DEMOCRATISATION AND MINORITY RIGHTS IN THE POST-COMMUNIST BALKAN STATES

BİROL AKGÜN

Dr Birol Akgün is Assistant Professor at the Department of International Relations, Selçuk University, Konya.

INTRODUCTION

With the collapse of the Soviet Union and the emergence of new independent states, scholars have turned their attention to developments in Eastern Europe. The expectation that a liberal democracy would soon replace ex-totalitarian regimes in the region is only partly realised. While some states (mostly in Central Europe) achieved a working democracy and were able to maintain domestic peace and security, some others (mostly in the Balkans) witnessed bloody wars and civil conflicts in the last decade. Readjustment of the borders in the Balkans reawakened old hatreds and ethnic hostilities causing unprecedented human suffering, which were quelled only by the intervention of the international community such as in the Bosnia and Kosovo wars.

As Attila Agh points out, Balkan countries differ from East Central Europe in terms of political and economic development.1 None of them had previous experience with democratic government. Most of the Balkan countries are "late-comers to democratization" (Slovakia, Croatia, Romania, and Bulgaria), or "semi-protectorates" (for example, Bosnia) of international organisations and great powers.2 Economically, they are the poorest nations of the Europe. In 1996, for instance, while six East Central Europe states had incomes of $3500 per capita, six Balkan states had less than $1000. A genuine democratisation in the Balkans started only in the late 1990s. Politically, the Balkan region is "Europe's roughest neighbourhood."3 Perhaps the Balkan region is one of the most ethnically, linguistically and religiously complex areas of the world.4 As The Economist argued in 1998, the immediate risk to fragile Balkan peace is not so much aggression but secession by minorities big enough to contemplate statehood, which may provoke a new civil war as the events in Kosovo have proved.5 Thus, maintenance of peace and stability in the region depends on how Balkan countries treat their minorities.

Partly because of these conflicts in the region and partly due to world public opinion's growing awareness, the protection of minority rights became a top priority in the post-cold war era. This study examines the progress of democratisation as an internal development and focuses particularly on the citizenship policies and political representation of minorities in three Balkan states, notably Bulgaria, Romania and the Republic of Macedonia. While the first two states have improved their relations with minorities and with their neighbours, the latter country still has some difficulties to overcome. The outcomes in these cases represent a range of possibilities and models, and thus they provide us with opportunities to study democratisation and ethnic politics in the region.

Theoretically, the topic fits quite well into the discussion in the comparative politics literature regarding how the quality of electoral democracies can be improved in transitory regimes. Furthermore, this discussion is also pertinent to relations between the Balkan states and the European Union (EU). In the long-run, all the Balkan nations have aspirations to join the EU; indeed, some of them (Bulgaria and Romania) have officially opened entry negotiations. The Copenhagen criteria accepted by the EU in 1993 stipulate that all potential candidate states should effectively recognise minority rights before entering the EU. Finally, given the historical legacy of hostile relations between the states and minority populations in the region, the true test of consolidation of the new democracies in Balkan states will be the integration of minorities into the political process.

THE CONTEXT OF DEMOCRATISATION IN THE BALKANS

The democratic transition in the post-communist Balkan states creates challenges for the new governments in the region. On the one hand, they have just restored or gained their independence and full sovereignty and seek to build a homogenous nation state, on the other hand, the population within their internationally recognised borders consists of more than one ethnic group, each with their own political agendas. In the face of a growing sensitivity towards minority issues in the world and under the eyes of international organisations, the Balkan states need to establish modern civic societies with the rule of law. Since the idea of democracy is now so popular in the world, "there can be no return of silent and passive ethnic minorities," as Agh stated.[6] Thus, multiethnic Balkan states have to establish a citizenry with political and human rights and with democratic traditions and political culture in civil society. The states have to decide who are their citizens and what kinds of human rights they will grant them. Perhaps some kinds of nationalism might be necessary for creation and cohesion of a modern state, but this should be an inclusionary 'civic' nationalism, which is compatible with the observance of individual rights.[7] The key to avoiding further conflicts is to guarantee equal citizenship rights and to develop a culture of tolerance in society. Examination of constitutional texts and citizenship laws with their implementation and judicial interpretation may provide a general understanding of the citizenship policies of the concerned states.

In addition to providing individual rights, democratisation also requires recognition of collective rights for all kinds of minorities.[8] There are many legal and political devices in institutionalising a consensus democracy and in avoiding ethnic conflicts in multiethnic societies, as Arend Lijphart showed.[9] The major issue here is how the minorities are represented in the parliaments. There is a considerable discussion in the comparative politics literature on whether expanded representation is good or bad in multiethnic societies. Consociationalist school argues that representing groups proportionally fosters the integration of subcultures into the political game and creates conditions for inter-ethnic co-operation.[10] These scholars favour an electoral system based on proportional representation (PR) and federal government. Furthermore, they maintain that representation in the parliaments facilitates the integration of minority groups into the political system, which ultimately leads them to moderate their demands. They believe that majoritarian formulas are not appropriate for the ethnically plural societies, because these electoral systems will systematically exclude some groups, which eventually may result in violence and democratic collapse.

On the other hand, some scholars argue that the introduction of a PR system may lead to the representation of extremist or anti-system ethnic parties, which may cause destruction of incipient democracies. For instance, Donald Horowitz believes that ethnic parties lead to "stable parties, unstable politics."[11] He maintains that, instead of group-based solutions, which lead to ethnic

conflicts to 'freeze', individual competition and individually based system of representation should be favoured. Although there seems to be no consensus on the role of institutional design and its consequences on the development of ethnic political conflict, exclusionary or inclusionary political systems surely will have an impact on majority and minority relations and the democratic consolidation process.

SELECTED CASES

As mentioned above, three cases were selected for examining state-minority relations in the region. Multiple cases are examined instead of a single case in order to provide a comparative perspective to democratisation in the Balkan states. Although the cases are selected somewhat arbitrarily, there are many similarities between these states to warrant their inclusion. Each state has at least one substantial minority group defining itself differently from the majority population: Turks in Bulgaria, Hungarians in Romania, and Albanians and Turks in Macedonia. Generally, these groups have concentrated in some geographical parts of the respective nations. While Bulgaria and Romania were under Soviet control during the Cold War period, Macedonia was formerly part of Yugoslavia. Finally, all three cases have experienced similar problems associated with post-communist transitions.

However, their relations with their minorities evolved in different ways. Bulgaria was able to establish good relations with its major ethnic Turkish minority by recognising their individual citizenship rights and political representation in the parliament. In Macedonia, ethnic Albanians (but not Turks) are represented in parliament but they still complain about inequality and unfairness in citizenship rights. Romania is between these two states.

BULGARIA

As with the other ex-communist states in the region, Bulgaria began democratisation in the early 1990s. As a state socialist country, Bulgaria was the most loyal to the Soviet Union and stayed behind even other communist countries in political reforms. With the end of the long-run Zhivkov regime in November 1989, the élite initiated negotiations that opened the way to a democratic transition in the country making Bulgaria a front-runner in the Balkans. After long round-table negotiations, the first multiparty elections took place in June 1990 and the newly elected parliament adopted a new constitution.

The new constitution (accepted in 1991) provided for equal rights for all citizens regardless of their "race, nationality, ethnicity, sex, place of birth, religion, education, beliefs, political affiliation, personal or social position or property status." In contrast to the Macedonian case, the Bulgarian constitution does not include a specific clause for ethnic Bulgarians living outside the country. The concerns of the political elite regarding national unity and state security, however, are reflected in the text. For instance, while local self-government is recognised, Bulgaria is defined as "an integral state," its "territorial integrity is inviolable," and that no "autonomous territorial formations" may exist. As J. D. Bell points out, these provisions are put in the constitution due to a fear of potential separatism among the country's ethnic Turks.12 More importantly, the constitution bans formations of political parties founded on the basis of "ethnic, racial, or religious" lines.13

Despite these unfavorable provisions in the basic texts and a notorious record of state-minority relations in the communist era, ethnic Turks legitimately participated in the parliamentary and local

elections in the post-communist transition period. Even before the new constitution was adopted, The Law on Political Parties and Election Laws were passed in 1990, which carried provisions similar to the constitution. According to the laws, any group wishing to participate in the elections should be registered as a political party with the Sofia City Court. The Court might reject an application, inter alia, if the group is founded on an ethnic or religious basis. The Court registered all the applications but rejected Movement for Rights and Freedoms (MRF, an ethnic Turkish party) on the grounds that it had an ethnic-religious foundation. The election law established a mixed system for selection of 400 deputies to the parliament, half to be elected from single member districts and half according to a PR formula.

The law also established an independent Central Electoral Committee to administer the elections. This body made an extremely important decision during the first election campaign by accepting the candidates of Turkish dominated MRF, which contrasted with the Sofia Court. This decision paved the way for an orderly transitory election in the country and provided an important legitimate avenue for the Turkish minority to be represented in the national parliament. After the election, the victorious Bulgarian Socialist Party brought the case to the Bulgarian Constitutional Court, claiming that the MRF was not a constitutional party. In a historic decision, the court declared that the MRF was a legitimate party in the country. Since then the MRF has participated in many national and local elections (see Table 1) gathering about 5-to-8 percent of the popular vote, and this party even took part in a coalition government in the early 1990s.

Partly because of its success in improving its relations with ethnic Turkish community, Bulgaria improved its bilateral relations with Turkey by overcoming distrust and historical hostilities. However, the four percent threshold in the election law effectively prohibits small minority groups in the country, such as Macedonians. Finally, although the Bulgarian and Macedonian governments resolved the contentious language issue by agreeing on the use of 'official language' in diplomatic communications, the decision of the Bulgarian Constitutional Court to ban a Macedonian party drew heavy criticism from international human rights organisations.14

MACEDONIA

Macedonia is the newest country in the Balkans, which declared its independence in 1991 from the rump Yugoslavia. Because of its neighbours' claims on its territory, the new state had to wait until mid-1990s for consolidation of its existence. One of the least developed nations of the region, Macedonia is in fact a multiethnic state. Ethnic Macedonians consists of about 67 percent of the population with a sizeable Albanian population (23 percent) and other smaller minorities including Turks (4 percent), Roma (2 percent) and Serbs (2 percent). It has a parliamentary system with a popularly elected president, which wields extraordinary power in the country's politics. Duncan Perry argues that although Macedonia has a parliamentary democracy, in fact the state has been run as a presidential democracy.15 Among the minorities, Albanians are politically mobilised and well-organised with rising demands for equal citizenship rights and more representation within the state structure. Some radical Albanian groups even go further to demand autonomy for the Albanian dominated regions. Turks, which constitute the third largest ethnic group in the country, on the other hand, seem to be more loyal to the state and its institutions than Albanians and are more fully integrated to Macedonian society.16

In contrast to Bulgaria, Macedonia's new constitution recognises the collective identity of ethnic minorities. The preamble of the constitution states that Macedonia "is established as a national state

of Macedonian people in which full equality as citizens and permanent coexistence with the Macedonian people is provided for Albanians, Turks…and other nationalities living in the Republic of Macedonia." Although the constitution provides 'full equality as citizens' for all, it distinguishes 'Macedonians' as the majority and other people as 'nationalities.'17 Albanians, the second largest ethnic group in the country, are angered by this definition of citizenship. They argue that the constitution should be amended in a way to recognise Albanians as a constituent people (not a minority) and that their language and symbols must have equal status. In order to press their case, Albanians sponsored an unofficial referendum in 1992 in support of territorial autonomy but the government declared the vote illegal and did not accept the results.

The issue of official language and education still dominates state-minority relations in the country. While Albanian parties such as Party for Democratic Prosperity (PDP) mobilize voters on the basis of ethnic issues, moderate and radical nationalist wings cannot agree on how to advance their communities' interests in politics. However, the PR formula that provides an avenue for nationalists to be a part of the governing process somehow mitigates the tension between the government and Albanian minority (see Table 2). For instance, in order to promote national stability after the 1998 elections, the Macedonian parties invited the radical Albanian nationalist party, Democratic Party of Albanians (DPA), to enter the new coalition government and currently some Albanian leaders hold cabinet level posts. Another contentious issue stems from Macedonian citizenship laws. The law requires that to be a citizen of the Macedonia, one has to live at least 15 years in the country. This requirement denied citizenship to the many members of the ethnic minorities in Macedonia. In 1994, for example, 150,000 people (mostly Albanians) failed to meet these requirements though they had papers from the ex-Yugoslav government.18 On the other hand, Article 11 of the law grants immediate citizenship to all Macedonians by origin residing outside the borders of the republic.

The major challenge for the Macedonian government is how to reconcile the increasing demands of the Albanian minority with the necessity of protecting national unity and territorial integrity. According to one research on race relations, 42 percent of the Albanians feel that they are second-class citizens because of their ethnic background, and an overwhelming majority of them (87 percent) feel that they are being discriminated against by the state. On the contrary, 90 percent of the Turks regard themselves as equal citizens and only 10 percent of them feel discriminated against.19 Irredentist claims made by the Albanian diaspora abroad such as creating a greater Albania generate fear on the part of Macedonian politicians that one day ethnic Albanians may take arms against the state. This was the primary reason for Macedonia's unkindly treatment of the Kosovo refugees during the last war.20 Indeed, the recent developments in the Tetovo region have justified Skopje's concerns that the Kosovo independence movement would spark unrest in Macedonia by triggering a nationalistic uprising for a greater Albania. According to reports, ex-Kosovo Liberation Army militants have set up a Macedonian offshoot in the western part of the country, and it launched a series of attacks against Macedonian soldiers.21 At the time of writing this article, the clash between the separatist guerrillas and the Macedonian army was continuing. Despite the poor economic conditions in Albanian concentrated cities such as Tetovo, where the unemployment rate is above 60 percent, the chance of extremist groups to fully mobilise all in the ethnic Albanian minority seems to be quite low because, with the help of the DPA (currently a part of the coalition government), ethnic Albanians have been enjoying more access to jobs and bank loans than ever before.22 Moreover, it seems that Macedonian politicians and the DPA have come to an agreement that the diplomas issued by the outlawed Tetovo university established by Albanians will be recognised soon, which will solve another potentially explosive issue between the state and the Albanian minority.

ROMANIA

In contrast to Bulgaria, Romania was the least loyal to the Soviet Union. The snowball effect of democratisation reached Romania in 1989. Since Romania was for years governed by the 'sultanistic' personal regime of Nicolae Ceausescu, the totalitarian system in the country is maintained even after his removal from power.23 The new constitution adopted in 1991 established a presidential system that served to maintain authoritarian populist leadership of elected presidents. The largest minority group (about two million or 10 percent) in the country is Hungarians. An ethnic party, the Democratic Alliance of Hungarians in Romania (DAHR), which represents the interests of the minority group, has participated in the local and general elections and gained some seats in the parliament in the post-communist period (see Table 3).

The new constitution recognises collective rights of national minorities. Article 4 reads, "Romania is the common and indivisible homeland of all its citizens, without any discrimination on account of race, nationality, ethnic origin, language, religion, sex, opinion, political adherence, property or social origin." Furthermore, Article 6 provides more guaranties: "The State recognises and guarantees the right of persons belonging to national minorities, to the preservation, development and expression of their ethnic, cultural, linguistic and religious identity". The measures taken by the Romanian state for the preservation, development and expression of identity of persons belonging to national minorities shall conform to the principles of equality and non-discrimination in relation to the other Romanian citizens. Minority parties can be freely organised and operated as long as they observe national sovereignty, territorial integrity, the legal order and the principles of democracy. Partly because of these provisions, ethnic conflicts that marked the early years of democratic transition in the country did not reach an explosive point, although Hungarians still express grievances about the issues of language and education.

As A. Liebich states, "The dilemma of the Romanian government is it wants to be seen as meeting international minority protection standards, but it is reluctant to meet them".24 Although the government signed the Framework Convention on the Protection of National Minorities, the fear that Romania may be forced to grant some sort of territorial autonomy to Hungarians precluded a constructive dialog between the state and the minority. Instead, Romania established a consultative minority council and allotted parliamentary seats to a dozen of numerically insignificant and politically inactive minorities. However, after a while Hungarians pulled out of the council claiming that the role of the council is only window dressing and it could not be a substitute for the ministry of nationalities they had been demanding.

DISCUSSION AND CONCLUSION

Democratisation is a long process. No doubt, the idea of democracy and the notion of human rights are taking root in the Balkans. There are reasons to be optimistic as well as pessimistic regarding the prospect for a consolidated democracy in the region. Ten years after the collapse of communism, almost all the Balkan states adopted new constitutions with provisions providing guarantees to their citizens and to their minorities. Competitive elections are now accepted as the only legitimate way of governing these countries. Of course, it is understandable that these new states are jealous of their newly gained sovereignty and newly created state identity. On the other hand, minority groups have legitimate concerns but they have to be careful in their demands for more rights not to exceed legal standards.

Of the three countries under study, Bulgaria seems to have been more successful in integrating its

minority population into the political system. With a PR system and inclusionary citizenship policies, Bulgaria has avoided violent confrontation with the Turkish minority. In the case of Macedonia, the Albanian population feel deceived for not having been cognised as a constituent people of this new country. There are some signs that highly mobilised ethnic Albanians may not be satisfied by just enjoying equal citizenship rights. However, the Albanian minority's use of violence for political ends may cause majority-minority relations in the country to deteriorate. Romania, too, avoided violent conflict by providing representational mechanisms to its Hungarian minority. The fear of separatist tendencies among the Hungarian population, however, hinders further conciliatory steps that otherwise might be taken by the Romanian governments. A true consolidation will be possible only if these states can achieve unconditional allegiance of their minorities to the governmental institutions.

Employing the third wave of the World Values Survey taken in the second half of the 1990s, I have examined majority and minority groups' attitudes toward governmental institutions in these nations. The results are presented in Table 4. While the first two columns show the support of citizens for the political community in respective nations, the third and last columns indicate individuals' support for national governments and representative institutions. The first finding is that when asked, "How proud are you to be a citizen of this country?," an important and meaningful differentiation emerged between the majority people and minority groups. For instance, in Bulgaria 85 percent of Bulgarians are proud to be a citizen of this nation as opposed to only 35 percent among the minority group, indicating a real gap. In Macedonia, the ethnic minority group (Albanians) is much less supportive to the political community than is the majority population (Macedonians). Again, at least a 10 percent differentiation is observed among the members of majority and minority citizens in Romania.

A surprising finding is that there is no difference in support for the representative institutions. Minority groups are as trustful as the majority in evaluating national parliaments. What does this imply for our study? As we examined above, in all three countries, ethnic minorities are represented in the national parliaments. Since these representative institutions provide a forum for expression of community needs and their grievances, minority groups have positive feelings about these institutions and and thus tend to be more supportive of them. Besides, it also suggests that democratic consolidation in multiethnic societies might be more easily achieved if all major groups in society are actively involved in the political process.

In conclusion, although the Balkan countries have completed the first part of the post-communist transition period by adopting some forms of democratic institutions that provide participatory political frameworks, they still need to take important steps for consolidation. The biggest challenge to establishing fully-fledged democracies in the region is the integration of minority groups into the political system. As the cases that we studied show, representative mechanisms and 'inclusionary' policies greatly help improve state minority relations in the region. On the other hand, exclusionary and oppressive policies will only lead new civil wars and regional conflicts as the international community has seen in Kosovo. In addition, not only the constitutional texts, but also the existence of an independent judiciary and implementation of the new laws are important in the process of democratisation. Finally, economic prosperity, leadership, courage and good practices are important for the maintenance of domestic peace in multiethnic states. It is easy to be an emotional nationalist, but consolidation of democracy requires being a rational democrat.

1 Attila Agh, 'Process of Democratization in the East Central European and Balkan States: Sovereignty-Related Conflicts in the Context of Europeanization', Communist and Post-Communist

Studies, 32, 1999, pp. 263-279.

2 Ibid., p. 265.

3 The Economist, 'Survey: the Balkans: the Third Thaw', 24 January 1998. p. 56.

4 Hugh Poulton, Minorities in Southeast Europe: Inclusion and Exclusion, London, Minority Rights Group International, 1998.

5 The Economist, op. cit., p. 57.

6 Attila Agh, The Politics of East Central Europe, London, Sage Publications, 1998, p. 80.

7 Karen Dawisha and Bruce and Parrott (eds.), Politics, Power, and the Struggle for Democracy in the Southeast Europe, Cambridge, UK, Cambridge University Press, 1997, p. 18.

8 Atilla Agh, The Politics of East Central Europe, op. cit., p. 84.

9 Arend Lijphart, Democracies: Patterns of Majoritarian and Consensus Government in Twenty-one Countries, New Haven, Yale University Press, 1984.

10 Ibid., p. 100.

11 Donald Horowitz, Ethnic Groups in Conflict, Berkeley, University of California Press, 1985, p. 348.

12 J. D. Bell, 'Democratization and Political Participation in Postcommunist Bulgaria', in Karen Dawisha and Bruce and Parrott (eds.), Politics, Power and Struggle for Democracy, 1997, pp. 353-402.

13 Ibid., p. 357.

14 See Bulgarian Helsinki Committee, Human Rights in Bulgaria in 1999, March 2000.

15 Duncan Perry, 'Macedonia's Quest for Security and Stability', Current History, 99 (635), 2000, pp. 129-136.

16 Emilija Simoska, 'Macedonia: a View on the Inter-Ethnic Relations', Perceptions: Journal of International Affairs, 2(2), 1997, pp. 93-103.

17 Duncan Perry, op. cit., p. 133.

18 See Hugh Poulton, op. cit., p. 67.

19 See Emilija Simoska, op. cit., p. 96

20 See B. Came, 'The Albanian Dream', Maclean's, 19 April 1999, pp. 29-30.

21 See The Economist, 'Oh No, not War in Macedonia as well', 10 March 2001, p. 29.

22 Ibid., p. 30.

23 See V. Tismaneau, 'Romainan Exceptionalism? Democracy, Ethnocracy, and Uncertain Pluralism in Post-Ceausescu Romania', in Karen Dawisha and Bruce and Parrott (eds.), Politics, Power and Struggle for Democracy, 1997, pp. 403-451.

24 A. Liebich, 'Getting Better, Getting Worse: Minorities in Central Europe', Dissent, summer 1996, p. 84-89.