ETHNIC DIVERSITY AND CIVIL NATIONALISM: ESTONIA AND LATVIA IN COMPARATIVE PERSPECTIVE

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Abstract

The article provides a study of the place of minorities in the social and state structures of Latvia and Estonia. It discusses the possible contributions of different kinds of nationalism (whether ethnic or liberal) to state- and community-building. The article compares the situation of national minorities in the Baltic today to that of national minorities in interwar Europe as well as to Europe today.

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There are more ethnic and linguistic groups in the world than there are states. Giuseppe Mazzini's bald and apparently uncomplicated formula, 'Every nation a state; only one state for the entire nation' was both simplistic and exclusive. His formula derived from his vision of the unification of large linguistic and ethnic groups, while ignoring the claims of smaller ethnic communities. Like most nineteenth-century nationalists, Mazzini relied heavily on the distinction between so-called historic and non-historic nations, the former being privileged with the right to statehood, with the rest remaining subordinate because of their alleged culturally inferior status. Ethnic groups without their own state try to shape their political and economic futures by a variety of methods such as seceding from the host state, or achieving autonomy within that state, or gaining full acceptance for their civil and political rights. Choosing secession as the means to self-determination might result in an unacceptable degree of political fragmentation which would prove unmanageable and economically inefficient.[1] The search for autonomy or full incorporation in the political system may, therefore, be the more customary routes to self-determination.

Given the multi-ethnic character of most states, there are very few nation states in the rigorous sense of the term. In almost a quarter of existing states, the largest ethnic element accounts for only 50 to 74 per cent of the population. In 30 per cent the largest nation accounts for less than half the population. Only 9 per cent can justifiably be described as nation states.[2] The Baltic States of Estonia and Latvia, to give two contemporary examples, cannot be defined as nation states owing to the high proportion of non-autochthonous elements in their populations. In common with many other states in the world they have had to devise ways of coping with the multi-

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[1] Michael Keating, 'Minority Nationalism and the State: the European Case' in Michael Watson ed., *Contemporary Minority Nationalism*, London, Routledge, 1990; Joseph R. Rudolph Jr., 'Belgium: Controlling Separatist Tendencies in a Multinational State', in Colin H. Williams ed., *National Separatism,* Cardiff, University of Wales Press, 1982

[2] Walker Connor, 'A Nation is a Nation, is a State, is an Ethnic Group, is a …' in John Hutchinson and Anthony D. Smith eds., *Nationalism*, London, Oxford University Press, 1994, p.38, 1st pub in *Ethnic and Racial Studies,* 1 / 4, 1978

ethnic and pluralist character of their societies. This is all the more necessary since it cannot be assumed that the problems of managing poly-ethnic societies will significantly diminish over time as a result of ethnic groups assimilating or acculturating to majority norms.

Small states are often in a peculiarly vulnerable and sensitive position in negotiating with an ethnic minority of the same ethnicity as the population of a neighbouring large state, since there is likely to be active interest on the part of the large power in the treatment of this minority. A case in point was the protective attitude of German nationalists towards the German minority in Czechoslovakia in the inter-war period. Similarly, small and ethnically distinctive regions in large states, such as Catalonia or Alto Adige (South Tyrol), have to deal with minorities from other parts of the state, or with those which share ethnicity with a state across the border. At the same time some small states are multi-ethnic with a constantly shifting balance of economic or demographic power. History and myth, often involving intervention and influence by great states in the past, add to the current complexity of managing divergent ethnic interests. Belgium is a good example of this process.

One of the clearest indicators emerging from a review of small state experience is that ethnic nationalism, which associates the dominant ethnic groups with the state, does not, in the long term, provide a constructive solution to the problems of multi-ethnicity. On the contrary, civic or liberal nationalism, which is based on the principle of territoriality, and hence inclusiveness, seems to offer a surer foundation for the harmonious incorporation of minorities in the state.

If our particular purpose is to place the Baltic States' attempts to incorporate their own minorities in a broad comparative context, an immediate objection might be raised that there are actually no minorities in these states. To be more precise, while it is conceded that persons of Russian or other ethnic origin who lived in the Baltic States in the inter-war period along with their descendants now constitute classical, though quite small, minorities, immigrants who arrived after the incorporation of the Baltic States in the Soviet Union in 1940, and *their* descendants, do not constitute minorities and are not owed the same rights within the state. The reasoning behind this distinction is based on assertions about the legal continuity of the Estonian and Latvian states. Their occupation and incorporation in the Soviet Union in 1940, it is argued, were illegal and hence, juridically, the states *restored* their independence in 1991. Juridical continuity implied that laws passed during the Soviet occupation, and

the mass immigration of Russian-language settlers in the same period, were also illegal. Hence these settlers should be denied the right to claim citizenship or minority status in the newly-independent states. Acceptance of this definition of minorities, however, has had serious implications for ethnic policy in the Baltic States and cannot be adopted without question.[3]

Unfortunately for those seeking clarity about what constitutes and what does not constitute a minority, there is no agreed definition in international law, though attempts have been made to establish one. In 1950 a United Nations (UN) Sub-Commission on Prevention of Discrimination and Protection of Minorities ventured the following: those non-dominant groups in a population which possess and wish to preserve stable ethnic, religious or linguistic traditions or characteristics markedly different from those of the rest of the population. In 1985 another definition was proposed by the Sub-Commission, amplifying the 1950 version but also introducing the idea that a minority was a group of citizens of a state (or a group of nationals). Since the Sub-Commission was not unanimous about this definition it was forwarded unapproved to the UN Human Rights Commission which decided to postpone any further questions of definition.[4] The implication of the latter definition was that aliens, migrant workers, immigrants or refugees were not included in the term minority. This interpretation was partly confirmed by a questionnaire issued by Asbjorn Eide, the Rapporteur of the UN Sub-Commission, which distinguished between 'settled minorities' and 'recent immigrant groups'. It is this distinction which has often been referred to in debates in the Baltic States on this issue.[5]

The various attempts to define minority in international law do nevertheless agree on this, that minorities are non-dominant groups seeking to preserve particular ethnic, linguistic and religious traditions, but there is no consensus as to whether these groups are composed exclusively of citizens or nationals. The introduction of the term 'nationals', suggests an attempt to distinguish between immigrants and their descendants. Whether this is a reasonable distinction depends on the circumstances in which children are raised, for example whether they attend schools in which the

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[3] Thomas Lane, 'Nationalism and National Identity in the Baltic States', *Journal of Area Studies,* no. 4, 1994, pp. 64–5. These remarks apply to Latvia and Estonia; Lithuania has followed a different path, incorporating Russian-speaking newcomers during the Soviet period as citizens after the regaining of independence in 1991

[4] Patrick Thornberry, *Minorities and Human Rights Law,* pub. by Minority Rights Group, 1991, pp.6 & 28

[5] idem, p. 31

language of instruction is the language of the majority. Again, the use of the term 'settled minorities' as distinct from 'recent immigrant groups' also raises problems of definition. What length of residency will qualify for 'settled status'? Could recent immigrant groups be redefined as 'new minorities', as has been suggested, and hence come under the protection of minority status?[6]

In view of the lack of agreement on a definition of minority, it is impossible to accept the bold assertion on the part of ethnic nationalists that no minorities exist in the Baltic States. If we do not know what a minority is, we cannot deny its existence. The process of state-building, which one assumes to be one of the purposes of the restored independent governments, requires that the non-dominant groups referred to above be treated in ways that will help that process, not in ways that will undermine it. To revert to an earlier point, a policy of ethnic nationalism arguably will not assist state-building whereas policies based on civic nationalism are more likely to expedite it.

This argument does not ignore what has been called the idiosyncrasy of the Baltic position after half a century of crude Russification. During the period of restoration of independence after 1989 Baltic politics was, in the words of Lennart Meri, 'the politics of survival' as nations.[7] What he meant by that requires some explanation if we are to understand the complexity of the relationship between the ethnic Estonians and Latvians on the one hand and the Russians on the other, whether those Russians are resident in the Baltic States or across the border in Russia. After the First World War the temporary weakness of the two major powers in the Baltic region, Russia and Germany, allowed the Baltic peoples to overthrow their Russian masters and to experience two decades of independence. The infamous Nazi-Soviet Pact of 1939, however, returned the Baltic States to Soviet Russian domination, leading in 1940 to their formal absorption by the Soviet Union, which, but for a brief interlude during the Second World War, continued until 1991. In the half century of Soviet control, the entire apparatus of the Soviet party state and security service was imposed on the Baltic countries. Policies were designed to undermine Baltic cultures which were 'deliberately and systematically debased'. The arts were placed under censorship and ideological control, and the education system became a tool of Soviet propaganda. Thousands of Estonians, Latvians and Lithuanians were imprisoned,

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[6] Minority Rights Group comp. and ed., *Minorities and Autonomy in Western Europe*, rev. ed., 1991
[7] Lane, 'Nationalism and National Identity' p.57

killed or deported in 1940–41, 1944 and 1949. Many thousands more abandoned the Baltic States for the West in 1944 to escape the returning Communist forces.[8]

As a result of war, repression, deportation and emigration the population of the Baltic States fell by more than 30 per cent, or nearly two million people, between 1939 and 1945. In their stead, in the period 1945–90, came 1.6 million settlers from Russia, Ukraine, Belarus and elsewhere, the overwhelming majority being ethnic Russians. They were brought in under inducements from the Soviet authorities, first to make good the labour shortages, then to provide a workforce for the centrally-controlled industries being planted in the region. This migration policy resulted in the 'demographic denationalisation' of Estonia and Latvia, exacerbated by the fact that the low average age of immigrants ensured that the natural increase of the population reflected migration flows. By 1991 the proportion of Russian-speakers in the Latvian population comfortably exceeded 45 per cent and in Estonia the equivalent figure was just under 40 per cent. In some parts of the states the Russian-speakers were in a clear majority.[9] It was natural that the ethnic Latvians and Estonians should feel threatened, and feared for the survival of their languages and cultures. This is what Meri had in mind when he discussed Estonian politics as the politics of survival. Almost inevitably a policy of ethnic nationalism was chosen as the means of self-defence. Essentially this meant offering or renewing citizenship only to those who held it under the inter-war constitutions, to their descendants, and to those who successfully undertook the process of naturalization under the new constitutions. This process involved a mild residence qualification, a modest language test (modest in the view of ethnic Estonians but disputed by many Russians) and an oath of loyalty to the state. The implication of this citizenship law was that the Soviet 'colonists' should be excluded from the political process until they could show commitment to, and identify with, the newly independent states.[10] In due course, however, the question was posed whether the period of ethnic nationalism should be brought to a close on account of its failure to generate significant citizenship applications, and whether the process of

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[8] M.Zalite, 'The Right to Maintain One's Culture' in T. Svilane and S. Kalniete eds., *Latvija: Human Rights, a Practical View,* Riga, Ministry of Foreign Affairs, 1993

[9] Ethnic Estonians and Latvians became minorities in their own capital cities of Tallinn and Riga and in a number of other towns and regions in their respective states. See e.g. John Hiden and Patrick Salmon, *The Baltic Nations and Europe,* London, Longman, 1991

[10] *The Baltic Independent,* 6-12 March, 10–16 April, 5–11 June, 25 September–1 October, all 1992; Estonian Ministry of Foreign Affairs, 'Estonian Law on Citizenship', 1992; Commission on Security and Cooperation in Europe (CSCE), 'Russians in Estonia: Problems and Prospects', September 1992

state- and community-building could not best be achieved by the supersession of the politics of survival by the politics of incorporation. In citizenship terms this meant the so-called zero option, specifically the granting of citizenship to all residents of Latvia and Estonia at the time of the restoration of independence, irrespective of nationality.

For many ethnic nationalists such a concession was unacceptable since, they argued, it was tantamount to dismissing the history of the Soviet period as unimportant or irrelevant, and to pretending that the Baltic States were 'normal' countries where 'nothing extraordinary happened over the past five decades'. Raising historical awareness was a precondition for achieving a balanced view of contemporary Baltic nationalism. But ethnic nationalists could also learn from a study of general history that inflexibility, bitterness and thoughts of revenge do not provide a sound basis for the ultimately necessary processes of building communities and establishing harmonious civil societies. To establish such a base requires the Balts to transcend their history.

The politics of incorporation requires activism on the part of governments to manage the problems of multi-ethnic societies. Arguably these problems cannot simply be left to legal processes of naturalization, important though these are, since the achievement of citizenship on the part of aliens does not of itself solve the problems of ethnic group relations in modern societies. Nor can the solution of problems be left to a process of assimilation or fusion with the majority group. All the experiences of the last fifty years suggest that ethnic conflicts are integral in most societies.[11]

Before the 1960s there was widespread belief that minority nationalisms and ethnic groups were in theprocess of dying out; they were thought to be 'anachronistic relics' which were being smoothed away by the homogeneity imposed by industrial civilization.[12] Hence ethnic identities were essentially transitional between the traditional and modern forms of society.[13] Gellner's use of the term 'entropy' to denote the dissolving or transformation of group differences under the impact of industrial change suggests an inevitability of outcome which is, at the same time,

[11] Minority Rights Group, 'Minority Rights in Europe: Policies and Practices in CSCE Participating States', Report of the Leningrad Minority Rights Conference, USSR, 2-4 June 1991
[12] Watson, 'Conclusion', in Watson ed., p. 195; Daniel Patrick Moynihan, *Pandaemonium: Ethnicity in International Politics,* London, Oxford University Press, 1993, p.22
[13] Moynihan, p. 27

beneficial to social development.[14]   Equally robust views emanated from Moscow about the eradication of national consciousness and the inevitable supersession of ethnic and national identities by the creation of new Soviet man and woman. In the Baltic States as elsewhere the objective was to create a 'socially homogeneous and ethnically mixed Soviet people'.[15]

The ethnic and regional resurgence in Western Europe and North America in the 1960s and 1970s, and the re-assertion of vigorous ethnic identities in Eastern and Central Europe after the fall of communism, suggest that Gellner's entropy-resistant factors were more powerful than he was prepared to admit and showed no signs of disappearing.[16]   Repression or neglect, as in the case of Franco's treatment of Catalonia, does not appear to undermine ethnic identities in the long term.[17]

In this discussion there is no assumption that ethnic persistence is somehow undesirable. On the contrary, ethnic and cultural diversity arguably enrich societies, especially in periods of increased standardization and uniformity. Watson even believes that conservation of a range of cultures is as vital to the human race as the preservation of the rich genetic inheritance of the multiplicity of plant and animal species. A variety of traditions and cultures, he argues, provides a resource with which to confront an uncertain future.[18] If, then, poly-ethnicity and ethnic conflicts are inherent parts of many modern states, there has to be some process by which they can be resolved, or at least contained. This so-called management process could be more appropriately described as political negotiation between various interested parties. It is axiomatic that genuine negotiation can only take place in a democratic context on the basis of fundamental human rights.[19] Owing to the intractability of many ethnic problems there may be no immediate solution to them; the best that may be hoped for is effective long-term negotiation and accommodation which at least contain the difficulties. Nevertheless, a pre-condition for the effective solution of

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[14] Watson, pp. 211–12; Stanley G. Payne, 'Nationalism, Regionalism and Micronationalism in Spain', in Jehuda Reinharz and George L. Mosse eds., *The Impact of Western Nationalisms*, London, Sage, 1992, p. 135;

[15] Absel Kirch, Marika Kirch, Tarmo Tuisk, 'Russians in the Baltic States: to be or not to be', *Journal of Baltic Studies,* vol. XXIV, no. 2, Summer 1993, p. 174; Stephen R. Bowers, 'Ethnic Politics in Eastern Europe' in Peter Janke ed., *Ethnic and Religious Conflicts: Europe and Asia,* Aldershot, Dartmouth, 1994, p. 31; Moynihan, p. 27

[16] Watson, pp. 211–12

[17] A.W.Orridge, 'Separatist and Autonomist Nationalisms: the Structure of Regional Loyalties in the Modern State' in Colin H. Williams ed., *National Separatism,* Cardiff, University of Wales Press, 1982; Payne, p. 135; Keating, p. 181

[18] Thornberry, pp. 24, 33; Watson, pp. 212–13, 218

[19] Minority Rights Group, report on Leningrad Minority Rights Conference

inter-ethnic problems is the establishment of real equality and freedom for minority ethnic groups.[20]

It is interesting to consider how small states have confronted the problems of minorities in the past. This experience provides a rich store of information on the problems of poly-ethnic communities as well as useful examples of the techniques of reducing ethnic and religious conflict. These may be useful to other societies with similar problems.[21] Of particular interest for the Baltic States are examples of ethnic divisions where the minorities were once the dominant power in the state, and share the same ethnicity as the population in a neighbouring large state. Of course, no two cases are exactly comparable and the solutions which have worked in one may not be effective in another. Nonetheless, it is important to be informed about the wide range of solutions proposed to apparently comparable problems and to become familiar with the mentalities and attitudes shaping the politics of negotiation.

Czechoslovakia between the wars was a multi-ethnic state with severe minority problems, notably with the Sudeten Germans, but also with the ethnic Hungarians. The parallels with the contemporary Baltic States will become clear. Before 1914 the German influence was dominant in Bohemia and to a lesser degree in Moravia. Though universal suffrage was introduced in 1907 the Germans of Bohemia would not accept that non-German voters were equal to Germans. Hence Germans were over-represented in the *Reichsrat* in Vienna and, in local elections where universal suffrage still did not apply, the electoral process was weighted in favour of the richer groups which were mainly German. The tone of teaching in German schools was nationalistic and pan-German. Most educated Germans could not take the Czech language seriously and refused to learn it, thinking of it as a language of servants in comparison with German, which was a great world language of high culture. Moreover, German was the language of the Court, the Army, the higher Civil Service and Society. The Germans in Bohemia were, accordingly, both dominating and aggressive (as the Committee of New States at the Paris Peace Conference noted), and this is reflected in the relative strength of pan-Germanism in the provinces. Despite all this, leading Czechs had expressed the view, even before the defeat of

[20] Bowers, p. 51; Thornberry, p. 8
[21] Claire Palley, Intro., Minority Rights Group, *Minorities and Autonomy in Western Europe,* p. 1; Gershon Shafir, 'Relative Overdevelopment and alternative paths of Nationalism: a comparative study of Catalonia and the Baltic Republics', *Journal of Baltic Studies,* vol. XXII, no. 2, Summer 1992, pp. 105–6

Germany and Austria-Hungary in the First World War, that the Germans 'will finally be compelled to admit that the political pre-eminence which they have so long possessed in Bohemia and Moravia cannot be preserved'.[22]

Versailles confirmed this forecast. Defeat and the application of the principle of self-determination to the united provinces of Bohemia, Moravia and Slovakia established a new state in which the Czechs and Slovaks together represented 64 per cent of the population compared with the German proportion of around 23 per cent.[23] Warning voices at Versailles suggested, however, that 'the prosperity and perhaps also the existence of the new State [would] depend upon the success with which it incorporates the Germans as willing citizens'.[24] Beneš's note of 20 March 1919 set out the terms of this incorporation, which went beyond the obligations imposed on Czechoslovakia by the Minorities Treaty.[25] Beneš offered universal suffrage on a proportional representation basis, publicly funded schools for all the minorities in every commune where the number of children reached a certain minimum, the opening of all public offices to the various nationalities in which the two languages of Czech and German would have equal value, mixed courts and the right of Germans to plead before the highest courts in the German language. Local government was to be carried out in the language of the majority of the population and, though the official language of the state was to be Czech, in practice the German language would be the second language of the country employed in administration, in the legal system and in Parliament, on an equal footing with Czech. Beneš concluded that the privileges the Germans had enjoyed 'would be reduced to their just proportion' within a very liberal regime.[26]

The magnanimity of this approach was echoed in the words of Prime Minister Kramar, who warned the Czechs against 'every emphatic insistence upon our victory' and expected from them 'consideration for the psychology of the German people'.[27] But nationalists on both sides were bombastic and intolerant even though they were not yet powerful enough to shape the politics of the new state. Occasionally, too,

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[22] Elizabeth Wiskemann, *Czechs and Germans: A Study of the Struggle in the Historic Provinces of Bohemia and Moravia,* London, Macmillan for the Royal Institute of International Affairs, 2nd ed., 1967, 1st pub 1938, pp. 51–92
[23] Raymond Pearson, *National Minorities in Eastern Europe, 1848–1945,* London, Macmillan, 1983, pp. 151–3
[24] Wiskemann, p. 91
[25] Wiskemann, p. 92
[26] Wiskemann, pp. 92–3
[27] Wiskemann, p. 95

constructive and liberal-minded politicians like Thomas Masaryk could strike a false note, for example in his first message to the nation after his return from exile in which he referred to the Germans as 'emigrants and colonists'. Czech approval of this phrase partly reflected the Germans' failure to learn Czech, despite their residence in Bohemia for hundreds of years. Nonetheless Masaryk tried hard to ensure justice for the Germans. This was effected through a series of laws in 1919 and 1920, the most important being the Constitution and the Language Law of 1920 and the Land Reform Acts of 1919.[28]

Admittedly these laws were enacted by a Constituent Assembly consisting of Czech and Slovak deputies only. That is to say, the dominant groups in the state shaped its fundamental laws, just as representatives of German political parties were not admitted to coalition governments until 1926, two years after declaring their availability, since the Czechs wished to steer through important policies without Sudeten German participation.[29] This led to the charge that the constitution had been imposed on the minorities, not accepted by them democratically.[30] While true, this strategy was not simply a question of the Czechs setting their own unmistakable imprint on the state; it also partly reflected the alienation of the Germans who could not come to terms with their loss of status, and who showed their disloyalty to the Czechoslovak state by the their attempts to unite the Sudetenland with Germany.[31]

The Czechs' monopoly of early legislation notwithstanding, the minority laws were extremely liberal, reflecting a determination not just to win the Germans' passive loyalty but 'to establish a cordial relationship with them' so that they would 'readily and enthusiastically' co-operate in the building of the new state.[32] This was not at first easy to achieve since many Germans worked for unity with Germany only to be repudiated by the Weimar governments which believed that the Sudeten Germans were strong enough to look after themselves and should cooperate with the Czech government. Later many Sudetens reconciled themselves to the new state since economic prospects looked better in Czechoslovakia in the early 1920s than in

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[28] Wiskemann, p. 119

[29] Joseph Rothschild, *East Central Europe between the Two World Wars*, Seattle, University of Washington Press, 1974, rept. 1992, p. 111

[30] J.W. Bruegel, 'The Germans in Pre-War Czechoslovakia' in Victor S. Mamatey and Radomir Luza eds., *A History of the Czechoslovak Republic 1918–1948,* Princeton, NJ, Princeton University Press, 1973, p. 173

[31] Pearson, p. 153; Wiskemann, pp. 95–6; Rothschild, pp. 80–1, 112

[32] Bruegel, p. 170

Germany.[33] As a result there was a gradual reconciliation with the new state on the part of the German minority. In the elections of 1920, 1925 and 1929 the moderate German parties which rejected irredentist ideas polled between 74 per cent and 83 per cent of the German vote.[34]

Pan-German sentiments in Czechoslovakia became a serious threat to the security of the state only after Hitler's rise to power which aroused a powerful pan-German feeling among Germans outside Germany and spread racist anti-democratic views which were entirely at odds with the principles on which the Czech state had been erected. The Sudetenland became an irredenta for the Reich; the *Sudetendeutsch* now looked for separation rather than incorporation despite enjoying the fruits of the liberal minorities policy.[35] The economic depression of the 1930s which disproportionately affected the Sudeten economy increased popular dissatisfaction with the Czech government and heightened the appeal of Hitler. This whole episode shows the limitation of the politics of incorporation if there is a neighbouring Great Power prepared to sponsor the immoderate demands of a minority.

Another example of this incorporational politics but in a very different setting is to be found in the region of Catalonia in Spain.[36] Catalonia has, for much of its history, been part of, and subordinated to, a Castilian-dominated Spain. The suppression of its identity was particularly brutal under General Franco though there was some lightening of repression in the 1950s. But its language and culture survived and have subsequently been given a new life through official encouragement and the establishment of regional autonomy in 1982.

A central feature of the Catalan experience has been mass immigration from other parts of Spain as a result of job opportunities in the dynamic Catalan economy. By the early 1990s the proportion of immigrants had risen to 36 per cent of the total Catalan population, and in Barcelona the proportion was even higher. The newcomers were viewed in some quarters as a threat to the distinct ethnic, cultural and linguistic identity of Catalonia. This challenge would have been more severe if it had been reinforced by competition for jobs between the immigrants and the Catalans. That this did not occur in any significant way was attributable to the concentration of

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[33] Bruegel, p. 178; Wiskemann, pp. 127, 129; Rothschild, p. 111
[34] Bruegel, p. 179
[35] Bruegel, pp. 178–81; Wiskemann, pp. 197, 221, 243
[36] For a comparison with the Baltic States see Hank Johnston, 'The Comparative Study of Nationalism: Six Pivotal Themes from the Baltic States', *Journal of Baltic Studies*, vol. XXIII, no. 2, Summer 1992 and Shafir, op.cit.

ownership and management of most enterprises in Catalan hands, and the increased prosperity of the region as a result of the influx of cheap labour. In fact, immigration has arguably assisted the upward social mobility of the Catalans.[37]

Autonomy for Catalonia has not, therefore, been accompanied by attempts to denationalise the Castilian and Andalusian newcomers. The absence of serious economic competition, the recognition of bilingualism, the automatic acceptance of citizenship and the fact that Catalonia 'is nobody's *irredenta'* have combined to head off any attempts at vengeful assimilation of immigrants by Catalan nationalists.[38] Equally important was the outcome of a debate during the referendum on the Statute of Autonomy in 1979–80 in which the nature of Catalan identity was discussed. Could a Catalan be defined by ethnicity, language or place of birth? Or was a more acceptable definition based on civic status? The latter achieved widest acceptance as reflected in the statement 'Catalans are all those who live and work in Catalonia'. This inclusive definition did not impose assimilative standards on newcomers but offered them the opportunity to reinforce their Catalan identity by learning the local language while retaining their right to use, for example, Castilian. In fact, the economic and social prominence of Catalans makes Catalan the local language of opportunity and upward mobility, and newcomers see the advantage of knowing it.[39] The relaxed and moderate stance of Catalonia reflects a traditional discretion in its relations with the Spanish state, and this has created the framework in which the politics of incorporation can be applied.[40]

The question of the South Tyrol, or Alto Adige, on the border of Italy and Austria, presents another case study of a community with a long history of ethnic disharmony in which a wide variety of methods has been adopted in the search for solutions to seemingly intractable problems. It also vividly illustrated the importance of stability and moderation in the relations between states which wish to support their fellow ethnics in the disputed region.[41] Only after a form of détente between Austria

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[37]Shafir, pp. 107, 109–10

[38] Juan Linz, 'Early State Building and late Peripheral Nationalisms against the State: the case of Spain' in S.N. Eisenstadt and Stein Rokkan eds., *Building States and Nations,* vol.11, London, Sage, 1973, pp. 67–72

[39] Shafir, pp. 110–11

[40] Shafir, pp. 111, 114; Payne, p. 128

[41] Antony Alcock, 'Italy—the South Tyrol', in Minority Rights Group *Minorities and Autonomy in Western Europe*, London, Minority Rights Group, 1991, revised and updated edition, 1st pub. 1986 under the title *Co-existence in Some Plural European Societies,* p. 11

and Italy was it possible to establish a constructive dialogue which created the right framework for the politics of incorporation to succeed.

In 1981 Alto Adige contained 66 per cent German speakers, 30 per cent Italian speakers and 4 per cent Ladins. Immediately south was the province of Trento with some 95 per cent Italian speakers. At Versailles Alto Adige was incorporated in Italy despite being 85 per cent German-speaking. The Italians wanted a border at the Brenner Pass as a barrier to militant pan-Germanism. The South Tyrolese refused to give up their right to self-determination and demanded an adequate autonomy. Under Mussolini, however, Italy pursued a policy of attempting assimilation by making Italian the only official language, dismissing public officials who did not speak it, Italianizing place names, and prescribing Italian as the language of instruction in all schools and the official language in the law courts. The government introduced a policy of encouraging immigration from other parts of Italy to change the demographic balance in the province.[42]

After the Second World War an Austro-Italian agreement of 1946 promised complete equality of rights for the German speakers to preserve their ethnic and cultural identity, coupled with a degree of autonomy. The subsequent Autonomy Statute of 1948 actually turned out to be rather restrictive and unsatisfactory to the German speakers. After prolonged negotiations between Austria and Italy, coupled with international pressure to reach a solution, a new autonomy package was agreed in 1969 and came into force in 1972. Under it significant legislative, administrative and judicial powers were transferred to the Province, and the principle of proportionality in employment was applied to almost all administrative offices on condition that all officials had competences in both languages. There was also an important provision for suspension of any bill which was deemed by one language group to violate the equality of rights, and the right to contest the law before the Constitutional Court.[43] A significant feature was the support of autonomy by means of the automatic receipt of a fixed quota of the national budget. In short, Alto Adige is a good example of the unacceptability and ultimate failure of ethnic nationalism. Stability and prosperity could only be achieved by establishing a civic identity on the basis of equality of rights, coupled with the abandonment of the irredenta and the giving up of the right to merge with Austria on the part of the German speakers.

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[42] Alcock, p. 7
[43] Alcock, pp. 9-11

Compromise and moderation on the basis of justice were the underlying features of this settlement.

At this stage it is appropriate to discuss the term 'consociationalism' which was developed as a classificatory concept by Arend Lijphart. It refers to attempts to establish a viable pluralistic state by a process of compromise and accommodation among élites of different communities. This usually involves limiting the power which can be wielded by any one political centre. The aim of the élites is essentially to convert 'a fragmented political culture into a stable democracy', and to 'counteract divisions through conscious policies of accommodation'.[44] There is a clear similarity of meaning between this term and the term political negotiation, used earlier. Attempts to produce stability and accommodation are well illustrated by the experience of Belgium. What emerged in Belgium is a system which gives maximum control to the communities and regions, short of actual separation or secession. Belgium has travelled a long way since Cardinal Mercier said in 1926 that the language of Belgium must be an international language and that language must be French.[45] Neither community could accept the dominance of the other. Consequently they sought a *modus vivendi* which would manage problems within the structure of the existing state. It would appear that a spirit of compromise is deeply rooted in Belgian politics resulting not just from the existence of different communities but from occupation by a number of great powers over five centuries.[46] This is well illustrated, not simply by federalism, but by an earlier attempt at negotiation between the two communities which produced a complicated formula to preserve the essential interests of each region.[47]

These case studies support Claire Palley's analysis of the bases for accommodation between groups in plural societies.[48] Among the factors she discusses are the power and attitudes of neighbouring states, so-called geopolitical factors. It is evident that these can be exceptionally destabilizing when the state in question has been, or aspires to be, the imperial power in the region and retains its paternalistic and irredentist ambitions, notably in the case of Germany and the Sudetenland, Austria and South Tyrol, or Russia and the Baltic States. A common characteristic of the

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[44] Hans Daalder, 'Building Consociational Nations' in Eisenstadt and Rokkan op.cit., pp. 14–26
[45] Vernon Mallinson, *Belgium*, London, Ernest Benn Ltd., 1969, p. 183
[46] Marc J. Bossuyt and Dick Leonard, 'Belgium' in Minority Rights Group, *Minorities and Autonomy in Western Europe,* Minority Rights Group, 1991, p. 21
[47] Margot Lyon, *Belgium*, London, Thames and Hudson, 1971, p. 133
[48] Claire Palley, *Constitutional Law and Minorities,* London, Minority Rights Group, 1978, pp. 11, 20

'metropolitan' power is contempt for the indigenous or colonial languages and cultures which are regarded as inferior to the civilized and true language of learning of the metropolis. In this sense Catalans in the early Franco period were exhorted 'to speak the language of the empire'.[49]

Another factor affecting accommodation concerns the size, characteristics and location of relatively homogeneous populations within the state. It is easier for majorities to offer concessions to, or to engage in negotiations with, small minorities than with minorities of a significant size. A case in point is Lithuania's concessions on citizenship to its relatively small Russian-speaking minority. The reluctance of Latvia and Estonia to offer similar concessions to their much larger Russian-language groups makes the point. Similarly if a minority is concentrated in a location near the border with a larger state, the population of which shares the same language and ethnicity, demands for secession on the part of the minority may become more vociferous. By contrast, if a minority is distributed somewhat evenly throughout a state or if it is concentrated in an area removed from the frontier, secession will be seen as a less practical option.

Thirdly, the existence of physical barriers either within the state or between states affects policies and attitudes in the sense that they may strengthen or weaken separatist sentiments, or the willingness of the majority to compromise. In addition mountains or rivers may represent traditional historic boundaries which have been fought over for centuries or regarded as sacrosanct. Their existence may limit the degree of contention about boundaries, weaken separatism, remove sources of conflict between neighbouring states, and reduce internal conflict between majorities and minorities. Of course, the Baltic States do not have the advantage of physical obstacles along their border with Russia.

Another very important element in the shaping of relations between groups is the state of the economy. Economic decline increases competition for scarce resources and makes it more difficult to separate economic and ethnic issues. Relations between groups may be embittered by this. For example, the post-World War I depression associated with the loss of traditional markets increased hostility between the Czech government and the Sudeten Germans. On the other hand, German entrepreneurs were not certain that they would be better off in Germany itself at that time, though by the

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[49] Minority Rights Group, Report on Leningrad Conference; Keating, p. 181; Stanley Payne, 'Catalan and Basque Nationalism', *Journal of Contemporary History,* vol. 6, no. 1, 1971, p. 48

time of Hitler their attitudes had changed.[50] The Catalans' attitudes to separatism were shaped by their traditional preference to stay within the protected Spanish market, even though there was a net outflow in interregional transfers.[51] Since, as Hanson noted, economic and ethnic issues are unlikely to be kept separate, majority-minority relations will tend to fluctuate, at least in pluralistic competitive economies, according to the level of economic activity.[52]

Among Palley's other factors making for accommodation one must mention the existence of general respect for human rights and the rule of law, the capacity and willingness of leaders to compromise and, partly as a result of this, institutional arrangements involving measures of autonomy.[53] Equally important is the acceptance on the part of minorities of the political principles which form the basis of the state, just as, for example, naturalized persons have to express loyalty to the Constitution of the United States.[54]

If the aim of governments is to moderate conflicts, produce stability and develop the conditions for human happiness they must actively foster tolerant and cooperative relations between minorities and majorities. The old solution of self-determination now seems less and less appropriate, partly because the intermingling of populations in existing communities prohibits a clear cut geographical demarcation between ethnic groups or 'nations'. However, a more modern interpretation of self-determination emphasises that ethnic groups should seek justice within the boundaries of existing states. They should determine for themselves the legislative and administrative powers they need to protect their cultures, languages and identities and then fight to achieve them. According to Moynihan this will help to make the world safe for and from ethnicity, since injustice to minorities feeds instability within states and heightens international tensions.[55]

An effective defence of the rights of minorities requires that they have full representation in the legislative process. The League of Nations pioneered in this respect by attempting to protect the rights of particular groups.[56] Since the restoration

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[50] Philip Hanson, 'Estonia's Narva Problem, Narva's Estonian Problem', *RFE/RL Research Report,* vol. 2, no. 18, 30 April 1993; Palley, *Introduction;* Wiskemann, pp. 140, 145–6, 160–6
[51] Keating, p. 187
[52] Johnston, p. 4; Hanson, pp. 20–1
[53] Claire Palley, *Minorities and Autonomy in Western Europe*, pp. 5–6
[54] Wiskemann, p. 251
[55] Moynihan, pp. 78, 172
[56] Howard Williams, 'Rights and Minority Nationalism', in Watson ed., p. 171

of independence Estonia and Latvia have adopted policies which, whilst not infringing the human rights of minorities according to a number of outside experts, have excluded most of the post-1940 immigrants from political participation and state-building. This exclusion may have inhibited the Russian speakers from developing a new identity in place of their former Soviet citizenship, although this is by no means certain. The question remains, however, whether traditional citizenship legislation involving a naturalization process is appropriate in the unique circumstances of the Baltic States. Admittedly the decolonisation process in the Baltic has many precedents since the end of the Second World War but never in circumstances where the colonists almost equalled in numbers the indigenous peoples. Moreover, additional complications arise from the fact that the Baltic States' independence resulted from the break-up of a federation in which local newcomers possessed citizenship. Discrimination against such people may not 'directly violate any specific rule of positive international law' but it runs strongly counter to a number of basic principles of modern human rights. In particular Article 15 of the Universal Declaration of Human Rights affirms that everyone shall have a right 'to obtain the citizenship of the state on whose territory, such as it is after new or restored independence, she or he had established lawful residence'. Without the right to participate in politics and to exercise political influence the preservation of civil liberties is put in question. Liberal nationalists emphasise that the protection of national identities and cultures should not be achieved at the expense of individual rights.[57]

However, the central precondition for the securing of rights is not legislative power alone but the consent of the people among whom the rights have to be enforced.[58] This means that the rights must be seen to be just and equitable. The black civil rights movement in the United States illustrates how popular support was necessary for enforcement of the various anti-discriminatory laws. It is by no means clear that the majority of ethnic Estonians and Latvians are in favour of a liberal nationalist approach which involves transcending their recent history. In the last few years suspicion of the activities of the Russian government has grown rather than diminished, and Russian minorities, the vast majority of whom have not taken out

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[57] A. Eide, 'Human Rights Aspects of the Citizenship Issues in Estonia and Latvia, Progress Report', European Bank for Reconstruction and Development, 11 March 1992
[58] Thornberry, p. 15

Estonian or Latvian citizenship, are believed to be ambivalent in their attitudes to the states in which they reside, arousing fears that they may act as a fifth column for Russia on the analogy of ethnic Russians in Abkhazia and South Ossetia, and therefore a threat to national security. There are hard-line elements among the Russian minority too which are unlikely ever to reconcile themselves to Baltic independence. These hawkish spokesmen of the ethnic Russians confirm the prejudices of the Estonians and Latvians, which in turn fuel resentments among the Russians, even among those Russians who supported Baltic independence and have obtained citizenship.

Baltic apprehensions have grown in the light of recent information that there has been an increase in the numbers of Russian ethnics taking out Russian rather than Baltic citizenship.[59] In this context therefore a change of law may be insufficient if it is not accompanied by a change of heart among ethnic Estonians and Latvians. This is unlikely for two reasons: first some radical nationalists believe that ethnic communities of similar size consisting of Slavic Orthodox Russians and Finno-Ugric Lutheran Estonians cannot co-exist peacefully in the same territory since their mentalities, languages, religions and customs are too different; second, Russian-language speakers need to demonstrate greater commitment to the states in which they reside, but this will come about only if they feel that the governments respect them. At present too many of them feel neglected by the Estonian and Latvian states and have no wish to seek citizenship.[60]

Popular consent for the defence of minority rights is most likely to be achieved under conditions of civic rather than ethnic nationalism. The reason for this is that civic nationalism tends to be inclusive, not exclusive, linked with identity through citizenship rather than through membership of an ethnie, and therefore more sensitive to the claims of solidarity and fraternity, and equally more aware of the fears of minorities and willing to respond to their needs for protection.[61] But civic nationalism can only be effective as a harmoniser of conflicting interests if minorities

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[59] Between 1992 and 2008 about 147,000 people sought citizenship of Russia and about the same number became Estonian citizens. *The Baltic Times,* 3–9 April, 2008

[60] In October 2008 the Estonian Education Minister suggested that Russian schools be phased out; this notably illiberal proposal could not have been better designed to increase distrust of the Estonian authorities on the part of Russian language speakers, *The Baltic Times,* 16–22 October 2008, and 30 October-5 November 2008

[61] Raymond A. Smith, 'The Kaliningrad Region: Applications of the Civic and Ethnic Models of Nationhood', *Journal of Baltic Studies,* vol. XXIV, no. 3, Fall 1993, p. 237

are prepared to accept the principles on which the state is based.[62] Hence there is a form of contract in which loyalty is traded for rights.

Loyalty in turn requires reciprocity. Continued opposition to the claims of the Baltic Russians imperils the emergence of a new Baltic identity among them and pushes them in the direction of Great Russian nationalism. Moreover, wholehearted support for the Baltic States on the part of NATO and the EU will only be achieved if these states follow more liberal human rights and citizenship policies, including automatic citizenship for the children born to permanent residents. Finally, UN Resolution 2625 (XXV) of 1970 goes beyond the assertion of civil, religious, linguistic and cultural rights for ethnic minorities and requires that minorities should enjoy a fair share of the economic and political power.[63] The key, then, to the harmonisation of interests is to find a way of substituting civic for ethnic nationalism whilst at the same time preserving the cultural and linguistic inheritance of all national groups. Even if this advance is achieved it will ultimately be no guarantee of stability if Russia continues her existing practice of seeking to exert influence in the Baltic States. On the other hand, the Baltic States' membership of the EU and NATO offers a guarantee of support against these continued attempts by Russia to exert its former predominance in the region. Membership in these international structures should persuade ethnic Estonians and Latvians that compromise and accommodation in the form of a commitment to liberal nationalism is the surest route to achieving harmonious inter-ethnic relations and the safeguarding of the rights of non-dominant groups.

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[62] Wiskemann, p. 251; Smith, p. 238
[63] P.van Krieken, 'The World Community and Minorities (some comments)', *Proceedings of the Latvian Academy of Sciences,* N5 (550), pp. 31–3, 1993