

European Union Foreign Affairs Journal

**eQuarterly for European Foreign, Foreign Trade, Development, Security
Policy, EU-Third Country Relations and Regional Integration (EUFAJ)**

N° 01/02 – 2013

LIBERTAS

ISSN 2190-6122

Contents

Editorial.....	4
The Transformation of the Ethnic Minority Political Parties in Post-communist Europe: The Example of the Albanian Minority in Macedonia, compared with the Hungarian Minority in Slovakia <i>Josipa Rizankoska</i>	5
Racial Discrimination, Deprivation, Segregation and Marginalisation as a Reinforcement of the Practice of Child Marriage <i>Rita Sorina Sein</i>	110
Canadian First Nations: Elders Telling Stories Sitting in a Circle <i>Walter Bonaise</i>	141
Immigration and Security: Should Migration be a Securitization Issue? <i>Tsoghik Khachatryan</i>	156
UNCTAD Acknowledges Admission of South Sudan as Forty-Ninth Least Developed Country (LDC)	164
The Role of Non-State Actors in Ensuring Human Security: The Case of South Sudan <i>Ofelya Sargsyan</i>	167
Eurobarometer: 98% say language learning is good for their children, but tests highlight skills gap.....	179
EU sounds alarm over sharp rise in protectionism across G20	183
Reviews.....	187

European Union Foreign Affairs Journal (abbreviated: EUFAJ) - eQuarterly for European Foreign, Foreign Trade, Development, Security Policy, EU-Third Country Relations and Regional Integration

ISSN 2190-6122

Published by:

LIBERTAS – Europäisches Institut GmbH, Lindenweg 37, 72414 Rangendingen, Germany
Phone +49 7471 984996-0, fax +49 7471 984996-19, e-mail: eufaj@libertas-institut.com

Managing Director: Ute Hirschburger

Registered at AG Stuttgart, HRB 243253, USt ID no.: DE811240129, Tax no.: 53 093 05327

Internet: www.eufaj.eu, www.libertas-institut.eu

Subscription rate: zero. EUFAJ can be downloaded free of charge in the Internet; see www.eufaj.eu.

Chief Editor: Hans-Jürgen Zahorka

Junior Editor: Ofelya Sargsyan

Editorial Advisory Board:

Židas Daskalovski, Ph.D., CRPM Skopje, University of Bitola, Macedonia

Sergey Metelev, prof., Russian State University for Trade and Economy, Omsk, Russia

Martin Pontzen, Dr. rer. pol., Bundesbank Director, German Federal Bank, Frankfurt/Main, Germany

Olivier Védrine, Continental University, Kiev, Ukraine

Viktor Yengibaryan, President of European Movement Armenia, Yerevan, Armenia

Assistant Editors:

Eka Meskhrikadze, Tbilisi, Georgia

Meerim Oboskanova, Bishkek, Kyrgyz Republic

Tamara Vatsadze, Tbilisi, Georgia

* * *

All authors are responsible for their published texts. If no author is mentioned, the Chief Editor is responsible. All texts published under a name do not necessarily represent the view of the editors or Advisory Board members. EUFAJ is committed to different views and a public discussion.

* * *

Copyright: Copyright requests are welcome. Reprints of certain contributions are free of charge, for others a license fee may have to be negotiated. Please ask the publisher for copyright permission.

Proposal/example for quotation: EUFAJ 1/2-2013, then number of page (e.g. EUFAJ, 2-2010, 32)

Papers, articles, reports, contributions: They should be sent to the Chief Editor by e-mail and as attachment in Word format (not in PDF). EUFAJ follows a generous policy towards authors, who may decide themselves if they write a scientific or more practical article, or with or without footnotes (please no end notes). We reserve the right of adding annotations and commenting shortly. No guarantee for unsolicited articles which, however, may remain in our archive. All contributions are requested in English language; abstracts in other languages are possible.

EUFAJ is published in English.

The EUFAJ Blog

- between our issues, for topical announcements and new publications:

<http://libertasblogs.wordpress.com>

With contributions on e.g. Scotland/Catalonia, Human Rights in Azerbaijan, Armenia and the Eurasian Customs/Economic Union, the Eurasian Union, Vladimir Putin, the future of Ukraine, Ukraine's Maidan events, the language policies in the EU, Africa, the Caribbean etc. Your contributions - as a personal view - are welcome; please send them to EUFAJ.

The blog has more than 10.000 views from more than 125 countries. You can of course also subscribe the blogs - then you will be alerted via e-mail.

EUFAJ in Facebook

<https://www.facebook.com/pages/European-Union-Foreign-Affairs-Journal-EUFAJ/564823323568021>

With news on activities, publications, conferences attended, and the contents of the new EUFAJ issues. Complementary to the journal itself and the blog.

If you "Like" the page, you will be alerted via Facebook regularly.

Editorial

Dear readers,

In this issue we put an accent to, well, let's say: minority issues: to the Macedonian political landscape (compared e.g. to the one of Slovakia), to the problem-loaded issue of child marriage in Roma communities, - and to the issue of the Canadian Indians, the First Nations.

For this, we let speak an Elder from the Cree people in Alberta, Mr. Walter Bonaise. We do not produce a paper on constitutional law or land rights or social policy, but on spirituality and what Elders have been taught to think by their ancestors. This gives also an excellent view of the world of the First Nations in Canada - one which is too often forgotten when discussing about this large partner country of the EU.

Before this, we publish a moving article about child marriages within the Roma community - written by a Roma author. The value of this article is that it is written partly in the first person, with the author's own and her village's experiences.

All this is, like the Canadian piece, a unique piece of literature, and it reminds us that the world is larger than Europe.

With best regards,



Hans-Jürgen Zahorka

The Transformation of the Ethnic Minority Political Parties in Post-communist Europe: The Example of the Albanian Minority in Macedonia, compared with the Hungarian Minority in Slovakia

Josipa Rizankoska



Josipa Rizankoska, Macedonia, is a PhD candidate at the University of Siena, Italy. Her research field is ethno-regional parties in Europe. She was also a Visiting Doctorate Student at the Autonomous University of Barcelona. Josipa has an MA in Interdisciplinary research and studies on Eastern Europe from University of Bologna, Italy, and a BA in political science from Ss. Cyril and Methodius University, Macedonia. Since 2007 she works for the Institute for Democracy “Societas Civilis”, Skopje, as a researcher.

Summary:

*The first two decades of independence of Slovakia and Macedonia showed different trends of evolution of the parties claiming to speak for the Hungarian and the Albanian minorities in both countries respectively. Therefore, the main research question of the thesis is: **What are the factors that influence the different paths of transformation of the biggest minority political parties in Slovakia and Macedonia? Are there any cleavages that influence an ethnic minority to separate itself in different political parties or any reasons to stay together in a coalition (or one overall party)?** My argumentation is that there are cleavages below the ethnic lines, however, they do not play an important role, when it comes to separation or unification of the - ethnic parties, due to the bigger cause: the minority rights interests' protection.*

Methodologically the attempt to answer the research question will follow the line of comparative approach of analyses of the internal and external factors influencing the evolution and the transformation of the ethnic political parties in these countries. When I speak of internal factors, I refer to the party-internal factors such as leadership, organization, statutory and programme determination, democratization inside the very ethnic minority party etc. When I say external factors, I refer to the political environment in the very country where the

ethnic minority parties operate. Here I will elaborate the influence of the political system, the electoral rules (electoral formula, district magnitude, threshold and ballot format), the territorial organization on a lower level of governance (regional or municipal), and the inclusion of those parties in the decision making institutions, primarily in the government and secondary in the local bodies. Each chapter will be formulated according to the analyses of the relevant elements of the two countries and ending up with a synthesis of the concluding remarks. Those remarks will be once more synthesized at the end in a formulation of a comparative conclusion. The thesis relies mostly on literature review, reports, and statistical data. In addition, more than 10 interviews were conducted with political experts, analysts, local politicians, local level administrative workers, and NGO activists in Macedonia during the period of May and June 2010.

I consider the history of Slovakia and Macedonia, and the pressure from the international community as one important factor influencing the transformation of the ethnic minority parties; I furthermore assess the intra-party cleavages and the programme and statutory determination as viable factors. Nevertheless, I will finally conclude that all of this was not that much of a crucial importance for the party transformation as it was the leadership interests (sometimes the pure struggle for power). When I analyze, and compare how the political environment, political system, electoral system and the territorial organization (regional or local level government) effected the very evolution of the ethnic minority parties in these countries, I will take the high threshold and the lack of political accountability as the main reason for the Hungarian parties to consolidate their differences into one electoral programme. On the other side, I see the opportunity offered by the “custom norm” (of integration of an Albanian party into the government), and the big size of the electorate voting for these parties as one incentive for the Albanians to separate the electorate. If after the split of the leadership of the new emerged party Hid-Most from SMK in 2010 was too soon to be certain about how the political parties of the Hungarians will act locally, the Albanian parties mostly compete at local level. Here they feel comfortable to compete due to the territorial concentration and viable opportunities for majors’ positions. Therefore, the parties find it hard to merge when it comes to central level elections. Eventually, that will endanger the already achieved reputation at local level.

*Regarding the **sub-questions** I argue that minority parties were very capable to affect the political atmosphere in these two countries, not only by posing its aims as a priority, but also by helping the ethnic majority parties form governmental coalitions. SMK played crucial role in the D’zurinda’s government but even more for the inter-ethnic stability of Slovakia, which lead the country directly into the EU family. The Macedonian case is a bit different: Macedonia has yet a long way in order to meet the criteria for joining the EU family. Nevertheless, the Albanian factor is a crucial element in each of the governments, and quite often the factor of stability or instability in the country. EU acceptance was a priority to all of the ethnicities. Both minorities (Albanians and Hungarians) tried to use the EU accession for their interests; however, they also helped the country with the accession processes, which make their pressure on the international community a positive impact for the democratization process of these countries.*

As for the role played by the kin (neighboring) countries, it can not be stated that Hungary and Albania were always factor of stability, their politics could be assessed as moderate they even support well neighboring relations due to the EU and NATO accession.

Content:

Introduction

CHAPTER 1. A glimpse into the evolution of the minority issues in Slovakia and Macedonia

- 1.1. The roots of the issues with the Hungarian minority on the territory of Slovakia through history
- 1.2. The roots of the issues with the Albanian minority on the territory of Macedonia through history
- 1.3. Meeting the EU Criteria to the minority protection
 - 1.3.1. EU Progress Reports for Slovakia
 - 1.3.2. EU Progress Reports for Macedonia
- 1.4. Concluding remarks

CHAPTER 2. Minority ethnic parties in Slovakia and Macedonia: evolution and transformations

- 2.1. The Hungarian ethnic minority parties in Slovakia
- 2.2. The Albanian ethnic minority parties in Macedonia
- 2.3. Concluding remarks

CHAPTER 3. Ethnic representation and institutional engineering

- 3.1. Slovakia
 - 3.1.1. The position of ethnic parties in the political system
 - 3.1.2. The effects of institutional arrangements
 - 3.1.3. Ethnic representation and territorial organization
- 3.2. Macedonia
 - 3.2.1. The position of ethnic parties in the political system
 - 3.2.2. The effects of institutional arrangements
 - 3.2.3. Ethnic representation and territorial organization
- 3.3. Concluding remarks

Conclusion

List of Figures:

Table 1. The Parliamentary elections in Slovakia

Table 2. Number of Hungarian Mayor positions and deputies on the local elections in Slovakia

Table 3. The Parliamentary elections in Macedonia

Figure 1. Share of the political parties in the bodies of the self-governing regions at the 2001 regional elections in Slovakia

Acronyms:

ANO- Alliance of New Citizen

CAT- Convention Against Torture

CE- Central Europe

CEE- Central Eastern Europe

CF- Civic Forum

CPCS- Communist party of Czechoslovakia

CST- Communication Sciences and Technologies

DA- Democratic Alternative

DOM- Democratic Renewal of Macedonia

DP-Democratic Party

DUA- Albanian Democratic Union

DU-Democratic Union;

DUI-Democratic Union for Integration

EU-European Union

FPP-First past the Post System

FUEN- Federal Union of European Nationalities

HCDM Hungarian Christian Democratic Movement

HC-Hungarian Coalition

European Union Foreign Affairs Journal – N° 1/2-2013

www.eufaj.eu, e-mail: eufaj@libertas-institut.com

LIBERTAS

HCP- Hungarian Civic Party
HPP-Hungarian Peoples Party
HZDS-Movement for a Democratic Slovakia
KDH-Christian Democratic Movement
KSS-Communist Party of Slovakia
LC- League of Communists
LDP-Liberal-Democratic Party
LP-Liberal Party
LS-HZDS- People's Party - Movement for a Democratic Slovakia
MAAK- Movement for Pan-Macedonian Action
MKP-Hungarian Coalition Party
MOST-HID- Bridge
NATO- North Atlantic Treaty Organization
ND-New Democracy
NDP- People's Democratic Party
NGO-Non Governmental Organization
NLA- National Liberation Army
NP- VMRO-People's Party;
NSDP- New Social Democratic Party;
OFA- Ohrid Framework Agreement
OSCE- Organization of Security and Cooperation in Europe
PAV- Public Against Violence
PDP- Democratic People's Party
PDPA-Party for Democratic Prosperity of Albanians
PDSH- Democratic Party of Albanians
PEI- Party for European Future
PFRY- Peoples Federative Republic of Yugoslavia
PPD- Party for Democratic Prosperity;
PR-Proportional Representation
SAS-Freedom and Solidarity
SCEMADOK- Cultural Alliance of Hungarian Workers in Czechoslovakia
SDK- Slovak Democratic Coalition;
SDKU- Slovak Democratic and Christian Union - Democratic Party
SDL'-Party of the Democratic Left
SDSM- Social Democratic Union of Macedonia;
SDSS-Social Democratic Party of Slovakia;
SEEE-South-East Europe University
SFRM-Socialist Federative republic of Macedonia
SMER-SD: Direction - Social Democracy
SMK-MKP- Party of Hungarian Coalition
SNC-Slovak National Council
SNS- Slovak National Party
SOP- Party of Civic Understanding
SPM- Socialist Party of Macedonia
SRM- Socialist Republic of Macedonia
SZDMS- Social and Democratic Union of Hungarians in Slovakia
SZS- Green Party in Slovakia
TRS-Two Round System
UKM- Union of the Communists of Macedonia
UNPREDEP- United nations Preventive Deployment Forces
UNPROFOR-United Nations Protection Force
UN-United Nations
VM-Democratic Party

Introduction

Some scholars have concluded that ethnically plural societies are almost naturally and necessarily “pregnant with conflicts” (Ishiyama and Breunning, 1998, p.1). The rise of nationalism in many post-communist states was the most serious challenge to the forging of the post-Cold War European order. Ethnic conflict is hardly new to these societies. The spread of ethno-nationalist mobilization in recent years reflects, from one side, aspirations on the part of ethnic minorities to reassert their ‘right’ of self-determination, and from the other, the ethnic majorities strive to define the state in more exclusory categories (Taras, 1998, p.1).

Preventing ethnic conflict became a central feature of politics for the Cenral-Estern Europe (CEE). An obvious factor behind such conflict is the political assertiveness of ‘ethnic groups’¹ (Ganguly, 1998, p.49). However, Birnir (2007, pp.198-201) argues that ethnic groups indeed provide a stable, but flexible information shortcut in new democracies; the determinant of ethnic political behavior in maturing democracies is the extent to which ethnic group interests are represented in the government in which they have reasonable expectations to join. Permissive electoral institutions decrease the chances of violence with additional insights. Haughton (2007, pp.56-71) will state that ethnically based parties participated in the governments in the CEE countries, but even though they tend to focus their attention on improving the position of their ethnic minority, these muscles can also cause tensions with the titular ethnic groups.

Despite scholars` different opinions regarding the individualistic vs. group rights protection,² the Copenhagen Criteria openly protect the group approach and impose the minority

¹ A classical definition of ethnic group, that can be adopted here, is that given by Max Weber: “we shall call “ethnic groups” those human groups that entertain a subjective belief in their common descent because of similarities of physical type or customs or both, or because of memories of colonization and migration; this belief must be important for the propagation of group formation; conversely, it does not matter whether or not an objective blood relationship exists. [...] Most directly, such an effect [of group belonging] is created by the language group, which is the bearer of “cultural possession of the masses” (*Massenkulturgut*) and makes mutual understanding (*Verstehen*) possible or easier” (Weber, 1978, p.389).

² Agarín and Brosing (2009, p.331-350) argue that the group based approach to minority integration is likely to miss its envisaged goal. They argue that matters such as the value of human life, ethics and perceptions of individual freedoms are all relegated in multicultural discourse, because cultural communities are perceived as homogeneous. They argue that safeguarding diversity is possible only by addressing the individual preferences

protection as crucial conditionality to the countries aspirants for EU.³ Despite the existing pros and cons regarding the ethnic minority parties, they have nevertheless emerged in order to protect minorities' interests, and above all their rights. Slovakia and Macedonia, the two countries in the core of the interest of this elaboration, were not an exception.

Ethnic groups persisted, despite the assimilation efforts in the totalitarian regimes, due to the already developed form of group loyalty (passed through the language and cultures through generations). Therefore, as countries go through the process of democratization it is easier to translate the already existing loyalty into stable party loyalty, than it is to create new party loyalties among the uncommitted majority of voters.

The rise of fascism, and later communism regimes excluded the whole CEE for almost half of a century from the further evolution and the party system underway in Western Europe. Meanwhile the mass parties in Western Europe transformed into catch-all people's parties.⁴ With the declining trend of analyzing the western parties as parties that have three faces: membership, governing and bureaucracy organization, (each of which may function differently), and new stands that the governing and the bureaucratic aspect become more evident occurred, CEE parties had mainly bureaucracy of the totalitarian style. (Kostelecký, 2002, pp.3-6) We do not witness unique types of party in these newer democracies, at least not to the extent that they should be perceived as fundamentally different from existing models in the established democracies. Any existing variation between parties in old and new democracies can be interpreted as differences in degree rather than in kind (van Biezen, 2005, p.169).

Parties play an overwhelmingly dominant role in the governing formation and the conduct of government throughout the region. While in the already established democracies the coalition governments are the rule, the CEE characteristics is that it reflects the specific conditions of the post-communist change and the weakness of many of the new parties that have been established or brought back to active political life since 1989. The early parliaments were often fragmented and subject to major flux as numerous new and old parties battled for representation. The highly proportional electoral mechanisms lacking any threshold for entry to parliament gave a wide range of political forces their own seats in the legislature. The

of members of different communities, and the only way to do this is through the further consolidation of liberal democratic regimes across CEE.

³ The EU played an important role in the politics of the region, especially from the mid-1990s onwards. EU was not a key driver of domestic change the requirements of joining the club were significant in shaping the contours of politics especially in the policies towards ethnic minorities. EU influenced the formal policy even though frequently there was a large gap between the declared policies and the actual implementation on the ground. (Haughton, 2007)

⁴ The notion and label of "catch-all party" was first formulated by Otto Kirchheimer (1966). An authoritative history of political parties' organizational evolution can be found in Panebianco (1988).

general conditions for party formation were not favorable either. In comparative terms, the party membership levels have been low, but the declining trend was actually more visible in the Western Europe (Lewis, 2007, pp.174-192).

The CEE parties could be marked by low level organizational structure and reluctance in much of the public to join them—having a marginal role in the organization. It could be noticed that those parties that actually put attention on their internal organizational structure had not achieved better results on the polls. The question of intra-party democracy has also been ignored and rarely perceived to be much of an issue in party life at all. The post-communist politics and practice of liberal democracy are generally understood to operate most effectively at national level and within the narrow confines of the political elite.

As a rule, parties were established after or during the first democratic elections. They had not been prominent in the early stages of regime change, are not popular and are little trusted in CEE. The anti-communist civic movements were actually comprised of different social movements sharing their different political orientations. Ethnic minority parties have also emerged on the basis of durable social divisions and played a significant role, often as coalition partners, in the party systems of several states. This has been the case with the Turkish minority in Bulgaria, Hungarians in Slovakia and Romania, Russians in Latvia and Albanians in Macedonia and Kosovo (ibidem).

Slovakia's biggest minority is the Hungarian with a share of 9, 7 % of the total inhabitants. Slovakia's relations with Hungary have been shaped by imperial history and the injudicious remarks of some nationalist Hungarian politicians. These have helped Slovak nationalist politicians, most notably the Slovak National Party leader, Jan Slota stoke up anti-Hungarian sentiment for electoral gain and even accused Hungary and the party of the Hungarian Coalition of trying to turn the south of Slovakia, where the majority ethnic Hungarians live into another Kosovo. In general the relations between titular ethnic groups and ethnic minorities with a kin state such as ethnic Hungarians, Russians Turks have neither worsened nor improved in the recent years (Haughton, 2007, pp.56-71).

Following the Lipset and Rokkan's 1967 social cleavage division on four groups: center-periphery, state church, agriculture-industry, and class cleavages (Lipset, 2001, pp.5-9), Kostelecký explains the cleavages in the party politics of CEE. Regarding the Slovak case some signs of state-church cleavage could be identified (though not that much relevant as the cases of the neighboring countries). The support for the Christian Democratic Movement from the Catholics was relevant; nevertheless, the support for the KDH was decreasing in areas inhabited with Protestants. The agriculture–industry cleavage could be also seen in the political spectrum, however the support was not very high and it was less visible compared to Hungary and Poland. The class cleavage, paradoxically, also exists. Despite the 40 years

communist rule striving to accomplish 'classless society' there was asynchrony of these two processes which is typical for Slovakia; it is difficult to discover any relationship between incomes and party preferences due to the more often change of the parties rather than the social strata. However, education played a big role in the decisions for party; the highest level of education could be found among the market oriented supporters of parties such as: DS, DU etc. Mečiar's HZDS was among the parties supported by less educated people. The generational cleavage and the gender cleavage were also present in this case. Nevertheless, the biggest divide among the voters was along the center-periphery cleavage, which actually divides the ethnic majority from the minorities. The Hungarian parties emerged exactly on this logic (Kostelecký, 2002, pp. 90-136).

Macedonian biggest minority - Albanians (25, 17%) was not an exception from the post-communist trend of forming ethnically based parties. Macedonia belongs to the Western Balkan territory that historically was shaped by the Ottoman Empire. What is striking about the political culture of the western Balkans today is the ambivalence and lack of self-confidence in their 'European vocation'. While clearly waiting integration, people have absorbed the negative western stereotypes of the Balkans and the concern that the special Balkan character of their states and societies will mean that they may not be up to the challenge. There is a certain lack of strategic clarity about their reasons for waiting to become European. Perception of the Western Balkans focuses almost wholly on the immediate neighbors within the region, an on revival of ethnic groups within states. These tensions in fact weaken and divert efforts for political and economic reform, rather than strengthening and focusing consensus on EU integration. It was close constant support and pressure from the EU that has secured implementation of the Peace Agreement in Ohrid (which put an end on the conflict between Albanian minority and Macedonian army), and the start of the still unfinished processes of consolidation of the state. Macedonia remains actually vulnerable to developments beyond its borders, in particular to the political instability of its neighbors Albania and Kosovo that host extremist nationalist movements in shadow whose intention is redrawing the borders and creating their ideal of a Great Albania (Batt, 2007, pp. 72-89).

Macedonian society is also represented by many cross-cutting cleavages such as religious, cultural, linguistic etc. Nevertheless, the biggest cleavage was the ethnic line (central-periphery). The ideological and programme determination was always put as secondary. The Macedonian political system did not find consensus across lines of cleavages.

The Hungarians in Slovakia in fact established parties with different programme determination even in times when they were founding coalitions or a coalition party. Albanians on the other side even though more divided in number; always held generally similar programmes.

The research question of this thesis would follow exactly the same line: What are the factors that influence the different paths of transformation of the biggest minority political parties in Slovakia and Macedonia? Are there any cleavages that influence an ethnic minority to separate itself in different political parties or any reasons to stay together in a coalition (or one overall party)?

Many other sub-questions arise from here; in what degree did the minority parties have an effect on the political atmosphere in these two countries? Which issue has been inflicted as a priority: the ethnic parties' interests or the EU integration of the countries? Was their pressure on the international community a positive or a negative influence on the democratization processes in these countries? What is the role that the kin (neighboring) countries play when it comes to protection of the minorities and the behavior of the minority parties in these countries? Is the political system one of the main factors influencing a certain type of transformation of the political life of the minorities in the country, or the minorities itself influence the political system? Did the presence of regional and local level of government influence the transformation of the ethnic minority parties? The thesis will be constituted from an introduction, conclusion, and three main chapters-containing several sub-chapters.

From the methodological point of view, the attempt to answer the research question will follow the line of comparative approach of analyses of the internal and external factors influencing the evolution and the transformation of the ethnic political parties in Slovakia and Macedonia. When I speak of internal factors, I refer to the party-internal factors such as leadership, organization, statutory and programme determination, democratization inside the very ethnic minority party etc. When I say external factors, I refer to the political environment in the very country where the ethnic minority parties operate. Here I will elaborate the influence of the political system, the electoral rules (electoral formula, district magnitude, threshold and ballot format), the territorial organization on a lower level of governance (regional or municipal), and the inclusion of those parties in the decision making institutions, primarily in the government and secondary in the local bodies. Nevertheless, the international community as a factor (especially EU and NATO pressure), and the bilateral relationship of these two countries with the kin countries of the minorities taken under observation can only give clearer picture of the evolution of the minority-majority relations, which consequently influence the transformation of the ethnic minority parties. Each chapter will be formulated according to the analyses of the relevant elements of the two countries and ending up with a synthesis of the concluding remarks. Those remarks will be once more synthesized at the end in a formulation of a comparative conclusion.

The thesis relies mostly on literature review, reports, and statistical data. The EU Progress Reports, Freedom House Annual Reports, and OSCE Election Reports were the core documents regarding the progress of these countries in the field of minority rights protection

and electoral behavior. The statistical data was mostly used for the analyses of the election results and the party volatility. In addition, more than 10 interviews were conducted with political experts, analysts, local politicians, local level administrative workers, and NGO activists in Macedonia during the period of May and June 2010. The criterion used in choosing the persons to be interviewed for the cause of my theses' argumentation was the place of "activism": those municipalities with majority of Albanian population (having an ethnic Albanian Major). The goal of the interviews was in the direction of examining the existence of the spirit of the Ohrid Framework Agreement, which turns to be debatable.

In this introduction I have synthetically presented the goals, research question and methodology used to discuss the main topic, and I have given a broader presentation of party politics in CEE, with its specificities and differences from Western consolidated democracies. The remaining of the thesis will be organized as follows.

The first chapter will deal with the historical context of the minority genesis on the respected regions. The subchapters will deal specifically with the separate cases: Hungarians in Slovakia and Albanians in Macedonia. The third subchapter will elaborate the regular progress reports of EU regarding the fulfillment of the EU conditionality towards EU integration. In this Chapter, I will argue that the historical context played crucial, but different role in ethnic parties' foundation in Slovakia and Macedonia. Being under constant repression by the Hungarian Empire and suffering the Magyarisation politics makes Slovakia in a way different from Macedonia who had never suffered the assimilation policies directly from the Albanians. Despite their constant fear regarding their own identity, Slovakia and Macedonia being willing to become EU member states became very determined to solve the minority issues. They ratified several European Conventions and Protocols and follow the path of fulfilling the EU criteria with respect minority rights protection-before getting into EU family. Despite the fact that the ideas of Great Hungary and Great Albania are perceived as romantic ideas derived from the territorial and political changes during the past Kosovo Independence encouraged other minorities in Europe to rethink their statuses in their homelands (especially those minorities who have bigger concentration in the countries are somehow encouraged to "dream" of a separation).

The second chapter will elaborate the evolution of the ethnic minority parties (Hungarian and Albanian consequently). The internal elements such as party programme profile and statutes, the organization and the leadership, as well as the internal democratization will testify the differences between the Hungarian and Albanian parties. I argue that the Hungarian political parties had different programme determination not only in times when they acted separately but also in the period when they formed a Hungarian Coalition and furthermore when they consolidate in one Party of Hungarian Coalition. Opposite to this the Albanian political parties in Macedonia do not vary in terms of programs and statutes, they mostly stand for the

same causes, nevertheless, they find it very hard to consolidate in pre-electoral coalition or one Albanian party.

The third chapter deals with the internal political environment within the countries. Namely, the division of the chapter on two sub chapters on the both cases (Slovakia and Macedonia), will further be more divided into three main parts: a) The position of ethnic parties in the political system: elaborating the synthetic political environment and the ethnic minority inclusion in the government on a central level of governance, b) The effects of institutional arrangements: elaborating the changes of the electoral rules and their effect on the ethnic parties transformation and finally c) Ethnic representation and territorial organization: elaborating the lower level of governance and whether the territorial division and the multi-level governance gives other perspectives for the ethnic minority parties' behavior. My argumentation in this respect is that several internal factors influenced the way ethnic minority parties in Slovakia and Macedonia transformed through time: the willingness of the parties to include the minorities in their political agenda and inside the party lines, the practice of including the minority parties in governments, the electoral engineering, with its essential elements such as electoral formula, threshold, and district magnitude, and finally the territorial organization and the multi-level governance. Consequently, there was not much of interest coming from the Slovak and Macedonian parties to include the Hungarian interest in their parties' statutes and programmes and therefore the ethnic parties had to emerge due to the need for advocacy of their rights. The Hungarian parties were included in several governments, but the Albanians were always part of the government by a "gentlemen agreement" with the major ethnically Macedonian parties.

Regarding the electoral engineering Slovakia could be observed as more constant from the point of electoral formula by practicing always the proportional representation system (PR) and Macedonia's electoral experiments in fact finally ended with the PR in 6 electoral units. My main argument for the merging of the Hungarian parties in Slovakia will be based in the fact that they are below the threshold, and the Albanian parties in Macedonia are even more motivated to act separately due to the "gentlemen agreement" for their certain inclusion in the post-electoral governmental coalitions. Finally the territorial organization influenced the behavior of the ethnic parties in Macedonia and Slovakia, which nevertheless, did not change much the situation in Slovakia. Therefore, in my opinion, the fact that in Slovakia the opportunity to have independent candidature was exclusively at local and regional level was significantly stronger incentive for all the ethnicities to provide individual candidates instead of party candidatures. On the other hand, the real struggle for power among the Albanian parties in Macedonia is at local elections which affects the further invigorated struggle at central level.

A glimpse into the origins and the evolution of the minority issues in Slovakia and Macedonia

‘Europe was the birthplace of the nation-state and the modern nationalism at the end of the eighteenth century, and it was supposed to be their graveyard in the end of the twentieth [...] The first half of the 1990`s has seen not the anticipated eclipse but the spectacular revival and rebirth of the nation-state and the national idea in Europe’ (Brubaker, 1996, pp.1-2). The massive nationalization of the political space in CEE has left tens of millions of people outside “their own” national territory; many national groups were “mismatched” by formal citizenship to one state, and by ethno affiliation to other. Among the others, 3,000 ethnic Hungarians were mismatched in Romania, Slovakia, Serbia and Ukraine, and the 2,000 Albanians in Serbia, Montenegro, and Macedonia (Brubaker, 1995, p.108). The roots of the presence of the minorities in Slovakia and Macedonia can be found back in the Austro-Hungarian and the Ottoman period. The Austro-Hungarian Empire in the second half of the 19th century became typical country with minority problems. Ortakovski (1996, pp.36-37) will refer to it as a “laboratory for dealing with those problems”. The Compromise of 1867 divided the Habsburgs’ Monarchy into Western Austrian and Eastern Hungarian part, which conducted different minority politics. The western and the eastern part did not have numerous majorities; however, the Hungarians in the Hungarian part had political power to act like a majority and to enforce politics of assimilation trying to create a clean Hungarian State. Some minorities were treated as suppressed races, especially those who had contacts with some related peoples beyond the Hungarian borders, like the cases with Romanians, Serbs, Slovaks, and Ukrainians. This politics lead to centrifugal tendencies, and disintegration of Hungary in 1918. However, the successor states after the World War I inherited the problems with the minorities (Kostelecký, 2002, p.13).

Unlike Western Europe, the Ottoman Empire was multinational but non-assimilatory in its essence. There were no technological and institutional possibilities for integration and unification of the suppressed peoples.⁵ Until the beginning of the 20th century the Ottoman Empire was divided on the basis of religion, but not all of the peoples accepted Islam (Ортаковски, 1996, pp.33-34). After the Empire started weakening and falling apart, the different nationalities just boosted the collapse by different guerilla insurgency groups, ending with the Balkan Wars (1912-1913). The historical heritage from this period had its impact on the latest politics of these regions as well as the foreign influences, especially when

⁵ The biggest administrative reforms in 1839, known as the Act of Gilghan Hatisherif, were made under the influence of the French Revolution and proclaimed equality to all citizens- regardless to their religion, faith, nationality, sociological status; proclaiming the right for life, honor and property to all of them. The 1856 Hatihumayun proclaimed national and religious equality in the Ottoman Empire, freedom of thought, right to the Christians to serve the Ottoman army etc. (Апостоловски, Стојаноски, Катарџиев, and Зоографски, 1988, pp. 105-117)

it comes to human rights and minority protection. Therefore, the role of the EU enlargement will be presented in the following lines.

The theory of the triangular relations between national minorities, the newly nationalizing states (in which they live) and the external national “homelands” (to which they belong by ethno-cultural affinity, though not in citizenship) introduced by Brubaker (1995, p.108) is also crucially important.

Minorities and their homeland elites monitor the nation state and they are especially sensitive to any signs of “nationalization” or “national integration”. When they perceive such signs, they seek to build up and sustain a perception of the state as an oppressively an unjustly state. In such cases it is very likely that actions for autonomy or even secession within the nationalizing state will follow. From the other side, the common axiom for the “homeland” suggests that the nationhood is usually shared across the boundaries of state and citizenship, and there is an idea that this shared nationhood makes the state responsible not only for its own citizens but also for ethnic co-nationals who live in other states and have other citizenships. Variety of stances about the instruments and lines of reasoning regarding the ‘protection’ and moral support to the ethnic co-nationals are present. The third part of the triangle - the nationalizing state which is often presented as oppressive and too nationalistic is constantly under a pressure for minority rights protection (especially after the EU conditionality for enlargement).

This triangle relationship does not cause conflicts in all cases, but in places and times where it does there can be an explosive dynamic interplay within it. Therefore, before analyzing the internal and external factors influencing the evolution and the transformation of the ethnic minority political parties within the countries, I will devote this chapter to present the historical roots of the minority issue, and the role of the international community. I will gradually elaborate the most important historical events connected with the topic (ethnic minority parties), and then I will present how the EU influenced the progress of both countries by pressuring (among other issues) the multi-ethnic life in the countries and the protection of minorities.

The roots of the issues with the Hungarian minority on the territory of Slovakia through history

According to the data of the 2001 census, 520, 528 – 9.7% of the total population of the Slovak citizens declared themselves as Hungarians. These figures show a declining trend, considering that in 1991, 567, 296 – 10.7% of the population declared themselves Hungarian. The Hungarian minority in Slovakia, as a “border type” of minority, lives in South Slovakia

(92.2% of the Hungarians), along the Slovak-Hungarian state border. The biggest part of the Hungarian population (over 70-80%) lives in villages and small towns; whereas they are underrepresented in cities (Giussani, 2006, p.629). There are no greater civilizational or cultural dissimilarities between the Slovak and Hungarian inhabitants, neither there are racial differences. They have their common history and, to a great extent, customs and traditions, certain elements of folklore, religion, comparable social and educational structure. They are divided just by language and certain elements of historical and cultural traditions.

Hungarians have lived on the territories of present-day Slovakia since the 10th century. For centuries Hungarians were the majority population, first within the Hungarian multiethnic state and later within the Austro-Hungarian Empire, which means that the histories of both peoples were interlocked. In the first 800 years the Slovaks and the Hungarians (Magyars) coexisted in a relative harmony. After the Turkish occupation of the Hungarian Plain, following the battle of Mohacs in 1526, the core of the Hungarian kingdom transferred to Slovakia, which meant ruling over the Slovak speaking population, and constantly assimilating it by adopting official policies of “Magyarization”. (Ishiyama and Breuning, 1998, p.51) This fact was very often observed as one of the reasons for visible tracks in the Slovaks’ anti-Magyar anger afterwards, leading to future attempts of “Slovakization” of the Hungarians living in the today’s Slovak Republic (Auer, 2004). According to the Austro-Hungarian census in 1910 in the area of the future Czechoslovak nation there were 13,5 million inhabitants, 1.1 million of them Hungarians. 105,000 Hungarians were forced to leave Czechoslovakia at the end of December 1920. The Czechoslovak census in 1930 resulted with 692,000 respondents declaring Hungarian as their mother tongue (Giussani, 2006, p.629).

Slovakia has never had a separate administratively defined status or constitutional position in the Kingdom of Hungary. It can be said that the development of the Slovak-Hungarian frontier was one of the most important experiences in 20th century Central European history.⁶ The new formed Hungary (after the World War I) included only a third of the territory and two fifths of the population of the pre-war Kingdom of Hungary, and this was even without including the territory of Croatia. Almost a third of ethnic Hungarians or Magyars remained beyond the frontiers of the newly formed Hungarian states - in the territories of Romania, Czechoslovakia, Yugoslavia and Austria. After long discussions, the frontier between Czechoslovakia and Hungary was defined in the Treaty of Trianon, which gave Slovakia a southern frontier to its territory for the first time in history. This frontier underwent four important revisions from 1918 to the present day (Krejčí, 2005, pp.342-350). After the Munich Treaty, in 1938, which assigned the Sudeten German territories of Czechoslovakia to

⁶More on the ethnic composition changes of Slovakia during the 16th and 17th centuries see: Mrva and Daniel, 2000, pp.141-142.

Hitler's Nazi Germany, the so called First Vienna Award allowed the territories with a Hungarian majority to be returned to Hungary (Giussani, 2006, p.629). This Award, also known as Vienna Arbitration, gave Hungary territory where according to the problematic 1910 census more than 50% of the people were ethnic Hungarians. As a result of this decision, Slovakia lost 10,390 km² of its territory inhabited by 854,218 people.

In December 1938, Hungary held its own census in the newly occupied territories, in order to confirm the data from 1910, which showed that only 116,000 Slovaks lived in these territories. The Vienna Arbitration was followed by so called Little War in which the Hungarian army entered the eastern part of the territory of the already diplomatically recognized Slovak state. In the period March-April 1939, Hungary took a further 1,600 km² of Slovak territory with about 41,000 inhabitants. A bilateral agreement on April 1939 defined the new eastern frontier between Slovakia and Hungary. After World War II, these territories were reassigned to Czechoslovakia (Krejčí, 2005, pp.352-253). The Edict of the President of the Republic, dated 21 June 1945, legalized the confiscation of rural properties belonging to "all persons of German or Magyar nationality, without regard to their citizenship", except those who fought to maintain the national integrity (Giussani, 2006 p.629). On the basis of the armistice agreement between the Allies and Hungary, signed in Moscow in January 1945, Hungary committed itself among other things, to withdraw its army and officials to the frontier valid on 31 December 1937. This document identified the Vienna Arbitration as an act of aggression and canceled its validity. The same principles were confirmed by the peace treaty between the Allied and associated powers and Hungary signed in Paris in February 1947, which speaks of the invalidity and nullity of the Vienna Arbitration, and recognizes the frontiers of Czechoslovakia according to the state on 1 January 1938. On the basis of this treaty, Czechoslovakia gained 65, 6 km² of territory with three villages on the right bank of the Danube, near Bratislava, with three thousands inhabitants of various nationalities. Thus, Slovakia extended its territory on both banks of the Danube from 12 km² to 28 km².

In February 1946 the Hungarian government signed a population exchange agreement with Czechoslovakia. By giving this opportunity, 73,273 ethnic Slovaks living in Hungary accepted to move in Czechoslovakia and 76,000 ethnic Hungarians moved from Czechoslovakia to Hungary. Additionally, 44, 000 Hungarians were sent from the Slovak to the Czech part as manual workers. 340,000 Hungarians were given back their Slovak citizenship with the status of ethnic Slovaks in 1948. Since then, the number of Hungarians living in today's Slovak Republic has remained at 10%. The same year the Communist Government authorized the establishment of Cultural Alliance of Hungarian Workers in Czechoslovakia (CSEMADOK) (Toma and Kovac, 2001, pp. 288-289). With its assistance, in September 1948 Hungarian language instruction in primary and secondary schools began once again (Giussani, 2006, p. 630).

With the Communist coup in 1948 and the establishment of a centralized economic and political system, the new authorities, who staunchly opposed any effort at regional autonomy for minorities, continued the policy of czechoslovakizing the Hungarian minority. Although the minorities were granted the right to operate their own schools, newspapers and cultural associations in the 1960s these activities were strictly supervised by the Communist party of Czechoslovakia (CPCS). During the November 1989 “Velvet Revolution” and the rapid collapse of the communist rule as a logical consequence of the fall of the Iron Curtain, pressures for extensive and economic autonomy of Slovakia began to increase. The collapse of the Czechoslovak Communist regime marked not only the end of one of the most Stalinist systems in Eastern Europe, but also the revival of the political activism and aspirations of the Hungarian minority population in Slovakia (Ishiyama and Breuning, 1998, p.51). The separatists’ arguments for dissolution of Czechoslovakia were based mostly in the lack of regulations for decentralization of executive or legislative powers between the two republics, as envisaged in the 1969 constitution⁷ (Bugajski, 2002, pp. 282-297).

After the democratic changes, the position of the Hungarian minority proved to be the most contentious nationality issue. It motivated the Hungarian activists to organize themselves openly and to campaign for collective rights. The largest minority organization (party) - Coexistence (styled itself not only Hungarian but multiethnic movement for minority rights protection) seek for secession from Slovakia. Despite the bad position of the minorities, the Hungarian groups claimed that Bratislava would apply various restrictions and discriminatory measures. The demands from the Hungarians sparked a negative reaction by many Slovaks who argued that the ethnic Hungarians’ legal rights in Slovakia were already far above those granted to minorities in West. Hungarian organizations pointed out that the anti-Magyar demonstrations by the ultranationalist Slovak Forces and the radical calls for expulsion of the Hungarians from the whole state are worrying. Opposing to this, Slovak radical group accused Budapest of assisting Hungarian organizations in search of territorial gains, a charge that was seriously denied by the Hungarian government (Bugajski, 2002, pp.279-297; Ishiyama and Breuning, 1998, p. 51).

The Czechoslovak peaceful divorce, as a political stalemate created by the second post-communist parliamentary elections in June 1992, gave chance to the Slovak nation to consolidate itself through the institution of its own state (Wightman, 1995, p.59). Since 1993

⁷ The first major Slovakia’s organized political power, Public Against Violence and minor parties such as the Democrats and the Greens defended Czechoslovakia’s federal system while calling for more autonomy for both republics. The second major group - Christian Democratic Movement, advocated establishment of a Czechoslovak confederation and allowing Slovakia to enter Europe “as a sovereign entity”. The Slovak Freedom Party and the Movement for Independent Slovakia went a step further and called for autonomous, sovereign and independent, Slovakia refusing to be identified with the pro-Nazi Slovak State, and finally SNP and the Independent party of Slovaks became the greatest zealots of the establishment of a fully independent state. (Toma and Kovac, 2001, p.286-299)

the Hungarian minority's active and vocal political leadership has succeeded in drawing international attention to plight of ethnic Hungarians in the economy (Giussani, 2006 p. 629; Mannová and Holec, 2000). On 8 January 1994 around 4,000 local Majors, councilors and regional politicians gathered in Komarno and brought the controversial decision of establishing a self-governing "autonomous region" with mainly Hungarian population, which was denounced from the Slovak politicians and it was seen as a direct challenge of the governmental authority. The arguments from the Hungarians were that the bad treatment of the minorities in Slovakia forced them on this act (Ортаковски, 1996, p.358).

The tensions regarding the language rights were already big in the autumn 1990 during the preparation of the Law when nationalist deputies in parliament tried to push through a draft prepared by Matica Slovenska⁸ that discriminated the national minorities in Slovakia. According to this draft proposal, no other language beside Slovak could be used in official and public dealings - including even the Czech language. The second draft presented by the Slovak National Council's (SNC) deputies representing the Hungarian Coalition Party - Coexistence, played no role in particular in the discussions because the competing draft was the third one, offered by the ruling coalition lead by Vladimir Mečiar. The law, eventually adopted by the SNC on 25 October 1990, was an amended version of the ruling coalition's draft, which stipulated right to the minorities in the communities that had 20% of the population to use their language in the official business (Toma and Kovac, 2001, p.291).

The 1995 amended "Law on the State Language", was another controversial piece of legalization which severely restricted the language rights of ethnic minorities by, "requiring" the use of Slovak language in virtually all aspects of public life. Many authors saw this as a revenge for past injustice from the Hungarians towards Slovaks. (Auer, 2004, p.160) One of the main sources of Mečiar's enduring popularity was the wide spreading perception that he has consistently been the best defender of Slovak national interests, whether it is against "traditional enemies" like Hungarians and Czechs, or new challenges from the West. However, this politics of minority suppression was also perceived as a governmental "instrument" for distracting public attention from the government's policy failures (Bugajski, 2002, p.294). The Treaty with Hungary signed in 1995 by the Prime Ministers of the two countries was a basic agreement which was supposed to end up with the vulnerable relationship between these countries. The Hungarian minority expressed its dissatisfaction from the treatment of minorities' rights in Slovakia by sending an official letter to the Council of Europe, claiming that Slovakia was breaking the human rights on its territory. Hungary ratified the Treaty in June 1995 and the Slovak Parliament, being under the pressure of the nationalists' parties, delayed several times the ratification.

⁸Matica Slovenská is a public-law cultural and scientific institution focusing on topics around the Slovak Nation.

Having the same aspirations for EU membership has led to softening relations between Slovakia and Hungary. When in June 1993 Slovakia was accepted as a member of the Council of Europe,⁹ Hungary did not obstruct and did not veto its acceptance, even though have threatened to do it. The period while Slovakia's Prime Minister Mikulas Dzurinda was in office (1998-2002) had a significant impact on the minority issue, and the bilateral relationship between the two countries improved drastically during the two terms of coalition government between Slovak and Hungarian parties (Henderson, 2002, p. 49).

Even though constitutions existed in communist Europe, it was only after the collapse of communist that they regained their essential functions to constitute structure and limit political authorities (Wolczuk, 2007, p. 229). The constitution as a problem for the minority rights protection in Slovakia is not a recent one. The events of the late 1960s brought calls for reform from ethnic minorities. The government's response to this was Constitutional Act No. 144 in October 1968, which defined the status of ethnic groups in Czechoslovakia and acknowledged the full political and cultural rights of legally recognized minorities (Lefebvre, Fitzmaurice, and Vierdag, 1991, p.143; Henderson, 2002, p. 74). Minorities were granted the right, with state approval, to their own cultural organizations. The emphasis has been on cultural activities; minority organizations have had no right to represent their members in political affairs.

The process of drafting the latest Constitution had been going on since mid-1991 and was largely an affair supported by Mečiar's HZDS (Movement for a Democratic Slovakia), the SNS (Slovak National Party) and, to some extent, the Party of the Democratic Left (SDL'), the successor of the old Communist Party. The ideological argument of the HZDS was that Slovak independence was the culmination of a long national historical journey to statehood. Under its guidance the Slovak parliament adopted a 'Declaration on the Sovereignty of the Slovak Republic' in July 1992, claiming that Slovak statehood would fulfill a thousand year effort of achieving independence for Slovaks. On 1 September 1992, the draft Slovak Constitution was approved and adopted by parliament. Aside from the Hungarian deputies, who were against a Slovak independent state, only the sixteen deputies of the Christian Democratic Movement (KDH) out of the 150 members of parliament voted against ratification, but mainly because their proposals regarding the drafting process, like those of the Hungarians, had been ignored. During the final vote the fourteen deputies of the ethnic Hungarian parties walked out to express their deep discontent with the Constitution, arguing that it failed to guarantee the identity and self-governance of minorities or allow for the creation of territorial self-administrative entities, and to stipulate the rights of minorities to establish and maintain schools in their mother tongue (Bugajski, 2002, p.288-297). It was a

⁹ The table with member states the Council of Europe as of December 1999 in Siarof, 2000, p, 4

bad start for Slovak-Hungarian ethnic relations in the new state, which was officially inaugurated on 1 January 1993.

Slovakia's 1992 Constitution was controversial from its inception, not only because it was a product of only one part of the political spectrum, but also because it was passed in haste, and never legitimated by a popular referendum. There was no real public discussion on it because it was obfuscated by the continuation of the federation debate (Henderson, 2002, p. 55). According to Nedelský (2003), the 1992 Slovak Republic's Constitution contains interesting proof of the Slovak Republic's potential to evolve into an ethnic democracy once the worst features of populist political culture will be overcome. This Constitution guarantees basic rights and liberties regardless of language and national or social origin, and the right to affiliate with a nation or ethnic group without pressure to assimilate. The constitution formally secured the right of minorities to develop their culture, to disseminate and receive information in the mother tongue, to establish educational and cultural institutions, and allowed for the functioning of national minority associations. Minorities were assured the right to participate in solving problems pertaining to the status, as long as they exercised that right in a manner that did not jeopardize Slovak sovereignty. The preamble to the Slovak Constitution, although at one point speaks of 'citizens of the Slovak Republic', emphasizes the Slovak nationalist historical perspective and the fact that the ethnic Slovak nation is the actual state-forming subject, with the other national and ethnic groups at best in a secondary role.

'We, the Slovak nation [people], bearing in mind the political and cultural heritage of our predecessors . . . mindful of the historical legacy of Great Moravia . . . together with members of national minorities and ethnic groups living on the territory of the Slovak Republic . . . recognize . . . this Constitution' (Preamble of the Slovak 1992 Constitution).

This constitution touched off a critical debate afterwards between the ruling Slovak coalition and the Hungarian minority leaders. At the core of the controversy was, literally, the proper definition and use of the word 'nation' – národ – and the related word národnosť. The terms of this debate are somewhat difficult to translate into English, as národnosť does not have an exact English equivalent. The closest translation is 'nationality'. Perhaps because of the difficulty in translation, the semantic debate between Slovaks and Constitutional nationalism's implications, Hungarian minority leaders has received little attention from Western analysts. Nevertheless, Nedelský (2003) argues that because this debate centers on how membership in a 'nation' or 'nationality' affects the citizen's fundamental relationship to the state, it provides insight into the principles and assumptions underlying the new regime.

The roots of the issues with the Albanian minority on the territory of Macedonia through history

According to the last 2002 census there are 509.083 or 25, 17% Albanians in Macedonia. The Albanians in Macedonia mainly inhabit the western part of the country. The largest Albanian communities live in Kumanovo, Skopje, Tetovo, Gostivar, Debar, Kicevo, and Struga. There are two lines of divisions between the Albanians of Macedonia and the ethnic Macedonians. Firstly, they have different religion: Albanians are predominantly Muslim and ethnic Macedonians are mostly Orthodox Christians and, secondly their languages are completely different. Recalling on the tradition of the principles of mutual interethnic tolerance in Macedonia rooted in the Ottoman Empire's Millet System of "integration without assimilation", the current (2010) President, Gjorge Ivanov, (elected in 2009) will state:

'The complexity of the Ottoman Empire is still present in current Macedonian society. Macedonia was part of "no imperial" territory, from which new countries were created through methods such as assimilation, expulsion, and even genocide, in order to achieve homogeneity and create the State. Macedonia has never used terror or physical force to influence any part of its population to accept a different identity. All of the minorities [...] keep their character in terms of language, culture, folklore, tradition, customs, religion, etc [...]' (Ivanov, 2010, p.87).

The reason Stavrianos, as cited in Phillips, (2004, p. 22) thinks that Macedonia cannot be called 'a melting pot' is because historically on the territory of today's Republic of Macedonia intermarriages between the several elements has been rare. This is the reason why individual villages and even various groups within a single village had retained their identity over periods of centuries. Historically the first demographic changes of a high dimensions happened in 1953 when on the agreement bases between the republic of Turkey and Peoples Federative Republic of Yugoslavia (PFRY) 117, 247 Turks left Macedonia in the period of 27 years. In 1953, Turks were 15.6% of the population and in 1981, only 4.5 % have left. In 1953, 162, 524 (12.4%) were Albanian inhabitants, after 10 years they were 13%, and in 1981 the number went up to 19.8 %. (Катарциев, 2003, p. 404-407) By 1983, Albanians in Macedonia were a majority of the population in the districts of Tetovo (113 000 Albanians to 380,000 Macedonians), Gostivar (63,000 to 18,000), Kicevo (23,000 to 21,000) and Debar (10,000 to 2,500). By 1988, the Ministry of Interior reported nearly half of Skopje's population of 560,000 estimated to be Albanians¹⁰ (Phillips, 2004, p. 43).

¹⁰The Turkish minority in Macedonia in 1948 counted 95.940 (8.3%), in 1953- 203.938 (15.6%) and in 1961 only 131.481(9.3%) which can be explained by the fact that in the first census many Turks declared themselves as Albanians, and after the breakdown with the Inform biro a lot of Albanians declared themselves as Turks. The Turks that moved to Turkey were not all Turks; some of them were just Macedonian Muslims, and some Albanians that transferred in Turkey fearing for their lives in Yugoslavia. (Опраковски, 1996, pp.325-326)

Under Tito, the Albanian minority of Macedonia has isolated from Hoxhaist Albania with which towns such as Debar, had had close family and cultural ties before 1939. Pettifer (ibidem) even writes: “Albanians had been forced to except the Titoist definition of a ‘Macedonian’ identity, within Yugoslavia, on the basis of Partisan victories in the area in the World War II.” The Yugoslav authorities after the Second World War promised to resolve the national problems of the country with the slogan of ‘Brotherhood and Unity’. Since the Albanian national home was outside Yugoslavia, the Albanians were recognized as a nationality of Yugoslavia but not as a nation (Bugajski, 2002 p. 724).

The Albanians of Macedonia had gained some educational and cultural privileges; there were more than 200 Albanian schools in the socialist republic of Macedonia in 1951, with some 600 teachers instructing 6,000 pupils. By 1973, this had been extended to 248 schools catering for 2,150 teachers and some 60 000 pupils. In 1980, there were 2,365 Albanians at university-level institutions in the Macedonian Republic. Albanians had their own newspaper (*Flaka e vellazerimit*), programs in Albanian were broadcast on radio and televisions, and there were Albanian cultural organizations, teachers, and theatre groups and sports clubs. Despite the aim of the “Brotherhood and Unity”, the cohabitation between ethnic Macedonians and ethnic Albanians was far from ideal throughout the life of the socialist republic. Mistrust and increasing alienation between the Macedonians and the rapidly expanding Albanian population of Macedonia mirrored in everyday relations by chauvinist attitudes from both sides (Phillips, 2004, p. 46; Poulton, 1994, p. 84). In the Socialist Federative Republic of Macedonia (SFRM), Macedonians had a considerably higher representation in the League of Communists (LC) membership than in population. The representation of the ethnic minorities, except the Serbs, was far below their share in the ethnic composition of the population and this situation was typical of the situation in the Republic as a whole. Having in mind that minorities of Macedonia were not keen to join the ruling LC it appears that the SFRM was a state effectively run by Macedonians (Poulton, 1994, pp. 77-80).

The Albanian communities in western Macedonia faced harsh political and cultural repression under Ranković.¹¹ (Phillips, 2004) The fall of Ranković in 1966 allowed Albanian dissatisfaction in Kosovo to come out in to the open. Large-scale demonstrations on the 27 November 1968, under the motto ‘Kosovo-Republic’ happened, and the Albanians from Kosovo were burning the Yugoslav flag and asking for more rights to the Albanians and right to use the Albanian symbols, as well as asking for merging of the western part of Macedonia and part of Montenegro with Kosovo (Рихлик and Коуба, 2009, p. 331). This provokes

¹¹ The Islamic religion and religious institutions used by Albanians were persecuted including the destruction of the Islamic libraries, such as the Bektashi tekke in Tetovo and the requisitioning of Islamic buildings for state use. Roads were built through the Muslim cemeteries in Gostivar and Tetovo.

similar demonstrations in Tetovo where the Albanians living in the western Macedonia were demanding those areas of Macedonia to join Kosovo in a seventh republic. Granting such a Republic would be the first state in an Albanian plot to separate these areas and to join them with neighboring Albania. Accordingly, Communist Macedonia did not leave best memories to the Albanians living on the Macedonian territory (Хислоп, 2002, p. 12).

The growth of the Albanian nationalism in Macedonia was seen as a fatal possibility not only to the territorial integrity of the Republic but also even to the very existence of the Macedonian nation. (Poulton, 1993, pp. 70-80) Until Milosevic crack down on Albanian nationalism, Kosovo also served as a “safety valve” for the political ambitions of ethnic Albanians living in Macedonia.

Despite of the hesitations for abandoning the Yugoslav Federation and many attempts to support and even invent ways to save the federation¹², thanks to the nationalist threats coming from the Serbian leaders (Рихлик and Коуба, 2009, p. 345), Yugoslavia’s poorest republic, Macedonia, voted for its independence in September 1991. Ever since, there has been a rapid escalation of the controversy surrounding the decision, and in Mulaj’s (2008) words: “almost everything about Macedonia is contentious”. There is no other area in the Balkans that had been a subject of so many disputes and a cause of so much bloodshed through centuries. According Stavrianos’ a very considerable degree of diplomacy on the Balkans since 1878 had revolved around the division of Macedonia among its neighbors. (Phillips, 2004, p. 21) This had its own impact on the internal cohabitation among the citizens of different ethnic background (around 26 different ethnic groups living on the territory of today’s Macedonia). However, compared to the turbulent and violent conflicts raging outside its borders, in the first decade of its independence, Macedonia was often referred to as an “oasis of peace”.

This was changed due to the Macedonia’s biggest vulnerable internal issue – the status of the Albanian minority. The Albanians were abstained from the independence referendum (as well as the Serbs), and in the constitution decided upon in November 1991, the Albanian language was not given official status and pointing out that the constitution is not enough inclusive towards minority groups. The Albanians in Macedonia were very loud in campaigning against recognition of Macedonian sovereignty, which, together with Greece disputing the name Macedonia, postponed the recognition. (Андов, 2003; Глигоров, 2002) Robert

¹² The President of Macedonia and the President of Bosnia and Herzegovina prepared a Platform for the future Yugoslav Community better known as Platform Gligorov-Izetbegovic. With this Platform, they wanted to protect the life of Yugoslavia as a loose confederation. The Albanians living in Macedonia saw this Platform as an anti-Albanian document. The PDP parliamentary Avdi Murtezani considered it as a new form of discrimination of the Albanians living in the Yugoslav spaces, and prevention for the Albanians to build its own ethnic state in these territories. This idea did not see the light of day, instead the ex-Yugoslav Republics were faced with bloodshed in a terrible war. (Андов, 2003, pp.308-330, Рихлик и Коуба, 2009, pp.345, Велјановски, 2002, pp. 331-373)

Badinter's¹³ recommendation had a say in the recognition of Macedonia by the European Community (Griffiths, 1993). The inner referendum on the territorial and political autonomy of Albanians in Macedonia organized by the leadership of the Assembly of Albanians in Western Macedonia resulted with 92.56% (of the possible electorate 99.9%) in favor of the autonomy proposition. Macedonian government did not give serious grounds to this.

The international community supported efforts at violence prevention, and confidence building between the different communities by answering President Gligorov's request for peacekeeping mission in Macedonia from 1992 until 1995 United Nations Protection Force - UNPROFOR, and after 31 of March 1995 United Nations Preventive Deployment Forces - UNPREDEP monitoring the northern and western borders in Macedonia. The already fragile economy, due to corrupted privatization, was followed by drained state coffers because of the arrival of 350,000 refugees from Kosovo in the conflict in 1999. This mission was shut down in 1999 because China voted against its renewal due to the Taiwan recognition from the side of the Macedonian government.¹⁴

However, the troubles in Kosovo and southern Serbia appear to be spreading, and had its implications on the situation in Macedonia in 2001. An armed conflict occurred between the Macedonian police and the ethnic Albanian extremists after the occupation of the ethnic Albanian village on Macedonia's northern border-Tanuševci, which due to the bad road conditions and almost impossible connection with Skopje was the location where all the arms from Kosovo were deposited (Хислоп, 2002, pp. 24-25). Violent conflicts in the region of Tetovo and Kumanovo influenced the opening of the eventual new phase of security and inter-ethnic instability in Macedonia, and in the region (Хислоп, 2002, p.24; Ortakovski, 2001, p. 25).

Some of the various analyses seeking to explain the roots of the crisis stood on the point that ethnic Albanians citizens of Macedonia rose up against discrimination in an attempt to secure more rights. In contrast, a popular view among the ethnic Macedonians was that the conflict was imported by Kosovo's extremists. This view was discredited by the fact that the vast minority of conflict related violence ended with the signing of the OFA. A third view holds that disputed border between Macedonia and Kosovo played a central role in the conflict. Many even argue that when the two nationalistic parties, The Internal Macedonian Revolutionary Organization–Democratic Party for Macedonian National Unity (VMRO-DPMNE) and the Democratic Party of Albanians (PDSH) joined forces, there was an

¹³ Under the Ohrid peace accord, parliamentary adoption of all laws relating directly to minorities must follow the Badinter Principle that stipulates a majority vote of deputies representing ethnic minorities (double majority rule), for issues closely related to the interests of minorities.

¹⁴ According to Gligorov (2002) this was the reason why the Kosovo problem overflowed in Macedonia afterwards.

informal agreement to divide the country into spheres of influence. Some even speculate that the parties went further by staging a fake war. It would be too simplistic to state that the Macedonian crisis was purely an ethnic crisis that could be solved with one peace accord aimed at improving minority rights, however each of these views probably contains a grain of truth (Grillot, Paes, Risser, and Stoneman, 2004, pp. 1-8).

In spite of the awareness of the feasibility reasons for the war conflict or as he would name it “mini-war” in Macedonia, Hyslop (2002, p. 6) stresses the fact that “wars cannot be conducted without an access to weapons.” Therefore, “the NLA attack on Macedonia could be formulated as a radical answer to the weak civil society and corrupted state” (Ibidem, p. 22). After the conflict in 2001 the relations between Macedonia and Albania have been particularly complex because of the grievances voiced by the Albanian community in Macedonia have constituted an element of tension between the two countries. However, the ties between the two countries had been seen improved considerably following the election of a government not inclined to meddle in the Macedonia’s internal affairs. Albania’s moderate and constructive policy and its firm condemnation of any violent actions on the territory of Macedonia have undoubtedly contributed to improve the political dialogue. Dialogue between Skopje and Tirana has never been broken, and relations have continued to develop with reciprocal high-level visits and the conclusion of agreements on a visa free regime, local border traffic, and cooperation in border control. A Memorandum for Cooperation in their European integration process, the common interests in regards NATO membership and participation in the Adriatic Charter has given an impetus to bilateral relations and an agreement on good neighborly relations (EU Progress Reports).

During the Constitution “drawing”, there was no template that could be appropriated and serve as a guarantee against autocracy and instability. Even though many political scientists referred to post-communist constitution making as “constitutional engineering” the final results were not showing usage of scientific wisdom and precise crafting in pursuit of the “public good” and “general interest”, rather an output of elite-level bargaining according to their close interests (Wolczuk, 2007, p. 243). Searching for the roots of dissatisfaction from the Macedonian Constitution regarding the treatment of the other ethnicities living in the Macedonian soil, we have to refer to the Constitutional “flaws” historically.

The situation with the minorities in Yugoslavia has been always considered by the special commission of the Macedonian Union of Communists (UCM). The Yugoslav Constitutions had included the minority rights protection, even though comparing the different republics’ Constitutions it can be seen that they had fundamental differences in the approach towards the minority rights (Anon, 2001, p. 155). The 1946 Macedonian Constitution guaranteed to the minorities the rights to develop their language and culture and to have education in their languages, and the 1963 Constitution even went further by abandoning the term “national

minority” substituting it with the term” nationality”, and broadened the rights to use their languages in the local community in the administrative business. In the Kingdom of Yugoslavia the rights of the Albanians were respected as a religious commune instead of national group. Therefore as a result of the 1946 Constitution have forbidden minority religious schools, and after the of UKM Central Committee 1948 decision to transferee all the students in secular schools, the number of schools for the Albanian and Turkish students decreased at least twice (Рихлик and Коуба, 2009, pp. 329-332).

With the Macedonian Constitution of 1974, SFRM was changed with SRM- Socialist Republic of Macedonia, and SRM was defined as a country of the Macedonian people (narod) and the Albanian and Turkish nationality (narodnost) (ibidem, p. 333). The Highest part Forum of UCM in December 1974 closely examined the question of the development of the culture of the ethnic groups in Macedonia, and the language use, especially paying attention on the Albanian minority situation. The deducted conclusion was that in those parts of Macedonia where the majority of the population belongs to a certain minority group there was a need of language knowledge for certain job positions form the respected minority, as well as translation of the documents into the minorities’ languages. With this, nationalities achieved clearer protection of their rights for education, on their own language, and they could use it in the official contacts (Велјановски, 2002, pp.318-319).

The Preamble of the 1991 Constitution proclaims Macedonia as “national country of the Macedonian people which ensures complete civil equality and permanent coexistence of the Macedonian nation with the Albanians, Turks, Vlachs, Roma and the other nationalities that exist in the Republic of Macedonia. This broadens the former constitutional naming of the Albanian and Turkish nationalities with the “new” mentioned groups. (Ортаковски, 1996, p.328; Bugajski, 2002, p.729) Despite the large scale minority rights guaranteed by the constitution the Albanian minority disputed the 1991 Constitution, and constantly voiced its dissatisfaction in front of the governments. The final result of this was the armed conflict between the National Liberation Army (NLA), and the Macedonian security forces, after one decade of independence, which fortunately ended relatively quickly and did not repeat the damage from the other ex Yugoslav wars. The Ohrid Frame Agreement (OFA) signed by the government of the Republic of Macedonia and ethnic Albanian representatives on 13 August 2001¹⁵, as a peace deal, practically changed the Constitution.

The Agreement included provisions for altering the official languages of the country, with any language spoken by over 20% of the population becoming co-official with the

¹⁵ The Macedonian side was represented by the VMRO-DPMNE and the SDSM, while the Albanian side was represented by the DPA and the PDP, along with representatives from the United States and European Union. Although actively participating in armed conflict, the National Liberation Army did not participate directly in the talks.

Macedonian language. The OFA comprise an agreed framework for securing the future of Macedonia's democracy and permitting the development of closer and more integrated relations between the Republic of Macedonia and the Euro-Atlantic community. This Framework will promote the peaceful and harmonious development of civil society while respecting the ethnic identity and the interests of all Macedonian citizens.

Leroa (2002, p. 9) stresses the importance of the changed Constitution in 2001 because the Albanian parties voted for its' adoption together with the Macedonian parties. Having in mind that this was the first time that the two major ethnicities acted together when it comes to decisions of the great importance for the country, these changes meant a very important step forward regarding the ethnic cohabitation in Macedonia. In 2003, the President Branko Crvenkovski (2004-2009), stated that the 1991 Constitution had a 'fabricated flaw', referring to the lack of support for the constitution by the Albanians living in the country, which implied that the constitution was not acceptable for the minorities (Митевски, 2008, pp.62-63). With the assumption that the OFA will be implemented properly, the changed Constitution was about to change the intolerance and injustice towards the Albanians.

Nevertheless, the ex-President Gligorov (2002, p.603) expressed his fear that the OFA's legitimization of the 'state of collectivities' will eventually lead to separatism rather than multicultural peacefully functional society. The fact that the response to the Election in 2002 was 73% was a promising indicator that the citizens have faith in the democracy. Javier Solana also pointed out that the criterion that Macedonia put with these elections is hard to be outdone by the Balkan countries (in Serbia 55% and in Bosnia more than 50%). The "voice" against the violence and extremism is what made the elections in 2002 successful. Parties having seats in the Parliament had moderate programs that gave bigger impact to the country's stability. Those parties against the OFA did not win parliament seats, which for the moment has excluded extremism in the further democratization and political dialog. The support for the OFA among the citizens (especially ethnic Macedonians) was a worrying issue, and the reasons for this lack of support can be found in the insufficient effort to present and popularize the OFA content in front of the citizens.¹⁶

Meeting the EU Criteria through minority protection

The Copenhagen European Council in June 1993 established the principle "the association countries in CEE which so desire, shall become members of the European Union", and that accession would take place "as soon as an association country was able to assume the

¹⁶ The OFA text was published only once in a daily newspaper that did not offered the citizens a good insight into the text. And the media did not helped in presenting the good sides of it, so the citizens felt violated and damaged. (Јлепоа, 2002, p.13)

obligations of membership by satisfying the economic and political conditions required". These terms, defined more explicitly than those of the Maastricht Treaty and more tailored to the specific difficulties of CEE, were standing on the point that the membership requires achievement of "stability guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities (Henderson, 1999, p.221-240; Grabbe, 2007, pp.101-126). Accordingly, every EU Progress Report for the candidate country always contains chapter on human rights protection, with special units emphasizing the minority rights protection in it. Slovakia and Macedonia are both vulnerable in this respect.

EU Progress Reports for Slovakia

The European Commission's Opinion on Slovakia's Application for Membership on 16 July 1997 stated that Slovakia (unlike the other CE countries) does not satisfy the political criteria from Copenhagen, which completely excludes beginning negotiation. (Henderson, 1999, 2004) Despite the failure in the stability of institutions, lack of rootedness in political life and the shortcomings in the functioning democracy, Slovakia's particular problems were identified in the tension between government and the president, the attacks by the government of the fundamental role of the Constitutional Court and the central referendum committee. Here it was stressed that minority rights in Slovakia were in principle recognized, but that the Hungarian minority faced a number of problems in exercising its rights (Henderson, 1999, pp. 221-240).

After the September 1998 Elections and the change of government the 1998 Regular Report from the Commission on Slovakia's progress towards accession still alerted the situation with the protection of minorities' rights and voiced the need for legal regulation of the issue. The situation with the large Roma minority ranging from 4.8% to 10% of the population, according to estimates even after the 2001 Elections, was and still remains on the spot of the EU attention due to the fact that it continued to suffer disproportionately high levels of poverty and unemployment, discrimination, violence at the hands of thugs ('skinheads') and lack of protection from the police. However, in order to use properly the limited textual space for elaboration of the main topic and having in mind the fact that the problem with the Roma minority is of a difficult nature all over Europe, here I will mainly stick to the Hungarian minority case.

Slovakia had set in place a number of norms to ensure observance of human rights and the rights of minorities. Various international conventions were applicable.¹⁷ Under the Slovak

¹⁷ Above all Slovakia had adopted the European Convention on Human Rights and its main additional protocols-1, 4, 6, and 7; CAT- the Convention against Torture and the Framework Convention on Minorities in

constitution, international conventions on human rights take precedence over national law if they are more favorable. Following the signature, in March 1995, of the Treaty of Friendship and Cooperation with Hungary, the Slovak Parliament accompanied ratification in March 1996 by two declarations denying recognition of collective rights for minorities and removing the possibility of establishing ethnically based autonomous administrative structures.

There were no specific provisions guaranteeing the representation of minorities in Parliament but since the September 1994 elections the Hungarian minority has had seventeen Members of Parliament belonging to three parties in a coalition. Slovakia has also complied with the recommendations of the Council of Europe on names (Hungarians are no longer obliged to translate their surnames into Slovak) and the use of the minority language alongside Slovak on road signs where minorities account for more than 20% of the population. What also was noted by the EU Reports was that while the minorities live harmoniously alongside the rest of the population of Slovakia, there are nevertheless some tensions between the government and the Hungarian minority. The first problem arises from the above mentioned Law on the National Language of November 1995. The Slovak authorities had given commitments to the EU and the OSCE's High Commissioner for National Minorities that it would adopt a new law on the use of minority languages. It was also noted that Article 34(2) of the Slovak Constitution expressly stated that minorities may use their own language for official communications and that the arrangements for exercising that right should be laid down by law. The legal vacuum on the use of minority languages, combined with the implementation of the State Language Law, had given rise to some problems. Accordingly, in June 1997, the traditional bilingual graduation certificates were replaced by Slovak only certificates. In connection with the issue several teachers were harassed and two headmasters of grammar schools with Hungarian language instruction were dismissed on 15 March 1998. The Ministry of Education stated on 20 January 1998 that bilingual certificates will be issued when requested from parents of national minority children but such certificates will not have official validity and will have to be paid for. However, it should be positively noted that on 2 July 1998 the Parliament rejected the controversial Educational Act Amendment, which could have discriminated against ethnic minorities by prohibiting the teaching of subjects such as geography and history in languages other than Slovak.

With the end of the "Mečiarism" the minority rights protection finally saw the light of day. Therefore, the 1999 Regular Progress Report on Slovakia openly stated that the Slovak authorities made significant progress in this area. Some of the positive vibes were seen, first of all, in the appointment of a Deputy Prime Minister for Human Rights, National Minorities and Regional Development who belongs to the Hungarian Coalition Party, the Committee for

September 1995, It has also ratified the main UN Conventions on human rights and on 22 June 1998 ratified the European Social Charter.

Human Rights and National Minorities established by the Parliament, the Government Council for National and Ethnic Minorities, which had representatives of all the minorities, restructured as an advisory body to Government etc. The practice of issuing bilingual school certificates for students attending Hungarian or Ruthenian language schools, which was discontinued in 1997 after having been applied for 76 years, has been renewed and the relevant laws amended.

The Law on the Use of Minority Languages in Official Communications was adopted in July 1999 and came into force on 1 September. The deputies of the Party of the Hungarian Coalition voted against it, mostly because they felt it was not sufficiently comprehensive. However, by being present in Parliament, they allowed the necessary quorum for the law to be adopted. The law provides that persons belonging to minorities are able to use their language in official communications with public administrative organs and organs of local self-administration in those municipalities where the minority constitutes at least 20% of the population.

The Basic Treaty with Hungary finally started in November 1998 when an inter-ministerial protocol was signed setting up the Joint Committee for Minority Issues. This committee includes representatives of the Hungarian minority in Slovakia, as requested by Hungary. The inclusion of representatives of the Hungarian minority in the Slovak Government was also a positive development concerning inter-ethnic relations in Slovakia. The implementation of the basic treaty with Hungary had continued through the functioning of various working groups in 2000. The 2000 Progress Report on Slovakia admits the considerable progress in setting up the appropriate legislation and supporting institutions in developing approaches to tackle the problems of minorities, but in regards the actual implementation stresses that only limited progress has been observed, which was valid also for 2001.

An expert group at the Office of Government is working on the drafting of further legislative developments on the use of minority languages, notably in the areas of education, culture and the media. An action plan aiming to raise the public awareness about all forms of intolerance and promotion and co-ordination education initiatives vis-à-vis students, targeted professional groups (the police, judges, prosecutors, the army, health and social workers), as well as the population in general had been adopted in May 2000. The plan initially was made to prevent all forms of discrimination, racism, xenophobia, anti-Semitism and other forms of intolerance had also been adopted, covering the period 2000-2001. Despite the fact that it did not contain budget allocations, it appeared to be comprehensive and well-conceived. The 2001 and 2002 Progress Report stressed the importance of the implementation of the basic treaty with Hungary, which had continued in 2001 and 2002, where the government largely agreed to the crucial demands of the ruling party politically representing the Hungarian minority in Slovakia. The accord notably concerned the accession to the European Charter of Regional

and Minority Languages ratified in June 2001, and the creation of a faculty for Hungarian teachers at the university in Nitra. Whereas the Government was willing to provide funds for the faculty, the autonomous administrative bodies of Nitra University have been reluctant to follow the agreement reached on the political level, and had not taken a decision on the matter even in 2002. In line with the flexible instruments provided for by the Charter of Regional and Minority Languages, the Hungarian minority benefited from the most generous provisions. The Government had entrusted the Government's Council on National Minorities and Ethnic Groups with acting as the advisory body on the implementation of the Charter.

One year before entering the EU family, the 2002 evaluation on the minority rights protection witnesses the integration of the minorities in the Slovak society as comparatively well, with the exception of the Roma minority. A new census was conducted in May 2001, and the results were published at the end of the year. In November 2001, the Committee of Ministers of the Council of Europe concluded that Slovakia had made valuable efforts to support national minorities and their cultures, and improvements had been achieved in recent years in inter-community relations in particular between the Hungarian minority and other parts of the population of Slovakia. The Committee added that legal guarantees pertaining to some articles of the Framework Convention needed to be strengthened, and, in a number of areas where satisfactory legal guarantees exist, further efforts were required to ensure their full implementation. Therefore, just shortly before accessing EU in 2004, the 2003 Progress Report evaluates the anti-discrimination legislation to be fully aligned with the *acquis communautaire* and the equality body required by the *acquis* needs to be established. Despite continuous efforts across all sectors, the situation of the Roma minority remains very difficult.

EU Progress Reports for Macedonia

Macedonia is apparently more vulnerable in the aspect of minorities protection in the country (at least seeing from outside) and it had to deal with after ethnic conflict period in 2001. Therefore, in the 2002, 2003 and 2004 EU Stabilization and Association Reports first of all emphasized the escalation of the ethnic conflict in 2001, pointing out that both the government forces and the National Liberation Army (NLA) committed serious violations of the international humanitarian law in the course of the conflict. Macedonia's expectations to renew the commitment in the transitional process were foreseen in the Ohrid Frame Agreement (OFA). Despite the delays in achieving agreement on constitutional reform, the amended Constitution of the Republic of Macedonia in November 2001 was seen as the most important step forward made by the country in 2001 in response to long standing grievances of the ethnic Albanian minority. After the 2002 Parliamentary Elections, the 2003 EU

Stabilization and Association Report noted that those parties openly campaigning against the OFA received only marginal support, and a new coalition government was formed between “Together for Macedonia” (including members from various communities) and the Democratic Union of Integration (DUI). As foreseen by the OFA parliamentary rules have been changed. Accordingly, the Albanian language is now used in Parliamentary business for the first time. In adopting the legislation required to fully implement the OFA and the Constitutional Amendments it was noted that it is essential that a political consensus exists for what should be a common objective between the main political parties. This is all the more important as some of the laws or decisions to be taken require a qualified (two thirds) majority e.g. the laws on culture, use of languages, education, personal documents, use of symbols. The Parliament was also facing a heavy work-load following the Government programme on approximation of legislation with the EU. In this context, the boycott by the oppositional VMRO-DPMNE of parliamentary proceedings for the first 100 days of the new Parliament delayed the return to normal politics.

In July 2000, the Assembly adopted the Law on Higher Education which allowed private higher education in Albanian language. The International Community, under OSCE's coordination, financially assisted with the implementation of this Law supporting the creation of the South-East Europe University (SEEU) in Tetovo (for diplomas in Law, Public Administration, Business Administration, Communication Sciences and Technologies- CST, Teacher Training), which opened in November 2001.

Even though in 2003 the interethnic relations have undeniably improved since the crisis, few ethnically motivated incidents have taken place during the last several months of 2003, clearly showing that the situation is still fragile. The public authorities had shown a responsible attitude, but the potential for such incidents to escalate was still viable. Polarization of young people along ethnic lines was pointed as a serious concern and needed to be addressed on both sides of the ethnic divide. As part of the institutional changes foreseen by the OFA, a Parliamentary Committee on Relations between the Communities had been established and it was expected to play an important role in preventing or resolving inter-communities' issues. However, further measures to build confidence and promote dialogue between communities was vital to support the on-going political process and reinforce the de facto cooperation which often, at local level, allows daily public affairs to be conducted. Efforts made to fully apply European standards, such as the implementation of the Framework Convention for Protection of National Minorities of the Council of Europe, was recommended as helpful in building further confidence and sense of loyalty to the State. The problem with the 2.3% Roma community is similar with the other countries in Europe, as well as in Slovakia. In particular, a real strategy for the better integration of Roma was considered still lacking.

After the December 2003 final results of the Census on the ethnic composition of the resident population were published it were enabled further steps in the implementation of the OFA, particularly in helping to finalize the preparation of the remaining decentralization laws and in providing a basis for further efforts on equitable representation in public administration. After receiving the candidate status in 2005, the Commission's Opinion on the application from Macedonia for membership of the EU states that Macedonia has a number of legislative provisions to guarantee the respect of human rights and the rights of minorities. These rights are also underpinned by certain international conventions.¹⁸ In accordance with Article 118 of the Constitution, ratified international treaties are part of the internal legal order of the Republic of Macedonia and take precedence over ordinary national legislation.

The Broadcasting Law imposes an obligation on public national broadcasters to broadcast programmes in the languages of all communities and Macedonian Radio and Television has allocated its third channel to such programmes. A package of legislation has been adopted so that ID cards and passports can be issued in both Macedonian and Albanian. This has been implemented since May 2003 for ID cards and since December 2004 for passports. Furthermore, the coalition partners have agreed that, although not formally required by the OFA, a law on the use of languages should be adopted to complement the substantial number of existing laws specifying the use of the Albanian language. 2006 Progress Report general evaluation regarding the inter-ethnic relations was that they have continued to improve. The commitment of the government to make progress in the implementation of the OFA remained essential for the country's stability. Inter-ethnic issues were not conflicting issues during the electoral campaign. Some progress has been achieved in participation of non-majority communities in the public administration and public enterprises, but still they remain significantly under-represented in the public administration. Furthermore, progress has been uneven across the various communities. Ethnic Albanians have made significant gains, although they are still under-represented in public life. Other groups have seen little or no gains. In the judiciary, the principle of equitable representation in the selection of judges and prosecutors as well as in the composition of the Judicial Council has been enshrined in the new laws. Regarding the education, progress has continued. The total level of enrolment of students from non-majority groups in the three State Universities is progressively increasing, and reached 24% in 2005/2006 compared to 20,6% in 2004/2005. Additional quotas have been decided in accordance with the 2005-2015 education action plan. In the South East Europe University, 72% of the 4800 students are from minorities. However, dialogue and

¹⁸ Foremost of which is the European Convention for the Protection of Human Rights and Fundamental Freedoms and its main additional protocols, it has been a member of the Council of Europe since November 1995 and ratified the European Convention for the Protection of Human Rights and Fundamental Freedoms and its additional protocols in April 1997. Macedonia has also ratified the European Convention on the Prevention of Torture, the European Charter for Regional and Minority Languages and the 1996 European Social Charter, and it has ratified the key existing UN conventions in the field of human rights and their Protocols.

trust-building between communities should be further developed to achieve sustainable progress. Localized incidents have attracted the attention of the media.

As regards ratification of human rights instruments, the inter-ministerial committee set up in 2006 to monitor the obligations stemming from the ratification of Protocol 1 to the European Social Charter has continued its work, and it met for the first time in 2007 to follow up the recommendations by the UN and the Council of Europe on elimination of all forms of discrimination.

Some steps have been taken to ensure equitable representation across the public sector in 2007 (Progress Report EU, 2007). A comprehensive strategy on equitable representation, along with an action plan, was adopted by the government. Increased resources have been allocated for implementing the strategy. Some of the committees for interethnic relations set up at local level to promote the concerns of the various communities are contributing effectively to participation by all communities in public life. In 2008, the European Charter for Regional or Minority Languages and the Council of Europe's Convention on Action against Trafficking in Human Beings have still not been ratified.

The enactment of a law on the parliament's committee on inter-community relations was of great importance. It clarifies the scope of application of the double majority mechanism concerning laws impacting on community relations by listing all planned laws whose enactment should proceed according to the Badinter's principle. A law on the advancement and protection of the rights of the smaller communities was adopted which, in particular, provides for a specialized agency to be set up. The number of ethnic Albanian civil servants increased by 3.75% between January 2007 and January 2008. Six of the 15 members of the Judicial Council and one of the six elected members of the Council of Public Prosecutors belong to non-majority communities. Finally the 2009 Progress Report had noticed some progress on implementing the Law on Use of Languages spoken by at least 20% of the citizens. As provided for by the law, some chairpersons of parliamentary committees began using Albanian. Little progress can be reported regarding use of the languages of the smaller ethnic communities. There is a lack of facilities for teaching in their mother tongue.

The inter-ethnic tensions were generally low. They intensified at times, in particular in schools. The OFA remains a crucial guarantee of the rights of the non-majority communities in the country. The capacity of the Secretariat for the Implementation of the OFA needs to be strengthened so that it may coordinate effectively the implementation of policies such as equitable representation and the provisions on the law on languages.

What should be seriously taken into account according the 2009 Report is the OSCE High Commissioner for National Minorities' recommendations for support of the integration of ethnic communities through education. 2009 - 2010 Enlargement Strategy and Main

Challenges Document of EU evaluate the legal and institutional framework for human rights and the protection of minorities is broadly in place. Nevertheless, further efforts are needed to improve implementation in a number of fields. Stressing the concern about the intolerance between the pupils in Struga EU recommended more efforts to promote integration of the ethnic communities of the country, particularly in education. The final remarks of this Report are related to the insufficiently addressed concerns of the smaller ethnic minorities. The four action plans in the framework of the 2005-2015 Decade of Roma Inclusion continued to be implemented slowly, although state funds were allocated to implement the action plans.

Concluding remarks:

History always plays an important role in today's politics; comparing Slovakia and Macedonia I could notice that by being under constant repression by the Hungarian Empire and suffering the Magyarisation politics makes Slovakia in a way different from Macedonia (which had never suffered assimilation policies directly from the Albanians). Even more, these two ethnicities (Macedonians and Albanians) living together under the Ottoman Empire's suppression were not exposed to a mutual assimilation, despite many liberation insurgencies or guerrilla battles that were raised mostly against the Ottomans. Due to the many border changes and exchanges of people in the territory of Slovakia Hungarians are in a declining trend, and Albanians in Macedonia are constantly growing in number and even claim to be much more than it is presented on the last census. This shows that ethnic cleansing and expulsions in Yugoslavia resulted with increasing Albanian population in Macedonia.

Unlike Hungarians who have similar cultural, educational, religious and social characteristics with Slovaks, Albanians in Macedonia differ much more from the majority ethnic Macedonians. Thanks to the different religion which influences the cultural and traditional habits the social and economic life was affected. For instance, Albanians' and Macedonians have different religious customs and holidays which could negatively influence the economy of the country if there is no existing feasible solution for consolidation of the interest while all the interests are respected.

Czechoslovakia was the only communist federation where the citizens of the constituent republics moved in tandem to remove the regime, therefore the revolution against the 41 years communists' dictatorship in Czechoslovakia was called "velvet" (gentle). In the Soviet Union and the Yugoslav federations were pulled apart because new elites with widely differing aspirations in the various republics used different causes to mobilize their populations against communism (Henderson, 2002, p. 32).

Despite their constant fear regarding their own identity, Slovakia and Macedonia willing to become EU member states became very determined to solve the minority issues. They ratified several European Conventions and Protocols and follow the path of fulfilling the EU criteria on the minority rights protection-before getting into EU family.¹⁹ Despite the present nationalistic rhetoric, the ideas of Great Hungary and Great Albania, which were considered to be threatening to the unitary character of the countries and their sovereignty, dare to be perceived as romantic ideas derived from the territorial and political changes during the past, and it is not very feasible that they will become reality in the 21 century. There is no longer Hungarian irredentism or territorial claims in the public politics; the Treaty with Hungary goes in that line. Even though after 1989, Hungary officially declared that the government felt responsible for the well-being of Hungarians abroad, and the commitment has being introduced in the Constitution of the Republic of Hungary, the Hungarian contribution to the European stability goes first. This actually means that weapons are not considered as viable means for achievement of their rights (Pataki, 2002, p.249; Хислоп, 2002, p.35). Even though for the last four years the relationship between Hungary and Slovakia was vulnerable, the latest 2010 elections gave new promising provisions for improvement of that situation by including once again the new established Hungarian political party Hid-Most in the government.

Despite the fact that the Albanian country, and the Prime Minister Sali Berisha, had the biggest role in spreading the Albanian nationalism and Albanian aspirations on the Balkans after the dissolution of Yugoslavia,²⁰ an improvement in the bilateral relations after Republic of Albania's supported peaceful multicultural life and protection of the Albanian minority in Macedonia, can be seen. The Albanian Diasporas had several choices of action such as drugs, cigarettes and weapons smuggling, prostitution etc. thanks to the corrupted state, weak economy and mafia's cross-border activities. According to Hislop (2002, p. 35) the Hungarian, Serbian and the Albanian examples clearly indicate that the most important determinant for war or peace is the possession of weapons. The cultural animosities, economic problems and the nationalists' elites shape the ethnic relations, but there will be no war unless you can reach the means for violence. The OFA guarantees the unitary form of the country by guaranteeing the rights to the minorities and by giving a special treatment to the Albanian minority in Macedonia. To achieve bigger trust and better dialog between the Macedonians and Albanians, Macedonian government recognized Kosovo's Independence on 9 October 2008. On the contrary the Former Slovak Minister of Foreign Affairs, Ján Kubiš,

¹⁹ Hughes and Sasse (2003) challenge the EU conditionality with respect the minorities' protection due to the fact that it is not clearly temporally correlated with the emergence of new political strategies and laws on minority protection in the CEE Countries.

²⁰ In 1998 a "Platform for a solution of the national question of the Albanians" by Albanian National Army (ANA) was announced, which was a typical stereotype of the great-states ideologies on the Balkans. More on this in Катарциев, 2003, p.489-495

on a students' question on the Slovak attitudes towards the Kosovo Independence on 17 February 2008, clearly stated that from "selfish" reasons Slovakia will not support its independence, which testifies the present fear of eventual separatism within the Slovak borders.²¹

However, the Kosovo Independence encouraged other minorities in Europe to rethink their statuses in their homelands (especially those minorities who have bigger concentration in the countries are somehow encourage to "dream" of a separation). The fear of eventual irredentist actions in these countries is not just internal, but also a regional fear, due to the feasible domino effect in the region afterwards.

Despite that fact that the dissolution of Czechoslovakia was a good example of peaceful dissolution, separatism and war is still present in the post-communist societies' political rhetoric. Different degree on decentralization, going as far as federalism, was seen as a good way of letting communities decide on many aspects of their lives without threatening the integrity of the state.²²

Minority ethnic parties in Slovakia and Macedonia: evolution and transformations

The tendency to organize parties along ethnic lines is very strong in most deeply divided societies, particularly those in which few major ethnic groups meet on national level of politics. It is a tendency that is cumulative: once one party organizes along ethnic lines, others are inclined to follow. Horowitz (1985) thinks that they tend to throw away party systems that exacerbate ethnic conflict. So the main element that ethnic conflict introduces into party policies is the ethnically based parties who act like interest groups, because they serve to the interests of their ethnicity. He also points out that it is very difficult for once established ethnic party to become multiethnic. Thus, the party systems in deeply divided societies could be: party systems in which all parties are ethnically based, or going into the opposite extreme, a totally non-ethnic party system, (which is possible but unusual), and the third possible party system will be the one that involves a combination of ethnic and non-ethnic parties (multiethnic and non-ethnic parties).

²¹ On November 27, 2008, a lecture entitled "The Slovak Contribution to the European Foreign Policy Construction" took place within the framework of MIREES at the Faculty of Political Science "Roberto Ruffilli" in Forlì. The speech was delivered by Ján Kubiš, Minister of Foreign Affairs of the Slovak Republic, Former OSCE Secretary General, Former EU special representative for Central Asia, Former UN special envoy to Tajikistan.

²² Other model includes package of institutional settings, like the consociation model of democracy. Any institutional solution might fail to reach its aim where there is no moderate core, or where the wish to segregate is stronger than the wish to live together. (Robotin, 2003, p.167)

Brancati (2009, p. 30) argues that regional/ethnic minority parties, intensify ethnic conflict and secessionism by creating regional cleavages, advocate legislation harmful to other regions in a country and regional minorities, and mobilize groups in support of ethnic conflict and secessionism besides backing terrorist groups engaged in these activities. From the other side, the Venice Commission (2000, as cited in Bieber, 2009, p.64) notes that the bans are ineffective, unusual and incompatible with human rights standards.

Bocshler (2006) believes that the ethnic minorities deserve “adequate representation” stressing that ethnic minorities should have the possibility – if competing with their own electoral parties – to win a share of seats that at least corresponds to their vote share. He gives two main points on the importance the ethnic parties to be represented in parliament. Firstly, if ethnic conflicts become too deep, representation through mixed-ethnic parties may not be satisfactory or even dangerous for the interests of the minority groups, and therefore it is of crucial importance that ethnic minorities are represented by their own organizations. Further, if ethnic minorities may compete and succeed with their own political parties in elections, this strengthens their political power. He also claims that, integrative political institutions may be aspired to, as they are thought to have positive effects for the development of inter-ethnic relationships and ethnic reconciliation. Here the mixed-ethnic political parties can be seen as a form of such integrative inter-ethnic political institutions. This mixed party system reflects the existence of strong cross-cutting cleavages arising out of long standing historical conflicts not strongly reflected in the party systems of developing countries.

Minority parties, thus, emerged before countries instituted any type of reserved seats or other positive measures to promote the representation of minorities. And in fact parties seeking to represent minorities were the consequence of the nationalist climate which emphasized ethnic differences over political cleavages. The emergence of ethnically defined parties also harks back to the inter-war period, when most political parties appealed to one particular nation or ethnic group (Bieber, 2009, pp. 60-67).

Therefore, after the “spontaneous” creation of the ethnic parties in the post-communist societies, the real issue turned to be finding the right forms and instruments for the inclusion of those parties in the processes of democratization and their participation in the political life.

Once the ethnic parties are claimed to be legitimate, the issue of political monopolies of certain parties that solely address voters of an ethnic minority, arouse. Those parties might create a lack of electoral accountability, and due to the shape of electoral system, some creation of more parties of the same ethnic provenance can be obstructed.²³ Nevertheless, the

²³ For instance, the Hungarian minority organisation in Romania (UDMR) is the only representative of the Hungarians, but after holding a position in the government for a noninterrupted period since 1996, the

theory of representation suggests that a variety of views can better reflect the internal diversity of a minority group than a unique voice (Bochsler, 2010, p. 3).

Speaking of the Slovak and the Macedonian divided societies the party division based on ethnic lines is evident, moreover the multiethnic environment played a big role in shaping the party system. The transformation of the minority ethnic parties was always influenced by internal and external factors. This chapter will introduce the internal factors influencing the transformation of political parties of the ethnic minorities in Slovakia and Macedonia. Therefore some relevant points will be taking on the leadership and the changes of the head figures, ethnic parties' ideologies, statutes and programmes, symbols and their inter-ethnic rivalry influencing eventual splits.

The Hungarian minority parties in Slovakia

The multi-party competition in Slovakia reflects numerous dividing lines between the political parties as well as within the electorate. Rybář (2006, pp. 147-173) locates four main issues that served as dividing lines during the formative period between 1990 and 1992; first of all was the conflict over the character of the new political regime of Slovakia where the principal opponents were the communist parties and the anti-communist forum Public Against Violence (PAV); other lines of division resembled the Rokkanian cleavages. Namely, church-state cleavage's major representatives were the Christian democrats (KDH) and the communist parties, as well as KDH vs. PAV, and the center-periphery cleavage could be seen in the antagonism among the ethno-regional parties (firstly between SNS representing Slovak periphery and the Czech center and secondly between the ethnic Slovaks (center) and the Hungarian minority (Periphery)).

The forth dividing line was the speed of the economic reforms and the opponents were those parties supporting radical transformation of the existing central planned economy into a market one and those that attacked the radical reforms analyzing the governmental (VAP and KDH) strategy as harmful for the Slovak economy (Rybář, 2006, pp. 156-157). Therefore the "right wing" in Slovakia was consisted from those parties that were striving to rapidly see Slovakia as a 'standard' European country, and those conservative, often older people, who felt threatened by change and by being more closed minded were more vulnerable to nationalist propaganda, were on the other hand, sometimes designated as 'left-wing'.

The division on ethnic lines is not unusual in the post-communist societies but what actually divided the Slovak party spectrum on two was the ethnic Slovak parties support antipathy

organisation is being looked at increasingly critically. However, the creation of an alternative is difficult, because the electoral system does not leave space for two Hungarian parties. Bochslers, 2010, p.3

towards the Hungarian minority.²⁴ After the Collapse of Communism, the Hungarians set up for political parties which merged in 1998 to become the Hungarian Coalition Party (SMK-MKP)²⁵ and ended up with the 2009 new established Most-Hid (Bridge) which is supposed to actually bridge the ethnic differences and promote inter-ethnic tolerance and dialog.

Hungarian voters have identified most strongly not along left/right or liberal/conservative lines, but based on their identity as Hungarians (Giussani, 2006, pp.630). Nevertheless, before SMK was born three entities comprised the major Hungarian parties emerging in Slovakia after the Velvet Revolution; Coexistence, the Hungarian Civic Party, and the Hungarian Christian Democratic Movement; as well as two smaller entities, the Hungarian Peoples Party and the Social and Democratic Union of Hungarians in Slovakia; The latter was the successor to the sole Hungarian organization approved by the Communist regime, the Cultural Association of Hungarian Working People in Czechoslovakia (CSEMADOK).

Initially, each of the Hungarian parties differed from the others in three important ways: firstly, in the constituencies they purported to represent; secondly, in their respective attitudes concerning the relationship between the political and the economic reform and the minority rights; finally, in their positions regarding the effects of the Slovakian independence on the Hungarian population (Ishiyama and Breuning, 1998, p.56).

Coexistence (Együttélés) was the third but the largest²⁶ party emerging after the “velvet revolution”; it had been formerly known as “The Forum of Hungarians in Czechoslovakia” and was founded as a liberal-populist party in February 1990 by the prominent dissident and the Hungarian national rights activist Miklós Duray. In 1978, Duray had founded the Independent Committee for the Protection of Hungarian Minority Rights in Czechoslovakia; the Committee had been organized initially to resist the Czechoslovak communist government’s decision to close down the Hungarian schools and to introduce an almost exclusively Slovak curriculum in the 1970’s. Duray had been arrested twice, first in 1978 and again in 1983 for “agitating national minorities” (Friedman, 2007, p. 24; Ishiyama and Breuning, 1998, pp. 55-56; Bugajski, 2002, p. 320; Öllös, 2008, pp. 63-64).

Its original purpose was to present the interests of all minorities in Czechoslovakia, including Poles, Germans, Ukrainians, and Ruthenians and it declared itself free from any particular ideology; however, this changed rapidly after the Slovak independence (Németová and Öllös, 2003, p. 119). Coexistence had a more working-class constituency. The party contended that the protection of minority rights took precedence over the broader process of democratization

²⁴ HZDS and SNS are marked by strong anti-Hungarian feelings.

²⁵ Magyar Coalition Party MKP/Stranka Mad’arske Koalicie-SMK

²⁶ Within few months it claimed membership of 400 000 people. See more in: Bugajski, 2002, p.320.

and reform, thanks to which objective it was under a target of the Slovak nationalists who were considering it as a radical Hungarian separatist party, and came under media and political attacks (Bugajski, 2002, p. 320). Coexistence strongly supported the Czechoslovak federation opposing the separation, and as the independence become reality they fought for special administrative independence for the Hungarian populated regions in Slovakia (Ishiyama and Breuning, 1998, pp. 55-56).

Coexistence objected the package of language laws introduced by Bratislava in October 199, which ensured that the Slovak was the sole official language spoken even in minority areas, it the use of Hungarian limited to districts containing 20% or more Magyar inhabitants (Bugajski, 2002, p. 320; Öllös, 2008, pp. 69-71).

The second major force, the **Hungarian Christian Democratic Movement (HCDM)**, which was founded in March 1990, grew out of Hungarian Christian Democratic clubs in Slovakia but it was not welcomed by the Slovak Christian Democrats. It was a conservative party flavored with Christian and national spirit. (Bugajski, 2002, p.323; Némethová and Öllös, 2003, p.119; Öllös, 2008, p.63) The HCDM formed an electoral coalition with Coexistence for the first competitive parliamentary election in June 1990, nevertheless, shortly after there was an internal conflict over whether the party should strengthen its ties with Coexistence. The party chairman Bela Bugár was pressured by its pro-Coexistence party forces to pursue closer ties with Coexistence and ultimately, in 1992, the political program of the HCDM was adjusted to include demands that also appeared in the Coexistence program. With this HCDM stood for cultural autonomy, opposition to the dissolution of the Czechoslovak federation, and the impotence of Hungary in protecting the Hungarian minority in Slovakia. HCDM was rooted in the Hungarian Catholic community, having grown out of the Hungarian Christian Democratic Clubs that had emerged just prior to the collapse of the Communist rule. After Slovak independence, differences emerged between the two coalition partners, especially over the issue of Hungarian political autonomy (Ishiyama and Breuning, 1998, p. 57; Friedman, 2007, p. 25; Öllös, 2008, pp. 71-73).

Emerging from the Hungarian Independent Initiative, which had been established in November 1989, the **Hungarian Civic Party (HCP)** was established by long time decedents Laszlo Nagy, Lajos Gerndel, Kálmán Balla and Károly Tóth in January 1992 (Bugajski, 2002, pp. 324-325). It tended to be consistent of intellectuals and it was based on liberal and civic democratic principle (Némethová and Öllös, 2003, p. 119). Originally, the party had existed under the People Against Violence (PAV) umbrella; but in the 1990 elections, the party ran as part of the PAV list and won a total of six seats in the Slovak National Council. Like Coexistence, HCP traces its origins to Duray's Independent Committee for the Protection of Hungarian Minority Rights in Czechoslovakia. Unlike Coexistence and the HCDM, the leadership of HCP argued that democratization must precede drive to fully gain

Hungarian group rights and generally opposed the demand for territorial-political autonomy for the Hungarian community in Slovakia. Even though the relations between Coexistence and the HCP prior to Slovak independence were strained at best, HCP saw the radical Coexistence's demands as dangerous invitation for an antidemocratic reaction in the Slovak community. Despite the fact that HCP was the most moderate of the Hungarian parties in Slovakia, Slovak parties have been reluctant to cooperate with it fearing that such behavior may cost them politically²⁷ (Friedman, 2007, p. 24, Bugajski, 2002, pp. 324-325; Öllös, 2008, pp. 62-63).

Two other noteworthy Hungarian organizations emerged during 1990-1992; the first was the **Hungarian Peoples Party (HPP)**, founded in December 1991 by historian and former member of Coexistence Gyula Popely. The HPP was the only party to argue that Slovak independence would have a positive effect to the Hungarian minority; an independent Slovakia, it claimed, was the lesser of two evils when compared to the antidemocratic Czechoslovakia. The HPP however, remained small and ineffective. In the 1992 elections the party could not muster the 10,000 signatures required under the electoral law to place its label on the ballot, although it was able to include its candidates on the coexistence and HCDM list (Bugajski, 2002, pp. 325-326; Öllös, 2008, p. 64).

The second organization was **Social and Democratic Union of Hungarians in Slovakia (SZDMS)**²⁸, the descendant of the "official" Hungarian organization during the Communist period CSEMADOK. CSEMADOK functioned in cooperation of the regime and in four decades of existence it attracted the largest membership of all Hungarian groups in Slovakia. When the organization attempted to move into the political arena after the Prague Spring in 1968 it was excluded from Czechoslovakia's "normalized" National Front in 1971.²⁹ After December 1989 it attempted to transform itself into umbrella political organization representing the interests of the Hungarians in Czechoslovakia new political system. In March 1990 extraordinary session was called and the designated form "cultural" was omitted by the "democratic" appellation (Bugajski, 2002, p. 322). Although its leader, Gyozo Bauer, publicly stated that the movement does "not want to interfere in politics", its defense of Hungarian language and education rights has aligned the movement with Coexistence (Ishiyama and Breuning, 1998, p. 58). The platform was very close to that of Coexistence and it also saw the federal Czechoslovak as the best solution for guaranteeing minority rights, and it also criticized the Slovak state media for their belligerent anti-Hungarian tone (Bugajski, 2002, p. 323).

²⁷ In 1992, for instance, the PAV refused to extend coalition partnership to the HCP because the PAV leadership reckoned that allowing its predecessor (The Hungarian Independent Initiative) a place of the movement's list had cost the PAV 20 000 votes.

²⁸ Sociálny a Demokratický Zväz Maďarov na Slovensku (SZDMS)

²⁹ More on CSMADOK at: Sandor, E., 2008.

In sum, the various political stands of the Hungarian parties were clearly articulated and it even caused some internal disputes and fragmentations throughout 1990-1992. The Slovak independence changed the situation and the new reality was accepted even though with different degrees of trepidations. If HCDM (Bugár) remarked that the independence brought along justified anxiety, HCP saw a potential for increased tensions; Coexistence saw a huge opportunity for reordering the existing political framework of compromise (Ishiyama and Breuning, 1998 p.58). Whereas Coexistence emphasized the creation of a green social market economy, HCDM advocated privatization and welfare politics based on Christian and conservative values, and HCP preferred speedy privatization and foreign investments (Friedman, 2007, p. 25).

There was no single leader dominating these parties, rather they all had their own popular leaders. Since there is no prohibition clause in the constitution for ethnic parties and due to the fact that PR gives incentive for those parties to remain organizationally independent, there were differences among the parties of the Hungarian minority in Slovakia. Nevertheless, the marginal role the Hungarian parties have had in the parliament “forced” them to express more radical demands during their actions (Ishiyama and Breuning, 1998, pp. 73-75).

On 7 December 1993 HCDM-Coexistence coalition and other local Hungarian groups held a “historic meeting” in the border town of Komarno for the purpose of establishing a “self-administrative” Hungarian province with a special legal status within Slovakia; about 3000 protesters supported the initiative. An alternative Assembly of 100 members was formed.

The meeting was a call for a united opposition to the current Mečiar government which was leading the minorities to ruin. In particular, the assembly condemned the government proposal made in early January to reorganize the country’s principle political arrangement into eight new regions, drawing the borders so that Hungarians would be a less than 20 percent minority in each region, does de facto nullifying the 1990 language law. A storm of criticism, even from Slovak parties that had collaborated with the Hungarian parties in parliament was directed against this meeting and it was unanimously rejected by practically all Slovak political parties. (Bugajski, 2002, p.319) HCP declared that the Komarno meeting did not reflect the opinion of most Hungarians in Slovakia and the HCDM leader Bugár disassociate his party from the call for territorial autonomy claiming that the statements issued at Komarno reflected the opinion of Coexistence leader Duray only and not of the HCDM Coexistence coalition (Ishiyama and Breuning, 1998, pp. 73-75, Bugajski, 2002, p. 322).

Despite these agreements the Hungarian parties began to move in the direction of unifying their respective organizations into a single Hungarian political movement. In February 1994 HCP issued a call for the formation of a three-party coalition among itself which was not

motivated only by a common antipathy towards the Mečiar government but also by the opportunity to oust that government. In March 1994 the Hungarian parties together supported a vote of no-confidence lodged against the minority government of Slovakia.

Mečiar was ousted as prime minister and the new left-of-center coalition government was established cheered by the DU leader Josef Moravcik. That government was basically a five-party coalition and it was supported by the fourteen deputies of the two Hungarian parties in parliament. Nevertheless, the support of the Moravcik government was ambivalent: from one side HCDM hesitated to pressure Moravcik for greater concessions for the Hungarians, HCP was positively disposed toward the government, and Coexistence, by lobbying for ministerial posts, warned that the vote of no confidence against Mečiar doesn't automatically mean support for Moravcik (Ishiyama and Breuning, 1998, p. 68).

Before the 1994 elections Coexistence proposed unification of the Hungarian parties for the incoming elections. HCP reacted positively in order to avoid losing seats in the Slovak National Council as it already happened in 1992, but Bugár and his HCDM were not delighted by this proposal stressing that the Hungarian parties already had the chance to prove they can cooperate, and in the past four years they did not take advantage of it. He was suspicious that Coexistence's intentions are to dominate with its agenda which would serve only for narrow party interests. Therefore, he considered it is not feasible before the elections, and he favored two different clubs rather than one. Nevertheless, HCDM and Coexistence perceived that after the elections they should merge in order to fend off the Slovak nationalists' attempts to break it up.

On 21 July 1994 the three parties formed the Hungarian Coalition - Movement (HC). HC was united over the fundamental issues concerning nationality rights, but some of the member parties continue to pursue independent political activities. HC maintained a regular dialogue with Michail Kovac, the President of Slovak Republic, who actually occasionally asked for HC opinion about various questions (Németová and Öllös, 2003, p.120). Again HCDM reneged to stick to the pre electoral agreement and after the election form a joint Hungarian deputies' faction in Parliament under the excuse that two factions will serve better to the Hungarian minority rather than one. The HC, under the slogan "Not a single Hungarian vote in vain", still had separate candidate lists for the elections and one of the reasons for that was the high threshold of 7% for coalitions of two or three parties. Coexistence won nine, HCDM – seven, and HCP only one seat (Bugaski, 2002, p. 319).

The differences among the Hungarian parties became even more evident in 1995 due to some of Duray's actions. Namely, after the visit to the U.S. Government Officials, the three leaders Bugár, Nagy and Duray jointly proclaimed that US was ready to act to protect the Hungarian minority in Slovakia. Duray afterwards started giving many paranoid statements

and even claimed that US promised to take Slovakia out of the NATO Partnership for Peace Programme if the country did not continue the democratization processes (which were denied by the US later).

The relations with his partners worsened due to his statements and apologies given from the name of the HC, without even consulting the two other leaders. (Ishiyama and Breuning, 1998, p.68) The relations between the ethnic Hungarian and the Slovak opposition parties during the years 1993-1997, indeed, have generally been ambivalent. On the one hand, they had a common interest in fighting Mečiarism; on the other hand, ethno-national reflexes and fear of populist sentiment kept them apart (van Duin and Polá, 2000).

Finally, after cooperating in various combinations on 22nd of June 1998, by the unification of the three Hungarian political subjects in Slovakia, the **Party of Hungarian Coalition HCP-(SMK-MKP)** was established as the common, legitimate political representative of the Hungarian community in the Slovak Republic. (Freedman, 2007, p. 24, Bugajski, 2002, p. 318; Öllös, 2008, pp. 64-65; Orogváni, 2004, pp. 74-77) In accordance with the party statutes (adopted on 13th of November 1999), the Party of Hungarian Coalition is a people's party. Although it maintained both "Christian-conservative-populist" and "civic-liberal" platforms, the representatives of all three parties indicated the merger of the parties as permanent (Németová and Öllös, 2003, p. 120). Be that as it may, the party presents itself and it is generally perceived as party of political right. The Party of Hungarian Coalition expressed the immense interest of integration into the European People's Party and the European Democrat Union.³⁰

At the September 1998 elections SMK entered the new government headed by Mikulas Dzurinda with 15 seats by maintaining different platforms within the coalition party. Dzurinda explained that the pre electoral agreement would make it impossible to use the 'Hungarian card' in the 1998 election campaign, that is to say as far as the Slovak opposition parties were concerned. The SMK, for its part, renounced any claims to create territorial autonomy on an ethnic-Hungarian basis as it was the case in 1994 elections (Bugajski, 2002, p. 319; Ishiyama and Breuning, 1998, p. 68). These were seen by both sides as important steps in building mutual trust and political space for the possible inclusion of the SMK, which like the SDK was hoping for a democratic reconstruction of the Slovak Republic (van Duin and Polá, 2000). The future post-Mečiar government was dictated above all by pragmatic considerations which will be more thoroughly explained in the third chapter.

³⁰ The party is the Associate member of the European People's Party since 7 June 2000 and the full member of the European Democrat Union since January 2001. Of course, the full membership in the EPP after May 2004 makes up the priority of the international affiliation of our party. The Party holds full membership in the Federal Union of European Nationalities (FUEN) based in Flensburg, Germany, where it represents the whole Hungarian community living in Slovakia.

Following the 2002 parliamentary elections in Slovakia the Party of Hungarian Coalition joined the Slovak Governing Coalition for the second time (after 1998-2002 term), obtained 321, 069 votes (11,16% of all the votes) and the party was the most stable political party in the Governing Coalition.³¹ The Congress was the highest organ of the party. Between the two Congresses the highest organ of the party was the National Council. Each elected functionary and body gets elected in form of democratic, secret elections.

The party leadership of the districts coordinates the work of local institutions within district. Except the minority issues, the recommendations for the solution of other social political issues, comprise significant part of the program of the Party of Hungarian Coalition. They are in connection with the improvement, restructuring of economy of the country, building market economy, support for the Euro-Atlantic integration of the country, and legislative, economic, and political issues connected with the integration. As far as the support for the country's integration, democratization and western orientation is concerned the electorate of the Party of Hungarian Coalition is overwhelmingly in favor of these issues as the most western oriented community in the Slovak Republic.

At the beginning of 2007 in the internal organization of SKM there was a struggle for the highest position in the party President of the Party and the Vice president position. The President Bugár was the only candidate until ten days before the Congress (elections) when Pal Csaky announced his candidature. The new elected President Csaky, who defeated Bugár with 14 more votes on the Congress of SMK in Komarno I March 2007, actually supported Duray for a vice president and left Bugár without his intended position. The party very soon was analyzed to be radicalized, on which Bugár disagreed. Nevertheless, the inter accusations, intolerance and vulnerable positions were provoked by the leaders afterwards. Due to the fact that SMK was not included in the government coalition after 2006 elections, the situation between Slovakia and Hungary even worsened and the situation in the very coalition could only get worse (Mesežnikov, 2008, pp. 98-106; Orogváni, 2004, pp. 74-92).

The 2010 parliamentary elections had two newcomer parties, one of which is **Most/Híd (Bridge)**, a party established by the very SMK defeated ex-long term leader, Béla Bugár, and to a great degree the result of the internal split in SMK. Unlike SMK, which is increasingly perceived and portrayed by Slovak politicians as an extraterritorial branch of FIDESZ, Hid claims that is trying to bridge communities, reaching out beyond purely ethnic Hungarian voters to the Slovak majority as well. The outcome of the 2010 elections was highly

³¹ In 2001, in addition to the MKP two other leftist parties were registered with the ministry of the interior, the Hungarian Socialist Party in Slovakia and the Socialist Party of Hungarians in Slovakia, but their popular support was minimal. In 2002 elections the Hungarian Coalition Party got 11.17% of the voters and 20 mandates (they were 15 in the 1998 general elections) and Pál Csáky became a Deputy Prime Minister responsible for Human and Minority Rights as well as European integration. (Giussani, 2006, pp.630)

uncertain, (OSCE, 2010), nevertheless, Hid has succeeded to win the elections and become part of the new government. The leadership of SMK resigned after the SMK big defeat by the former SMK leader Bugár which also was supported by Nagy.

The Most-Híd is party that would like to live in peace and security based on mutual trust, tolerance and cooperation, openness, honor, responsibility and trust. The Most-Híd is the party of cooperation between Hungarians and Hungarians, Hungarians and Slovaks and between any other national minority believing that Slovakia is a multiethnic, multilingual and multicultural state in which each citizen has to be provided by the conditions for self-realization, creation, decent living and cooperation. They declare that all citizens of Slovakia are state forming entities irrespective of their nationality.

The aim of Most-HÍD is to provide proper conditions for the equal development of entire Slovakia, and to implement programs for the catching-up of the Southern and Eastern regions dropping behind. The party endeavors the economic development and the stability of social relations, and strives in providing equal opportunities for all citizens of Slovakia.³²

The second congress of the party adopted the programme of the party, in March 2010, and among the most important goals of Most-Híd the economic progress and regional development, health and social policies, and education of the Roma population could be seen. Hid is clearly defining its goals in line with: defense and enrichment of democracy; guarantee for the freedom of the individual; representation of the interests and constitutional rights of citizens; European cooperation and good neighborly relations between neighboring states; guarantee for the peaceful coexistence and equality of citizens of Slovakia irrespective of gender, age, race, color of skin, religious affiliation, origin, and national or ethnic origin.

The goal of improvement of Slovak – Hungarian relations, establishment of mutual tolerance and cooperation of national and ethnic communities actually witnesses that even though the party tries to leave the ethnic concept it is inevitable to attract their Hungarian electorate by stressing the importance of the good relations with their kin country (ibidem).

³²‘We believe that as a result of our joint effort we can establish a party the achievement of which would be a state in which **all citizens could feel at home** in security and prosperity. Irrespectively of the fact if she/he is Hungarian, Slovak or of any other nationality, male or female, living in Western, Southern or Eastern regions, in a town or even on a small farm. We know that to achieve it we need **new politics** that can rise above recent political environment in Slovakia. We are ensured that **together we can surmount the crisis of trust in politics.**’

Programme of the Party Most-Hid, 2010

The Albanian Ethnic Political Parties in Macedonia

The ethnic division is one of the deepest cleavages in Macedonian society. The gap among this cleavage broadens even more, especially when other distinctive characteristics are added: religion, languages from entirely different group, different customs and cultures, different standards of living, and urban-rural divides (Jovevska and Gaber, 2004, p. 59).

From the beginning of the transitioning period and the formation of the pluralism, Macedonia missed the moment of formation civil political parties and the parties were grouping from one ethnic side and from the other. Not only Albanian parties, but also other ethnic communities as Serbian, Turkish, Roma, established their own separate political parties.

According to the Article no. 23 of the Law on Political parties will be deleted from the register if they don't respect the clause which forbids the incitement to violence or intolerance. This clause in no ways forbids the formation of parties based on ethnic, religious or other minority interests. Minority political parties are seen as the most adequate way of expressing the specific representation of interest in a wider context. The basic motive for creating such parties is that it would be very hard for a larger party to satisfy such a variety of interests present in society (though minority parties seem to be efficient only at the first level of protecting and defending their most immediate groups' interests (Jovevska and Gaber, 1997; 2003, pp.45-.47; 2004),

According to the analyst Bashkim Besiu (2010) the agenda of the ethnic Albanian parties was completely ethnic (standing for protection of the rights of the Albanians) due to the fact that the Macedonian political parties did not live enough space for the Albanians to be involved into the Macedonian parties and to give them higher positions and to protect their rights. Nevertheless, out of lack of capacity the Albanians have formed only one political party which was actually a civil movement from its beginning. Afterwards more Albanian parties were established.

Accept for Albanian parties, minority parties tend to show a desire for integration and an acceptance of the political system. The Albanian parties often question basic tenets of the political system and could be seen to encourage its disintegration (Jovevska and Gaber, 1997; 2004, p. 60).

The first political party was named **Party of Democratic Prosperity – PDP**³³. PDP was a political party of the ethnic Albanians with moderate politics (criticized by many ethnic Albanians). It was formed on 15 April 1990 in the village of Dzepeiste near Tetovo, and from 1992 to 1998 was part of the left-wing coalition government's lead by SDSM (Šedo, 2010, p.

³³ Partia per Prosperitet Demokratik-PPD /Partija za demokratski prosperitet - PDP

176). It quickly grew into the largest Albanian organization claiming to have 18 local branches and several sections abroad. At the annual congress in August 1993 more radical PDP membership called the resignation of the party leaders due to the lack of positive results deriving from the governing coalition with SDSM. The final split on 4 December actually brought to a new established PDP-Party of Community. After the 1998 elections PDP went to opposition and from then on the support for this party drastically decreased. The former most powerful political party of the ethnic Albanians in Macedonia on the parliamentary elections in 2002 won only 2.3% from the votes and only two mandates (seats) in the Parliament. The unsatisfied supporters left for the People's Democratic Party (Party Democratitis Populare). On the Parliamentary Elections in 2006 PDP in coalition with BDI won three seats, and after the elections it was in opposition until May 2007, when the party leadership decided to accept the offer from the Prime Minister, Nikola Gruevski, and entered in the governmental coalition. Today's President of PDP is Abduladi Vejseli, and he was preceded by Nevzat Halili, Abduraman Aliti and Imer Imeri (Bugajski, 2002, pp. 753-755).

Despite the good cadre potential this party did not succeed to develop itself in a powerful political party. From the other side the good party cadre turned out to be a handicap in the coalition with Branco Crvenkovski's (SDSM) governments. They choose to act in the level of the system's institutions, and demonstrated patience in waiting the "right time" for realization of the requirements. On the 4th of January 2008 the two presidents of DPA and PDP agreed that the eldest party of the Albanians in Macedonia will become a history. Namely, Vejseli and Tachi announced a unification of the two parties in the near future. They did not mentioned whether this will also provoke a new name of the party but the conclusion was that together they can provide more mandates and therefore DPA can use PDP's votes for the cause of the party. Two years later still nothing has changed: the two parties continue to exist separately. The political analyst Nijazi Muhamedi (2003, pp. 14-18) in one column in gives "credits" to Haliti for the "neither dead nor alive" situation that PDP was put into, thanks to his unstable political attitudes.

Ideology: the party called for constitutional changes to provide Albanians with more equitable position in Macedonia, greater educational rights, the comprehensive use of the Albanian language, the release of all political prisoners, and an end to all forms of discrimination. Just like all ethnic Albanian parties PDP also stand for better economic, social ethno cultural and political inclusion of the Albanians (Катарциев, 2003, p. 446).

PDP's programme (with Article No. 23) asked for rights for all the citizens and collectivities to gain education on their mother tongue in all the levels of education (Friedman, 2007, p. 28). The national collectivities should be allowed and provided with complete educational proramme on their own national history, culture, tradition, to have opportunity to celebrate their historical dates and persons. Article No. 27 stipulated equal chances for the national

collectivities to use their language in all the state organs, and Article No. 28 stood for free usage of toponyms and antroponyms in the spirit of their own language. Furthermore, Article No. 30 asked for denationalization and the country anthem to be acceptable by all nationalities (Катарциев, 2003, pp. 446-447).³⁴

PDP supported some measures for territorial autonomy for those regions containing Albanian majorities, which regions, according to Halili, could form an Assembly of Citizens that would be able to pass laws on education, the local economy, police and local courts. Already mentioned referendum on autonomy in 1992 was dismissed by the Macedonian authorities on whom there were no radical reactions coming from PDP. PDP also criticized the self declared “Republic of Iririda” and denied any intention to separate from Macedonia and join with Kosovo or Albania (even though on the February 1992 first congress it passed a resolution recognizing the independence of Kosovo from Serbia and the principle of Albanian autonomy in western Macedonia. As a party in opposition after 1998 it assumed more radical standpoints on Albanian issues than as a party in power³⁵ (Bugajski, 2002, p. 754).

The People’s Democratic Party³⁶ (NDP) was not a major player through 1990s in comparison with the other two Albanian parties (PDP and DPA); nevertheless, it was known for the radical separatist ideals. It was formed in early 1990 by Iljaz Halili of Tetovo, and in the coalition with PDP on the November 1990 parliamentary elections it won one deputy to the National Assembly (Bugajski, 2002, p.756). Some of the dissatisfied supporters of PDP actually left for NDPA the legislative elections on 15 September 2002 won one out of 120 seats (Šedo, 2010, p. 176). The party's only MP is the party's vice president Xhezair Shaqiri, AKA "Commander Hoxha" of the former "National Liberation Army" (NLA). Basri Haliti is the current (2010) party president, after most of the party leadership, including the then president Kastriot Haxhirexha, joined the Democratic Union for Integration (DUI) in 2003.

Ideology: radical criticism over the government approach towards the Albanian question and approach towards territorial autonomy of Albanians (Bugajski, 2002, p. 756).

The political declaration in 1991 actually uses the nationalistic rethorics that the Albanian population is under a “pan-Slavic slavery (repression)” Article No. 2 of the Declaration clearly expressed the ideals of the Albanians for liberation of this slavery and asked for recognition of the Albanian population under the name “narod” instead of “narodnost”. NDP is actually

³⁴ The time when this programme declaration of PDP was established is considered the phase of the Yugoslav dissolution. (Катарциев, 2003, п.447)

³⁵ One such question was higher education in the Albanian language: PDP demanded a full recognition of the University of Mala Recica in Tetovo and state funding instead of private university. Conversely, DPA’s previous more hard line stand was modified as it supported the idea of private university. (Bugajski, 2002, p.755)

³⁶ Partis Democratis Populore PDP /Narodna Demokratska Partija NDP

asking for collective rights for the Albanians in Macedonia which according the Article No. 3 should be also a constitutive entity with aspirations for positive respect of their collective cultural rights. It stood for Pan Albanian Integration on the Balkan Peninsula, elimination of the unitary character of Macedonia and clear federalization with parliamentary system when the most important issues are passed with consensus.

On the Party Congress in Tetovo (27.05.1995) NDP established a Resolution and asked for Constitutional changes in line with the Article No. 5 of their Resolution which stresses the reasons for the crisis that the Republic is going through (accusing the government and the president for constricting cases against the Albanians and for not being capable to bring solutions (Катарчиев, 2003, pp. 448-449).

The Democratic Party of Albanians (DPA)³⁷ was founded in June 1997 as a merger of the breakaway Party for Democratic Prosperity of Albanians (PDPA) and the People's Democratic Party (NDP). The DPA first leader was Arben Xhaferi who was succeeded by Menduh Taci on 30th of Jun 2007. The former party was formed in 1994 after some radical members of the Party for Democratic Prosperity, led by Menduh Taci and Arben Xhaferi, left the PDP and the latter party was founded in August 1990 as a more radical opponent of the PDP.

The party previous programme was considered radical as it called for canonization of Macedonia on ethnic lines which prevented the party to be registered and recognized by the official law under that name due to the anti-constitutional programme. Due to some problematic details such as: the party flag (which was identical as the Albanian National flag), and the programmes of the PDP and NDP which were investigating from the Constitutional Court. The official registration of DPA in the Registry for Political Parties in Macedonia was made 5 years later.

DPA lived its culmination of power when it played out the PDP with the pre-election agreement for the 1998 National Elections, and entered alone in the coalition with VMRO-DPMNE where rapidly discovering new horizons; VMRO-DPMNE and DPA created a new image of corruption and organized crime. At the legislative elections, 15th of September 2002, the party won 5.2% of the popular vote and 7 out of 120 seats. The party lost its status as a government party due to the defeat of the VMRO-DPMNE. At the last legislative elections, held on 5th of July 2006, the party increased its support, winning 7.5% of the vote

³⁷ Partia Demokratike Shqiptareve-PDSH/ Demokratska Partija na Albancite-DPA

and 11 seats. After the 2006 National Elections the DPA entered the government coalition led by the VMRO-DPMNE.³⁸

This provoked high debates due to the better results DUI achieved on the elections, and as a consequence the 2008 pre-elections were remembered by incidents and violence in the pre-election period derived from the high level of intolerance among DPA and DUI (Bugajski, 2003, pp. 755-756; Šedo, 2010, pp. 176-177).

DPA made some cadre restructuring on the 10th of May 2008. It resulted with cadre flows into the new founded party of the former DPA Minister of Health- Imer Selmani named “New Democracy”.

Ideology: just like the above-mentioned Albanian parties, the Programme of DPA was standing firstly for recognition of the Albanian minority as a constituent people of Republic of Macedonia. DPA was supporting a consensual democracy in two chamber parliament; PR electoral mode and no executive power to the President of the country; installation of an Albanian vice president which will take care of the national, cultural, and systemic equality; the Albanian language to be treated as an official language in Macedonia; free use of symbols and the historical events important for the concrete collectivity; free flow of ideas, capital, especially national, cultural, scientific, and technological harmonic development of the Albanians, no matter of the state’s borders; legalization of the Tetovo University; etc. (Friedman, 2007, p. 28; Катарциев, 2003, p. 450).

The Democratic Union for Integration (DUI)³⁹ is the largest Albanian political party in the Republic of Macedonia, and the third largest political party in Macedonia. It was formed in June 2002, immediately after the conflict. DUI succeeded the NLA when the latter was dismantled and disarmed. The NLA leader Ali Ahmeti became party president, while the paramilitary wartime headquarters was transformed and legalized as the party governing body. However, afterwards many Albanian intellectuals from Macedonia, that were not members of the NLA, joined the party.

At the legislative elections on 15th of September 2002, the party won 11.9% of the popular vote (70% of the Albanian vote) and 16 out of 120 seats. From 2002 to 2006 it was part of the left-wing ruling coalition along with the Social Democratic Union of Macedonia (SDSM) and the Liberal Democratic Party. At the parliamentary elections, held on 5th of July 2006, the party formed coalition with PDP and Democratic League of Bosniaks. This coalition received

³⁸ This political party damaged itself even more by using its power in stealing the votes in favour of the presidential candidate of VMRO-DPMNE, Boris Trajkovski, who won the elections in 1999. Another bad mark was given to this party after the terror used in the 2000 elections, also used for the first time used on the Albanians.

³⁹ Bashkimi Demokratik Per Integrim-BDI/Demokratska Unija za Integracija-DUI

12, 2% of the vote and 18 seats. As mentioned before, although DUI won the largest number of seats among ethnic Albanian parties (14), it was not invited by the new Prime Minister Nikola Gruevski to participate in the new government. As a result, the party organized protest and tried to rally international support in order to join the new government, but all was in vain (Šedo, 2010, p. 177).

In regards the ideology of the party the same as DPA can be defined: a nationalistic catch-all party which upholds and protects the rights of the Albanians in the Republic of Macedonia. Its principle policy and campaign concern an improvement of the position of former NLA fighters (ibidem).

The constitutional recognition of the ethnic Albanian as a constituent people, making the Albanian an official language, and equal job opportunities for the Albanians in the state institutions and administration are the standing points of DUI's programme. Some of these are deriving from the Ohrid Frame Agreement whose implementation aimed towards stable democratic and multiethnic Macedonia. Therefore DUI strives for implementation of the decentralization, and a resolution of the problem of the Albanian language higher education (Friedman, 2007, p. 29).

There was a certain controversy over the party symbol. Namely, the party's flag and symbol show the first letter of every word of the party name in Albanian (BDI), topped by seven stars of which one is encircled in a white circle. It has been theorized that each star represents one part of Greater Albania⁴⁰. This theory has never been confirmed by any party officials, and all allegations for their claims for a Greater Albania have been officially denied. The stars are officially referring to the party's plea for Macedonia's future in the European Union.

The last Congress of the party was on 19th of December 2009 and according to the new statute and programme DUI continues to strive for implementation of the OFA; finding solutions for the former NLA soldiers, who according to DUI were part of a war and they should be treated equally with the soldiers of the Macedonian Army; Furthermore they are stressing the big role of EU, USA and NATO as a guarantee for the stability in the country. The law on usage of the Albanian language which does not satisfy the OFA criteria is again on the agenda, as well as the decentralization processes which are supposed to lead to a fiscal decentralization. Fair and equal representation of the minorities can be only achieved by giving some crucial state positions in the hands of Albanians. They stress the impotence of the on-time preparations for the future census, reforms of the high education (The new branches of the Tetovo University in Skopje Kicevo Struga and Debar), the protection of the

⁴⁰ Republic of Albania, Ulcinj (municipality and other parts of south-eastern Montenegro), Kosovo, Preševo Valley (in southern Serbia), the western part of the Republic of Macedonia, Chameria (region in north-western Greece)

cultural heritage and Albanian symbols and good neighboring relations with Albania and Kosovo, and further cooperation with Montenegro which has also big Albanian minority. They claim to be interested in finding solutions for all strategically important issues of Macedonia; The countries' name issue is of its interest and it is stated in the programme that DUI will participate in the consultancy meeting from that reasons, and they support faster solution due to the emergence for the Macedonian future to become EU and NATO member (DUI Programme, 2009).

According to Iso Rusi this party does not differ from other "sultan" parties in which everything is subordinate and everything depends on the leader. Ali Ahmeti is still a personification of the NLA, the cadres are inexperienced and uncompleted, and the party faces with the problems in the very old fashion style of "delaying" the solution of problems. One of the most eminent members of the party, Teuta Arifi, unsatisfied from the coalition between VMRO-DPMNE and DUI, expressed her opinion in public, stating that she was against the marginalized position of DUI in the division of the ministry seats between the coalition partners. She reminded that it is not possible for one party to live forever on old earned fame, and it is of a curtail importance that DUI modernized the program and leave the "sultan" model of leadership. In spite of the experts' suggestions that Ahmeti needed to take responsibility in front of the electoral body because of the bad results in the last local elections in Gostivar and Tetovo (the towns with mainly Albanian population), nevertheless, taking Ahmeti down from the chair position seems unlikely.

The **Albanian Democratic Union (DUA)**⁴¹ is the new party founded on the 9th of September 2007 with the determination to concord the center of the political organization on the principles of the liberal democracy. Under the slogan: "The change starts with you-decide" the first founding meeting was organized. Its first president is Bardilj Mahmuti from Tetovo, who lived and worked for a long time in Kosovo, serving as a Vice President of the Democratic Party of Hashim Taci. After two years membership in the DPA he left the party because he did not succeed Arben Xhaferi. He also thought that all Albanian political formations are in a total collapse and considers the founding of the new party as an alternative, in a crucial moment, for the inefficiency of the other Albanian parties. He considered the historical circumstances in the Region as crucial and therefore it was of a great importance that the Albanian potential is unified, not agreeing with the indecent representation of the Albanian interests. DUA's aims are freedom and reforms of the parliamentary democracy, free elections, obligatory education, social security, gender equality and political ethics. Nevertheless, this party did not perform solid results on its first National Elections participation in 2008.

⁴¹ Bashkimi Demokratik Shqiptar- BDSH

The latest Political Party of the Ethnic Albanians is called **New Democracy (ND)**.⁴² It was founded in 2008 by former members of the Democratic Party of Albanians, Imer Selmani, who was one of seven candidates for the 2009 Macedonian presidential election and won 146.795 votes (14, 99%) and ended up third. Now he is the President of the party. The party platform is the integration of Macedonia in EU and NATO, the total implementation of the Ohrid Frame Agreement, building interethnic relations, economic development, etc. The party slogan during the Presidential and Local Elections in April 2009 was: “A new spring for Macedonia”. The main goal is to work on the common good of all the citizens of The Republic of Macedonia, and to deal with the old stereotypes building bridges among the other ethnic communities in Macedonia. The charismatic leader Imer Selmani was also supported by the Macedonian electorate which was one of the main goals of the candidature on the last Presidential elections.

On the first Party Congress on 26th of December 2009 Selmani won the Presidentatl position and again concluded that in spite the strategic aims for solutions for the situation of the Albanians in Macedonia, Demokracia e Re will strive to give its impute in solutions of a strategic importance for the county and once for all to put an end on the historical elements that obstruct the progress of the country.⁴³

According to the analyst Bashkim Bakiu (2010) the party of Imer Selmany had good concept of multicultural party, but they slowly abandoned this concept due to the question of longer existence on the political scene. They did not achieve bigger support from the Albanians thanks to this multiethnic concept, and therefore his opinion is that this first step should come from the side of the Macedonian political parties.

The only conducted peaceful plan for the 2001 conflict came from the controversial special consultant of OSCE, Robert Frovik was the Prizren Declaration signed on 22nd of May 2002 that served as a declaration by the Albanian leaders in Macedonia regarding the referendum and the peaceful processes in Macedonia, and was signed due to the preparation for the OFA. Ali Ahmeti (NLA), Arben Xchaferi (DPA) and Imer Imeri (PDP) signed for amended Constitution, free usage of the Albanian language as one of the official languages in Macedonia, ethnic proportional representation in the state institutions, broadening of the powers of the local self-government, complete secularization of the constitution, consensual democracy for issues related with the ethnic minorities, etc (Катарциев, 2002, p.451).

On the DPA’s Congress taking place in Tetovo in June 1997 some statements such as: “there is a need of establishment of a big party of the Albanians” in order to accomplish the

⁴² Demokracia e Re

⁴³ On line News Time.mk

“Albanian cause” which is broader than the inherited language rights, the flag and statehood (Катарциев, 2003, p. 457).

After the 2001 armed crisis, when all the ethnic Albanian political parties in Macedonia took the side of the “terroristic activities” of NLA and its leader Ali Ahmeti, the logic suggested that they will also show up for the parliamentary elections in 2002 in a block (together) or in some other type of a coordinated performance. After the establishment of the Coordinative Council in Shipkovic (initiated by Ahmeti), when all the Albanian political parties achieved consensus for together activities in the processes of the realization of the OFA and synchronized performance on the elections, the logical impression was that they will go together on the elections. However the Coordinative Council happened to be from one use time only because immediately after that the huge discordances and differences among their leaders raised to the surface.

Ali Ahmeti was against the proposal of DPA for Menduh Tachi to be part of the Coordinative Council, pointing out that Tachi is a discredited politician who during the time of the crisis had been dealing with suspicious business deals and criminal activities. Actually, Ahmeti could not turn the blind eye on Tachi’s attitude in the beginning of the crisis when he as a person from the governmental regime gave right to the Macedonian state organs to deal with “the Albanian terrorists” according to the Constitution, even in the end it was clear that in the ONA guerillas there were people from DPA too. Some try to locate the real reasons for the eagerness among the headquarters of NLA and DPA in the struggle for power over the Albanians in Macedonia, as much as in the criminal abuses of the financial resources that were coming from different sides for the armament of NLA for their activities. Having in mind that among DPA and PDP there was an old animosity (especially in the time of presidential and local elections) when there were hard incidents and casualties there was a belief that Ahmeti likes more the leader of PDP and that his new established party called DUI will go in a coalition for the 2002 elections. However, DUI decided to go alone on elections convinced that it will win in the fight with the other parties from the Albanian block.

In the pre-election campaigns all of the Albanian political parties tried to attract candidates from NLA and in this way to show that they not only helped the insurgence, but they were directly actively involved in the crisis. On the 16th of August the Albanian Prime Minister Fatos Nano called all the Albanian political parties to overcome the internal eagerness and to form a coalition for the incoming elections. He considered this coalition as the only way to prevent losing a single vote for the Albanians on the elections (Ајановски, 2002, pp. 37-41).

Having in mind that the ethnic Albanian parties in Macedonia all support Kosovo’s independence recognition, and that the idea of Great Albania is still present in the parties

rhetoric, one could drive a conclusion that they all hold the same ideology and sole cause: upholding and protecting the rights of the Albanians in the Republic of Macedonia.

However, the real situation cannot be that easily simplified. One undeniable fact is that the political parties of the ethnic Albanians in Macedonia are in trend of division, and are growing in number. The fragmentation trend in the political parties in Macedonia did not evade the Albanian camp, so the post socialist transition is the first factor why the political parties in Macedonia, including the Albanian ones, have still not defined electoral body, no main stream ideology, no political culture etc.

The ethnicity is the first element of division of the political parties in Macedonia, and they are offering political programs for its own ethnic group. The approach towards other ethnic groups through the time makes the basic element for characterizing the party as radical or abstinent party. According to DUI member Ermira Mehmeti (2007) the fact that the parties from the Albanian block, after the fall of communism had a specific transition, and did not inherited anything from the communist political structures established decades ago, makes the Albanian ethnic parties authentic. Taking into consideration the political, the economical and the sociological conditions in which the Albanian political parties were founded, there is no dilemma that no matter which party is under observation in its substantial basis is the revolt and rebellion against the former regime where Albanians were not participating as an active element.

Today's political activity of the Albanian minority in Macedonia is of a post conflict type. In a post conflict society it is impossible to expect these political parties to be organized according to a principles used in the developed industrial societies. The first impression is that the Albanian "subjects" wants to usurp the achievements and results from the political process after the 2001 conflict. Here the dilemma whether the Ohrid Agreement could serve as a basis of any kind of ideological determination of the Albanian political subjects was born. Initially the answer was, with no doubt, positive. After the signing, the OFA is part of the political platform of every political party of the Albanians, and not just the Albanian political parties in Macedonia. This fact indicates that the content of this Agreement is actually the basis of the political activity of the political subjects. However, observing it from the other side, it is impossible to leave aside the other criteria used by the Western Democracies that derived as a result from the long term historical and social changes.

The class division which enforces the division into left and right political parties does not exist in Macedonia among the Albanians and Macedonians. The beginning of the industrialization which is considered as a beginning of the construction of the ideological profiles of the political parties in the West, in Macedonia was characterized by the weakening of the Ottoman Empire and reformation. Among the population the main preoccupation was

the struggle and idea of liberation and freedom. After that, the Balkan Wars and the communism did not leave many possibilities for pluralistic activity, nor for a formation of political classes. Mehmeti (abide) states that it is very hard for the Albanian parties to be concentrated on the economic issues, when they still have unsolved political issues. The priority for them is to solve their political status in Macedonia, which could be achieved by conducting every part of the OFA.

Therefore, it can be concluded that only after the complete implementation of the OFA the real conditions for a pure ideological determination, according the principles of the liberal economy, can be constructed. Just as it happened with the Macedonian political parties, the Albanian ones at one point lost the third option from the political scene by losing the small parties and polarized. This happened initially because of the changing of the electoral systems where big parties took the smaller parties in their pre-electoral coalitions (Климовски and Каракамишева, 2006). The trend of emerging new parties according to Iso Rusi shows that the citizens are not satisfied with the parties' activities and they are trying to find a new alternative.

Rufi Osmani, the Mayor of Municipality of Gostivar, considers that there is an atrophic trend in the political parties of the ethnic Albanians. Analyzing the 2009 local elections he stated that except in Tetovo, DPA lost the elections everywhere else, The New Democracy and Selmani despite the good results on the Presidential elections had minimal results on the local elections, DUI lost Tetovo and Gostivar, which mirrored the already halted process of inner reformation and the offering of new cadres. He also thinks that DUI was losing credibility because of the bad performance in government recently, and therefore a new political party with civic character is needed that will be based on new and quality intellectual cadres. He sees this as a new alternative, not only in the interethnic relations and the regulation of the constitutionally-legislative status of the Albanians, but they will take responsibility at state level.

On a contrary, the NGO (Realiteti) representative Valon Bela (2010) stressed the importance of reforms within the Albanian parties in order to democratize their structures and the young and intelligent people to have its opportunity to lead the parties. He thinks that new parties are not an option for the well-being of the Albanian minority because those parties are unable to reform and democratize from the inside and will not be able to contribute for the democratization of the country as a whole.

The severe and aggressive impatience among the Albanian political parties was also demonstrated in the Parliament of the Republic of Macedonia on the 24th of September 2007 as well as on the 2008 Pre-elections, when there were even casualties. The foreign media reported the violence from the elections and criticized those actions, assessing it as a bitter

struggle for power among the Albanian parties, flavored with manipulation. Furthermore, both Albanian political parties were defined as “employment agencies”, using the “Kalashnikov democracy” stand initially for their own economic interests. The international community gave very bad reports and urgent recommendation for stability.⁴⁴

OSCE gave its perspective regarding these events and warned the Macedonian government that the lack of political culture during the elections, and especially in the Parliament is a serious institutional problem, and shows the lack of willingness and institutional capability to deal with the problems that could seriously damage the democracy. The lesson was learned, at least for some period, and the next 2009 Presidential elections maintained a democratic spirit.

Concluding remarks:

Speaking of the most visible cleavages in the Slovak and Macedonian societies (referring to Lipset and Rokkan) an obvious conclusion would be that the tendency to organize parties along ethnic lines (center-periphery cleavage) is very strong in both countries; moreover multiethnic environment played a big role in shaping the party system. In fact, once a party was organized along ethnic lines, others followed the trend. Indeed, this division made the creation of mixed parties almost impossible, and with this made the foundation of societies based on other cleavages rather than ethnicity even harder. Slovakia was not applicable to the Horowitz (1985) theory that the ethnic parties tend to throw away party systems that exacerbate ethnic conflict. On the contrary, the Macedonian case in a very high degree proved the very theses. Both Hungarians and Albanians provoked many tensions in the maturing democracies due to the unsolved minority issues in Slovakia and Macedonia. Nevertheless, the Macedonian case was more close to Brancati's (2009, pp. 30) arguments that the ethnic parties supported terror as a means for solving the ethnic conflicts which not only could be seen in the conflict of 2001 but also in the electoral violence afterwards.

Both cases also go in line with Bochsler's (2006) justification of the creation of ethnic parties due to the lack of willingness of better representation of the minorities in the majority's or eventually mixed parties. However, the second part of the argument that the competence between their own ethnic parties will strengthen their power can be challenged. Hungarians

⁴⁴ The Euro Parliamentarian Doris Pak was openly expressing her disappointment from the Albanian parties and sad that the Albanians must be aware that they stop the development of Macedonia. She sad that the rivalry between the Albanian parties bring in danger the life of the whole country and the Albanians should be aware the OFA provides good treatment for the Albanians who can be accepted in the Ministries, public administration...and that this agreement makes the conditions of the Albanian minority in Macedonia the best from all the regions that Albanians live.

tried to compete with different programmes, nevertheless they lost power exactly in times when they went on elections separately.

Therefore, they joined in one coalition, and eventually in one party. Finally, when the new party Hid-Most split from SMK they again lost power and gained less seats in Parliament. There are other factors that influenced their empowerment (which will be more thoroughly presented in the third chapter), nevertheless, numerous competing parties of one ethnic affiliation were not strengthening their forces. The same could be referred to in the Macedonian case. Truly, Albanians had fewer obstacles to enter governments, but the competition usually resulted with devaluation of some parties, that could be seen more clearly on the local elections (referring to the results of the elections).

I will agree with Friedman (2007, p. 28) and summarize that unlike the Magyar parties in Slovakia that have exhibited a variety of programmatic commitments, in areas not pertaining directly to the status of the Magyar population within the state, the greatest divergence among the larger Albanian parties, represented to date in the Assembly of the RM, has been in their degree of radicalism on issues of minority rights.

Various political stands of the Hungarian parties were clearly articulated and it even caused some internal disputes and fragmentations throughout 1990-1992. The first Slovak post-independence division line was on the acceptance of this reality. HCDM remarked that the independence brought with it an anxiety that was justified, HCP saw a potential for increased tensions; Coexistence saw a huge opportunity for reordering the existing political framework of compromise (Ishiyama and Breuning, 1998, p. 58). The second division was regarding the economic development after the communism: Coexistence emphasized the creation of a green social market economy, HCDM advocated privatization and welfare politics based on Christian and conservative values, HCP preferred speedy privatization and foreign investments (Friedman, 2007, p. 25). They have been always finding other cleavages on which have divided their programmes and public appearances (such as the Komarno ideas, the NATO (America's) support etc.) Be that as it may, these parties have entered in a coalition (later a political party) being totally aware of their differences.

Albanian parties have had only one largely visible difference among their electoral programmes and attitudes - the education (referring to the public-private Albanian University); nevertheless their similar goals were always overshadowed by their daily-political interests, many times intentionally or unintentionally influenced by the ethnic Macedonian parties. They even agreed against Macedonian independence and stroke back with their referendum for autonomy.

No single leader has dominated the Hungarian parties; rather they all had their own popular leaders. Albanian parties on the other side have been led by long-term "sultan" leaders that

occasionally have obstructed the internal party democratization processes. In spite of the different merging or dividing trends of transformation, the ethnic parties in both cases were mostly dependable of the leadership. Their leaders created the politics and the decisions whether parties will merge or divide. For instance, after his change from the leadership position, Béla Bugár, once a respected leader of HCDM, formed a new party Hid-Most. Parties' democratization through reformation seeks new membership and leadership, and the parties (not only the ethnic but also all the post-communist ones) were usually not willing to resign their positions in favor of the democratization of the parties. Therefore, they tend to form new ones, under the excuse that the new emerged party will stand for a wider and more inclusive programme of more ethnicities. The same happened with many Albanian leaders, for instance that was the case with the first party PPD and the successor (more of a splinter party) DPA.

As mentioned in the introduction of the thesis the problem of internal reformation (democratization) for the CEE parties will be applied on the ethnic minority parties as well. Statutes were by no means the reasons to merge or to split for the party leaders in both cases. Differences were not a problem for the Hungarian parties to merge and the similarities were not an enough incentive for merging for the Albanian parties.

The parties internal factors can never be exhausted enough in explaining the party formation phenomenon, however, the external factors could explain a big deal of the reasoning for the phenomenon under research here.

Ethnic representation and institutional engineering

Many scholars were trying hard to simplify and systematize the models of political systems which will best fit to the real structure of the societies; nevertheless, the construction of the democratic and efficient political system remains a problematic and sensitive issue. It is of crucial importance for the decision makers in the multiethnic societies (which are always a fertile soil for conflicts and human rights violation) to construct a political environment that will represent the interests of the complexity of those. Slovakia and Macedonia are such countries, with the urgency of finding institutional solutions for conflict prevention, sustainable peace, and enhancement of better social cohesion in the multiethnic environment.

Undoubtedly, the electoral systems are among the key elements of the constitutional designs for democratizing countries and there is a wide consensus among scholars of electoral systems that they can affect the dynamics of ethnic conflicts (Bochsler 2009, pp. 1-2).

Lijphart (1984) suggests that homogenous societies are in favor of the Westminster (Majoritarian) Model of Government, and the Consensus Model of Government is the model that best fits to the heterogeneous societies. If Majoritarian model is problematic for societies divided on religious, ethnic, linguistic, cultural, ideological or racial basis, the power-sharing school holds for proportional representation (PR), with large or specially designed districts for ethnic minorities, as a way to include minority groups into politics. However, in those countries where minority population is geographically more concentrated (living in relatively compact enclaves) FPP systems may also provide fair representation (Friedman 2007, pp.22). Keeping to this logic, a group of scholars follows Donald Horowitz (1984) in his criticism that power-sharing regimes with PR as electoral system contribute to the segmentation of divided societies, and the Majoritarian and multi-preference electoral systems contribute to inter-ethnic conciliation. The logic of this argument lays in the notion that if candidates need to reach 50% of the votes in order to be elected in an ethnically mixed district, and if voters can express several preferences, then they might cast their second vote for candidates with a conciliating program (Bochsler, 2006, p. 2; 2009, pp. 1-2;). So, geographically concentrated ethnic minorities in many cases should prefer plurality electoral systems, and minorities dispersed throughout the country prefer proportional representation.

Even though the electoral systems affect the party systems, speaking of the post-communist societies, the evaluation of the impact that the electoral systems have on the party systems is rather complicated. The common cleavage view of political issues and party systems suggests that each social divide is reflected in only one political party; there is no reason for party competition within a social group that defines a cleavage (Bochsler, 2010, p. 4). However, elections to regional or municipal institutions might create their own political dynamics in those regions or municipalities where the minority dominates. This again drives intra-ethnic political plurality.

Once there is space for municipal or regional self-governance and elections, then (similar to the national level among the majority group) internal divides will become relevant at the local or regional level. Such divides might be based on economic interests (including economic control over the minority-inhabited territory) or ideological issues over differences in the radicalism of the type of claims for minority rights. Without the emergence of an electoral challenger within the minority group, the minority party system would also lack electoral accountability, as well as lacking credible opposition at the local or regional level where the minority overwhelmingly lives (ibidem).

Within this chapter I will explore the external factors influencing the transformation of the ethnic minority parties in both countries. Each subchapter analyzing the two countries will follow the same methodological line; starting with the two decades of synthetic political history of Slovakia and Macedonia, in order to depict the political “environment” and its

impact on the party transformation in both countries with a special accent on the ethnic minority parties. I will then focus on the electoral systems and changes in the electoral rules on a national level and elaborate the effects on the representation of ethnic parties; and finally I will explain the territorial organization at regional and local level and the impact it has on the transformation of the minority ethnic parties.

Slovakia

The position of ethnic parties in the political system

After the 1989 “velvet revolution” Slovaks were no longer on the verge of assimilation by the larger and undemocratic neighbor Hungary. Therefore, the Czechoslovak existence was no longer needed as an instrument for political defense against Magyarisation. New friendly entities such as EU and NATO were there to protect Slovakia against hostile forces, replacing the previous Warsaw Pact and the Soviet Block (Henderson, 2002, p. 36). As a response to the economic and social problems there occurred two parallel civic movements against the communism simultaneously: the Civic Forum (CF) in Czech Republic and the Public against Violence (VPN) in Slovakia.

The democratizing impetus of the revolution brought to deep-seated differences about the role of the new state, the constitution and the name,⁴⁵ not only between many Czechs and Slovaks but also within the Slovak society. (Auer, 2004, p. 156) After 1989, three great and urgent tasks had to be solved: firstly, to create pluralist democratic system, then to reconstruct the direct planned economy on a market basis and finally to solve the constitutional position of Slovakia in the republic and its place in Europe. In modified form these tasks continued after the 1993 independence of Slovakia and its acceptance in the United Nations and the Council of Europe. Due to the turbulent regime changes⁴⁶ in a period of only one century, the greatest shock for the Slovaks was not coming from the latest constitutional changes, nor from the new born pluralism, but from the economic reforms’ results. Namely, after the leading Czech economic reformers entered the government, and Vaclav Klaus became minister of finance, Czechoslovakia became one of the “Big Bang” (shock therapy) countries, and Czechoslovakia was faced with many economic reforms. Even though Czechoslovakia started the transition with more or less balanced budget, (Auslund, 2002, 2007) and pegged

⁴⁵ The “hyphen-war” was the dispute on the Czechoslovakia’s name. See more in Sutovec Milan (1999) “Semioza ako politicum alebo ‘pomlckova vojna’”, Bratislava, Kalligram.

⁴⁶ Slovakia is one of the few European countries that have experienced all three main systems of the twentieth century: capitalism with parliamentary democracy; a domestic variety of fascism which oversaw the deportation of more than 60 000 Slovak Jews and subsequent domestic resistance; and socialism in all its varieties. Slovakia not only endured these regimes, but also contributed to shaping them and was itself shaped by them. (Kostelecký, 1995, p.120)

its exchange rate to the US \$ (dollar) from January 1991, the inflation remained higher than in the United States or Western Europe, leading to a continuous real appreciation. The coupon privatization and the investment funds were not managed transparently (including elements of corruption and mafia practice) which resulted with the shocking phenomenon of mass unemployment in Slovakia (Malová and Dolný, 2006, p. 113).

The slogan: “Return to Europe” represented new streams towards renewal of the traditional values and integration into Western Europe, (Liptak, 2000, pp.296-298) after which the confrontation of views became part of everyday political life and new political parties were formed. The largest political parties derived from the citizens’ movement and after the first democratic elections were held in June 1990 they established coalition governments in both republics. The second free elections in Slovakia took place in June 1992 after which Mečiar (the premier of Slovakia) and the reformer Vaclav Klaus entered negotiations on a future federal government but ended up deciding dissolution of Czechoslovakia instead. Despite the fact that this political decision was not approved by the civil society, the divorce was again “velvet” (Wightman, 1995, p. 59).

The legislative power lies in the unicameral National Council of the Slovak Republic (in the further text referred as Parliament). The Parliament consists of 150 members, elected for four years. Most executive power lies with the Prime Minister, who is usually the leader of the winning party and who is responsible for forming a coalition in parliament.⁴⁷ The president of Slovakia was indirectly elected by the parliament until 1999; however, the president’s powers were not strengthened after direct elections were introduced. The Prime Minister who is the leader of the largest party in the government has to pay heed to the demands of the coalition partners, and it is constrained by the need for majority parliamentary support.

Slovakia has three levels of elected bodies: central (Parliament), regional (regional assemblies), and local (municipal councils). In the following two decades after the collapse of the Communist regime in 1989, Slovakia has held seven parliamentary elections (1990, 1992, 1994, 1998, 2002, 2006 and 2010), three regional elections (2001, 2005, and 2009), five municipal elections (1990, 1994, 1998, 2002, and 2006⁴⁸, three presidential elections (1999, 2004, and 2009), and two elections to the European Parliament (2004 and 2009).

⁴⁷ OSCE Report 2010, p.3

⁴⁸ The next municipal elections are scheduled for 27 November 2010; See more at: Spectator Article Slovakia Municipal Elections announced for November 2010.

Table 1⁴⁹ Contains all data regarding the parliamentary elections and the political parties' inclusion in the Slovak Parliament.

Table 1. The parliamentary elections in Slovakia

	1990		1992		1994		1998		2002		2006		2010	
	%	Seats	%	Seats	%	Seats	%	Seats	%	Seats	%	Seats	%	Seats
SMER-SD	-	-	-	-	-	-	-	-	13,5	25	29,1	50	34,8	62
SDKU-DS	-	-	-	-	-	-	-	-	15,1	28	18,4	31	15,4	28
SNS	13,9	22	7,9	15	5,4	9	9,1	14	3,3	-	11,7	20	5,1	9
MKP	8,6	14	7,4	14	10,2	17	9,1	14	11,2	20	11,7	20	4,3	-
LS-HZDS	-	-	37,3	74	35,0	61	27,0	43	19,5	36	8,8	15	4,3	-
KDH	19,2	31	8,9	18	10,1	17	SDK		8,3	15	8,3	14	8,5	15
KSS	-	-	0,8	-	2,7	-	2,8	-	6,3	11	3,9	-	-	-
ANO	-	-	-	-	-	-	-	-	8,0	15	1,4	-	-	-
ZRS	-	-	-	-	7,4	13	1,3	-	0,6	-	0,3	-	-	-
SDL	13,3	22	14,7	29	10,4	18	14,7	24	1,4	-	-	-	-	-
SZS	3,5	6	2,1	-	SDL		SDK		1,0	-	-	-	-	-
SDK	-	-	-	-	-	-	26,3	42	-	-	-	-	-	-
DU	-	-	-	-	8,6	15	SDK		-	-	-	-	-	-
DS	4,4	7	3,3	-	3,4	-	-	-	-	-	-	-	-	-
SDSS	1,8	-	4,0	-	SDL		SDK		-	-	-	-	-	-
SOP	-	-	-	-	-	-	8,0	13	-	-	-	-	-	-
VPN	29,3	48	4,0	-	-	-	-	-	-	-	-	-	-	-
SAS	-	-	-	-	-	-	-	-	-	-	-	-	12,1	22
MOST-HID	-	-	-	-	-	-	-	-	-	-	-	-	8,1	14
Others	6,0	-	5,6	-	6,8	-	3,1	-	11,8	-	6,4	-	7,4	-
Total	-	150	-	150	-	150	-	150	-	150	-	150	-	150

Among other six parties winning seats in the parliament, the civic movement VPN received 29.3% support on the first 1990 democratic and pluralistic elections and Vladimir Mečiar became the first Prime Minister of the coalition government of democratic Slovakia. This umbrella party included the six HCP elected deputies in the Slovak National Council.

New political parties with various views on overcoming the past, on the extent, depth and speed of change, soon began to arise within and outside these movements. Traditional, national and confessional interests were also important, as were also purely personal

⁴⁹The political parties: SMER-SD: Direction - Social Democracy; SDKU: Slovak Democratic and Christian Union - Democratic Party (1990-2002: SDKU); SNS: Slovak National Party; MKP: Hungarian Coalition Party; LS-HZDS: People's Party - Movement for a Democratic Slovakia; KDH: Christian Democratic Movement; KSS: Communist Party of Slovakia; ANO: Alliance of New Citizen; DU: Democratic Union; DS: Democratic Party; SDSS: Social Democratic Party of Slovakia; ZRS: Slovak Workers' Union; SDL: Democratic Left Party; SZS: Green Party in Slovakia; SDK: Slovak Democratic Coalition; SOP: Party of Civic Understanding; VPN: Public Against Violence (1992: Democratic Civic Union, ODU); SAS: Freedom and Solidarity MOST-HID: Bridge (Hungarian party)

Sources: Statistical Office of the Slovak Republic (<http://www.statistics.sk>); Election Database Eastern Europe (<http://www.essex.ac.uk/elections>); own completions; 2010 Wolfram Nordsieck.

ambitions, which have greater influence on the political scene in transitional periods, than in peaceful times. After only one year, Mečiar split from VPN forming the political party - Movement for a Democratic Slovakia (HZDS). VPN could not transform itself into a full-blooded political party and after its breakup in March 1991, the leader of Christian Democratic Movement (KDH) Jan Čarnogursky became the Slovak Prime Minister. HZDS went in opposition until the elections in June 1992. Having in mind that the 1990 elections were a sort of plebiscite for or against the preceding regime, the 1992 elections gave the accurate image of the new political structure of Slovakia.

After the 1992 elections, HZDS won 74 out of 150 seats in the parliament and Mečiar became Prime Minister of the Slovak government for the second time, supported by the Slovak National Party (SNS). After groups of parliamentarians left both parties, Mečiar's government lost its majority in parliament and fell in March 1994. The splinter groups from HZDS and SNS formed a new party, the Democratic Union (DU) proclaiming liberal ideas. The next Prime Minister Jozef Moravcik coming from DU, together with KDH, the Democratic Left Party (SDL) and the two Hungarian Parties (Coexistence and HCDP) formed the government which lasted until September 1994 elections, after which Mečiar, by winning the elections for the third time, - constructed its third government. SNS was a very influential part of this government and was the one that obstructed and delayed the ratification of the Slovak-Hungarian treaty for a year. This government was famous for rejection of coupon privatization and nontransparent privatization, political clientelism, anti-Hungarian sentiments and actions, as well as unconventional instruments used to remove the president Michal Kovac, elected in 1993 (Toma and Kovac, 2001, pp. 299-307).

In contrast to Hungary, Poland and Czech Republic, in the years 1995-1997 Slovakia was gradually excluded from the first group of candidates for EU and NATO (Liptak, 2000, p.304). The September 1998 elections brought changes and the new perspectives to Slovakia with the changes in government (when the new formed party- Slovak Democratic Coalition – SDK) and the nomination of the new Prime Minister, Mikulas Dzurinda who finally merged Slovakia to EU and NATO.

For the sake of the elections SDK had to respond on HZDS alarming aversion to political pluralism by helping the extremely well organized civil society in organizing dynamic 'voter awareness' campaign designed to bring out the largely anti-Mečiar first-time voters. The voters turnout shot up to 84% and the winning coalition was constituted from SDK, new established Party of Hungarian Coalition (SMK), SDL and the new emerged Party of Civil Understanding (SOP) led by Rudolf Shuster (Liptak, 2000; Handerson, 2002, pp. 49-50; Malová and Dolný, 2006, p. 116).

SMK gained several positions in the 1998 government, including deputy prime minister for human rights (Pál Csáky), Minister of Environmental Protection (László Miklós) Minister of Construction and Public Works (István Harna), State Secretary to the Finance Ministry (Vladimír Podsránsky), State Secretary to the Ministry of Education (László Szigeti), State Secretary to the Ministry of Social and Labor Affairs (Edit Bauer), and State Secretary to the Ministry of Agriculture (Gyözö Mészáros). SMK was also given important lower-level posts, including deputy office head in three regions, office head in seven districts and deputy office head in ten districts (Németová and Öllös, 2003, p. 121). The relations with the Hungarian minority improved rapidly, and took qualitative different dimension because of SMK's participation in governing the country.

In April 1999 Mečiar ran for president, however, after the second round Schuster won the position. Inevitably, left-rights divide on economic and welfare issues occurred in the Dzurida's government due to the harsh economic reforms enforced to restore the macroeconomic stability (after the Slovak Crown lost its value for 17% in one week in 1999). The most effective opposition to government policy came, ironically, from the government parties itself. The government was technically a coalition of four parties but in reality it was a unity of broader spectrum of parties (taking into consideration that SDK and SMK were practically coalitions of five and three parties, respectively). Therefore, SDK was transformed into Coalition named SDKÚ (Slovak Democratic Christian Union) from which the members from KDH continued its political activism within their own party (Malová and Dolný, 2006, p. 117).

Despite all the intra-governmental transformations, the Hungarian coalition partner presided over center-right party that was supportive of the government's economic reforms, but consistently felt that their own (distinctly ethnocentric) priorities were part of government's programme mostly neglected by their coalition partners (Handerson, 2002, p.54). Therefore the relationship with the Slovak coalition parties was not always harmonious; among other disagreements, SMK disagreed over the changes of the constitution which did not remove the concept of "the Slovak people" from its Preamble; they failed to vote over the new Language Law; they disagreed on local government reforms because, among other issues, no local government region with Hungarian majority was created. SMK insisted on the establishment of southern county that would contain the currently existing districts of Komárom, Dunaszerdahely, Galanta, Vagsellye, Ersekújvár and Leva (Szenc) (Pataki, 2002, pp. 261-262). However, one of the biggest conflicts was with the minister of land management, in February 1999, when SMK reacted on the allotment of lands with unknown owners, which according to the Coexistence leader Duray half of the land manager by the ministry is situated on territories inhabited by Hungarians. SMK even threatened to leave the government coalition, but pulled back thanks to two of its firmest allies and the international community warnings over the threat for the possible damage Slovakia's EU future.

After the initiatives for early elections failed, the regular parliamentary elections were held in 2002. The biggest beneficiary from the opposition's critiques and declined public support was not HZDS but the new born political party named SMER (Direction) - set up by a popular SDL' defector, Robert Fico, in October 1999 that won 25 mandates. Nevertheless, the government still stayed in Dzurinda's hands and the three coalitions (parties) SDKÚ, KDH, SMK, accompanied also by the new established party ANO (Alliance of New) (Malová and Dolný, 2006, p. 117).

SMK this time had 4 ministers (Pál Csáky-Deputy Prime Minister for European Integration and Minority Rights, László Miklós-Minister of Environment, László Gyurovsky-Minister of Construction and Regional Development and Zsolt Simon-Minister of Agriculture) and 6 state secretaries (Ministry of Finance, Ministry of Education, Ministry of Economy, Ministry of Culture, Ministry of Foreign Affairs and Ministry of Construction and Regional Development) in the Slovak Government. There were 20 parliamentarians of party in the Slovak Parliament and Mr. Béla Bugár, the president of the Party of Hungarian Coalition was the Vice-President of the National Council of the Slovak Republic.

The democratization effect on the Slovak society coming from the SMK participation in the government could be noticed in the protection of minority rights in general. In fact, Pal Csaky as Deputy Prime Minister in the coalition paid also more attention on the Roma minority. Robotin (2003) clearly states that 'ethnicity cannot be the basis of a democratic state'. Moreover he gives several ideas in line of inclusion of the minorities in the new born democracies: all groups must be given some stake in the system and avoid complete exclusion from the political power, factual rather than on paper legislation and its resolutions to problems instead of refusal, ethnicity cleavages to be transcended by other political issues (not related to ethnical problems), promotion of common norms of tolerance and participation in the institutions of the system.

The 2006 parliamentary elections brought on power a coalition government comprising parties that had criticized the liberal reforms and again used populist methods of appealing to voters: SMER-Social Democracy (Smer-SD), self-declared social democrats, SNS, radical nationalists, and the People's Party-Movement for a Democratic Slovakia (ĽS-HZDS). The inherited economic development created comfortable conditions for the new government led by the Prime Minister Robert Fico. In 2008, Fico's cabinet was not forced to adopt any austerity measures—the ruling coalition enjoyed a comfortable parliamentary majority, and the Fico administration de facto halted the process of liberal reforms. During that year, the following trends could be observed: broadened state interventionism in the economy and social policy, clientelism in filling government and public posts, and an increased ethnocentric element in domestic politics (Mesežnikov, Kollár, and Vašečka, 2008, p. 480).

Finally, on 12th of June 2010 elections Slovakia's first female Prime Minister, Iveta Radicova, has taken power at the head of a four-party center-right coalition of SDKU, KDH, SaS and it included the new established ethnic Hungarian party Hid-Most. The coalition held 79 seats in the 150-seat Parliament and it have pledged to improve Slovakia's business environment, reduce the deficit and fight corruption. It is expected that the new Hungarian coalition partner will be one of the pillars for stable government which will stand for multiethnic dialog and it will give new dimensions to the Slovak-Hungarian relations (worsened by the former government) with its promising programme.

The effects of institutional arrangements

Despite the fact that the proportional representation (PR) is not actually anchored in the Slovak Constitution and it can be changed in parliament by simple majority, that was not the practice so far. The Slovak Electoral Law of 1990 established the PR system in four electoral district party lists with 3% threshold for representation in the Slovak National Council. The voters could express their preferences for any candidate on the ballot of a given party due to the method of distributing the mandates according the largest remainder-Hare quote. The unfulfilled seats were distributed according to the Hagenbach-Bischoff Quote on single national district. Czechoslovakia once chose the PR system out of concern with ethnic pluralism, when the largest minority in the federation was actually the ethnic Slovaks (Friedman, 2007, pp. 22-34; Birch, Millard, Popescu and Williams, 2002, p. 79).

The PR system strives in strengthening the parties as institutions rather than the election of persons (creation and fostering of a cult of the personalities). PR is thus considered to be a means of shifting the political competition from personalized to programmatic competition; from personalities to ideas. Nevertheless, in those regions where politics has remained most personalized there has been a considerable support for the single member district (which is in favor of the well-known local bosses) rather than smaller electoral units. This implies to Slovakia as well, and the roots are connected with the period of “Mečiarism” which happened to be even authoritative (Birch, 2007, p.173). By “manipulating” the size of the electoral districts (from 4 electoral units to—a countrywide constituency) and by frequent tinkering with electoral rules Slovakia found difficult to establish stable and predictable patterns of representation, i.e. clear and transparent links between the members of parliament and the electorate (Kopecky, 2007, p. 151).

For the 1992 parliamentary elections the threshold was raised to 5%, (7% for coalitions of two and three parties and 10% for coalitions of four and more parties) and the Hagenbach-Bischoff quota was applied to set allocation of seats in parliament not only for the allocated but also for the unfulfilled seats, distributed again in 1 national district. The “wasted”

electoral votes of every election, by which we mean votes to parties excluded from parliamentary representation, were exactly due to the 5% threshold. At these elections all the parliamentary parties received disproportionately larger scale of parliamentary seats than expected (Birch, Millard, Popescu and Williams, 2002, p. 79; Rybar, 2006, p. 151). The 5% threshold resulted with 23, 8% votes given to parties not able to exceed that limit, but for the next 1994 elections, by paying careful attention on the pre-electoral polls, and by voting strategically helped in declining the wasted votes to only 13% (Kostecký, 2002, p. 147). The “waste” of votes declined during the 90s as voters became more aware of how the electoral system works, and were less inclined to vote for smaller parties unlikely to cross 5% threshold. In 1994 Slovakia was divided into four electoral districts where each party presented separate party lists of candidates. The districts had number of seats according to the number of population, so, the leftover votes in each region were added together for each party on a national basis (again in order to prevent losing of votes).

Four months before the 1998 elections (in May) Mečiar amended the Electoral Law in order to protect himself from losing this electoral race (Toma and Kovac, 2001, p. 340). Two changes were particularly controversial. Firstly, the coverage of the election campaign was prohibited in all but state-controlled (that is government-controlled) electronic media. Secondly, in a provision clearly aimed against Slovak Democratic Coalition - SDK⁵⁰, parties were prevented from standing together in pre-electoral coalitions (blocks). The opposition circumvented this by registering itself as SDK, and even more the three existing Hungarian parties tightened their previous coalition by forming the Party of Hungarian Coalition (SMK) (Németová and Öllös, 2003, p. 120). In September 1998 elections Slovakia was “transformed” into one electoral district and only 5% threshold was in the game (due to the forbidden pre-electoral alliances) (Birch, Millard, Popescu and Williams, 2002). This was again Mečiar’s idea. He wanted to stay on top of the HZDS’s candidate list which was presented all over the country, unlike the previous practice of being on top of a single four candidate lists. This was the only way to mitigate the decreased rating of the HZDS politics, thanks to the remained fascination by Mečiar’s charisma among the voters (Rybar, 2006, p. 154). After 1999 Mečiar’s defeat by Schuster in the presidential elections in the summer 1999, the parliament passed amendments to the parliamentary election law. The nationwide electoral constituency still stayed in power, and the formation of electoral alliances was re-enabled; nevertheless, none of the main parties used this opportunity to combine forces with its allies. The trend of increasing the representation of more parties in parliament was mitigated by the simultaneous increase of the threshold. Despite the 5% threshold for the single candidate parties, the alliance of two or three parties had to secure at least 7% of the

⁵⁰ SDK was constituted from 5 parties – the 3 center-right opposition parties Christian Democratic Movement (KDH), Democratic Party (DS) and Democratic Union (DU)- known also as Blue Coalition, and plus the Social Democratic Party of Slovakia (SDSS) and the Green Party in Slovakia (SZS).

vote and an alliance of four or more parties needed at least 10 % to gain parliamentary representation. This new could be discouraging for the coalitions' electoral race. The real intent, however, was prevention of governmental instability by eventual dissolution of the coalitions, once they would take the power (Rybar, 2006, pp. 151-155, Bielashiak, 2002, p. 195; Kostelecký, 2002, p. 148).

With the changes of the Electoral Law in 2004, Parliamentarians are still elected in one nationwide constituency on the basis of PR with a preferential element (i.e. besides selecting a party list, voters may also indicate preferences for particular candidates). They may choose a maximum of four candidates. Political parties have to collect at least 5 % (consequently 7% and 10% for the coalitions of two or three, or of four and more parties) of valid votes for participating in the distribution of mandates. Candidates who obtain at least three per cent of preferential votes are automatically elected. The remaining mandates are allocated to candidates in the order that they are listed on the ballot. Individual candidates cannot stand for elections to the parliament, which is not in line with paragraph 7.5 of the 1990 OSCE Copenhagen Document (OSCE Report 2010, pp. 4-12). PR was criticized for boosting the fragmentation of the political parties (compared to the 'first past the post' Majoritarian system of British type), and also for giving more opportunities for the small extremist parties to enter the parliament. However, according to Henderson (2002, p. 56) 'such system may create two-party systems, but they are equally likely to create one-party systems, when one dominant party is repeatedly returned to power, and there is no alternation in government'.

Due to the weak party and coalition discipline in the parliament there is a condition of having the majority in the parliament which does not necessary ensures passing legislation in favor of the ruling party. The effect of the electoral system in general was to produce a multi-party system, where average of participating number of parties in the Slovak Parliament is 6. The general conclusion is that the tendency of Slovak parties to split, merge and form coalitions can disorient us for detailed analyses of the Slovak politics. Namely, the parliamentary composition never looked the same in the end compared with the beginning due to these mid-term regroupings. Nevertheless, the rather confused shape of the Slovak party system cannot only be connected with the electoral system. The multiple cleavages of the Slovak society are great reason for the multi-party system.

Changing the threshold had direct implications on the small political parties, it has been and still is an obstacle for the ethnic parties striving to be represented in Parliament. Trying to outsmart the legislature, for the 1994 elections in Slovakia, three ethnic Hungarian parties formed a coalition to jointly pass the 7% threshold. Mečiar's constitutional amendments in 1998 had significant effect on the very representation of the minorities afterwards. Namely, the ban of pre-electoral coalitions forced the Hungarian parties to join and help them (as minority) to gain more seats in parliament and prevented losing electoral votes for the

minorities in case they would have been going separately on the elections and would not overpass the threshold of 5 %. Other electoral laws impede such coalitions through open party lists (preference votes for single candidates from the lists), which means that minority candidates from joint lists have difficulties being elected to parliament. Slovakia's open electoral lists are actually opposing to this thanks to the already established ethnic minority parties that are able to give their own candidate lists.

Slovakia's countrywide constituency offers better provisions for minority inclusion from point of view of the district magnitude. In the case of Independent Slovakia the Hungarian Coalition, and SMK afterwards, achieved greater share in the parliament than their popular vote (Friedman, 2007, p. 30). Nevertheless, in spite of the big territorial concentration of the Hungarian minority, the big threshold still represents an obstacle for their representation of a national level, which more likely had to be overcome by unification in one party. The line of reasoning of this argument is due to the 2010 electoral results when new established Hungarian party Most-Hid by winning 8.1% (14 seats in parliament) took the possibility for SMK- winning 4.3% support to enter the parliament due to the 5% threshold. Thus, the summarized 12.4% support for the Hungarian parties could not give the same results of higher representation than popular vote this time, rather it contributed to 6 lost seats for the Hungarians.

SMK did not split after the electoral rules once again gave permission for coalitions to run for parliamentary seats. Here the logical explanation is the electoral factor. Namely, if SMK split, each of the three parties (constituting the party) will again have to overcome separate 5% threshold or if they would establish pre-electoral coalition and present joint ballot list they would have to overcome the 7% threshold for the two or three party coalitions. Thus the relatively small size of the minority compiled with the big threshold force them to overcome their differences and act united.

Ethnic representation and territorial organization

The issue of public administration represents a high priority of the Hungarian minority in Slovakia. The Slovak government accepted the concept of public administration reform of its session on 26th of June 1999, the essence of which is the establishment of 12 higher level regional (county) units. In the committee preparing the law, the Hungarians did not participate in spite of the fact that they had a role in government. Hungarians regarded this fact as offensive for the principle of effective participation of public life of minorities, which is especially recommended in international documents in cases concerning decisions that fundamentally influence the life of minorities (Pataki, 2002, p. 261).

Thanks to public administration reform carried out between 2001 and 2005,⁵¹ Slovakia became a decentralized state with a relatively effective system of regional and local self-governance. The Slovak Constitution and applicable laws provide an adequate framework for self-governance at regional and local level, with a dual system of public administration-state administration (organs of executive power) and self-governments (elected bodies).⁵² Representatives of self-governments (deputies of municipal councils and regional assemblies, Majors, and regional governors) are elected in direct and democratic competitions, which are open to political party candidates as well as independent candidates. Regional and local self-governments do not have the power to pass laws, but they can pass bylaws and regulations that apply exclusively to them.

In April 2001 the first two Laws on territorial units and the elections for the organs of the higher self-governing territorial units (*organov samospravných krajov*) was approved by the government and from 1 January, 2002 Slovakia officially has eight territorial regions. The first elections for the governors of the regions and the deputies in the regional councils were held on 15 December 2001. Elections to local and regional self-governments use a modified majority electoral model with two rounds of voting in the case of the president and regional governors (Bielashiak, 2002, p. 195). The electoral model used for these elections was simple majority formula. The interest was on a very low level and only 26 % of the electorate gave their votes.

Traditionally, ethnic Hungarians have a high rate of political mobilization; as a result, this minority is represented effectively, so far mainly through SMK (Kollár, Mesežnikov, and Vašečka, 2009, pp.491-492).

At the regional level, the perspective of the EU membership paved the way to the regionalization of Slovakia and self-governance was established. The regionalization brought devolution of power and opportunities for local/regional politicians to govern the territory. The disciplined electorate of the Hungarian minority political representation has been very successful in the regional elections, and therefore the establishment of self-governing regions and municipalities creates new opportunities for the Hungarian minority to influence day to day affairs.

⁵¹ More on the LSG reforms at Kling, 2008, p.297-298

⁵² Regarding the local government Slovakia's basic local self-government (LSG) unit is the municipality (*obec*) and higher territorial units (i.e. regions).

Picture 1: Share of the political parties in the bodies of the self-governing regions at the 2001 regional elections.

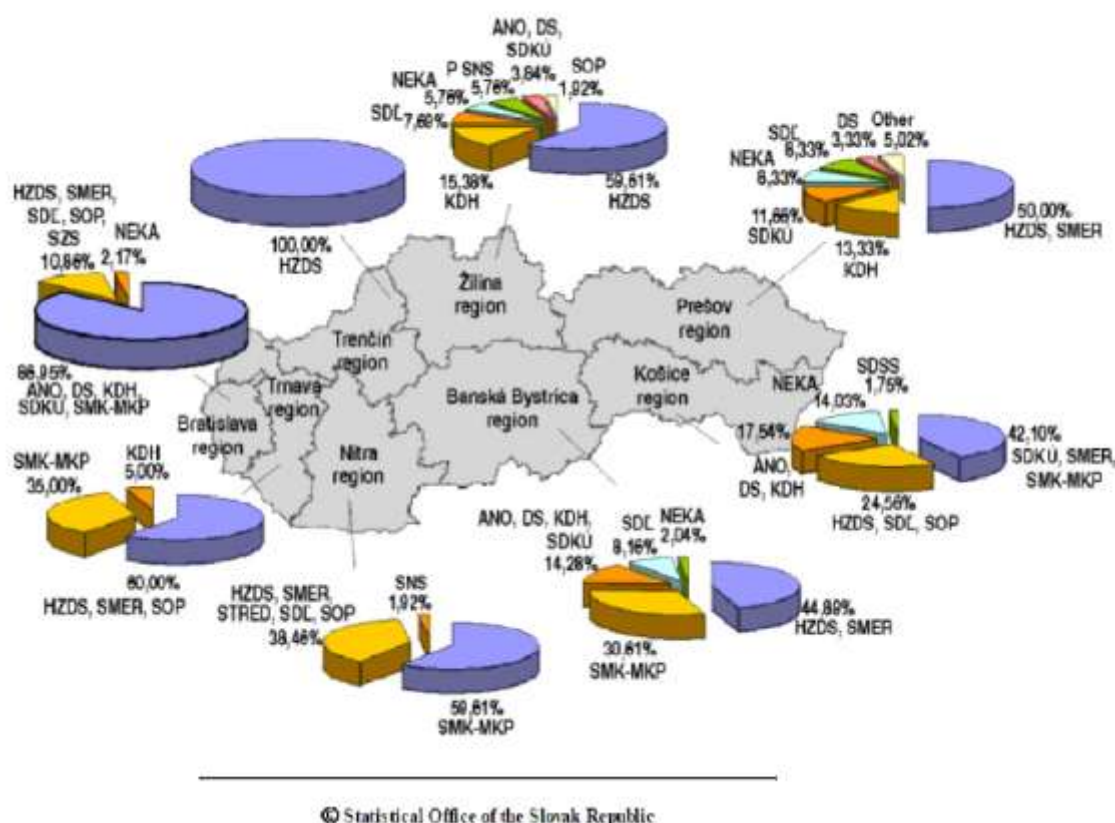


Figure 1⁵³ indicates the share of the political parties in the bodies of the self-governing regions at the 2001 regional elections. According to Kling (2008, p. 299) the Hungarian minority had not success in winning governor positions due to activation of the non-Hungarian ethnic voters. Nevertheless, SMK had significant share in the regions where it has the support of its Hungarian electorate. SMK had 84 deputies after the elections (20, 9%). In the Nitra region, it had almost 60%, in the Trnava region 35%, in Kosice 32%, in Banjska-Bistrica 31%, and in Bratislava 13%.

On the last 2009 regional elections the Hungarian parties also played a significant role. The percentage of share was: In the Nitra region it had 24, 07 %, in the Trnava region 27.50%, in Kosice 32%, in Banjska-Bistrica 14.28%, and in Bratislava near 60% (together with their coalition partners) (State statistical Office, Slovakia).

⁵³ Statistical Office of the Slovak Republic at: portal.statistics.sk/.../kartd1a.htm

In July 2008, the Nitra regional assembly changed the borders of its constituencies, a harshly criticized act of gerrymandering with an implicit goal to increase the number of Slovak deputies and reduce the number of ethnic Hungarians in the assembly (Mesežnikov, Kollár, and Vašečka, 2009, p. 487).

The literature on party systems in multi-level systems of governance has stressed that there are strong links between elections at different levels of administration, and political parties tend to organize across levels. The cleavage view neglects the importance that multi-level systems of administration and elections at the local and regional level might play for the formation of party systems (Bochsler, 2010, p.4).

Political parties or their coalitions registered by the Ministry of the Interior may submit a list of candidates for election to municipal self-government. Independent candidates may stand for election on their own nomination, supported by a petition signed by voters' bodies (which is different on a national level when individuals cannot be seen as candidates). According to Slovak National Council Act No. 369/1990 on Municipalities and later regulations⁵⁴, the term of office of municipal self-government organs elected by inhabitants in direct elections—namely, the council and Mayor (Lord Mayor)—is four years. The Hungarians once again have better provisions to get closer to power and some sort of self-administration by winning Mayor Positions and a share of the municipality Councils.

Table 2. Number of Hungarian Mayor positions and deputies on the local elections in Slovakia

	Mayors		Deputies	
	number	percentiles	number	percentiles
1990	164	6%	4 052	10,50%
1994	249	8,90%	4 404	12,50%
1998	227+25*	8,70%	3 841 + 324*	11,80%
2002	234+ 15*	8,50%	2 052 + 482*	11,70%
2006	215+ 20*	8,04 %	1 952+ 58*	10,03%

*Elected candidates from the Hungarian parties plus the candidates from the coalitions with other parties.

The Table 2, above, indicates the percentage of the share the Hungarian parties had in 2 871 municipalities.

⁵⁴ A decisive majority of towns and municipalities belong to the Association of Towns and Municipalities of the Slovak Republic (ZMOS). ZMOS is the most important interest group in the public administration reform process in Slovakia and was founded in March 1990, before Slovakia even initiated such reform. This association prepared the first concepts for the revitalization of self-government in Slovakia and is the most important independent partner to the central government.

Hungarians' average of electoral support for the Mayor positions is 8%, and for the deputies in the municipal councils are 11.3%. SMK was the most successful Hungarian party on the municipal elections. Nevertheless, the 2002 local elections opened the space for four more political parties of the ethnic Hungarians in Slovakia⁵⁵ running for Mayors or councilors on municipal level. Those parties never ran on the national elections and were not successful as much as SMK. However, the fact that they were enrolled in the municipal race proves the theory that the multi-level elections where there is more concentrated minorities have their influence on the formation of the ethnic minority parties. It should also be noted that due to the local elections, unlike the central elections, the independent candidates get the possibility to announce candidacy which makes the "battlefield" also attractive for the independent candidatures for the politicians of Hungarian ethnic origin.

The percentage of the independent candidates winning Mayor Positions in 2002 was 32, 66 % and the single party winning the most Mayor positions was HZDS with 8% support. In 2006 municipal elections the independent candidate again won most of the support (30, 83%). The percentage of support for the independent elected deputies in the municipal councils in 2002 was 13, 46%, which was less than the most successful party HZDS winning 16, 58%, but still was medium percentage of support compared with the other parties, and in 2006 the elected deputies achieved 17, 10% support.

Even though big changes occurred in the last two years in the Hungarian party representatives due to the new emerged party Hid, and the fact that SMK did not enter the parliament on the last June 2010 elections, the next November 2010 municipal elections will actually give the picture of the real inter-connection between the lower levels of government and the changes of the political parties. Namely, the fact that SMK lost the national elections does not necessarily mean that on the local elections it will be erased from the political scene. Again due to the better concentration of the Hungarians in some parts of Slovakia (which gives better provisions to be presented in the councils even as a smaller groups) SMK might decide to survive on the political scene and at least act locally.

Thus the 2010 local elections can define the way the Hungarians would run for power on the different level of government: are they going to just reshape internally and continue with only one party on every level, or they might decide to split due to local level interests?

⁵⁵ Maďarská federalistická strana - Magyar föderalista part MFS-MFP, Maďarská socialistická strana Slovenska - Szlovákiai Magyar Szocialista Párt MSSS-SZMSZP, Maďarská volebná konzervatívno-liberálno-občianska strana - Magyar Választási Konzervatív Liberális Polgári Párt; Strana maďarských socialistov - Magyar Szocialisták Pártja SMS-MSZP. Source Slovak State Statistic Office

Macedonia

The position of ethnic parties in the political system

The political pluralism in Republic of Macedonia was allowed in 1974 with the amended Constitution of the Socialist Federative Republic of Yugoslavia (SFRY) which automatically brought changes to the Constitution of Socialist Federative Republic of Macedonia (SFRM). With the Amendment no. 59 the freedom of political organization and activism was transferred from the Union of Communists of Yugoslavia/Macedonia and the Socialist Union of the Working People, to the citizens.

The idea of constructing the so called "non-party pluralism" was to make the transition phase to the multiparty pluralism more gradual. The "non-party pluralism" was the phase of the development of the pluralism in Macedonia when by promoting reforms on the internal party pluralism as a solution for the Union of Communists of Yugoslavia, the governing circles of the Union of Communists and some conservative circles of the Macedonian societies were trying to protect the one-party system. In order to prolong the status quo situation of monopolist positions in power, the socialist "elites" invented the pluralism without party pluralism. Despite the fact that the idea behind those "reforms" was obvious, it is important to stress that this reform had influenced the future plural party system of Macedonia (Климовски, 1997).

The pluralism in Macedonia in the transitional period had highly intensified range i.e. numerous political parties appeared, as well as unions and movements with variety of political programmes and orientations (from most radical, through moderate to regressive) (Каракамишева, 2004, pp.244 -245; Jovevska and Gaber, 1997, 2004, p.58). The first non-communist Macedonian political organization was the Movement for Pan-Macedonian Action (МААК) with the respected member of the Macedonian Academy of Science and Art, Gane Todorovski, as its president (Bugajski, 2002, p. 750). Unlike in the other post-communist countries, where the newly established parties had no significant meaning, МААК represented wide anti-communistic movement based on the Macedonian nationalism. Nevertheless, shortly after it turned out that the main anti-communist and nationalist party would not be МААК, but the reestablished VMRO (Internal Macedonian Revolutionary Organization) on which the acronym DPMNE (Democratic Party for Macedonian National Unity) was added.

VMRO-DPMNE's young leader, Ljubco Georgievski, criticized the overwhelming orientation towards Serbia, and along with Croatia and Slovenia he asked for federalization of Yugoslavia. This request was a tactical move due to the fact that Macedonians, who in that period were not used to the idea of leaving the Yugoslavia family, still had the need to

believe that Macedonia will still stay in a weak Yugoslav confederation.⁵⁶ This type of propaganda was also seen in Slovakia in 1991-1992, (that is how Mečiar's HZDS won the elections) (Рихлик and Койба, 2009, pp. 339-340).

The nationalistic and reformatory movement was not only present among the Macedonians, but Albanian minority also played the same nationalistic card, which distanced the two ethnicities one of each other. The Albanians who for a long time fostered negative attitude towards Yugoslavia formed the right and radically nationalistic oriented Partia Demokratike Populare (PDP) with Ilijaz Halili as its' leader on the 1st of January in Tetovo. Nevzat Halimi was the leader of the more moderate and leftist Albanian party Partia e Prosperitetit Democratic (PPD). As mentioned in the previous chapter the other minorities, like Turks, Roma, and Serbs, also formed some ethnic political parties (Рихлик and Койба, 2009, pp. 440-341).

In 1990 MAAK stepped towards independence, and on 2nd of August the Programme for independent Macedonia was presented. On 24 September the first pluralistic parliamentary elections were announced by the SRM's President of the Parliament-Vulnet Starova. After the two electoral rounds of the 11th and 25th of November, 1990 nine political parties (half of the parties running for seats) and three independent candidates entered the new after-communist parliament. Out of 120 seats VMRO-DPMNE⁵⁷ won 38 without having an absolute majority (Каракамишева, 2004).

The new Parliament established the Declaration of the Macedonian Sovereignty on 25th of January and the principles of the new political and market model of Macedonia were supposed to be appointed by the Constitution of Macedonia on which they immediately started working.⁵⁸ The balance regarding the seats of the parties (VMRO DPMNE and the League of Communists of Macedonia - Party for Democratic Changes SKM-PDP) in the Parliament complicated the establishment of the government (Šedo, 2010, p.170, Stojarova, 2010, pp.34-35). The Parliament elected the first President of Independent Macedonia - Kiro Gligorov, and Ljubco Georgievski had the position of Vice president. However, on 20th of March the Technical Cabinet (government) was constructed under presidency of Nikola Kljusev, supported by leftist parties and the Albanian PDP (that was scared from the nationalistic rhetoric from VMRO-DPMNE and therefore choose to participate in the more

⁵⁶ He also had some contra arguments to Gligorov – Izetbegovic Platform. See more in Andov, 2003, p. 313

⁵⁷ MAAK, VMRO-DPMNE, The Popular Party, the Democratic Union and the Agricultural Party joint in a pre electoral coalition named as Pan-Macedonian national democratic front, known as coalition MAAK-VMRO-DPMNE

⁵⁸ SRM was obliged to protect the rights of the minorities in the country as well as the rights of the Macedonians living in some foreign country. This had worsened the bilateral relations with Greece which presented this policy as a territorial pretension against it.

moderate government).⁵⁹ On 20th of April SKM-PDP left the Marxism, Leninism and Titoism, and transformed it in Social Democrat Union of Macedonia (SDSM), under the leadership of Branko Crvenkovski (Рихлик and Коуба, 2009, pp. 344-345).

After the referendum and the fortunate peaceful secession from Yugoslavia, Macedonia established its political system. Legislative power lays in the unicameral Parliament constituted of 120 seats. The executive power belongs to a person designated by the President of the republic. Usually the leader of the party winning majority of the seats in parliament is that person (the Prime Minister). The government and the Parliament control each other and have right to vote for interpellation. The President has less powers than the Prime Minister and his election by public suffrage was questioned many times due to the financial costs that every electoral process produces for electing a public figure whose powers are more of a ceremonial type.

Going back to the parliamentary elections, the wide coalition of Kljusev fell apart. Georgievski went into a radical opposition resigning the Vice presidential position. Nevertheless, VMRO-DPMNE could not use the situation to overtake the power once Klusev's technical government was down. The main reason for that was the weakening of VMRO-DPMNE's power due to the several fractions that afterwards left DPMNE and formed their own VMRO parties (by changing the acronym DPMNE with some different one). The new government was established by Branko Crvenkovski's SDSM leftist coalition with some other parties (including the two Albanian parties). In September 1992 PDP received five minister chairs in Crvenkovski's coalition government, including a deputy premiership, but complained that it has been excluded from the most important portfolios. Nevertheless scared from the viable future perspective of long-term opposition PDP did not withdraw from the executive (Bugajski, 2002, p. 754).

At the same time the government had to face the hard economic problems. The production previously oriented towards the other Yugoslav Republics could not be exported abroad, because of the Yugoslav wars, and the embargo towards Serbia and Montenegro, and because of the new customs' barriers from Croatia and Slovenia. The circulation of the Yugoslav dinar lost its value and that implied an enormous inflation and increasing of the prices. The tax system was ruined especially in the Western parts of Macedonia where the taxes practically could not be collected from the Albanian population. The situation got better after the Macedonian currency-denar was introduced. The privatization in Macedonia was also non transparent and even after 20 years of transition there are still processes in court implying that the governments of independent Macedonia were involved in corruption scandals.

⁵⁹ According to Andov (p.280) Kljusev was Gligorov's choice and three Albanian members participating in the technical government were probably proposed by PDP.

Along VMRO-DPMNE's boycott in the Parliament after the 1994 elections, which affected the normal democratic government due to lack of opposition, one other important problem for that government was the radical wing of PDP that asked for federalization. Albanians even organized a referendum for this cause and 92, 56% of the Albanian population supported the idea. The Macedonian government neglected the referendum, and after the February 1994 Congress of PDP, in which the radical faction refused to participate, the party split. In fact this fraction decided to organize another congress at the same time and formed the Partia e prosperitetit democratic e Shqiptareve-PDPA (Рихлик & Коуба, 2009, p.375; Roudemetov, 2002, p.172). Its radically nationalistic leader, Arben Xhaferi, accused PDP of collaborating with the communists and for a betrayal of the Albanian interests. Ironically, unlike in Slovakia where SMK and SNS as nationalistic parties could never collaborate, VMRO-DPMNE and PDP managed to cooperate as two nationalistic parties.

Macedonia has two tiers of governance: national (the Parliament) and local-self government bodies, or communities, within the municipalities. For both types of governance Macedonia has universal and equal suffrage, with regular, free, and fair elections conducted by secret ballot in regularly held polls (in principle in every four years), and are subject to independent monitoring and oversight. In the first two decades of independent Macedonia there were six parliamentary elections (1990, 1994, 1998, 2002, 2006 and 2008), four local (1996, 2001, 2005, 2009), and four presidential (1994, 2000, 2004, and 2009) elections.

As the Table 3⁶⁰ clearly indicates, on the next 1994 parliamentary elections, despite the accusations for electoral irregularities in the first round coming from VMRO-DPMNE, Branko Crvenkovski won the elections. The SDSM coalition (named Alliance for Macedonia) included The Socialist party of Macedonia and The Liberal Party (former Reformist Union), and surprisingly, the moderate Albanian party PDP once again constituted the governmental coalition. The Presidential elections were held on the same date, and Kiro Gligorov was elected for another 5 years term.

⁶⁰ The political parties: DPMNE: VMRO-Democratic Party for Macedonian National Unity; SDSM: Social Democratic Union of Macedonia; BDI: Democratic Union for Integration; PDSH: Democratic Party of Albanians; PEI: Party for European Future; PPD: Party for Democratic Prosperity; LDP: Liberal-Democratic Party; SPM: Socialist Party of Macedonia; NSDP: New Social Democratic Party; DOM: Democratic Renewal of Macedonia; NP: VMRO-People's Party; NDP: National Democratic Party; DA: Democratic Alternative; LP: Liberal Party; DP: Democratic Party; PDP: Democratic People's Party.

Sources: State Election Commission (<http://www.sec.mk>); W. Ismayr, Die politischen Systeme Osteuropas; own completions. © 2008 Wolfram Nordsieck.

Table 3. The parliamentary elections in Macedonia

	1990		1994		1998		2002		2006		2008	
	%	Seats	%	Seats	%	Seats	%	Seats	%	Seats	%	Seats
DPMNE	24,8	38	17,9	-*	28,1	49	24,4	32	32,5	45	48,8	63
SDSM	25,3	31	30,8	98	25,1	27	40,5	61	23,3	32	23,6	27
BDI	-	-	-	-	-	-	11,9	16	12,1	17	12,8	18
PDSH	-	-	-	-	PPD		5,2	7	7,5	11	8,3	11
PEI	-	-	-	-	-	-	-	-	1,2	1	1,5	1
PPD	23,5	23	8,3	10	19,3	25	2,3	2	BDI		0,5	-
LDP	-	-	-	-	7,0	4	SDSM		SDSM		SDSM	
SPM	4,7	4	SDSM		4,7	1	2,1	1	DPMNE		DPMNE	
NSDP	-	-	-	-	-	-	-	-	6,0	7	SDSM	
DOM	-	-	-	-	-	-	-	-	1,9	1	DPMNE	
NP	-	-	-	-	-	-	-	-	6,1	6	-	-
NDP	-	-	-	-	-	-	2,1	1	-	-	-	-
DA	-	-	-	-	10,1	13	1,4	-	-	-	-	-
LP	18,1	18	SDSM		-	-	-	-	-	-	-	-
DP	-	-	12,8	-*	-	-	-	-	-	-	-	-
PDP	0,4	1	2,8	4	-	-	-	-	-	-	-	-
Others	3,2	5	27,4	8	5,1	1	10,1	-	9,4	-	4,5	-
Total	-	120	-	120	-	120	-	120	-	120	-	120

(*) DPMNE and DP boycotted the 2nd round of the elections in 1994. DPMNE & SDSM generally campaigned in alliance with minor parties

The continuing economic crises decreased the public support for this coalition, and the populist rhetoric from the opposition lead to a governmental change in 1998 elections. The first round of the 1998 parliamentary elections was held on 1 November and 17 parties had their candidates. VMRO-DPMNE and the new formed Democratic Alternative (DA)⁶¹ won the elections with 62 seats and Crvenkoski recognized the defeat. Gligorov gave the mandatory position to Georgievski who choose PDPA (already merged with PPD) as its coalition partner. DPA won three ministries in the cabinet: Justice, labor and Social Polity, and Local Self Government. It also pushed for various changes into government policy in order to incorporate the Albanians fully into the Macedonian public life. Nevertheless, it was criticized by PDP for making too many compromises which were not in favor of the Albania minority (Bugajski, 2002, p.756). The programme included radical economic reforms planed to end up with the communist past. However, during that period the Kosovo conflict and the refugees only added fuel to the fire, and the economic problems even worsened.

The nationalistic coalition in the end proved the reasons why this coalition was considered strange from the very beginning. Georgievski and its Minister of Interior Affairs, Dosta

⁶¹ The leader of DA was Vasil Tupurkovski who won electorate's votes thanks to his populist campaign. He promised 1 billion dollars financial help coming from Taiwan if Macedonia would recognize its independence. The money received from that imprudent decision caused Macedonia its' security. Thanks to this decision China voted for cutting the UNPROFOR mission in Macedonia, which automatically leads to weapon smuggling and the 2001 conflict with the Albanians.

Dimovska (1998-2001), refused to prevent the crime and terror in the western parts of the country considering that their coalition partner from the Albanian camp would control the situation. Moreover, Georgievski supported the proposed territorial “trade”-prepared by Gjorgji Efemov. According to this plan, the Tetovo, Gostivar and Debar regions were supposed to be exchanged with the eastern or south-eastern parts of Albania (including Pogradec and Mala Prespa), and to prevent armed conflict. (Friedman, 2003, p.3; Philips, 2004, p.123) The plan was not taken on serious grounds. The 2001 conflict occurred and the failure of Georgievski’s politics happened on 15th of September 2002 when the wide coalition, Together for Macedonia⁶², won the parliamentary elections and Crvenkovski was a Prime Minister once again. The new Albanian coalition partner in this government was Ali Ahmeti’s Democratic Union for Integration (DUI).

On the 2006 elections, the new leader of the reformed VMRO-DPMNE, Nikola Gruevski, became the new Prime Minister. He won 45 seats and together with the Socialist Party of Macedonia (SPM) created the government. He refused to include DUI (that had won 17 seats), rather included PDPA that had won 11 seats. This decision was justified with the VMRO-DPMNE standing point that those elected candidates from DUI are former criminals and terrorists involved in the 2001 conflict. Be that as it may, high level of dissatisfaction derived from this political decision.

Following the country’s failure to win an invitation for NATO membership on the April 2008 NATO Summit, early elections were scheduled for 1st of June 2008. The 63 out of 120 seats in Parliament have proved once again the high public support for Gruevski. The new coalition government, composed of VMRO-DPMNE, DUI, PEI and several parties representing smaller ethnic minorities, was established in July. For the first time one deputy prime minister was ethnic Albanian and one minister was from the Roma community. The government programme included accession to the European Union among its strategic priorities (EU Progress Report, 2008).

Monitors from the Organization for Security and Cooperation in Europe (OSCE) reported that key international standards were not met. Not only the campaign was marred by attacks on campaign offices, physical fights, and shootings, but organized violence, intimidation, and stuffing of ballot boxes, in some predominantly ethnic Albanian areas, were reported on the Election Day. In the conflict among the two biggest Albanian parties DPA and DUI one person was killed, and several others injured (Misev, 2009, pp. 348-349).

The international community and the foreign media condemned the violence, and the Macedonian government was criticized for not finding instruments to prevent those events.

⁶² The Coalition was created by Crvenkovski’s SDSM, Risto Penov’s Liberal-Democratic Party (LDP) and some other smaller parties and 8 other smaller parties (compiling the Turks’, Vlahs’, Romas and Serbs’ Parties)

It is very unlikely that the multiethnic civil concept of the parties will become reality because of their mentality so far; nevertheless; according to Bashkim Bakiu (2010) the establishment of multiethnic pre-electoral coalitions was of great importance. This was never the case because in practice, those coalitions were mostly established after the elections. The reason why they do not enter coalitions is because the other ethnic party will condemn them as traitors and they will lose what they have already achieved. Such pre-electoral coalitions would make the creation of the future governments easier and will give better legitimacy to the winning coalition.⁶³ Be that as it may, the Albanian parties could at least form pre-electoral coalitions that will actually mean consolidation of their interests: establishing priorities and achieving progress of the country as a whole.

The effects of institutional arrangements

The electoral system of Macedonia underwent a complicated evolution; Two Round System (TRS) (which according to Horowitz should be in favor of the multiethnic societies) changed, first to a mixed system, and later to a fully proportional model (more favored by Lijphart).⁶⁴ In 1990 and 1994 Macedonia used plurality electoral system in two rounds, where each of the 120 electoral units gave one representative in the parliament. This type of majoritarian model seeks two cumulative conditions: one is the absolute majority from the people that voted, and the second one is that majority is no less than 1/3 from the whole electorate body. Namely, the candidate could be considered elected only if the majority of votes at the same time were 1/3 of the electorate in the electoral list of that unit. In the second round of elections parliament seats go only to those parties that won more than 7% of the people who voted (Каракамишева, 2004, p.251). The result from the first 1990 elections was 9 parties in parliament out of 18 that started the “race”, and plus three independent candidates.

However, this model did not give the expected effects. Instead of constructing stable government with democratic majority, Macedonia “achieved” highly polycentric parliament, with none of the parties winning absolute majority. The need for absolute majority in the parliament produced fake pre-electoral coalitions for the next elections. Those coalitions were not born from a real political legitimacy due to the asymmetrical allocation of seats compared to the achieved electoral support in percentages. Thanks to the plurality model the coalition

⁶³ The decision of VMRO-DPMNE to make a post-election coalition with DPA with whom they had closer programmes on the 2006 elections, despite the fact that the electorate gave better support to DUI, provoked dissatisfaction in the rows of the Albanian electorate. If this pre-electoral coalition happened DPA would have the legitimacy to enter the government. This would also influence the pre-electoral campaign when they would have to present their programmes in front of the different ethnicities. The parties of the smear ethnic communities are usually enrolled in pre electoral coalitions with other bigger parties. (Bakiu, 2010)

⁶⁴ Bielasiak: Croatia Mixed to PR etc.

entitled as “Union for Macedonia” won 95 from 120 seats in the 1994 elections, which is 80% seats out of 30% electoral support (Килимовски, 1997). Macedonian party scene got extreme number of parties and from 1990 to 1994 in Macedonia there were around 60 registered parties. The expected bigger concentration of political parties that the majoritarian system was supposed to provide did not occur; it constructed an unstable government; and finally instead of stable political parties with coherent internal infrastructure, the political parties did not have concrete orientation and addressed all the social strata (Каракамишева, 2004, pp.248-256). The principle of equal right to vote for all the citizens was violated thanks to the inequality of the number of citizens in the territorial units. Namely, in Macedonia there were territorial units with 5.837 voters (Resen) and with 18.267 (Kocani), which practically implies to unequal value of the citizens votes (Габеп and Јовеска 1997, p.42).PDP leaders claimed that the party would have obtained much larger parliamentary representation after the 1990 elections (22 seats in parliament in a coalition with NDP) if the PR electoral rule had been in effect, and if the election authorities had not gerrymandered several electoral districts (Bugajski, 2002, p.757). On the 1994 elections the electoral formula remained the same, however, the political parties established pre-electoral coalitions in order to challenge the segregated political-party life. The political parties from now on were not differentiated by their programmatic orientation, but rather by their ethnic belonging.

In 1998 the TRS was changed by the mixed system: under the Majoritarian principle 85 out of 120 seats in Parliament were elected in 85 single member constituencies, and 35 under PR countrywide candidate list with a 5 % threshold. The relation vote-seat was improved with this system; the party scene started the practice of pre-electoral coalitions which decreased the political divide in the Macedonian society from 29 political parties 8 received status as legislative, and only 5 won seats (Emerson and Šedo, 2010, p.14).

After 2001 conflict the electoral system was changed into fully proportional, with 6 constituencies, by using the D’Hondt formula. One overall consequence was that 16 parties participated on the 2002 elections, as opposed to eight participating in 1998 (Šedo, 2010, p. 168). The threshold was omitted from then on. Two year later, the political instability was considerably settled down. The major coalitions of parties, and two unaligned parties participated on those elections. However, Macedonia could not yet be assessed to have stable polity. Macedonian confused citizens, unlike Slovaks, did not learn how to vote strategically due to the often changes of the electoral rules.

The PR model in Macedonia resulted with further fragmentation of the party spectrum and it showed that instead of giving chances to the smaller parties, this model, as constructed, gave more chances to the bigger parties and left 100 000 votes unrepresented in parliament. The importance of the district magnitude was clearly seen in these elections. The disproportionality between the electoral votes and mandates was obvious. Calculated on a

national level, the results from the 6 districts it would have been different. The close party lists gave more power to the leaders and their closest persons. The final conclusion from these elections is that the PR electoral model gave typically majority system results; thanks to the district magnitudes and well organized electoral tactic from the opposition to construct wide coalition and to stress the importance of those elections for the sake of the country (Каракамишева, 2004, p. 290).

Just like the case of Slovakia the average number of parties in Macedonian parliament is 6, however one should bear in mind that this number of parties in Macedonia also signifies constituencies of wide coalitions. In the post-communist period when the mainstream opinion was that the PR system will not only prevent authoritarianism and non-democratic systems but it will also include the diversities reflected in the political parties better than before, Macedonian elites preferred “experimenting” rather than using academic analyses and experiences. Macedonia’s closed lists once again gave more power to the party leaders and restricted the opportunities for more precise choices from the citizens. This is still reflected in the practices of the political parties’ workload. Namely, they still can be considered as “sultan” parties with big authoritative behavior from their leaders.

The analyses and debates on the viable ballots with open lists are present in the last period. The ethnic parties even prefer the nationwide constituency as electoral unit.

According to Bashkim Bakiu (2010) the PR in one electoral unit nationwide would be the best possible choice for the ethnic parties because then the Albanian parties will have to look for a support and present their programmes in eastern Macedonia and the Macedonian parties to search for support of the Albanian electorate in western Macedonia. This can force the ethnic parties of both ethnicities to create coalitions and consolidate themselves a little bit. This system actually divides the political parties and makes their cooperation even less possible. Those Macedonian parties who have few candidates in electoral units with dominant Albanian population give small input because they can presume the final result, and vice-versa. However, it is worth mentioning that Macedonia is one of the rare cases of null threshold for a political party which in a way justifies the “smaller” 6 electoral districts. This is the way of mitigating the underrepresentation of the smaller parties in parliament.

Macedonia does not have specific electoral laws to ensure minority representation like the other Western Balkan countries (Croatia, BiH, Serbia, Montenegro, Kosovo) that have adopted some degree of positive discrimination in the electoral system (Bieber, 2010, pp. 61-71). In Macedonia the inclusion of an Albanian party in the government has become part of unwritten rules of interethnic accommodation and any government without an Albanian party would result serious instability. There are suggestions for Macedonia to impose a special rule which will stipulate 10 seats in parliament for the smaller minority parties. As long as the

Badiner principle is not endangered, DUI's leader Ali Ahmeti announced that he supports such an initiative.⁶⁵ According to the comments on the Electoral Law of 2008 Siljanoska, Ulom, Krali and Škorik (2009, pp. 40-41) will stress that the PR system was in favor of the better proportionality in the parliament which gave chance for better representation of the minor parties, nevertheless, at the same time additionally fragmented the party system. Despite the fact that there is no threshold, the representation of the smaller (ethnic) communities is harder because they usually go in pre-electoral coalition with some of the bigger parties. The six electoral units as evaluated as relatively good for representation of the citizens' interests (with notification on the previously mentioned smaller ethnic groups).

As mentioned at the beginning, the electoral formula, district magnitude and the threshold can determine the level of representation of the smaller groups, and automatically the representation of the ethnic minorities in the parliament. Even though representation in number does not always signify good and successful achievement of ethnic community (minority) interests, the very participation in parliament cannot be underestimated. As for the Macedonian case, the first publicly presented idea of Macedonian party New Democracy (ND) in 2008 was that the electoral law should be amended with new provisions which will "transform" Macedonia to countrywide electoral district instead of the 6 already existing electoral units⁶⁶ (Selami, 2010). The practice of national elections is that the Albanian parties present candidates' lists usually in only 4 out of 6 electoral districts due to their territorial concentration and the real chances of winning seats. Nevertheless, if the six electoral districts no longer exist and the country is a sole electoral unit, the PR will bring different results; the other Albanians from those parts of Macedonia will be able to vote for their ethnic parties and the number of seats will increase. Still there is a possibility that his way the Albanian minority could even achieve high overrepresented reality in parliament.

Elsewhere (Czech Republic, Hungary, Moldova, Romania, Slovakia), legislation rules for minority parties are being circumvented through the application of higher thresholds for multiparty alliances, Macedonia on the other side has no threshold which makes the access to the parliament of the minor groups easier.

Ethnic representation and territorial organization

Since the Ohrid Agreement in 2001, Macedonia has engaged in a thorough decentralization effort, committing itself to devolve responsibilities of the central government to local government units. The agreement set out a strategy agenda concerning equal representation

⁶⁵ Nova Macedonia online 02/06/2010

⁶⁶ According to the internal ND's assessments this change will provide 5 more seats for the Albanian parties. (Selami, 2010)

of different ethnic groups in local self-government (Misev, 2009, pp.358-359). In 2002 a new Law on Local Self- Government was adopted to regulate the structures and general powers of the municipalities (EU Progress Report, 2005). The government has worked to correct the functional deficiencies of municipalities and enhance their capacity to fund sustainable economic development through independently collected local revenues. The Association of Municipalities (ZELS) serves as a link between the central authorities and local governments (Misev, 2009, pp. 358-359).

Even though according to Sartori (1997, pp. 20-21) the well-known concept of “gerrymandering”⁶⁷ is an abuse and it should be considered as shameful rigging, the reality after the 2001 conflict in Macedonia actually favored the same concept under the name of “decentralization”. The creation of the electoral units for the parliamentary elections was influenced by the ethnic motive, furthermore the very decentralization, closely related with the further local elections has provoked many debates and opposing opinions, which even resulted in an unsuccessful referendum. In August 2004 the Laws on Territorial Organization, on Financing of Local Self-Government Units and on the City of Skopje were adopted to complement the 2002 law. The number of municipalities was reduced from 123 to 84. The city of Skopje was constituted of 10 municipalities. The local elections in March-April 2005 were held under the new set-up. The powers transferred to the municipalities relate to public services, urban and rural planning, environmental protection, local economic development, culture, local finances, education, social security and health care (EU Progress Report, 2005). From the 84 municipalities,⁶⁸ today 15-18 municipalities have an Albanian Mayor and one has a Roma Mayor. Fifteen municipalities have majority Albanian population, 9 have above 20%, 2 municipalities have majority Turkish population and 2 above 20% Turkish population, and only one Roma municipality has majority Roma population. Therefore 32 municipalities in official communication use the language of ethnic community above 20%, 28 of these are actually using Albanian language, 4 municipalities can use the Turkish language, one Serbian and one Roma language.⁶⁹

Nevertheless, the municipalities are still not satisfied with these boundaries. Even though now there are more municipalities with bigger concentration of the minorities, which provides them with Mayors and elected councils with representatives from the minority parties, there are evident cadastral problems that just complicate the everyday life of the

⁶⁷ “Gerrymandering” is a traditional American name for the practice of drawing constituency boundaries so that they intentionally fabricate winning pluralities. The American governor of Massachusetts, Gerry, in 1812 first had the idea of drawing a salamander-shaped district that brought together his voters and dispersed his opponents. (Sartori, 1997, p.21)

⁶⁸ From total of 84 municipalities, 16 municipalities have less than 5000 inhabitants; 16 municipalities have inhabitants from 5 000 to 10 000; 21 municipalities- from 10 000 to 20 000; 17- from 20 000 to 50 000; 13 – from 50 000 to 100 000; and only one-municipality of Kumanovo has over 100 000 inhabitants.

⁶⁹ MLS Brochure: The Citizens and the municipalities

inhabitants living in those municipalities.⁷⁰ The new Law on Local Self-Government introduces the Committee for Inter-Community Relations (CICR) whose main purpose is to facilitate the inter-community dialogue on a local level and give chances to those communities underrepresented in the in the municipal administration and municipal council to voice their interests and opinions (OSCE, 2009, pp. 18-25). According to the Article no. 55 this Committee should be established in those municipalities with more than 20% members of a certain community (LSG LAW). The political will for multiethnic society was disputable due to this situation because this reflects the unwillingness of those municipalities inhabited with ethnic Albanians to respect the measures they required for themselves in those municipalities where they are a minority.

The local elections of March 2009 significantly reshaped the political map in the country; the party of VMRO DPMNE won 56 out of 84 Mayors, which is more than double than the 2005 elections when they had 27 Mayors. SDSM lost 15 majors and from 21 they ended up having only six Mayors. Nevertheless in the Albanian block there were no significant changes regarding this question. Both major political parties DUI and DPA won the same number of Mayors as the 2005 local elections: DUI-14 and PDA-1 (OSCE, 2009, p. 6).

Concluding remarks:

Several internal factors influenced the way ethnic minority parties in Slovakia and Macedonia transformed through time: the willingness of the parties to include the minorities in their political agenda and inside party lines, the practice of including the minority parties in governments, the electoral engineering, with its essential elements such as electoral formula, threshold, and district magnitude, and finally the territorial organization and the multi-level governance.

Starting with the first factor, the willingness of the parties to include the programmes of the minorities in its agenda, I can say that in spite of the fact that in the first civic movement VPN the HCP was included, there was not much of interest coming from the Slovak parties to include the Hungarian interest in their parties' statutes and programmes and therefore the ethnic parties of the Hungarians had to emerge due to the need for advocacy of Hungarian rights and interests in Slovakia. Macedonian parties as well did not prove to be very open for Albanians participating with their ideas and interests and to give them higher positions in the

⁷⁰The Mayor of Aracinovo, Bastrim Bajrami, openly complained that the territorial division of the municipality of Aračinovo is so unnatural because the property rights are unsolved and the division of the territory caused problematic situations; where some of the properties belong to two neighboring municipalities, and this furthermore causes many problems on the fiscal decentralization. Therefore, he asked for competencies of the Mayors for management of the land properties in the municipalities. (A1 TV)

hierarchy of the parties. From the lack of capacities, the Albanians choose to convert their movement into the first political party PPD, nevertheless they grew in number afterwards.

This clearly indicates the necessity to overcome the viable neglecting from the majority, and to find solution for not very feasible multi-ethnic (civic) concept of party formation. Therefore the minorities in both cases were practically forced to construct parties based on ethnic lines and to hold purely ethnic agenda.

The Hungarians were included in the government several times. Namely, the first party included in the umbrella VPN actually left space for Hungarians to participate in the government. Later, the Hungarian Coalition participated in the six months government of Moravčík until they could once more be included in 1998 in the government of Dzurinda. The 2002 elections were also a winning electoral term for SMK that stayed in the government until 2006. The last elections in 2010 also gave positive vibes for the improvement of the vulnerable relationship between Slovakia and Hungary due to the inclusion of the new party Most-Híd in the Radičova's government. Macedonian unwritten rule to include the Albanian most successful party in the post electoral governmental coalition overcomes the uncertainty of minority protection (by inclusion in the decision making processes), and the smaller ethnic parties are already included in the pre-electoral coalitions. Thus Albanians were always included in the government.

The case of Slovakia leads me to conclude that formation of one party (coalition) of ethnic minorities is more likely due to the joint endeavors for inclusion in the governments (which is very uncertain in this case). The common goal, decision-making power, consolidates the interests and gathers the politicians in one body. Compared to the Macedonian case one can state that this is also the case, (and many scholars claim that joint coalition would mean better representation of the interests of the Albanian minority) but the "gentlemen agreement" of inclusion of ethnic Albanian party after the elections actually influences the interests of the very politicians in the Albanian bloc to become competition, rather than allies.

Regarding the electoral engineering Slovakia could be observed as more constant from the point of electoral formula. Namely the PR was always used on a national level and lately the one countrywide electoral unit is practiced. Macedonia's electoral experiments in fact ended up with the PR in 6 electoral units. The central elections in both cases were supposed to give better provisions for the minorities, however, having in mind that these minorities actually live territorially concentrated means that TRS would also give good results for the minority representation. The nationwide constituency in the Slovak case actually gives better proportionality than the six units in Macedonia. The eventual nationwide constituency would mean that the two ethnic parties would present their programs not only in those parts where they assume they would have good results, but also in those other parts that would improve

the proportional results in general. If the TRS was enforced in these countries probably the number of parties would grow due to the smaller electoral units which closes the logic of elections to the local ones. The threshold of 5% percents is the main obstacle for the 10 % Hungarian inhabitants, whose interests are represented through several parties, to act separately with their own agendas. The 7% threshold for coalition of two or three parties obstructs their pre-electoral coalitions. Macedonia has no threshold that will influence the freedom to act separately with its own programmes and activists.

The territorial organization heavily influenced the behavior of the ethnic parties in Macedonia. Their real internal competition is actually on a local level where they struggle for power. This has big role in their transformation and the reason why they are growing in number. Nevertheless, they could always go together on national elections (or at least in a wide Albanian coalition) but the real struggle for influence over certain local areas can be only sustained if this competition is actually on both levels of governance. Slovakia can also present several ethnic Hungarian parties on regional and municipal elections; nevertheless, the participation of independent candidates is a stronger incentive for all the ethnicities. Namely, even though Hungarians acted with several smaller parties they did not achieve much on lower level of governance, rather the possibility to be represented individually (which is banned on a national elections) was more attractive than creating new parties.

Conclusion

According to Benedict Anderson (1991) the end of the era of nationalism is not viable soon. He supports this argument with the fact that every year the United Nations accepts new member states, and many old nations, which previously believed to be consolidated once and for all, are under threats of sub-nationalisms within their borders. These new-born nationalisms, previously dreamed of eventual opportunities to overthrow the subordination, but “failed to bark” for long time. Bearing in mind that in 1991 Anderson was unable to take into consideration the following dissolutions of the Soviet Camp and Yugoslavia, he was unable to speak of the sub-nationalisms in some countries such as Czechoslovakia or Serbia, even less to claim further occurring dissolutions such was the Czechoslovak “divorce” and further conflicts such as the Kosovo crisis.

Sub-nationalisms opened the path for the actualization of the minorities’ issues. New emerging nationalistic romantic ideas got the chance to float above the surface and to be “democratically” expressed (or masqueraded) with the new popular concept of minority rights protection. In fact the EU conditionality from one side provokes hidden nationalisms by voicing the minority rights in a manner of group rights; nevertheless, from the other side, EU accession is considered to be the only possibility for minorities and majorities, in a given

new born democracy, to put aside the destructive nationalisms and sub-nationalism by accepting the new concept of “European citizens”. In spite of all EU efforts to push the CEE countries to protect their minorities the conditionality is sometimes assessed as hypocritical due to the existing double standards (regarding minority policies) for the old and the new members states.

Be that as it may, ethnic division within the new democracies was reflected in their daily political life. The best proof for that was the division of the political parties on ethnic lines and the common unwillingness or inability to form mixed (inter-ethnic) parties. Slovakia and its Hungarian minority parties and Macedonia with the Albanian parties were the core objects of comparison of my thesis.

Answering on the research question: **What are the factors that influence the different paths of transformation of the biggest minority political parties in Slovakia and Macedonia;** I divided them in three groups: the historical, the internal and external factors.

As regarding to the question: **are there any cleavages that influence an ethnic minority to separate itself in different political parties or any reasons to stay together in a coalition, or one overall party,** I will try to simplify the answer. Namely, I argued that there are cleavages below the ethnic lines, however, they do not play an important role, when it comes to separation or unification of the ethnic parties, due to the bigger cause: the minority rights (interests) protection. I could even vulgarly state that the pure struggle for power is one of the strongest motives to “manipulate” with the consolidation or separation of the internal interests of the minorities. Nevertheless, the struggle for power is legitimate and the ethnic political parties have responsibilities in front of their electorate to offer and conduct some programme. Therefore, I took the high threshold and the lack of political accountability as the main reasons for the Hungarian parties to consolidate their differences into one electoral programme. On the other side, I see the opportunity offered by the “custom norm” (of integration of an Albanian party into the government), and the big size of the electorate voting for these parties as one incentive for the Albanians to separate the electorate. I will not leave aside the lower level government (local and regional elections) as a very important factor either. If for the Hungarians is still uncertain how the political parties will act locally, after the split of the leadership of the new emerged part Hid-Most from SMK, the Albanian parties mostly divide on a local level. Here they feel comfortable to compete due to the territorial concentration and viable opportunities for majors’ positions. Therefore, the parties find it hard to merge when it comes to central level elections. Eventually, that will endanger the already achieved reputation at local level.

Regarding the **sub-questions** posed in the introduction part I have stated that minority parties were very capable to affect the political atmosphere in these two countries, not only by

posing its aims as a priority, but also by helping the ethnic majority parties form governmental coalitions. SMK played crucial role in the D'zurinda's government but even more for the inter-ethnic stability of Slovakia, which lead the country directly into the EU family. The Macedonian case is a bit different: Macedonia has yet a long way to go in order to meet the criteria for joining the EU family. Nevertheless, the Albanian factor is a crucial element in each of the governments, and quite often the factor of stability or instability in the country. EU acceptance was a priority to all of the ethnicities. Both minorities (Albanians and Hungarians) tried to use the EU accession for their interests; however, they also helped the country with the accession processes, which make their pressure on the international community a positive impact for the democratization process of these countries.

As for the role played by the kin (neighboring) countries, it cannot be stated that Hungary and Albania were always factor of stability. Their politics, however, could be assessed as moderate and it did not provoke overwhelming tension in the "nationalizing" states. Moreover, they even support well neighboring relations due to the EU and NATO accession (Especially Albania which have improved the relations with Macedonia thanks to the joint aspirations and collaboration for NATO membership).

In the previous three chapters ethnic parties and their evolution have been studied from many different perspectives: the historical context, the international community, and the kin countries; furthermore the internal factors: party organization-leadership, personal motives, programme determination, and the external factors: the electoral formula, the district magnitude and the threshold, as well as the lower level governance and the territorial organization. I will gradually explain their impact on the ethnic minority political parties.

The resentment of the Slovaks towards the Hungarians (former repressors) are more present and viable in Slovakia from the beginning of the independence, which differs from Macedonians who had never suffered the assimilation policies directly from the Albanians and therefore they could better accept the multicultural spirit (including the totally different religions) on the Macedonian territory. Nevertheless, the independence followed by transition and viable opportunities for personal profit provoked the politicians from both ethnicities in Macedonia to be more interested in clientelism and corruption rather than for real solutions of the problems. This was reflected not only in the socio-economical life of the citizens but also in the political unwillingness for prosperity and integration of all the society strata. The two ethnicities that used to live side by side under the Ottoman Empire's suppression later became enemies and opened an armed conflict after a decade of peace (the 2001 conflict). This was the point when the situation in Macedonia got closer to that of Slovakia, and even surpassed the Slovakian radicalism among the minority and majority. Big intolerance among the ethnicities and political struggle for power had become crucial elements of everyday life in Macedonia.

Unlike the Magyar parties in Slovakia that have exhibited a variety of programmatic commitments in areas not pertaining directly to the status of the Magyar population within the state, the greatest divergence among the larger Albanian parties has been in their degree of radicalism on issues of minority rights. Various political stands of the Hungarian parties were clearly articulated and it even caused some internal disputes and fragmentations throughout 1990-1992. Albanian parties had only one visible difference among their electoral programmes and attitudes - the education (referring to the public-private Albanian University); nevertheless their very similar goals were always overshadowed by their daily-political interests, many times intentionally or unintentionally influenced by the ethnic Macedonian parties.

Albanians differ much more from Macedonians in their cultural, folkloristic, religious and traditional characteristic than it is the case with the Hungarians compared to the Slovaks. Therefore, it was more feasible for the Hungarians to divide on other cleavage lines rather than ethnic ones. Namely, if a minority and a majority group are more similar in their habits and everyday behavior it is more viable that they will share more of the issues in their society. Therefore, Hungarians could also follow the other cleavage lines and initiate parties expressing those cleavages in their programmes. As for the Macedonian case, Albanians are much more distinguished within the society not only for the language but also religiously and culturally. Consequently, the Albanians were trying to protect their identity by only accepting the issue of ethnicity as priority, and therefore their party programmes could be seen differently only if compared with their radicalism related to the protection of their internal ethnic needs and interests.

The reason why the revolution against the communists' dictatorship in Czechoslovakia was called "velvet" (gentle) was not only because the communists gave up the power so easily, but because Czechoslovakia was the only communist federation where the citizens of the constituent republics moved in tandem to remove the regime. The Soviet Union and the Yugoslav federation were pulled apart because the newly established elites with widely differing aspirations in the various republics used different causes to mobilize their populations against communism. (Henderson, 2002, p.32) Here, I see another argument why Hungarian parties could establish parties with different ideologies, and the Albanian parties could not. Namely, Hungarians fought against communism; therefore, afterwards, some of the parties had the possibility to be more affiliated with the reformists or with the conservative affiliations. For instance, HCP, included in the first PAV movement, could be easily considered as reformists, regarding the position on the privatization, unlike co-existence, which was holding for green socialist market (conservatives). Albanians, on the other side, (just as every other nation or nationality in Yugoslavia) were one of the warring parts during, and after the collapse of Yugoslavia, and their fight was not primarily against

the communism, but for ethnical causes. Here, the logic of having programme to protect the ethnic interests, and not accepting the general cleavages within the country, is obvious.

Despite their constant fear for their own identity, Slovakia and Macedonia became very determined to solve the minority issues due to the open politics towards EU and NATO integration. They ratified several European Conventions and Protocols and follow the path of fulfilling the EU criteria with respect to minority rights protection-before getting into EU family. The ideas of Great Hungary and Great Albania could be converting to second priority if compared to the EU family, and this somehow sustained the peace in the region. The Ohrid Agreement was actually a positive and promising international proof of good will for solution of the inter-ethnic instability, something that Slovakia and Hungary tried to solve with their bilateral treaty. However, Kosovo's Independence encouraged other minorities in Europe to rethink their statuses in their homelands. Despite of the tensions along majority-minority lines Slovakia was not applicable to the Horowitz (1985) theory that the ethnic parties tend to throw up party systems that exacerbate ethnic conflict. Bochsler's argumentation supporting the creation of ethnic parties due to the lack of willingness for better representation of the minorities in the majority's or eventually mixed parties is applicable in both cases, due to the weak signs of interest for minorities' protection coming from the majorities in both countries..

Hungarians tried to compete with different programmes, but they lost power exactly in times when they were going on elections separately. Therefore, they joined in one coalition, and eventually in one party. Finally, when the new party Hid-Most split from SMK they again lost power and gained less seats in parliament. The same could be referred to the Macedonian case. Truly, Albanians had fewer obstacles to enter the governments, but the competition usually resulted with devaluation of the power of some parties, which could be more clearly seen on the local elections. Ethnic parties in both cases were mostly dependable on the leadership. Leaders were the ones that actually created the politics and made decisions whether the parties will merge or divide. I previously presented the Béla Bugár's example after he was overthrown from the head position in SMK, and PPD-DPA example.

The problem of internal democratization for the CEE parties was applied in both cases. Leaders were not willing to reform the parties, rather they (or some other heading politicians) formed fractions and eventually new parties. I do not see the differences in the party statutes as a crucial reason for eventual mergence or splits in the parties in both cases. Differences were not a problem for the Hungarian parties to merge and the similarities were not enough incentive for merging for the Albanian parties. Be that as it may, I will not exclude the statutory and programme determination as one of the factors influencing the establishment of the parties due to their claims that they always offer different and better pre-electoral programmes (without analyzing the final results of the real implementation of it). The

Hungarian parties were primarily established to support different programs, and the post 2001 new established party of the ethnic Albanians in Macedonia DUI was actually claiming that this party has new and fresh ideas compiling to the old unresolved issues of the Albanian minority (thanks to the previously existing Albanian parties' incapability).

According to the presented analysis, the eternal factors (referring to the political conditions within the country) emerge as the most relevant factors in explaining the trajectories of transformation of ethnic minority parties in Slovakia and Macedonia; the willingness of the parties to include the minorities in their political agenda, and inside the party rows, the practice of including the minority parties in governments, the electoral engineering (with its essential elements such as electoral formula, threshold, and district magnitude), and finally the territorial organization and the multi-level government, are all important factors directly or indirectly shaping the ethnic minority parties..

Once more, despite of the fact that HCP was included in the first civic movement VPN, there was not much of interest coming from the Slovak parties to include the Hungarians in their parties and therefore the ethnic parties of the Hungarians had to emerge due to the need for advocacy of Hungarian rights and interests in Slovakia. Macedonian parties as well did not prove to be very open for Albanians participating with their ideas and interests and to give them higher positions in the hierarchy of the parties. Because of lack of capacities, the Albanians chose to convert their movement into the first political party PPD with further trend of growing in number. This clearly indicates the necessity to overcome the feasible neglecting from the majority, and to find solution for not very viable inter-ethnic (civic) concept of party formation. Therefore the minorities in both cases were practically forced to construct parties based on ethnic lines and to hold purely ethnic agenda.

The Hungarians were included in the government several times. Namely, the first party included in the umbrella VPN actually left space for Hungarians to participate in the government. Later, the Hungarian Coalition participated in the six months government of Moravčík until they could be once more included in 1998 in the government of D'zurinda. The 2002 elections also was a winning electoral term for SMK that stayed in government until 2006. The last elections in 2010 also gave positive vibes for the improvement of the vulnerable relationship between Slovakia and Hungary due to the inclusion of the new party Most-Hid in the Radičova's government. The Macedonian unwritten rule to include the Albanian most successful party in the post electoral governmental coalition overcomes the uncertainty of minority protection (by inclusion in the decision making processes), and the smaller ethnic parties are already included in the pre-electoral coalitions. Thus, Albanians were always included in the government.

I consider the struggle for participation in the government as one of the most powerful factors that influenced the streams of transformation of the ethnic minority parties. I see the formation of one party (coalition) of ethnic Hungarians in Slovakia is due to the joint endeavors for inclusion in the governments (which is very uncertain in Slovak politics). The common goal - getting more power for decision making - consolidated the interests and gathered the politicians in one "body". In the Macedonian case the common goal - power for decision making - and the means for its achievement (the participation in government) were the same elements preventing the ethnic Albanian parties from establishing one joint party or a joint pre-electoral coalition. Albanians were willing to turn the blind eye regarding the common utilities for the Albanian people⁷¹ and in order to take use of the very "gentlemen agreement" for a post-electoral inclusion of an ethnic Albanian party in government. This agreement actually influenced the interests of the very politicians in the Albanian bloc to become more competitive rather than allies. The gentlemen agreement and the ethnic Macedonian parties served in favor of the separation of the interests among the politicians belonging to the ethnic Albanian parties. Namely, the practice showed clearly that parties' programmes and positions are always more radical in opposition, and as soon as the party enters the government, all the pre-electoral promises are neglected and the party leadership is considered to be conformist and a puppet in the hands of the ethnic Macedonian Prime Ministers.

Being represented in the legislative bodies does not always mean qualitatively good representation; nevertheless, being represented in the government promises better influence on the decision making processes. The issue of trust and accomplishment of the pre-electoral promises of the political parties is always arguable. Nevertheless, political parties possess many instruments that can be used in politics and ethnic minority parties are allowed to use it as well. If for the cause of the better numerous representations they choose to merge or split that is legitimate as well. Nevertheless, the ethnic political parties are always judged by what they do as part of the coalition governments. If they are able to influence the politics they will keep the support, if they are just marionettes of the bigger parties they will be judged and/or convicted on the next elections.

Regarding the electoral engineering Slovakia could be observed as more constant from the point of using the PR electoral formula all the time. Macedonia underwent several electoral changes to eventually accept the PR in 6 electoral units. The central elections in both cases was supposed to give better provisions for the minorities, however, having in mind that these minorities actually live territorially concentrated, means that TRS would also give good results for the minority representation. The nationwide constituency in the Slovak case

⁷¹ Too many scholars stand for a joint coalition which would mean a better representation of the interests of the Albanian minority.

actually gives better proportionality than the 6 units in Macedonia. The eventual nationwide constituency would mean that the two ethnic parties would present their programs not only in those parts where they assume they would have good results, but also in those other parts that would improve the proportional results in general. If the TRS was enforced in these countries probably the number of parties would grow due to the smaller electoral units which closes the logic of elections to the local ones. The threshold of 5% percent is the main obstacle for the 10 % Hungarian inhabitants, whose interests are represented through several parties, to act separately with their own agendas. The 7% threshold for coalition of two or three parties obstructs their pre-electoral coalitions. Macedonia has no threshold which will influence the freedom to act separately with its own programmes and activists.

The territorial organization influenced a lot the behavior of the ethnic parties in Macedonia. Their real internal competition is actually on a local level where they struggle for power. This has big role in their transformation and the reason why they are growing in number. Nevertheless, they could always go together on national elections (or at least in a wide Albanian coalition) but the real struggle for influence over certain local areas can be only sustained if this competition is actually on both levels of governance. Slovakia can also present several ethnic Hungarian parties on regional and municipal elections; nevertheless, the participation of independent candidates is stronger incentive for all the ethnicities. Namely, even though Hungarians acted with several smaller parties they did not achieve much on lower level of governance, rather the possibility to be represented individually (which is banned on a national elections) was more attractive than creating new parties.

Notes on the thesis four years after it was written

Almost in the middle of the third decade of independence not much has changes if compared to the conclusions of this thesis. Slovakia underwent one more National Election in 2012 where the situation with the minority parties has stayed practically unchanged. Most-Hid still leads in the race with the SMK, but it has lost one MP seat in 2012 (dropping down from 14 to 13 seats). SMK is out of the Parliament, but Most-Hid had never taken part of a government so far.

Macedonian society on the other hand has three Albanian parties in the Parliament, DUI, DPA and DUA. DUI is still the leading party which had von 15 MPs in 2011 and 19 after the 2014 Pre-Elections. DPA on the other hand is in a declining trend of support since 2011 and has lost three seats in the 2011 and one seat at the 2014 Pre elections. Today DPA has 7 MPs. DUA has won two seats in 2011 but has lost one in the 2014 elections. DUI has boycotted the 2014 Presidential elections due to its claims that the Albanians should not vote unless they vote a consociation President. The debates on what consociation President could mean were

vigorous from both sides. Again the question of an indirectly elected president was tackled. Nevertheless DUI had offered its list and won 19 seats. DUI forms part of the Macedonian government for more than six years continuously.

Not much has changed in general terms regarding the thesis. The conclusions can be applied from the perspective of a half a decade later as well.

Bibliography

Agarin, T. and Brosig, B. 2009. *Multicultural Solutions for Central and Eastern Europe? Concluding Observations*. In: Agarin, T. and Brosig, B., 2009. *Minority Integration in Central Eastern Europe: Between Ethnic Diversity and Equality*. Amsterdam, New York: Rodopi.

Anon, 2002. *Ljudska Prava u Jugoslaviji 2001*. Beograd: Beogradski Centar za Ljudska Prava.

Anon, 2009. Прв конгрес на НД, Имер Селмани реизбран за претседател. Skopje: On line News Time.mk <http://www.time.mk/read/572ca3f3c5/c75e13f6ee/index.html>

Anon, n.d. Brochure: The Citizens and the municipalities: Decentralization: lets decide for ourselves. [on line] Skopje: Ministry of Local Self Government; <https://docs.google.com/viewer?url=http://mls.gov.mk/pdf/brosura.pdf>

Anon. 2009 (October 9th) Macedonia recognizes Kosovo. Skopje [on line] Available at: <http://www.vlada.mk/?q=node/1252>

Anon. 2009. A MOST-HÍD párt programja (Party Programme HID-MOST) [on line] <http://www.most-hid.sk/sk/content/schvaleny-program-strany-most-hid>

Anon. 2009. Programi I Bashkimit Demokratik për Integrim (Party Programme DUI) [on line] <https://docs.google.com/viewer?url=http://www.aliahmeti.org/dokumente/programi09.pdf>

Aslund, A., 2002. *Building Capitalism: The Transformation of the former Soviet Bloc*. London: Cambridge University Press,

Aslund, A., 2007. *How Capitalism Was Built: The Transformation of Central and Eastern Europe, Russia and Central Asia*. London: Cambridge University Press.

Auer, S., 2004. *Liberal Nationalism in Central Europe*. London and New York: Routledge Curzon

Bajrami, B. 2010. Interview for A1 TV [on line] 19 06 2010. Available at: <http://www.a1.com.mk/pda/vestlat.asp?vestid=124410>

Batt, J., 2007. The Western Balkans. In: White, S., Batt, J. and Lewis, P.G. eds., 2007. *Developments in Central and Eastern European Politics 4*, New York: Palgrave.

Bieber, F., 2009. National minorities in the party system. In: Stojarová, V. and Emerson, P. eds., 2009. *Party Politics in the Western Balkans*. Oxon and New York: Routledge.

Bielasiak, J., 2002. The institutionalization of Electoral and Party Systems in Postcommunist Europe.; *Comparative Politics*, 34(2) (Jan., 2002), pp. 189-210

European Union Foreign Affairs Journal – N° 1/2-2013
www.eufaj.eu, e-mail: eufaj@libertas-institut.com

- Birch, S. Millard, F. Popescu, M. and Williams K., 2002. *Embodying democracy: electoral system design in post-communist Europe*. Houndmills: Palgrave Macmillan.
- Birch, S., 2007. Electoral systems. In: White, S., Batt, J. and Lewis. P.G. eds., 2007. *Developments in Central and Eastern European Politics 4*, New York: Palgrave.
- Birnir, J.K., 2007. *Ethnicity and electoral politics*. Cambridge: Cambridge University press.
- Boshler, D., 2006. Electoral engineering and inclusion of ethnic groups: How to integrate ethnic minorities into Central and Eastern European institutions. [Online] presented at: SSEES Postgraduate conference, London from 16-18 February 2006. Available at: http://www.bochsler.eu/minorities/bochsler_electoral-engineering.pdf [Accessed: February 2006]
- Boshler, D., 2009. The Mediating Effect of Ethnic Context on Electoral system Effects on Support for Ethnic Radicalism. Centre for the Study of Imperfections in Democracies (DISC), Central European University, 4 November 2009
- Boshler, D., 2010. When two of the same are needed: A multi-level model of intra-group party competition. [Online] for presentation in the departmental seminar, CEU, Department of Political Science, 1 April 2010. [This version available at: 5 February 2010].
- Brancati, D., 2009. *Peace by design: managing intrastate conflict through decentralization*. New York: Oxford University Press.
- Brubaker, R., 1996. *Nationalism Reframed: Nationhood and the national question in the New Europe*. Cambridge: Cambridge University Press.
- Brubaker, R., 1995. National Minorities, Nationalizing States, and External National Homelands in the New Europe. *Daedalus* 124 (2) pp.107-132.
- Bugajski, J., 2002. *Political parties of Eastern Europe: a guide to politics in the post-communist era*. New York, London: The Center for Strategic and International Studies: M.E. Sharpe.
- Dalipi, L. et al., 2009. *Decentralization Survey 2009*. OSCE Spillover Monitor Mission to Skopje, Skopje: OSCE
- Emerson, P. and Šedo, J., 2010. Electoral systems and the link to party systems. In: Stojanova, V. and Emerson, P. eds., 2010. *Party Politics in the Western Balkans*. Oxon and New York: Routledge.
- Friedman, E., 2003. The spectre of territorial division and the Ohrid Framework Agreement. European Centre For Minority Issues (ECMI) Brief No. 9 Flensburg
- Friedman, E., 2007. Electoral system design and minority representation in Slovakia and Macedonia. In: Bieber, F. and Wolff, S., 2007. *The Ethnopolitics of Elections*. London and New York: Routledge Taylore and Francis Group.
- Ganguly, R., 1998. Why do ethnic group mobilize? In: Taras, R. ed., 1998. *National identities and ethnic minorities in Eastern Europe: selected papers from the fifth world congress of central and east European studies*, Warsaw, 1995. Basingstroke, New York: Macmillan, St. Martin's Press.
- Giussani, B., 2006. Media and minorities in Slovakia. In: Bauer, T.A. and Vujovic, O. eds., 2006. *Media and minorities in South-Eastern Europe*. Viena: S.E.E.M.O.
- Grabbe, H., 2007. Central and Easter Europe and the EU. In: White, S., Batt, J. and Lewis. P.G. eds., 2007. *Developments in Central and Eastern European Politics 4*, New York: Palgrave.

Griffiths, S.I., 1993. Nationalism and ethnic conflict: threats to European security. New York: Oxford University Press Inc.

Grillot, S.R. Paes, W.C. Risser, H. and Stoneman O.S., 2004. A fragile peace: Guns and Security in Post-conflict Macedonia. Bonn, Geneva, Belgrade: UNDP and Small Arms Survey.

Haughton, T., 2007. The other new Europeans. In: White, S., Batt, J. and Lewis, P.G. eds., 2007. Developments in Central and Eastern European Politics 4, New York: Palgrave.

Henderson, K., 1999. Slovakia and the democratic criteria for EU accession. Henderson, K., ed., 1999. Back To Europe: Central and Eastern Europe and the European Union. London and Philadelphia: UCL Press.

Henderson, K., 2002. Slovakia: the escape from invisibility. London and New York: Routledge.

Henderson, K., 2004. EU Accession and the New Slovak Consensus. West European Politics, 27(4) pp.652-670. URL: <http://dx.doi.org/10.1080/0140238042000249885> Routledge

Horowitz D.L., 2000. Ethnic groups in conflict. 2nd ed. Berkely and Los Angeles: University of California <http://www.nrsr.sk/default.aspx?sid=nrsr/dokumenty>

Hughes, J. and Sasse, G., 2003. Monitoring the monitors: EU enlargement conditionality and minority protection in CEECs. London School of Economics and Political Science, Issue 1/2003, UK.

Ishiyama, T.J. and Breuning, M., 1998. Ethnopolitics in the new Europe. Colorado: Lynne Rienner Publishers.

Ivanov, G., 2010 Interview with Mr. Gjorge Ivanov, President of the Republic o Macedonia. Interviewed by Barbieri, S. BRILL Southeastern Europe, 34 (12), Leiden, Boston, pp.87-96

Jovevska, A. and Gaber N., 2003. Minorities in political life in the Republic of Macedonia. In: Robotin, M. and Salat, L., 2003. A new balance: Democracy and minorities in post-communist Europe. Budapest: Open Society Institute.

Jovevska, A. and Gaber N., 2004. Political parties in the Republic of Macedonia. In: Karasimeonov, G. ed., 2004. Political parties and consolidation of democracy in South Eastern Europe. Sofia: FES and IPLS,

K.H., 2010. Дуи ќе попушта за изборниот законик”. Nova Mekonija [on line]02/06/2010: <http://www.novamakedonija.com.mk/NewsDetal.asp?vest=621010698&id=9&setIzdanie=21997>

Kirchheimer, O., 1966. The Transformation of Western-European Party Systems. In J. La Palombara and Weiner M. (eds.) Political Parties and Political Development. Princeton: Princeton University Press.

Kling, J., 2008. Regionalna politika a verejna sprava. In: Fazekas, J. and Hunčík, P., 2008. Maďari na Slovensku (1989-2004): Súhrnná správa, Od zmeny režimu po vstup do Európskej únie., Šamorín: Forum Inštitút pre výskum menšín.

Kollár, M, Mesežnikov, G. and Vašečka, M., 2009 Slovakia: Nations in Transit Ratings and Averaged Scores. The data above was provided by The World Bank, World Bank Indicators 2009; Freedom House.

Kostecký, T., 1995. Changing party allegiances in changing party systems: the 1990 and 1992 parliamentary elections in the Czech Republic. In: Wightman, G. ed., 1995. Party Formation in East-Central Europe: Post-communist politics in Czechoslovakia, Hungary, Poland and Bulgaria. Hants: Edgar Elgar Publishing Limited; Vermont: Edgar Elgar Publishing.

Kostecký, T., 2002. Political Parties after Communism: Developments in East-Central Europe; Baltimore and London: The John Hopkins University Press; Washington D.C: Woodrow Wilson Center Press.

Krejčí, O., 2005. Geopolitics of the Central European Region: The View from Prague and Bratislava. Bratislava: VEDA-Publishing House of the Slovak Academy of Science.

Lefebvre, R. Fitzmaurice, M. and Vierdag, E.W., 1991. The changing political structure of Europe: aspect of international law", Boston and London: Martinus Mijhoff Publishers Dordrecht.

Lewis, P.G., 2007. Political Parties. In: White, S., Batt, J. and Lewis, P.G. eds., 2007. Developments in Central and Eastern European Politics 4, New York: Palgrave.

Lijphart, A., 1984. Democracies: Patterns of Majoritarian and Consensus Government in Twenty-One Countries. New Haven and London: Yale University Press.

Lipset, S.M., 2001. Cleavages, parties and democracy. In: Karvonen, L. and Kuhle, S. eds., 2001. Party systems and voter alignment revisited. London and New York: Routledge, Taylor and Francis Group.

Lipták, L'. 2000. Slovakia in the 20th Century. In: Mannová, E. ed., 2000. A concise History of Slovakia. Bratislava: Historický ústav SAV, Academic Electronic Press.

Malova, D. and Dolný, B. 2006. Politický Život. In: Pekarovičová, J. and Vojtech, M. Eds., 2006. Slováci: Súčasné Slovensko. Bratislava: Studia Academica Slovaca, STIMUL.

Mannová, E. and Holec, R. 2000. On the road to Modernization 1848-1918. Mannová, E. ed., 2000. A concise History of Slovakia. Bratislava: Historický ústav SAV, Academic Electronic Press.

Mesežnikov, G, 2008. Vnútropolitický vývoj a systém politických strán. In: Kollár, M. Mesežnikov, G. and Bútor, M., 2008. Slovensko 2007: Súhrnná Správa o Stave Spoločnosti. Bratislava: Inštitút pre verejné otázky.

Misev, V., 2009. Macedonia; Nations in Transit Ratings and Averaged Scores 2008; The data above was provided by The World Bank; Budapest: Freedom House Europe

Mrva, I. and Daniel, D.P. 2000. Slovakia during the Early Modern Era 1526-1711. In: Mannová, E. ed., 2000. A concise History of Slovakia. Bratislava: Historický ústav SAV, Academic Electronic Press, pp.141-142.

Mulaj, K., 2008. Politics of ethnic cleansing: nation-state building and provision of in/security in twentieth-century Balkans, Lexington Books, Rowman and Littlefield Publishers, Inc. UK

Nedelsky, N. 2003. Constitutional nationalism's implications for minority rights and democratization: the case of Slovakia. [on-line] Ethnic and Racial Studies, 26 (1) pp,102-128.
<http://dx.doi.org/10.1080/01419870022000025298>

Németová, D. and Öllös, L., 2003. Hungarians in the Slovak government. In: Robotin, M. and Levente, S., 2003. A new balance: Democracy and minorities in post-communist Europe. Budapest: Open Society Institute.

Öllös, L. 2008. Programy Maďarských strán. In: Fazekas, J. and Hunčík, P., 2008. Maďari na Slovensku (1989-2004): Súhrnná správa, Od zmeny režimu po vstup do Európskej únie. Šamorín: Forum Inštitút pre výskum menšín.

Orogyáni, A., 2004. Strana maďarskej koalície. In: Rybar, M. ed., 2004. Politické Strany ako organizácie prípady zo Slovenska. Bratislava: Univerzita Komenského.

Ortakovski, V., 2001. Interethnic Relations and Minorities in the Republic of Macedonia. Southeast European Politics, 2 (1) May 2001 pp.24-45, Hungary: CEU.

OSCE, 2010, Slovak Republic Parliamentary Elections 12 June 2010. Warsaw: 21-23 April 2010
OSCE/ODIHR Needs assessment mission Report.

Panebianco, Angelo (1988) *Political Parties. Organization and Power*. Cambridge: Cambridge University Press. Original Italian edition: 1982.

Pataki, Z.G., 2002. Overview of proposals for minority self-government of Hungarian minorities in Central Europe. In: Gál, K. ed., 2002. *Minority Governance in Europe*. Budapest: Open Society Institute.

Phillips, J., 2004. *Macedonia: warlords and rebels in the Balkans*. London, New York: I.B. Tauris.

Poulton, H., 1993. *The Balkans: minorities and states in Conflict*. London: Minority Rights.

Robotin, M., 2003. A comparative approach to minority participation in government. In: Robotin, M. and Salat, L., 2003. *A new balance: Democracy and minorities in post-communist Europe*. Budapest: Open Society Institute.

Roudometof, V., 2002. *Collective memory, national identity and ethnic conflict: Greece, Bulgaria and the Macedonian Question*. London: RAEGER, Westport, Connecticut.

Rybar, M. ed., 2004. *Politické Strany ako organizácie prípady zo Slovenska*. Bratislava: Univerzita Komenského.

Rýbař, M., 2006. Old parties and new: changing patterns of party politics in Slovakia. In: Jungerstam-Mulders, S., 2006. *Post-communist EU Member States: parties and party systems*. Hampshire and Burlington: ASHGATE Publishing Limited.

Sandor, E., 2008. Zmena režimu Maďarskými očami. In: Fazekas, J. and Hunčík, P., 2008. *Maďari na Slovensku (1989-2004): Súhrnná správa, Od zmeny režimu po vstup do Európskej únie*. Šamorín: Forum Inštitút pre výskum menšín.

Sartori, G., 1997. *Comparative constitutional engineering: an inquiry into structures, incentives and outcomes*. 2nd ed., Houndmills, London: Palgrave Macmillan

Šedo, J. 2009. The party system of Macedonia. In: Stojarova, V. and Emerson, P. eds., 2009. *Party Politics in the Western Balkans*. Oxon and New York: Routledge.

Siarof, A., 2000. *Comparative European party systems: an analysis of parliamentary elections since 1945*. New York and London: Garland Publishing, Inc. A member of the Taylor and Francis Group.

Stojarova V. 2010. Legacy of communist and socialist parties in the Western Balkans. In: Stojarova, V. and Emerson, P. eds., 2010. *Party Politics in the Western Balkans*. Oxon and New York: Routledge.

Sutovec, M., 1999. *Semioza ako politicum alebo 'pomlckova vojna'*. Bratislava: Kalligram.

Taras, R. ed., 1998. *National identities and ethnic minorities in Eastern Europe: selected papers from the fifth world congress of central and east European studies, Warsaw, 1995*. Basingstroke, New York: Macmillan, St. Martin's Press.

Toma, P.A. Kováč, D., 2001. *Slovakia: From Samo to Dzurinda*. Stanford, California: Hoover Institution Press, Stanford University.

Van Biezen, I., 2005. On the theory and practice of party formation and adaptation in new democracies. *European Journal of Political Research*, [e-journal] 44 (1), Available through: Wiley Online Library [Accessed 31 January 2005] pp. 147-174.

Van Duin, P. and Polá, Z. 2000. Democratic renewal and the Hungarian minority question in Slovakia. *European Societies*, 2 (3) pp.335-360. Taylor & Francis Ltd Routhledge. URL: <http://dx.doi.org/10.1080/146166900750036303>

Vilikovská, Z. 2010. Slovakia's municipal elections announced for November 27, 2010. *Spectator*: http://spectator.sme.sk/articles/view/38937/10/slovakias_municipal_elections_announced_for_november_272010.html

Weber, M., 1978. *Economy and Society*. vol. 1. Los Angeles: University of California Press. Original German edition: 1922.

Wightman, G., 1995. The development of party system and break-up of Czechoslovakia. In: Wightman, G. ed., 1995. *Party Formation in East-Central Europe: Post-communist politics in Czechoslovakia, Hungary, Poland and Bulgaria*. Hants: Edgar Elgar Publishing Limited; Vermont: Edgar Elgar Publishing.

Wolczuk, K., 2007. Constitutional politics. In: White, S., Batt, J. and Lewis, P.G. eds., 2007. *Developments in Central and Eastern European Politics 4*, New York: Palgrave.

Ајановски, Г., 2002. Битка за Демократија. Скопје: Ник “Макден”.

Андерсон, Б., 1998. Замислени заедници: размислувања за потклото и ширењето на национализмот, 2.(изд.) Translated from English by Markoska Milcin Ema. Скопје:Култура. (Original: *Imagined communities: reflections on the origin and spread of nationalism*. 2nd ed., Verso, London, New York, 1991

Андов, С. 2003. На мој начи. Скопје:Матица македонска.

Апостолски, М. Стојаноски, А. Катарциев, И. и Зографски, Д., 1988. Историја на македонскиот народ. Скопје: Македонска Книга, Наша Книга, Култура, Мисла.

Велјановски, Н., 2002. Македонија 1945-1991 државност и независност. Скопје: Институт за национална Историја, Матица Македонска.

Габер, Н. и Јовевска, А., 1997. Дизајнирање Изборен Систем на Република Македонија. Скопје: Фондација Фридрих Еберт,

Глигоров, К. 2002. Македонија е се што имаме. Скопје:Култура.

Каракамишева, Т., 2004. Избори и Изборни Системи. Скопје:Култура.

Катарциев, И., 2003. Македонија сто години по илинденското востание: јубилеј Илинден 1903/2003. Скопје: Култура.

Климовски, С. 1997. Уставен и политички систем. Скопје:Просветно дело

Климовски, С. и Каракамишева Т., 2006. Политички Партии и интересни групи. Скопје: Правен Факултет. (Klimovski, S. and Karakamisheva, T. (2006) *Political Parties and Groups of Interest*”, Law Faculty, Skopje

Лероа, А., 2002. Стабилизацијата на македонија и интеграцијата во Европа. Евродијалог, Списание за европски прашања бр 3, Скопје: Студентски збор.

Мехмети, Е. 2007. За идеолошката профилираност на Албанските партии. Скопје:Урински Весник. 15.03.2007.

Митевски, М., 2008. 2001: Војна со две лица. Скопје: Култура.

Мухамеди, Н., 2003. Поглед отспротива. Скопје: Неделник ПЛУС.

Ортаковски, В., 1996. Меѓународната положба на малцинствата. Скопје: Мисла.

Рихлик, Ј. и Коуба, М., 2009. Историја на Македонија, Скопје:Македонска Реч. Original: Rychlic, J. and Kouba, M. 2003. Dejiny Makedonie. Praha: Nakladatelství Ludové noviny.

Силјановска-Давковска, Г. Улом, В. Кранли, С. и Шкориќ В., 2009. Коментар на изборниот законик Службен весник на Р.М. бр. 40/06, 136/08, 155/08, 163/08”. Скопје: МОСТ Граѓанска Асоцијација.

Хислоп, Р., 2002. Затишје пред бура? Влијанието на прекуграничните мрежи, корупцијата и криумчарењето врз стабилноста на македонија и врз безбедноста во регионот. Скопје: ФИОМ.

Laws and accords:

Act of Parliament Dated November 15, 1995 on the State Language of the Slovak Republic. [on line] Available at: <http://www.culture.gov.sk/en/legislation/jazykov-zkon---anglick-verzia>

Constitution of the Slovak Republic Act. No. 460/1992. Narodna Rada Slovenskej Republiky; National Council of the Slovak Republic. Available at: <http://www.nrsr.sk/>

Commission of the European Communities/ Brussels, DOC/97/20 Brussels, 15th July 1997 Agenda (2000) - Commission Opinion on Slovakia's Application for Membership of the European Union; Available at: http://ec.europa.eu/enlargement/archives/pdf/dwn/opinions/slovakia/sk-op_en.pdf

----- (1998) Regular Report from the Commission on Slovakia's progress towards accession. Available at: http://ec.europa.eu/enlargement/archives/pdf/key_documents/1998/slovakia_en.pdf

----- 13/10/99 (1999) Regular Report – Regular report from the Commission on Slovakia;s progress towards accession. Available at: http://ec.europa.eu/enlargement/archives/pdf/key_documents/1999/slovakia_en.pdf

----- 8 November (2000) Regular Report from the Commmission on Slovakia's progress towards accession. Available at: http://ec.europa.eu/enlargement/archives/pdf/key_documents/2000/sk_en.pdf

----- 13.11.2001 SEC (2001) 1754 2001 Regular report from the Commission on Slovakia;s progress towards accession. Available at: http://ec.europa.eu/enlargement/archives/pdf/key_documents/2001/sk_en.pdf

----- 9.10.2002 SEC (2002) 1410 2002 Regular Report on Slovakia's progress towards accession. {COM(2002) 700 final} Available at: https://docs.google.com/viewer?url=http://ec.europa.eu/enlargement/archives/pdf/key_documents/2002/sk_en.pdf

http://ec.europa.eu/enlargement/archives/pdf/key_documents/2002/sk_en.pdf

----- (2003) Comprehensive monitoring report On Slovakia's preparations for membership. Available at: http://ec.europa.eu/enlargement/archives/pdf/key_documents/2003/cmr_sk_final_en.pdf

----- 9 November 2005 SEC (2005) 1425 Analytical Report for the Opinion on the application from the former Yugoslav Republic of Macedonia for EU membership {COM (2005) 562 final} http://ec.europa.eu/enlargement/archives/pdf/key_documents/2005/package/sec_1425_final_analytical_report_mk_en.pdf

----- 08.11.2006 SEC (2006)1387 Commission staff working document/ The former Yugoslav Republic of Macedonia 2006 Progress Report EN {COM (2006) 649 final}
http://ec.europa.eu/enlargement/pdf/key_documents/2006/nov/fyrom_sec_1387_en.pdf

----- 6.11.2007 SEC (2007) 1432 Commission staff working document the Yugoslav republic of Macedonia 2007; Progress report accompanying the communication from the Commission to the European Parliament and the council/ Enlargement Strategy and Main Challenges 2007-2008{COM(2007) 663 final}. Available at: http://ec.europa.eu/enlargement/pdf/key_documents/2007/nov/fyrom_progress_reports_en.pdf

-----Brussels, 5.11.2008 SEC (2008) 2695

Commission staff working document the Yugoslav republic of Macedonia 2008

Progress report accompanying the communication from the Commission to the European Parliament and the council/ Enlargement Strategy and Main Challenges 2008-2009{COM(2008)74} Available at: http://ec.europa.eu/enlargement/pdf/press_corner/key_documents/reports_nov_2008/the_former_yugoslav_republic_of_macedonia_progress_report_en.pdf

----- 14.10.2009 COM (2009) 533 Communication from the commission to the European Parliament and the Council./Enlargement Strategy and Main Challenges 2009-2010 {SEC (2009) 1333}{SEC(2009) 1334}{SEC(2009) 1335}{SEC(2009) 1336}{SEC(2009) 1337}{SEC(2009) 1338}{SEC(2009) 1339}{SEC(2009) 1340} Available at: http://ec.europa.eu/enlargement/pdf/key_documents/2009/strategy_paper_2009_en.pdf

-----Brussels, 14.10.2009 SEC (2009) 335

Commission staff working document the Yugoslav republic of Macedonia 2009

Progress report accompanying the communication from the Commission to the European Parliament and the council/ Enlargement Strategy and Main Challenges 2009-2010{COM(2009) 33} Available at: http://www.sep.gov.mk/content/Dokumenti/EN/mk_report_2009_en.pdf

Law on Local Self Government: Закон за локалната самоуправа. “Сл. весник на Р. Македонија” бр.5 од 29.01.2002 год.

Law on Political Parties”: Закон за политичките партии. “Сл. весник на Р Македонија” бр.76/04 од 27.10.2004 година

Law on Territorial Organization: Закон за територијалната организација на локалната самоуправа во Република Македонија. “Сл. весник на Р Македонија” бр.55/04 од 16.08.2004 година

Ohrid Framework Agreement (OFA 2001) [on line] Government of the Republic of Macedonia; Secretariat for Implementation of The Ohrid Framework Agreement. Available at: <http://siofa.gov.mk/mk/>

The Constitution of the Republic of Macedonia Act. No. 08-4642/1, dated from 17 November 1991. [on line] Assembly of the Republic of Macedonia. Available at: <http://www.sobranie.mk/en/default-en.asp?ItemID=9F7452BF44EE814B8DB897C1858B71FF>

Political Parties:

DPA (Partia Demokratik Shqiptar) <http://www.pdsh.org/>

DUI (Bashkimi Demokratik Per Integrim) <http://www.bdi.org.mk/>
Demokracia e Re <http://www.demokraciaere.org>

MOST HID <http://www.most-hid.sk/sk>

European Union Foreign Affairs Journal – N° 1/2-2013
www.eufaj.eu, e-mail: eufaj@libertas-institut.com

SMK (Party Of Hungarian Coalition): <http://www.mkp.sk/>

SDSM (Social Democratic Union of Macedonia) <http://www.sdsm.org.mk/>

VMRO-DPMNE <http://www.vmro-dpmne.org.mk/mk/zapis.asp?id=1389>

SMER <http://www.strana-smer.sk>

Links:

Council Of Europe: <http://www.coe.int>

Election Database Eastern Europe: <http://www.essex.ac.uk/elections>

National Council of Republic of Slovakia: (Národná rada Slovenskej republiky): <http://www.nrsr.sk/>

Parties and Elections in Europe web: <http://www.parties-and-elections.de/macedonia.html>

Secretariat for European Affairs of Republic of Macedonia: <http://www.sep.gov.mk/Default.aspx>

State Election Commission of Macedonia: <http://www.sec.mk:90/2009/>

State Statistical Office of Republic of Macedonia: <http://www.stat.gov.mk/>

Statistical Office of the Slovak Republic: <http://www.statistics.sk>

The Assembly of Republic of Macedonia (Sobranie na RM): <http://www.sobranie.mk/>

The Government of Republic of Macedonia: <http://www.vlada.mk/>

The Organization for Security and Co-operation in Europe: <http://www.osce.org/>

The Secretariat for Implementation of The Ohrid Framework Agreement: <http://siofa.gov.mk/>

Interviews:

Bakiu Bashkim (Albanian Analyst from Centar For Research and Policy Making-Skopje, Macedonia)

Bela Valon (Albanian NGO Realiteti, Macedonia)

Selami Fexhri (Democracia E Re-Albanian political party, Macedonia)

Racial Discrimination, Deprivation, Segregation and Marginalisation as a Reinforcement of the Practice of Child Marriage

Rita Sorina Sein



Rita Sorina Sein holds a Bachelor Degree in Political Science, Philosophy and Communications from West University, Timisoara, Romania, as well as a Bachelor Degree in Romani Language, Pedagogy and Education Sciences from University of Bucharest, Romania. She also has a Certificate for English Language and Gender Studies from Central European University, Bucharest, Hungary. Currently, she works for Open Society Foundation, Roma Initiative in Budapest. EUFAJ publishes this text as it is of interest for all countries where Roma are living.

Contents

Introduction
Research Methodology and Description of the Research Locations
Background Information on Locations: Romania and Italy
Banloc, Romania
Locations in Italy
Legal and Policy Background
International Legal Standards for Marriage
National Legislation
Factual Situation in the Two Locations
Marital practices
Age of marriage
Consultation with the child about marriage
Virginity testing
Awareness about legal age of marriage in Romani communities
Consequences of child marriages in Banloc
Education
Employment
Reproductive rights
Domestic violence

Introduction:

I am part of a segregated Romani community. My mother did not attend school and my father only attended four grades. When I went to school I only knew a few words of Romanian, which I learned from my older sisters who already attended school. School was a struggle for me because my classmates used to frequently to grab my hair and shout *tiganco*⁷² at me. I wanted to show them that I could get good results. My place was in the last row in the class and I had a classmate there, a Romani boy, who only attended school for two years; when he finished the second grade, he stopped.

When I finished eighth grades of school, I was supposed to marry, but for me school had become a priority. I had the support of my sisters and my mum, who had fought with my father and other men in my family for me to have the right to study and not to marry, against their will. Thanks to their fight I received a voice in my family, and I had the chance to choose between school and marriage. However, most Romani girls from traditional and segregated communities do not have their fundamental rights respected, their voices are not heard and they are pushed to be victims of child marriage, and suffer from its consequences for their entire lives. While I finished my studies, my cousins and friends had to leave school and accept the fate of many Romani women.

Several generations of ethnic Roma children have been victims of forced and early marriage in my community, under the pretext of culture and tradition, and because of the lack of implementation of the law outlawing it as a result of authorities' ignorance and disinterest. The consequences of discrimination and the practice of forced and child marriage have left their mark on the physical and mental health of many Romani women and children, as well as on the economic and social status of the entire community. The low social status and lack of agency of Romani women make it difficult to reach them and help them escape their fate.

Most Romani people in my community⁷³ live in deep poverty. Many families cannot find a way to survive. Sometimes adults have nothing to eat for a while, and when they find food in the rubbish, they try to divide it between their children. During the winter there is no source

⁷² Tigano/co is a pejorative name to Roma people in Romania by the majority population in Romania.

⁷³ My community, location: Western part of Romania, Timis county, the village is named Banloc

of income. Romani people cannot borrow money, as they often lack stable employment or other ways to repay a loan. Many of them ask for help from Romani who have immigrated to western European countries, but those families also face difficult economic situations. Some of the families receive social welfare; some families receive children's allowances from the state, while the others have no income. Some *gadje* (non-Romani persons) give food to Romani families to help them survive, and those families must work in the spring, in agriculture, in exchange for the food received. Romani girls and women face multiple discriminations on the basis of gender and ethnicity as well as other factors such as social status and the social exclusion of women inside and outside the community. This leads to serious health and economic consequences for Romani girls and women who are victims of child marriage. Their fundamental rights are violated from authorities, their non-Romani neighbours, and even their own families often treat them as if they do not deserve human rights.

Being part of this community I have seen a great need to empower Romani girls and all Romani children so they understand their fundamental human rights and understand they have the opportunity to choose a different path than early marriage, such as studying. I feel blessed. I had the opportunity to finish school and for this I feel a moral duty to Romani girls, children and women in my community. I want to help them to no longer be victims of child and forced marriage and no longer be excluded from society. I want to support them and help them exercise their rights; I want a better life for them, a normal life.

Research Methodology and Description of the Research Locations

I carried out the research for this study between June 2011 and February 2012, in seven stages: I carried out a legal and policy review looking at international standards and domestic legislation related to the legal age of marriage and child protection. I conducted field research in two locations in Romani communities belonging to the Giambas group.⁷⁴ I carried out 89 interviews in Banloc, Romania. The age of the people interviewed was between 12 and 67 years old. I conducted further sixteen interviews with migrant Roma in Terni and Fornole, Umbria region, Italy with⁷⁵ children (18 and under) and adults were taken between June and July, with written consent given by the interviewees.

⁷⁴ The Giambas Roma is a subgroup of Roma living in Romania, Macedonia and elsewhere. Giambas speak the Giambas dialect of Romani, and their traditional work is horse-breeding and horse-trading.

⁷⁵ The field research was based on qualitative research making use of a questionnaire. The interviews in Romania were conducted between August and November 2011; the interviews in Italy in June and July 2011. All interlocutors gave their consent in writing that I can use the interviews for this study.

Table 1: Interviewees of Roma ethnicity

Location	Women	Girls (18 and under)	Men	Boys (18 and under)	Total
Locations in Italy	8	4	2	2	16
Banloc	36	30	11	11	88
Total	41	37	13	13	104

In addition, I conducted 25 interviews in Romania and Moldova with relevant stake-holders including: Four interviews with child protection specialists including a psychologist, lawyer and community spokesperson; nine interviews with local authorities including a mayor, school director, family doctor, social worker; a professor of religion, a professor of the Romani language, a priest and a Roma Judge or *Krisinar*; seven interviews with NGO staff members; three interviews with gender specialists, including a human rights adviser from UNDP Moldova and a gender specialist and program analyst from UN Women. The total number of interviews carried out was 129.

Table 2: Interviewees with authorities and experts:

Authorities and experts interviewed:	Numbers of Interviews
Child Protection Specialists	4
Local Authorities	9
Priest	1
Roma Krisinari ⁷⁶	1
NGOs and Roma mediators	7
Gender experts	3
Total	25

A community action⁷⁷ was carried out in Banloc on 15 November 2011, with the aim of raising awareness about child marriage, about legal international and national standards and about the consequences of child marriage. The event was attended by Romani women, men and children, as well as two NGOs,⁷⁸ a mediator, Romani students and a representative of child protection services. A school director, family doctor, Romani language teacher and a

⁷⁶ Roma Krisinari, a community Roma Judge. In Romani traditional communities a male is designated as a Krisinari to solve the community's problems.

⁷⁷ Community action event was reported in the local media, see <http://www.studiob.ro/index.php/stiri/stiri/4156-dezbatare-impotriva-csoriilor-timpurii-ale-copiiilor-romi.html>; and <http://www.tion.ro/copiii-romi-din-timis-invata-sa-nu-se-mai-casatoreasca-timpuriu/1011579>.

⁷⁸ Roma NGO's: Romani Women Association for our Children and Pakiv Association

priest participated as representatives from local authorities. A social worker, the mayor and police representatives were also invited, but they did not attend. On the basis of the legal and policy review, the field research and my own experience, this research report was drafted between November 2011 and February 2012.

Background information of the locations: Banloc village and Terni⁷⁹

Banloc

Banloc is a village located in western Romania, in Timis County.⁸⁰ According to the most recent census, which took place in 2002, the total population of Banloc is 4,543, of which 290 people are Roma from the Giambas group; other minorities include Germans, Hungarians, Serbs and Ukrainians.⁸¹ High levels of unemployment and poverty are widespread among Roma in Banloc. Just four Romani people have formal employment: three men working in factories and a woman working as a teacher of Romani language in the school. As in the rest of Romania, Roma in Banloc face widespread exclusion, living in segregated and poor conditions, and most do not have running water or electricity. According to the Romani expert working for the Banloc municipality, 11 Romani people have no identity documents.

In Banloc there are high levels of school drop-outs, and in many cases children do not even finish the first year of school. Of 36 Romani women interviewed, 26 had never attended school, two had not finished any grade, six had not finished primary school, one had finished primary school and one had started but not finished secondary school. Only one Roma person from this village—a Romani woman—finished university, and in fact, 80% of adults are illiterate.⁸² In terms of health status, a local doctor confirmed that “Roma people are the most vulnerable people in this community; most of them have psychological, mental and many other chronic and very grave health problems. Half of the Roma adults from Banloc village suffer from chronic or serious health conditions such as liver cancer, brain tumours, lung cancer and chronic heart disease; 10% of Roma people (children, women and men) suffer from mental health problems and many of them have behavioural disorders.”⁸³ Most Romani

⁷⁹Information about the location where Romani people from Romania emigrated who were interviewed for this report is available at: <http://www.italyworldclub.com/umbria/>;

<http://penelope.uchicago.edu/Thayer/E/Gazetteer/Places/Europe/Italy/Umbria/Terni/Amelia/Fornole/home.html>

⁸⁰<http://www.cjtimis.ro/uploads/files/Mic%20Atlas%20al%20Judetului%20Timis/RO/114-116%20Atlas%20Ed%20II%20-%20Banloc.pdf>.

⁸¹ Romanian census in 2002, available at: http://ro.wikipedia.org/wiki/Comuna_Banloc,_Timi%C8%99.

⁸² Interview with Roma expert from Banloc Municipality, 15 November Banloc, Romania.

⁸³ Research done by a local family doctor who shared the data collected at the event community action; General School Anghel Saligny, 25 November 2011, Banloc, Romania.

families survive by collecting scrap and from the earnings sent back by family members who have migrated to Western Europe.

Locations in Italy

Terni is a small city and Fornole is a village in the Umbria region in Italy, where Giambas Roma from Romania migrated in the 1990s. The first wave of Roma who immigrated from Banloc to Italy consisted of a few people escaping poverty and social exclusion. After a few months they returned to their country to bring their families with them. Today 46 Romani people are living there. When they first arrived, Italian society was more favourable and friendly towards Roma. The Catholic Church and Caritas⁸⁴ gave them support, treating them like any other group of legal immigrants in Italy. Romani people benefited from a free Italian language course, and twice a week they received material aid. Their children benefited from free school preparation courses and additional courses after school for those who needed them. They were integrated into schools. Adults received an Italian language course and were assisted in finding a job. During that time employment for men was primarily available in the construction sector. Romani women found it easier to integrate in to the labour market, as care-givers working with the elderly and as domestic workers. Thanks to the help they received from charities and the state through social workers, they were able to integrate into the local community. Some Romani women became retail workers and hairdressers, and some Romani men set up their own businesses buying and selling cars or were employed as drivers, distributing goods to shops. It was more difficult, however, for local authorities to integrate Romani men into the labour market due to the men's low levels of education. One of the most successful cases was that of a Romani man who collected and sold antiques and horses in Romania.⁸⁵ His experience in Banloc helped him to become successful in Italy. He managed to partner with an Italian citizen, and developed a successful antiques business.

Today, all of the Romani migrants from Banloc are well-integrated into society. All of them are legal residents with legal documents. Some of them are home owners, while the others live in rented houses. They live in normal houses with Italian citizens as neighbours. Their children are all attending school or kindergarten; this year two children (a girl and a boy) finished high school. The people in this community were able to exercise their fundamental rights as a result of the policies adopted by the local authorities. This changed their lives and, as will be explored later, their perceptions about culture and tradition. Romani women managed to overcome stereotypes and cultural practices, such as having to stay at home or in the community, giving birth to and taking care of many children and doing all the housework.

⁸⁴ Caritas is an international Catholic charity organisation

⁸⁵ Interviews with a Roma men, June 2011, Italy

After arriving in Italy, women were able to access the labour market and integrate into the local society. Out of 10 interviews with adults, eight were formally employed and two were working informally. All the adults interviewed who had a formal job were female. Informal conversations revealed that this pattern extended to the rest of the community, which made women the reliable breadwinners in the household. This new position completely changed the perception of women's capacity and strength in the community. The Romani women in this community were empowered by the Italian state which recognized their fundamental rights by offering support which enabled them and helped them integrate into the local community. As a result, the Romani women began to exercise their rights within their families as well. In this community, Romani people have been treated as equally as any other legal immigrant population in the Italian State.⁸⁶ After 13 years in Italy, with equal access to all spheres of social life and with equal rights between Romani men and women, there are girls in their twenties who are choosing to wait before getting married, taking driving lessons and working in stable, paid jobs. The Romani group who left Banloc 13 years ago no longer practises forced and child marriage; their children have the right to decide about marriage. They give great importance to school and professional training. Many interviewees emphasised that it is necessary to stop the practice of child and forced marriage in Romani traditional communities if people really want their children to have a better future, but they agreed that first, Romanian society must offer them equal access to human rights.⁸⁷

Legal and policy background: International legal standards for marriage

Child marriage represents perhaps the most prevalent form of sexual abuse and exploitation of children, particularly girls.⁸⁸ According to Article 1 of the Convention on the Rights of the Child (CRC), a child is defined as “every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.”⁸⁹ A child marriage is defined as any union in which one or both of the partners are younger than the legal age

⁸⁶Due to an agreement between the Italian and Romanian state, Romanian citizens are allowed to stay in Italy for three months with a valid visa. The Romani immigrants from Banloc travel back and forth to keep their status as legal migrants.

⁸⁷ Interview with eight Roma Women's, July 2011, Italy. The need for changes in traditional communities in order to stop the practice of child marriage and information about how to access full fundamental rights.

⁸⁸ UNICEF, *Child Protection Information Sheet*, available at:

http://www.unicef.org/protection/files/Child_Marriage.pdf.

⁸⁹ United Nations, Convention on the Rights of the Child, Article 1, available at:

<http://www2.ohchr.org/english/law/crc.htm>. Many European states apply graded legal definitions of adulthood, where the age of majority is between the ages of 16 and 18. For the purposes of this report, child marriage is considered to be any act constituting a traditional or legal marriage involving one or more persons below the age of 18 unless the legal age of marriage is lower in national law.

allowed for marriage.⁹⁰ A forced marriage is defined as the union of two persons of any age, in which at least one of whom has not given their full and free consent to the marriage.⁹¹ The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW or Convention) Article 16(2) bans child marriages, stating: “[t]he betrothal and the marriage of a child shall have no legal effect.”⁹² It further requires that States enact legislation and other necessary measures “to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.” Concerning the discriminatory effects of child marriage, Article 16(1)(b) of CEDAW requires States to ensure equality between men and women in the enjoyment of “[t]he same right freely to choose a spouse and to enter into marriage only with their free and full consent.” The Committee on the Elimination of Discrimination against Women (Committee) monitors State compliance with CEDAW. Its General Recommendation No. 19 notes: “[W]hen minors, particularly girls, marry and have children, their health can be adversely affected and their education is impeded. As a result their economic autonomy is restricted.”⁹³ General Recommendation No. 21 also states: “[A] woman’s right to choose a spouse and enter freely into marriage is central to her life and to her dignity and equality as a human being.”⁹⁴ Under Article 3 of the CRC, States Parties must “ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.”⁹⁵ Article 12 states that “States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.” Article 24(3) calls on State Parties to “take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.” Finally, under Article 27, “State Parties recognize the right of every child to a standard of living adequate for the child’s physical, mental, spiritual, moral and social development [and] in accordance with national conditions and within their means, shall take

⁹⁰ Council of Europe, Parliamentary Assembly Resolution 1468 (2005) on Forced marriages and child marriages, available at: <http://assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta05/ERES1468.htm>

⁹¹ Council of Europe, Parliamentary Assembly Resolution 1468 (2005) on Forced marriages and child marriages, available at: <http://assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta05/ERES1468.htm>.

⁹² United Nations, *Convention on the Elimination of All Forms of Discrimination against Women*, Article 16(2), available at: <http://www2.ohchr.org/english/law/cedaw.htm>.

⁹³ United Nation, General recommendations made by the Committee on the Elimination of Discrimination against Women General Recommendation No. 19 (11th session, 1992)), available at: <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm>.

⁹⁴ United Nation, General recommendations made by the Committee on the Elimination of Discrimination against Women General Recommendation No. 19 (11th session, 1992)), available at: <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm>

⁹⁵ United Nations, *Convention on the Rights of the Child*, Article 3.

appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes.”

National Legislation

Article 16 of the Romanian Constitution of 21 November 1991 provides equality for all citizens before the law and authorities.⁹⁶ Article 4(2) establishes the non-discrimination principle on protected grounds, including sex and ethnicity. Article 48 establishes equality between spouses in marriage. Article 44 states that the family is founded on the freely consented marriage of the spouses and their full equality, as well as the right and duty of parents to ensure the upbringing, education and instruction of their children. Article 45 further states that “Children and the young shall enjoy special protection and assistance in the pursuit of their rights. [...] Forms of social protection for children and the young shall be established by law. [...] The exploitation of minors and their employment in activities that might be harmful to their health or morals or endanger their life and normal development are prohibited.”⁹⁷ Under Article 44 of the Family Code,⁹⁸ married couples have the right and duty to provide for the development, upbringing and education of their children. With regard to minor children, the rights and duties of the two parents are equal. Parents are required to exercise their rights, taking account only of the child’s interests and under the supervision of the state, in order to ensure the children’s physical, intellectual and moral development.⁹⁹ In cases of doubt and on application by the authority responsible, a parent may have his or her rights and duties withdrawn by a court “if the child’s health or physical development is endangered either by that parent’s abusive behaviour or serious negligence.”¹⁰⁰ The responsibilities of the authorities of the local administration in the field of the protection of the child in Romania are found in the law on local public administration, which provides that the mayor “ensures the observance of the citizens’ fundamental rights and freedoms.”¹⁰¹ Under Article 69 of the local public administration law, in exerting its function of a guardianship authority, the Mayor also acts as a representative of the State. In this context, the Mayor will order the carrying out of social inquiries concerning the observance of the rights of the child and will conduct primary inquiries for establishing guardianship. Based on

⁹⁶ Romanian Constitution, available at: http://www.cdep.ro/pls/dic/act_show?ida=1&tit=&idl=1.

⁹⁷ Romania Constitution, Article 45.

⁹⁸ Romanian Family Code, available at: http://www.dsclex.ro/coduri/c_fam.htm#t1.

⁹⁹ Romanian Family code, Art 96-98, available at: <http://www.avocatconstanta.ro/wp-content/uploads/2008/04/codul-familiei.pdf>.

¹⁰⁰ Article 109 of the Romanian Family Code, available at: <http://www.avocatconstanta.ro/wp-content/uploads/2008/04/codul-familiei.pdf>.

¹⁰¹ Romanian Local Public Administration Law, Law no 215/2001, Article 68. (1) Letter a), available at: <http://www.venice.coe.int/docs/2004/CDL%282004%29115-e.pdf>.

the provisions of the Family Code, with subsequent amendments, the Mayor has the obligation to ensure the integrity of the fundamental rights of the children in the community where she or he has been elected to office.

The Romanian Family Code of 4 January 1954.⁴⁴ states that the minimum age for contracting marriage is 18 years for a man and 16 years for a woman, with provision for exceptions, subject to a doctor's opinion.¹⁰² Under Article 10 of the Romanian Family Code, consent must be free and informed and is given in the marriage ceremony. Article 17 of the Romanian Family Code requires the intending spouses to appear before the civil authority to express their consent to marriage publicly and in person.

The civil authority will officially record that consent has been duly expressed and will enter the marriage in the register. The marriage record is signed by the spouses and the civil authority. It is important to point out that Romanian criminal law makes no distinction between the public and private spheres. The legislation on assault thus extends to marital abuse. Under Article 180 of the Criminal Law, the penalty for assault and other acts of violence occasioning physical suffering is imprisonment for between one and three months, or a fine. Article 181 provides that actions which cause bodily harm necessitating medical treatment for up to 60 days are punishable by a prison sentence of between six months and three years.

Under Article 229, the act of seriously jeopardising by measures or treatments of any kind, a minor's physical, intellectual or moral development, committed by the parents or by any person entrusted with the minor for raising and education, shall be punished by strict imprisonment from three to 15 years and the prohibition of certain rights.¹⁰³ Law No. 116/2002 to Combat Social Marginalisation¹⁰⁴ facilitates access to employment, housing, medical care and education, and provides a set of measures to prevent social marginalisation, which stands for the absence of minimum social living conditions. Social marginalisation is defined under the present law as the peripheral, isolated social position of individuals or groups with limited access to economic, political, educational and communicational resources of the collective; it manifests itself through the lack of minimum social conditions of life.

¹⁰² Romanian Family Code, ART. 4, available at: <http://www.avocatconstanta.ro/wp-content/uploads/2008/04/codul-familiei.pdf>.

¹⁰³ Romanian Criminal law, available at : <http://legislationline.org/download/action/download/id/1695/file/c1cc95d23be999896581124f9dd8.htm/preview>

¹⁰⁴ Law Nr; 116.2002 to combat social marginalization, available at: <http://miris.eurac.edu/mugs2/do/blob.html?type=html&serial=1039011147373>

Factual situation in the two locations:

Marital practices

There is a striking difference between marriage patterns in the Romanian and Italian locations, including the age at and consent to marriage, and the awareness of the legally permissible and socially accepted age of marriage.

Age of marriage:

Romani girls in Banloc are often forced to get married at a very early age. The family/community--in most cases the father--decides when a Romani girl will marry, to whom and what price should be paid by the groom's family.¹⁰⁵

Table 3: Marriage Age in Banloc:

	Number of interviews	Age of marriage 12	Age of marriage 13	Age of marriage 14-15	Age of marriage 16-17	Age of marriage 18	Age of marriage 19-25	Age of marriage 25+	Not married
Women	36	8	12	13	2	0	0	1	0
Men	11	0	3	3	3	2	0	0	0
Girls ¹⁰⁶	30	1	7	12	0	0	0	0	9
Boys	11	1	0	4	0	0	0	0	6

Of the 88 interviewees in Banloc village, only three people reached the age of 18 without being married: two men and a woman. Of the 36 interviews conducted with Romani women, eight were married at the age of 12, 12 were married at the age of 13, 13 were married between the ages of 14 and 15 and two were married between the ages of 16 and 17. One Romani woman was married at the age of 27. Of the 30 interviews conducted with Romani girls, one girl was married at the age of 12, seven were married at the age of 13, 12 were married between the ages of 14 and 15, one did not know how old she is and how old she was when she got married, and the remaining nine girls between the ages of nine and 12 were not married.

¹⁰⁵ Data was not collected regarding the age of engagement. One interviewee mentioned that the age of her engagement was three years old, however this is not typical.

¹⁰⁶ One interviewee did not know how old she was and was therefore unable to respond to this question.

This indicates that among the younger generation there has been a slight increase in the age of marriage. However 21 out of 30 girls were married before reaching the age of majority and the other nine girls still face the risk of child marriage if their parents decide to marry them and if the authorities do not take any action to prevent this practice. The problem of early marriage also affects Romani men and boys. They also frequently must abandon school, not take up formal employment, and they become dependent on extended family in a way which hinders their possibilities for full development.

Table 4: Marriage Age in Italian locations:

	Number of interviews	Age of marriage 12	Age of marriage 13	Age of marriage 14-15	Age of marriage 16-17	Age of marriage 18	Age of marriage 19-25	Age of marriage 25+	Not married
Women	8	0	1	2	2	0	0	0	3
Men	2	0	0	1	1	0	0	0	0
Girls	4	0	0	0	0	0	0	0	4
Boys	2	0	0	0	0	0	0	0	2

All the cases of early marriage among the interviewees located in Italy were between people that married in Banloc before migrating. From 16 interviews conducted in Italy, 10 people were adults: eight women and two men. Of these, five women and two men married as children, between the ages of 13 and 17, when they lived in Romania, Three Romani women in Italy (aged 35, 23 and 21) are not married. One woman is divorced and is raising two children alone.

In Banloc village, none of the Romani women are divorced or separated from their husbands. A woman who is not married said: “First I have to find a good living for myself, then find a man and fall in love, a man with whom I must feel is the only one to share everything from my life, it is not easy to find someone like that nowadays and for this reason I am not married.”¹⁰⁷ Patriarchy – in the sense of families headed by strongly authoritarian male figures who take all key decisions on family affairs -- and gender discrimination, age and social hierarchy are deeply rooted in the Romani community from Banloc. As a result, Romani women and girls depend on men, including their husbands, fathers and other men

¹⁰⁷ Roma woman interviewed, July 2011, Italy.

from the community, such as uncles or the community Roma Judge, or Krisinari, in every sphere of their life.

Consultation with children about their marriage

Table 5: The consent for people interviewed regarding marriage

	Women			Men		Girls			Boys		
	yes	No	Kidnap ped ¹⁰⁸	yes	no	yes	no	Not married	yes	no	Not applied
Banloc	9	24	3	8	4	7	14	9	4	1	6
Italian locations	women			men		girls			boys		
	3	2	0	0	2	0	0	7			2

As established by national and international law, a child younger than 16 cannot consent to marriage.¹⁰⁹ However, it was important to ask all married interviewees, including those under 16, if they had been consulted about the decision to marry, and if they had been favourable to the idea, in order to understand the reasons why a girl or a boy may “want” to get married. In the case of the girls, the reason quoted for “consenting” was often an understanding of the high level of poverty in which her family lived and the financial benefit that her family might gain if she got married.

One 14 year old girl in Banloc village said, “I chose to marry last year when my parents told me that the groom’s family was a good family because I’m aware of the bad social conditions

¹⁰⁸ “Kidnapped” in the current context means, the bride is taken away from her family by the groom with the assistance of the groom family. This happens when the two families cannot reach an agreement. There are two types of bride kidnappings: one where the girl is stolen without knowing or giving consent to the groom’s plans, the other where the couple make a decision to run away and live together. In both cases after the first night of the kidnapping, the children are considered husband and wife.

¹⁰⁹ Council of Europe, Parliamentary Assembly Resolution 1468 (2005) on Forced marriages and child marriages, available at: <http://assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta05/ERES1468.htm>; Romanian Family Code, ART. 4.

of my family; I wanted to give them a hand to raise my brothers so I chose to marry because of this. My dad received good money for me. I thought it is better to go, maybe I will have also a better life and maybe I can send some money or something home. I thought that after some time I could take one of my brothers with me. I think this was my only chance to really help my family.”¹¹⁰

When Romani girls and women explained their specific reasons for getting married early, they often talked about protection and provided an economic reason. However, when asked more generally “Why do Romani marry early?” the answer in the majority of cases was tradition.

The Roma Judge also showed awareness of the socio-economic reasons that lead to child marriage in the Romani community: “Our living situation is that we live in barracks; our children face discrimination at school, they only reach third or fourth grade and even then are not able to read or write; nobody gives us a job because we are not educated and we smell. This practice in many cases saves the entire family from hunger. We Roma men are criticised, but nobody is in our situation to understand our responsibilities toward our families, tradition and communities. I am open to not marry my children early if the society makes no difference, if we are considered equal for any type of services, if morality and racial discrimination cease to exist in the Romanian society.”¹¹¹

In the case Roma from Banloc, 24 adult Romani women out of 36 (67%) were not asked whether they agreed or did not agree to their marriage. Instead, a family member decided when they should marry. 33 out of the 36 adult Romani women interviewed married while under the age of 16. 14 out of 30 Romani girls (46%) said they agreed to their marriage.

In the case of men, four out of the 12 interviewed did not agree to their marriage; while for Romani boys, just one out of 11 did not agree to his marriage. Comparing the findings of Romani women and men, and girls and boys, there is a gap between the rates of agreement to marriage, showing gender discrimination in the community.

Romani women and girls in Banloc are typically seen as the property of somebody else who can decide their future. The men from the girl’s family and indeed, her entire family, can decide who she will marry and when, and her bride price, while her husband can decide how many children she should have.

In the case of Roma in Italy, the actual situation indicates a lack of support for the practice of child marriage, as none of the girls or boys are married. When asked at what age they would choose to marry, all males said after 18. In the case of girls, most of them said that they

¹¹⁰ Interview with a Roma girl of 14 years old, 14 September, 2011, Banloc, Romania

¹¹¹ Interview with Roma Judge or Krisinari, Timisoara, 10 November, 2011.

wanted to marry after they were 20 years old so that they could finish their studies and find employment before they got married.

Virginity testing:

In the Romani community in Banloc children are pushed to have sexual relations after the marriage ceremony and the girls then undergo a virginity test, an intrusive and in most, if not all, cases, degrading practice. In Banloc, Roma use only one modality of virginity testing: the bed sheet. The virginity of the bride is ‘proven’ by the bed sheet, which must be stained with blood after breaking the hymen. In the Banloc community there are women who perform the virginity test. For Romani girls this is the most important test of their life; it can have a great impact on their lives and puts tremendous psychological pressure on them. Virginity testing focuses the attention of the whole community on whether the girl appears to be a virgin or not. If girls do not “pass” the test by staining the sheet with blood on their wedding night, they are humiliated, mistreated and, in most cases, excluded from the community, along with their entire family. The education of children in the family is considered a woman’s responsibility. As a result, if a girl is not considered a virgin when she gets married, the mother of that girl will lose the respect of the entire community for the rest of her life. The community will believe that the mother did not know how to pass on the oral education about Romani culture and traditions, and she is not considered a Romani woman with traditional morality and respect.

Table 6: prevalence of virginity testing among women and girls

Virginity testing	Yes	No	Not married
Romania women	36	0	0
Romania girls	21	0	9
Italy women	5	0	3
Italy girls	0	0	4

All married Romani girls and women interviewed in both locations say they underwent virginity testing, and they all state that they agreed to it as they consider it an important part of Romani values and tradition. In the last five years, six girls were accused of not being a virgin: two at the age of 13, one at the age of 14 and three at the age of 15.¹¹² After those experiences, their families were treated with disrespect and considered without Romani *Pakiv*

¹¹² Interviews and discussions with two elderly Roma women; 5, 6 September, 2011; Banloc, Romania

(respect, esteem, trust, faith/belief in God and honour). The mothers of those girls were accused of having lost their Romani identity and of having no knowledge of and respect for Romani traditions and values. The money received for the girls during the engagement (dowry) had to be returned. The families of the girls could not afford to pay for a Romani *Kris*.¹¹³ They were pushed by their social conditions to accept the situation and allow their daughters “to remain slaves”¹¹⁴ to the grooms’ families.

Those six cases show how economic and class differences in the Romani community lead to discrimination. Girls without economic resources effectively become child slaves.

Girls who do pass the virginity test are expected to grow up quickly, even if they marry at 15 years or younger. After the marriage ceremony, Romani girls are considered adult women, with all the domestic responsibilities. They are prepared for early childbearing and this continues for the rest of their lives. Of the 66 female interviewees, all of them answered that they were solely responsible for housework. All of the 22 men interviewed responded that women carried out domestic tasks.

Awareness about legal age of marriage of Roma people

In Banloc village, 70 out of 88 respondents were not aware of the legal age of marriage in Romania (18 for boys, 16 for girls) and five people did not answer the question. Only 13 people knew the legal age of marriage: five women, three men and five girls; none of the 11 boys knew the legal age of marriage.

Table 7: Legal age of marriage according to respondents in Banloc

Ages:	Age 14	Age 15-16	Age 18	Age 19-20	Do not know	No response
Women (36)	7	8	5	1	11	4
Girls (30)	3	6	55	11	15	0
Men (11)	0	3	3	0	5	0
Boys (11)	0	1	0	0	9	1
Total respondents	10	18	13	2	40	5

¹¹³ *Roma Kris* is a traditional judicial system and communitarian reunion, with an unwritten law - distributive justice, mainly intended not to punish the guilty, but to compensate the victim and to secure the reconciliation between the parties and to restore peace and harmony in the Romani community.

¹¹⁴ Interview with four Roma girls who were accused of not being virgins; 10, 12 September 2011; Parta village, Romania

In the locations in Italy, all the respondents (16 adults and children) knew the legal age of marriage.

Consequences of child marriages in Banloc

In addition to violating the rights of Romani children themselves, in most if not all cases, the betrothal and marriage of children creates the conditions for serial human rights abuses. This includes early pregnancies, diminished access to education and, subsequently, less chance of employment. These factors create the preconditions for threats to the right to an adequate standard of living arising from the dependence of the bride on the groom and his family,¹¹⁵ as well as a range of other concerns including increased vulnerability to domestic violence.

Education

In terms of education, the situation is quite different between the Romanian and the Italian locations for those younger than 18. In Romania, 25 out of 36 Romani women interviewed had never been to school, and three of them had once attended but not finished the first grade.

In Italy, two out of eight respondents had never been at school; both had grown up in Romania. In Romania, four out of 11 men had never been to school. In Italy, only two men were interviewed, one of whom never attended school. Although it is difficult to compare the level of education among adult Roma in the different locations, it's unlikely that there will be major differences as all the adults that are currently living in Italy were in Banloc when they were of primary school age.

In the case of the girls from Banloc, five had never attended school and five had not finished the first grade. In the case of boys from Banloc, three had never attended school while five had not finished the first grade. This is in contrast with the situation in Italy where all the girls and boys interviewed are attending school and kindergarten.

In Banloc, one of the 36 Romani women interviewed finished university, and one out of the 30 girls finished eighth grade. One of the eight women interviewed in Italy had finished university. One of the four girls in Italy finished high school this year; the rest are all attending school in the grade corresponding to their age. One of the two boys in Italy will finish high school this year too.

¹¹⁵Romani girls are generally expected to move to the groom's house after the wedding and become part of his family. They are also expected to work carrying out domestic tasks and take care of the other children in that house.

Table 8: Level of education:

Banloc, Romania

Categories of interviewees	Have never attended school	Did not finish any grade	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 10	others
Women (36)	25	3	2	3	1	0	0	0	1	0	0	1 woman finished university
Men (11)	4	0	0	4	0	1	1	0	0	1	0	
Girls (30)	5	5	4	7	5	2	0	1	0	1	0	
Boys (11)	3	5	0	1	0	1	0	0	1	0	0	

Table 9: Level of education

Terni-Fornole, Italy

Categories of interviews	Have never attended school	Did not finish any grade	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 10	Others
Women (8)	2	1	0	2	2	0	0	0	0	0	0	One woman finished university.
Men (2)	1	0	0	0	0	1	0	0	0	0	0	
Girls (4)	0	0	0	1	0	2	0	0	0	0	0	One was in the last year of high school.
Boys (2)	0	0	0	0	1	0	0	0	0	0	0	One was in the last year of high school.

There are a number of obstacles that preclude Romani girls from attending school in Banloc. The primary obstacle is discrimination. Of the 66 Romani women and girls interviewed, 21 dropped out of school as a result of perceived discrimination from other children and teachers. “How can I send my children to school when my girls went home many times beaten, crying because she did not understand many things and nobody explained it to her, because she does not have any friends there and she feels very bad. Why to send her to school

if she finished third class without knowing how to read and write?”¹¹⁶ Fourteen girls dropped out due to poverty and fourteen to help at home. Because Romani girls are expected to marry at a young age, the parents did not consider it important to send them to school, or preferred that they help at home. Other reasons given for dropping out included the shame of having to repeat a year or a lack of documents. Early marriages were not mentioned directly as a reason to drop out, as most girls drop out of school several years before they get married.

Table 10: Why did Romani students drop out of school?

Banloc	No answer	Perceived discrimination at school	Poverty	Helping at home	Migration	Shame due to repeating year	No documents	Total responses
Women	1	11	11	9	4	0	0	36
Girls	2	10	3	5	3	6	1	30
total	3	21	14	14	7	6	1	66

In Banloc, the combination of discrimination and patriarchal traditions prevents Romani adults, girls and, to a lesser extent, boys from realising their right to education which then limits their chances of employment.

Employment

Table 11: Roma people and their employment in Banloc village, Romania:

Gender	Yes	No	Daily work in agriculture
Female	1	34	0
Male	3	8	0

The total number of adults interviewed in Banloc was 46, of which 42 are unemployed; they try to survive by collecting iron scrap or finding leftovers in the rubbish. There are only four Romani people employed in this village, three men and one woman. Out of the total Roma population in Banloc, six out of 290¹¹⁷ have a paid job, 18 people receive social welfare and only one Romani person has a pension. The remaining 265 Romani people do not have any

Interview with a Roma woman, 2011; Banloc, Romania

¹¹⁷Information about the last census from 2002 in Banloc village; the number of Roma population living in Banloc village, available at: http://ro.wikipedia.org/wiki/Comuna_Banloc,_Timi%C8%99.

income other than child allowance which “does not cover more than two days food per month.”¹¹⁸

Table 12: Roma people and their employment in Terni and Fornole Italy:

Gender	Yes	No	Informal job
Female	4	0	3
Male	1	0	1

From nine interviews with adult Romani people in Italy, five participants are working legally, (four women and one man) and four are working illegally (three women and one man). Out of a total of 46 Romani living in Terni and Fornole, all of the adults have a paid job; most of the women are legally employed and have become the main salary earners during the period of economic crisis.

Reproductive Health

The marginalised situation of Romani women in Banloc is reflected in their less frequent use of gynaecological services as compared to the Romani women living in Italy. As seen in the tables below, the use by the Italian Romani women of gynaecological services is much more frequent despite the fact that Roma in Banloc marry younger and are therefore more likely to engage in sexual activity and bear children at a much younger age.

Table 13: Romani women in Banloc, Last visit to gynaecologist:

Never	Only for delivery	Do not remember	18-20 years ago	5 years ago	2 months to one year	last year	Total responses
10	13	4	3	1	4	1	36

Table 14: Romani women in Terni and Fornole, Last visit to gynaecologist:

Never	Do not remember	Last year	Six months ago	two months ago	Two weeks ago	Few days ago	Total responses
0	1	1	2	1	2	1	8

¹¹⁸ Interview with a 36-year-old Romani woman; 4 October, 2011; Banloc, Romania

Table 15: Romani women in Banloc, Use of contraceptives:

Yes	No	Could not afford to pay	Misunderstanding	Unaware of any contraceptive methods
1	17	2	1	15

Out of the 36 Romani women respondents in Banloc, 17 did not use any method of contraception, 15 did not use and did not know anything about contraceptive methods, one woman used contraceptives and the other two respondents could not afford to pay for them.

Table 16: Romani women from Terni and Fornole, Use of contraceptives:

Yes	No	Could not afford to pay	Misunderstanding	Unaware of any contraceptive methods
2	6	0	0	0

Out of eight respondents from Italy, two of them used contraceptives and six did not, but all of the women were aware of contraceptive methods.

Among Romani women in Romania, of the 36 women interviewed 28 (77%) had had unwanted pregnancies, seven women hadn't and one woman answered was that she was infertile. Out of eight Romani women in Italy, four (50%) had had unwanted pregnancies. The awareness about the use of contraceptives is clearly one element to take into consideration when analysing the difference in the numbers of abortions practiced by individual Romani women in the two locations, as the table below shows.

Table 17: Number of abortions

Number of abortions	More than 25	6-7	4-5	3	2	1	No abortions	total
Women (Romania)	1	1	6	7	7	4	10	36
Girls (Romania)	0	1	0	0	1	1	27	30
Women (Italy)	0	0	0	1	2	2	3	8
Girls (Italy)	0	0	0	0	0	0	4	4

Domestic Violence

Victims of child marriage face heightened vulnerability to domestic violence. Of 36 Romani women interviewed in Banloc who married as minors, 34 of them faced domestic violence. Of 31 Romani girls in Romania, 17 faced violence from their fathers, eight from their husbands, one from her mother-in-law and five answered that they did not face domestic violence. While several factors influence the high vulnerability to domestic violence for Roma, the powerless position in which Romani women and girls end up as a result of child marriage and the resulting lack of education and limited employment opportunities are key factors.

Criminal Liability for Child Marriage?

Around the world, child marriage is prohibited by law; however it is still practiced in many marginalised communities because people involved in child marriage are not held accountable, and the authorities continue to tolerate the practice. In the course of my research, interviewees gave varied responses to the question of ending child marriage. Some said there should be more social assistance for stopping this practice; others said that Romani communities must understand it is a harmful practice which has to stop.

In my opinion, one way to stop child marriage would be that anyone who arranges child marriage should be put in prison, and all those cases should be publicised in the national media. I strongly believe that society must not tolerate the harmful practice of child marriages any longer. Authorities have to protect every child's fundamental rights, including those in the Romani community and other marginalised communities. That is one suggestion, but I have also included a range of recommendations below, which might have an impact on the practise of child marriage by applying criminal law to perpetrators and supporters of the practice.

Conclusions

This report is based on a socio-economic comparison between Roma communities in two locations: Roma who migrated from Romania to Italy and have regular access to social services, and Roma who stayed in Romania and continue to live in a highly marginalised situation.

The findings presented in this report indicate the positive impact that social inclusion (such as access to employment and education) of Romani women and men, girls and boys has on the

eradication of child marriage. At the same time the report indicates that in the context of fundamental rights deprivation, marginalisation and racial and ethnic discrimination coupled with the lack of implementation of the law as a result of authorities' ignorance and disinterest makes it extremely difficult to change harmful traditional practices. Furthermore, the testimonies show that there is a need to look at child marriage from the perspective of an economic survival mechanism in the context of deep poverty, rather than just from a cultural perspective. The consequences of discrimination and the practice of forced and child marriage have left their mark on the physical and mental health of many Romani women and children, as well as on the economic and social status of entire communities. Despite this fact, Roma and local authorities neither acknowledge nor act to change this practice under the excuse that this is a "Roma tradition." It should be noted that the Romani community in Italy, despite having abandoned the practice of child marriage, has not assimilated and continue to consider themselves Roma. For example, they keep what they perceive to be Romani cultural characteristics, speaking Romani and adhering to the practice of virginity testing, despite the fact that it is considered a harmful practice in itself.¹¹⁹

Nelson Mandela said that education is the most powerful weapon to change the world. In my experience, education has changed my life, my perception and my vision. Romani people in Terni and Fornole have changed their lives through education, by accessing the employment market and by having their fundamental rights respected. I want this right for all Romani children; all children in the world must at least have access to their fundamental rights.

Recommendations

This study aims to highlight actions that can prevent child marriage and the deprivation of fundamental rights of Romani children and women in Banloc village and in other Romani communities. It aims to stimulate continued research and debate on this topic.

A wide variety of actors must take action and engage in providing and building policies and social reforms for Romani children and women to access their fundamental and human rights. There must be consistent, preventative actions in the wider community to end the practice child marriage. The key actors who can drive change include social and child protection services, the media, politicians, policy-makers, lawyers, school administration officials, academics, researchers, NGOs, police, social workers, psychologists, local mayors, local doctors, school teachers, Roma civil society, Romani parents, Romani women, Romani teenagers, community leaders, Roma *Krisinari*, and other volunteers.

¹¹⁹ The practice of virginity testing is not Roma specific; it is practiced by many other communities throughout the world.

There is a clear need to provide education and instruction to school mediators and social workers in the schools that Romani children attend, so they can work to prevent Romani children from dropping out of school and to prevent discriminatory actions by teachers, professors or other actors.

National authorities:

Combat child marriage through non-discrimination and social inclusion by guaranteeing full access to all social services including quality education and access to the employment market for Romani women and men. Ensure that such policies have a specific focus on geographical areas where child marriage is frequently practised and that particular attention is paid to the well-being of children;

Launch initiatives to provide medical assistance, family planning and child and family protection services to improve the health conditions and awareness of Romani people in urban and rural areas;

Inform all citizens through print and broadcast media that child marriage is prohibited by Romanian law and by international conventions;

Develop and implement innovative awareness raising activities on the negative consequences of child marriages

Inform people who are victims of child marriage or victims of domestic and other violence of existing hotline numbers to report the crime and ensure that perpetrators are held accountable under the law; (e.g., Forum theatre)

Ensure the protection and promotion of the fundamental rights of all children and women.

Provide effective and prompt security for children in need, take prompt action if somebody reports a breach of children rights;

Develop programmes on children's rights and reproductive health care, targeting rural areas, to reach traditional Roma, and other poor and marginalised communities in Romania;

Implement training and distribute information in schools on children's rights and reproductive health education at a national level but especially targeting schools in vulnerable communities.

National and local authorities:

Undertake trust-building exercises or activities within Roma communities so that future initiatives combatting child marriage, domestic violence and other rights violations will be accepted by the local Roma community leaders;

Refrain from using the Roma tradition or other excuses for not intervening in protecting children's fundamental rights;

Create a team of social workers that work at the local and community level, with a focus on children and the prevention of child marriages;

Develop awareness campaigns in Romani communities regarding the legal age of marriage and the health consequences of early marriage (including on reproductive health), childbearing, social and economic consequences. Publicise legal sanctions against those who disregard national law and international conventions on children's fundamental rights, racial, gender and age discrimination;

Develop awareness campaigns in schools to make Romani children aware of child marriage and its physical, psychological and socio-economic consequences, and to empower them to have the right to continue their education and to enjoy their childhood;

Provide opportunities for Romani adults and children who do not finish their studies to access education in rural and marginalized communities, with training and programmes to assist their integration into the labour market;

Provide training and awareness-raising campaigns for Romani Judges and leaders about Romanian legislation protecting children's rights in order to prevent child marriage and violent and harmful abuse of Romani women in their communities;

Ensure that social workers/social and child protection services periodically visit Romani communities and schools that Romani children attend, in order to inform, provide and protect Romani children and women, to prevent child marriage and school drop-outs, to protect fundamental and human rights of the Roma;

Conduct research on the health situation of Roma in order to improve it, and to create targeted, positive actions for the health of people living below the poverty line.

Provide a safe space for victims of child marriage until the child protection services or other specialised institutions are able to take action.

Roma Civil Society:

Identify communities and possible victims within Romani communities by conducting research on Romani traditional and non-traditional communities, and collecting and sharing information on the prevalence and impact of child marriage.

Raise awareness among Roma (for example educational programs in villages and other places) and state authorities about the negative impact of child marriages for the individuals and the community, as well as the legal consequences.

Access European programmes and develop new community programmes on fundamental rights in order to prevent child marriage, gender and age discrimination and to empower Romani children to continue their studies and to one day integrate them into the labour market.

Punish anyone who violates the fundamental rights of children or others according to the law.

Women rights and women empowerment

Roma Communities:

Change the practice that families receive social and financial goods by pressuring or forcing their children to marry at an early age.

Recognise the right of Romani children to negotiate their own lives and futures.

Understand and respect Romanian legislation regarding age of marriage and other rights of the child as protecting children's rights.

Stop maltreating and undermining Romani women through the misunderstanding of tradition; Romani women are human beings and must be respected. Their voices are important as part of family decisions. Romani women must enjoy their fundamental and human rights, must be equal to Romani men and must enjoy the right to choose when to start and, if desired, when to finish their marital life.

Stop the violent and sexual abuses of Romani girls and women as prohibited by law.

Romani women and children must be empowered not to compromise their fundamental and human rights and accept gender and age discrimination under the guise of Roma tradition. Romani women and children must have a voice and be respected like all human beings.

Romani women and children should be given opportunities that will help reduce their risk of being forced into marriage, through expanded access to education, access to reproductive services to prevent unwanted pregnancies, access formal, paid employment and education on their right to be part of the public sphere.

Annex 1.

Case Study:

In July 2011, discussion began among Romani men who became aware of a girl of 15 from a family with limited financial means. One man was looking for a daughter-in-law, so they visited the girl's family, meeting her grandmother and mother. The father of the girl and her siblings had left when they were young.

One man bargained directly with the grandmother for the girl to marry his son, who was currently living in a Western European country. The families agreed that the children would marry. The girl's family asked for a large sum of money and a big wedding ceremony, to take place within a week.¹²⁰ The 15-year-old boy did not want to return to Romania to get married. He tried to run away from home, and he told his mother he wanted to kill himself.¹²¹ However, the wedding went ahead. It was a big ceremony for the families and for the community. Local authorities attended the ceremony.¹²² The day after the wedding, the families and community went to see the results of the virginity test, but the bed sheet was not stained,¹²³ and the community was shocked. This was the beginning of a terrible ordeal for these children. They were cruelly beaten and taken to a specialist¹²⁴ to determine the problem. The boy was labelled a homosexual, incapable of maintaining sexual relations.¹²⁵ The children were forced to maintain sexual relations for a week. The boy was then taken to the specialist, and he received hormonal treatment. The community had still not seen a "positive" virginity test.¹²⁶ The father of the groom decided to take both children out of the country. After four months, the bride and groom and his family came back. After few days, the girl was taken aback by her mother. At this point there was a big conflict between the two families and also other people in the community.

¹²⁰ Discussions with the grandmother of the groom, August, 2011, Banloc, Romania

¹²¹ Discussions with the mother of the groom, August, 2011, Banloc, Romania

¹²² Discussions with social worker from the local hall, August 2011, Banloc, Romania

¹²³ Discussion with the mother of the groom, August, 2011, Banloc

¹²⁴ The grandmother of the groom used the term of specialist for a gynaecologist in her explanations and discussions.

¹²⁵ Discussions with the groom and his parents. August, 2011, Banloc, Romania.

¹²⁶ Discussions with the mother and grandmother of the groom. September, 2011, Banloc, Romania

When I went to the community to talk with the girl and her mother, they started to be very aggressive with me. I could not talk to them; I had to run because the girl and her mother wanted to beat me, and they ran after me with an axe. I had to call the police to intervene. The mother of the girl received a fine for cursing me; this was only the police's only response. Some Romani people¹²⁷ in Banloc village said that the mother stole the bride, her daughter, from her new family in order to sell her for marriage again in order to receive more money to survive. The first amount of money received was enough to build a new room and to live better for a few months. Before the first marriage, the girl and her family (four people) lived in one room.¹²⁸

When I contacted the social and child protection services, the answer I received was, "It is not so urgent, and the legal period in which they can act is in a period of a month."¹²⁹ Receiving this answer, I contacted the Child Phone Association,¹³⁰ where the answer I received was, "Wow, the case is very serious, and we will send people to see the situation."¹³¹ After eight days of insistence and pressure from Child Phone Association, Social and Child Protection from Timisoara sent a social worker, who went to see the bride's family with the social worker from the village hall and a police agent and made her mother sign a statement promising that she would not sell her daughter again for marriage.¹³² The family of the groom tried to take the bride back, but they could not because her mother did not want to give her back.¹³³

After a discussion with the community judge, the judge determined that the girl was the property of the groom and of his family, but the judgment could not be executed for the formal reason that there was no man in the girl's family to take responsibility for carrying out the judge's orders.¹³⁴

Seeing how the situation was getting worse daily and how more and more Romani people were getting involved in the conflict, and seeing how no one from local or specialised authorities intervened, I contacted the European Roma Rights Centre.¹³⁵ I met with several staff members to discuss the case. "At that point there was no clear sense as to what approach

¹²⁷ Discussions within the Romani people in Banloc. November, 2011, Romania

¹²⁸ Discussion with a elderly Romani women from Banloc Community. November, 2011; Banloc, Romania

¹²⁹ Discussion by phone with a social worker from Social and Child Protection from Timisoara; December 2011; Romania.

¹³⁰ A telephone hotline service for victims of child abuse.

¹³¹ Discussion by phone with Child Phone Association, December, 2011, Banloc, Romania.

¹³² Discussions with the grandmother of the bride and with a social worker from the local hall. December 2011. Banloc, Romania

¹³³ Discussions with the Romani community and the Roma Judge, December, 2011, Banloc, Romania

¹³⁴ Discussions with a Roma Judge and Roma people from the community, December 2011. Banloc, Romania

¹³⁵ Discussions via Skype and email with the coordinator of gender fellowship from European Roma Rights Centre; December 2011

to be pursued as more details were considered necessary for making a clear call. Different angles have been argued particularly how to ensure that the best interest of the child is considered by the families; the potential removal of children from the families; requesting state authorities to investigate the case and to intervene, the type of intervention to be requested etc. It was noted though the sensitivity of the case and the potential adverse implications at the very local level.”¹³⁶ I further discussed the case with their human rights monitor in Romania with whom I talked by phone, but we did not reach a concrete plan as to how to deal with the situation.

I am very concerned and disappointed because of the apparent impossibility of providing any protection for the two children. I thought this case would finish with the two children protected by specialised institutions charged with protecting children’s rights, and that in this community child marriage might start to stop.

Now, however, I am afraid of how and where the case will finish, and I really hope that the two families will not kill each other. I am also extremely concerned because it is through a community action regarding this case that the Roma community in Banloc has learned for the first time about legislation regarding children’s rights, and the fact that child marriage is prohibited by law, as well as the punishment for violating fundamental human rights. But despite the fact that local authorities and legal specialists attended this event, the circumstances around this case made it clear to everyone that the legislation does not seem to apply to the Roma, and as result, they will continue to practice child marriage.

Today the girl is five months pregnant¹³⁷ and the boy has been married a second time to another girl aged 14.¹³⁸ The new bride is from a village near the Hungarian border, and she does not speak Romani or Romanian; they have to use sign language to communicate. The parents of the boy said, “We wanted to repair the unhappiness of our boy, so we bought another bride for him.” A few days after the wedding, the groom’s family took the new bride and their son out of the country.¹³⁹ Despite the numerous violations of the rights of these children, neither local authorities nor the specialized authorities on protecting children rights intervened effectively in this case. What will it take to allow Romani and marginalised children to finally enjoy their fundamental rights?

¹³⁶ ERRC staff conclusion after the discussion about what should be done to provide rights for the two Roma children and about how to deal with conflict situation in the community.

¹³⁷ Discussion with the Roma bride. February 2012; Banloc, Romania

¹³⁸ Discussions with the groom and his mother. February 2012; Banloc, Romania

¹³⁹ Discussions with the parents of the groom. March 2012; Banloc, Romania

Bibliography

United Nations, Convention on the Rights of the Child, Article 1, available at: <http://www2.ohchr.org/english/law/crc.htm>. (Last accessed November, 2011)

Council of Europe, Parliamentary Assembly Resolution 1468 (2005) on Forced marriages and child marriages, available at: <http://assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta05/ERES1468.htm> (Last accessed August, 2011)

Framework Convention for the protection of national minorities, available at: <http://conventions.coe.int/Treaty/en/Treaties/html/157.htm> (Last accessed November, 2011)

UNICEF, Child Protection Information Sheet, available at: http://www.unicef.org/protection/files/Child_Marriage.pdf. (Last accessed August, 2011)

United Nations, Convention on the Elimination of All Forms of Discrimination against Women, Article 16(2), available at: <http://www2.ohchr.org/english/law/cedaw.htm>. (Last accessed November 2011)

United Nations, General recommendations made by the Committee on the Elimination of Discrimination against Women General Recommendation No. 19 (last session, 1992), available at: <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm> (Last accessed November, 2011)

United Nations, Convention on the Rights of the Child, Article 3.

Romanian Family Code, available at: http://www.dsclex.ro/coduri/c_fam.htm#t1 (Last accessed November, 2011)

Romanian Family Code, Art 96-98, available at: <http://www.avocatconstanta.ro/wp-content/uploads/2008/04/codul-familiei.pdf> (Last accessed November, 2011)

Article 109 of the Romanian Family Code, available at: <http://www.avocatconstanta.ro/wp-content/uploads/2008/04/codul-familiei.pdf> (Last accessed November, 2011)

Romanian Family Code, ART. 4, Vârsta minimă de căsătorie, available at: http://www.cdep.ro/pls/dic/site.page?den=act2_2&par1=2#t2c2s0a45, (Last accessed November, 2011)

Exercitarea Drepturilor Părintești, available at: <http://www.avocatconstanta.ro/wp-content/uploads/2008/04/codul-familiei.pdf> (Last accessed August, 2011)

Romanian Criminal Law, available at: <http://legislationline.org/download/action/download/id/1695/file/c1cc95d23be999896581124f9dd8.htm/preview> (Last accessed November, 2011)

Law Nr. 116/2002, To Combat Social Marginalization, available at: <http://miris.eurac.edu/mugs2/do/blob.html?type=html&serial=1039011147373> (Last accessed November, 2011)

Community Action, event organized in Banloc village, Romania by Rita Sorina Sein in collaboration with the Anghel Saligny General School from Banloc, with the support of ERRC Gender Fellowship Program. The event was reported in the regional radio, TV and newspaper and can be available at:

<http://www.studiob.ro/index.php/stiri/stiri/4156-dezbatare-impotriva-cstoriilor-timpurii-ale-copiilor-romi.html>;
and to the: <http://www.tion.ro/copiii-romi-din-timis-invata-sa-nu-se-mai-casatoreasca-timpuriu/1011579>;

And; http://www.adevarul.ro/locale/timisoara/Timisoara-ONG-atrag-attentia-casatoriile-fortate-ale-romilor-incalca-drepturile-copiului_0_587341671.html#.TsVvhc5efcw.facebook (Last accessed November, 2011)

Information about the location of the respondents from Italy, available at:

<http://www.italyworldclub.com/umbria/>;

<http://penelope.uchicago.edu/Thayer/E/Gazetteer/Places/Europe/Italy/Umbria/Terni/Amelia/Fornole/home.html>
(Last accessed November, 2011)

Further reading:

UNICEF. "Early Marriages/Child Spouses." Innocenti Research Centre. Florence, Italy. No.7 March 2001, available at: <http://www.unicef-irc.org/publications/pdf/digest7e.pdf>. (Last accessed December, 2011)

Durst, Judith. „Fertility and Child Bearing Practices Among Poor Gypsy Women in Hungary: Intersectionality of Class, Race and Gender,” Communism and Post Communism Studies 35 (202)

Roma Rights, Journal of the European Roma Rights Centre, Multiple Discrimination; Number 2, 2009, ERRC, Budapest, Hungary

Laura Surdu and Mihai Surdu, Broadening the Agenda: The Status of Romani Women in Romania, A Research report Prepared for the Roma Participation Program, 2006, Open Society Institute, Budapest, Hungary

European Roma Rights Centre, Report, Breaking the Silence, Trafficking in Romani Communities, March 2011, Budapest, Hungary

Hill, Collins Patricia. "It's All in the Family: Intersection of Gender, Race, Class and Nation," Hypatia 13 (1998) 116-153.

Statistical data regarding the demography of Banloc village, available at: http://www.e-primarii.ro/primaria-banloc/info_generale.php (Last accessed November 27, 2011)

Romanipen is Roma people identity.

<http://romani.unigraz.at/rombase/cgi-bin/art.cgi?src=data/ethn/topics/romanipe.en.xml> (Last accessed November, 2011)

Jackson, Peter & Penrose Jan. Constructions of Race, place and nation. Minnesota Pres 2037, United States, 1994.

Oprea Alexandra. 2005 „Child Marriage a Cultural Problem, Educational Access a Race Issue? Deconstructing Uni-Dimensional Understanding of Romani Oppression.” available at: <http://www.errc.org/cikk.php?cikk=2295>. (Last accessed November, 2011)

Canadian First Nations: Elders Telling Stories Sitting in a Circle

Walter Bonaise



Walter Bonaise, from Alberta, Canada, is an Elder from the Cree, a First Nations people. He has published a book in Edmonton, Alberta, under the title "Listening to Elders Telling Stories Sitting in a Circle." (An Oral History told by Walter Bonaise - Transcribed by Karen Hovelkamp). This book is exhausted today.

Walter is busy as an educator, teaching the music of his ancestors across Canada. He is a writer and speaker on topics of Cree history and ways of living. He is active as a student advisor and counsellor at NAIT - Northern Alberta Institute of Technology, in Edmonton. Walter continues to develop programs for distant learning on the topics of aboriginal awareness for everyone.

EUFAJ wants to publish some small extracts from this book which gives a deeper insight into the life of the Canadian First Nations, including what it is to be an Elder. The social, educational, and economic activities of the First Nations are vital when considering contact with Canada - be it on business, tourism or administration level. EUFAJ thanks the author for the cooperation and friendly permission to reproduce the following parts of the book.

What are Elders?

There is a large number of First Nations across the country, embracing some 55 languages and major dialects, and constituting 11 linguistic families. The definition of an Elder varies from nation to nation. For example, the Six Nations' definition of their Elders include Faith Keepers, Clan Mothers, Hereditary Chiefs and Spiritual Leaders. The Algonquin Nation defines their Elders as people over the age of 60, and includes Pipe Carriers, Wampun Belt Readers, Medicine People, and so on. Other nations have their own definitions, but their functions are basically the same: to ensure that traditional values, principles and other

teachings are passed along, and to provide instruction to help individuals live in the right way.

From: Kumik - Council of Elders

I had a lot of fun growing up. I listened and talked to Elders all the time and had great experiences and memories with them. Elders would tell stories, with humour to make the story lively. They could turn a boring story into a lively tale. ... "I wonder what they are going to say now", I would say. "The same thing as that other Elder, or a little different."

Elders were always building bridges with their stories. How lucky I was to be able to sit with the Elders, listening to story after story. ... The Elders had a way explaining things to us young people. In those early days the Elders never stopped talking; they talked while they were eating, smoking their pipes, and when they were sitting around the fire.

They would say, "Never kill an animal without telling the animal how you are going to use it after you kill him."...

Long ago Elders were our role models. I would call all the Elders on my reserve my grandmothers and grandfathers. Almost every house had an Elder. We used to visit the different Elders in their houses. Each Elder had their own ways. They used to meet once a week, sit in a circle, and share stories and ideas. Everyone had their own story to share. ...

To become an Elder you have to be appointed by your own Elders on your reserve. When you are a certain age the Elders will come together and talk about a certain person. I used to sing all the time and one day my mother told me to gather all the Elders on the reserve together - around 70 men and women. I asked my wife Doris to prepare a feast. ... The Elders ... sat around in a big circle telling stories about everything. They even made fun of each other sometimes. ...

For years I was a helper for the Elders and now I was going to become an Elder. When I was appointed I had to train the other helpers what to do. It was hard becoming an Elder.

I got recognized across Canada as an Elder although I would never say I am an Elder. I talk about how I got initiated and that my mother and father recognized me to the spirits. "Just because you know one thing doesn't mean you are an Elder", I would tell the young people. The most important thing about being an Elder is being recognized by Elders on your own reserve. I was 35 years old when I became an Elder. Today, when I go to my reserve, everyone comes to me and asks me questions. ...

Spirits and Traditional Life

Long ago our Elders were very strict. They were trying to get us to understand the spirits and our traditional life.

It was hard because we could be foolish. I was a silly child sometimes but today I am very thankful for what I was told and that I can remember these teachings. My father was talking to me one day, about a song that was given by a spirit to my great grandfather, Chief Poundmaker. The spirit was a mosquito.

Chief Poundmaker was always worried about how he was going to lead his people; he was the Chief. He would think and think.

All of a sudden, one night, he had a dream. The Mosquito Spirit came to him told him, “I came to bless with you a song so you won’t have to worry about the future.”

The Mosquito Spirit sang the song to the Chief. “I will protect you,” said the Mosquito Spirit, “and you will be able to disappear from this land and change into a mosquito like me. If you want to go on a real fast journey you will now be able to fly like me but only for a few minutes and then you will turn back into a human. Do not abuse this power. and when you want to do good things for your people you will gain your strength through me to get what you want because I will be always with you – listening to you talking and thinking.”

Chief Poundmaker sincerely accomplished a lot for himself, and his people, by this Mosquito Spirit. He only used the song and power when he really wanted to do something for his people.

I’d like to talk about spirits now.

Spirits are everything on earth that crawls, flies, walks on land, on 2 legs, 4 legs and 6 legs; those are the spirits.

A Rock Spirit was created to be on earth by Nanabush. Everything you see on earth, who we are – walking on earth. The trees and grass are spirits; they can all talk like human beings. “We talk to them and they understood every word we say to them.”

That’s what my Elders and my father would tell me about the traditional way of life and the spirits.

The Snow Spirit visits with us on earth for 6 months so we can understand how important we are as people walking on earth.

These are the things my father, Alex, said to me.

“We need to understand, to be in harmony with everything. When you start thinking, the spirits are already there – nurturing you and waiting for your questions. If you have a tear in your eye they will look upon you and wonder why. Tears go a long way in understanding our way of life and our beliefs as human beings. We never stop asking the spirits. We never stop asking the spirits” the earth and the sun are spirits. The thunder is a spirit. The wind is a spirit. That is why we used them in ceremonies.

Even the fire is a spirit. Fire can change itself into 4 different ways. We walk with the every day, even though we don't use it all the time we ask the Fire Spirit for its blessing, for the food that we eat. If we don't drink water we can die eating onln food fod. The minute the Water Spirit hits our feet it gives us strength and understanding.

That is what I used to hear.

Myself – walking on earth and looking at the snow and the water in the spring, I often think about my Elders. I wonder what they would say now. Would they have tears in their eyes when they see our water, today?

Even the ice is a spirit because it changes into water. The Rain Spiritt comes down and gives us strength as it brings the water into the earth.



This is a Talking Stick. Walter Bonaise writes about it: "The Talking Stick was used during many reserve meetings. The Chief would ask his helper to talk to an Elder to bring his pipe so they could have a meeting in the band hall. Before the meeting started, the Elder that was chosen to bring the pipe talked to the Great Spirit to help them and to be there so that they would have a successful meeting. The Talking Stick was made by the Elders. It takes about 4 days to make a Talking Stick. In the early days it was decorated with ribbons. First, you had to understand what a Talking Stick was all about. It was used so no one told lies. It was almost like going to a High Court. When the stick came to you, well, you had to be 21 years of age or older. You held the Talking Stick on your heart side. You had to tell the truth ... nothing but the truth." (Photograph by NAIT)

“The soul of an animal is a spirit just like us; we carry around our soul. Our spirit connects to all spirits. The meaning of the animal spirit is the minute you kill an animal that soul flies out, like us, when we die. The minute I die, my spirit flies out of me.”

I came a long way with that life and I will never completely understand it until I die. I will never forget these words, as a little boy growing up. These are the words my Elders would tell me:

“The soul of an animal is a spirit just like us; we carry around our soul. Our spirit connects to all spirits. The meaning of the animal spirit is the minute you kill an animal that soul flies out, like us, when we die. The minute I die, my spirit flies out of me.”

When you cut a tree down, the minute it falls on the ground, you have killed the soul- the soul of the spirit flies out of the tree. Even the insect carries a spirit. There is that light that is the centre of their soul just like the light of a tree and the light of an animal. When you kill something, its Light Spirit that flies out. That is the soul.

When you light a candle, that light is a spirit of that candle. When the candle burns out, the spirit leaves that candle.

When you start a car, there is a light – spark. That spark connects our spirits and carries that life all day while you are driving around. When you shut the car off and go in the house, the Light Spirit goes out.

It is the same thing when you start a tractor. The motor is a spirit that causes a spark and makes the motor run. Sometimes the tractor kills us because we don't understand what its spirit means to us.

A whole airplane lifts up from the ground and carries you with a spark or spirit – when you start that plane. As soon as you land and the motor quits, there is no more spirit in there – the spark is gone.

We must be aware of this. This is how we are connected to everything and how we go to where we are going in life.

I never thought about all of this when I was driving a tractor. After, I made a song about a tractor. Once I understand everything I will be ready to die and I am not ready yet. “That's the way it was told.” That is what I was told by my Elders.

Our Relationship with Nature and People

The day the European people started coming to this land, we started losing our Indian way. Their style of life was very different from ours; it was very hard for us to follow in their footsteps.

But, I cannot forget the way we used to live in harmony with Mother Earth.

Our relationship with Mother Earth was beautiful. We used to know how to make a real good living with the land, according to the stories I would hear from my Elders. They used to say, “We can sleep in harmony with the land.”

We knew everything was real around us and there were the ones that kept us alive; everywhere we looked, we could think better. We lived a way of life that sustained us.

We knew how to survive without destroying this beautiful land. We also knew how to survive in the name of spirituality and harmony with our fellow men and women. Elders would often live to be 100 years old.

Those days Elders used to bless the food we ate. I used to see some of them crying to the spirits. The people used to say rain water was coming down their cheeks. Then the spirits gave us what we wanted so we could feel blessed.

Life is something that is very hard to describe. It is not only one thing; everything connects with life - spirituality, health and our beliefs. It is something we think about every day.

Indian people used to always help one another. When someone had to mend their hoe everyone would come together and help. Sometimes they would finish a house in one day. Nobody expected to get paid.

We used to share stories when we were eating together. Everything I used to see happening before gave me a warm feeling.

Indian people were real.

Today I often feel like crying. When I think about my parents and how they lived it was easy and sensible. Indian people used to live in harmony with everything around them. The white man used to know that kind of life; that's when it was easy to get along with everyone. Even the white man never locked their doors. I remember my mother and father would stop at a farmer's place to visit and if we didn't see anyone at home my mother used to make tea and whatever else we could find to eat. She would leave a note for the farmer telling him what we ate. Then my mother would make moccasins for the couple and the next time we stopped by she would give the moccasins to them.

That was friendship back then.

That is why I am who I am today because I used to watch how my mother and father did things. I understand what loving and sharing was. It took me all my life to try and figure

myself out. I have to try my best to be a real person. It is hard to be a good Indian because people are looking at us in different ways now.

If I don't tell these stories about songs and dances nobody will ever know how important Mother Earth is to us.

I think it is important to tell all the people how important it was to be an Indian and how we lived in harmony with creation.

Real Man and Spirit Man

Well, there was a woman, I will call Mary. My grandmother, who could tell me this bedtime story, she never named anyone so I put names to the people in the story myself.

Mary had a brother called Charlie. So, the brother got married and they had a son named Fred.

Mary got married too and had a son named Joe. Joe and Fred were cousins.

These 2 boys grew up together. They were always playing, eating, and sleeping together. All the people in the camp wondered what would happen if something happened to one of the boys.

The cousins grew up.

Charlie taught both boys how to fast so they would know about the world and what was out there for them. One day, after they had fasted, Charlie said to the boys, "Let's go and hunt."

"OK," said Fred and Joe. They went and hunted with Charlie; they were good at hunting. When they got older, all of a sudden one day, the Chief of the camp, asked Charlie if the boys could go to battle the enemies.

"You have to ask my sister too. I can't say yes for her," said Charlie. So Charlie's sister said that if he said yes, she would too.

So, the cousins went to scout for enemies in battle. They went from battle to battle. One night, Joe had a dream that his cousin Fred wouldn't make it through the next battle. He didn't know how to say this to his cousin.

One night while sitting by the fire, Joe said to Fred, "I have to tell you a story that came to me in a dream. How I am going to put it to you, I don't know."

“Try me,” Fred said to Joe.

Joe said, “I had a dream a few nights ago that you are not goin make it through the next battle.”

“What do you mean, I’m not going to make it,” said Fred. “What do you mean?”

“See, I told you that you wouldn’t understand. Let me try a different way.” But he had a hard time explaining to Fred; it took him a long time.

Joe then told Fred, “I am not going to the next battle.” So, they both stayed home and did not go to the next battle.

The next battle came and Fred said to Joe, “I am going into battle; you can stay back and look after our parents.”

“No, I will go with you,” said Joe. And away they went into battle for 3 days. On the third day, Fred got hit by his enemies. Joe saw that and went over to his cousin. “Boy, you you got hit badly,” he said.

Joe dug into the ground quite a ways – about 2 feet. He grabbed a hand full of dirt to put where Fred got hurt. That was his vision of how to help his cousin. Joe carefully rubbed Fred’s wounds on both sides.

Fred healed really fast. Warrirs would go into battle about 3 or 4 times a year. At the next battle the cousins got called up, so they both went again.

On the fourth day, Fred got killed. Joe brought the body back to their camp. All the Indians gathered and sat around, not knowing what to say to Joe about his cousin getting killed because the two were very close.

One day the whole camp gathered around Mary’s tent. The Elders walked in and started talking to Joe. The Elders knew the right words to say, so Joe would understand what they were trying to say to him.

Joe didn’t answer back right away, he loved his cousin so much. Finally Joe spoke.

“Yes,” he said, to the people inside the tear tent with him. “I will do what you say.”+those outside listened to what was going on. They all felt sorrow but Joe didn’t cry or nothing, he just agreed and then sat and listened more.

After awhile Joe spoke up. “I already made up my mind what I want to do. My cousin, Fred, will be with me here for one year and I will be with him for one year,” he said to the Elders and the people.

During the next year, Joe used to talk to Fred. Only Joe would see Fred. Just like the old days they would laugh and do their work together. Joe would even put 2 plates and 2 cups down on the table. Both plates were always cleaned up and so was the tea. Only Joe would see Fred – no one else.

The people had a hard time dealing with that as they never saw that sort of thing before. Fred was now a spirit; Joe was still a human.

For one whole year that went on. The people could only hear one voice talking. But, Joe heard Fred. At the end of the one year the people wondered what was going to happen next.

Joe said to his parents, “Now, I have to go and live with Fred in the spirit world for one year.” Joe was in two places – working with his mom and dad in the real world, and then in the spirit world with his cousin Fred.

I used to hear this story over and over. It was one of my favourite bedtime stories from my grandmother, Harriot.

I used to try and imagine what the spirit world looked like.

Fire

Different Elders, from my reserve, used to tell me stories about fire. The Elders would chant to the fire and ask for protection, for warmth, for communication, to cook the food well, and to give the people strong hearts, minds and bodies. They used to say, “We have always cared for the Fire Spirit. In the future people will leave the Fire Spirit. They will let the fire go out.”

I will start off with a story about my grandmother, Harriot Favel, who was also an Elder.

In the winter she would make a fire and I used to sit with a blanket around me, watching the fire; it was cold in the winter. She used to tell me that if you really look seriously at the fire you might see a face in it and you might even know what the Fire Spirit looks like.

My grandmother used to talk to the fire. She said, “Keep my family together, and understand what we do today.” When the fire got warm she would put a kettle on it to make tea and cook whatever we had to eat. But she said, to show respect to the fire, we should not talk to it as we build it. That is a sacred time.

We used to put the fire out at night or it would burn right out, when we were sleeping, so we would have to re-light the fire.

A very long time ago, once the fire was lit, it had to stay lit. Wherever you go, you have to carry the coals of the fire to make sure it would not go out. You were carrying a spirit so you couldn't let that spirit go out.

She would sing and chant to the fire so we could understand how important it was. If we didn't ask for its blessing, something might happen to us – we might burn to death.

She would say to the fire, "I want to finish raising my grandchildren, so that they will understand who they are as human beings." When the fire would make sparks she would say, "Whatever you are thinking about my grandchild, the fire sparks will take that message to the Great Spirit."

I used to think about why we did things the way we did.

I kept on studying the reasons and the older I got I started asking other Elders on my reserve to tell me about fire. They all had a little different explanations of why fire was so important to our people.

I was a nosey little boy. I was always watching everything my grandmother did. I was always behind her. When she was going to visit someone she would take a coal from the fire and put it in her pocket. I would pull on her dress and ask why she would put a hot coal in the pocket.

"Sit down you crazy little boy," she would say.

"This coal is my life; as soon as I put it in my pocket it is my life. I am part of the spirit of fire. I am going to visit so I need the fire Spirit to look after me. I don't want anything bad to happen to me."

Then, when she was going back home, she would take a coal from her neighbour's fire and put it in her pocket. She was sharing fire between houses. The whole reserve shared their fire. Each family had a different way of telling the fire to protect them.

That is why it was very important to put the coals in her pocket. It was about understanding about getting and giving life; by exchanging coals you share life with your neighbour's thoughts and strength with them and we would share this in our own fire.

The Fire Spirit connected us all as one. We do this when we visit so we can better understand each other.

The people used to tell stories as they visited everything was from sharing the fire. It was so important to understand the meaning of fire fire was put on earth to protect all people - to get strength, ideas, how to communicate with each other, how to talk to the animal they were hunting – that's how important that fire was.

The most important thing to understand about fire was that it was put on earth by the Great Spirit to protect all the human beings and to understand that fire is “sharing” between all people.

When you talk around the fire, the spirit of the fire is listening to all of you and protecting you. Watching the fire will give you an idea how to start talking.

My father used to sing as he cut firewood. He said, “The fire is a spirit coming out of the wood. The spirit becomes the light and heat of the fire. People sing and talk to protect us; to heat us and keep our body warm and to cook on.”

Fire is the Elder of all the spirits and the people. The Fire Spirit is the keeper of Mother Earth.

“All man-kind must try to understand the meaning of the Fire Spirit and why it is placed on this land,” said the Great Spirit. “The flames of the fire will watch over all the people on this earth.”

Elders understood a lot about fire. They spoke of the significance of sneaking up on a fire just as if you were sneaking up on an animal while you hunted.

How sad it is to see trees being burned, people being burned and the earth being burned. Life today is so fast; that is probably why we ignore the Fire Spirit or we don’t take the time to understand the Elders’ teachings.

I used to be in awe by my grandmother and how she cared for the Fire Spirit. She talked and chanted to the Fire Spirit so it would offer her the guidance that she needed to have.

I am just beginning to understand her teachings.

I know how important it is for me to do the same. I wonder if today, this understanding of the relationship with the Fire Spirit is slowly disappearing.

Perhaps for that reason, we have lost the ability to communicate and live with meaning. I am telling the young people about the Fire Spirit because I want them to understand its great importance. Fire will help them seek and find truth in the flames you may see something that no one else can.

Water

The Elders used to always talk about water when they sat around in a circle. Someone would start talking about water, and then another Elder would continue talking, until it went full circle. “What is going to happen to water and our people,” they would say.

I felt like I was blessed listening to them, talk about water. how lucky I was to sit with them for most of my life.

Long ago, the Elders would say we are lucky because we could drink water; it looked clear and healthy because the Great Spirit was looking after the water for us. All the kinds of water on earth are blessed by the Great Spirit.

We have to talk with the Water Spirit. We must identify Water and how important it is to us. For example, suppose we took the water away and just ate food. We will die because we are not digesting our food right. We have to mix water and food.

We have to think of how important water is. If we took water away from Mother Earth, nothing would grow. We always have to talk to the Water Spirit, even when we are crossing it and explain to it why we are crossing it.

Some of Elders used to say that in the future we will not be able to drink water because the water is going to be looked after by someone else, not the Great Spirit.

I was puzzled for a long time. Someone else? The more watching, listening and studying I did with the Water Spirit, I finally realized what they were saying at that time.

“The white man will control the water; we won’t be able to drink any water on the Mother Earth. We will have to buy it because of dirty air and dirty gas – all across this beautiful place called North America.”

Now see what they were saying. I think we need to go back to try and understand the importance of the Water Spirit.

The Great Spirit gave us water – the rain water that comes down – we drink that. Today we can’t because the rain water is not the way it was 60 years ago. That’s what I worry about today – for my grandchildren and my future grandchildren to come.

What is happening to our water? I am worried. The same thing with the snow.

I remember Elders used to cry and some used to sing Honor Song to the spirit of the snow. They used to say, “The snow is nurturing our Mother Earth for 6 months so we will be guided in our future. We can no longer drink that snow water because we don’t know what is in it.”

I studied what my Elders said long ago. They would ask the Snow Spirit for guidance, to give them life and to cover their beautiful land.

I no longer can say, “Thank you snow and thank you water; that’s what is missing today.”

Don’t Fool Around with an Eagle

The story goes like this.

A long time ago a young man would dream 4 times about an Eagle Spirit coming to him, telling him what to do for his future life. The man was told by the Eagle Spirit to go and kill a mountain goat and take it to the side of a hill. He had to go to a certain side hill where he would ask a helper to help him dig a hole. The hole had to be big enough for the man to fit in. then, the helper covered the map up with some good size stiks. The helper would put themountain goat on top of the sticks.

The man would then wait for the eagle to come.

One day, an eagle circled and circled around the mountain goat. All of a sudden, as the eagle nearly touched the goat, the man jumped out and grabbed the 2 legs of the eagle, pulled it down and killed him by twisting his neck. The helper would come back and set the trap again. They had to do this 4 times. They had to kill 4 eagles. When they finished, they left the rest of the mountain goat for the other eagles to eat so there was no waste.

They took the 4 eagles home. The man was told by the Eagle Spirit how to use them up; he had to use everything – the bloom, feathers, legs and body.

Then he had to make a big feast to eat the eagles. The Eagle Spirit told him how to use the feathers.

Some Elders came and made some eagle bone whistles to use in a Thirst Dance.

Nothing went to waste from the eagles.

That was a ceremonial thing. It took about 4 days for this ceremony.

The Eagle Spirit gave the man songs to sing so the man san the songs. The spirit told him how to use their bodies. He was blessed by the spirit to heal people and he became a warrior after that. He was given many powers by the Eagle Spirit for him to be who he was.

My grandparents used to say it was very important to understand that ceremony. “It wasn’t just a thing, it was a special ceremony,” they would tell me over and over and over.

When I was about 20 years old, a young man shot an eagle in the Blue Hills and brought it over for my dad to see. I ran over to see what was going on. The trunk was open. It was my dad's nephew who killed the eagle with a gun. The young man asked my dad which part of the eagle did my dad want.

My dad said, "I don't want anything." He got scared.

The young man closed the hood and drove off.

"You know my son," he said pointing his finger at me. "You know my nephew there, the one that shot the eagle. He is not going to live too long because you are not supposed to shoot an eagle. You just watch – maybe less than a year from now, he is going to die." My dad was very scared.

So I kept track of this young man and I counted the months and the days and all of a sudden he got killed in a car accident - about 4 months after. Eagles are very scared birds. You don't fool around with an eagle.

The eagle will show you his body when you are going to die, just like he did to my father when he was sick and in the hospital. An eagle came to my father in Cut Knife Hospital and scratched on the window.

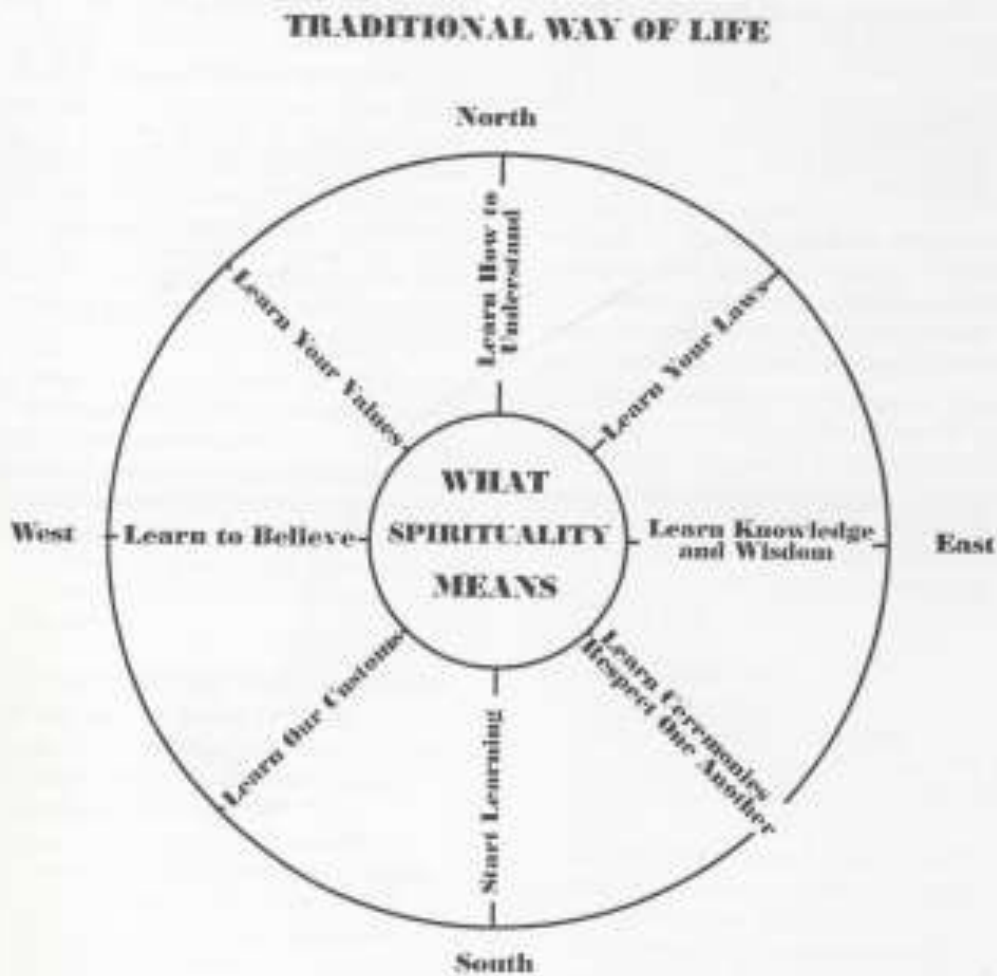
"My son, I will not be alive too much longer. That's why the eagle came to me, in broad daylight," said my father. He passed on about a week after. "Don't play around with the eagle," is what I remembered him telling

I have never put the Eagle Spirit on my body because an eagle never told me to do it. That spirit has to come to you to bless you and if he does that, he will tell you what he wants you to do.

I am still waiting for an Eagle Spirit to come to me. I don't think I will ever have an eagle feather on my head or on my body. If someone blesses me with an eagle feather, I will accept it and give it to someone else along with something to thank him for accepting the feather from me.

I am puzzled by how eagle feathers are used in dances and ceremonies today.

Traditional Way of Life



Walter Bonaire's diagram to understand spirituality, as he discussed it with Canadian students.

Immigration and Security: Should Migration be a Securitization Issue?

Tsoghik Khachatryan



Tsoghik Khachatryan, Armenia, has an MA in Theology from Yerevan State University, Armenia and a Diploma in Public Administration from Public Administration Academy, Armenia. Currently, she is for an MA in European Studies at Flensburg University, Germany. Tsoghik was a KAAD (Catholic Academic Exchange Service of Germany) scholarship holder. She is a member of numerous unions, such as International Women Group, Interdepartmental Committee against Gender based Violence, Interdepartmental Committee for Questions on People with Disabilities. As a volunteer she was involved in the project “Promotion of Volunteerism and Peer Education”, organized by the Embassy of the United States of America in Yerevan, Armenia. She also has University lecturer experience in Echmiadzin, Armenia. Since 2006 she has been the Head of Administrative Control Department at the Ministry of Territorial Administration, Armenia.

Introduction

International migration /IM/ is not a new phenomenon. The world population is a result of peoples' mobility looking for better living conditions, or escaping from various problems and threats. The impact of migration on the entire course of human history is vivid, however, recent years this trend has unprecedented meaning because of its scale, spread to all countries of the world and deep interdependency between expatriates and their home countries. Migration has a huge impact on various areas of activity and has a significant influence on many security issues.

One of the main reasons of the importance of contemporary migration is its size and growth rate. As of June 2010, there were estimated 214 million international migrants (those born in one country and living in another). The number of refugees, the people who fled their country

to escape persecution, was 16.3 million. The number of migrants presented an impressive growth compared to 1990 - from 2000 to 2010 it increased in 36 million or 20%. At present, annually four million people cross international borders, and 30-50% of that number is undocumented. The irregular migrants form a pool of covert migrants, the number of which in the U.S. is estimated at 12 million people and in Europe eight million.

The impact of international migration on human security is complex. It covers not only the individual migrant level, but, also, the family, community, national and regional levels. In this article I will approach the migration-security nexus from a human security perspective, the focus being the security of individual migrants.

Human security

Human security related challenges to immigration deserve a primary consideration. They include poverty, abuse of human rights, persecution, violence, etc. Lack of human security is often the cause of emigration, but migrants often continue to suffer from the lack of security during the migration in destination countries, as well. Border crossing can be dangerous, as shown by the fate of nearly a thousand workers who died in the last ten years in the course trying to cross the Mediterranean by boat and reach a “Fortress Europe”. Smugglings are often conducted with ruthless manners, evidenced e.g. when helping illegal immigrants enter the host country. Another issue connected to the immigrants’ security is trafficking, when violence and deception against migrants is widespread, and even can rest on slavery. In the host countries, migrants have to accept inhumane working conditions, bear the marginalization and discrimination facts as well as the fear of deportation. Hence, human security issue is, at least, two-plied - people who feel insecure in their homelands migrate to developed host countries to escape inhuman conditions where they meet even harsher severe state of affairs. So, the layer of population, which is a potential or future migrant, is secure neither in the homeland/sending nor in host country.

According to the literature, there are two types of people on the move, which are considered vulnerable from the human security perspectives. They are conflict-induced and development-induced displaced people. The first category refers to refugees and internally displaced persons. The second category covers migrant workers and human trafficking and development induced displaced persons. Conflict-induced displaced population – refugees, are the persons who fled their country for fear of being executed for the reasons of race, religion, ethnicity, and member of social groups. Since the end of 2001, the Asia-Pacific is considered as both the destination and the source of refugees. A recent study suggests that the insecurity of refugees in the region emerged from an increasing trend of rejection against the recognition of the

refugee status and lack of assistance. Despite the recognition of the problem, serious policy actions and their implementation remain to be seen, as well.

Development-induced displacement and resettlement refers to the people who are compelled to move because of the policies and projects, implemented to enhance infrastructural development projects, such as ports, airports, urban clearance initiatives, industrial establishment, the introduction of parks/reserves, biosphere and hydropower generation projects, among which the latter generated the most involuntarily displaced population. The affected people usually resettle within the borders of their home country. The characterization of the development-induced displaced persons in one country may be different from those of another country. However, a common feature found in a number of countries is that DIDR affects disproportionately indigenous and ethnic minorities, as well as the urban or rural poor population. As a result, population might face the loss of physical and/or non-physical assets. Additionally, the risk to become jobless and homeless is very high. The population faces marginalization, food insecurity, health risks, psycho-social tensions, loss of common educational activities and loss of civil and human rights as well as experience pressure.

The next category of the development-induced displacement population is the migrant workers. International migration of workers has been a structural component of most countries. Despite the economic growth, contributed also by the migrant workers to both the host and home countries, minimization of the negative consequences of migration serves as a major challenge to all economies concerned. Irregular migration is the main concern to human security, which has recently been increased due to partly unilateral migration policies that have obtained a limiting character and do not adequately reflect the relationship between the demand for migrant labour and migration pressure. Illegal migration is the movement of people, which takes place with violations of the laws of the host countries. Illegal immigration not only undermines the sovereignty of the host State, but also imposes on the host countries an undesired number and types of visitors for them, enhances smuggling and trafficking level, as well as fuels a secret labour market, which thrives on the evasion of the state control. Hence, they are linked to the perception of the threat in the destination countries.

Despite the fact, that immigrants are assumed as threats, they bring considerable benefits to the economies of importing countries, as well. According to the National Academy of Sciences of the United States, a net profit from illegal immigration is \$ 10 billion a year. Illegal immigrants fill in the labour shortages, particularly in times of demographic decline as well as enhance the structural imbalances in the labour market. Hence, immigrants, especially low-skilled illegal labour, to some extent contribute to the solution of the economic problems, the host societies face, thus, becoming a major factor in a number of sectors, such as agriculture, mining and construction.

So, illegal immigration has controversial social and economic consequences. On the one hand, illegal immigrants, willing to work under any conditions, undermine social guarantees won by local workers (minimum wages, maximum hours of work and etc.), on the other hand, immigrants (except high qualified professionals) do not contribute to the rise of unemployment among the indigenous population as far as they are employed in non-prestigious, hard and cyclical work, which is not in demand among the local residents (especially in construction and services). Hence, filling the vacancies, illegal migrants objectively contribute to the improvement of the social structures of the national personnel. The vulnerability of the human insecurity reflects the fact that the migrant workers strive to find a more secured working life in the host countries rather than to go back to their home countries. Moreover, migrant workers may face an unsustainable working life, without a proper human development ability and dignity.

Summarizing this section, we can conclude that currently discourses on migration-security axis move away from the original perception of migration as a cause of human security to a perspective that the recognized migration is both a cause and a solution to human insecurity.

Securitization as a means of fighting terrorism

It was already mentioned that illegal immigration not only undermines the sovereignty of the host State, but also impose the host countries their undesired number and types of visitors, enhances the smuggling and trafficking, which are the fastest growing form of organized crime and terrorism. This association of terrorism with immigration led to the "securitization" of the latter. , that is, to qualify immigration as a possible threat to national security. In the U.S., signs of securitization trend began with the publication of the President's Directive number two on the National Security in October 2001, entitled "Countering terrorism through immigration policy". Alternatively, in March 2003, the Immigration and Naturalization Service of the U.S. was included in the Ministry of the Internal Security. During the performance of the above-mentioned directive, thousands of immigrants have been arrested or deported. The new approach has also influenced on the review of applications for an asylum: the number of persons, whose refugee status has been officially recognized, decreased from 85.006 in 1999 to 26.622 in 2002.

Similar actions could be observed in Europe even earlier, in the early 1990s, when turmoil in Algeria and related terrorist attacks in France gave rise to fears that terrorists infiltrate massive migration flows and disseminate violence on the continent. According to Europol, the large and increasing number of illegal immigrants from the countries and regions in which terrorist Islamic groups are functioning, such as Chechnya, Afghanistan, Iraq, Pakistan and Somalia,

raise the likelihood that the channels of illegal immigration will be growingly used by persons, seeking to be engaged in terrorist activities in the EU.

Usually, organized crime groups do not promote the terrorist organizations in conducting terrorist acts directly, but rather through their infrastructures which allow them to forge documents, secretly purchase goods and equipment, transport people and equipment, and provide shelter and money for terrorists. Such cooperation allows terrorist organizations to mask the identity of its members. Hence, the very mission, which the legal bodies must enforce, is the cooperation and collaboration with organized crime and terrorist organizations. Other authors have suggested that the influx of irregular and potentially dangerous migrants actually represents significant security concerns, too, especially in relation to those communities in Europe that are already radicalized. To this point, Bruce Hoffman points to the subtle and small group in the vast Muslim Diaspora, representing a significant threat to security. To support the viewpoint of Hoffman, Charles Ortiz claimed that migration flows arisen in the last century and enhanced by political refugees' influx after the 90's, became a breeding ground for certain radical Islamic circles in Europe. These circles supplied jihadists to participate in conflicts in the Middle East and had an impact on the creation of terrorist cells in Europe. These circles provided sources for the attacks on March 11, 2004 in Madrid and July 7, 2005 in London.

Given these most complex security issues, we need to be particularly careful in identifying the cause-effect relationship. Khalid Koser states it is very naive to believe that "migration can be an instrument to import terrorists and criminals". Koser goes on with the statement, "these are dangerous delusions, though they are widely disseminated. First, there is very little evidence from any country in the world that there is a greater concentration of terrorists, potential terrorists, or criminals among migrant populations than among local populations. Similarly, only in very exceptional circumstances have migrants been found to be carriers of diseases that threaten to infect significant numbers of people. Second, imputing migrants with tainted intentions without substantiation risks further antagonizing public attitudes towards them. Third is to focus only on these extremes risks, diverting attention from circumstances where migration can actually pose a threat to national security".

Migration policy and Case Study of Portugal

Portugal is a small country with a population of 10.7 million people (as of 2011). But, it is expected that in the near future this figure will decline due to the reducing number of immigrants, increased emigration and departure of legal immigrants. Like other southern European countries, Portugal has historically been a country of immigrants. Until the mid 70s of the last century, immigration to Portugal has been very moderate and consisted almost of

citizens of the former Portuguese colonies in Africa. Major changes have occurred since 1993, when the country became attractive to migration. Since then, the origin of immigrants has changed considerably. Today most of them are from Brazil, are the citizens of Eastern Europe (Ukraine, Moldova and Romania) as well as Asia (China, India, Pakistan and Bangladesh), i.e. countries with which Portugal has signed bilateral agreements. In 2010, there were 451.742 legal immigrants in Portugal. To this figure the number of illegal immigrants must be added, which amounts to 65 to 100 thousand. On average, immigrants are four years younger than the indigenous Portuguese, have at least one child more, are relatively less educated and are mostly employed in low-skilled labour, which in some cases is below the skills and education of immigrants. They prefer large urban centres and coastal areas (Lisbon, Porto and Algarve), and such patterns of immigration distribution required a specific and focused attention of the authorities to ensure the involvement of immigrants in public life and to prevent social unrest. Although the vast number of illegal migrants is women, the majority of immigrants have legal status and long-term work visas, which points to the success that has resulted in the reduction of illegal immigration and balance in the annual number of entrants to the labour market needs through migration policy.

The Portuguese case is one of the succeeded in the sense that the migration policy could serve as an instrument, fighting against illegal migration, which means overcoming of terrorist threats which rests on the securitized migration, as well. However, many observers believe that the securitization of migration and the adoption of migration policies to counter terrorism are not justified. These measures may lead to negative consequences. Moreover, discrimination of immigrants in the course of counter-terrorism checks does not encourage their cooperation with the police, generates mistrust, and may enhance radicalization. So far, the prevention, prosecution and disruption of terrorist networks are in inevitable necessity, while cornerstone is to avoid the counterproductive criminalization of immigrants only because of the universal suspicions.

Conclusion

Taking into consideration the above mentioned, we could conclude, that in the world history it was not for the first time, that terrorist acts and crises have made immigration a national security issue. However, in the text we saw that there are advantages and disadvantages, which could lead one either to make an argument that questions either link between immigration and terrorism or totally reject them. In general, severe migration policy measures counter to the West's idea of free movement of capital, goods and services. So, under the question is the effectiveness of brutal measures, such as deportation of immigrants and close border control. In the text it was mentioned that the immigration measures, as tools to combat terrorism, on

the one hand, might become counter-productive, presenting the whole ethnic community as a target, on the other hand, alienating them, policy-makers can lose their support in investigating real terrorist threats. In addition, the targeting of certain ethnic communities can lead to the loss of support from their home countries, which is vital in the fight against international terrorism.

In the text we can meet such statements and ideas as “securitization” which means to qualify immigration as a possible threat to national security”, “after the respective legal act came into force thousands of immigrants have been arrested or deported”, “turmoil in Algeria and terrorist attacks in France gave rise to fears that terrorists infiltrate the massive migration flows and disseminate violence on the continent”, “illegal immigrants from the countries and regions in which terrorist Islamic groups are functioning, increasing the likelihood that the channels of illegal immigration will be increasingly used to commit terrorism”. They force us to see that Floyd’s three criteria, justifying securitization morally, are missing between these assumptions and the undertaken actions. Here there is no hint of the criteria objective existential threat, legitimate referent object of and the security response appropriate to the threat in question that is a proportional security response. Some of the above mentioned statements could be seen as an objective existential threat, under which actors or an order could not exist. For instance, terrorist attacks in France, could be argued as objective existential threats. So, it becomes a “security threat”, because France is a powerful actor, which frames and responds to that threat. The turmoil in Algeria could maximum be assumed as a “perceived threat” which is also an objective existential threat. But not the other cases, where intentionality is missing. However, measures undertaken by states, like arrests and deportations of immigrants, low working and inhuman living conditions, etc. were apparently not proportional security responses to the perceived threats.

Bibliography

Ayhan, Kaya (2007). *Securitization of Migration in the West and Integration of Migrants*. International Relations and Political Science Centre for Migration Research Istanbul Bilgi University.

Catarina Reis Oliveira (2008). “The Integration of Immigrants in the Portuguese Labour Market” High Commission for Immigration and Intercultural Dialogue

Europol (2011). “EU Terrorism Situation and Trend Report”
<https://www.europol.europa.eu/sites/default/files/publications/te-sat2011.pdf>

Europol (2011). “EU Organised Crime Threat Assessment”,
https://www.europol.europa.eu/sites/default/files/publications/octa_2011.pdf

Floyd, Rita (2011). "Can securitization theory be used in normative analysis? Towards a just securitization theory". International Peace Research Institute, Oslo

Hoffman, Bruce (2006). "Inside Terrorism". Columbia University Press, New York

Huysmans, Jef and Squire, Vicki (2009). Migration and Security. In: Dunn Cavelty, Myriam and Mauer, Victor eds. Handbook of Security Studies. London, UK: Routledge

Koser, Khalid (2011), "When is Migration a Security Issue?". Institute of Brookings.

<http://www.brookings.edu/research/opinions/2011/03/31-libya-migration-koser>

Leonhard den Hertog (2012). "Two Boats in the Mediterranean and their Unfortunate Encounters with Europe's Policies towards People on the Move". CEPS Paper in Liberty and Security in Europe. No. 48

Ortiz, Charles (2010), "Private Armed Forces and Global Security: A Guide to the Issues". Santa Barbara, California

<http://www.scribd.com/doc/34593383/Private-Armed-Forces-and-Global-Security-a-Guide-to-the-Issues-by-Carlos-Ortiz>

Patcharawalai, Wongboonsin (2004). Human Security and Transnational Migration: The Case in Thailand. Graduate School of Media and Governance Keio University, Japan

Spencer, Alexander (2007-2008). Journal for the Study of Peace and Conflict. Wisconsin Institute for Peace and Conflict Studies, Annual Edition

Waever, Ole (1993). "Societal Security: The Concept" O. Waever, B. Buzan, M. Kelstrup, and Lemaitre, P., Identity, Migration and the New Security Agenda in Europe" London

Winterstein, Shani (2005). "Human security, Migration and Children in SADC" Southern African Regional Poverty Network, <http://www.un.org/esa/population/migration/index.html> .

UNCTAD Acknowledges Admission of South Sudan as Forty-Ninth Least Developed Country (LDC¹⁴⁰)



On 18 December 2012, the UN General Assembly added South Sudan to the list of Least Developed Countries (LDCs). LDC status was established in 1971, under the auspices of UNCTAD, as a vehicle for international attention to the most structurally disadvantaged countries. The United Nations General Assembly, on 18 December 2012, adopted a resolution confirming the addition of South Sudan to the list of Least Developed Countries (LDCs). This admission, which took effect immediately, increased the number of countries benefiting from LDC status to 49. LDC status is granted to those economies that are deemed the most structurally disadvantaged and the most likely to experience difficulties in their efforts to come out of poverty.



Downtown Juba, South Sudan, shortly after the country's birth as an independent State on 9th July 2011 (*photo by UNCTAD staff*)

A young nation

South Sudan, a landlocked country with a population estimated at 8.3 million, declared its independence on 9 July 2011, and became the 193rd member of the United Nations five days later. This followed more than two decades of hostilities between the northern and southern

¹⁴⁰ The text was prepared by UNCTAD before the outbreak of the hostilities within South Sudan parties in 2013. This text is originally from 21.12.2012.

parts of Sudan (which itself has been an LDC since 1971). The new Republic of South Sudan is a nation with a daunting reconstruction agenda.

Poor and rich at the same time

More than half of the population is estimated to be living in absolute poverty. The economy is based on subsistence agriculture for a vast majority of the people. And yet, South Sudan is an oil-rich nation, whose potential exports consist almost totally of hydrocarbons. The estimated gross national income per capita is US\$989, a figure only marginally below the upper limit taken into account by the United Nations in determining a country's eligibility for LDC status. However, the nation's 2012 per capita income level, though not available statistically, must have been considerably lower, as South Sudan halted its oil output in January 2012 owing to a dispute with Sudan, the only existing transit corridor for South Sudan's oil exports.

Lagging human assets, high economic vulnerability

With an estimated secondary school enrolment ratio of only 6 per cent and nearly 50 per cent of its overall population considered undernourished, South Sudan stands at only 24 per cent of the human assets threshold for LDC eligibility. At the same time, South Sudan's economic vulnerability is deemed to be 39 per cent higher than the relevant threshold for admission to the LDC category.

A country much in need of special treatment

This overall socio-economic situation led the United Nations Committee for Development Policy to recognize, in March 2012, South Sudan's indisputable qualification for LDC status, which entitles the new State to be able to expect LDC-specific concessions from development partners, notably foreign aid and technical assistance for institutional capacity-building.

More graduations from the list than additions to it

The two last additions to the list of LDCs had been Senegal and Timor-Leste, in 2001 and 2003 respectively. While the probability of there being more additions to the list of LDCs is low, prospects for graduation from LDC status have become an increasingly important part of the classification landscape, in accordance with the United Nations' vision of a world with

only half the current number of LDCs by the end of this decade. Three countries have already left the LDC category (Botswana in 1994, Cape Verde in 2007, and Maldives in 2011), and three more will soon graduate and have a likely or confirmed date for exiting the category in 2014 or 2015 (Equatorial Guinea, Samoa and Vanuatu).

UNCTAD, a key player in supporting LDCs

UNCTAD played a central role in establishing the LDC category, both politically and substantively. The category came into being in November 1971. Since then, UNCTAD - which organized the first three United Nations conferences on the least developed countries - has consistently strived to help the countries concerned make the best possible use of their LDC status as a platform for special attention and treatment.

euronATUR STIFTUNG
Naturschutz ohne Grenzen



Seit über 25 Jahren verbinden wir europaweit Menschen und Natur über Ländergrenzen hinweg. Gerne informieren wir Sie über unsere Projekte.

Sabine Günther
Telefon + 49 (0) 7732/92 72-17
sabine.guenther@euronatur.org
www.euronatur.org



*The Role of Non-State Actors in Ensuring Human Security: The Case of South Sudan*¹⁴¹

Ofelya Sargsyan



Ofelya Sargsyan holds a MA in Political Science and International Relations from the American University of Armenia and another MA in European Studies from Flensburg University, Germany. She has a diverse NGO experience. Currently, she works for LIBERTAS - European Institute GmbH and is also Junior Editor for the European Union Foreign Affairs Journal

Introduction

In the modern world the security of the population can no longer be attributed only to the security of the state. The insecurities triggering the individuals' livelihood today can be of various characters; such as socio-economic, political, environmental, food, health, etc. These threats are to be addressed by human security which is about "minimizing risks, taking preventive measures to reduce human vulnerabilities and carrying out remedial action when preventive measures fail" (Claude Bruderlein, 2001). Yet, many states, and particularly post colonial ones, fall short in addressing fundamental human needs and services of their citizens (Ulrich Schneckener, 2011). To the point, the role of non-state actors in providing basic human need becomes especially important. Hence, it becomes more than relevant to identify these actors, their methods for intervention as well as the fields they can make a contribution. In this context the current paper focuses on human security issues and on the role that the non-state institutions can have in ensuring human security in fragile states. As a case study to the point the example of South Sudan will be under discourse. For that purpose the paper will first be engaged in presenting theoretical framework and definitions of key concepts: the study will explore the terms human security, fragile state as

¹⁴¹ The article was written before the outbreak of the violations within South Sudan in 2013.

well as non-state actors. Afterwards the case of South Sudan and the non-state actors engaged in the country will be presented so as to clarify the theoretical framework by applying it in practice. The ways the non-state actors contribute to the development and peace building of the country will be under research. It will be investigated how these actors are used to guarantee human security. At the end of the study general conclusions will be provided.

Human Security

One of the most challenging concepts in the practice and theory of the international security is human security. In contrast to the state-centric security approach which denotes how the states use force so as to tackle away the threats endangering their territorial integrity, sovereignty as well as inner political stability, the human security tends to be emancipatory and empowering for individuals (McCormack, 2008). It is about people and not just about the security of the territories. Its utmost goal is to ensure individuals' safety and wellbeing everywhere, e.g. in their houses, workplaces, streets, communities, etc (Bajpai, 2000).

In his 2001 report for the General Assembly then Secretary General, Kofi Anan stressed the ultimate importance of conflict prevention and development programs. He mentioned that while the states are to be the primary actors in the process international institutions shall share the burden, too. These ideas are consistent with the United Nations Human Development Program report of 1994 in which the concept of human security was first officially documented. Up to this event security had been defined only in the framework of physical threat or military power. As for the report, it mentioned that there is a correlation between human development and security and in case one is disturbed the other one will not remain unaffected. Pointing to the population growth, international economic inequalities, uncontrolled global migration, environmental problems, drug trafficking as well as terrorism, it called for a new definition for security. It stressed that the above mentioned problems are to be resolved by multilateral, national as well as international efforts which shall not purely be intended at the state (Jolly R. & Basu Ray D. 2006).

This new approach towards security can be regarded as an anticipated outcome of globalization and the consequent reconsiderations of many development methods and projects (Mutoka J. & Odera N., 2010). It can be split into broad and narrow understandings. The broad approach stems from the notion of "freedom from want" and the narrow one from "freedom from fear". The broad conceptualization of human security, "freedom from want", states that constant threats such as hunger, diseases, oppressions as well as unprecedented calamities are to be addressed under the security. The UNDP suggests 7 human security elements: economic security (poverty, susceptibility of global economic developments); food security (hunger, susceptibility to climate and agricultural changes); health security

(diseases, susceptibility towards diseases), environmental security (resource depletion, susceptibility to contamination, environmental deprivation), personal security (aggressions, susceptibility to upheavals, natural disasters), community security (infringement of cultural integrity, susceptibility to cultural globalization) political security (political oppressions, susceptibility to conflicts) the fulfilment of which can ensure the fundamental needs for human security. Thus, in the framework of the broad conceptualization of human security the focus is on the protection of the individuals from critical threats. Moreover, it connects development and humanitarian ideas with security (Liotta P. H. & Owen T., 2006). The “Canadian Approach” represents the narrow definition of human security focusing on violent threats over individuals. These types of threats can be generated from a range of issues, such as drug trading, land mining, ethnic conflicts, and state failures as well as trafficking. The narrow conceptualization of human security gives the precedence to the capability of immediate intervention rather than to the well-planned and thoroughly investigated strategy for sustainable development (Liotta P. H. & Owen T., 2006). Thus, human security focuses on the individual and his/her right to safety, fundamental freedoms, and access to prosperity. It aims to foster and maintain stability, security as well as integration of people in their relations with their states and communities, enables individuals’ right to life, freedom and justice. What is to be mentioned in the end is that both the narrow and the broad approaches to the human security are based on non-coercive means of intervening efficiently and operationally. Some of these methods could be sectoral reformations, economic development, democracy, state-building, conciliations and mediations (Jolly R. & Basu Ray D. 2006).

The Fragile States

The modern history of state formation deals not only with violent conflicts and nationalism but also with the affiliation with the society and the increasing standards of the role the states are to have in ensuring economic and social wellbeing of their citizens. The purposes and obligations of the modern state are the provision of security and order (control of violence, organizational dominance, rule of law); explanation of the standards of the social contract (citizenship and obligations), protection of the market (public funding, human resources, institutions market and state finances) and foreign affairs. Thus, in secure modern states citizens require and suppose a provision of certain goods by the state, among which are security, sufficient circumstances for the economic wellbeing and public services including education and healthcare. In their turn, they are supposed to pay taxes and accept the domination of the coercive measures as well as the restrictions of their liberty by the state. Overall, in stable states the exchange of obligations between the state and the society is normally considered as legal and the negotiations of the sides produce social contract. A

reciprocally approved social contract, one in which there is a balance between the society's expectations and the state's capability to fulfil them is fundamental for the state to be perceived as resilient and legitimate (OECD, 2008).

Regarding the term of resilience, it is to be mentioned that it can be conceptualized as the capability to deal with changes driven by shocks in capacity, efficiency and/or legality. Thus, resilience in the social contract is fundamental for the stability of a state. Yet, this does not imply that a government shall automatically be stable. Moreover, they may still fall, however, in case they do not create ventures of severe conflicts, humanitarian crises or uncontrollable territories which put international actors into unease, then the state can be considered as stable (OECD, 2008). On the opposite spectrum of resilience, then, is fragility. "Fragile states" are the ones that are short of the capability and/ or willingness to provide basic state duties for the majority of the population (Leader N. & Colenso P., 2005). They can be presented as unable to assure security, rule of law and/or provision of core services and opportunities for economic welfare. Thus, political procedures for coping changes in the social contract are absent or are insufficient. The states fail in keeping societal expectations and state capacity in balance (McLoughlin C., 2009).

Furthermore, fragility can occur at the extremes of the given state's organizational capability, resources, the willingness of elites and legitimacy. A state that has adequate level of capacities and resources but is missing internal legitimacy can encounter political pressures that may disturb its stability and the citizens' expectations, as an example to such a situation Iran under the Shah can be referred. Meanwhile, in the cases where legitimacy is not problematic and the capacities and resources are substantial, the state can still fall into the category of fragile states if its organizational capacities are exceedingly low, e.g. Mozambique. Since the end of its civil war the country has been successfully governed, yet, it greatly depends on international help in service delivery. Fragility can also be caused because of the changes in expectations, i.e. if the state delivers services and relationships differing from the ones that people expect, a political setback will be generated. To the point it is to be mentioned that the extent and the character of expectations are formed by history and experience and differ from society to society. Yet, fragility arises from the scarcity of those political processes and mechanisms, by which stable states settle state and citizens' expectations, adjust service provision to changing requirements and tackle away shocks. They have resilient political systems and processes which are legitimate and extensive in capacities and resources. Going further, it should be said that the worst type of fragility which is often to blame for causing state failure occurs when all of the features presented are present i.e. when the legitimacy of the state is under doubt, the capacities and resources of the state are scarce, and where political systems and processes for resolving conflicts are rudimentary, e.g. Haiti. Five types of state fragility differing from their susceptibility to violent conflicts and/or humanitarian crises can be identified: weak states, which have low levels of

organizational control, divided states, which are characterized by extensive splits between national, ethnic or religious groupings; post-war states, which have suffered violent conflicts, semi-authoritarian states, which enforce rules through oppression and collapsed states, whose central infrastructures do not operate at all. Moreover, states can display several of the presented features concurrently. Myanmar can make a case as it is weak because the national infrastructures have restricted geographical range, the country is divided as the ethnic groups of the country do not recognize the legitimacy of the state, additionally, the state is semi-authoritarian which undermines state–society contract (OECD, 2008).

To sum up, the governments of fragile states frequently fall short in ensuring security of their citizens and their rights. Moreover, they are often to blame for violence. Such governments do not have legitimacy and capacity, suffer economic decline, and cannot provide a sufficient level of basic services such as education, health care, clean water or basic sanitation. As for the main determinant in understanding whether the state is fragile or resilient, the dynamics between the societies' expectations from the state and vice versa is to be taken into account (Jansen E. & de Vries J., 2008).

Non-State Actors and Human Security

As has been discussed a capable state is the one that can efficiently implement its duties towards its citizens by ensuring population's security. Such a state is supposed to have territorial integrity, social safety, intra-national stability, rule of law and socio-economic justice (Ulimwengu J, 2011). Yet, many parts of the world and especially fragile states face the critical challenge of having as well as expressing effective and efficient ability and mechanisms to ensure security of their borders and population. Consequently, the populations of these countries live in insecure circumstances, often relying on non-state, semi-official or local organization to deliver them with services which will assure their basic security and justice needs. The scope and the means this is performed can differ widely. In one case a fence can be put and a private security organization be hired for protection, in another case communities themselves can form their own security systems. Moreover, it has been noted that in fragile states locals consider their own services as more efficient than those suggested by the formal institutions (Derks, M. 2012). Hence, the judgment that the state institutions, e.g. the police, military, courts, shall not be the ultimate providers of justice and security becomes more than to the point. The view that non state actors shall be an integral component in justice and security reform procedures because of their higher accessibility and understanding of local perceptions and norms was offered by the United Nation report on post-conflict rule of law efforts in 2004. This approach is also discussed in several policy documents ratified by donors and international organizations (Chopra T. & Isser D., 2011).

The perspective implies a move away from the strictly state-centric systems that concentrate primarily on official state institutions while engaging in the process of securitization non-state actors (Albrecht P. & Kyed H. M, 2011).

The point is that non state institutions, ranging from armed groups to private organizations and non-governmental organizations (NGO) can have a crucial function in increasing or decreasing human security. These can be reflected in such fields as the solution of needs of dislocated people, encouragement of more intensified control of the arms' trade, help in preserving the environment. Moreover, their role is especially vital in fragile states as in case of internal conflicts they are more capable in forming local capacity than the formal institutions. For instance, organizations such as ICRC and Oxfam function as assistance organization even when governments fall short in addressing the basic need of population or the NGOs such as the Community of San Egidio seek to help in reconciliations between the rivalry sides (Bruderlein C., 2000). To conclude it is to be mentioned that obviously the concept "non-state" may refer to a wide range of varying actors with different functions in societies in conflict. These informal institutions can include armed groups, NGOs, academic and educational centres, private corporations, religious institutions, individuals, the media as well as the Internet community. What connect them together are their informal characteristics, greater flexibility in comparison to the state institutions and unaccountability in front of the national or international law (Bruderlein C., 2000).

Southern Sudan: Briefing the History of the Country and Defining it as a Fragile State

Sudan belongs to the group of countries which most of their existence have passed through multiple conflicts. Religious intolerances, racial discriminations, rapacious resource extractions and elite dominations have been pursuing the country throughout the history. Sudan spent in conflict 44 of its 55 years of independence which devastated the country and brought to division into the North and South (International Crisis Group. 28 Jan. 2002).

It is to be noted that during its history Sudan has never been a coherent entity. Even its geography is very diverse. Colonial legacy has its own bad impact on Sudan. On January 19, 1889 a joint-authority government was formed and Sudan fell under the control of Britain and Egypt (Sudan Net). According to the agreement Britain took over the management of South, while leaving the control of the North under the Egyptian government (Woodward, 1995). By this strategy Britain aimed to preserve English values and beliefs such as Christianity in the South and later on create a separate political entity or integrate it into British East Africa (International Crisis Group. 28 Jan. 2002).

When in 1947 Britain gave political power to Northern Sudan, the latter began the "Sudanization" of southerners (Taisier and Roberto, 1999). The process put the beginning of the violent conflict which broke out in January 1955 when southern apprehension led to riots and a bloody rebellion. In November 1958, General Ibrahim Abboud came to power. His policy of "Islamisation" forced thousands of southerners into exile in neighboring countries who formed opposition organization called the Sudan African National Union, meanwhile former soldiers and policemen from the 1955 rebel had began to form military movement called Anya-Nya ("snake poison"). By 1963 Sudan totally was engaged in civil war (SSLM) (ICJ, 28 Jan. 2002). The ratification of the Addis Ababa Agreement in 1972 created a ground for a peaceful and cooperative era: it granted political and economic autonomy to the south (Alier, 1990).

In 2005 the Interim National Constitution (INC) and the Comprehensive Peace Agreement were signed. The CPA aimed to restructure wealth, power and security arrangements in Sudan, by sharing them between two parties (Thomas, 2010). Under the CPA voters in the South on 9 January, 2011 decided to secede and form a new state. The civil war, which lasted 22 years and which took the lives of 2.5 million Southerners, was fought for several issues: the central government's long standing neglect of Sudan's periphery, the excessive concentration of jobs, wealth and public services in the region known as Arab triangle; massive human rights violations; the government's brutal attempts to impose Arab culture and Islam on the south, where Christianity prevails; its persistent refusal to grant the south any autonomy (Natsios & Abranowitz, 2011).

On 30 January 2012 the final results of the referendum on South Sudan were held under UN auspices. Nearly 99% of southerners, who are Christian and animist, voted for separation from Sudan's Muslims, who mainly dominate the government in the North. Yet, South Sudan faces many hurdles. The biggest one is the lack of public services. It occupies one of the least developed parts of Africa. At the same time South lacks a full functioning government and state institutions. The ruling Sudan People's Liberation Movement is dominated by military figures. It was not integrated into state apparatus. South Sudan is still far from being a fully functioning state (Natsios & Abranowitz, 26 May, 2011).

It is still a fragile state and the war still continues between North and South. In May 2011 Sudanese warplanes and artillery began bombing the civilian population in Abyei, which is referred to as the Kashmir of Sudan because it sits on the disputed border between north and south. The bombing has displaced 15,000 Ngok Dinka inhabitants, who moved to south. For centuries, Abyei had been the homeland of Dinkas, who dominate in the South. They make up 40 percent of the south's population and represent a powerful part of both the south's government and its army. They demand the return of Abyei to the south (Natsios & Abranowitz, 26 May, 2011).

This shows there is lack of political will in south and north to end the disputes and create long-term peace between two sides. Also the weak state institutions in the south create challenges. The south can't still guarantee security for its citizens. The country still experiences internally displaced population, refugees as well as proliferation of arms. The country is fragile so far as it cannot provide basic human services and security for its citizens in its territory. Moreover, food security is a central problem in many communities and the government heavily depends on external funds. Against this background the number and the influence of non state actors tends to be increased in the country, e.g. foreign organizations and NGOs seek to provide services, resolve the problems related to the refugees, also religious organizations, particularly the church, use their ties to provide housing for the displaced (Mutoka & Odera, 2011).

Non-State Actors in South Sudan: Local Communities

Conventionally the Sudanese communities have had their own certain systems for the management of crises and conflicts resulted because of the scarcity of resources. They have formulated values, habits and traditions which help them to establish and keep socially peaceful and tranquil atmosphere. In case of a conflict, the community perceives its resolution as a joint duty and the members of the community take their role in ensuring human security. The role attributed to the women would be cultivation whereas the men would get busy herding cattle. The families would gather near the cattle camps and whenever there would be a conflict with other communities and a break out of the structure, the men would get into 'leopard-skin chiefs' and seek means for resolving the crisis (Mutoka & Odera, 2011). These traditional systems have endured up to now. And it is worth mentioning that while having no constitution-based legitimacy in some cases these systems have been more successful in conflict resolution and governance than the state institutions. The traditional systems have been involved in ensuring security, conflict resolution, social stability, community development, as well as natural resource management (Mutoka & Odera, 2011).

Non-State Actors in South Sudan: The Church

Informal actors like church have been instrumental for South Sudan. In the earlier periods of the Southern Sudanese conflict delegations consisting of the World Council of Churches (WCA) as well as the All-African Conference of Churches (AACC) were sent to Sudan for fact finding where they would meet church leaders as well as ordinary citizens. Inevitably enough, the church took the position of a mediator between the rivalry sides. As for the post CPA era, the church is perceived as a source of security and humanitarian endeavors. Church

provides shelters for the sake of security and crisis relief to the victims of violences. This function has highly increased local and international trust in the Church organizations. Moreover, the Church can be accepted as a cornerstone in developing and sustaining there the embryonic democratization process. It seeks to prevent violent conflicts and maintain peaceful communication with communities. Recalling 2011 referendum it is to be mentioned that churches from Sudan were rather active in mobilizing the population as well as in promoting peace among the diverse communities. Also, they worked with various civil society institutions so as to organize the citizenry (Mutoka & Odera, 2011).

Non-State Actors in South Sudan: Non-Governmental Organizations

South Sudan has experienced the presence of a wide range of International non Governmental Organizations (INGOs) which have realized various projects related. As an example the United Nations Development Fund (UNDP) can be underlined. Together with the Sudanese government the UNDP has sought to improve the governance infrastructure and systems by promoting the institutions of rule of law. One more NGO engaged with South Sudan's governance issues the Department for International Development (DfID) of the UK. It provides Sudan with financial funds for developing governance institutions as well as shows humanitarian assistance to the country. In the framework of the United Nations Mission in Sudan (UNMIS) programmes are undertaken to strengthen local government institutions, do security reforms, as well as provide humanitarian assistance. These endeavors of the organizations have been crucial in establishing peace and contributing to human security (Mutoka & Odera, 2011).

Non-State Actors in South Sudan: Armed Non-State Actors

During the conflict the non-Muslims of South Sudan were occasionally exploited economically and culturally both by the governments and military. In this context the role of the Sudan People's Liberation Army (SPLA) along with its political back the Sudan People's Liberation Movement (SPLM) is to be mentioned which have aimed to promote pluralistic and democratic system in Sudan. It alone signed the Comprehensive Peace Agreement with the Sudanese government. They have sought to protect both the people and the administration as well as provide financial assistance to the local population (Mutoka & Odera, 2011).

Conclusion

The establishment of human security has become one of the priorities in the world. And while the governments are considered the most viable actors in ensuring human security, in many cases they turn to be unsuccessful in addressing security concerns of the population. Moreover, they may themselves be to blame for the insecure atmosphere. In these contexts the role of the non-state actors is to be stressed. This is especially important in fragile and post conflict settings. The matter is that a conflict leaves states destructed both economically and socio-politically. Hence, in these situations communities are obliged to use local and non-state systems to preserve their livelihood. Individuals, communities, and other non state actors should not be passive, waiting for the state to address the disastrous outcomes.

This, as has been seen, is also the case with Southern Sudan. Have constantly been involved in conflicts, the communities of the country have developed unofficial mechanisms so as to prevent conflicts and ensure human security. In these context the role of non-state actors, ranging from armed groups to non-governmental organizations, in providing human security in the country cannot be neglected, either. Their role has turned to be especially beneficial during the conflicts due to their close involvement and relationship with the local communities as well as their access to the fields which are unavailable to the state institutions. Moreover, they can directly communicate with the local populations and communities, function without any political inquiry and be more flexible than the state institutions.

Yet, in the end, it is worth mentioning that as much as the role of the non-state actors cannot be underestimated; it should not be seen as polarized from the state: quite the opposite, these infrastructures should collaborate with the state so as to efficiently ensure human security and stability worldwide.

Bliography

Albrecht, Peter and Kyed, Helene Maria, “ Non-state and Customary Actors in Development Programs”, International Development Law Organization, 2011.

Alier, Abel, “Southern Sudan: Too Many Agreements Dishonoured,” Exeter, 1990.

Bruderlein, Claude, “The role of non-state actors in building human security: The case of armed groups in intra-state wars”, Centre for humanitarian dialogue, Geneva, May 2000.

_____ “People’s security as a new measure of global stability”, IRRC Vol. 83, No 842 353, June 2001.

Bajpai, Kanti, "Human Security: Concept and Measurement", Kroc Institute Occasional Paper 19:OP:, New Delhi, August, 2000.

Chopra, Tanja and Isser, Deborah, "Women's Access to Justice, Legal Pluralism and Fragile States", International Development Law Organization, 2011.

Derks, Maria, "Improving security and justice through local/non-state actors: The challenges of donor support to local/non state security and justice providers", Netherlands Institute of International Relations 'Clingendael', April 2012.

International Crisis Group, "God, Oil and Country: Changing the Logic of War in Sudan", Africa Report No. 39, 28 January 2002.

Jansen, Emma, de Vries, José and Suralaga, Dewi, "Security and development in fragile states: The Netherlands' strategy 2008-2011", November 2008.

Jolly, Richard and Ray, Deepayan Basu, "The Human Security Framework and National Human Development Reports: A Review of Experiences and Current Debates", United Nations Development Programme, Institute of Development Studies, Sussex, May 2006.

Leader, Nicholas and Colenso, Peter, "Aid Instruments in Fragile States", PRDE Working Paper 5 Poverty Reduction in Difficult Environments Team / Aid Effectiveness Team Policy Division, UK Department for International Development, March 2005.

Liotta, P. H. and Owen, Taylor, "Why Human Security?", The Whitehead Journal of Diplomacy and International Relations 2006.

McCormack, Tara, "Power and agency in the human security framework", Volume 21, Number 1, Cambridge Review of International Affairs, March 2008.

McLoughlin, Claire, "Topic Guideline on Fragile States, International Development Department", University of Birmingham, August 2009.

Mutoka, Joyce and Odera, Naliaka, "The Role of Non-State Actors in Ensuring Human Security in post conflict fragile: The Case of South Sudan", RBC Desk Study, 25 October 2010.

Natsios, Andrew and Abranowitz, Michael, "Sudan's Secession Crisis", Foreign Affairs, September 2011, <http://www.foreignaffairs.com/articles/67869/andrew-s-natsios/sudan-back-on-the-brink?page=show>.

"Sudan's Secession Crisis: Can the South Part from the North Without War?", Foreign Affairs, September 2011, <http://www.foreignaffairs.com/articles/67054/andrew-s-natsios-and-michael-bramowitz/sudans-secession-crisis>.

OECD, "Concepts and Dilemmas of State Building in Fragile Situations", 2008.

Schneckener, Ulrich, “Fragile Statehood, Armed Non-State Actors and Security Governance”, UNDP, 2011.

Sudan Net, “Sudan: A Historical Perspective”, August 2011, <http://www.sudan.net/history.php>, from Ali Taisier and Matthews Roberto, “Civil Wars in Africa”, London, 1999.

Thomas, Edward, “Decisions and Deadlines: A Critical Year for Sudan”, Chatham House, 2010.

Ulimwengu, Jenerali, “The Role of Non-State Actors”, UNDP, 2011.

Woodward, Peter, “Sudan: War without End”, New York, 1995.

Eurobarometer: 98% say language learning is good for their children, but tests highlight skills gap¹⁴²

In the EU, there are 24 official languages. In contrast to e.g. the Council of Europe or NATO the discussions and laws of the EU are directed to every single citizen of the Member States. This is why every language is considered to have an equal weight, no matter if it is spoken by 1,4 millions of Estonians or 82 millions of Germans. The EU has clearly opted for multilingualism - despite this may be a difficult way. And everyone coming from a third country to the EU can calculate, if his language is understood, where this is the case, or ifs/he can rely on common foreign languages. This is from a recent survey in the EU on foreign languages:

Almost nine out of ten EU citizens believe that the ability to speak foreign languages is very useful and 98% say that mastering languages will be good for the future of their children, according to a new Eurobarometer opinion poll on EU citizens' attitudes towards multilingualism and foreign language learning.

However, a separate European Commission study, the first European Survey on Language Competences, highlights that there is a gap between aspirations and reality when it comes to foreign language skills in practice: tests carried out among teenage pupils in 14 European countries show that only 42% are competent in their first foreign language and just 25% in their second. A significant number, 14% in the case of the first foreign language and 20% in the second, do not achieve even the level of 'basic user'.

Androulla Vassiliou, European Commissioner for Education, Culture, Multilingualism and Youth, said: "This Eurobarometer shows that multilingualism and language learning matter a great deal to people and that is something we should rejoice in. But we must also do more to improve the teaching and learning of languages. Being able to communicate in a foreign language broadens your horizons and opens doors; it makes you more employable and, in the case of businesses, it can open up more opportunities in the Single Market."

Ten years on from the 2002 Barcelona declaration by Heads of State and Government, who called for at least two foreign languages to be taught from a very early age, Europeans are widely aware of the benefits of multilingualism. Almost three quarters (72%) agree with this

¹⁴² Brussels, 21 June 2012, IP 12/679

objective and 77% believe it should be a political priority. More than half of Europeans (53%) use languages at work and 45% think they got a better job in their own country thanks to their foreign language skills. Nevertheless, the number of Europeans who say they can communicate in a foreign language has fallen slightly, from 56% to 54% . This is in part due to the fact that Russian and German are no longer compulsory in school curricula in Central and Eastern countries. The proportion of pupils, who are competent in their first foreign language, ranges from 82% in Malta and Sweden (where English is the first foreign language) to only 14% in France (learning English) and 9% in England (learning French). One of the most striking changes since 2005 is that the internet has encouraged people to broaden their 'passive' reading and listening skills in foreign languages. The number of Europeans who regularly use foreign languages on the internet, through social media for example, has increased by 10 percentage points, from 26% to 36%.

Next steps

The European Commission wants to step up support for language learning through the new 'Erasmus for All' programme ([IP/11/1398](#)). Language learning is one of its six specific objectives and the Commission plans to boost funding for language courses for people wishing to study, train or volunteer abroad. The Commission will propose a European benchmark on language competences by the end of 2012 which will measure Member States' progress in improving language teaching and learning.

The results of the Eurobarometer on 'Europeans and their Languages' and the European Survey on Language Competences will be discussed at an international conference in Limassol (Cyprus) which will coincide with the next European Day of Languages (26 September).

Background

The Barcelona Council of 2002 called for actions “to improve the mastery of basic skills, in particular by teaching at least two foreign languages from a very early age” and for “the establishment of a linguistic competence indicator”.

The **Special Eurobarometer (386)** survey on Europeans and their Languages was carried out in spring 2012. Almost 27,000 people were interviewed face-to-face in their mother tongue. All 27 Member States were covered and those taking part represented different social and demographic groups.

The most widely spoken mother tongue is German (16%), followed by Italian and English (13% each), French (12%), then Spanish and Polish (8% each).

Countries showing the most notable increases in the proportion of respondents saying that they are able to speak at least one foreign language well enough to hold a conversation, compared to data from the 2005 Eurobarometer survey, are Austria (+16 percentage points to 78%), Finland (+6 points to 75%), and Ireland (+6 points to 40%).

In contrast the proportion able to speak at least one foreign language has decreased notably in Slovakia (-17 percentage points to 80%), the Czech Republic (-12 points to 49%), Bulgaria (-11 points to 48%), Poland (-7 points to 50%), and Hungary (-7 points to 35%). In these countries there has been a downward shift since 2005 in the proportions able to speak foreign languages such as Russian and German.

The five most widely spoken foreign languages remain English (38%), French (12%), German (11%), Spanish (7%) and Russian (5%).

At a national level English is the most widely spoken foreign language in 19 of the 25 Member States where it is not an official language (i.e. excluding the UK and Ireland).

For the first time, attitudes to the role of translation in health and safety, education, job seeking, information and leisure activities such as films and reading were also explored. Previous Eurobarometer surveys on languages were carried out for the Commission in 2001 and 2005.

The **European Survey on Language Competences** was carried out in spring 2011 and the findings are published today following a detailed analysis. It tested almost 54 000 pupils across 14 countries and 16 educational systems (the three language communities of Belgium, Bulgaria, Croatia, England, Estonia, France, Greece, Malta, Netherlands, Poland, Portugal, Slovenia, Spain and Sweden). The assessment provides comparable data on the level of foreign language competences of pupils aged 14-15. In each country the tests measured reading, listening and writing abilities in two out of the five most widely taught official languages of the EU: English, French, German, Italian and Spanish. In addition, on the basis of questionnaires filled in by the pupils, as well as nearly 5000 language teachers and 2,250 school principals, the assessment identifies that language learning abilities are closely related to a sense of motivation which is in turn linked to the situation in families, education and society at large.

Some links on the subject

European Commission, Public Opinion, [Special Eurobarometer 386 'Europeans and their languages'](http://ec.europa.eu/public_opinion/index_en.htm), retrieved: 17.03.2014, http://ec.europa.eu/public_opinion/index_en.htm

European Commission, Public Opinion, [Eurobarometer Special Surveys](http://ec.europa.eu/public_opinion/archives/eb_special_en.htm), retrieved: 17.03.2014, http://ec.europa.eu/public_opinion/archives/eb_special_en.htm

European Commission, Languages, Language policy, retrieved: 17.03.2014,
http://ec.europa.eu/languages/policy/language-policy/index_en.htm

European Commission, Supporting Language Diversity in Europe, retrieved: 17.03.2014,
http://ec.europa.eu/languages/index_en.htm

European Commission, Erasmus+, EU programme for education, training, youth and support, retrieved:
17.03.2014, http://ec.europa.eu/programmes/erasmus-plus/index_en.htm;

European Commission: Education and training, Supporting education and training in Europe and beyond,
retrieved: 17.03.2014, http://ec.europa.eu/education/index_en.htm

European Commission, Androulla Vassiliou's website, Education, Culture, Multilingualism, Youth, retrieved:
17.03.2014, http://ec.europa.eu/commission_2010-2014/vassiliou/index_en.htm,

*EU sounds alarm over sharp rise in protectionism across G20*¹⁴³

In a recent report, the EU identifies a staggering increase in protectionism around the world with 123 new trade restrictions introduced over the last eight months – a rise of just over 25%. This brings the total number of restrictive measures in place today to 534. In its ninth report on potentially trade-restrictive measures, the European Commission points to a failure by the G20 countries to reducing trade barriers. G20 members have to do more to prevent the introduction of new barriers to trade, and to rectify protective measures introduced since the break-out of the crisis. "Clearly G20 Members need to seriously step up their efforts to fight protectionism. I am very concerned to see the sharp rise in trade-restrictive measures in the last few months alone", said EU Trade Commissioner Karel De Gucht. "Let us remind ourselves that the G20 pledged to end such practices and that protectionism benefits no one. It sends the wrong signal to global trading partners, it sends the wrong signal to investors and it sends the wrong signal to the business community which relies on a predictable business climate."

The main conclusions of the report:

- Between September 2011 and 1 May 2012, on average more than 15 new measures were introduced each month as compared to less than 12 new measures per month the year before: the pace of introduction of new restrictive measures has accelerated. Overall, 123 new trade-restrictive measures have been introduced in the last eight months.
- The state of G20 countries' compliance with regards to the removal of existing measures remains clearly insufficient. Between September 2011 and 1 May 2012, the

¹⁴³ [European Commission, Trade, Import and export rules, Export from EU](http://ec.europa.eu/trade/import-and-export-rules/export-from-eu/index_en.htm), 06.06.2012, retrieved: 17.03.2014, http://ec.europa.eu/trade/import-and-export-rules/export-from-eu/index_en.htm.

roll-back of measures slowed down: only 13 measures have been removed, compared to 40 measures between October 2010 and September 2011. Overall, only about 17% (89) of the measures have so far been removed or lapsed since October 2008.

- At the global level, trade is showing signs of good recovery, even with a short-lived contraction observed mid-2011. Despite their growing economic weight and increasing role in the global economy, emerging economies continue to resort to the highest number of trade-restrictive measures, often as part of new national industrialisation plans.
- Restrictions affecting foreign direct investment, such as Argentina's decision to expropriate 51% of YPF shares owned by the Spanish company Repsol, substantially impact EU investors' confidence to invest abroad as it increases unpredictability.
- Russia deserves close scrutiny as one of the most frequent users of trade-restrictive measures that may not be in conformity with its obligations as an upcoming member of the WTO.
- The EU calls on G20 Members to implement the pledge more effectively by reinforcing transparency and enhancing the timely and full notification of all measures, which would enable closer monitoring of protectionism. It will address this issue at the upcoming G20 Mexico Summit on 18 and 19 June 2012.

Background

What are trade barriers?

- Import and export restrictions in the form of higher import or export duties or lower export quotas applied at the border of a country.
- "Behind-the-border" measures such as "technical barriers to trade" in the form of conformity assessment and certification requirements, which are applied in a stricter way on imported goods or which go beyond international practices and requirements.
- Barriers in the area of services and investments often discriminate against foreign providers of services or foreign investors.

Some examples of existing trade-restrictive measures

- Argentina recently extended new burdensome administrative pre-registration procedures to all imports of goods.
- India - a significant producer of cotton – imposed an export ban on raw cotton

- Russia is currently preparing legislation containing preferences for domestically produced cars in public procurement.

Which countries are being monitored?

The report covers 31 of the EU's main trading partners, including the G20 countries: Algeria, Argentina, Australia, Belarus, Brazil, Canada, China, Ecuador, Egypt, Hong Kong, India, Indonesia, Japan, Kazakhstan, Malaysia, Mexico, Nigeria, Pakistan, Paraguay, Philippines, Russia, Saudi Arabia, South Africa, South Korea, Switzerland, Taiwan, Thailand, Turkey, Ukraine, USA, and Vietnam.

About the report

This report is the ninth in the series of periodic reports to assess trade-restrictive developments in world trade. It is prepared by the Directorate General for Trade of the European Commission and approved by the 27 Member States of the EU. Reporting activities were launched in October 2008 after the outbreak of the economic and financial crisis, with the objective to take regular stock of compliance of G20 countries with the commitment not to resort to trade-restrictive measures and remove those in place without delay, made initially at the G20 Summit in November 2008 in Washington. At the London Summit in April 2009, G20 members committed to rectifying measures that have already been taken since the beginning of the crisis. Successive summits, including the latest G20 summit in Cannes in November 2011, extended the commitments until 2013, confirmed the engagement to roll-back measures in place and provided an explicit mandate to the WTO, OECD and UNCTAD to monitor and to report publicly on the evolution of the situation on a semi-annual basis. The EU is firmly committed to this pledge. Its own current report complements and confirms the findings of the monitoring report issued by the WTO in cooperation with UNCTAD and the OECD on 31 May 2012.

Some links on the Subject

European Commission, Directorate-General for Trade, [Ninth Report on Potentially Trade Restrictive Measures, Identified in the Context of the Financial and Economic Crisis](http://trade.ec.europa.eu/doclib/docs/2012/june/tradoc_149526.pdf), September 2011- May1, 2012, retrieved, 17.03.2014, http://trade.ec.europa.eu/doclib/docs/2012/june/tradoc_149526.pdf

European Commission, Press release: EU challenges Argentina's import restrictions, 25.05.2012, retrieved: 17.03.2014, http://europa.eu/rapid/press-release_IP-12-503_en.htm?locale=en

European Commission, Trade, Policy, Accessing markets, 03.09.2013, retrieved: 17.03.2014, http://ec.europa.eu/trade/policy/accessing-markets/index_en.htm

The Future of Europe and the EU in the World

Claude Weinber: Solidarity and Strength: The Future of the European Union. Heinrich Böll Foundation, Publication Series on Europe, Volume 6, Belgium, December 2011, 131 pages, for free

“Solidarity and Strength: The Future of the European Union” is volume six of a series produced by the Heinrich Böll Stiftung, a political non-profit organisation and a green think tank. The book is comprised of sections on different areas of EU policy which are written separately by members of the Commission on the Future of the EU, a sixty-member group of professors, MEPs, ministers, and representatives from various other organisations put together by the Böll Foundation. Short biographies of the commission members are included at the end of the volume.

The book seeks to address areas of policy vital to the future of the European Union, and sketch out recommendations based on the principles of solidarity and strength. The areas that the book addresses include the economic crisis, the Common Agricultural Policy, renewable energy, foreign policy, EU expansion, and European democracy. Overall, the authors begin from the perspective that the future of the EU rests heavily on the need for solidarity, which in many cases involves combining national sovereignty into a more cohesive, overarching European policy. In this way, the value of European cooperation will be more apparent not only to the member states, but also to individual citizens in the form of democratic legitimacy, and also to non-EU bodies, in the form of a unified foreign policy.

As per the mission of the Böll Foundation, the policy recommendations place a heavy emphasis on the need for environmental consciousness and energy efficiency, as well as Europe’s role as a proponent of democracy and social welfare. For example, the authors advocate for a “Green New Deal” as a solution to the economic and financial crisis, whereby a more integrated system would involve measures such as an EU tax, effort towards social rebalancing between regions, and also a greater EU budget supported by environmental taxes. Additionally, the book argues that environmental policy can be an opportunity for the EU to assert itself more strongly on the global stage, with geographical diversity allowing for a

more efficient pan-European network of renewable energy. On the other hand, it concedes that renewable energy supplies are not the priority for many member states, especially those who draw a large portion of their energy from coal or nuclear power and those who place economic development as a higher importance. In presenting arguments to support their policy recommendations, the authors do a good job of presenting some of the possible negative effects of certain actions; for example, the establishment of a European Army, or the use of Eurobonds to deal with the financial crisis. In such a short text, however, it is difficult to enter into detail about specific policies, and as such in some cases the conclusions seem overly idealistic. However, each section presents a broad coverage of many of the EU's pressing issues, and thus while the suggestions put forward in the book are only one possible standpoint, they serve as a good basis from which to engage in further debate.

Overall, I found it an informative read that invites further discussion from different perspectives, and I think it would be valuable to consider the consequences of many of the suggestions put forward in the section on European democracy and democratic reform in the EU. The book is true to its values, and does a good job of arguing for reasonable green solutions for the future of the EU. Published in 2011, this book still remains particularly relevant as the EU continues to struggle with financial crises in multiple member states. As the problems of democratic legitimacy and cohesion continue to threaten the EU's foundations, the Böll Foundation's publication serves as a voice advocating for the necessity of upholding EU values and committing to developing a more unified, better integrated Europe.

Cathy Zhu

Stefan Collignon: The European Republic - Reflections on the Political Economy of a Future European Constitution.

The Federal Trust for Education & Research in association with the Bertelsmann Foundation, London, UK, 2003, 212 pages, £ 22.95, ISBN 1-903403-51-0

In his work, *The European Republic: Reflections on the Political Economy of a Future Constitution* (published by the Federal Trust for Education and Research, 2003), Professor Stefan Collignon addresses the issue of political integration in the European Union in light of the introduction of economic integration incipient at the time of the book's publication. Recognizing the delicate dialectic between economics and politics, Collignon suggests that the trajectory Europe places itself on in adopting economic integration, insofar as it would like to maintain legitimacy, simultaneously necessitates the introduction of a *European Republic* with a European constitution. In doing so, Collignon effectively navigates both the

pragmatics of what a legitimate, efficient European state would look like and addresses more fundamental theoretical issues about political economy; namely, he provides a strikingly novel argument for democratic governance that has its underpinnings in economic thought.

Thus, by presenting these two frameworks (pragmatic and theoretical) as justifications for trans-national democracy, Collignon at once offers both a crucial guideline to the direction Europe must head in light of its contemporary crisis, as well as a more transcendent and enduring model of political thought. Indeed, the book stands up as both policy guideline and political philosophy, quite presciently offering assessments that apply to the critical juncture where Europe currently finds itself.

Henry Topper

Franzius, Claudio and Preus, Ulrich K., ed.: The Future of European Democracy

Heinrich Böll Foundation, Volume 7 (English edition; shortened version) of the Publication Series on Europe, Berlin, 2012, 76 pages, for free, ISBN 978-3-86928-95-0

The European sovereign debt crises - or "Eurozone debt crises", by its colloquial reference - challenging the European Union has continually and further shaken its stability and solidarity since its onset in 2009. In *The Future of European Democracy* - written by political scientists Claudio Franzius and Ulrich K Preuß - the authors confront an additional, growing problem threatening the European Union's legitimacy : democracy itself is at stake. With growing centralization by political elites, European citizens themselves believe their individual voices are becoming too frail within the current organization and framework of the EU, as well as the decisive power of their respective national parliaments.

In the study, commissioned by the Heinrich Böll Foundation, Franzius and Preuß investigate the essence of a European democracy and promise a glimpse of hope to reinstate EU legitimacy, offering reforms and additions to the framework of the EU already in place in order to create, what they call, a vibrant democracy for the future of the continent and its political structure. The strength of their study lies in its abstract, conceptual investigation of what European democracy is, grounded in the pragmatic approach to the practical challenges and "inescapable conflicts that are the result of democratic interdependence" facing all greater democratic organizations.

A vibrant democracy, they argue, steers clear of typically arising dichotomies of "us" vs. "we" representations of the targeted individuals, parties, and nations and thrives rather on the political competition of the EU at large to make democratic decisions in reference to the

future of the European Union. This vibrancy is the synthesis between collectivist and individualistic - or macro and micro - conceptions of democracy. It is important, they say, to accept the necessity of superstructures to make far-reaching, productive decisions, but to democratize the mechanisms involved from the ground-up. The goal here is to make a truly political public for this democratic age - one granted opportunities to involve itself in the process of decision-making, for example through the use of political forums to engage, discuss, and later influence through elections. It is the "middle ground" towards a European solidarity, through preservation of individual, national identities, and influence in the bigger, wider picture of European prosperity.

Another strength to their study is their preserverance in the realm of objectivity through careful rhetoric. By avoiding a particular audience, the authors speak to both the general public - whom they believe need to become stronger and more involved in their political character - but also, those more closely tied in the public sector, namely officials and affluents. An important note also, is their emphasis on the importance of instilled responsibility by the nation-states involved in the EU to care for domestic welfare of other and neighboring states. Because a vibrant democracy seeks to strengthen from the ground up, this point is crucial. The European Union cannot fashion a democratic climate without building and maintain the democracies that found it.

The study succeeds in its strong suits and remains thoroughly convincing that the EU is not dead, or headed towards its "doomsday." Rather, it focuses on its progression and fashions a very healthy, and practical way to consider democracy - and its future - within the European Union.

Jack Seemer

Joschka Fischer, Wolfgang Schäussel and Guy Verhofstadt: The European Way of Life.

Bertelsmann Stiftung (ed.), Gütersloh, 2011, pages 255, for free, ISBN (13) 978-3-86793-310-0

The book *The European Way of Life* is a collection of 17 short essays selected from the online political brief "Spotlight Europe" that is monthly published by Bertelsmann Stiftung, the largest private non-profit personal foundation in Germany. The book is meant to reflect the main emphases of Bertelsmann Stiftung's work on Europe. The authors of the 17 essays either work or are related to the Bertelsmann Stiftung. They come with different professional backgrounds, from scholars to politicians.

All of the essays in the book focus on the very same topic, the Europe, or more specifically, the democratic development, the economic development and the future prospective of the European Union and its neighbor countries. Essays in the book look at many of the most controversial or debated political issues of the Europe society, such as the Democratic Deficits, the Single Market and the further integration of the European Union. Based on their professional experience, many authors in the essays give not only positive analysis of the issues but also personal suggestions on how problems should be addressed and/or the desired status quo should be maintained. Many of the ideas presented in the articles are interesting, propounding and ambitious. But since most of the arguments they make are all derived from personal experience and knowledge, some of them are with a strong personal preference or even bias.

Compared with much other obscure literature that also analyzes the European society and/or the EU, this book is fairly easy to read. All the pieces in the book are short, and there are very few professional jargons. The book is also suitable for all types of readers. For readers without a professional background, the direct language, simple tables and straightforward explanation in the book will enable them to grasp most of the key points the authors make. For readers who have already had a considerable amount of knowledge of the issue, some exciting arguments made by the authors will also keep them highly interested.

Xiaomei Wu

Peter Van Elsuwege: From Soviet Republics to EU Member States; A Legal and Political Assessment of the Baltic States' Accession to the EU.

Martinus Nijhoff Publishers, Studies in EU External Relations, Leiden, the Netherlands, 2008, pages 580, €217, 00, ISBN 978-90-04-16945-6

Peter Van Elsuwege, the author of *From Soviet Republics to EU Member States; A legal and Political Assessment of the Baltic States' Accession to the EU*, obviously has an overwhelming mastery of the law and external relations of the European Union, particularly when regarding Eastern European territories. He wrote this multi-volume book as his doctoral dissertation in order to obtain his Ph.D. in International Relations and European Law from Ghent University in 2007 after previously earning his Masters degrees on the same topics in 2000 and 2001 respectively. In this book, Van Elsuwege describes the challenges involved in granting Estonia, Latvia, and Lithuania member state status within the EU by providing a historical, legal, and political framework of each of the three Baltic countries.

The book is a strong work with a plethora of useful information. Peter Van Elswwege sets up the reader for a greater understanding by first giving information on the history of the Baltic States. He notes that a historical comprehension of the Baltic countries is fundamental for an understanding of their contemporary politics and law, especially when noting the differences between Lithuania and the other two Baltic states. He then goes on to discuss their accession into the EU and their involvement in the EU enlargement process. In these sections, he respectfully and deliberately touches on the impact of the Russian speaking minorities in Estonia and Latvia, as well as, the strategic policy choices, and the tensions within, of the EU's fifth enlargement wave. Van Elswwege continues his discourse with a section devoted to the accession negotiations and treaty drafting, and then finally with a section committed to explaining the give and take between the individual countries' constitutional framework and the EU's international European policy. The book is able to deftly address each of these in the utmost knowledgeable ways.

This book's biggest strength is also, in a sense, its biggest weakness. Although wildly informative and knowledgeable, the fact that this multi-volume set is written as a dissertation makes it inherently more difficult for the general population to read. A book of this caliber would make a great research tool or be perfect for a student textbook in a graduate program, however, it is not a book that should be, or could be, taken lightly. These volumes were written for academics in the field of EU policy and law, and they are great resources for those people. Unfortunately, to those not accustomed with the various facets of EU policy and the institutions within, this could absolutely be a slow and difficult read. That being said, if you are particularly interested in the history, policy and law of the Baltic States, this two-volume set by Peter Van Elswwege; is a priceless piece to add to your library.

Dylan Stein

You want to check if EUFAJ has mentioned anything on your (re)search subject?

Go to our Permanent Index:

http://www.libertas-institut.com/de/EUFAJ/Index_1_11.pdf



LIBERTAS – Europäisches Institut GmbH

www.libertas-institut.eu

Aachen - Aberystwyth - Accra – Aix-en-Provence – Albstadt - Almaty - Andorra la Vella - Astana – Athens – Atlanta – Augsburg – Bad Königshofen - Bad Marienberg - Bad Urach - Baia Mare – Baku – Bakuriani - Banff – Banja Luka - Bar - Beijing – Belize City – Belmopan - Beograd - Berlin – Bern – Biberach – Bilbao - Bishkek - Bitola – Bled - Böblingen – Bönningheim – Bonn – Bregenz - Bridgetown – Brno - Bruxelles – Bucharest – Budapest – Cádiz - Cairo – Calgary – Calw - Cardiff - Castries – Catania – Chemnitz – Chicago – Chisinau - Chita – Clermont-Ferrand – Copenhagen – Corozal - Crailsheim – Dangriga - Dinkelsbühl – Dublin – Düsseldorf - Durban - Edmonton – Ekaterinburg - Elabuga – Erbach - Erfurt - Eschborn – Essen - Feldkirch – Flensburg - Frankenthal - Frankfurt/Main – Frankfurt (Oder) – Freiburg/Breisgau – Fort-de-France – Füssen - Gärtringen - Genève – Gibraltar – Gjakovë - Glasgow – Glauchau - Graz – Guangdong - Gudauri – Gulistan - Hamburg - Hannover – Heidelberg – Helsinki – Holle-Grasdorf - Hongkong – Hull - Indianapolis – Innsbruck – Islamabad – Istanbul – Johannesburg – Karaganda – Kashka-Suu - Katowice – Kiev – Klaipeda - Köln – Kragujevac - Kuala Lumpur – Küstrin-Kietz – Kutaisi - Lahore – Lahr – Lauenburg - Leer - Leipzig – Lille – Linz – Lissabon – Ljubljana – London – Los Angeles – Luxemburg – Lyon – Madrid – Manchester – Marbella – Maribor – Marseille – Meerane - Milano – Minneapolis – Минск – Miskolc – Monte Carlo – Montreal – Москва – Mostar - München – Murcia - Nagold - Nancy – Nanjing – Naumburg - Neuss – Nukuz - Oberhausen – Oberkirch - Ohrid - Oslo – Osnabrück – Ottawa – Padova – Palanga - Paris – Peshawar – Pforzheim – Pfronten – Pittsburgh – Podgorica - Port Louis – Potsdam - Praha – Pretoria - Prishtinë – Quebec – Quimper – Ravensburg – Regen - Rendsburg – Reutlingen - Reutte - Riga – Roma – Rostock – Saarbrücken - Salzburg – San Francisco - Sarajevo – Satu Mare – Saulgau – Schlüchtern - Shanghai - Sindelfingen – Skopje – Slubice – Sofia – Sopot – St. Anton - Stepanakert - St. George's – St. Helier – St. Paul - Strasbourg – Straubing - Strumica - Stuttgart – Suceava – Taipei – Tallinn – Tashkent - Tbilisi – Tetovo - Thessaloniki – Tirana - Tiraspol - Torino – Toulouse – Trebnitz - Trento – Trieste – Тюмень – Ulm – Ustj n/Labem – Vaduz – Valletta – Vancouver – Venezia – Villingen-Schwenningen - Vilnius – Washington D.C. - Wesseling – Wien – Wuppertal - Yerevan – Zenica - Zürich – Zwickau - **RANGENDINGEN**