Institution: University of Glasgow
Unit of Assessment: D27 – Area Studies
Title of case study:
Shaping national and international debate on minority rights in Central and Eastern Europe
1. Summary of the impact

Non-territorial cultural autonomy (NTCA) is viewed as a means of ensuring peace between minorities and majorities, and protecting minority rights. University of Glasgow research into the historical application of NTCA within Central and Eastern Europe and its potential to provide a multicultural template for modern politics continues to influence the debate around cultural autonomy in Europe. The research findings have influenced the European Centre for Minority Issues in Germany, national governments, political parties and national minority representatives in the UK, Romania, Armenia, Hungary, Croatia and Slovenia, the Council of Europe and the Organisation for Security and Cooperation in Europe.

2. Underpinning research

Professor David Smith (Senior Lecturer 2005-07, Reader in Central and Eastern European Studies 2007-08, Professor of Baltic History and Politics 2008-present) undertook Arts & Humanities Research Council (AHRC) funded research at the University of Glasgow from 2003-2007, in conjunction with co-investigator John Hiden (Honorary Senior Research Fellow, 2003-12). In 2006 the project was awarded additional funding under the AHRC's pilot Non-Academic User Dissemination Scheme, to fund a number of joint academic-practitioner events.

This historically-based study illuminated broader European debates on the political management of multiculturalism, both past and present. By studying the practical implementation of non-territorial cultural autonomy (NTCA) for national minorities in the inter-war Baltic States it brought to light a long-neglected Central and East European contribution to debates on minority rights, consolidation of democratic statehood and European integration.

As a region, Eastern Europe has been historically associated with ethnic intolerance and ethno-nationalist conflicts over territory. Both in the inter-war period and today, liberal pluralism and minority rights have been viewed as something to be 'exported' from the West, as part of an externally guided process of democratisation and state consolidation. Smith's research highlighted an indigenous tradition of liberal multiculturalism in the form of NTCA, first propounded at the turn of the 20th century by the Austrian Social Democrats Karl Renner and Otto Bauer. In view of the highly complex, ethnically mixed patterns of settlement that have historically been characteristic of Central and Eastern Europe, Renner and Bauer argued that the exercise of national minority rights should be linked not to particular territorial sub-regions of the state, but to groups of persons – namely citizens professing a particular ethnicity who freely choose to enter their names on a national register. The members of the register then elect a cultural council with public-legal status which oversees the day-to-day running of minority language schooling and other cultural activities across the entire territory of the state concerned.

NTCA is a model that has assumed a growing salience within post-communist Central and Eastern Europe. Adopted by several states of the region and discussed in several more, it has also elicited interest from relevant international organisations working in the area of minority rights. Faced with the legacy of historical border disputes within the region, international minority rights actors have viewed NTCA as a potentially useful way of counteracting the nationalist argument that minority autonomy will necessarily fuel territorial irredentism. Smith's research proved to be of interest and relevance to these actors, because it analysed for the first time how the complex NTCA model had been applied in practice during the inter-war period.

Of particular interest was Estonia's NTCA law of 1925 (restored to existence in 1993), which represents the most complete application of this concept to date. The research further demonstrated the extent to which the NTCA principle informed European-level discussions of international minority rights law during the 1920s, discussions which in many instances bear a striking similarity to those currently taking place around minority rights in the post-Cold War Europe.

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3. References to the research

- David J Smith and John Hiden, *Ethnic Diversity and the Nation-State: National Cultural Autonomy Revisited*. London and New York: Routledge 2012, ISBN: 978-0-415-69690-6 (hbk); ISBN: 978-0-203-11832-0 (ebk) [REF 2].
- David J Smith, 'Non-Territorial Autonomy and Political Community in Contemporary Central and Eastern Europe', *Journal on Ethnopolitics and Minority Issues in Europe*, 1, 2013, pp.27-55. JEMIE is an online journal, and the article can be accessed at [link]
- David J Smith, 'The Revival of Cultural Autonomy in Certain Countries of Eastern Europe: Were Lessons Drawn from the Inter-War Period?' in Council of Europe Venice Commission, *The Participation of Minorities in Public Life*, Collection Science and Technique of Democracy, No.45, Strasbourg, Council of Europe Publishing 2008, pp.77-88 [AVAILABLE FROM HEI].
- David J Smith and Karl Cordell (eds), *Cultural Autonomy in Contemporary Europe*, 1st Edition, 152 pages, London and New York, Routledge 2008, ISBN 978-0-415-46456-7 [AVAILABLE FROM HEI].
- John Hiden and David J Smith 'Looking Beyond the Nation State: a Baltic Vision for National Minorities between the Wars', *Journal of Contemporary History*, 41, 3, 2006, pp.387-400. (doi: 10.1177/0022009406064646)

Key Grants:

'Ending Nationalism? The Quest for Cultural Autonomy in Inter-war Europe', Arts and Humanities Research Council, 1/10/2003-30/09/2007. £43,890 (pre-FEC) – additional £10,500 awarded in 2006. Final project report assessed by AHRC in April 2009 as outstanding.

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4. Details of the impact

The management of ethno-cultural diversity is an issue of increasing importance to all contemporary European states and societies, including the UK. Liberal democracy has sought to accommodate such diversity using the model of minority rights, which deems all citizens equal regardless of ethnic origin, but which also grants ethnic minorities certain positive rights relating to their distinct culture. The practice of minority rights is, however, far from uncontested, bringing into focus the question of how to ensure that granting additional rights to particular sub-cultures does not undermine overall societal cohesion or the integrity of the state. Such contestation has been especially acute in the states that have emerged in Central and Eastern Europe over the past century. In the newer states of Central and Eastern Europe, lack of experience with democracy coupled with memories of past border disputes and ethnic conflicts mean that central governments often see territorially-based devolution of power as a potential threat to state sovereignty and integrity, especially where ethno-national boundaries overlap state borders.

Non-territorial cultural autonomy (NTCA) is viewed as a means of ensuring peace between minorities and majorities, and protecting minority rights. Until recently, however, little was known about the original NTCA model and previous efforts to apply it within the region. Smith and Hiden's work addressed this gap in the literature, and their research into the potential of NTCA to provide a multicultural template for modern politics continues to influence the debate around cultural autonomy in Europe.

Under international law, many of the Balkan states have a duty to create conditions that enable real participation in decision-making processes by various minority groups, these governments continue to express great interest in NTCA as a method for facilitating this requirement. Smith's research findings continue to influence national governments, political parties and national minority representatives in the UK, Romania, Armenia, Hungary, Croatia and Slovenia, the Council of Europe and the Organisation for Security and Cooperation in Europe **[1]**.

Since 2005, Smith's research team have contributed to the European Centre for Minority Issues (ECMI)'s work on NCTA **[2; 3]**. The ECMI was set up by European governments in collaboration with researchers to work on minority issues and advise governments and other bodies such as the Council of Europe and interested political parties supporting minority rights throughout Europe. The

ECMI believe that NTCA is a possible means of introducing peaceful legislation for minorities, it remains one of their key research topics and they continue to support the dissemination of the theory to governments throughout Europe. In November 2012, Smith co-organised a conference on NTCA in Belfast in conjunction with the ECMI and Queens University, at which the Rt Hon Charles Clarke gave a keynote speech discussing the relevance of NTCA concepts to multiculturalism and minority rights around Europe and in a UK context **[4]**. The conference was open to the public, and the conference papers were published by Peter Lang in 2013.

Smith's work with the Romanian government on NTCA for the Hungarian minority within Romania, continues to shape the debate between Hungary and Romania. His 2005 briefing to the Romanian government in Bucharest on the Estonian model of NTCA and the Smith and Hiden research findings provided the basis for a minority law which was drafted to implement NTCA **[5]**. Although the ruling coalition lacked the two-thirds parliamentary majority needed to pass the law, the concept of NTCA continues to significantly impact public policy debates in Romania. In 2010, the Romanian government announced the expansion of cultural and ethnic identity rights for minorities, which was seen by some commentators, such as the campaigning group DIVERS, as an attempt to move towards the aims of the law **[6]**. The law remains tabled for debate and some of the Hungarian minority in Romania are now lobbying for territorial autonomy for the geographically concentrated Hungarians in Transylvania and cultural autonomy for the rest of the minorities (*Bucharest Herald*, June 2012, 'Hungarian Ambassador: Autonomy is the only compromise solution and we'll obtain it'). The Hungarian government supports cultural autonomy for diaspora Hungarians, and territorial autonomy for large groups of Hungarians in other countries. The vice president of Hungary was quoted in 2010 by the Romanian news agency Agerpres; '*For those Hungarians living in the diaspora we seek cultural autonomy while for those living in blocks we seek territorial autonomy – all these are European practices. If other nations can, we can also within the EU norms.*'

Therefore, the project has extended its consultancy role from the Hungarian minority party in Romania to external policymakers and advisors in Hungary proper. Smith has worked with the Institute for Research on Hungarian Communities Abroad, a think tank established in 2011 by the Hungarian government. In April 2013, he was the keynote speaker at a conference in Budapest attended by the Deputy Prime Minister of Hungary, Swiss MP and Council of Europe Parliamentary Assembly member Andreas Gross, the President of the Hungarian NTCA Council in Serbia, representatives of Hungarian minorities from neighbouring countries, MPs, journalists and representatives from embassies in Hungary, plus academics and students, numbering around 100 people in total **[7]**. The conference was entitled 'Territorial Autonomies in Europe: Issues and Challenges', but it encompassed broader issues of autonomy, including non-territorial. Smith spoke on the theory and practice of non-territorial autonomy.

The Armenian government drafted a law on national minorities following the ECMI report on NTCA in 2005 – the law was in continuous debate in the Armenian parliament from 2006-09 and the 2009 Council of Europe survey reported that the Armenian government was developing a law on national minorities. Although supported by the Council of Europe, Armenia's draft legislation was ultimately defeated due to rising dissent over the territorial versus non-territorial autonomy debate. The Council of Europe Venice Commission has maintained an interest in NTCA particularly as a result of the Armenian effort (Council of Europe: Committee of Ministers, *European Charter for Regional or Minority Languages: Application of the Charter in Armenia, 2nd Monitoring Cycle*, 23 September 2009, ECRML 2009). Briefings by Smith and Hiden to governments and minority groups in Croatia in 2006 and Armenia, Hungary and Slovenia (2007) helped to lay the groundwork for the widening debate.

The influence of University of Glasgow research and the ongoing priority of the debate is evidenced by the Council of Europe reissuing Smith's report on NTCA in Europe as part of *Participation of Minorities in Public Life*, (Council of Europe, 2011) **[1]**.

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5. Sources to corroborate the impact

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1. Council of Europe (2011) The participation of minorities in public life (Science and technique of democracy No.45) ISBN 978-92-871-6940-2 (including reissue of Smith's report on NTCA). (link) [available from HEI]

2. Contact details supplied for the Director of the European Centre for Minority Issues

3. David J Smith (2013), 'Non-Territorial Autonomy and Political Community in Contemporary Central and Eastern Europe', Journal on Ethnopolitics and Minority Issues in Europe, 1, pp.27-55. (article published in the ECMI's in-house journal) (link)

4. Charles Clarke, 'Using the ideas of 'non-territorial autonomy to avoid violent conflict and meet the modern challenges of nationalism', in E. Nimni, A. Osipov and D. Smith (eds) The Challenge of Non-Territorial Autonomy: Theory and Practice (Peter Lang, 2013) (publication from the Belfast NTCA conference in November 2012: ISBN 978-3-0343-1714-6 pb.) (publisher's link) [available from HEI]

5. ECMI Report on the Presentation on Cultural Autonomy to the Romanian government 3 February 2005 (link)

6. See DIVERS report on the positive extension of minority rights of Hungarians in Romania through the use of the Hungarian language in public administration Link [Translated version Available from HEI]

7. Programme from the April 2013 Budapest conference [available from HEI]