

# **The Impact of Post-communist Regime Change and European Integration on Ethnic Minorities: The 'Special' Case of Ethnic Germans in Eastern Europe<sup>+</sup>**

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## **1. Introduction**

The collapse of communism in Central and Eastern Europe and the Soviet Union in the late-1980s and early 1990s brought with it a fundamental reshaping of social, political and economic conditions in the countries of this region. These changes also manifested themselves dramatically in a recalibration of the relationships between ethnic minorities and the titular majorities of the countries concerned. Breaking free from Soviet and communist domination, minority and majority communities reclaimed and asserted their ethnic identities and sought to establish conditions conducive to the expression, preservation and development of such identities. While the liberalisation of political systems across the region provided some of the impetus for this, it failed initially to create a situation characterised by recognition and tolerance of the wide spectrum of distinct ethnic identities and an acceptance that states must respect the rights of all their citizens to identify with a particular ethnic community without fear of discrimination. Institutional uncertainty and instability, combined with the negative consequences of economic reforms and the budgetary constraints it placed on the governments of the transition countries, exacerbated, sometimes pre-existing, ethnic tensions. The dynamics ensuing from this, at times deliberately stirred up by political entrepreneurs seeking to maximise electoral support, led to a significant increase in the number of inter-ethnic conflicts in Central and Eastern Europe and the former Soviet Union.

Faced with grave threats to security and stability, international organisations like the Organisation for Cooperation and Security in Europe (OSCE), the Council of Europe (CoE) and the European Union (EU), as well as individual member states of these organisations, took a very active interest in developments in the region and sought to influence, through different incentives and pressures, the way in which states and ethnic groups managed their relations with one another. The very obvious advantages of closer political and economic relations with the EU in particular proved a powerful incentive and provided the organisation with significant leverage. Countries that had been given a clear

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<sup>+</sup> In this paper, I am drawing to a significant extent on previous and current published and unpublished research. Among published research I am relying especially on Wolff (2000c), Wolff and Cordell (2003), and Wolff (2004b-forthcoming). My thanks to both Berghahn Books and Palgrave Macmillan for allowing me to use parts of previously published work in a revised and updated form. I am grateful to Detlef Rein and Hans-Joachim Jansen of the German Ministry of the Interior for providing me with insights from the perspective of the German government and to Uwe Stiemke of the Herman Niermann Foundation for information on his organisation's work with German minorities in Central and Eastern Europe. Special thanks are also due to Karl Cordell for his long-standing collaboration with me on German minorities in Europe and for insightful comments on earlier drafts of this chapter.

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European perspective of association and future membership were subjected to rigorous monitoring of their minority policies and had to comply with standards and criteria set or accepted by the EU.<sup>1</sup>

This underlines a recent trend to the effect that ethnopolitics is no longer just a dimension of the domestic affairs of the states concerned, but increasingly contingent on a complex and dynamic interplay of various internal and external factors (Brubaker 1996, Smith 2002, Wolff 2004a—forthcoming). The impact of European integration, however, cannot be understood in isolation. The situation of ethnic minorities, and the nature of ethnopolitics more generally, in Central and Eastern Europe and the former Soviet Union must be viewed in the context of both historical legacies and the transition process that the countries in the region have undergone since the end of communism. For an examination of what exactly the impact of domestic and international forces on ethnopolitics in Central and Eastern Europe and the former Soviet Union has been since 1990 the case of ethnic German minorities in these countries is particularly instructive. It exemplifies the impact of both internal and external factors, and the interplay between them, on the situation of ethnic minorities in transition countries. By including both countries with and without a clear perspective of EU membership the significance of the latter can be determined with a greater degree of certainty. This means that my examination of the situation of ethnic German minorities will also consider countries in Central and Eastern Europe and the former Soviet Union which were not part of the 2004 accession round.

The chapter is structured as follows. I begin by outlining the analytical framework that will guide the subsequent examination of my empirical material. Grouping my cases into two different geographical categories, I first examine in broad terms the situation of ethnic Germans in the successor states of the Soviet Union and then turn to three more in-depth case studies of German minorities, namely in Poland, Hungary and Romania. In a concluding section I attempt to summarise and systematise these developments and their causes and consequences with a particular emphasis on the significance of EU enlargement.

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<sup>1</sup> The so-called Copenhagen Criteria for EU membership refer, relatively vaguely, to 'respect for and protection of minorities', but there is an implicit understanding that the minority rights standards set by the CoE and the OSCE have to be adhered to as well if a country wants to launch a successful membership bid. Cf. Wolff (2002b and 2004a—forthcoming) and Hughes and Sasse (2003).

## **2. An Analytical Framework for Assessing the Impact of Transition and Enlargement on the Situation of Ethnic German Minorities in Central and Eastern Europe and the Former Soviet Union**

### 2.1. Domestic Factors

*Demographics.* The number of distinct ethnic groups, their size and territorial concentration are very important factors in determining the nature and conduct of ethnopolitics. If groups are large and/or live in compact areas, it is easier for them to preserve and develop their identities as community structures are more likely to be fully developed and groups' languages, often a key element in their identities, can play a role in a variety of public and private social situations ranging from professional contexts to communication with public authorities, the delivery of services, education and a range of electronic and print media. Even more so, if territorial compactness of ethnic groups combines with administrative devolution, including autonomy and federal arrangements, promoting and facilitating identities other than those of a country's titular nation or majority is normally less contested and achievable at reasonable cost. As compactness of ethnic groups, however, cannot always be equated with ethnic homogeneity of a particular territory, interethnic relations will continue to matter. Historically grown settlement patterns hardly ever coincide with ethnic borders. Thus, the promotion of minority identities in some geographic areas sometimes comes to be perceived as discrimination by members of the titular nation or other ethnic groups with a different identity who happen to be in a local minority in a particular area.

*Historical Legacies.* Given the symbolic importance of identity, it comes as little surprise that history and the various interpretations it is given by different groups plays a major role in shaping ethnopolitics and the prospects of peaceful and culturally enriching ethnic diversity. What Michael E. Brown refers to as 'problematic group histories' (Brown 2001: 5) is apparent particularly apparent in the relations between ethnic Germans and other ethnic groups in the countries of Central and Eastern Europe and the former Soviet Union. A long history of conquest, colonisation and empire had, for centuries, made ethnic Germans dominant local minorities across the vast Habsburg and German empires and given them privileged status in the Tsarist empire. This began to change gradually in the 19<sup>th</sup> century, but the position of ethnic Germans was fundamentally changed for the worse only after the First World War and the territorial revisions across Europe that followed it. In more recent history, the most influential factor in terms of inter-group relations was the Second World War. The occupation regimes installed by Nazi Germany, often with the active support of local ethnic Germans, across the countries of Central and Eastern Europe and parts of the former Soviet Union during the Second World War, made

ethnic Germans in these countries the subject of retribution and discrimination after 1945 and well beyond the immediate post-war period.<sup>2</sup>

*The political system.* A number of more general aspects of the political system in a particular country also affect the nature of ethnopolitics. They include answers to questions about whether the system of government is democratic and whether the state is organised according to federal or unitary principles. While democracy is normatively and pragmatically preferable to any other form of government, in itself it does not guarantee acknowledgement of, respect for or active promotion of ethnic diversity.<sup>3</sup> On the other hand, the absence of democratic institutions is not synonymous with a lack of consideration for ethnic diversity. The multinational empires of the recent and not so recent past—Soviet Union, Yugoslavia, Austria-Hungary—were well aware of the importance of at least tolerating such diversity, if for no other reason than the avoidance of conflict.

Federal or quasi-federal arrangements intuitively seem to favour better prospects of ethnic diversity,<sup>4</sup> yet much depends on the way in which the boundaries between different entities are drawn and whether demographic factors favour ethnic minorities within such systems of territorial organisation. As I will show below, German minorities in Central and Eastern Europe and the former Soviet Union do not benefit from any specific federal or quasi-federal arrangements, but their territorial concentration in Poland, for example, and the fact that in the Russian Federation to German rayons were established in western Siberia has created somewhat improved conditions.

A last point that is worth making in relation to the impact of the political environment on ethnopolitics is about the role of individuals within the institutions concerned with formulating, implementing and assessing relevant policies. Effective policies for the preservation and promotion of ethnic diversity will always have to be multi-faceted and to occur at multiple levels within the administrative structure of a given polity. For example, constitutional provisions often require implementation legislation, policies have to be properly funded, officials from the institutions of central government down to local government need to be aware of relevant regulations, they may need training, and apart from skills and resources they have to have the will to implement standards and legislation. Obstruction by officials at local level and more generally prejudice against

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<sup>2</sup> For a more detailed treatment of the history of German minorities in Europe, see the contributions in Wolff (2000c), as well as Wolff (2000b and 2001), and Wolff and Cordell (2003) and Cordell and Wolff (2004-forthcoming).

<sup>3</sup> Cf. on this point the writings of Stephen May, e.g., May (2001) and May (2003), and Will Kymlicka, e.g., Kymlicka (1995), Kymlicka and Grin (2003), and Kymlicka and Patten (2003).

<sup>4</sup> On the range of institutional designs and their impact on the resolution of self-determination conflicts, see the excellent analysis of Danspeckgruber (2002).

population groups that are to be the beneficiaries of specific policies aimed at creating conditions conducive to the expression, preservation and development of their distinct identity as part of an effort to protect and promote ethnic diversity are often the main obstacles to translating (good) political intentions at the central government level into meaningful practice across all levels of government. While economic and financial constraints may limit what can be done at anyone time, they often serve as excuses where political will is lacking.

Ethnopolitics at the domestic level, thus, is a complex and multi-dimensional process. It is played out within and between different majority and minority groups and their individual members, it involves institutions and the individuals working within them, it includes most elements of more general minority-majority relationships, it is shaped by demographic realities, it is dependent on economic and financial resources, and it is influenced by different perceptions and interpretations of history and what is seen as their policy relevance for the present day. Despite this complexity, many Central and Eastern European countries and some of the successor states of the Soviet Union have achieved quite remarkable results in their efforts to protect and promote ethnic diversity. One reason for this is that many aspects of ethnic diversity have significance beyond the national level—be it for reasons of security and stability, as is the case in some ethnic conflicts with a strong ethnopolitical dimension, or be it for reasons that issues related to ethnic diversity are often seen as manifestation of wider human and minority rights concerns, two areas in which international and European norms and standards have developed quite rapidly over the past 10-15 years (cf. Henrard 2000, 2001, 2003).

## 2.2. External Factors

In his analysis of EU-induced changes in the minority policies of Poland, the Czech Republic and Hungary, Vermeersch (2003a: 24) has argued that 'there is not a very strong connection between European pressure and policy change on minorities in Central and Eastern Europe except when it concerns issues that are important ... for the individual candidate state or when these are security priorities for individual EU member countries.' This latter point is of particular relevance also for the following case study of German minorities: an assessment of the factors conditioning their situation since 1989/90 also has to take account of the nature and impact of bilateral relations between the relevant host-states and the Federal Republic of Germany.<sup>5</sup> The international dynamics of ethnopolitics in Central and Eastern Europe and the former Soviet Union are thus primarily played out at two levels—that of regional organisations and that of

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<sup>5</sup> For a more detailed analysis of the dynamics of these bilateral relations see Wolff (2000a and 2002a) and Heintze (2000 and 2004).

bilateral relations. Both are often connected closely to one another, with membership in regional organisations in many ways shaping the interest and opportunity structures of states that also engage with one another at a bilateral level.

*Regional organisations.* Over the past decade and a half, the European organisations have become an important forum for ethnic minorities across the continent to articulate their demands. This has been a result of the securitisation of minority-majority relations in post-Cold War period (cf. Buzan and Wæver 2003). One result of this has been that regional organisations have actively promoted and supported the implementation of European and international minority rights standards in the countries of Central and Eastern Europe and the former Soviet Union, albeit with mixed records of success. For example, the EU has taken a strong stance towards the rights and protection of ethnic minorities in the candidate countries of the 2004 accession wave, and which it continues to take in the accession negotiations with Bulgaria, Croatia, Romania and Turkey for these countries'. Other organisations, such as the Organisation for Security and Cooperation in Europe (OSCE) and the Council of Europe (CoE) have also had a significant influence on the way in which the prospects for the peaceful and democratic management of ethnic diversity have developed. While their activities have been mostly limited to the formerly communist countries of Central and Eastern Europe and the former Soviet Union and have led to frequent allegations of double standards in relation to minority policies in East and West, the achievements of EU, CoE and OSCE in effecting positive change, or at least commitment to change, in the management of ethnic diversity in Central and Eastern Europe and the former Soviet Union are, in my view, significant and should not be belittled.

The Copenhagen Criteria, adopted by the EU, to which countries have to adhere if they wish to join the organisation, explicitly require respect for human rights, the rule of law and the protection of minorities. Thus, ethnopolitics and the rights and status of ethnic minorities in the candidate countries have been a major issue in the accession process.<sup>6</sup> Apart from its own accession criteria, the EU was also able to exercise its influence more indirectly through the relevant processes and institutions within the CoE (Framework Convention for the Protection of National Minorities, European Charter for Regional or Minority Languages) and the OSCE (Oslo Recommendations on the Linguistic Rights of National Minorities and the institution of the High Commissioner on National Minorities).<sup>7</sup> Quite clearly, membership in CoE and OSCE, and to a lesser degree accession to and

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<sup>6</sup> On the role of minority rights issues in the accession process, see Hughes and Sasse (2003); more specifically on Estonia, see Smith (2003); on Latvia, Morris (2003); on the Czech Republic, Hungary and Poland, Vermeersch (2003a and 2004); and on Hungary and Macedonia, see Dutceac (2004).

<sup>7</sup> Specifically on the High Commissioner, see Kemp (2001), Hansson (2002) and Packer (2003).

ratification of the two CoE documents mentioned above is seen as an implicit precondition for EU membership, especially for those countries which had, during their post-1990 transition process to democracy and a market economy, suffered from different incidents of interethnic conflict. This is underlined by the fact that of all the ten accession countries<sup>8</sup> and the four candidate countries,<sup>9</sup> nine have signed and four ratified the Charter (a legally binding document), while all but one (Turkey) have signed and all but two (Turkey and Latvia) have ratified the Framework Convention (a legally non-binding document).

While the argument that international organisations act as pull factors in 'encouraging' the implementation of certain norms and standards of human and minority rights is slightly weaker with regard to the Charter (only four ratifications with Estonia and Latvia absent from the signatories), the story of the Framework Convention is very different with only two countries who have not ratified it. While both documents leave significant loopholes for states whose commitment to actual implementation of either of the two documents is lacking compared to their enthusiasm to sign and ratify them, the Council of Europe has established an important monitoring mechanism around the Charter and the Framework Convention that allows for continued involvement of the organisation, even if it has no real enforcement powers to follow up on any of its findings in the monitoring process. The EU's ability to affect changes in minority policy in Central and Eastern Europe thus was much helped by the promise of better relations between the countries in the region and the EU, all the way up to full membership. This facilitating factor, however, has not fully or not at all been present in the former Soviet Union, limiting the direct positive effects of enlargement on the conduct of ethnopolitics in this region mainly to the Baltic states.

*Bilateral relations.* Apart from the general concern for human and minority rights, security and stability that drives the involvement of international organisations in ethnopolitical issues in countries in Central and Eastern Europe and the former Soviet Union, there is another group of external actors that has been historically prone to engage in more or less direct interference in actual or potential conflicts in other states. This group of actors consists of so-called kin-states, i.e., states whose titular nation has an ethnic bond with population groups in other (mostly neighbouring) states. As such relationships were often the result of border changes after wars, they have, historically, often given rise to territorial disputes, most vividly illustrated by the 1938 Munich Agreement meant to 'rectify' some of the territorial losses incurred by Germany after the

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<sup>8</sup> Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, Slovenia.

<sup>9</sup> Bulgaria, Croatia, Romania, Turkey.

First World War. This territorial revisionism was disguised in concern for co-ethnic groups living abroad and framed in the language of linguistic, cultural and/or educational rights.

The post-Cold War period has seen no real resurgence of any territorial disputes, but old and new kin-states have continued to engage with their neighbours over issues minority rights. Almost immediately after the collapse of communism, Germany concluded a range of treaties with states in Central and Eastern Europe, which, among other things, provided a framework for the rights of ethnic German minorities in these countries and for German government support programmes (cf. Heintze 2000 and 2004; Wolff 2000a). All the treaties that were signed<sup>10</sup> included provisions according to which the contracting parties recognise existing international boundaries as inviolable, respect each other's territorial integrity and sovereignty and commit themselves to ensuring that minorities were free to preserve, express and develop their distinct ethnic identities.

Despite the conclusion of such treaties in the early 1990s, bilateral relations between Germany and host-states of ethnic German minorities in Central and Eastern Europe and the former Soviet Union have not been free from tensions. The ups and downs in bilateral relations between Germany on the one hand and Poland and Czechoslovakia on the other, to name just one example, can be explained in the context of the domestic and foreign policy considerations states make.<sup>11</sup> Governments have to take into account national sentiments towards minorities and their kin-states, which are often based on historical experience of the majority population. They need to factor in the effects of their policies vis-à-vis one kin-state on their relations with other such and third states and international organisations, as well as on ethnic relations on their own territory and in a wider regional context. Finally, there are issues of resources—how far can a government go in its commitment to implement minority rights, or alternatively, for how long can it sustain a policy of internal repression and external confrontation. The recent trend towards the pursuit of cooperation has its source to a significant degree in the influence exercised by international organisations. In connection with the greater openness of societies in Central and Eastern Europe, their desire for integration into Western structures, and the resulting greater leverage of international organisations using incentives and pressures have created a situation in which bilateral relations between sovereign states have become much more dependent on an international context in which other state and supra-state actors have priorities of their own. In addition,

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<sup>10</sup> Germany has concluded such treaties with Czechoslovakia (acceded to by both the Czech and Slovak Republics), Hungary, Poland, Romania, and the Soviet Union (acceded to by Russia). In addition, there are a number of bilateral agreements to similar effects, for example, with the Estonia, Latvia, Lithuania, Kazakhstan, Kyrgyzstan and Ukraine.

<sup>11</sup> For relevant developments up to early 2002, see Wolff (2002). A more comprehensive and detailed treatment of German-Polish and German-Czech relations is Cordell and Wolff (2005—forthcoming).

developments in international law and within international organisations have contributed to the elevation of minority issues above the level of domestic and bilateral affairs. While this affirms earlier observations about the significance of the international dimension of ethnopolitics, it does not simultaneously mean that its bilateral aspect has become less important, it simply places it into a broader context (Smith 2002).

### 2.3. Weighing the Importance of Different Factors

The previous two sections have presented a multitude of factors that, in one way or another, can be said to have shaped post-Cold War minority policy in Central and Eastern Europe and the former Soviet Union. It would be empirically incorrect and theoretically unsatisfactory to assign them all equal importance in this process. Thus, two further questions arise from the theoretical framework presented so far: which factors are more important within each category—domestic and external—and which of the two categories bears greater importance in determining the nature and quality of minority governance in a given country.

To begin with the first question, I identified three different domestic factors—historical legacies, demographics and the political system. While none of them can be seen in isolation from the other, I take the political system, and especially the role of elites in it, to be the overriding domestic factor in shaping minority policy. The way in which history is being used or abused for political purposes is a deliberate choice. While some historical legacies are more difficult to overcome, especially if negative perceptions of minorities have been built on them for decades, as has been the case with German minorities in Poland and the former Soviet Union, conscious efforts at reconciliation are at the very least able to limit the negative repercussions of this.<sup>12</sup> Similarly, demographic conditions that are less than favourable, such as an over-aged or scattered minority population, do not preclude the implementation of a meaningful minority rights policy. They may limit their impact and require the adoption of some measures rather than others, but do not determine the general direction of minority policy in a particular country.<sup>13</sup>

As for external factors—regional organisations and bilateral relations—the question to ask is not merely about the relative importance of the two. The number of international

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<sup>12</sup> For example, during his failed presidential campaign of 2000, Marian Krzaklewski the chairman of the now defunct *Akcja Wyborcza Solidarność* (Solidarity Electoral Action), made great play of the threat to Polish interests posed by Germany in general and the German expellee organisations in particular. His poor performance with only 15.6% of the vote demonstrated that such atavistic sentiments can only go so far in today's Poland (cf. Cordell and Wolff 2005—forthcoming).

<sup>13</sup> For example, in cases of scattered minorities, cultural rather than territorial autonomy may be more opportune and individual classes taught in a minority language may be more reasonable and cost-efficient a measure than entire minority-language schools. On the other hand, subsidies for minority print media and regular airtime on radio and television are not affected by settlement patterns in their effectiveness to enable members of ethnic minorities to preserve, express and develop their distinct identities.

organisations operating in the region and the similarity, if not identity, in the aims they pursue with regard to inter-ethnic relations makes it more difficult to judge the precise impact of each individual organisation. While it is often obvious which particular instrument of external intervention brought about a specific outcome (e.g., advice given by the OSCE High Commissioner on National Minorities, implementation of the CoE's Framework Convention or its Charter for Regional or Minority Languages), this in itself does not fully explain the rationale of a particular country in adhering to specific demands made by external actors. The reason for this is that compliance with OSCE and CoE standards is, as mentioned above, is often seen as a necessary measure for improving relations with the EU. Consequently, a judgement on the impact of European integration on the situation of ethnic minorities is less likely to be possible as to the precise impact of each individual organisation. However, I will show to what extent the 'EU factor' is crucial in determining the overall impact of European integration

Bilateral relations, or the so-called kin-state factor, cannot be seen in isolation from regional organisations either. In the German case, but also in relation to other kin-states, such as Hungary or Russia, a kin-state's integration into regional organisations is a significant factor in shaping the range of policy options available. German policy makers have for decades been socialised into a specific normative context that determines what kind of policies are appropriate vis-à-vis the countries of Central and Eastern Europe and the former Soviet Union given the historic legacies of bilateral relations. German integration into the EU and its predecessor organisations in particular, but also Germany's role in the broader European integration process more generally, have shaped, and been shaped by, similar normative determinants of foreign policy in the domestic context. This is particularly the case for the constitutive role that Germany's *Ostpolitik* has played in making the original CSCE process possible that led to the 1975 Helsinki Final Act.

By its very nature, therefore, bilateral relations establish important connections between domestic and external factors and highlight that none of the factors discussed can be seen in isolation. Yet at the same time this analysis also points to a certain hierarchy among external factors and by extension between external and domestic ones. Thus, regional organisations are the more important among external factors, even though important 'feedback loops' exist between them and bilateral relations. Overall, however, domestic conditions in the political systems of the countries of Central and Eastern Europe and the former Soviet Union are more significant than external factors, precisely because international enforcement mechanisms are still weak and minority governance is, despite the existence of international standards, still primarily a matter of domestic

legislation and policy implementation. Of course, the latter can be triggered by external pressure, especially if it coincides with domestic foreign policy priorities such as EU accession, and assisted from the outside with advice and financial aid, but in the absence of a domestic environment susceptible to this kind of external intervention, little can be done by external actors.<sup>14</sup>

### **3. Ethnic Germans in Central and Eastern Europe and the Former Soviet Union since 1990**

#### 3.1. The Former Soviet Union

Apart from Russia, ethnic Germans live in the three Baltic republics, in Ukraine, in the four Central Asian successor states of the former Soviet Union, and in Georgia.

The numerically smallest groups live in Estonia (1,800), Latvia (4,000), and Lithuania (8,000).<sup>15</sup> In terms of their origin, they come from diverse backgrounds, comprising remaining members of the historic German population in the Baltics, some several thousand Memel Germans, and ethnic Germans from Russia who migrated to the Baltic Republics in the Soviet era. The latter group faced severe difficulties in obtaining citizenship rights in Estonia and Latvia in the 1990s. This, however, was not a specifically anti-German policy by the governments of these two countries, but a consequence of the discriminatory citizenship policy, which was primarily aimed at the sizeable non-indigenous Russian population. More recently, the German government's commissioner for German minorities, Jochen Welt, noted that the support given by the governments of the Baltic states had been a crucial factor for the success of the cultural revival of the small German communities there (Welt 1999a). In Georgia, a similarly small group of only some two thousand ethnic Germans is still resident. Apart from their larger size, the single most significant difference between the German minorities in the Baltics and in Georgia, on the one hand, and those in Central Asia, on the other, is the fact that most ethnic Germans from Kazakhstan (almost 700,000 in 1993), Kyrgyzstan (about 60,000 in 1993), Tajikistan (around 30,000 in 1993), and Uzbekistan (approximately 40,000 in 1993) very early in the transition process resolved to leave their host-states, because they continued to be denied the essential conditions to preserve their identity or were discriminated against because of their previously close affiliation with ethnic Russians or because of their Christian rather than Muslim religion. Another reason, particularly in

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<sup>14</sup> There is, of course, the use of sanctions, including the withholding of benefits of membership in international or regional organisations, preferential trading arrangements and other forms of economic cooperation. However, these have been used only in exceptional cases, such as in the former Yugoslavia.

<sup>15</sup> Figures on Estonia from Cordell (2002) and on Latvia and Lithuania from German government estimates (Welt 1999).

Tajikistan, was the civil war of the 1990s. The origins of Germans in these newly independent states lie in the deportations from the European parts of the Soviet Union after the German attack in 1941. Only in Kyrgyzstan and Kazakhstan had there already been German colonies as early as the nineteenth century. Even though the favoured destination of most émigrés remains Germany, a growing number of them settle temporarily or permanently in ethnic German settlements in Russia, especially in the two German rayons of Asovo and Halbstadt in western Siberia.

In all these countries on the territory of the former Soviet Union, perhaps with the exception of Ukraine, where, supported by the German federal government and within the framework of a 1996 agreement between the two countries, the 40,000 strong German minority in Ukraine is seeking to restore its traditional settlement areas, the future for the continued existence of German communities is rather bleak. Either the degree of assimilation has already progressed irreversibly or the conditions for a sustained recovery of the minority, including the rebuilding of viable community structures, are simply not there because of a lack of government commitment to promote minority rights, insufficient support from Germany, popular resentment against ethnic Germans, or the small number of the remaining members of the minority group. There is, however, a slim chance that the situation in Kazakhstan will change for the better. The minority there is much bigger and makes up about 6 percent of the total population of the country. Its age structure is well balanced and community structures are generally functioning. Even more importantly, there is an effort on the part of the Kazakh government to provide for conditions that would make it possible for members of the minority to remain in the country and be able to express, preserve, and develop their distinct ethno-cultural identity. The Kazakh Decree on Independence guaranteed equal rights of all citizens regardless of their ethnic and/or linguistic origin as one of the basic principles by which the country's future policy would be guided. This has been a remarkable departure from the often repressive and discriminating policy of the Soviet era. Since the German minority as a whole is valued for its professional and labour skills, and the mass emigration of the early 1990s had a negative impact on the economy, ethnic Germans are encouraged to stay in the country. Support from Germany has been forthcoming, and an inter-governmental conference, including minority representatives, has been in operation since 1992. By 1997, some moderate success in slowing down emigration had been achieved. Nevertheless, severe problems remain. One is the degree of Russification of the minority that had already progressed very far before the collapse of the Soviet Union. This is unlikely to change in the near future as part of the internal migration pattern of ethnic Germans is their increasing urbanisation, i.e., a move away from the relatively secluded rural environment in which the restoration of functioning

community structures would have been somewhat easier. Another is that the economy of the country as a whole has been in permanent crisis since the early 1990s. Similar progress has been made in Kyrgyzstan where about 15,000 ethnic German remain. A bilateral commission has been meeting annually since 1997, and the German government has sponsored a range of programmes and projects aimed at improving the German minority's living conditions (Welt 2002b). In both countries, desperate material conditions are the main problem facing ethnic Germans. Humanitarian aid programmes, sponsored by the German government, seek to alleviate the lack of basic elements of human life, such as food, medication, and clothing and so on (Infodienst Deutsche Aussiedler 2000).

The most complex situation has probably evolved in relation to ethnic Germans living in the Russian Federation. Deportation and decades of repression and finally emigration have resulted in the steady decline of the minority and its increasing assimilation. This process continues despite significant efforts by the German government to improve the living conditions of the minority in Russia. Aid programmes in the areas of German language education, economic recovery, and culture have been put in place to slow down the process of assimilation and emigration. The success of these programmes, however, also depends on the will of the minority to consolidate itself and survive ultimately as a distinct ethno-cultural group in Russia. Clearly, the political and economic situation in Russia also has significant bearing on whether ethnic Germans will see their future there or in Germany. While German government programmes in support of ethnic German communities in Russia amount to several million Euros each year, the balance sheet of these aid programmes has been mixed. In the early to mid-1990s, large-scale projects aimed at creating housing and employment opportunities did not fully live up to expectations (Welt 1999b). Since the late 1990s, the focus has shifted to smaller and more targeted measures in specific areas, such as training and qualification, twinning arrangements between German towns and districts and areas in Russia with a significant ethnic German presence and seed funding for small and medium-sized enterprises (Welt 2000c). Another key area of support is the cultural work of German minority communities. Several so-called meeting centres (*Begegnungsstätten*), funded by the German government, provide focal points for language training and cultural activities, enabling members of German communities to express, preserve and develop these aspects of their identity (Infodienst Deutsche Aussiedler 2001). While the Russian government offers some limited support for these activities and is generally favourably disposed towards facilitating the success of German government programmes (Welt 2000b), the wider problems of the Russian transition process, politically as well as economically, also affect the opportunities of ethnic Germans in the country to work

towards conditions in which their identity and livelihood would be more secure and their future more certain.

What becomes clear from this overview is that, with the exception of the three Baltic republics, EU leverage to shape the minority policies of the successor states of the Soviet Union has at best been marginal due to the fact that none of the countries in question have any perspective of membership in the organisation. Notwithstanding existing political and economic relations between the EU and individual successor states, there is no measurable impact of the EU on minority policy. The impact of other regional organisations, such as the OSCE and the CoE has also been limited, even though there has been significant engagement of the OSCE in the Caucasus and of the CoE in Ukraine/Crimea, for example. Thus, in contrast to the majority of countries in Central and Eastern Europe, Germany played individually a much more significant role in influencing the situation of ethnic German minorities in the former Soviet Union. In the frequent absence of general legislative frameworks of minority rights, or at least of their meaningful implementation, the German government nevertheless managed to negotiate specific treaties and agreements that related exclusively to resident German minorities. In the Baltic republics, where the influence of the EU and the OSCE High Commissioner on National Minorities was more pronounced (cf. Smith 2003, Hanson 2002), the German government also engaged with the respective governments on a bilateral basis and negotiated relevant agreements to benefit the few remaining members of the German minorities in the three countries. Paradoxically, in all the countries of the former Soviet Union, ethnic Germans at the same time benefit and suffer from the fact that they are no longer seen as significant players or major security concerns—this, combined with the perceived economic advantages resulting from accommodating policy objectives of the German governments, makes it easier for the latter to engage constructively with the governments of the host-states, but also positions issues concerning the situation of ethnic Germans in these countries very low on their host-states' domestic policy agenda. In contrast to the situation of numerically more significant minorities, such as the Russians in all the former Union Republics, or minorities that are considered a security concern, especially in the Caucasus and Central Asia, ethnic Germans remain mostly on the margins of policy debates. The re-securitisation of minority policies in the wake of the terrorist attacks on the US on September 11, 2001, and the subsequent US-led war on terrorism in particular in Central Asia does not bode well for the future of German minorities either: the failure to establish and implement a robust framework of minority rights policies and pursue course of determined democratisation in the early days of the transition process cannot but have negative consequences for all minorities whether they are implicated in terrorist activities or not. Thus, without significant external influence,

domestic conditions resulting from political and economic reforms that can at best be described as incomplete remain the key determinants of the situation of ethnic German minorities in those countries of the former Soviet Union that have no prospect of EU accession.

### 3.2. Central and Eastern Europe

The situation of ethnic German minorities in the Central and Eastern European also differs significantly from country to country. Leaving aside the political uncertainties of the former Yugoslavia where ethnic Germans number only a few thousand, and the Czech and Slovak Republics where also only few and mostly assimilated and generally well integrated ethnic Germans remain,<sup>16</sup> the external and internal factors that shape the situations of the minorities in Hungary, Poland, Romania are very different.

*The German Minority in Hungary.* In the 1991 census, just under 900,000 people in Hungary declared their nationality or ethnic identity as other than Hungarian, thus giving minorities a total share of just under 9% of Hungary's ten million population. The most numerous among them were Roma, followed by Germans and Slovaks. Smaller minority groups include Jews, Croats, and Romanians, as well as Greeks, Serbs, Slovenes, Armenians, and Bulgarians.

After 1945, as in Poland and Romania, the German minority, which can trace its earliest origins to migration and colonisation in the 13<sup>th</sup> century, was held collectively responsible for Nazi atrocities in Hungary during the Second World War. Approximately 200,000 of its members were expelled to the American and Soviet occupation zones immediately after the war before the Allies put a stop to the expulsions. Between 1950 and the early 1990s, another 20,000 ethnic Germans emigrated to the Federal Republic. Preliminary results from the most recent Hungarian census of February 2001 indicate that 62,233 individuals declared themselves to be of German nationality. This number in fact represents an increase of over 100% since the census of 1991, when only 30,824 declared themselves to be German. This data indicates that an identity shift has occurred among some Hungarian citizens. Of those who claimed German nationality in 2001, only 33,792 stated that German was their mother tongue. As there is no evidence that self-declaration of German ethnicity would open a Pandora's Box of discriminatory practices, these figures can be assumed to reflect fairly accurately the actual number of ethnic Germans in the country.

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<sup>16</sup> On the situation of ethnic Germans in Czechoslovakia/the Czech Republic throughout the 1990s, see Wolff (2001 and 2002a) and Cordell and Wolff (2005—forthcoming).

The overall decline in numbers of the German minority in post-1945 Hungary had a significant impact upon the ability of remaining members of the German minority to express, preserve and develop their identity, especially as vital community structures had been destroyed. Even in communities where today more than half of the population is ethnic German, the German language is rarely used regularly in public life, although, for example efforts to re-initiate religious services in German have met with some success in several settlements during recent years.

From the 1980s onwards, changes towards a more liberal minority policy began to take effect when the communist regime began to open up and gradually transform itself. Today, Hungary has an extensive network of legislation regulating the situation of ethnic minorities in the country. The constitution recognises national and ethnic minorities as integral parts of society and obliges the state to protect them and to ensure their collective participation in public life. The state is also required to create conditions within which minorities can foster their culture, use their mother tongues, and provide school instruction conducted in native languages. The state allows guarantees the right of minorities to use their names in their own language. The Law on the Rights of National and Ethnic Minorities of 1993 provides a complex system of general regulations, individual and group rights, local and national minority self-government and cultural autonomy, and (with regard the private and semi-public) spheres sanctions the unrestricted use of minority languages.<sup>17</sup> The provisions of this law are backed up by according regulations in the Law on Public Education (1993), in the National Curriculum (1994), in laws regulating the procedures of civil and criminal law, and in laws on the conduct of local authorities. Closely modelled on the bilateral treaty between Germany and Poland, that between Hungary and the Federal Republic of 1992 makes explicit and far-reaching provisions for the protection of the German minority in Hungary, including the possibility of support from Germany. A similar agreement exists between Hungary and Austria.

Within the public education system, the German minority has its own educational structure, comprising native language schools, bilingual schools and so-called language training schools, where efforts are made to teach part of the curriculum in German. The German minority maintains its own native language libraries with support of public libraries of the local community governments. School libraries of educational institutions participating in minority education stock literary and non-literary works in German. Native language education of students from the German minority is provided, among

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<sup>17</sup> Interestingly, this law, affecting domestic minority policy, was passed in 1993 after a Government Decree creating the Government Office for Hungarian Minorities Abroad had come into effect the year before.

others, by 140 to 150 visiting teachers. For the second half of the 1990s, total student numbers at pre-school and primary school level were just above 50,000. Most of them, however, went to language training schools, with the smallest number attending native language schools (below 1,000). Despite improvements in the provision with school facilities, textbooks, native language teachers, etc., the language skills of most of the younger members of the minority are significantly below those of older generations, particularly because of the functionality of Hungarian in daily life and the attractiveness of English. The lack of situations in which German remains used and useful thus decreases constantly and the language therefore continues to lose its appeal. The Hungarian government makes available about €150,000 worth of extra funds annually for cultural and educational programmes and there is significant support from Germany and Austria.

The cultural life of the German minority is organised at local and national level by private associations and the minority self-government.<sup>18</sup> These private associations include the Association of German Writers and Artists in Hungary, founded in 1990, the German Theatre at Szekszárd, founded in 1986, the *German Nationality Museum*, founded in 1972, the Alliance of School Societies of Germans in Hungary, the Saint Gellért Catholic Association, founded in 1991, and the National Council of German Song, Music and Dance Groups, founded in 1996, which acts as umbrella for almost 400 member organisations. Hungarian Television has broadcast programmes in German since 1978. Since 1998 programmes in German are broadcast daily for 90 minutes at regional level and for 30 minutes at national level, totalling 840 minutes of weekly programming time. This marks considerable progress to the situation before when there was only a half-hour programme every two weeks (Nelde 2000: 126). The German weekly *Neue Zeitung* receives annual subsidies of approximately €100,000, and the German national self-government council in Budapest publishes its own periodicals.

Cross-border cooperation functions well and is encouraged. The two primary legal instruments for bilateral German-Hungarian cooperation are the *Treaty between the Republic of Hungary and Federal Republic of Germany on Friendly Cooperation and Partnership in Europe* and the *Joint Declaration by the Government of the Republic of Hungary and the Government of the Federal Republic of Germany on Assistance for the German Minority in Hungary and on the Teaching of German as a Foreign Language*, both of which were signed in 1992. In addition, there are numerous twinning arrangements

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<sup>18</sup> According to Act LXXVII of 1993 on the Rights of National and Ethnic Minorities, any minority has the right to establish a minority municipal government or directly or indirectly formed local minority self-governments in townships, towns, or the districts of the capital city, as well as a national minority self-government. Minority self-governments may, among other things, establish and run institutions concerned with culture, education and print and electronic media.

with villages or towns in Germany and Austria, and the National Self-Government of German Hungarians has also established ties with German minorities elsewhere, including with Germans from Denmark and South-Tyrol. In the context of existing bilateral treaties and agreements, Germany and Austria support the professional and linguistic training of teachers, provide funding for schools, offer assistance for curriculum development school book design and production, and supply scholarships for secondary, college and university education and scientific exchange programmes. Funds are also made available for libraries and the German Theatre in Szekszárd. Some 165 local self-administration offices, set up by the German minority under the provisions of the 1993 Law on the Rights of National and Ethnic Minorities, have been furnished and equipped with German assistance.

*The German Minority in Poland.* Only approximately 2% of Poland's population of over 38 million are members of an indigenous ethnic minority. Poland is thus ethnically highly homogeneous with the largest minority groups being the Ukrainians, Germans and Belarusians. Other minorities include Roma, Jews, Rusyns, Lithuanians, and Slovaks.

Ethnic Germans in Poland, whose origins as a national minority in the country primarily date back to the territorial revisions after the First and Second World Wars (when large parts of formerly German territory were annexed to Poland), have only since 1989 been a recognised national minority. Prior to the census of 2002, it was widely accepted that up to 500,000 Polish citizens consider themselves as ethnically German. However, as the census results confirm, this was a significant overestimation—only 152,000 people made a claim to an ethnic German identity. Many members of this community simultaneously regard themselves as ethnically Polish, or have a primary regional identity, such as Silesian. Ethnic Germans in Poland are territorially concentrated in the Opole Voivodship, where the German language is still used in everyday life, especially in the south and east of the Voivodship. There are also small and declining German communities in parts of the Silesian Voivodship and the Warmia-Masuria Voivodship. Apart from the apparent identity shift in the 1990s and the post-war expulsions of some 8 million ethnic Germans from territory of today's Republic of Poland, between 1950 and 1992, another almost 1.5 million ethnic Germans left the country and emigrated to the Federal Republic in reaction to the severe level of discrimination and the perpetually dire economic situation that they had faced during the era of communist rule.

Since the end of communism in Poland, the situation of national minorities, and in particular that of ethnic Germans has much improved. Legal provisions that relate to minority languages and their users in Poland are laid down, among others in the

country's constitution of 1997, the Law on Radio and Television (1992), the Law on the Educational System (1991). Article 27 of the constitution stipulates that 'Polish shall be the official language in the Republic of Poland. This provision shall not infringe upon national minority rights resulting from ratified international agreements.' Article 35, Paragraph 1, further states that the 'Republic of Poland shall ensure Polish citizens belonging to national or ethnic minorities the freedom to maintain and develop their own language, to maintain customs and traditions, and to develop their own culture', while Paragraph 2 lays down that '[n]ational and ethnic minorities shall have the right to establish educational and cultural institutions, institutions designed to protect religious identity, as well as to participate in the resolution of matters connected with their cultural identity'. Another part of the reason for the marked improvement since 1989 can be located within the extensive legal framework for cooperation between Poland and Germany in the fields of education and culture. The major legal instruments include the *Treaty between the Republic of Poland and the Federal Republic of Germany on Neighbourliness and Friendly Cooperation* (1991), the *Agreement between the Government of the Republic of Poland and the Government of the Federal Republic of Germany on Polish and German Youth Cooperation* (1991), the *Agreement between the Government of the Republic of Poland and the Government of the Federal Republic of Germany on the Establishment and Operation of the Representative Office of the German Academic Exchange Service* (1997), and the *Agreement between the Government of the Republic of Poland and the Government of the Federal Republic of Germany on Cultural Cooperation* (1997).

These treaties and agreements indicate only to a limited extent the nature of bilateral relations between Germany and Poland which, much more so than in the cases of Hungary and Romania are overshadowed by events of the Second World War and its aftermath—primarily the excessively brutal German occupation regime, the expulsion of almost 10 million ethnic Germans from Poland and the lack of legal (albeit not political) clarity as to the German-Polish border. Yet, politicians on both sides recognised that this complex and difficult legacy required extra efforts at reconciliation, and German-Polish accomplishments in this respect are, if anything, only second to those achieved in German-French relations after 1945. In December 1970, German Chancellor Willy Brandt made a historic and unprecedented gesture during his visit to Warsaw to sign the second of the so-called *Ostverträge*: during a commemorative act for the victims of the uprising in the Warsaw ghetto in August 1944 he fell to his knees as a sign of apology for what German's had done to Poland during the Second World War. Some 24 years later, in August 1994 on the occasion of the 50<sup>th</sup> anniversary of the Warsaw uprising, German Federal President Roman Herzog in a speech in Warsaw also apologised for German

actions during the war and expressed Germany's unconditional and strong support for Poland's accession to NATO and EU. Another ten years later, German Chancellor Gerhard Schröder paid respect to the heroism of those that participated in the Warsaw uprising and to the contribution they made to liberate Europe from the Nazis. And two weeks later, during a ceremony commemorating the beginning of the Second World War in the western Polish town of Wielun, Polish President Aleksandar Kwasniewski praised the reconciliation achieved between Poland and Germany over the past several decades acknowledging the efforts undertaken by both countries to overcome mistrust and prejudice.

The reconciliation achieved at the highest political levels has, over the past 15 years, also been matched to a considerable extent with regard to the improvement of the situation of the ethnic German minority in Poland, which had only been recognised officially by the Polish government in 1989. On the basis of national legislation and agreements with Germany, funding for the minority in the areas of education and culture comes from both Polish and German sources. The German government has provided staff support to improve the quality of German language teaching in Poland. The number of teachers sent to Poland has increased from just one in 1989 to over one hundred by 1994, and has remained at that level. In addition, four federal government-sponsored experts on German language teaching have been working in Poland since 1994; the German Academic Exchange Service funds twenty-six lecturers at Polish universities, and is in the process of establishing a new German-Polish research institute in (collaboration with the University of) Wrocław. In addition, the Goethe Institute has supplied eight lecturers for the further training of Polish teachers of German. However, the chronic lack of teachers of German in German minority schools remains the most important and yet unresolved problem. Very few qualified German school-teachers are prepared to relocate to Poland even on a temporary basis. Since 1993, members of the German minority in Poland have had access to a special grant programme to study in Germany for a period of up to twelve months. The federal government also provides partial funding for TV and radio broadcasts and print media of the German minority and supplies German newspapers and magazines to the cultural organisations of the minority. While the German minority in Poland remains one of the two priority groups supported by the German government, the majority of the funds in the approximately €40 million budget for German minorities in Central and Eastern Europe is assigned to projects in the former Soviet Union, especially in Russia and Kazakhstan. However, declining financial support from Germany is partly compensated by the Polish government which contributes about half of all funding for minorities available to the German minority.<sup>19</sup>

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<sup>19</sup> The latest available figures are for the financial year of 2000. Then, the Polish government spent almost

Members of the minority have access to educational institutions where German is either taught as a second language or is the medium of instruction. As Polish law requires a minimum of seven students in each class requests such provision be made available, in effect access to German-language teaching, is largely restricted to the Opole Voivodship. As of January 2003, German was the main language of instruction in 182 primary schools and 34 grammar schools in the Opole Voivodship. The Voivodship also played host to two bilingual primary schools. A further four grammar schools provided bilingual classes. In addition German-language lectures are delivered at Opole Polytechnic, and a number of colleges offer teacher training courses in German as a foreign language. Elsewhere in Poland primary and secondary German-language education barely exists outside of a few large cities. Students graduating from all such establishments are guaranteed full and equal access to universities. All Polish universities have departments of German philology.

The German minority in Poland has four print media – the weekly *Schlesisches Wochenblatt*, as well as one monthly, one bi-monthly and one quarterly magazine. One regional TV station (in the Opole Voivodship) broadcasts a regular, albeit short programme in German, while a number of others have programmes in Polish aimed at the German minority. Radio Opole broadcasts three times a week in German and bilingually in German and Polish, and four other radio stations have weekly programmes in German.

There are no restrictions on cross-border cooperation, the framework for which is covered by the bilateral treaties and agreements between Germany and Poland. In addition, some members of the Germany minority have benefited from the establishment of the Praded/Pradziad Euroregion in 1997, which straddles the border between Poland and the Czech Republic. These measures came too late to arrest the decline of the German population and language in the Silesian and especially the Warmia-Masuria Voivodships. There is however, every sign that in the Opole Voivodship the policy of linguistic regeneration has succeeded, in increasing the number of people with a working knowledge of the language. Any increase in German national consciousness is, as much as anything else, the unintended consequence of the botched 're-Polonisation' campaign, and the superior economic performance of the Federal Republic in comparison to Poland.

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€3million out of a budget of €6.5million on projects in support of the German minority. Since then, the overall budget, however, has decreased.

*The German Minority in Romania.* According to the 1992 census, Romania comprises sixteen national minorities within a total population of almost 23 million people, the largest of them being the Hungarian minority, followed by the Roma and German communities. The 1992 census recorded 120,000 ethnic Germans living in the country. However, due to further emigration since then, the current size of the German minority in Romania is estimated by the German government to be around 80,000 (Welt 2002a).<sup>20</sup> Although scattered over the Romanian Banat area and Transylvania, there remain a large number of predominantly German settlements in which German is used widely and commonly.

With about 220,000 ethnic Germans left in 1989, many of them in their historic settlements and maintaining functioning community structures (including educational facilities teaching German as a mother tongue), the future of the minority in Romania seemed secure. However, the violent toppling of the communist regime in 1989/1990 and the subsequent upheavals during the early period of Romania's transition to democracy led about two-thirds of the pre-1989 members of the minority to emigrate to Germany. A change in government in 1996 enabled Romania to make significant progress in adopting laws and policies aimed at establishing and implementing regulations of minority protection. Several articles in the constitution provide the wider legal framework for this. Article 6 establishes 'the right of persons belonging to national minorities, to the preservation, development and expression of their ethnic, cultural, linguistic and religious identity' even though it denies a right to positive discrimination for members of national minorities on the basis of 'the principles of equality and non-discrimination in relation to the other Romanian citizens'. Article 32 guarantees the 'right of persons belonging to national minorities to learn their mother tongue, and their right to be educated in this language', while Article 59 ensures that 'organizations of citizens belonging to national minorities, which fail to obtain the number of votes for representation in Parliament, have the right to one Deputy seat each', thus securing representation of all recognised national minorities in the national parliament. Article 127 declares that Romanian citizens 'belonging to national minorities ... have the right to take cognizance of all acts and files of the case, to speak before the Court and formulate conclusions, through an interpreter ...' In addition to these constitutional provisions, there are a number of other bills and regulations pertaining to minority protection in Romania, in particular in relation to media and education. A bilateral treaty between Germany and Romania was concluded in 1992, followed by agreements on cultural cooperation (1995) and school cooperation (1996). These have been the basis for strong and positive

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<sup>20</sup> A new census was held in March 2002, but at the time of writing its results had not been made public yet.

relations between the two countries which have also benefited the situation of the German minority in Romania.

In the area of education, members of the Germany minority have access to the whole range of educational institutions existing in Romania, including those that have been specifically established to cater for the needs of mother tongue education in German. In an effort to create an adequate education system for its national minorities, the Romanian government has made provisions for the opening of multicultural schools that have classes for children of the German minority (and/or other national minorities) in addition to classes for Romanian children. In 1997-8, there were a total of 286 such institutions that catered for around 20,000 pupils in Bucharest, as well as in eight counties within areas of significant German settlement. In 1998, a teacher training college was established in Sibiu with financial and personnel support from Germany, and in 1999 the University of Bucharest, in collaboration with the Goethe Institute, launched a course for the training of primary school teachers of German. Babes-Bolyai University offers twelve subjects for study in German (including history, applied modern languages, physics, mathematics, biology, chemistry, geography, philosophy, arts). The University College of Bistrica runs a course in tourism management and German. In 2000, preparations were finalised for the setting-up of a multicultural German-Hungarian-Ukrainian university in Transylvania. A total of over 400 teachers at primary and secondary levels provide instruction in German as a mother tongue, while an additional 60, co-sponsored by the German government, work in teacher training.

The German minority still has a rich cultural life, even though some of the most impressive and long-standing traditions have significantly declined, including an independent German literary tradition from which such important German contemporary writers such as Herta Müller and Richard Wagner originated. Four German cultural centres exist in Iasi, Cluj, Sibiu and Timisoara, providing a varied programme of activities and access to resources, such as newspapers, books and films in German. A strong tradition in the area of print and electronic media also continues: several local German newspapers and radio stations exist in areas of minority settlements. In addition, two nationwide cultural magazines are published in German, co-financed by the Romanian government. A total of 24 hours and 40 minutes per week of TV broadcasts by state television are specifically aimed at the German minority; in addition, there is a two-hour weekly German-language broadcast on national television, as well as 45 minutes per week of German-language programming on TV Cluj-Napoca which reaches ten districts in the northwest and west of Transylvania. This is complemented by approximately 14 hours of German-language local radio programming per week.

The German government has helped the German minority in Romania extensively in the preservation of its cultural traditions. Between 1990 and 2000, it provided a total of approximately €90million of funds in support of the German minority in Romania. Increasing rapidly in the first half of the 1990s, funding remained relatively stable until 2000, when the federal government decided that the German minority in Romania was no longer a funding priority. Nevertheless, funding, especially in the education and cultural sectors, continues to date, albeit it at more modest levels. Equally important at the bilateral level, regular meetings of the German-Romanian government commission established under the 1992 treaty have ensured that the Romanian government was involved in and informed about German support programmes for the minority. The commission also provided an important platform for the German government to lobby its Romanian counterpart on specific issues. One recent example of the success of this strategy are changes introduced by the Romanian government to the land and property restitution decree which make ethnic Germans eligible to apply for restitution of land and property taken away from them after the Second World War (Welt 2002a).

#### ***4. Conclusion: The Double-edged Sword of Post-communist Transition and European Integration***

Across Central and Eastern Europe and the former Soviet Union, the situation of ethnic German minorities has fundamentally changed over the past decade and a half. This change has manifested itself in two distinct, and contradictory, developments—a dramatic decrease in numbers, second only to the post-war expulsions, and a significant improvement in the overall conditions under which members of the minorities can express, preserve and develop their ethnic (German) identities, especially in Central and Eastern Europe. Both patterns of change are connected with the social, economic and political transition processes that began across the region in the late 1980s, early 1990s after the collapse of communism and with the effects (or lack thereof) of European integration.

Liberalisation in Central and Eastern Europe and the former Soviet Union, the political and economic instability that it brought with it in the first half of the decade in particular, the liberal immigration law that Germany applied to members of ethnic German minorities, and uncertainties about their future that many members of ethnic German felt against the background of historical experiences all combined, in different ways, and led to just under 3 million ethnic Germans from Central and Eastern Europe and the former Soviet Union leaving their homes for Germany between 1987 and 2002. In the former Soviet Union, the main push-factors for emigration clearly were the desperate economic

situation in most of the successor states and the political instability that accompanied the transition process, as well as a clearer, and above all positive perspective for the future. In Central and Eastern Europe, the most dramatic decrease in numbers affected the ethnic German communities in Romania and Poland. In the former, a strong German identity, the political upheavals during and after the overthrow of the Ceausescu regime and the economic crisis that the country had been living through most of the 1980s prompted many ethnic Germans to leave as soon as the opportunity arose. Their emigration was also facilitated by the fact that a sizable Romanian-German community already existed in Germany which was willing and able help new arrivals integrate quickly in the Federal Republic. This was also a factor in emigration from Poland, but here, additionally, decades of repression and assimilation pressures contributed to many ethnic Germans' wish to leave the country for what most of them still considered their 'real' homeland—Germany. In contrast, the ethnic German community in Hungary has seen very little emigration since the late 1980s, only about 6,000 have left for Germany since 1987. The reason for this is first of all the very high levels of integration, and to some extent assimilation, of the German minority in the country, but also that the Hungarian transition process happened without any major political unrest and that standards of living in Hungary, already among the highest in the former east bloc, improved further as a result of the country's economic transformation.

By 1993, when German immigration and citizenship law changed, putting the burden of proof of discrimination on ethnic grounds on ethnic Germans in Central and Eastern Europe rather than taking discrimination as a given consequence of the Second World War, most of those who had wanted to come to Germany had already done so. For both Poland and Romania the numbers of ethnic German emigrants dropped significantly in 1993—to about one-third of the year before. Simultaneously, funding for German government programmes aimed at supporting ethnic Germans in their home countries rather than facilitating their emigration increased and legal and policy frameworks for minority politics began to change across the region. This happened at different speeds and with different amounts of pressures and incentives from international organisations (primarily OSCE and CoE at this stage), but by the end of the decade, much more favourable legal and policy frameworks regarding language use, educational opportunities and cross-border cooperation were in place, which, combined with the continued support from public and private initiatives in Germany, have contributed to the improvement of living conditions of ethnic German minorities, including their opportunities to express, preserve and develop their identities.

The remaining members of German minorities in Central and Eastern Europe and the three Baltic republics also benefited from the enlargement process of the European Union. In anticipation of impending EU accession negotiations and partly in response to demands made by the EU in its so-called Copenhagen criteria and in the regular progress reports on their implementation, more liberal legal and policy frameworks and more proactive measures by the states concerned for the protection and promotion of ethnic diversity, although not primarily aimed at German minorities *per se*, have created better conditions under which ethnopolitics is now conducted. However, what needs to be borne in mind is that in Hungary, for example, such changes occurred relatively early on in the transition process, whereas in other countries, such as Poland and the Baltic republics, changes were left until quite late in the 1990s and early 2000s. Romania, whose accession to the EU is not envisaged prior to 2007, has implemented significant changes to its minority policy since 1996. These policy changes and their timing are only in part a result of the pressure of the EU and other international organisations, they can often also be explained by changes in the domestic balance of power. The defeat of the ex-communists in Romania in 1996 contributed as much to the *possibility* of change in this country as did increasing pressure by the EU and other external actors (OSCE, CoE, Russia) in the case of Estonia. Thus, differences between countries that joined the EU in 2004 and Romania, as a candidate for 2007 accession, are differences of degree rather than general policy direction. A comparison between countries with a clear EU membership perspective, i.e., 2004 accession and 2007 candidate countries, and those without it, i.e., the successor states of the Soviet Union (minus the three Baltic Republics) indicates that the 'EU factor' seems indeed to be significant in the sense that its presence has generally led to a more permissive legislative and policy framework in the area of minority governance.

More specifically with regard to the situation of the ethnic German minorities in the region, not all problems that have been identified since 1990 are solved, or are actually solvable given the small and decreasing size of German communities, budgetary constraints in their host-states and in the Federal Republic and the fact that interethnic relations remain a sensitive field of domestic, and in the specific case of German minorities, bilateral politics. Nevertheless, it remains an obvious fact that German minorities have overall benefited from the political and economic reforms of the transition process and the opportunities that it brought for them and for increased involvement of the German government, as well as from the impending EU enlargement process in those countries where this is relevant.

This generally positive verdict for Central and Eastern Europe has to be qualified for those ethnic Germans living in any of the successor states of the Soviet Union (except for the Baltic Republics). What has improved here is less the legal and policy frameworks of minority protection, but the opportunities for members of the minority communities to emigrate to Germany and to benefit from direct support of the German government as long as they still live in their current home countries. Compared to Central and Eastern Europe, this is clearly a lesser achievement, but it is an achievement none the less that has its source in the transition process that began in these countries in the early 1990s. However, the same transition process must also be 'credited' with exacerbating some of the push factors of emigration—political instability, economic crisis and worsening interethnic relations can all be directly traced to the dynamics ensuing from mostly incomplete transformations of formerly communist societies into either thinly disguised authoritarian states or at best semi-democracies. The reason for this, in my view, at least partially lies in the fact that none of these countries has a clear perspective of, or indeed interest in, membership of the EU. The lack of leverage that the EU therefore has over the transition processes in these countries has, among other things, meant that there were few if any incentives for political leaders to improve their countries' track records in human and minority rights policies. Without the threat of the EU withholding the benefits of membership, the impact of other regional organisations has also been more limited. While this can only be part of a far more complex explanation, it is striking how much more developed the legal and policy frameworks are in the countries of Central and Eastern Europe and the three Baltic Republics. Hungary may be the only one of the countries examined here that has a specific minority law, but all of the accession and candidate countries have explicit legislation on minority languages, education and cultural rights as detailed above. This legislation either presents a significant departure from the communist era (as in Poland and Hungary) or is the result of substantial revisions of existing laws that already existed (as in Romania and the Baltic Republics). While implementation has, and probably will always lag behind the passage of legislation, significant funds have been committed by governments for this purpose, often with funding from the EU as part of the accession partnerships. In addition, membership of the EU (or the promise thereof as in the case of Romania) has the further advantage of consolidating the legal and policy changes of the 1990s and early 2000s and extending EU enforceable standards of human rights to the accession countries. These factors are missing in countries without the prospect of EU membership and weaken both the incentives for relevant policy change and its entrenchment.

Speaking of a double-edged sword of transition and enlargement thus means to recognise that minorities are among the most vulnerable groups during times of dramatic

social, economic and political change. In the case of ethnic Germans, this (perceived) vulnerability is perhaps best measured in the levels of emigration from most countries in Central and Eastern Europe and the former Soviet Union in the early years of the transition processes there. With international pressures and incentives limited in most of the successor states of the former Soviet Union, the dynamics of the transition process seem to have had overall more negative consequences for the German minorities there. These have been mitigated, to some extent, by the fact that the German government has facilitated the emigration of ethnic Germans from these countries and continues to support those that remain there. This is a unique feature of the particular case of German minorities, and it can therefore not be generalised to the situation of any other minority community in the region, with the exception perhaps of the sizable Russian minority populations, as well as, with some qualifications, of the Hungarian minority communities in Central and Eastern Europe. From this perspective, the double-edged sword of transition processes also means that they can fail, be aborted or remain incomplete in all of which cases minority communities are less likely to reap any benefits from them, and in fact are likely to be worse off.

This is particularly obvious in those countries without the perspective of EU membership, i.e., the non-Baltic successor states of the former Soviet Union, where the situation of ethnic Germans (and that of other minorities) has, if anything, improved less. While this must not be equated with conclusive proof of the overwhelming significance and impact of EU enlargement, it strongly suggests that this process at least creates a context in which governments are more likely to pursue constructive and positive minority policies and in which these become more acceptable among the wider population. The commitment to EU membership on the part of political elites and the broad public support that this policy, at least initially, received among large sections of the population in the relevant countries, also made political leaders and their constituencies more susceptible to demands for meaningful minority rights legislation and its implementation, regardless whether this came in the (vague) form of the Copenhagen criteria or in the (more concrete) shape of advice offered by the OSCE High Commissioner on National Minorities or initiatives by the CoE.

Without prejudging further research, the case of ethnic Germans in Central and Eastern Europe and the former Soviet Union also suggests that the presence and engagement of a kin-state can have a positive impact on the situation of minorities in particular countries even where there is no EU membership prospect. The case of German minorities shows clearly that a kin-state's 'external minority policy', if embedded in the wider OSCE, CoE and EU processes of engagement with countries in the region, can

make a positive contribution to the situation of a particular ethnic group. This also indicates that, apart from regional and international organisations, traditional 'triadic' patterns of ethnopolitics as examined by Brubaker (1996) continue to remain politically relevant. Yet, this positive German experience can not be so easily generalised, as the political fall-out from the so-called Hungarian Status Law of 2001 indicates. Apart from historical explanations pointing to policy learning in Germany (from the disastrous consequences of the inter-war and war periods), the explanation for the more constructive and accommodating approach taken by Germany since the end of the Cold War may also lie in the nature and degree of Germany's integration in Europe. German policy makers had, for a long period of time, been socialised as to what the appropriate course of action was for German policy vis-à-vis the countries of Central and Eastern Europe and the former Soviet Union both from a domestic and external perspective.<sup>21</sup> Thus, their main concern was to continue the reconciliation process that had begun in the late 1960s and to encourage and support regime change in Central and Eastern Europe and the former Soviet Union. Obviously, ethnic German minorities were a significant factor in both. In particular, German minorities were seen as important bridges between the Federal Republic and their host-countries. In turn, countries like Poland and Romania, where the minority was more of a domestic 'issue' as well, saw it as important to make conciliatory gestures towards the minority and allow the German government to increase its support for ethnic Germans, considering this approach as an important element of improving their relations with the EU where Germany remained a significant player and advocate of enlargement. In relation to countries where EU membership is no issue, German involvement was nevertheless welcomed, in particular as it often happened in the much larger context of bilateral political and, above all, economic and trade relations. Notwithstanding the different outcomes of German external minority policy in the 1990s, Germany's long-standing socialisation in the European and EU context provided a significant part of the environment in which kin-support support for national minorities became less threatening for the host-state, and rather than threatening bilateral relations, has contributed to their stabilisation and improvement since 1989/90. The very fact that Germany could economically afford the levels of financial and other support for ethnic Germans in Central and Eastern Europe and the former Soviet Union at a level that does not only benefit members of the minorities but comes as part and parcel of the Federal Republic's support of the transition process in the former communist bloc is perhaps obvious, but no less significant, especially when compared to other kin-states with substantial external minorities in the regions, such as Albania, Serbia, Russia, Ukraine and Belarus among others.

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<sup>21</sup> For a more detailed analysis of this constructivist approach to foreign policy analysis as applied to Germany's *Ostpolitik*, see Cordell and Wolff (2005—forthcoming).

Notwithstanding the individual conclusions drawn above in relation to the particular factors that have influenced the situation of ethnic German minorities in Central and Eastern Europe and the former Soviet Union since the end of communism, the changes that had an impact on ethnic German minorities examined in this paper can only be explained comprehensively in the context of the post-communist transition process and the impact (or lack thereof) of European integration, and especially EU enlargement, and the influence these processes had on the dynamic relationship between domestic and external factors.

The impact of post-communist transition has had obvious consequences for the development of the political systems in the countries in question, making them more liberal in those cases where there was additionally an impact of international organisations, especially of the EU. This in turn has improved legal and policy frameworks for minority policies, especially in the countries of Central and Eastern Europe and the Baltic Republics. By the same token, even where political liberalisation was more limited, such as in the non-Baltic successor states of the former Soviet Union, transition processes have at least provided the context for, if not indirectly encouraged, the substantial degree of emigration of ethnic Germans in the post-1989/90 period. This is also true for two of the three Central and Eastern European countries studied in greater depth—Poland and Romania.

The comparison with Hungary, where such emigration was by and large absent, highlights that similar historical experiences of German minorities of expulsion, discrimination and/or forced assimilation, which are clearly facilitating factors in the emigration process, do not inevitably lead to emigration once the opportunity to do so arises. Historical legacies must be put in a contemporary context to understand their significance. Economically and politically, the living conditions of ethnic Germans in Hungary were significantly better than anywhere else in Central and Eastern Europe and the former Soviet Union, while at the same time, and partly as a consequence of this, the degree of integration and assimilation of members of the minority was also higher. In addition, Hungary's early adoption and implementation of relevant minority-friendly legislation contributed to a sense among many minority members that emigration to Germany was neither necessary nor desirable.

The demographic changes, however, were not only facilitated by these domestic factors, but also by the particularly liberal immigration regime that Germany operated for ethnic Germans from Central and Eastern Europe until 1993 and continues to operate, albeit

with some modifications, for those from the former Soviet Union until 2010. The consequences of these domestically and bilaterally induced emigration patterns, in turn, have clearly limited the impact of subsequent improvements in the living conditions of German minorities, be they caused by changes in the legal and/or policy frameworks or by greater involvement of the German government. Where minority groups are greatly decimated in size, no longer settle in contiguous territories, or are over-aged, their future as functioning communities is inevitably bleak, regardless of the support they receive from their own government, the German government or in the context of the involvement of international organisations.

Demographic factors to one side, the political system is crucial in its own right when it comes to assessing the relative weight that domestic and external factors have in shaping the situation of ethnic minorities in a given country. The defeat of the ex-communists in Romania in 1996 made it possible for external pressure to work more effectively and ensure that Romania make rapid progress in passing legislation aimed at the protection of ethnic minorities.<sup>22</sup> The point here is less about the political background of a specific government (after all, Hungary has had, and has at present, a government led by the ex-communists, and Poland has had both an ex-communist president and government), but about the degree to which governments are susceptible to external pressure, the extent to which they have a pro-European integration orientation which is supported by their constituents, and about the skill with which they can combine domestic reform efforts with external reform pressures. In other words, external pressure is only likely to succeed if it meets with a domestic environment that shares a similar basic policy orientation. In such cases, external pressure can play a key facilitating role in supporting the drafting and implementation of more permissive minority legislation and policy frameworks, such as in Poland, Hungary, Lithuania and Romania; and it can be used by domestic policy elites to justify changes in minority governance regimes by presenting them as necessary tradeoffs in the European integration process, and more especially as the price necessary to ensure EU membership, as was the case in Latvia and Estonia. In the case of ethnic German minorities in Central and Eastern Europe and the former Soviet Union, and by extension in other cases of minorities with pro-active kin-states, such as ethnic Hungarians or Russians, the bilateral dimension is an additional, specific factor that needs to be added to the equation. Firmly embedded in the European integration process, German external minority policy made significant contributions to shape the environment in which host-states adopted more minority-friendly policies. This impact was, however, more limited where it occurred outside the process of EU enlargement.

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<sup>22</sup> A similar case can be made for Slovakia and the defeat of the Meciar government in 1998.

The case of the German minorities in Central and Eastern Europe and the former Soviet Union is, for historical and contemporary reasons, unique. While, on one level, it exemplifies many of the dynamics of the impact of the post-communist transition process and EU enlargement (or lack thereof) on the ethnopolitics in the former communist countries in the region, it also has a number of very specific variables that make generalisations more difficult. Keeping this general caution in mind, if an overall verdict of the impact of the transition process, increased bilateral engagement and (the prospect of) EU enlargement on the situation of ethnic minorities in general and of the German minorities in particular is possible, it would have to be that only where the three dimensions of post-communist transition, European integration with a clear perspective of future EU membership and increased bilateral engagement have occurred in parallel, their impact has unreservedly been positive for ethnic German minorities in their host-countries. This, in turn, suggests the centrality of the promise of EU membership in this process both as direct and indirect factor in the development of minority governance, yet it also underlines that it must not be seen either as an overwhelmingly important factor in its own right or be taken out of the context of the transition process and the broader framework of European integration.

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