information, they would be less obliged to depend solely on the information provided by the police. One solution proposed was setting up a Roma press agency aimed at softening the tone of the media concerning their ethnic group. Another problem raised by the journalists was that the organisation and leadership of the Roma community are so unstructured that it is difficult to present them as an ethnic group with special political problems.

As concerns Hungarians, on the whole, one can say that the Romanian press contains presentations that range from sympathetic (or at least correct) towards Hungarians (providing careful analyses, both criticising and supporting them), to inimical. In the latter case, beside distorted presentations and a manipulatory use of certain stereotypes (separatism, revisionism), there is a verbal violence that can be encountered only in texts addressing the Roma issue. A particular element in the case of Hungarians is the regular distortion of names, used as a sort of symbolic degradation.

Positive developments

Bringing the DAHR into the government coalition after the 1996 election, and giving it two members of the cabinet was a way of defusing major ethnic conflicts, potentially dangerous for the security of the whole region.

As far as Roma are concerned, it seems that there is more interest and attention devoted to their problems, and that solutions are being looked for - even if they sound awkward or sometimes raise problems at least as serious as the ones they try to solve (e.g. the way the police operate to prevent inter-ethnic conflicts). A new measure that may have an important impact in the future is a mechanism of positive discrimination already in place, by which Roma are automatically granted places in state education institutions.

CHAPTER 10 South-Eastern Europe

10.1 Greece

During its less than two centuries' history, the Greek state has based the construction of its political unity on efforts to define a Greek ethnos and establish its continuity for 3000 years or more. The Greek nation has been built almost exclusively around Greece's self-perception as a very homogeneous country in ethnic, religious and linguistic terms. Yet the ideal national identity put forward is so multi-dimensional (white, Orthodox, Greek-speaking, Greek-feeling) that it cannot but exclude some ethno-cultural groups in Greek territory. Hence, minorities have always existed. And to different degrees and at different times, they and their rights have been perceived as a threat to the purity, the continuity, the integrity and the security of the Greek ethnos and state.

Different levels of Greekness have always been attributed to each ethno-cultural group. Being non Greek-speaking or non Orthodox or both has, through the years, been evaluated in different ways and these classifications and cleavages remain valid even among the different Roma groups.

Territorialised Minorities

Immense population exchanges took place between Greece and its Balkan neighbours at the beginning of the century, but the variety of different groups on Greek territory did not, of course, disappear; the 'minorities problem' merely came to concern smaller groups.

Responding to and very often resisting, though to different degrees, the state's assimilationist policy, every group has developed its own strategies. Economic factors, as well as Greek Orthodox education, military service and internal migration towards the cities have increased the rate of assimilation of some groups or some people inside groups. Other ethno-cultural groups, especially those in the border zones, related to similar groups across the borders and having a neighbour country as their political-territorial reference, have constantly challenged the state's assimilation capacity. In such cases, repression has proved ineffective, as it has led to the assertion of identity, either

on Greek territory or abroad, by inventing or reviving symbols and, above all, claims to a local history divergent from the official version. Until very recently, there were no alternative Greek histories, no minority histories including minorities in the history of the Greek nation. However, this is starting to change, slowly and not to the same extent in every group.

There are many ethnic groups in Greece, although few are politically significant.

Muslims

The most numerous ethnic group (approximately 120 000 people) and the only one ever recognised as an ethnic and national minority associated to a special legal status, is - oddly - a religious minority, the Muslims. Muslims are concentrated in Greek Thrace, a few islands of Rhodos and Cos and can be broken down into three sub-groups:

Turks - Officially called Tourkophones (Turkish speaking) or Tourkogeneis (of Turkish descent), they refer to themselves as Turks (meaning ethnic Turk Greek citizens), although they are not legally allowed to use this term. The group consists of people excluded from the exchange of populations between Greece and Turkey stipulated by the 1923 Treaty of Lausanne. They speak Turkish and have their own religious administration. The education of children is at a dramatically low level, as it is hostage to and depends on both the Greek and the Turkish Ministries of Foreign Affairs as half of the curriculum is Greek and half is Turkish. At the same time, all children are taught the Koran in Arabic as part of their religious education. In addition, most of these children, if they wish to continue their schooling - after overcoming these enormous difficulties - have to go to Turkey after the age of twelve.

Students of the Muslim minority are excluded from several university departments: all the departments of the University of Cyprus, various departments of theology of the University of Athens and Thessaloniki, the faculties of tourism of the islands of Crete and Rhodes, as well as military schools, police and fire departments.

This minority is very well organised at the political level and acts as an interest group using its ties and cultural proximity with Turkey. At present, three members of the minority are members of parliament, although they have not been elected explicitly as such, but as local representatives of three different parties.

An association of Muslims of Thracian origin living in the broader Athens area has also

started to voice demands: Muslims are forbidden to build mosques and have to meet in 'informal' mosques scattered around the city. Furthermore, they have no cemetery and are forced to send their dead back to the Thrace.

Pomaks - The second sub-group is the Pomaks, living in remote villages in the Greek Rhodopes mountains separating Greece and Bulgaria, and in the cities of Xanthi and Komotini; fewer Pomaks are to be found in the other smaller towns of Greek Thrace. These Bulgarian-speaking Muslims, of Slavic origin, were also excluded from the exchange following the Treaty of Lausanne (1923). Pomak children, who speak a non-written Bulgarian dialect at home (Pomak), have even more problems at school, as they have to attend the same classes as the Tourkogeneis, half in Greek, half in Turkish. Until recently (1997), Pomaks were under a kind of 'house arrest', that is, they were not allowed to leave their villages in the mountains without special permission (and if they did so, had to return before midnight) and other minority members and other Greek citizens also had to have special permission to visit the villages.

Some Pomaks have deliberately abandoned their mother tongue to adopt a 'state language': in this case Turkish. This, together with the way that the Greek state implemented its policies and the Treaty of Lausanne, has led many Pomaks, even when they remain Pomak speaking, to identify with the Tourkogeneis. The traditional confusion of the majority of Greeks between Muslims and Turks has worked in the same direction. But efforts are now being made to distinguish the Pomaks as an ethnic entity in order to diminish the Turkish influence on them. Today, any expression of cultural difference between Tourkogeneis and Pomaks is highly encouraged.

Roma - The third sub-group is that of Muslim Gypsies or Tsiganes, all living in western (Greek) Thrace. All speak Turkish except for two villages that speak Romani.

Arvanites

Another well known and widely recognised Orthodox group is the Arvanites concentrated around Athens, in Attiki, Beotia, Corinth, Agrolida and the near islands. Their language is an oral dialect of Albanian which has evolved on its own since separation from the mother land in the late Middle Ages. Although always considered a part of the Greek ethnos, they have suffered important restrictions on the use of their language, *arvantika*, especially during the two dictatorships (just before

World War II and from 1967 to 1974) and during the period after the Greek civil war in the early fifties.

In the last fifteen years, the Arvanites had started to form associations and to collect traditional songs and other features of their particular culture. However, this campaign for renewal of the arvantiki tradition was brought to a sudden stop by the massive economic migration of Albanians with whom the Arvanites of Greece do not necessarily want to identify. In the western part of the border zone near Albania, there are an important number of Orthodox Albanian-speaking Arvanites.

Tchamides

Albanian Muslims who live mainly in the counties of Preveza and Thesprotia in the northwestern part of Greece were also excluded from the population exchange because they were Albanians. There have always been problems of land tenure between them and the Greek state, as they have never accepted the loss of their *tchifilik* following the 1923 implementation of the 1917 agrarian reform. The fact that they were unable to really integrate or accept the rule of the Greek state led them to collaborate with the occupying Italians and Germans during the Second World War. As a result, they were either killed or driven away from Greece to Albania at the end of the war. Shortly after 1990, Albania formulated some claims concerning the Tchamides' houses and property, however, the general situation in Albania and the improved bilateral relations has silenced these claims.

Slavophones

An ethnic group attributed high political importance is the Slavophones. About 100,000 living in numerous villages and towns mainly in western Greek Macedonia, these people became Greek citizens upon the partition of Ottoman Macedonia among Greece (51 per cent), Serbia (39 per cent) and Bulgaria (10 per cent) and the imposition of boundaries in 1913, after the second Balkan war. The rest of the local population living in the mixed villages are mainly established refugees who arrived from Turkey after the Greek defeat in 1922. Coexistence has not always been easy. Land tenure problems have constantly arisen between the natives and the refugees, each group claiming primacy over the land: the Slavomacedones because they are natives; the refugees because they are more Greek. This kind of latent conflict can still be observed today, even though they now have a bilingual review called *Nova Zora*.

The presence of this group has been perceived as a real threat or problem, especially in periods when the borderline seems somehow in question and these people have suffered open hostility on the part of the Greek state.

Although this group has taken on central importance due to the rather artificial revival of the latent Macedonian question by Greek politicians, the Macedonians do not have a very structured discourse or advanced political programme. Members of the group seem to have chosen other loyalties than those defined in ethnic terms. Many have emigrated to Canada, Australia or Germany, where their organisations are much more active.

Vlachs or Aromanians

This ethnic group is larger than the number of people speaking the Balkan Romance language today, since many Vlachs have, in different periods of recent history, opted for the Greek language. The Vlachs live on Greek territory, as well as in Albania and FYROM.

During the last period of the Ottoman empire, the Romanian cause was felt in the Balkan peninsula. Until the pre-war dictatorship, Romania maintained a minority policy, sustaining elementary schools and two high schools teaching in Romanian in several parts of Greece. Until after the Second World War, some Vlachs kept up cultural and political ties with the mother country, but efforts to create an independent Vlach territory within Greek borders and the collaboration of members of the group with the Axis powers led to a reduction of the minority's rights. Vlachs soon abandoned endogamic practices and can be considered integrated, even if some still speak or understand the Latin idiom.

Legislative/institutional/policy background

Greek nationality can be acquired only if one is born of a Greek father, either on Greek territory or abroad. This *jus sanguinis* regime applies to Greeks of second or third generation born abroad, if they can prove that they are of Greek descent. Children born in Greece of non-Greek parents are not Greek citizens.

The official language of the Greek state is Greek. No provisions are made for bilingualism: even the only officially recognised minority, the Muslim minority, has to use Greek in its contacts with the administration and authorities., although the 1923

Treaty of Lausanne provides that its education has to be half in Greek and half in Turkish.

The state religion is Greek Orthodox. Religion is still stated on Greek identity cards, despite the fact that Greece signed UN documents prohibiting this in 1981.

The present government is far more pragmatic and less populist about what can be considered 'national questions'. Under European and international pressure, much progress can be noticed in different sectors, including the Macedonian question. Nevertheless, past structures, local and broader nationalist reactions, the individual interests of politicians and the 'political cost' make evolution slow and difficult. (The absorption of the EU funding available for Roma, Pomaks and ethnic Greek returnees from the former Soviet Union is still low.) Furthermore, the new head of the Greek Orthodox Church, Christodoulos, is claiming a new and far more political role for himself and the church and has spoken out on such issues as Greek-Turkish relations, the Balkan problem and brotherhood with the Serbs, and the danger of the 'European assimilation' threatening the Greek nation.

Immigrants and refugees

After having been a labour exporting country for almost a century, Greece has started to import labour in recent decades. Non-European immigration started gradually after 1970. Intense emigration in the sixties had deprived several sectors of the Greek economy of the necessary labour force. With more than 300,000 Greeks employed in low skill positions in European industry, the country had to legally import cheaper labour from Egypt and other African countries (between 30,000 and 60,000 people). After the oil crisis, Greek migrants started to return from Germany (where 83 per cento of the 410, 000 Greeks established in the European Community still lived in 1992), but if they were still economically active, they preferred the private tertiary sector.

Essential to the survival of various sectors (agriculture, tourism, the merchant marine, construction, even industry) immigration continued to rise and became increasingly undocumented, being directed towards the parallel economy, estimated to account for 30-50 per cento of Greek GNP.

As of 1989, immigrants started to flow in from former socialist countries (Ukraine, Poland, Albania, the former Yugoslavia, Romania, Bulgaria) but also from Asia

(Turkey - and Kurdistan, Iraq, Syria, Pakistan, the Philippines) and Africa (Egypt, Erythrea). Most of these are undocumented. Of an estimated total of 500, 000, the major groups are as follows:

Albanians	150,000-200,000
Egyptians	50,000 (many of whom legal)
Filipinos	50,000 (of whom 85 per cent are women)
Poles	70,000
Iraqi Kurds	30,000

In the east, increasing numbers of undocumented immigrants - estimated at several hundred per month - are entering the country clandestinely from Asia and Africa via Turkey. Undocumented immigrants (at least half women and children) are brought in by Turkish 'guides' (paid between \$2,000-4,000 per person) and Greek 'correspondents' by either boat or truck. But both means are dangerous because in the event of patrols by the authorities, the boats are often abandoned and sometimes flounder while the people in the trucks are left to cross the 'natural' border between the two countries, the Evros river, by themselves and this region is notoriously mined. Although many of these immigrants are escorted back to the border, this influx of illegal immigrants, intent on moving to other countries such as Italy and the EU, Canada or the US, poses a problem as Greece seeks entry into the Schengen Agreements. However, Greece's neighbour countries (Bulgaria, Albania and Turkey) declare and seem to try to control (Albania jointly with Greek authorities) and reduce the undocumented emigration towards the country.

Thus, in addition to the traditional 'historic minorities', there are now important numbers of immigrants either undergoing settlement or in transit. At the same time, an agreement has recently been signed between Russia and Greece for resettlement of ethnic Greeks, called Pontic Greeks, from the former Soviet Union. Estimated at a total of 400,000 (last Soviet census in 1989), they are scattered throughout Russia, Crimea, Georgia, Ukraine, Uzbekistan, Kazakhstan and Siberia. Upon return to Greece they immediately receive Greek citizenship, but since they are often non-Greek speaking, they face serious problems of social integration and are often the victims of racist attacks. In August, the substitute Minister of Foreign Affairs Papandreou asked for a new law regulating the problems of ethnic Greek returnees and the conditions of

their establishment in Greece. At present, there are less than 100,000 Pontic returnees. Finally, there are more than 300 asylum seekers every month. The majority are Kurds, but some also come from Afghanistan, Sri Lanka and Africa. In this context, a number of violations of human and individual rights have been recorded and protested against by Amnesty International. Greek authorities refused to accept the asylum demands of 31 Kurds from Iraq, who were escorted back to the frontier. Furthermore, the conditions for the undocumented immigrants detained in Drapetsona (Piraias-greater Athens) prisons while waiting to be escorted to the frontiers are humiliating and cruel. Some detainees are kept for as long as 13 or 16 months for no crime, simply illegal entry into Greece.

In an attempt to count and identify the characteristics of immigrants, the Greek government decided, for the first time, to offer an amnesty and legalise the presence of all those who entered the country illegally before 31 December 1997. Immigrants had to apply for a 'white card' as a first step towards a permanent 'green card' which will allow them to stay for three or in exceptional cases five years. Registration was supposed to last from 1 January to 31 May, but as over 30 per cento of undocumented immigrants had not registered by the deadline, it was extended until 31 October. Some immigrants have complained that as soon as they registered and got the 'white card' they were fired; others - Albanians - have been escorted to the border after applying. Local authorities have also refused to issue documents to some applicants or have promised to deliver the documents after the expiry date. In any case, the 'legalisation process' generated a gradual confrontation between the host society and the immigrants: part of the host society becoming more aggressive both in discourse and action and the immigrants claiming, for the first time, better working conditions and going on strike.

In parallel, the MNER has introduced favourable conditions for the integration of immigrant children at regular public schools. It provides for intercultural education in primary and secondary schools. This was initially designed for Greek returnees, but has been used to advantage by Muslims and Roma as well.

Xenophobia and racism

The influx of new ethnic groups has created new tensions. The situation of the Albanians is particularly complex. There has always been a tide and ebb of seasonal

workers. But with the chaos in Albania in 1997 and the recent escalation of hostilities in Kosovo, the flow has increased considerably, mixing economic migrants with refugees. In addition, these events have generated cross-border criminal activities pursued by both Greeks and immigrants, creating greater insecurity in the border areas around Albania. As a result, many Greeks associate Albanians with crime and unpleasant cases of discrimination against Albanians have ensued. A number of villages have taken actions against Albanians, forbidding them to circulate after sunset or to buy alcoholic drinks. In one village, when Albanian workers demanded more pay for less hours work, they were rounded up by outraged villagers and escorted at gun point to the train station. Even the former Minister of Public Order and Security, during an official visit to Australia, stated that the recent rise in organised crime in Greece was due to immigrants, especially Albanians.

Indeed, while only two years ago Greek public opinion would have rejected that 'racism' is a characteristic of Greek society, racist arguments are solidly taking root as a kind of fair argumentation and one of the 'legitimate' opinions in the spectrum of a democratic country. At the beginning of November, an incident near Corinth in which a 17 year old boy waited for thieves to return to pick up booty they had hidden in the garden of his home after breaking in, shot them dead and was set free until trial upon turning himself in to the authorities, gave rise to articles in the press and several radio and television programmes in which the 'right of self-protection' argument was put forward by unexpected people and parts of Greek society. At the same time, to undermine the public's confidence in the forces of law and order, a scandal has broken out about the involvement of police forces in importing of undocumented immigrants, protection, forgery and robberies as well as executions and violence. Indeed, the sale of hunting and other types of guns has increased during the least year and more people are hiring guards and security employees, as well as armouring doors and upgrading locks.

Yet, while some parts of the press are encouraging citizens to 'take the law into their own hands', other dailies are trying to counter this by running articles to the effect that not every Albanian is a criminal or that Greeks were once the Albanians of the United States or of Germany. In any case, the immigration issue is for the first time generating real debate in Greek society on racism and xenophobia.

There have been anti-immigrant demonstrations and tragic incidents involving the murder of members of ethnic minorities. But these have triggered protests from the minorities concerned as well as from Greek civil society.

Interestingly, a research centre (Centre for Research and Study of Minorities KEMO) organised four scientific colloquia, one for each of the major languages other than Greek spoken in Greece. Each two-day colloquium was to be held in a city with important numbers of the respective minority. The first, on the Muslim minority, was held in Komotini, and was a success. But the second, dedicated to the Vlachs and held in Larissa, was interrupted violently by threatening nationalists and a local 'patriotic front'. The authorities did nothing to protect the participants. Moreover, KEMO was accused of facilitating the revival of the Vlach's quest for the creation of a Vlach state on present Greek territory. KEMO then decided to shift its third (on *Arvanitika*) and fourth (on Slavic languages) meetings from Levadia and Thessaloniki, as planned, to Pandion University, Athens, the co-organiser. They were successfully held in October.

Positive developments

There have also been positive changes. One of these concerns the Muslim minority. An effort to improve the education level and conditions of the Muslim minority in Greek Thrace was begun a year ago by the Ministry of National Education and Religion (MNER). The project, involving important field work, research and extended contacts with minority members, pupils, leaders, and teachers of all kinds is aimed at considering the objective difficulties that these children face, and producing new textbooks in which Greek-Turkish hatred is not so systematically taught. Apart from the mistrust and suspicions of the minority members for the sudden official interest in them, most problems are caused by local members of the majority, nationalist teachers, deputies of almost all parties, newspapers, etc.

Another positive development was that Article 19 of the Greek Constitution, which gave Greek authorities the right to deprive members of minorities living on Greek territory of their Greek citizenship if they left the country to go abroad 'with no intention of coming back . . .' was finally abolished.

A programme for the social integration of the Roma including research and training for local authorities, teachers and policemen has also been started with the support of the EU and the Ministry of the Interior, Public Administration and Decentralisation. For the first time, there have in the last four years been anti-racism campaigns and festivals. For the first time, short programmes are being broadcast in several foreign languages (Albanian, Bulgarian, Arabic, Bengali, Polish, Russian, Tagalog, English

and French) on various public and private radio stations. The local daily *Alithia* (The Truth) of the island of Chios has decided to publish its last page entitled *Everteta* (The Truth in Albanian) in Albanian for the over 1,200 Albanian workers on the island. And special meeting points for immigrants, such as the 'Immigrant's Place', set up by the 'Network for Social Support of Refugees and Immigrants', the most efficacious network of non governmental organisations mainly close to the extra-parliamentary left, are opening to provide them with advice, help and a space for social interaction.

While the extreme right is now being organised on anti-immigrant, anti-minorities and anti-non nationalist Greek and other nationalist lines, there seems to be a strong anti-racist movement in society. In the face of the traditional Greek-Turkish hostility, a kind of 'parallel diplomacy' or 'people's diplomacy' is flourishing, not only in Athens, but in Xanthi, Lesbos, Chios, etc.

10.2 Turkey

Historical factors for Turkey's ethnic policy

After the Kurdish rebellions shook the republican regime as early as 1925, the vision of multiculturalism or 'cultural federalism' was abandoned in search of unity. A heavy dose of centralism and a hastened modernisation program, implemented from above, marked the republican regime's approach of 'progressive centralism' to nation building. In the absence of a liberal bourgeoisie that would pick up the banner of nationalism in its mission of nation building or a working class which would struggle for social justice and equitable distribution of wealth and power, the Turkish bureaucracy took on the mission of creating a modern nation state by taking over the state apparatus and establishing a hierarchy in which the bureaucracy preserves its critical or strategic place/role.

In the Turkish context, the bureaucracy was keen on seeing the nation as devoid of a history that could hinder planned reforms and legitimise an alternative leadership, devoid of cultural/ethnic diversity which could be the source of political instability, and an obedient and solidary body politic (nation) ready to follow national leadership without serious objection or resistance.

So from the very beginning the seeds of alienation and of an unequal relationship

between the state and society were sown. The state's desire for control of the nation stifled the growth and maturation of civil society. Violence as a form of social control and of problem-solving dwarfed the rule of law and hampered the feeling of justice and equity in society.

Failure to acknowledge the multicultural nature of the society ended up in a rather restricted definition of the nation. Turkishness became the criteria of citizenship and Turkish nationalism the driving force of nation building. This restrictive definition of nationhood and restrictions on manifestations of ethnic origin (such as use of mother tongue) generated a sense of exclusion and of being not properly represented, exacerbated by poverty, unemployment, a low level of education, repression, etc. This, in turn, led to massive discontentment among the non-Turkish citizens of Turkey, especially the Kurds as the largest minority, but also among Turks who expressed their disagreement with the system in religious terms. Politically, all parties suspected of having links to the Kurds have, over time, been outlawed by the Turkish government.

Territorialised Minorities

Although there are numerous ethnic minorities in Turkey (those numbering more than 4,000 people are listed below), only the Armenians, Greeks and Jews, are officially recognised as minorities pursuant to the Treaty of Lausanne (1923). All other minorities are simply considered 'Turks'. As a result, there are no available official figures for them.

- Abaza : 10,000, Muslim.
- Abkhaz: 35.000, Sunni Muslim.
- Cherkes (Adyghe): 130,000, Sunni Muslim.
- Albanian: 65,000, Sunni Muslim.
- Arab: 400,000, Muslim, Christian.
- Armenian: 70,000, Christian.
- Azeri: 530,000, Muslim.
- Balkan Gagauz Turkish: 327, 000, Muslim.
- Pomak: 270,000, Sunni Muslim.
- Crimean Turk (Crimean Tatar): 300,000, Muslim.

- Zaza (Dimli): 1,000,000, Sunni Muslim.
- Domariĭ (Gypsy): 20,000, Muslim.
- Georgian: 91,000, Sunni Muslim.
- Greek: 4.000, Orthodox Christian.
- Kurmanji: 6,500,000, Sunni and Alevi Muslim, some Yezidi.
- Kurd: 17,000,000 - 20,000,000, Muslim.
- Ladino: 8,000, Jewish.
- Laz: 92,000, Muslim.
- Roman: 25,000 - 40,000, Muslim.
- Serbo-Croatian (Bosnian): 61, 000, Muslim.

Some of the ethnic groups living in Turkey, such as the Tartars, Kazakhs, Turkmen, Uyghurs, etc, have the same Turkic ethnic origin and linguistic origin (Ural-Altay) as the majority of Turks, speaking Turkish both in their family and outside. Most others have been assimilated and, since young people are obliged to learn Turkish at school, many of them no longer speak or even know their mother tongue unless it is widely used inside the family.

Usage of any language other than Turkish in the public sphere is prohibited by the Constitution. No other language can be taught as the mother tongue to Turkish citizens. Ironically, teaching foreign languages such as English, French, German etc. as an optional second language is allowed in the education system, while the teaching of Kurdish (or dialects like Kirmanji, Kurmanji, Zaza) is banned. Although the prohibition about the usage of Kurdish was abolished in 1992, it is still not applicable to the education system and television. There are few communication products (cassettes, cds) , magazines (WAR) or newspapers (HEWI) in Kurdish.

At the same time, the recognised minorities (Armenians, Greeks and Jews), mostly settled in Istanbul, have the right to education in their mother tongue. But they are still dependent on the Ministry of National Education and must obey the yearly curricula of the ministry and therefore also learn Turkish. Armenians, Greeks and Jews also have their own institutions. They elect their own religious leaders and representatives and publish newspapers and magazines in their own language.

All ethnic communities are free to live according to their culture at home, respecting rituals like traditional wedding ceremonies, etc. unless they are seen as a potential

danger to the 'unity of the state with its land and nation'. For example, Gypsies and Romans have a traditional holiday celebration very much like the Newroz of the Kurds (they both set up big fires and jump over them). Both take place at the same time of the year - the beginning of the spring. The Gypsy celebrations have not been repressed till now, but Newroz is the object of intervention every year; it was banned for some time and now attempts are being made to assimilate it by celebrating it as a Turkish holiday.

Kurds

Of all the ethnic groups and religious sects, Kurds are the largest ethnic minority in Turkey. They mainly occupy the southeastern region of country. It is almost impossible to give exact figures, but unofficially they are estimated to number between 17 and 20 million. Past and present Kurdish rebellions occupy an important place in the history and the current situation of the Turkish Republic. The results of these movements and the reactions of the Turkish Republic to them have shaped the official view of the system towards all ethnic minorities.

Southeastern Anatolia has had prolonged problems due to its rugged and rather infertile lands - devoid of irrigation until recently - and its extreme climate. Insufficient infrastructure and the irregular and separated structure of settlement have made it harder to carry basic services to the region. Critical personnel like doctors, teachers and other government officials often do not want to work there, although offered more. Today, the average annual per capita income is considerably less than \$3,000.

One of the oldest and most important reasons for the underdevelopment, generally neglected by social scientists, is the 'Armenian Deportation' of 1915. During the First World War, the Armenians living in eastern Turkey helped the invading Russian armies and engaged in guerrilla activities in an attempt to free the area of the Muslim population in order to establish an Armenian homeland. In retaliation for this 'treason', the Ottoman government started to deport the Armenian population from the Russian front to Syria and Palestine. The number of Armenians that died during this forced migration was about 300,000 according to Turkish historians and about 600,000 according to others.

The importance of the Armenian population living in southeastern Anatolia was that they were the key people in trade in the region (because Muslims were mostly soldiers and government functionaries); they also dominated arts and crafts. The sharp

decrease in this qualified population affected the economic growth of the region; an important recession in trade, crafts and settled farming followed.

Distribution of land in eastern Turkey has always been unequal. This is both the cause and the result of the region's continuing feudal socio-economic structure. This feudalism has affected the social and the political culture of the region. The religious and ethnic (Kurdish) rebellions in the initial years of the Turkish Republic were not nationalist or separatist in character; they were led by traditional leaders who wanted to regain their authority encroached upon by the secular, centralist Ankara government. In reaction to the rebellions, the state thought it safer not to invest in and develop the region. Rather than modernise the region by carrying services like hospitals, schools, roads and telecommunication, the state and the military-civilian bureaucrats sought the support of some landlords offering security in return for group votes from the landlord's family and dependants (sometimes this means as much as 40,000 votes to a political party); and use by the army and special police forces of the landlords' men as *Korucu* (village guards) to fight the PKK (approximately 60,000).

The most obvious outcome of traditionalism has been that traditional leaders have dominated daily life stifling all attempts at change and any manifestation of individualism. At the same time, it has consolidated the excessive use of violence in social relationships and the exclusion of women from social processes and their subjugation to male authority at all times.

Dependence on tradition and subjugation to traditional leaders has in recent years shifted to allegiance to the PKK, the Kurdish Workers Party. This shift is understandable for the PKK offers a relatively modern political-paramilitary organisation with regional and international links; for young people with no self-respect or way to earn it, the risks involved in joining the PKK and the violence of its methods are secondary considerations to their choice of a meaningful life, no matter how short.

The Kurdish Workers Party (PKK), founded in 1978 by Abdullah Öcalan and other Marxist university students, initially aimed to destroy tribal ties and establish an independent Kurdistan. In 1984, it started guerrilla warfare. With time, the PKK's claims have shifted from independence and autonomy to a federal solution and lastly to a willingness to engage in regular politics - but only under the PKK's leadership.

Through the years, the PKK has waged a war against the Turkish army in the southeast, where the Turkish government, in reaction, has introduced an emergency zone (allowing for the evacuation of vast areas) and the 'village guard' system (basically

paying villagers to fight the PKK). But terrorist actions were also carried out in the big cities. According to official state statistics, till now, 20,379 people from PKK have been captured (571 injured, 2,576 taken alive, 2,128 surrendered, the rest dead), and 8769 Turkish soldiers and civilians have been killed (4,501 soldiers, 4,268 civilians, including 508 women and 480 children).

The pattern by which Kurdish nationalism as a mass movement emerged in Turkey attests to the degree of success of Turkey's nation-building effort. Numerous active Kurdish nationalists who had thought of themselves as Turks only 'rediscovered' their Kurdish identity while at university or even later. Of the various Kurdish parties and organisations that emerged in Turkey in the 1960s and 1970s, during the course of Turkey-wide political mobilisation, most were splinters from Turkish political movements. Their vocabulary, their ideas, their style of debating and the issues they debated were those of Turkey and had little in common with those of Iraqi and Iranian Kurds. Many of the spokespersons were integrated in Turkish culture and most of them, including Öcalan, had at one stage in their lives been admirers of Atatürk.

The re-emergence of Kurdish nationalism is closely related to the greater accessibility of higher education in the postwar years and increasing geographical and social mobility. Both of these processes contributed to the integration of the Kurdish elite in Turkish culture and politics and to the rapid decline of traditional structures in those years. But Turkey's vigorous campaign against Kurdish nationalists immediately following the 1980 military coup led to an intensification of contacts and communication between the Kurds in the various states and the widening of the gulf between them and their non-Kurdish compatriots. This was the result of a conjunction of three major factors:

- The severe and violent repression of expressions of Kurdish separatism or particularist sentiment, even more so of organised political activity in Turkey, Iran and Iraq, leading to large-scale population displacements, both within these countries and across borders in the region
- The presence of large Turkish and Kurdish immigrant communities in Western Europe, and a political climate there favouring minority cultures
- The end of the Cold War and the dissolution of the Soviet Union. Additionally, the Gulf war made the realities of the region more evident and the world aware of the plight and persecution of the Kurds in this country.

The story of the years 1980-95 is in several respects a story of the failure of repression.

Misguided policies brought about precisely those developments that they were intended to stop or prevent. The wholesale repression of the Kurdish movement in the early 1980s was successful in eliminating the liberal and democratic elements in the movement. Initially the PKK was a relatively small organisation, with only a few thousand active members and sympathisers, and it did not enjoy much popular support among the Kurds. Throughout the 1980s it consistently kept growing, not least because it was treated as public enemy number one and because the pro-government popular press gave it much coverage. The greater the official repression on Kurdishness, the more representative the PKK became as there was no alternative on the political stage. Civilian and military authorities during this period time and again stressed that the state was strong rather than, for instance, the just and benevolent protector of its citizens. But by placing so much emphasis on strength, they implicitly confirmed that the PKK, with its cult of violence and proven ability to survive all 'final' blows delivered by the army, was the only serious alternative. However, the Kurds in Turkey so far have demonstrated an incapacity to develop independent leadership and a peaceful political movement to divert Kurdish politics away from the violent ways of the PKK. In eliminating peaceful political organisations, both the Turkish government and the PKK have demonstrated their obvious monopolistic and authoritarian character. Furthermore, although most Kurds in Turkey and Iraq express their wish for a peaceful and democratic solution, they do not agree among themselves and they have not yet taken effective steps to put an end to violence and repression among themselves and against each other.

One should also not lose sight of the significant political gains of the PKK. It has come to enjoy widespread support among the Kurds. It has become increasingly difficult to distinguish clearly between the PKK and the Kurdish population at large. The armed conflict has increased the Kurds' awareness of their distinct ethnic identity and caused an acute sense of being regarded as second-class citizens at best. Since all moderate spokespersons for the Kurds have been treated with scorn or have been jailed by authorities, many have come to see the PKK as the only force that can represent them. Privately they may have reservations about some of the PKK's policies or its methods but that no longer is a reason for them to disown it.

At the same time, they have become less of a territorially defined social entity. Kurdistan remains central to the Kurdish awareness as the historical territory of their people, but the percentage of the Kurds actually living there has significantly decreased

over the last five decades. Because of the high birth rates, the population of the region has kept growing in absolute numbers, but it may now constitute only around half of the Kurds, or even less. In Turkey, labour migration, flight from the war and forced village evacuations have caused millions to move to other parts of the country or abroad, thereby drastically changing the nature of the Kurdish question and the conditions for possible solutions.

Istanbul and the other large cities, as well as the Mediterranean and Aegean coastal regions, now have very sizeable Kurdish population, heavily concentrated in certain neighbourhoods. In most of these places the majority of the Kurdish migrants constitute an underclass, poorly educated, ill paid, and discriminated against by both employers and local authorities. Tensions between older residents and these newcomers have gradually been building up, and they have further increased since the guerrilla war has cost the lives of many local young men doing their military service in the southeast.

In parallel to economic costs, the social costs of the war in eastern Turkey are rising. There is something like a Turkish Vietnam syndrome, drug and alcohol abuse is increasing and the level of violence in society is rising. Certain police and civilian authorities appear to have become deeply involved in the profitable illegal drugs and arms trade, as attested to by the Susurluk incident. The general deterioration in the human rights situation, not just in the Kurdish districts but throughout Turkey is undeniable.

Migration

Internal migration

Migration is an old and important problem in Turkey. It must be separated into two periods; before 1993 and after 1993.

- Before 1993, there was migration towards the cities from the villages and small towns mostly in the east and southeast for economic and social reasons: poverty, lack of sufficient land for farming, poor education and health conditions and escaping the blood feuds. This migration began (or became sizeable) after the 1960s when television broadcasting first began in Turkey. Better roads opened up the prospect of reaching better living conditions in the big city.
- After 1993: migration originated mainly from the forced evacuation of the

inhabitants of villages and hamlets of the six provinces included in the 'emergency zone'. According to official figures, 820 villages and 2,345 hamlets were evacuated (a total of 378,335 people) in those provinces during 1993 and 1994, and 85 villages and 178 hamlets in nine other provinces for a total of 905 villages and 2,923 hamlets. The main reason for the evacuation of these places was 'security'. The inhabitants of the villages and hamlets were thought to be supporters of the PKK, supplying food or militants. The most important aspect of this forced migration is that the government did not supply housing or help to find jobs for the dislocated people.

Therefore, the main differences between the migrations before 1993 and after 1993, aside from the numbers involved, which were much greater after 1993, are that when the emigration was voluntary, as before 1993, people were able to plan where to go, where to settle, finding jobs near relatives or friends living in the cities. They could preserve their relations with their villages and could visit whenever they wanted, and receive food supplies, thereby reducing the cost of living in the city. Finally, they could go back if they were unable to find employment or adapt to city life. For the migrants after 1993, returning or visiting their evacuated and destroyed villages was forbidden. Moreover orders for quick evacuation often resulted in most household goods being abandoned. This was very difficult for children and the elderly.

Therefore, the forced migrations after 1993 caused enormous economic, social and psychological trauma. Most of the big cities were affected by this migration movement, with the rapid mushrooming of ghettos and shantytowns around cities, the source of social and environmental problems. And the reason for the evacuations - 'security' - is a problem in itself. Considering these people potential terrorists or at least a 'threat to security' simply because of their ethnic roots (being a Kurd) prevents them from integrating into the system and the rest of the community wherever they go. They feel discriminated against by the state.

Emigration

Nor is emigration an alien matter for the people of Turkey. The mass immigration to Italy at the end of 1997 made headlines in both Turkish and European newspapers. But this was not the first time - nor is it likely to be the last - that Turkish citizens immigrated to Europe. In the 1960s many people went (invited) to Germany in the 'immigrant

worker' status. Now most of them, as well as the second and third generations, are still living in Germany. This emigration was voluntary, motivated by the hard economic conditions in Turkey and the attractiveness of the promised ones in Germany.

The second big emigration movement was after the 1980 military coup. The status of the immigrants was 'refugee' this time because they were escaping from the army. Most were leftists.

The third major emigration movement, known as the 'Kurdish immigration', took place at the end of 1997. The main difference with respect to the other waves of emigration was that almost all were Kurds and the reason they declared for emigration was violation of their human rights. Other factors have to be considered as well. After 1993, the PKK began to lose its military struggle against the Turkish army and this led to a change in strategy by 1996. The new strategy was to gain in Europe the power and prestige which it had lost in Turkey, to carry the 'Kurdish question' to the top of Europe's agenda, and mass emigration of the Kurds to Europe was a good way of doing it. Furthermore, for a PKK that had lost much of its financial income, emigration was (and still is) a very profitable business. According to estimates a passage can cost up to \$5,000 or more. This money goes either directly to the PKK if it has arranged the transportation or to traffickers. At the same time, when looking at human rights violations and immigration in Turkey, it must be noted that not only Kurds but also leftists, Alevites, other minority members, as well as Islamists are also the object of human rights violations.

Legislative/Institutional/Policy Background

The state strictly prevents any use of the word 'ethnic' and any substitutes for it. Therefore, there is no reference in the constitution, in the law or in court decisions to ethnic issues. Although 'Turk' is the name of one ethnic group, it is used to represent all the citizens of the Turkish Republic.

Citizenship regime

The child of a Turkish father and a Turkish mother is a Turk. The citizenship of a child of a Turkish mother and a foreign father is established on a case-by-case basis according to law. Naturalisation involves fulfilment of a number of conditions, including knowledge of the Turkish language, in addition to 5 years of legal residence before the date of application.

Refugee and migration regime

The Turkish state is a signatory of the United Nations Convention on Refugees of 1951, but expressed some reservations at the time of signing. The most important of these is that it accepts only refugees and migrants from Europe. The Turkish state did not sign the related protocol of 1967.

Turkey does not have a general migration law; migration movements are regulated by bilateral agreements. Turkey's official policy is one of closed borders. Most citizens of Western countries can get visas at the Turkish border. For some Third World countries, visas must be secured from the local Turkish Embassy. There are real checks at the borders, but until 1997 and 1998 many migrants and refugees tried to transit through Turkey on the way to Europe.

An important issue has been the problem of citizens from post-communist states. After 1990, many people (especially women) from Russia, Ukraine, Georgia and Romania entered Turkey to try to earn a living. Many of the women ended up as prostitutes, especially in the northern (Black Sea) area, causing a major social problem in that it disrupted the conservative way of life and family relations. The border police have since become stricter about the re-entry of women already deported because of prostitution. One result of this has been a general perception at both the public and the official level of all female citizens of post-communist countries as prostitutes.

Discrimination, xenophobia, racism

The only discrimination, which can be considered direct, is against the people living in the southeastern region under the Emergency Law. Besides the fact that this law is discriminating in itself, people living under it are always treated as potential terrorists. Almost 80 percent of them prefer to have license plates from other areas (like Ankara, Istanbul, etc.) because of the harassment from military and police.

Anti-minority initiatives in Turkey have been provoked mostly by the MHP (Nationalist Movement Party). As can be understood from the opinion polls, the vote for MHP is in direct correlation with the rise of minority movements (especially with the actions of the PKK). In fact, MHP has always used that to justify its existence. After Ocalan's capture, almost all demonstrations against the PKK, Italy and HADEP were led by members and provincial representatives of this party.

Media representation of minorities and migrants

In the Turkish mainstream media, the Kurdish issue is covered in three main ways. One involves news about the PKK and the military operations against them. In almost all daily news, the Turkish Army's 'heroic' operations are mentioned with the number of people that died on both sides. The PKK is shown as the only representative of Kurds, causing people to think that Kurd means PKK. Also the news, showing the pain of the dying Turkish soldiers, channels the feeling of revenge and hate of the families not only against the PKK but against all Kurds.

The second type of media coverage of Kurds in the mainstream media is about murders. The media do not mention the Kurdish identity of the person murdered, but his/her relations with the PKK and/or drug smuggling: e.g. Kurdish businessmen killed in the region by the PKK because they did not pay up to the PKK or others killed by fundamentalist nationalist gangs because they paid the PKK.

The third type of news about Kurds or other ethnic group members is when the person is referred to as an individual, as a Turk, and not with his/her Kurdish or other identity.

In the alternative media, the Kurdish issue takes a much more important place. Some of these newspapers are owned or sponsored by the PKK. The best known is *Özgür Politika* (Free Politics). This is generally published as a daily (*Özgür Ülke* Free Land) abroad. Here, the Kurdish issue is reduced to the war taking place between the guerrillas of the PKK and the Turkish army. The Kurdish identity is basically used to gain people's allegiance rather than to discuss a policy.

Positive developments

There were a number of positive developments in 1998:

- An important step was the report of the Migration Committee of Parliament, which, for the first time in an official document, mentioned the existence of the Kurds. The report, accepted by parliament, was aimed at identifying the reasons and finding possible solutions for the situation. After listing the names and numbers of the evacuated villages and hamlets, it concluded by recommending recognition of the Kurdish identity, usage of Kurdish language on radio and TV and the teaching of Kurdish to people who want to learn it.

- For the first time the confederations of the Trade Unions, Employer Unions and Turkish Arts and Craftsmen Organisation acted jointly in some important public events. Significant was the support given to Yalim Eraz, chosen as the prime minister by the president because of it. Eraz was the first person to ask for an attitudinal survey to be made among the Kurds, when he was the president of the Chamber of Commerce.
- Another important development has been the empowerment of civil society by NGOs. 1998 was a significant year for the activities of civilian organisations. The trend of this empowering seems to be increasing. Turkish NGOs and civil society organisations have also finally managed to overcome red tape to build up relations with international organisations such as the EU, Search For Common Ground and others. Support from these and other international organisations comes in the form of financing for proposed projects on democracy, human rights, multicultural coexistence and good governance.
- TOSAV (Foundation for the Research of Societal Problems), founded in March 1997 by equal numbers of Turks and Kurds, has been working to find possible ways of coexistence. Organising regional meetings to bring together local public opinion leaders to seek consensus, it has drafted the 'Mutual Understanding Document' (or Common Set of Principles) proposing constitutional reforms. The Document, very critical of official policies, has since been banned by the State Security Court (see section I of this report, *Peace signals*).
- In December 1998 a Turkish citizen of Kurdish origin requested a translator in court because she did not know Turkish. Since she lost the case, the court asked her to pay the cost of translation. This decision was taken to the High Court which decided against it on the grounds that: 'Demanding the cost of translation from the claimant is contrary to article 90 of Turkish Constitution and article 6/3-c of the European Human Rights Agreement.' This is a first in Turkish judicial history, and could be considered as an indirect recognition of the Kurdish minority.
- The most recent attempt to modernise criminal law was after the official request of Abdullah Öcalan's extradition. When it was understood that Italy would not give Öcalan back to Turkey because of the existing death penalty, the minister of justice prepared a short proposal for lifting the death penalty. The proposal did not pass in parliament because of a few political parties that count on hanging public enemy number one in the future and gaining votes in the coming elections.

10.3 Bulgaria

Territorialised minorities

Bulgaria has been a region of human mobility and mixing throughout its history. For much of it, it has been dominated by outside military and political powers: Rome and Byzantium, the Ottomans, Russia. Between dominations and sometimes because of Great Power politics, major groups have moved in, out or around. The regular and repeated mixing of population groups over centuries and millennia makes any attempt at ethnic analysis of the country's population very difficult.

In accordance with the policies of the Communist Party, which ruled until November 1989, aimed at 'unification' of Bulgarian society, statistical data based on ethnic group, religion or mother tongue were not gathered from 1975 to 1992. In addition, most existing data based on ethnicity were destroyed.

According to some authors, there are twenty minorities in Bulgaria. Muslims alone - Turks, Roma, Bulgarian Muslims (Pomaks) - number about 1,200,000. According to the 1992 census, there were 7,271,185 Bulgarians, 800,052 Turks and 313,396 Roma in Bulgaria at the beginning of the 1990s.

Macedonians

Macedonians are not mentioned in the foregoing statistics. The Macedonian question has historically been one of the most complicated issues in the Balkans, and particularly for Bulgaria. The Macedonians live in the southwestern regions of the country. Successive censuses have given contradictory figures for the numbers of Macedonians in Bulgaria (which range from 500 to 10,800).

Bulgaria has traditionally claimed that the Macedonians (including those living in Yugoslavia and Greece) are ethnic Bulgarians. Yet sociological investigations in the 1990s have shown that there are a number of people in Pirin Macedonia who see themselves as distinct from Bulgarians in ethnicity.

After years of tense relations with Macedonia and Bulgarian suspicions of a 'Macedonian plot' against Bulgaria, (i.e. Skopje's claim to represent the Macedonian minority living in Bulgaria), the current political leadership of Bulgaria has adopted a more pragmatic approach, proposing to the Macedonian government not to discuss the questions of the past but to concentrate on contemporary relations between the two countries.

On 22 February 1999, in Sofia, the Macedonian and Bulgarian governments signed a joint declaration to end these 'artificial problems' between the two countries. In the past, the issue of language (Sofia claimed that Macedonian was an artificially revised version of the Bulgarian language) prevented the two governments from, formally signing treaties or protocols on matters of mutual interest. The declaration noted that the language of the document was 'Bulgarian in accordance with the constitution of Bulgaria, and Macedonian, in accordance with the constitution of Macedonia'. In their joint declaration, the two governments also renounced territorial and nationality claims upon one another, thus settling the issue of the Macedonian minority in Bulgaria.

Turks

The change in status of the Turkish minority began at the April 1956 Plenum of the Bulgarian Communist Party (BCP), which decided that the Bulgarian Turks are an inseparable part of the Bulgarian nation. For the purpose of achieving a monolithic nation, the material status of the Turkish minority was improved, and they were given privileges in the educational and cultural fields.

However, this process had a parallel, negative consequence in that it resulted in the attempt to assimilate all Muslim groups. The Bulgarian Muslims, Pomaks, were the first to suffer. Between 1960 and 1976, Turkic-Arab names were replaced by Bulgarian names and a war was declared on traditional Muslim dress. The campaign also partially affected Muslim Roma and individual Turkish villages in the eastern and central Rhodopes mountains. In 1977, the BCP proclaimed that there was a single ethnic type in Bulgaria and that the national question in the country had been solved.

In 1984-1985, however, another onslaught (many ethnic Turks refused to change their names and migrated to Turkey) took place as a result of the fear instilled in the BCP by the intensive propaganda of Islamic fundamentalists and the significant growth in the Bulgarian Turk population while the Bulgarian population was stagnant (in the Rhodopes mountains, the average Bulgarian family has 1.9 children, the Pomak 2.3, the Turkish 2.9 and the Roma 3.9) But the attempt to Bulgarianize the local Turks has been acknowledged a failure and proved that no change in national affiliation and national awareness can be achieved by violent means. Instead of leading to integration, it created a gap between the Bulgarian and Turkish communities and generated a significant distrust and isolation between them.

Jews

It is an acknowledged fact that there has always been an attitude of tolerance towards the Jews in Bulgaria over the many centuries of coexistence. This tolerance was reaffirmed during this century when, in the face of the anti-Semitic campaign throughout Europe, Bulgaria saved its Jews. For Bulgarians today, Jews are not 'others'. This is not to say that minimum traces of anti-Semitism do not exist, however, the many intermarriages and the even greater number of Bulgarians who are half or quarter Jewish are evidence of real mutual tolerance on the part of the two communities.

Russians

The first massive movement of Russians was in the 1920s when a large number of 'white' Russians left the Soviet Union. After the Second World War the majority of these people received Soviet passports and organised their Union of Soviet People in Bulgaria, which was renamed Union of Russians in Bulgaria in December 1997. There are about 15,000 Russians in Bulgaria who are well integrated in society.

Armenians

There are about 20,000 Armenians living in Bulgaria. The largest concentration is in the city of Plovdiv. The Armenian organisations are governed by a coordination council situated in Sofia. Relations with Bulgarians are of mutual tolerance. There are now nine Armenian churches in Bulgaria and the decision was taken this year to build a new one by the year 2,000.

Roma

One of the most varied communities is that of the Roma (numbering about 560,000 according to experts, approximately 6.45 percent of the population). The principal division is between Christian Roma and Muslim Roma, although most resort to syncretic customs and frequently use rituals borrowed from either religion. Within the two main groups, there are numerous sub-groups which can be distinguished by manner and time of settlement, profession or traditions. The features shared are their common origins and the attitude of the rest of the population to them. The Roma' group lifestyle plays a consolidating role in the development of ethnic processes

because it has a preserving effect on the group and also perpetuates their level of development.

There is a particularly alarming accumulation of negative stereotypes towards the Roma on the part of all other ethnic groups. The perception of their collective image as almost entirely negative, including an inclination towards laziness and crime, is widespread. However, the Roma have never been considered a main threat to Bulgarian national interests, probably because they do not have a state of their own.

The relations between the two communities are not uniform. While the Roma who live in the big cities are quite isolated from the Bulgarian population and live in neighbourhoods that resemble ghettos, some sort of mutual tolerance has been achieved in the mixed communities in the villages where unwritten norms exist.

Half of the country's Roma population lives in villages: in 1992, 52 percent of the Roma population was urban and 48 percent rural (as compared to 72:28 for the Bulgarian population and 32:68 for the Bulgarian Turks). The Roma have become completely marginal in the process of the reprivatisation of farm land as they have never possessed land. Unemployment among them is the highest of all minorities (between 60 and 65 percent); in the rural areas it reaches peaks of 82 percent. Roma explain the high unemployment rate with a negative assessment of the economic changes and ethnic discrimination on the labour market. Some families try to make a living by gathering mushrooms, herbs, wild fruit and snails. But this can be no more than a very temporary solution to the problem and reinforces the process of temporary migration to the towns for short-term employment. The most basic analysis is enough to illustrate that there is no chance for many Roma families to survive only and exclusively with socially acceptable and acknowledged ways of making a living. The deeper the poverty in the Roma community, the more criminal sources of income will dominate in their family budgets. This in turn activates the negative stereotypes which frequently develop into expressions of xenophobia. Indeed, a number of xenophobic episodes involving Roma took place in 1998.

There has, however, been one interesting development recently among the Roma. According to the Ministry of Interior, those in the new upper strata who became rich after 1989 have been quicker than the Bulgarians to take advantage of the favourable economic situation after 1989. Yet data show that life for the Roma has changed for the better for only 2.2. percent, while for 2.9 percent there is no change and for the rest life has worsened. The deep crisis applies to all the parameters of the Roma's

individual and group existence. They are becoming isolated and are gradually being left behind in all social areas, in education, culture as well as in socio-economic and political life.

The proportion of children and youths in the Roma community is nearly twice as high as among Bulgarians, but their chance of reaching the age of retirement is 4.4 times less. At the same time, the proportion of Roma children who leave school has been increasing every year since 1989. In some of the regions with significant Roma population, more than half of the children no longer go to school. There are many factors underlying these realities. The most important among them are the isolation and the increasing marginalisation of the Roma communities, the decreasing role of education as a value, and the school environment which is ignorant and often hostile to the Roma culture. In mixed schools, other children and sometimes even teachers are unfriendly to Roma pupils. It is often difficult for Roma children to understand what is being taught because of their incomplete command of Bulgarian. In their family environment they have not been taught to sit quietly in one place for any length of time and the requirements of school may seem oppressive to them. Conditions at home may be quite inappropriate for homework, creating additional difficulties at school. The teachers seldom praise or encourage them. This leads to frustration and increased aggression, for which they are further punished. Any wish to go to school quickly evaporates. The situation is even worse in Roma neighbourhoods. The quality of education there is lower than in the other schools, the level of anarchy higher. All this leads to the deterioration of an already very low educational level for representatives of the Roma community and to their progressive marginalisation.

This real and psychological distancing of Roma children from the education system will have long-term consequences for the community, as people with no knowledge or skills will not be competitive on the labour market. As a consequence the social distance between the Roma and the other communities will broaden and the negative attitudes toward them increase.

Pomaks

The Bulgarian Muslims, the Pomaks, are a religious minority. They are Slav Bulgarians who speak Bulgarian as their mother tongue but whose religion and customs are Islamic. As religion is the only factor that differentiates the Pomaks from the Orthodox Bulgarians, it is perhaps not surprising that the Pomaks are more Islamic than the ethnic Turks.

The Pomaks number about a quarter of a million. They live in compact settlements in the mountainous Rhodope region in southwestern and southern Bulgaria and down the Mesta valley in the Pirin region. Since the end of the 1940s the Bulgarian authorities have repeatedly attempted to integrate the Pomaks into the Bulgarian socialist state. However, there is a marked tendency for polarisation between those who move to the towns and, by losing their religious identity, become associated with the Bulgarian majority, and those who remain in the villages and become Turkified thanks, to some extent, to the shared religion. This process is reinforced by the Movement for Freedom and Rights (MFR, a liberal party representing the Bulgarian Turks) which calls for Turkish education among the Pomaks for this very purpose.

This group lacks internal homogeneity and has problems of self-identify. A frequent problem for them is that they do not have an outside state or country of reference, which might help them either materially or psychologically as Turkey does for the ethnic Turks. Because of their complicated historical fate and because of the repeatedly changing state policy towards them, the Pomaks who live among Bulgarian Christians frequently tend to identify themselves as Turks. Whereas those Bulgarian Muslims who inhabit regions with a compact Turkish population prefer to identify themselves as Bulgarians. There is yet another group, whose members identify themselves as Pomaks or Muslim Bulgarians. In the population survey of 1992, one third of Bulgarian Muslims identified themselves as Bulgarian Turks. Politicians were shocked by this subjective self-identification.

Because of the deep economic crisis in the country and especially in the Rhodopes area (average unemployment in the country is 13.5 percent, while in the Rhodopes it varies, depending on the region, between 20 and 41.2 percent), caused by severe problems with tobacco production (it has decreased by 2-5 times since 1991), the restructuring of the mining industry and the closing of small firms as a result of difficulties in supply of resources during the years of transition, and the diverse interests of the different political parties (Movement for Freedom and Rights, the Bulgarian Socialist Party and the Union of Democratic Forces), stability is very fragile and there are no reliable mechanisms guaranteeing that political, economic and social problems will not be misused in interethnic conflicts. In fact, the ethnic communities are complaining that the administration does not deal with their problems since they are representatives of a minority. Thus, social and economic problems are being interpreted as ethnic ones.

One reaction to the problem is migration. Since 1989, significant numbers of people have migrated to other countries. In the period 1989-1990 alone, more than 100,000 Bulgarian Turks migrated to Turkey and since then there has been a constant flow. The younger generations, however, have other preferences: only one out of three would like to migrate to Turkey, the rest prefer Germany, the US, Canada, etc. However, the migration in 1998 was insignificant.

Traditional culture in Bulgaria has survived the process of modernisation and industrialisation and is active in the villages and the small towns. It functions by recognising the equality of the two religions and the people who uphold them. The system of coexistence includes a rich network of personal and social connections: exchange of sacred gifts and greetings on the major religious feasts; participation in crucial moments of individual life - marriages, births, funerals; and keeping to the rules of good neighbourly relations, perceived as an expression of mutual trust. The high value of this system can be seen in the concern of people living in mixed settlements, who believe that intolerance and nationalism are destructive in that they fail to take account of the system of coexistence which is of common value to Christians and Muslims.

Immigrants and refugees

Two types of foreign nationals come to the country - migrants and refugees. There are three categories of status for foreigners: temporary stay of up to 3 months, permanent stay, or application for Bulgarian citizenship. The Ministry of the Interior is responsible for issuing permits to foreigners and refugees.

A very significant tendency has been developing in the second half of the 1990s. While at the beginning of the decade migrants were using Bulgaria as a bridge to Western Europe as Bulgaria was not very attractive from an economic point of view, in recent years the number of people asking for refugees status and foreigners willing to remain in the country has increased. According to the data of the Ministry of the Interior, approximately 10,000 foreigners (including refugees) came to Bulgaria in 1997, often working illegally and creating problems with crime.

About 400 people ask annually for refugee status, which gives them almost the same rights as Bulgarian citizens. Ninety-eight were granted it in 1998 and another 400 are being processed. Refugees come from Afghanistan, Iraq, Ethiopia, Liberia and Turkey,

as well as 40 other countries. Most of these people are highly educated; more rarely they have lower education, but none are uneducated. The National Bureau for Refugees is responsible for them. Refugees are asked to live in regions where there is less social conflict. Their adaptation is easy and they integrate with the population very quickly.

Legislative/institutional/policy background

Citizenship regime

The government drafted a bill on citizenship in May. Anyone born on Bulgarian territory or with one Bulgarian parent automatically receives citizenship. Citizenship can also be obtained through naturalisation. One has to apply after five years (currently 15 years) of continuous stay in the country. A foreigner married to a Bulgarian can apply for citizenship after three years of marriage, but has to have a good knowledge of the Bulgarian language.

The law allows for restitution of Bulgarian citizenship to people who lost it for political reasons between 1940 and 1948. People who left the country for other reasons can get their Bulgarian citizenship back after living in Bulgaria for three years. Bulgarian citizens who have migrated from the country may keep their Bulgarian citizenship and, therefore, their legal and constitutional rights in Bulgaria, if this is also allowed by the new country of citizenship.

Bilingualism

Business is conducted in Bulgarian, but also English, Turkish, German, Russian, etc. The language used in the public administration is Bulgarian. Street signs are predominantly in Bulgarian, but also in English. Education is in Bulgarian, but the mother tongue is taught as a second language (Roma, Turkish, and Russian, basically, but all minorities nominally have this right).

In September, Bulgarian President Stoyanov returned a new law on media to parliament on the grounds that it did not include provisions for television programs in the languages of the minorities.

Minority policy

On September 18, after a Constitutional Court decision on the compatibility of certain aspects of the Convention for the Defence of National Minorities with

Bulgaria's Constitution, the President of the Republic together with the government and parliamentary leaders agreed on the need for parliament to prepare a declaration on national minorities and to ratify the Convention for the Defence of National Minorities as soon as possible. Although previously against this, even the MFR agreed after the meeting that a declaration had to be prepared, but insisted that it be approved in parliament by all parties. This proposal has been accepted by the other parliamentary parties.

The debate on the definition of 'national minority', which was the crux of the issue and in which representatives of a great number of political, minority and intellectual groups participated, has increased the number of publications and programmes on ethnic problems, with the whole spectrum of attitudes - from full support of the term to total disapproval - represented. The negative approach is based on the idea that if one recognises national minorities one must be prepared to fulfil their demands.

Immigration policy

Since the two laws presently regulating the rights and obligations of foreign nationals in the country were both passed when there were few foreign nationals in Bulgaria, it is generally agreed that they have to be renewed. Much discussion is going on among political parties, parliamentarians, state administration and NGOs about the changes required. The first versions of the new bills have already been debated publicly and are expected to be discussed and passed in parliament at the end of 1998.

The Law for Refugees, which includes the basic features of European refugee laws, passed first reading in parliament on 19 June 1998. This is the only law in this legislature to be accepted on first reading with full consensus from the representatives of all parliamentary groups, a very important sign of a change in the approach to others, made possible by the greater degree of mutual tolerance that has emerged in Bulgarian society in the last year and which is definitely an adaptation to hardship.

Bulgaria has an open visa regime with Yugoslavia, Macedonia and Romania. A visa is required for Greece and Turkey (Bulgarian Turks complain that it is harder for them to receive a Turkish visa than ethnic Bulgarians, out of fear in Turkey that Bulgarian Turks will migrate to Turkey), and for Schengen countries or other developed countries.

Media representation of minorities and migrants

Generally, the mass media are generally more likely to present rather negative and sensational information to make the news more attractive. The picture the mass media still create about Roma is more negative than positive; a rare exception was the brutal killing of a Roma child by skinheads (May 1998). Yet, for the first time, the media are also widely discussing ethnic problems. Thus, on the one hand, they are trying to educate people in tolerance, while on the other, they are ready to single out specific negative cases to increase interest, thereby firing ethnic tensions.

One positive development is that, according to the new law for the national radio, TV and mass media (which was returned to parliament by the president, not for this reason however), a journalist can refuse to write an article if it is against his/her ideas.

Positive developments

A working group at the government's National Center for Ethnic and Demographic Problems including representatives of all ministries, state institutions, Roma organisations and NGOs dealing with the problems of the Roma was formed in March 1998 to collect existing information on the social, economic, cultural, political development of the Roma community in the country and to build a strategy for their social integration. Two projects are now under way: one to analyse why so many Roma children leave school and to propose a model(s) for their reintegration into the education system; the other to set up an information centre where Roma can find information on employment, education courses, cultural activities, possibilities for opening private businesses, etc. In this centre, to be located in Sofia, majority/minority relations will be studied to propose strategies for decreasing conflict.

In addition, a new organisation, Euroroma, aimed at integrating and supporting the Roma population, has been established with the support of the Euroleft Social Democratic Party. The first branch has been opened in the city of Tarnovo.

Another positive development is an international project on the history and culture of the Roma funded by PHARE to be carried out in Bulgaria, the UK, Poland and the Slovak republic. The Bulgarian team has prepared 16 books for different age groups and school classes on the history and culture of the Bulgarian Roma and has proposed

new programs in history, literature and music. The aim is to increase the self-confidence of Roma children, to make them learn more about themselves and to teach all pupils to live in a multicultural environment and be tolerant of cultural differences and the rights of all ethnic groups. The ministry of education and science plans to apply the programs on a large-scale basis and results are expected to be positive.

A very positive achievement is the book published in 1998 on the journals and newspapers of the minorities in Bulgaria in the period 1878 - 1997 (Ivanov, M. ed., *The Periodicals of Minorities in Bulgaria 1878-1997*, Sofia, Interethnic Initiative for Human Rights, 1998). A tool for all social scientists, journalists and teachers, this book provides information on all publications on minorities since 1878, describing their political and social orientation in the various historical periods and analyses the minority communities' perceptions of the country's historical and social events. It is a good illustration of minorities' freedom to publish and how and what they published.

Generally, there is a great deal of interest on the part of research units in ethnic problems, especially concerning the Roma and the Muslim population.

A very significant study being carried out in 1998 by Dr. I. Tomova from the Inter Ethnic Initiative for Human Rights Foundation reveals that there is a very strong sense of isolation in the Muslim community, especially in the Rhodopes mountains, where there is a drastic trend towards pauperization, with people feeling great distrust towards the Bulgarian population which does not regard them as Bulgarians. This is due to some extent to the carelessness with which the state administration has dealt with their problems in the last nine years.

The objective is to analyse the status of the different ethnic groups living in the area and the attitude of the state administration, local authorities and representatives of different public organisations to the problems of the region so as to prevent economic problems from becoming ethnic ones.

Data from 1998 show that one process of positive change is under way in the relations between the two communities in the Rhodopes. While in 1994, 27 percent of the interviewed Bulgarians had a Turk as a friend, in 1998 this figure has risen to 56 percent. The percentage of Bulgarians who would vote for a Bulgarian Muslim increased from 28 percent in 1994 to 61 percent in 1998. The attitude to Bulgarian Turks has also improved. Some 40 percent of the interviewed Bulgarians are ready to vote for a Turk in 1998, while in 1994 this portion was only 18 percent. The positive

change works the other way as well. For example, 86 percent of the Turks interviewed declared in 1998 that they have Bulgarian friends and 84 percent of the Rhodopes Turks would vote for a Bulgarian Christian. The most tolerant are the youngest generation groups in all communities.

A very important conclusion highlighted by this research is that the hard economic situation, especially in the eastern part of the Rhodopes, is increasing loyalty to religious groups. People are finding safety and certainty in religion in this difficult time of transition. Women are in a more difficult and dependent situation since the hierarchical type of family is well established in this region and women have to follow the style of behaviour and value system of their men.

An important proposal put forward by the ministers of education of Bulgaria and Turkey to rewrite the two countries' common history together has received a very mixed welcome. The debate is still raging, but those who see this essential for the teaching of tolerance in Bulgarian society are gradually gaining the upper hand.

Today, national history is taught in isolation from historical world processes, that is, without any comparisons, preventing pupils from forming a clear idea of the location, achievements and setbacks of the Bulgarian state. Neighbours are mentioned during the wars, but never during the periods of peace, when Bulgaria traded with them advantageously. Textbooks also suffer another shortcoming: they are nationalistically oriented. Most present only the history and culture of the majority group in the country, while the history of minorities is lacking and this leads the children and later the citizens to a mono-ethnic way of thinking.

In a related context, an empirical study carried out in 1998 is devoted to tolerance in Balkan countries. Conducted in Sofia from 21 to 23 April 1998 by a team from Alpha Research Ltd., it was aimed at the adult population. The results reveal the following main conclusions. A significant portion (86 percent) of the respondents feel that there should be a mutual exchange of opinions with our neighbours on important political and economic problems. Sixty-five percent think positively of an exchange of opinions on history and cultural issues. However, tolerance decreases when more concrete questions are asked. For example, rewriting a common history would be difficult: 40 percent of the respondents think it could be done with Macedonia, 17 percent with Serbia, 15 percent with Greece, 12 percent with Turkey, and 12 percent with Romania; but 46 percent of those asked think it cannot be done at all (this totals more than 100 percent because people were allowed to give more than one answer). It is important to

note that according to the data there is no significant difference in the value systems of well educated and less educated respondents.

The continuing difficult economic situation in Bulgaria and the high levels of unemployment are resulting in the ethnicisation of other problems. In times of trouble, people need to rely on a definite group and feel its loyalty and support; these are most often ethnic and religious groups.

As a whole, there was greater calm in ethnic relations in 1998 than there was in 1991-1992. Official and NGO activities are now concentrated on mutual understanding and tolerance and are more careful not to exacerbate tensions. A very important reason for that are the negative examples coming from neighbouring Yugoslavia.

Officially the main idea in 1998 is integration. But official powers as well as society are still far from accepting the idea of creating a multicultural environment. Some individuals insist on this, but their influence is weak and time will have to pass before this approach will become prevalent.

The powerful national narrative is applied selectively - to Bulgarians living outside the country and to ethnic groups in the country. These two mutually reinforcing functional principles of the nation-state are the reason why modern nationalisms develop mostly along national borders. What is astonishing is that these opposing positions are backed by scientists ready to work out respective theoretical foundations. In this respect, two coexisting theoretical directions are crediting human individuals with fundamentally contradictory abilities: one stressing that people are extremely flexible and adaptable, and the other insisting on the lasting influence of social reality on the life of a human being.

Thus a negative tendency is developing and it is one of a dual approach to ethnic minorities in the country and ethnic Bulgarians outside it. This is manifested in the use of different symbols as well as in legal and financial practices. While the ethnic groups in the country are called Bulgarian Turks, Roma, etc., the people of Bulgarian origin living outside the country are named ethnic Bulgarians.

Finally, another very important tendency is developing in the country. Tolerance towards minorities that do not have a mother country neighbouring Bulgaria is much greater than tolerance for groups with which Bulgaria shares a common boundary, such as the Turks, the Vlachs, and the Macedonians. History and contemporary events are influencing this approach. Compared to the latter groups, the Roma and the other ethnic groups described in the first part of this report are enjoying greater attention and financial support.

CHAPTER 11 Western Europe

11.1 Germany

The only legally recognised minorities in Germany are the approximately 50,000 Dutch, 150,000 Friesians, 60,000 Serbs as well as 65,000 Roma and Sinti - the so-called 'old' minorities - protected after the signing in 1996 of the Council of Europe Convention on the protection of national minorities. Therefore these groups are ensured cultural, religious and linguistic traditions (they have the right to education in their own language) although the German Minorities Law does not explicitly concede the Sinti and Roma - in contrast to the other (autochthone) minorities - a protected position due to the fact that they do not settle in certain traditional areas.

Since the mid-sixties, however, the country's population development has been decisively influenced by the immigration of so-called 'foreigners'. The ethnic and/or national minorities formed by the immigrants - especially by the former *Gastarbeiter* — and their descendants do not possess minority status because German nationality is a legal requirement for minority status and immigrants only have foreigner status, even though they may have lived in the country for over 20 years. These 'new' minorities, i.e. the different migrant groups such as the Turks, Moroccans, Vietnamese, etc., have no more than an indirect minority protection through the rights of freedom and the individual human rights fixed in the Constitution (principle of equality, special discrimination bans, religious freedom, freedom of association as well as the right to found private schools).

'Emigrants' are persons of German nationality or ethnic affiliation returning from the former settling areas of the Soviet Union, Romania and Poland. After the Second World War, the reception of refugees from the eastern areas of the former German Reich and the German settlement areas abroad led to an increase in the population of the former Federal German territory. Since 1989, the return of emigrants can be seen in connection with a new East-West-migration. No country has been as strongly affected by this migration as the Federal Republic of Germany. In contrast to all other immigrants, these migrants have a right to the German nationality.

Finally, Germany has traditionally been a very hospitable country for refugees, annually receiving the greatest share in Europe and granting refugee status to a large

percentage. With the enormous inflows at the end of the eighties and early nineties, the country restricted its asylum procedures so that requests have fallen off since 1993.

The heterogeneity between the various immigrant groups becomes especially clear in the comparison of their intentions to return home. About 30 per cent of the foreigners from the former labour recruitment countries mention this intention. Not a single emigrant wants to re-emigrate. Of the refugees/applicants for asylum and other immigrants, one out five and six, respectively, wants to return 'quite surely'.

Legislative/institutional/policy background

Citizenship regime

The ethnic-national character of German nationality law became even more noticeably evident after 1988, when the contrast between its generous inclusion of emigrants and its restrictiveness towards non-German emigrants became harsher. Even though the naturalisation guidelines were liberalised in 1991 within the framework of an extensive reform of foreigner laws and marked a change in direction, the civic integration of immigrants has not been noticeably encouraged since then. The *jus soli* has not been introduced, nor has the biggest obstacle, the prevention of dual citizenship, been combatted. The system of pure *jus sanguinis* is still in force.

Foreigner regime

A person without German nationality or who is not German according to art. 116 sect. 1 of the Constitution is a foreigner. The practice of giving the children of 'locals without a German passport' the status of 'foreigner' springs from the obsolete logic of the ethnically and culturally homogeneity underpinning the nation state as well as from the self-understanding of the Federal Republic of Germany as not being an immigration country, although factual immigration contradicts this.

In 1991, a new Law on Foreigners stipulating who receives what status, and when and under what circumstances one can call one's family came into force. Naturalisation was also facilitated. Yet these advances were connected with great disadvantages strongly criticised by churches, welfare and migrants organisations, such as the paragraphs allowing for the deportation of a person with an unlimited residence permit if he/she

becomes unemployed and receives social aid; the principle of rotation permitting foreign workers to be allowed entry and deported according to necessity; abolishing almost completely data protection for the affected.

The Law on Foreigners was again amended after 1995. Apart from a tightening of the right to deport criminals, it contains a number of improvements of the resident status of those foreigners living in Germany legally. It also creates another rank in 'foreigner' status by differentiating between European foreigners and members of so-called 'third states', giving EU-citizens the right to vote and placing members of non-EU-countries in a worse position compared to EU-citizens. Therefore, 'foreigners' can be called second-class citizens, foreigners from so-called third states are third-class citizens.

Many immigrants from non-EU-states were especially made aware of the inadequacy of their status as 'foreigners' in spring 1997, when the possibility of visa-free entry for young people under the age of 16 from Yugoslavia, Morocco, Turkey and Tunisia was revoked. Obtaining a residence permit not only refers to the newly entered young people, but also people who have been living in Germany legally for many years or were possibly even born there.

Due to the increasing restrictions on immigrant policy, hundreds of thousands of immigrants are in the country 'illegally' and go to work, to the doctor, to school without documents. Following the drastic tightening of the asylum law, the number of these 'clandestine immigrants' has risen noticeably. Most of them enter legally with a visa. At some point, their residence permit expires, but they stay anyway.

The Federal Border Guard picked up about 35,000 people in 1997 - one third more than in 1996 (80 per cent of them crossed the green Eastern border.) The Federal Ministry estimates that one out of three is apprehended, at most. The charity institutions assume that a minimum of 500,000 people are living in the country without a residence permit. Entire branches of business profit from these unprotected people. Their situation facilitates wage reductions which, to turn the argument on its head, provides the best protection for the clandestine immigrants because their illegal employers and customers are interested in keeping the cheap work force. The illegal population is also constantly growing due to the increase in organisations which illegally transport humans across the borders for large sums of money.

Refugee / asylum regime

Until 1976, there were still less than 10,000 applications for asylum for political reasons per year. This changed in the eighties. As in many other European countries, immigration from crisis regions and poorer countries throughout the world started to rise. According to the Federal Ministry of the Interior, there were approximately 1.2 million refugees in 1991 (1.5 per cent of registered refugees world-wide).

In 1992, the problem of immigrated 'applicants for asylum' became aggravated: in the first six months, almost 190,000 people arrived, close to the 1991 total. The largest group came in 1993 (72,000 people) from the former Yugoslavian regions affected by the civil war. This led to the drafting of a new and more restrictive Asylum Law which came into force on 1 July 1993. Yet, within the European Union, Germany still accepts about half of the applicants for asylum.

Since the alteration of Asylum Laws the three pillars of the so-called 'asylum compromise' of 1993 have turned out to be 'effective': the third states regulation, the introduction of the list of so-called safe countries of origin, as well as the airport proceedings. But pursuant to the so-called 'third state regulation', refugees must apply for asylum in the first 'safe' country of arrival and can be deported back to it, even if they only passed through it.

Immigration policy

Since the sixties, the chorus 'We are no immigration country' has been the *leitmotif* of the discussion about immigration. As a result, Germany does not have a framework concerning migration policies nor has it developed immigration laws.

Yet the objections against management by immigration laws and the doubts to be considered are not insignificant either: 1) foreign workers are over-proportionally unemployed with a rising tendency, and 2) a 'safe quota' from the demographic perspective, i. e. an 'assured' need cannot be stated. However, the effects of immigration so far have been positive for the economic development of Germany. The social disparities and deficits must be combated by enforced support of integration.

The conservative attitude is not recognising migration as a social reality. But other interest groups and parties want to formally acknowledge it by means of Immigration Laws so as not least to reach an internally effective rational management of immigration.

Integration policy

Integration is a common, slow and reciprocal process during which disintegration processes also take place, but these must not be understood as failed integration. The picture of segregation processes, which are not necessarily disintegrative, does not appear uniformly either. It is frequently about individual living preferences and partly points out the social institutionalisation of ethnic-cultural differences.

In German society - as in many others - ethnic-cultural patterns are often used to explain conflicts or economical (and professional) factors. At the same time, the legitimate cultural-ethnic orientations hardly find acceptance in the existing social institutions, whereby a super-elevation of group affiliation on both sides is encouraged. The most significant aspect of German society's unwillingness to integrate has so far been the Nationality Laws. If naturalisation is not facilitated in Germany, especially through the acceptance of dual citizenship, the share of 'second and third class' citizens will increase. This would also provoke a rise in the social deficits and experiences of disintegration in the second and third generation: 1) the obstruction of employment in the civil service by all types of measures, 2) subordination in the finding of jobs and training places; 3) social discrimination processes in all areas of life, where nationality is a simple and obvious criterion of differentiation.

Finally, in politics 'foreigners' are objects, not subjects. The practice of naturalisation of emigrants shows that it is a positive contribution to social integration, although it does not automatically achieve the political, economic and social integration of the foreigner. This requires more financial funds, among others, to reach a civic understanding by means of political education and linguistic competence. A fundamental subject of discussion in the political debate is, whether civic reception should stand at the beginning or the end of the process of integration.

Foreigners

In the first phase of the economic upturn, Germany could no longer cover the need for work force with local workers, so foreign workers were recruited - on a strictly temporary basis - from the Mediterranean countries. The recruitment began in 1955 with a German-Italian agreement. Further recruitment agreements followed with Turkey (1961), Greece (1960, revised in 1962), Morocco (1963) and Yugoslavia (1968).

The work migrants turned out to be an 'economic buffer' as their numbers dropped

synchronously as the number of unemployed rose. Due to the economic recession of the seventies, the organised influx was finally stopped in 1973, but the share of foreign resident population continued to rise - in the beginning, owing to joining family members. The Return Encouragement Law passed in 1983 tempted only few foreigners to leave the Federal Republic of Germany. Many migrants left the hostels and mass accommodations and moved into apartments in mostly structurally unfavoured resident areas. Since the share of the unemployed foreign population increased due to joining family members, the result was a structural alteration of the foreign population.

Between 1961 and 1995, the number of non-‘German-origin’ migrants rose from just under 690,000 to 7.2 million of the total of 81.8 million inhabitants of Germany at the end of 1995. By the end of 1997, 7.36 million foreigners were living in Germany: one out every eleven inhabitants of Germany is a foreigner. About 49 per cent have been living in Germany for at least ten years, 29 per cent for twenty or more years. Due to the long duration of their stay, the ‘foreign’ population now forms a fixed component of the total population. And due to the higher birth rates, the foreign population is increasing, while the German population is decreasing. The largest part of the foreigner population comes from the former labour recruitment countries. Since the nineties, though, the share of migrants coming from the other countries - especially the Eastern European countries - has risen.

The foreign population living in industrial areas is considerably above the federal average, while it falls short of it in economically weak areas. 3.4 million (48%) live in cities (the population share of these cities is 31 per cent of the total population). In 1994, almost three tenths of the inhabitants of Frankfurt/Main, for example, were of non-German nationality.

The ‘foreigners’ who immigrated as *Gastarbeiter* and their family members are increasingly leaving the lower positions of the job market. The structure of recruitment that had led to their incorporation at the lower end of the professional hierarchy is still clearly recognisable, though. Second generation foreigners, in comparison, are more and more frequently represented in the employee and service professions. They do not reach qualified employment sectors to the same extent as Germans of the same age, but considerably more often than their parents do.

Concerning their income position, foreign employees systematically rank lower than Germans. In those areas in which foreign employees reach higher earnings than

Germans, this is mainly explicable by the different work volume. The share of German unskilled workers, especially of women, working part time, is very high, whereas foreigners hardly do such work.

Self-employed from abroad have a stable position, especially in the service sector, which is where the majority work. There are 281,000 foreign businesses in Germany (6 per cent of total), mostly in gastronomy (33 per cent). Almost half of the foreign entrepreneurs come from the three biggest former recruitment countries (25 per cent from Turkey; 12 per cent from Italy; 8 per cent from Greece). Most of them carry on a small trade (84 per cent) which shows in the employment structure: about 75 per cent of all foreign heads of a company run their business without employees. In contrast, only 32,000 foreign businesses were registered as trade businesses in 1996 (4 per cent of total). 44 per cent belong to a full trade, thus have a diploma that allows them to train apprentices. Most foreign trade businesses are found in the construction and extension sector (33 per cent); clothing, textiles and leather as well as electronics and metal come next.

Since 1993-94, an exception clause permits foreigners to become civil servants should there be an 'urgent business necessity.' Some Länder interpret this term very narrowly, whereas others see an 'urgent business necessity' in the improvement of the relations between the police and foreigner groups. As of September 1996, approximately 239 foreigners had begun training in the German police force.

The foreign population is considerably more affected by unemployment (in 1995: 16.6 per cent) than the total population (10.1 per cent Western Germany and 16.1 per cent Eastern Germany) and its income situation compared to the Germans is worsening increasingly. While welcomed between 1960 and 1970 to solve problems of the labour market, they now represent the problem. They lose their jobs more easily and are re-employed after longer periods of time than Germans.

The training situation of the young people with foreign passports is still not satisfactory, although the level of their school degrees has risen. Increasingly seldom do foreign pupils leave general education schools without a diploma (in 1996 only 14.7 per cent did so, compared to 34 per cent in 1993). Nevertheless, the gap between German and non-German school leavers has not lessened, for German school leavers maintain the trend to higher education degrees. Furthermore, the positive development to higher education noted until the early nineties has not continued after 1992.

The professional training situation of young people with a foreign passport is not

satisfactory either. More than half of the young foreign women and almost half of the young foreign men, today aged 20 to 30, possess no professional training diploma. In general, foreign pupils were present as follows in 1996: 41.4 per cent at primary schools, 22.1 per cent at junior high, 9.5 per cent at upper high, 8.8 per cent at high schools, 6 per cent at special schools (as compared to 26.8 per cent of German pupils at high school and 31 per cent at upper high school). In trade, one out of every ten trainees (11 per cent) is foreign, yet these trainees are limited to few professions.

Concerning social integration, foreigners are to be found in socially marginal positions. Their lack of knowledge of the language, plus prejudice and stigmatisation on the part of the local population hinder social contacts between the German population and the emigrants. While professional integration is advancing slowly, the solidification of marginal positions in a great variety of ethnic, cultural and generation-specific specialities and a slight disintegration tendency can be noted concerning social integration which is expressed in a lower degree of social contacts and less identification with Germany. The willingness to return home has continuously decreased with the duration of the stay and with the degree of establishment. The rising naturalisation numbers can be seen as a sign of increasing integration and identification of the migrants with Germany. One out of six (16.7 per cent) foreigners originating from the former recruitment countries shows great and one out of three (33.3 per cent) some interest in acquiring the German nationality. The younger age groups show a stronger interest than the older. The desire for legal equality with Germans is outstanding among the motives for naturalisations for all nationalities. The motive of rooting in Germany is interestingly mentioned just as often in the age group above 45 as in that under 25. It is also noticeable that the loss of connection to the country of origin/home country is mentioned far less as a motive than rooting in Germany. 70.9 per cent of the interviewees mention the preservation of their national identity as a reason against acquiring the German nationality. Consequently, the acceptance of dual citizenship can lead to a higher naturalisation quota. Emotions are also an important factor: the many psychological consequences of migration and the migrants' lives as well as an illusion of returning home, which is sustained for a long time in spite of a contradictory reality, let feelings of affiliation to the country of origin dominate although *de facto* Germany has become the new home. Also, the scepticism is justified about naturalisation being no protection from discrimination.

Uncertainty about the future and discrimination lead to insecurities and

ambivalences. That makes it more difficult, even for those foreign young people that were mostly born in Germany, to develop a perspective for their future life in Germany and take the corresponding decisions (choice of a profession, for example). In a representative investigation in 1995, 21 per cent of the Turks, 38.6 per cent of the former Yugoslavians, 9.5 per cent of the Italians and 11.7 per cent of the Greeks stated they were unsure as to whether they would be allowed to stay.

Indeed, in spite of their long stay in Germany, only few immigrants feel German. In 1995, only 11 per cent felt 'completely' or 'more' German. Among the Turkish it was only 7 per cent. The second generation is an exception. Yet a negative development is to be observed here: in 1991, 30 per cent felt German, whereas in 1995, it was merely 21 per cent. This low degree of identification probably reflects the trend towards segregation on the part of the foreign population, but also a growing ethnic, national and religious (political) awareness, the latter provoking social segregation. The second generation has far more contacts with Germans than the foreign population as a whole, but a decrease in interethnic friendships is also to be noted: in 1992, about two thirds stated having at least one German friend, in 1995 this share had dropped to 59 per cent.

Between 1991 and 1995, there has also been a slight decrease in the mastery of the German language as personally assessed. Foreign women and Turkish immigrants show below-average language competence. In 1995, 93 per cent of the second generation mastered the language well.

In 1990, the share of non-Christian citizens was about 29 per cent of the total German population. Nowadays, the number of Jews amounts to about 54,000 (in 1933, before the Nazi persecution and extermination, there were approx. 503,000 Jews). The Jewish communities are located in Berlin and Frankfurt/ Main.

With the influx of work immigrants, a religious community which was new for Germany was established. The Islamic community was mainly developed by the Turkish immigrants (90 per cent), but also by the applicants for political asylum from Islamic countries. Due to developments and conflicts in some Islamic countries, the climate for Muslims in Germany has also worsened. Prejudice and misunderstandings have increased, consolidating the hypothesis of cultural conflict, among others. Actually fundamentalist are a very small minority in Germany; the great majority of Muslims adhere to moderate Islam.

According to more recent estimates, approx. 2.3 million Muslims live in Germany

today. The first mosques were built after the Second World War in Aachen and Munich. Hamburg has become the centre of Shi'ite Islam. Three large umbrella organisations have their headquarters in Cologne: (1) The Organisation of Islamic Cultural Centres; (2) The Turkish-Islamic Union of the Institute for Religion; (3) The Association of the New World View in Europe.

In view of the rising but not yet mature institutionalisation of Islam, several different models of Islamic religious courses are actually being practised. The churches increasingly support proposals which plan to set up corresponding courses of studies for teachers at universities in the long run.

In 1993, the Federal Court approved of excusing Islamic girls from sports lessons in cases of serious questions of conscience in view of the Constitution's freedom of religion. The argument that no Islamic girls would participate in the sports lessons anymore has not come true. Only isolated decisions have been made.

Emigrants

Immediately after the war, migrants came from the German Democratic Republic. After 1955 and an agreement with Poland until 1987, the average annual influx of total ethnic Germans lay at approximately 35,000, of which Polish emigrants numbered about 20,000. With the dissolution of the Soviet Union and the breakdown of the Pact of Warsaw, the number of emigrants increased considerably. Thus, two distinct phases of immigration can be distinguished: (1) the period until 1989, in which the immigration of Polish emigrants was dominant, and (2) the phase from 1990, formed by immigration from the republics of the former Soviet Union and, since 1992, by immigration from Kazakhstan. Between 1950 and 1996, about 3.7 million ethnic Germans from Eastern and Southeastern Europe were received in Germany: 1.4 million each from Poland and the former Soviet Union, and an additional 421,000 from Romania.

In the seventies and eighties, when the emigrants still had to surmount great difficulties to be able to leave their countries of origin, the main reasons for leaving the country were 1) 'to live as a German among Germans'; 2) fear of losing their cultural national identity; 3) social lack of freedom and 4) catastrophic living circumstances and increasing impoverishment in the regions of origin. In the nineties, emigration is no longer hindered, while immigration to Germany has become more difficult because

of various legal alterations. The main motives for leaving the country are economic reasons and fear of ethnic conflicts as well as a suction effect that has developed with the departing Germans and others following suit. The emigrants - especially those from Eastern European countries, who master the German language unsatisfactorily, if at all - are nevertheless confronted with the same psychological, social and cultural problems as the work migrants or refugees, even though they are granted German nationality. But unlike other minorities, the emigrants could count on generous integration assistance from the government, which have however been cut back. Aspects characteristic of emigrants' return are the definitiveness of the migration and the fact that in most cases the emigrants come accompanied by the entire family. This reflects the strong family cohesion and the living conditions in the countries of origin. In addition, the population is rather young: 37.8 per cent are under 20 (20.8 per cent of the German population), 41.2 per cent 20 to 45 (36.8 per cent) and only 21 per cent above 45 (42.4 per cent of the Germans). But the desired positive effect on the social security system and the entire economic development of the Federal Republic will only become effective if the professional integration of the emigrants is achieved. There is no sign of this at the moment.

Especially the young people among these emigrants who barely speak German and have lost their former social relations hardly have a chance on the German job market due to the unsatisfactory knowledge of the language and lack of adequate training. They are easily caught up in a marginalising process and the 'disciplinary disorders', the refusal to learn, alcoholism and vandalism manifest in the youngest generation of these emigrants lets us expect a new social under-classification. This is partly noted also with the second generation of foreign worker migrants.

Although the currently high number of unemployed emigrants is to be put down to the general economic situation in Germany, as with the other foreign populations, it does demonstrate additional specific reasons: (1) an unexpectedly low mobility by the fact that most emigrants stay at their first place of residence; (2) insufficient qualification for the requirements of the German job market, (3) unsatisfactory knowledge of the German language; (4) competition in the old Federal Lands with the commuters from the new Federal Lands.

Until the beginning of the 90s, emigrants could count on generous integrative aids. But this programme was modified on 31 August 1998 in view of the growing number of emigrants. The cuts were justified by the burdens and requirements that

had increased on the German social sector as a whole and are also a consequence of the reunification. But the federal government was also increasingly less willing to interpret the integration of emigrants as a 'burden of the consequences of war', given the growing liberalisation in Eastern Europe. The cuts were socially not justifiable since the (latest) emigrants have far less knowledge of the language, can use their existing social competence less and, compared with the eighties, are confronted with more difficult conditions on the labour, training and housing market.

In the past few years, press releases and reports by the youth community organisations have revealed the social isolation of the young emigrants: growing drug consumption, a disposition to violence and segregation. Aggravated conditions on the training market create additional problems for professional integration. In the seventies and eighties, the young emigrants were accused of being 'over-adapted', today they show no willingness to integrate and do not get along with the receiving society. The latter is actually also due to the fact that young Germans show little interest and inclination to accept them. In this context it seems a paradox that the aids for integration measures of young people have also been cut.

Refugees

The number of refugees rose from 700,000 (16.5 per cent of total migrants) in 1987 to approx. 1.9 (28.0%) million in 1993, but dropped back to 1.6 (21.9 per cent) million in 1995. Recognition of their requests for status was 9 per cent in 1995 and only 7.4 per cent in 1996. The decreasing trend in the number and recognition of refugees continues. In 1997, the Representative of Foreigners of the Federal Government stated that approximately one fifth of foreigners were refugees. The largest group among the refugees is the so-called *de facto* refugees: persons who have not made an application for asylum or whose application was rejected but who cannot be deported home due to humanitarian or political reasons and are therefore 'tolerated' (currently about 500,000 people).

At present, refugees from Eastern and Southeastern Europe represent the biggest group, although the immigration of Jewish emigrants from the former Soviet Union has also increased in recent years, with 65,000 living in Germany in 1996. In the same year, 44.63 per cent of asylum seekers were from Europe (including Turkey) and 55.37

per cent from extra-European countries. The numbers have been tapering off since the new asylum regulations which came into force on 1 July 1993.

Summarising the problem areas affecting refugees in Germany: 1) They have no lobby; 2) Nobody seriously wants to combat the reasons for their flight; 3) Refugee work in free initiatives and organisations is very seldom financed; 4) The recognition criteria and practice of deciding about the asylum proceedings do not do justice to the refugees; 5) Due to the restrictive jurisdiction/restriction of Art. 16 a of the Constitution, only few refugees have any chances in the asylum proceedings. The recognition quota reflects only the narrow interpretation, but not the really suffered persecution; 6) Structural violence against refugees and migrants 'administratively ordered racism' (as in the case of the work permit, in the Law for Payments to Applicants for Asylum, in accomodation, in the practice of social payments etc.); 7) The scape-goat-function of the economically weak is supported and hereby the desolidarisation of each group (entitled to social aid, unemployed etc.).

The legal and social situation for refugees has worsened with the alteration of the right of asylum. Cuts in assistance for the cost of living, refusal of clothing allowance, cancellation of welfare at the refusal to do 'public benefit work', are just some of the constantly present problems for the refugees accommodated in 'reception camps'. In addition, refugee social work is the most underprivileged sector of migration social work and is increasingly in danger of becoming redundant through cuts in public resources. Refugee initiatives are finding it increasingly difficult to influence developments due to 'harmonisation' stemming from the European Union in the migration sector. Reflected here also are the failings of almost 40 years of reactive 'work with foreigners' in Germany which, if anything, showed commitment to short-term equality campaigns.

Xenophobia and discrimination

Concerning the integration and disintegration processes, the 80s and early 90s can be seen as a phase of conflict since Germans and foreigners, as well as the different migrant groups, appear as competitors in the employment system, the living surroundings, schools, etc. In this phase, more and more indicators for a growing hostility towards foreigners can be observed which is not only encountered among the socio-economically marginalised population groups.

With regard to the attitudes towards regulating the possibilities of influx to Germany, the climate of public opinion has remained relatively constant since 1992. Only approval for unlimited influx of emigrants from Eastern Europe has shown a noticeable drop (7 per cent). More than half (55 per cent) of the Germans questioned in 1996 by the Federal Statistics Office favoured a limitation and 12 per cent even a total stop of the influx of workers from EU countries. The opinions are still more rejective towards influx of workers from non-EU-countries, asylum applicants and emigrants of German origin from Eastern Europe. The new federal Länder demonstrate a much more restrictive public opinion than the old Länder.

The number of criminal acts motivated by hostility towards foreigners rose between 1991 and 1993 and is now falling steadily. The xenophobia often connected with a general tendency to radical right-wing and racist thought is especially conspicuous in the new federal German territories (former GDR) or is dealt with there more openly in everyday life.

Though there can be no doubt that xenophobia exists as a current problem among young people, it can be assumed that the majority of the young Germans do not share this hostile attitude towards foreigners. Hostility towards foreigners occurs increasingly in young people presenting a low educational level, strong insecurity and lack of orientation - this, too, is more marked in the East than in the West.

Foreigner-hostile attitudes are not inevitably part of an extreme right-wing conception of the world and corresponding identities, even though they do go hand in hand with anti-democratic attitudes. In contrast to foreigner-hostile attitudes which are apparently not dominant in the German population (perhaps just not admitted to the same degree when questioned), opinions about equality of migrants are more noticeably rejective, tending to separate and exclude 'foreigners'.

The structural discrimination is most plainly visible on the work market: the unemployment rate of foreigners is almost double that of Germans. Foreigners are also more strongly affected by poverty: The poverty report of the German Equal Welfare Association, the German Trade Union Organisation and the Hans-Böckler-Foundation 'Poverty in Germany' from the year 1994 notes that in West Germany, foreigners are the group most severely affected by poverty.

11.2 France

Territorised Minorities

There are several groups in France that can be considered regional minorities because of the existence of their regional languages, although they are clearly embodied in the French nation today. These groups are Alsacians, Basques, Bretons, Catalans and Corsicans.

In France, in the official discourse, the term Breton, Corsican, etc. is related either to the regional language, or to the inhabitants of the region of Brittany or Corsica, whether they speak the local language or not and whether they are 'native' Bretons or Corsicans or not. It is never related to a particular ethnic/national group. Today, their 'ethnicity' is not an issue. The only regional minority in France among which nationalist elements may be considered important and which claim recognition of the nation are the Corsicans.

Corsicans

The island of Corsica has been integrated in the territory of France since the end of the 18th century. Although it is a part of France, it has its cultural particularities. The local language, Corsican, is a romance language close to the Tuscan dialect in the northern part of the island and to the Sardinian dialect in the southern part.

The independentist movement has long been present, but only became important (or known to the larger French public) in the 1950s and 1960s. It is characterised by a relatively large number of parties/factions or clans, most of which have an armed branch to support their action. The acts of violence of Corsican nationalists - mainly bomb or machine gun attacks against police stations and Gendarmerie barracks and, sometimes, assassination of senior civil servants - are frequent on the island, but also on the 'continent'. But in addition to the struggle of the nationalists against the French state, there is also the fierce struggle among the factions and clans of nationalists themselves, often mixed with struggles among groups of organised crime. Indeed, a 1998 parliamentary commission study revealed the existence of a 'mafia system' in which local politicians, independentists and organised crime are interconnected. The most violent period was from 1994 to 1996, known as the 'civil war', when 13 nationalists belonging to different factions were killed. The violence of Corsican

nationalists has taken at least 220 lives since the beginning of the 1980s. The most recent and famous is the murder of the Prefect of Corsica, Claude Erignac, on 6 February 1998.

Apart from armed struggle, nationalists are trying to defend their cause by political means as well. They have been represented in the local Assembly since its establishment (1991), first in a coalition unifying almost all nationalist movements which won one quarter of the seats and today in a narrower coalition with less seats. They ask for recognition of the Corsican nation and compulsory teaching of the Corsican language in schools and universities on the island.

At the end of 1998, the nationalist movements seem to be changing. The idea of renouncing the armed struggle for legal political means of struggle is gaining ground, but success cannot be taken for granted.

Roma

According to the literature, Gypsies first arrived in France in the early 15th century. Today, they number between 280,000 and 340,000, according to the Council of Europe. One third of that population practice a nomadic way of life, one third are settled and one third mix these two lifestyles. They are French citizens, in the large majority (95 per cent). About 5 per cent are immigrant Roma from Romania and the former Yugoslavia. The Roma community of France is composed of Manoush or Sinti (55 per cent), Roma (31 per cent), 'real' Gypsies (9 per cent) and Yenish (5 per cent).

According to the law of 31 May 1990 (the Besson Law), every department in France should have a 'reception scheme' for Traveler populations (the term designating Roma in French official documents) whereby municipalities of more than 5,000 inhabitants have to create areas where Roma can settle with necessary infrastructure (water, sanitary equipment, etc.). As the law does not foresee sanctions against mayors who do not apply it, it is rarely respected. In March 1997, a report was presented to the Senate showing that only 15 departments in France (of a total of 96) had established the reception scheme. In addition, only 1,000 of 36,551 municipalities have an area for Roma settlements. In total, there are only 10,000 places of the 60,000 needed. The Senate drafted a new law making the provisions of the Besson Law obligatory, as well as being more restrictive to Roma. It has never come into force.

Immigrants and refugees

Data on the number of foreign populations are collected in France exclusively by the population census. As the last census was held in 1990, it is not possible to give any reliable data. Nevertheless, we can mention that the total number of foreigners (individuals who do not have French nationality) in France was 3,607,590 in March 1990 (6.15 per cent of the total population).

The most numerous were Portuguese (649,714), Moroccans (572,652), Algerians (510,000), Italians (252,759), Spaniards (216,047) and Turks (122,260). Throughout the 1990s, France continued to receive approximately 100,000 permanent immigrants per year (115,796 in 1991; 74,983 in 1996), as well as tens of thousands of refugees (54,486 in 1991; 17,405 in 1996), both - as shown by the figures - on the decline as a result of a closed door policy in harmony with European Union policy.

Algerians

The first wave of Algerian immigrants took place in the period between the two World Wars (1919-39). These flows were modest compared with those following World War II, which were much larger. In addition, migrants were less mobile and settled in industrial regions of Paris, Lyon, Lille, Moselle and Marseilles. Family immigration appeared.

From 1945 to 1962, also as a consequence of the independence of Algeria, the number of Algerians increased more than 17 times.

In the second half of the 1960s, Algerian immigration became more selective and in 1974 the French government stopped immigration for work purposes. Since then, the growth of the Algerian population is due essentially to family reunification. In 1982, the number of Algerians in France was about 800,000 (census data). Their number dropped sensibly, according to the 1990 census, to 473,000. This is due to the *jus soli* principle of the French nationality law. In fact, all children of Algerians born before 1962, automatically have French nationality and are not included in statistics of the foreign population.

Algerians, together with other North Africans, are often victims of discrimination. Unemployment among them and their spatial segregation are particularly high.

(Sub-Saharan) Africans

Since 1945, three waves of African immigration can be distinguished. After World War II, the first African communities were composed of demobilised colonial troops or former sailors of the French commercial navy. From 1960 to 1974, in the framework of recruitment of work force from its colonies, France brought in a large number of Africans, in the majority from Senegal and Mali, to work in services in the region of Paris. After 1974, African immigration diversified and family reunion appeared, sometimes with difficulty because of polygamy.

According to data from the last two censuses (1982 and 1990), the immigration from Sub-Saharan Africa has had a positive migration flow of 50,000 people. The real number is probably much larger. Their origin is more diversified compared to previous immigration flows; they come increasingly from Zaire, Angola, Ghana, and Cap-Verd.

Turks

Turks can be considered recent immigrants in France. Their recruitment started in 1960s and was stopped in 1974. Since then, it continues under the family reunion or asylum procedures. According to the census data from 1982 and 1990, their number increased by 75,000. In 1993, there were officially 240,000 Turks in France, but according to some estimates their real number is easily between 300,000 and 350,000. The population of Turks in France is young; 40 per cent of them are under 25 and 80 per cent are under 40 years old. They originate from Anatolia, the Black Sea coast and the southeast of Turkey. Unlike other immigrant groups who settle in urban centres, they are often present in villages in industrial zones (the same characteristic is observed in Germany). Their segregation is very marked and seems to be of a voluntary nature.

Portuguese

The Portuguese have been migrating to France from the beginning of the century. However, until the 1960s their numbers were modest. In 1956 France became the first destination country of Portuguese migrants. By the early 1980s, they had become the largest immigrant group in France (760,000 in 1975). The main reasons for emigration were the poverty in rural regions of Portugal and the need for cheap unskilled labour in France. In addition, colonial wars in Africa (Angola, Mozambique...) and the dictatorship regime provoked the departure of an important

number of young men who wanted to avoid military service. Large numbers of Portuguese came to France illegally, but were tolerated by the authorities. This was the cause of an important wave of Portuguese immigration in the period from 1965 to 1975. Today, the Portuguese are one of the most integrated immigrant communities in France.

Legislative/policy background

Citizenship policy

French nationality law is a combination of two principles: *jus soli* (which grants nationality to all those born on the territory of France regardless of the citizenship of their parents) and *jus sanguinis* (which requires that at least one parent already holds the nationality/citizenship of the state).

In France, one can have the French nationality by attribution or by acquisition. Different forms of acquisition can be distinguished: acquisition by declaration, acquisition through marriage, and acquisition by naturalisation. A number of conditions must be met for naturalisation, which include at least 18 years of age, residence of at least 5 years in France, and various others. 'Reintegration' is also one of the procedures by which one can acquire French citizenship. This measure allows persons who had the French nationality and lost it for different reasons, to get it back.

Language policy

In France, the process of linguistic unification started several centuries ago (16th or 17th century). Officially, the only recognised language is French. Article 2 of the Constitution clearly indicates that 'the language of the (French) Republic is French'. However, in several regions, different dialects and languages remain. In some cases they are very localised but, in others, they are used by several thousand people.

In 1998, following a debate on France's ratification of the European Charter on Minority or Regional Languages, elaborated by the Council of Europe, the following languages were granted protection: Alsacien-mosellan (in Alsace and Moselle), Basque (in Pays Basque, department of Pyrenees-Atlantique), Catalan (the region of Langdoc-Roussillon), Corse (on the island of Corsica), Occitan (in the South of France), Flemish (the extreme north of the country), Langue d'oïl (regions of Picardie, Poitou, Normandie, Champagne, etc.) and Franco-provençal (Langue d'oc, spoken in the south

of France). Several non-European languages are also included: Creol from the West Indies, Creol from the Reunion island, Melanesian languages (Kanak), Polinesia languages (Tahiti).

Currently, about 100,000 students in primary schools follow classes of regional language (in Metropolitan France). The most numerous (in relative numbers) to follow courses of regional language are the Corsican students (85 per cent of the population in primary education), followed by students in Alsace and Moselle (27 per cent) and Pays Basque (18 per cent). In the Catalan speaking region 13.5 per cent of pupils follow classes of Catalan and in Occitan and Breton, only 5 per cent.

The local public TV channels in France have a daily news broadcast in local language.

Minority policy

The French model of integration, also known as the 'Republican' model of integration, is based on the principle of equality and refuses the 'minority approach' which gives a special status to ethnic or national minorities. It is egalitarian and secular, it recognises equal rights and the same legal identities on an individual basis to all residents of France, without distinction of their nationality. Every person is free to preserve, in their private sphere of life, his/her cultural particularities. This ethic has been inspired by the principles of the Declaration of Human Rights which asserts the equality of individuals beyond their cultural differences.

The national education system is considered to be the main tool for integration. Through studying, children of immigrants are introduced into French society and assimilated.

Immigration legislation

Despite the fact that France has been a country of immigration since the middle of the 19th century, it did not have an immigration law until 1945. The 'Ordonance du 2 novembre 1945', setting the main guidelines of the legislation that regulates the entry and stay of non-nationals in France, aimed to bring to France foreign workers and their families in order to assure the reconstruction and demographic development of the country. The Rome Treaty (1957) allowed the free movement of nationals of states of the European Community and Evian Accord (1962) organised the status of the nationals of Algeria. All these documents were aimed at letting foreigners become installed in France and at assimilating them in French society.

It was in the early 1970s with the beginning of the economic crisis that control of

immigration became one of the major preoccupations of the public authorities in France. In 1974, the immigration of work force was stopped and the control of entries introduced. Since then, the original migration law, ‘Ordonance du 2 novembre 1945’, has been modified 25 times in the general direction of restricting entry and strengthening controls, also in accordance with general European Union policy.

Refugee legislation

Generally speaking, until 1998 France granted refugee status strictly according to the Geneva Convention of 28 July 1951. But since the war in ex-Yugoslavia and the violence in Algeria, it had also been granting some form of territorial asylum that became legally established only with the law of 11 May 1998 (Chevenement Law). The latter extended the application of asylum to the persons covered by the Constitution of 1946 which stipulates that ‘every person persecuted because of his/her activity in favour of freedom, has the right to the asylum on the territory of the (French) Republic’.

‘Les Sans Papiers’

In March 1996, about 300 illegal immigrants (*sans papiers*, without documents) from African countries occupied a church in Paris demanding residence permits. The movement organised similar demonstrations throughout France and roused the support of human right activists, left movements and pro-immigrants associations. The government at the time (centre right) promised that every case would be examined benevolently: in the end, of 205 applications, only 22 were accepted, offering one-year residence permits; all others were invited to leave the French territory within one month. This decision provoked a widespread indignation in the French public opinion.

With the arrival in power of the new centre-left government in June 1997 - the immigration issue having been high on the agenda during the election campaign - steps were taken to solve the situation. A Ministry of the Interior circular was issued providing for the amnesty of 11 categories of illegal immigrants. The main categories targeted by this procedure were illegal immigrants who had long started a family in France and those whose deportation to their country of origin would put their life in danger. The circular, in force until 31 October 1997, was meant to solve the

particularly difficult situations of some immigrants while awaiting the new immigration legislation promised by government.

The number of applications for the amnesty was far superior to the estimates of the Ministry of Interior, with 54,219 requests presented by the end of July. Because of that, in the following months the work of examining the requests went ahead very slowly but it soon became evident that only about half of the applications were being accepted. At the deadline, a total of about 150,000 requests had been submitted.

After the first rejections, sectors of public opinion started to protest and express their solidarity with the *sans-papiers*. Artists and intellectuals demonstrated and pleaded for the regularisation of all illegal immigrants. According to a survey done by the SOFRES institute, from 24 to 26 September 1997, based on a national sample of 1,000 persons, 48 per cent of the French were in favour of regularisation and 47 per cent were against. The public debate on regularisation was intensified by the preparation of new immigration and nationality laws.

In 1998, the movement of the *sans-papiers* continued, with the support of NGOs, trade unions and other associations. Occupation of churches and hunger strikes became the ways for illegal immigrants to support their request for regularisation or to protest against negative decisions from the administration. One of the main problems for illegal immigrants was to prove residence in France. Many were unable to do so even though they had lived in France for years as they did not have pay slips or leases. In January, the first undocumented immigrants whose applications had been rejected started to receive invitations to leave the French territory. The problem loomed... What to do with the *sans-papiers* who were refused regularisation? The government introduced financial help to all rejected *sans-papiers* willing to repatriate voluntarily. This financial aid package contained free travel and free transport of luggage, 4,500 FF (682 Euro) per adult and 900 FF (136 Euro) per child and psychological assistance, if needed. But few took up the government offer. Those who were refused regularisation started to occupy churches, sometimes for as long as four months, or undertook hunger strikes, demanding the regularisation of all illegal immigrants. Often they were expelled by the police. Several thousand appeals were registered in the Prefectures and were waiting to be processed.

By March, the first expulsions were carried out, despite attempts on the part of both the deportees and demonstrators (especially at the airports) to prevent this and a temporary embargo by Air France and Air Afrique (for security reasons).

At the end of April, of 144,707 requests for regularisation, 108,515 had been examined: 48,901 foreigners had obtained residence permits and 13,701 short-term stay documents were given to foreigners who were accepted but waiting for their stay permits. 45,913 foreigners (42 per cent) had been denied regularisation. 36,000 files still had to be processed. Among the foreigners accepted, 80 per cent were married with a French national or with a foreigner with legal status or had started a family in France long before. Singles, although they represented 50 per cent of submitted requests, made up only 18 per cent of positive decisions. Of foreigners accepted, 14.4 per cent were Algerians, 11.2 per cent Moroccans and 10.2 per cent Chinese. The last figure provoked the most surprise, but this immigration is essentially of a family nature and that explains the very low rate of rejections in the case of Chinese *sans-papiers* (only 2.2 per cent).

Amidst demonstrations for and against regularisation, the government promised that the foreigners whose regularisation has been refused because of the rigid and strict approach of the administration, would have their requests re-examined by an *ad hoc* commission of senior civil servants and magistrates. This was viewed negatively, however, by the National Commission for Human Rights because the civil servants composing it were likely to confirm the negative decisions of the administration.

Finally, in August, the Minister of Interior decided to soften the regularisation criteria, making it possible for 10,000 to 15,000 more *sans-papiers* to receive permits. After this sign of good will, the movement of the *sans-papiers* started to run out of steam. However, protests by illegal immigrants whose appeals were not successful continued in Orléans, Nantes, Clérmon-Ferrand, Colombes, Nanterre, Havre, Créteil and Bordeaux. At the beginning of October, the number of illegal foreigners to whom regularisation had been refused was about 60,000 and expected to drop to 50,000 after appeals. The government decided to improve the repatriation package for those irregular immigrants wishing to return voluntarily to their country. By November, however, despite government plans that about 10,000 refused *sans-papiers* would repatriate in the framework of this programme, only 600 had accepted the programme and an additional 800 files were being examined.

Several members of the government pleaded publicly for regularisation of all *sans-papiers* who submitted a request, while a survey carried out by the CSA institute, based on a national sample of 1,004 persons, revealed that 51 per cent of the French approved the action of the government concerning regularisation of illegal

immigrants, with 48 per cent opposing general regularisation and 45 per cent in favour of it. The Ministry of the Interior confirmed that regularisation had been refused to about 60,000 - 62,000 *sans papiers*, even after the 3rd appeal. These people were supposed to leave the country. The government foresaw that those who did not take advantage of the special programme for voluntary repatriation would be expelled by the police (around 9,000 per year). In addition to these *sans-papiers*, there are at least 200,000 illegal immigrants who did not request regularisation.

French politicians remain divided about the measures to take regarding illegal foreigners. The problem goes beyond the usual divisions on the French political scene (centre left, Socialists, Greens and Communists versus centre right UDF-RPR). Socialists, with the exception of a handful, are in favour of regularisation according to the criteria. Their coalition partners, Greens and Communists, are for the general regularisation of all the *sans-papiers* who submitted a request for regularisation. On the centre right, the large majority is against regularisation and especially against general regularisation. Nevertheless, several important members, such as the former Minister of Interior Charles Pasqua, plead for the general regularisation of all undocumented foreigners who requested legal status.

New immigration law

The objective of the new immigration law (Chevenement Law) which came into force on 17 May 1998 to regulate the entry of foreigners into France, the conditions of their stay, their possible deportation and asylum, is, according to the Minister of Interior, 'to define a generous but firm policy in the domain of immigration'. It incorporates a large number of propositions of the 1997 report of Patrick Weil ('Mission of Study of Legislation on Nationality and Immigration') such as measures to soften asylum regulations; rights to live in the family; reception of students, artists and scientists; provisions improving the efficiency of deportation measures, struggle against the trafficking of human beings and irregular stay of foreigners.

New nationality law

The law of 16 March 1998 (Guigou Law) was also inspired by the proposals of the Patrick Weil report. The main provision of the new nationality law is the reestablishment of the principle of acquisition by 'full right' of French nationality at age 18 for young persons born in France of foreign parents who, themselves, live in

France. It also softens the conditions relative to the acquisition of the French nationality through marriage with a French national, re-establishes the double *jus soli* for children of Algerians and facilitates the acquisition of nationality of refugees, while maintaining the provision of the previous law preventing the acquisition of the French nationality for individuals who came to France or reside in France illegally.

Co-development policy

One of the main events that occurred during 1998 was the introduction of a new approach in the co-operation (co-development) policy of the French government. The key idea behind the new approach is that immigrants can be a factor of development for the emigration countries, as well as a factor that would increase the cultural, economic and political influence of France in the third world countries. Thus, the new approach intends to open negotiations with the emigration countries (African countries) to promote the idea that control of migration is of mutual benefit to the countries of emigration as well as to France as a country of immigration. Contracts are to be signed with foreign students and with French universities and French firms established in the emigration countries. Foreign students would be committed to return to their country of origin after the end of their studies. In return, they would be granted employment by French firms or the government of their country. In addition, they would obtain (under certain conditions) a multiple entry visa that would allow them free travel to France for short periods (up to 3 months).

This new programme is open to nationals of Senegal, Mali and Morocco, with which the French government is negotiating the 'co-development conventions'. It is estimated that between 20,000 and 25,000 *sans-papiers* who were refused regularisation may be involved in this programme.

The government foresees between 1,000 and 3,000 repatriations for 1999. In the months to come, it is possible that, in addition to Morocco, Senegal and Mali, negotiations with Romania and Turkey will take place to establish the 'conventions for co-development'.

Xenophobia, racism, discrimination

Foreigners are allowed to work in France (as elsewhere) if they have a work permit. Even then, some domains of the labour market are forbidden to foreigners, while the

nationals of the EU member states have the same rights, in the labour market, as the French.

In France, from the quantitative point of view, about 3.5 million state jobs are forbidden to foreigners. Among them, 2.5 million are jobs in the civil service or army and about 1 million in local public services and hospitals. State-owned firms, like SNCF (French railways), RATP (Public transport of Paris), Air France or EDF-GDF (French electricity and gas company) cannot recruit, on the basis of current legislation, nationals of a foreign country. Thus, the number of posts forbidden to foreign workers is between 1 and 1.5 million.

In the private sector, certain professions are not open to foreigners. They are not allowed to sell tobacco or alcoholic beverages, manage casinos and lottery or practice production and trade of weapons and ammunition. In addition, they are not allowed to manage entertainment firms or institutions of technical education. They are also excluded from the professional fields of insurance and trade market (and others). The liberal professions, such as dentist, doctor, veterinary, pharmacist, etc. are closed to non-nationals. Foreigners cannot be solicitors, bailiffs, auctioneers, attorneys.

The latest survey on xenophobia and racism carried out by the CSA institute from 26 November to 6 December 1997 on a national sample of 1,040 respondents and published in 1998 reveals the attitudes of the French towards foreigners: 59 per cent of the French declare themselves 'not at all racist' or 'not too racist'; 57 per cent consider that an opinion presenting blacks or North Africans as inferior should not be presented on tv broadcasting or in election campaigns. At the same time, 56 per cent of respondents are positive about the declaration that there are too many Arabs in France and 52 per cent that there are too many Muslims. These figures, although disturbing, show a positive development compared with the results from 1996, when racist and xenophobic attitudes were stronger. Nevertheless, the idea of 'national preference' (promoted by the Front National) is gaining currency. Thus, in the professional category of small entrepreneurs (1 or 2 employees) 39 per cent of the respondents are in favour of this idea.

Another survey on racism published in *Le Monde* in July indicates that there are three types of French voters from the point of view of racism: 1. *Racist*. 18 per cent of voters in France belong to this group. They agree completely with the idea that there are too many Arabs and blacks in France, that the large majority of immigrants come

to France only to take advantage of the welfare system, etc. 2. *Tempted by racism*. 40 per cento of voter belong to this group. They partly agree with the racist ideas mentioned above, but openly reject those of the FN. 3. *Anti-racist*. 33 per cento of the population of French voters make up this category. Further analysis revealed that there is a balance between men and woman. Young people (18-25) are much less racist than older people, especially those over 50. Those with higher education are less tempted by racist ideas. Although these figures are worrying, it seems that racist and xenophobic attitudes have been declining since 1990.

A great debate started among French demographers in November about the use of ethnic statistics. The debate opposes advocates of the classification of the population according to ethnic criteria, as in the UK and North America and those against it. The first group, which includes one of the leading French demographers, Michèle Tribalat, stresses the need for ethnic classification as a research methodology because this is the only way to reveal the intensity of discrimination. According to them, knowledge of the number of people of immigrant origin is absolutely necessary if we want to stop the exaggerated estimates that the FN is using to raise anti-immigrant opinions. This point of view is shared by the High Council for Integration.

Their opponents, which include demographer Hervé Le Bras, have accused Michel Tribalat and others who share her opinion of 'playing the game' of the extreme right and of calling into question the 'republican tradition' that accepts nationality as the only acceptable criteria for classification of the French population. According to them, ethnic origin should not be the object of scientific research.

Positive developments

In addition to the new immigration and nationality laws, the new approach in co-development policy, the regularisation of about 80,000-90,000 clandestine foreigners and the new stance towards regional languages, a number of other positive and interesting developments took place in 1998: the creation of an institute for education on Islam in the framework of an existing institution of high education (university), probably in Paris, open to everyone wishing to improve (or to complete) his/her knowledge and general culture on Islam and Islamic culture; the establishment of an institute for Islamic studies at the University for Social

Sciences of Strasbourg; the adoption at the annual conference of bishops of France of a document requesting the legal equality of Muslims and the establishing of trust between Christianity and Islam and inviting local communities to participate in the efforts of their Muslim members to establish their temples, cemeteries and places for ritual slaughtering of animals - the first time that French bishops have adopted a document clearly in favour of promotion of dialogue between the two religions.

11.3 Belgium

Territorialised minorities

Belgium is a federal state. Apart from the local powers granted to the communes and the provinces, there are three important decision-making levels. The federal level with the federal Parliament (Lower House and Senate) and the federal government, the community level with the Flemish (5.6 million people), the French-speaking (2.9 million) and the German-speaking (58,000) communities (each Community has its own council), and finally, the regional level with the Walloon, the Flemish and the Brussels regions (each Region has its own council and its own government; the Flemish community and region are one and the same).

A very complicated federal system protects the political and linguistic rights of the different communities, but Belgium, thanks to several decades of immigration, is also a country with many first-, second- and third-generation immigrants who have become naturalised Belgians, and with many legally resident foreigners, also because Brussels is one of the seats of the European Union (10 per cent of the population). These different groups are not officially acknowledged; they are considered foreigners or Belgians of immigrant origin, and not as members of ethnic minorities. Thus the possibility of their rights as ethnic minorities being officially recognised, defended and protected is excluded. This explains why available figures provide information only on the number of foreigners residing in Belgium and on the number of naturalisations for each country of origin for the last two or three decades. There are indeed no statistics on the number of people - foreigners and naturalised people together - who might make up the Italian, Moroccan or Turkish communities. Estimates for foreigners are 205,782 Italians, 73,818 Turks, 132,831 Moroccans, 38,293 other Africans and 22,087 Asians.

Immigrants

Postwar immigration in Belgium originated from the economic requirements of the country and its companies. On the basis of numerous bilateral agreements between Belgium and other countries, the Belgian state organised migratory cycles to meet its need for manpower through agreements with Italy, 1946-60; agreements with Spain and Greece, 1956-57; agreements with Morocco and Turkey, 1964; agreements with Tunisia, 1969; and agreements with Algeria and Yugoslavia, 1970.

These agreements aimed to satisfy production needs only; the organisation of the migratory movement was thus very strict: selection of workers in the country of origin, transporting to the workplace in the host country, control of entry and the expulsion of immigrants by a special police force in case of problems.

In 1974, because of the burgeoning economic crisis (over 100,000 unemployed), the Belgian government decided to stop the labour immigration. Thereafter, Belgium progressively stopped accepting the immigration of non-European foreign citizens, while at the same time furthering the movement and the settling of European foreign citizens on its territory. Immigration policy moved progressively towards repatriation and restriction of immigration rights (that is the right to family reunification, the right to come to study, the right to stay, etc.) The repatriation programmes first concerned refugees, poverty-stricken foreigners and non-European long-term unemployed people; later, they involved other categories of foreigners. In 1980, after a series of social movements demanding real status for foreigners, the Parliament voted a law on the access, stay, settling and expulsion of foreigners. This law is important because it acknowledges the possibility of permanent settlement of foreigners, aims to make the integration of some foreigners easier thanks to naturalisation, while limiting new influxes and encouraging some categories of foreigners to go back to their country of origin.

In 1989, the Royal Department for the Immigration Policy was established. With a four-year mandate, and in spite of a limited sphere of activity and limited means, its task was to consider and propose necessary measures with regard to problems concerning immigrants in the fields of employment, housing and education. It was also to coordinate, supervise and support the policies followed by the various ministries, Communities, Regions, local authorities, etc. on these matters. Important were its criticism of the return policy followed until that time, its attempts to define

integration and its proposals to make the latter possible. But the definition put forward by the Royal Department was halfway between assimilation and development of a pluri-ethnic society, and avoided making a clear choice between the two. And while it established the importance of social participation, it excluded the idea of political participation. Indeed, any form of representation which could defend and protect the rights of minorities was not mentioned.

With the construction of the European Union and the signing of the international agreements listed below, the suppression of the borders and the free movement of citizens inside the European area have caused a process of convergence of the different national legislations as regards migratory influxes.

- The Schengen Convention (signed and ratified, 1985), which aims to harmonise the visa policies for entry of each signatory country, in return for the suppression of border controls (this convention creates a common external border and freedom of movement inside it).
 - The Dublin Convention (signed and ratified, 1990), which concerns the coordination of the procedures for people who ask for asylum.
 - The Maastricht Treaty (1992), which stipulates that rules related to the condition of foreigners' entry and stay, visa delivery, the granting of political asylum, the fight against illegal immigration, become the responsibility of the European Community.
- Thus Belgium's commitment to the European construction through these different agreements and conventions has deprived it of a great part of its autonomy as regards policy in managing migratory influxes.

In the nineties, Belgium, like most other European countries, has focused, as regards immigration policy, on the control of new migratory influxes, especially from Eastern European countries, and of illegal immigration.

In 1991, as a result of urban revolts in Brussels and of the electoral success of extreme-right parties, the government created the Impulse Fund for Immigrant Policy under the Royal Department for Immigration Policy. With a budget of 280,000,000 francs, it was intended to finance public and private projects related to the integration of people of foreign origin in the main urban centres. The revolts also led to the emergence of the theme of 'public safety' in political debate and the introduction of measures against small-scale delinquency and collective rebellious movements, the policing of and security contracts for towns with a large foreign populations.

In 1993, at the end of its mandate, the Royal Department for Immigration Policy gave

way to the Centre for Equal Opportunity and the Fight against Racism, tasked with working against any form of distinction, exclusion, discrimination and preference based on race, colour, origin or nationality.

Muslims.

Although the law of 19 July 1974 on the practical organization of the Muslim form of worship acknowledges the Islamic religion, making it one of the available philosophical courses given in schools (pupils must attend one of the following courses: Catholic, Protestant, Jewish or Islamic religion, or non-confessional ethics), representation, official recognition and management of Islamic worship are still the subject of an important political debate in Belgium and the associative movement. The Muslim community grew mainly during the sixties with the immigration of workers and is composed of 300,000 persons, which makes Islam the second religion in Belgium. This community is quite homogeneous even though it includes several nationalities, of which Moroccans and Turks are the most numerous.

By law, the state, districts or provinces should provide the financing for the construction and maintenance of places of cult and for cult ministers. But these arrangements have not been implemented for a few reasons, the most important of which is that the law calls for a single representative and democratic religious authority. There have been difficulties in setting it up. As a result, the Muslim community has not received any money to build and maintain mosques, teachers of the Islamic religion have not had recognised diplomas and programs to exercise their occupation, and Muslims have been without cemetery and burial rights. Efforts are, however, being made in hospitals and schools to provide Muslims with Hallal food.

The difficulties in creating a representative and democratic instrument have come both from the outside, such as the fear of fundamentalism and the fear of building a powerful instrument in the public domain with respect to other powers in Belgium, and from within the community, as Muslims have tried several times to set up a credible instrument, but each time the different trends within the Islamic religion have been overshadowed by linguistic opposition and internecine conflict. An initial project was prepared in 1993; since then, there have been several others, none implemented. Finally, these difficulties seem to have been overcome and in 1998 the Muslim community designated a representative.

Refugees

The following people are recognised as refugees: foreigners who correspond to the required conditions specified in the international conventions signed by Belgium; and foreigners who are recognised as refugees by the Minister of Foreign Affairs, or by the international authorities to which the Minister has handed over his powers, or by the General Department for Refugees and Stateless Persons.

Applications for refugee status are first considered by the Foreigners' Office in the Ministry of the Interior and then verified as to whether the applicant can legitimately fear persecution in his or her country of origin because of race, religion, nationality, social class or political conviction by the General Department for Refugees and Stateless Persons, which also acts as an appeal authority for the decisions taken by the Foreigners' Office. Another authority, the Permanent Appeal Commission for Refugees, considers the cases of refusal by the General Department. The representative of the United Nations High Commissioner can consult all the documents involved in a refugee application throughout the procedure, expressing opinions; if the opinions are not followed, authorities must state reasons for their decision.

Between 1 February 1988 and 31 December 1995, a total of 111,924 people asked for political asylum in Belgium. Of these applicants, 7,038 were granted refugee status, 89,702 applications were definitively rejected, while 22,222 cases are still pending.

Legislative/institutional/policy background

Citizenship regime

With the law of 28 June 1984 on Belgian nationality, people are considered full-fledged Belgians if one of their parents is Belgian, if they are adopted by a Belgian parent, if they were born on the Belgian territory or if one of the parents acquires the Belgian nationality before they are eighteen. Besides these situations, there are many exceptions which require other conditions. Basically, the Belgian citizenship code combines the two classic criteria as regards the granting of nationality: *jus soli* and *jus sanguinis*.

One can become naturalised by presenting a declaration of nationality (for foreigners born in Belgium), marrying a Belgian, having resided in Belgium for a compulsory period and having the will to integrate.

Multilingualism

Dutch (in the Flemish Community), French (in the Walloon Community), and German (in the German-speaking Community) are recognised as the three official languages in Belgium. Yet, while the first two are used compulsorily in the public administration and education, as well as for road signs (among other things) in their communities, the German community officially uses French.

The law of 15 December 1980

The law of 15 December 1980, altered by the laws of 10 and 15 July 1996, concerning the entry, stay, settling and deportation of foreigners, is without a doubt the most important tool in Belgium as regards the management and the control of migratory influxes. Its basic principles include a stop to immigration for work; strict control of Schengen borders (the coast, airports, etc.), respect for family unity, reception of students and protection of refugees. Furthermore, it empowers the government to deport or expel a foreigner who does not have permanent residence in the kingdom if he/she has undermined law and order or national security. Foreigners who have been ordered to leave the territory and who have not complied in the allotted time, can be taken to the border by force. They can be detained for strictly the time needed to carry out the order. Detention must take place close to the borders and can never be longer than eight months. Debates in the Senate and Parliament about refugees, foreigners and asylum seekers are reduced to the preservation, the modification or the abrogation of this law and its arrangements. The law has been criticised often since it was passed, in both left and right political circles, except for the extreme right parties which want to reinforce it against foreigners.

Issues involve support for Belgium's European and international commitments regarding migratory policies; the closing of detention centres, creation of a temporary and specific status for refugees, interpretation of the 28 July 1951 Geneva Convention on political refugees and stateless persons by a special authority rather than the Ministry of the Interior; limitation of detention time to a maximum of two months; speeding up of asylum procedure; implementation of recommendations of the Senatorial Commission on the Law of 15 December 1980; regularisation of undocumented people living in Belgium for a long time.

Foreigners make up 10 percent of the Belgian population. Yet, when crimes are committed, foreigners receive a different treatment by law: foreigners, once sentenced

for their crimes, can also be deported, particularly if it is suspected that they may commit new offences; Belgians, on the other hand, would merely be sentenced and perhaps put in jail. By deporting people and forbidding them to re-enter Belgian territory for ten years, the law produces a penal inequality between Belgians and foreigners for the same offence.

Most left political parties criticise the double penalty. Those on the right, on the other hand, would like to remove the ban but replace it with longer sentences, thus maintaining the discrimination. This problem is linked to the limits of the law of 15 December 1980 on access to Belgian territory, residence, stay and the expulsion of foreigners, modified by the Vande Lanotte laws of 10 and 15 July 1996. Thus, debates on the double penalty also have to be followed in the wider context of the problems inherent in the law of 15 December 1980 and its modifications.

Like the double penalty, the problem of detention centres is linked to the same law of 15 December 1980 and its modifications. These centres are made to keep undocumented people under control before deporting or regularising them. Although not prisons, they have bars and deprive foreigners (sometimes entire families with children) of their freedom merely because they are on Belgian territory. Debate focuses on conditions for and of detention. Another problem is the time someone can be kept in such a centre.

The two integration policies

Belgium is a federal state, so the Communities and the Regions have to reach agreements on what falls within the federal remit concerning the management of influxes. As early as 1976, two years after the main migratory cycles came to an end, divergences which were to persist in Belgium's integration policies appeared between the various Communities. In the north, in Flemish Belgium, the policies target people of immigrant or foreign origin only. On the contrary, in the south, that is in French-speaking Belgium, the aim is to help the underprivileged thanks to training and education to further their emancipation and their self-organisation, whether they are foreigners or Belgians.

Two very different conceptions also rule the methods used in the north and the south as regards education. In Flanders, the education policy is based on interculturalism, the teaching of the foreigners' language and culture and the teaching of Dutch as a second language. The aim is to cause a dynamics in

relation to their ethnic and cultural identity, laying the foundation for a multicultural society. In French-speaking Belgium, on the contrary, inspired by what happens in France (albeit with delay), everything which concerns immigrants is included in a broader sphere linked to the problems of underprivileged people. The specific 'foreigner' or 'immigrant' aspect is excluded. So there are priority education zones for underprivileged people (immigrants, foreigners and natives together).

The valorisation of differences and encouragement of the creation of ethnic minorities in Flanders, as opposed to the republican tradition of integration in French-speaking Belgium, is directly linked to the traditional division between the Flemish and the French-speaking people. These examples, which illustrate the differences between the south and the north as regards integration policy, show that the two integration models present in Europe today coexist in Belgium. Flanders is closer to the Dutch and English models, where the urban revolts, exclusion and marginality are analysed in terms of ethnic minorities. The French-speaking people, on the other hand, in the republican tradition of integration of individuals, are closer to the French model, where the themes of the integration/exclusion of individuals are of the utmost importance, and where the concepts of ethnic groups, ethnic minority or ethnic community are excluded. It cannot be concluded, however, that opposition between the Flemish and the Walloons is radical on this issue because problems of immigrants, etc. are overshadowed by much more deep-seated quarrels between the two communities.

The important elections coming in 1999 (Parliament, Senate, Communities, Regions and European Parliament) exerted an influence on the behaviour of political parties because of the fear of an electoral success of extreme right-wing parties, particularly in northern Belgium, where the Vlaams Blok (VB), established in 1977, uses a corporatist and national-liberal program to demand the disappearance of Belgium, the creation of a Flemish independent state and the restoration of the *jus sanguinis*. It represents between 12 and 15 per cent of the Flemish electorate, 28 per cent in Antwerp, but only 3 per cent in Brussels. Thus, most of parties from left to right are unwilling to commit themselves to the defence of minority rights. Many deputies and politicians believe that talk about regularisation of asylum seekers or protection of immigrants or anything that can make voters believe that Belgium's borders would open again, would push voters towards the extreme right.

Deputies who presented a private bill to sanction financially political parties having committed or financed actions breaking the law on racism and xenophobia of 1981 are now thinking about amending the law of 4 July 1989 on financing to oblige political parties to include in their programmes a statement which says they are committed to the respect of the rights and freedom guaranteed by the European Convention on Human Rights.

Pursuant to the Maastricht Treaty (1992), foreigners from the European Union should be allowed to vote in Belgium at the local level in 2000. But many non-European foreigners who do not have the same right have been living in Belgium since birth (Moroccans, Turks, etc.) while European foreigners have been living in Belgium for only a few years - a serious discrimination against non-EU foreigners. Non-EU foreigners should acquire the same right 6 years later, in 2006, however this depends on a review of Article 8 of the Constitution which specifies the link between nationality and the rights of citizenship. Some deputies want to change this article, others want to facilitate the acquisition of citizenship by making naturalisation easier. In any case, most political parties except for ecologist parties like Ecolo and Agalev have set severe conditions for guaranteeing the right to vote. The Flemish part of Belgium is opposed to such legislation because it fears a loss in Flemish representation in Brussels.

Xenophobia, racism, discrimination

Outstanding among the cases lamented by human rights activists is that of the Nigerian refugee *Sémira Adamu*, killed by police while resisting deportation (for the sixth time) on 23 September 1998. Police officers put a cushion over her mouth to slow her down during the boarding of a plane for Lomé (the capital of Togo). She went into coma before dying in hospital a few hours later. The next day, against the wish of the prime minister and the other ministers, the Minister of the Interior Louis Tobback resigned. After Adamu's death, a number of petitions were signed and demonstrations and mobilisation took place all over the country among associations, intellectuals, artists and students.

Initiatives against minorities, immigrants, foreigners and Belgian populations of foreign origin are often undertaken by extreme right movements in Belgium through their political parties, grassroots militants and publications.

In addition to these groups, it is important to say that there are many associations and publications in Belgium dealing with revisionist and negationist theories. Despite the law of 23 March 1995 which aims to repress the negation, minimisation, justification or approval of the genocide committed by the German National Socialist regime during the second World War, Belgium is still an important centre from which literature of that kind is distributed all over Europe.

References

- Amersfoort, H. (1996) 'Migration: the limits of governmental control', *New Community* Vol. 22 No. 2: 243-57
- Andress, H.J. (1994) 'Steigende Sozialhilfezahlen. Wer bleibt, wer geht und wie sollte die Sozialverwaltung darauf reagieren?' in M. Zwick (Ed.), *Einmal arm, immer arm?* Opladen: Westdeutscher Verlag, 75-105
- Bauböck, R. (1991) 'Migration and citizenship', *New Community* Vol. 18 No. 1: 27-48
- Bauböck, R. (1994a) 'Changing the boundaries of citizenship. the inclusion of immigrants in democratic polities', in R. Bauböck (Ed.), *From Aliens to Citizens: Redefining the Status of Immigrants in Europe*, Aldershot: Avebury
- Bauböck, R. (1994b) *The Integration of Immigrants*, Strasbourg: Council of Europe
- Bick, W. and K. Schacht (1991) 'Alte und neue Wachstumsregionen: Indikatoren zum Vergleich der politischen Entwicklung in Duisburg und Frankfurt' in Oberndorfer and K. Schmitt (Eds), *Parteien und regionale politische Traditionen in der Bundesrepublik Deutschland*, Berlin, Duncker & Humblot, 315-31
- Body-Gendrot, S. (1993) *Ville et violence: L'irruption de nouveaux acteurs*, Paris: Presses Universitaires de France
- Boxhill, B.R. (1991) 'Wilson on the truly disadvantaged', *Ethics* 101: 579-92
- Brubaker, R. (1989) *Immigration and the Politics of Citizenship in Europe and North America*, Lanham: University Press of America
- Brubaker, R. (1994) 'Nationhood and the national question in post-Soviet Eurasia: an institutionalist account', *Theory and Society* Vol. 23 No. 1: 47-78
- Brubaker, R. (1996) *Nationalism Reframed: Nationhood and the National Question in the New Europe*, Cambridge: Cambridge University Press
- Buhr, P. (1995) *Dynamik von Armut*, Opladen: Westdeutscher Verlag
- Byrne, D (1995) 'Deindustrialisation and dispossession: an examination of social division in the industrial city', *Sociology* Vol. 29 No. 1: 95-115
- Castles, S. (1995) 'How nation-states respond to immigration and ethnic diversity', *New Community* Vol. 21 No. 3: 293-308
- Castles, S. (1994) 'Democracy and multicultural citizenship: Australian debates and their relevance for Western-Europe', in R. Bauböck (Ed.), *From Aliens to Citizens: Redefining the Status of Immigrants in Europe*, Aldershot: Avebury

- Chesko, S. (1996) *Raspad Sovetskogo Soyuza* [The Break-Up of the Soviet Union], Moscow: Institute of Ethnology and Anthropology, Russian Academy of Science
- Cohen, R. (1987) *The New Helots: Migrants in the International Division of Labour*, Aldershot, Avebury
- Collinson, S. (1993) *Beyond Borders: West European Migration Policy towards the 21st Century*, London: Royal Institute of International Affairs/Wyndham Place Trust
- Commission of the European Communities (1992) *Urban Social Development*, Supplement 1/92, Brussels: CEC
- Cornelius, W.A., P.L. Martina and J.F. Hollifield (Eds) (1994) *Controlling Immigration: A Global Perspective*, Stanford: Stanford University Press
- Council of Europe (1996) *Report of the Experts of the Council of Europe on the Citizenship Laws of the Czech Republic and Slovakia and their Implementation and Replies of the Governments of the Czech Republic and Slovakia*, Strasbourg, 2 April (dir/jur(96)4)
- Cross, M. (1992a) 'Race and ethnicity' in A. Thornley (Ed.), *The Crisis of London*, London: Routledge, 103–18
- Cross, M. (Ed.) (1992b) *Racial Minorities and Industrial Change in Europe and North America* Cambridge, Cambridge University Press
- Cross, M. (1993) 'Migration, employment and social change in the new Europe', in R. King (Ed.), *The New Geography of European Migrations*, London: Belhaven Press, 116–34
- Cross, M. (1994) '“Race”, class formation and political interests: a comparison of Amsterdam and London' in A. Hargreaves and J. Learman (Eds), *Racism, Ethnicity and Politics in Contemporary Europe*, Aldershot: Edward Elgar
- Cross, M. and M. Keith (Eds) (1993) *Racism, the City and the State*, London: Routledge
- Cross, M. and R. Waldinger (1992) 'Migrants, minorities and the ethnic division of labour' in S. Fainstein, I. Gordon and M. Harloe (Eds), *Divided Cities: New York and London in the Contemporary World*, Oxford: Blackwell, 151–74
- Crowe, D.M. (1995) *A History of the Gypsies of Eastern Europe and Russia*, London: I.B. Tauris Publishers
- Dangschat, J. (1994) 'Concentration of poverty in the landscapes of “Boomtown” Hamburg: the creation of a new underclass?', *Urban Studies* Vol. 31 No. 7: 1133–48
- Dima, N. (1982) *Bessarabia and Bukovina: The Soviet–Rumanian Territorial Dispute*,

- New York: Columbia University Press
- Dragunskiy, D. (1993) 'Navyazannaya etnichnost' [Imposed ethnicity], *Politicheskie issledovaniya*, No 5: 24–30
- ECRE (European Council on Refugees and Exiles) (1994a) *Asylum in Europe. Volume 1: An Introduction*, London: ECRE
- ECRE (European Council on Refugees and Exiles) (1994b) *Asylum in Europe: Volume 2: Review of Asylum Laws and Procedures in Selected European Countries*, London: ECRE
- ECRE (European Council on Refugees and Exiles) (1995a) *Safe Third Countries: Myths and Realities*, London: ECRE
- ECRE (European Council on Refugees and Exiles) (1995b) 'Note from the European Council on Refugees and Exiles on the harmonisation of the Interpretation of Article 1 of the 1951 Geneva Convention' (<http://www.ecre.org/art1a.html>)
- ECRE (European Council on Refugees and Exiles) (1997) 'Position of the European Council on Refugees and Exiles on Temporary Protection' (<http://www.ecre.org/tp.html>)
- ECRE (European Council on Refugees and Exiles) (1998) 'Position on the Enlargement of the European Union in Relation to Asylum' (<http://www.ecre.org/eu.html>)
- Engbersen, G., C. Schuyt, J. Timmer and F. van Waarden (1993) *Cultures of Unemployment*, Boulder: Westview Press
- Escalona, A. and R. Black (1995) 'Refugees in Western Europe: bibliographic review and state of the art', *Journal of Refugee Studies* Vol. 8 No. 4: 364–89
- Esser, H. and J. Friedrichs (1990) *Generation und Identität*, Opladen: Westdeutscher Verlag
- Eyal, J. (1990) 'Moldavians', in G. Smith (Ed.) *The Nationalities Question in the Soviet Union*, New York: The Longman Group
- Fane, D. (1993) 'Moldova: Breaking loose from Moscow' in I. Bremmer and R. Taras (Eds), *Nation and Politics in the Soviet Successor States*, Cambridge: Cambridge University Press
- Fielding, A.G. (1994) 'Industrial change and regional development in Western Europe', *Urban Studies* Vol. 31 No. 4/5: 679–704
- Fonseca, I. (1997) *Bury Me Standing*, New York: Vintage Books

- Freeman, G.P. (1995) 'Modes of immigration politics in liberal democratic states', *International Migration Review* Vol. 29 No. 4: 881–902
- Friedrichs, J. (1993) 'A theory of urban decline: economy, demography and political elites', *Urban Studies* Vol. 30 No. 6: 907–17
- Friedrichs, J. and H. Alpheis (1991) 'Housing segregation of immigrants in West Germany' in E. Huttman, W. Blauw and J. Saltman (Eds), *Urban Housing Segregation of Minorities in Western Europe and the United States*, London: Duke University Press, 116–44
- Habich, R., Headey and P. Krause (1991) 'Armut im Reichtum – Ist die Bundesrepublik eine Zwei-Drittel-Gesellschaft?' in U. Rendtel and G. Wagner (Eds), *Lebenslagen im Wandel: Zur Einkommensdynamik in Deutschland seit 1984*, Frankfurt/M: Campus, 488–509
- Hailbronner, K. (1993) 'The concept of "safe country" and expeditious asylum procedures: a Western European perspective', *International Journal of Refugee Law* Vol. 5 No. 1: 31–65
- Hamnett, C. (1994) 'Social polarisation in global cities: theory and evidence', *Urban Studies* Vol. 31 No. 3: 401–24
- Hollifield, J.F. (1992) *Immigrants, Markets and States: the Political Economy of Postwar Europe*, Cambridge, Mass.: Harvard University Press
- Helmer, J. (1995) 'Spolu Project: a project to improve the social and cultural state of Romany within the Czech and Slovak Republics', Driebergen: Foundation 'One Europe'
- Hobsbawm, E. (1992) 'Ethnicity and nationalism in Europe today', *Anthropology Today* Vol. 8: 3–10
- Huysmans, J. (1995) 'Migrants as a security problem: dangers of securitising societal issues' in R. Miles and D. Thranhardt (Eds), *Migration and European Integration: The Dynamics of Inclusion and Exclusion*, London: Pinter Publishers
- Jencks, C. (1992) *Rethinking Social Policy Race, Poverty and the Underclass*, Cambridge, Mass.: Harvard University Press
- Joly, D., C. Nettleton and H. Poulton (1992) *Refugees: Asylum in Europe?* London: Minority Rights Publications
- Kaiser, R. (1994) *The Geography of Nationalism in Russia and the USSR*, Princeton: Princeton University Press
- King, R. and K. Rybczuk (1993) 'Southern Europe and the international division of

- labour: from emigration to immigration' in R. King (Ed.), *The New Geography of European Migrations*, London: Belhaven Press
- Kloosterman, R.C. (1994a) 'Amsterdamed: the rise of unemployment in Amsterdam in the 1980s', *Urban Studies* Vol. 31 No. 8: 1325–44
- Kloosterman, R.C. (1994b) 'Three worlds of welfare capitalism? The welfare state and the postindustrial trajectory in the Netherlands after 1980', *West European Politics* Vol. 17 No. 4: 166–89
- Kloosterman, R.C. (1996) 'Mixed experiences: postindustrial transition and ethnic minorities on the Amsterdam labour market', *New Community* Vol 22 No. 4: 637–54
- Kymlicka, W. (1995) *Multicultural Citizenship*, Oxford: Oxford University Press
- Kuzio, T. (1998) *Ukraine: State and Nation-Building*, London: Routledge
- Lyon, M. and B. West (1995) 'London Patels: caste and commerce', *New Community* Vol. 21 No. 3: 399–419
- Martiniello, M. (1994) 'Citizenship of the European Union. a critical view', in R. Bauböck (Ed.), *From Aliens to Citizens: Redefining the Status of Immigrants in Europe*, Aldershot: Avebury
- Martiniello, M. and M. Poncelet (Eds) (1993) *Migrations et minorités ethniques dans l'espace européen*, Brussels: De Boeck Université
- Massey, D.S. and N. Denton (1993) *American Apartheid: Segregation and the Making of the Underclass*, Cambridge, Mass.: Harvard University Press
- Mercks, K. and H. Ramkema (Eds) (1990) *Republiek aan de Moldau; de Tsjechooslowaakse erfenis*, Utrecht: Werkgroep Oost-Europa Projecten
- Miles, R. (1982) *Racism and Migrant Labour*, London: Routledge and Kegan Paul
- Moore, R. (1989) 'Ethnic divisions and class in Western Europe', in R. Scase (Ed.), *Industrial Societies: Crisis and Division in Western Capitalism and State Socialism*, London: Unwin Hyman
- Morris, L. (1995) *Social Divisions: Economic Decline and Social Structural Change*, London: UCL Press
- Mulder, P. (1998) 'The Roma in Brno, Czech Republic', unpublished thesis, Department of General Social Sciences, Utrecht University
- Pearson, R. (1983) *National Minorities in Eastern Europe, 1848–1945*, London: Macmillan
- Pilkington, H. (1998) *Migration, Displacement and Identity in Post-Soviet Russia*, London: Routledge

- Pinch, S. (1993) 'Social polarization: a comparison of evidence from Britain and the United States', *Environment and Planning A*, 25: 779–95
- Pugliese, E. (1993) 'Restructuring of the labour market and the role of Third World migrations in Europe', *Environment and Planning D: Society and Space* 11: 513–22
- Razuvaev, V. (1993) *Geopolitika postsovetskogo prostranstva* [The Geopolitics of the Post-Soviet Space], Moscow: Institute of Europe, Russian Academy of Science
- Rudge, P. (1992) 'The asylum dilemma. crisis in the modern world: a European perspective', in G. Loescher (Ed.), *Refugees and the Asylum Dilemma in the West*, Philadelphia: Pennsylvania State University Press
- Sassen, S. (1991) *The Global City*, Princeton N.J., Princeton University Press
- Sassen, S. (1993) 'Economic internationalization: the new migration in Japan and the United States', *International Migration* Vol. 31 No. 1: 73–102
- Sassen, S. (1994) *Cities in a World Economy*, Thousand Oaks (CA.)/London/New Delhi: Pine Forge Press
- Schmitter-Heisler, B.S (1991) 'A comparative perspective on the underclass: questions of urban poverty, race and citizenship', *Theory and Society* 20: 455–83
- Schmitter-Heisler, B.S (1994) 'Housing policy and the underclass: the United Kingdom, Germany and the Netherlands', *Journal of Urban Affairs* Vol. 16 No. 3: 203–20
- SOPEMI (1995) *Trends in International Migration*, Paris: OECD
- Soysal, Y.N. (1994) *Limits of Citizenship: Migrants and Post-National Membership in Europe*, Chicago: University of Chicago Press
- Suny, R. (1993) *The Revenge of the Past: Nationalism, Revolution, and the Collapse of the Soviet Union*, Standford: Standford University Press
- Tishkov, V. (1997) *Ethnicity, Nationalism and Conflict in and after the Soviet Union: The Mind Aflame*, London: Sage
- Thrift, N. (1994) 'Globalisation, regulation, urbanisation: the case of the Netherlands', *Urban Studies* Vol. 31 No. 3: 365–80
- Wilson, W.J. (1979) *The Declining Significance of Race*, Chicago: Chicago University Press
- Wilson, W.J. (1987) *The Truly Disadvantaged: The Inner City, the Underclass and Public Policy*, Chicago: Chicago University Press
- Wilson, W.J. (1991a) 'Studying inner city social dislocation: the challenge of public agenda research', *American Sociological Review* 56: 1–14
- Wilson, W.J. (1991b) 'Public policy research and the truly disadvantaged' in C. Jencks

- and P. Peterson (Eds), *The Urban Underclass*, Washington, D.C.: Brookings Institution, 460–81
- Yamakov, A. (1992) *Sovremennye problemy i veroyatnye napravleniya razvitiya natsional'no-gosudarstvennogo ustroystva Rossiyskoy Federacii* [Current problems and likely development of the national–territorial structure of the Russian Federation], Moscow: Polinaks
- Yamakov, A. (1991) 'Ethnic conflicts in the Transcaucasus: the case of Nagorno-Karabakh', *Theory and Society* Vol. 20 No. 5: 631–60
- Zaslavsky, V. (1993) 'Success and collapse: traditional Soviet nationality policy' in I. Bremmer and R. Taras (Eds), *Nation and Politics in the Soviet Successor States*, Cambridge: Cambridge University Press
- Zolberg, A. (1989) 'The next waves: migration theory for a changing world', *International Migration Review* Vol. 33 No. 3: 403–30
- Zolberg, A. (1988) 'L'incidence des facteurs externes sur la condition des citoyens: approche comparative', in C. Wihtol de Wenden (Ed.), *La citoyenneté*, Paris: Edilig/Foundation Diderot

Appendix A

Ethnobarometer Staff

Central Staff

CSS, Italy

Alessandro Silj, *EP co-director*

Gabriele Tonne, *assistant*

Francesca Rambaldi, *documentation*

Nadia Cannaviccio, *secretary*

CEMES, UK

Malcolm Cross, *EP co-director*

Cristiano Codagnone, *assistant*

Jette Johst, *office manager/publications*

Catherine Lang, *secretary*

Consultant

Alison Jamieson

Correspondents

Larissa Asa, *Ukraine*

Murat Çadatay, *Turkey*

Gilles de Rapper, *Albania & Macedonia*

Elena Filipova, *Russia*

Corinna Gomani, *Germany*

Jérôme Jamin, *Belgium*

Dobrinka Kostova, *Bulgaria*

Andrea Krizsan, *Hungary*

Dora Lafazani, *Greece*

Jozsef Lorincz, *Romania*

Philippe Oberknezev, *France*

Peter Priadka, *Slovakia*

Scientific Committee

Maria Baganha

Ulrich Bielefeld

Daniele Conversi

György Csepeli

Christian Giordano

Marco Martiniello

Nonna Mayer

Vintila Mihailescu

Alan Phillips

Valery Tishkov

Charles Westin

Catherine Withol de Wenden

Roger Zegers de Beijl

Mario Zucconi

Panel of Advisors

Michael Banton

Umberto Eco

Jean Daniel

Jean Kahn

Predrag Matvejevic

Demetrios G. Papademetriou