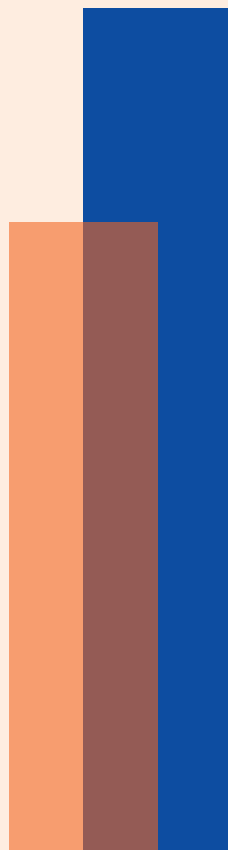


NON-TERRITORIAL AUTONOMY AS AN INSTRUMENT FOR EFFECTIVE PARTICIPATION OF MINORITIES

Edited by:

BALÁZS VÍZI, BALÁZS DOBOS and NATALIJA SHIKOVA



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Centre for Social Sciences, Budapest
& University American College Skopje

ENTAN – The European Non-Territorial Autonomy Network

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Ethnopolitical identification and mobilisation within the elected non-territorial cultural autonomies of Central and South-Eastern Europe¹

Introduction: The general patterns of non-territorial autonomy regimes in Central and Eastern Europe

After the tragic developments that the 20th century brought to the rich ethnocultural diversity of the post-Communist Central and Eastern European countries, the international literature has typically viewed the minority policies of those countries as being influenced only by compliance with western standards of minority protection (Osipov, 2015b, p. 59). Undoubtedly, implementation of these standards has been seriously distorted in this part of Europe, and the institutions that aim to preserve minority identities and their distinct features have also been seeking to exert control over them (Agarin, 2015, p. 24). The continuing legacy of the nation-state model and public thinking claim that public institutions are almost the exclusive property of the dominant nations to the extent that they exclude minorities (Agarin & Cordell, 2016; Cordell et al., 2015) primarily by entrenching the institutional positions of majority languages and cultures against them (Csergő & Regelmann, 2017).

Whilst the idea of non-territorial and national cultural autonomy (NCA) has long been present in the region, the 'model' can be now considered a typical central European phenomenon. NCA has many historical precedents, from the Ottoman millet system and the seminal ideas of the Austrian social democrats Karl Renner and Otto Bauer in the multi-ethnic Austro-Hungarian Monarchy, to the Baltic advocates' theories on non-territorial minority self-governments (MSGs) in the interwar period and the often cited example of the 1925 Estonian law, which, in practice, enabled the country's German and Jewish minorities to elect cultural councils to administer their own cultural and educational issues. According to Kymlicka (2000), this notion of autonomy might be an interesting alternative to existing western models of minority rights because it does not imply territorial autonomy compared to traditional, multinational federations tailored to historical ethnoregional groups but includes separate institutions with self-governance and language rights compared to multiculturalism in relation to immigrants (p. 202).

Moreover, from the early 1990s, a significant number of countries in the region, including Estonia, Croatia, Hungary, Kosovo, Latvia, Montenegro, North Macedonia, Russia, Serbia, Slovenia and Ukraine began to refer, at least in principle and on paper, to cultural

¹ This work was supported by the Hungarian National Research, Development and Innovation Office–NKFIH (under grant number 134962), the János Bolyai Research Scholarship of the Hungarian Academy of Sciences and the ÚNKP-20-5-Corvinus-11 New National Excellence Programme of the Ministry for Innovation and Technology.

autonomy in their policies and legislation concerning internal minorities. Other states, such as the Czech Republic, Lithuania or Slovakia, claim that they also implement some forms of cultural autonomy by providing financial support to minority organisations. This might explain why, since the mid-2000s, an increasing number of studies have examined these systems, analysing them from historical, normative-theoretical, practical-operational and comparative perspectives (see Coakley, 2017; Malloy et al., 2015; Malloy & Palermo, 2015; Nimni, 2005; Nimni et al., 2013; Smith & Cordell, 2008; Smith & Hiden, 2012).

These circumstances, together with the debate amongst actors about how to interpret cultural autonomy, serve to highlight uncertainty around a universal definition of the concept. Wiberg (2005) aptly states that autonomy is an extremely diffuse concept, which has been closely associated with many other synonyms in discourse as well as several other controversial terms (p. 177). Whilst it can take many legal forms, Ghai's (2000) definition of autonomy serves as a useful point of departure. It refers to the enabling of ethnic groups with distinct identities to exercise direct control over matters important to them, leaving larger entities to manage common affairs (p. 8). Thus, inevitably, various views of the concept have come to light and, consequently, diverse arrangements have been labelled as autonomy in practice. Complicating matters is the fact that the term has become popular for the policies and communications of some governments, and experts have also begun to use it as a kind of measure when evaluating cases (Peleg, 2007, p. 44).

Non-territorial autonomy (NTA) and its synonyms is no different: it is widely accepted that, first, NTA is a general concept that describes different practices and includes various theories with the aim to represent specific ethnocultural segments of society and, second, that it does not seek exclusive control over territory (Nimni, 2013). However, the narrower, non-territorial cultural or NCA has been systematically elaborated by Renner and Bauer (Smith & Hiden, 2012, p. xiii). Yet, the question remains whether NTA refers to a kind of special ethnicity-based organisation and/or a general principle for establishing group representation (Suksi, 2015, p. 84). Furthermore, what is its relation to territory? To what extent can it be considered non-territorial? In short, should there be some kind of threshold that demarcates it from territorial autonomy? The national-ethnic component is also questionable, so the extent to which NTA is related to ethnicity – as well as which groups it may be the most appropriate institutional framework for – remains unclear, given the complexity and diversity of contemporary identities and the strength of ethnicity as a social structuring-organising force. Evidently, having its crucial focus on individual participation, NTA is especially suitable for territorially dispersed and relatively small minorities to preserve their characteristics and create group representation (Kymlicka, 2000, p. 202; Peleg, 2007, p. 102; Wirsing, 2004, p. 83), which can be satisfied even with limited autonomy in some cases, although minorities in other cases cannot expect more given their situation (Nootens, 2015, p. 47). Finally, the degree of power-sharing can also be an issue, that is whether there is any standpoint from which one can consider an institutional solution as autonomy (Nootens, 2015, p. 33; Osipov, 2015a, p. 179).

A key element of the model is that, as it seeks to cover potentially all minority members regardless of their place of residence, local or national size, at least one institutional form, ideally with legal personality, needs to be established at local, regional or national level (Heintze, 1998, p. 22). In the countries above, where autonomy goes beyond mere declaration and has concrete institutional consequences, this involves – in the first group of cases and most prominently in Russia – that certain minority associations have been entrusted with public tasks

affecting the lives of communities, such as maintaining educational and cultural institutions (Osipov, 2010). Compared to this functionalist model based on voluntary minority organisations, another group of countries, namely Estonia, Hungary, and several former Yugoslav republics, Croatia, Serbia and Slovenia represent another variant, which is more reminiscent of the Austrian theorists' original ideas. In these cases, minority voters (registered on a voluntary basis) have the right to establish their own minority councils or self-governments at different levels through direct or indirect elections. Still more examples lie between these two main approaches, meaning that minority bodies have both elected and non-elected members, most notably in Montenegro. Since they only partly fit the category of elected regimes, these cases are excluded from the present analysis.²

However, even the fully elected models in the five countries above (Croatia, Estonia, Hungary, Serbia, Slovenia) have different historical legacies, operate in diverse political, legal-institutional and social contexts, with varying competencies and resources for minority communities with diverse characteristics within and across countries. Whilst the self-governing ethnic communities have the right of consent in Slovenia, MSGs in Hungary and the national councils in Serbia can make decisions and maintain various cultural and educational institutions. MSGs in Croatia and the minority cultural councils in Estonia are much weaker, being only consultative and advisory bodies, although respective policies insist on labelling them as autonomies. Given this wide array of cases, Osipov argues that using the concept of cultural autonomy as a descriptive-conceptual and analytical tool is highly questionable (2013a, p. 133). Moreover, the few findings published on the contemporary forms of NTA in the region suggest that these institutional examples were more likely created top-down behind the rise of these regimes, and normative assumptions about social justice and tackling diversity were less present. Instead, the creation of contemporary forms of NTA was motivated by other, more instrumentalist considerations, such as international pressure, compliance with external standards or internally driven expectations of reciprocity. In addition, contemporary forms of NTA also tended to impose rather symbolic and apolitical – that is educational and cultural – issues on minority groups, thereby preventing and neutralising any further territorial claims, whilst some of them can in practice be considered rather as traditional national minorities with a territorial basis and settlements (Kymlicka, 2007), which may also raise territorial demands.

Yet, surprisingly little research has been devoted to assessing the extent to which these regimes meet minority demands, how group members become active within these systems, whether these minority councils and self-governments effectively empower their members and whether they have overall integrative effects for those belonging to the recognised groups. The findings also emphasise the need to support bottom-up activities and to strengthen democratic accountability and effective representation – such changes can be described as a shift to governance, too (see Osipov, 2010, 2013b; Smith, 2010, 2013). From the above, commentators argue that there needs to be a closer look at practices, and that more research is needed to explore how minority members and representatives perceive and use their own autonomy organisations in everyday reality, as well as how they view themselves, their identities and their role within the organisations, particularly in the context of the unfinished nation- and state-building and Europeanisation processes of the region. In sum, the crucial question that

² Similarly, the Roma Council in Slovenia – where the Roma community does not enjoy the same rights as the recognised Hungarian and Italian minorities – comprises partly elected and partly appointed representatives (Komac & Roter, 2015, p. 96).

needs to be addressed is whether these regimes – officially labelled as NTA – serve as effective institutional frameworks for minority communities to organise and mobilise themselves to represent their interests and preserve their distinct features, or as tools for state authorities to keep domestic minority issues under control. This gives prominence to the idea that, within the latter group of countries with elected regimes (Croatia, Estonia, Hungary, Serbia, Slovenia), minority elections could serve as a potential tool for identifying and critically assessing intra-group and elite dynamics, an idea that remains understudied in the region (for the few exceptions, see Petričušić 2007; Zuber & Mus, 2013).

To address the issues above, this paper seeks to measure the extent to which four out of these autonomies (Croatia, Hungary, Serbia and Slovenia) are able to represent and mobilise the often territorially dispersed and highly assimilated group members by comparing registration and voter turnout at minority elections with census data. In light of the institutional incentives for ethnic representation, this paper also investigates whether there are differences in ethnic voting across these countries, minority communities and elections, and how adaptive these regimes are to intra-group changes. Based on electoral and census statistics, interviews and country experiences, the paper aims to contribute to a better understanding of the general patterns of cultural autonomies and their elections in the countries in question, and to assess whether they can be considered as successful forms of diversity management with the potential to preserve minority identities.

Non-territoriality and territorial coverage in the elected autonomies

As stated above, one of the most important theoretical questions about the non-territorial model – as well as its practical implications – relates to the territory, namely how precisely it is able to follow the personal principle, to what extent it can be considered territorial and therefore what distinguishes it from territorial autonomy. In principle, it is not founded on a territorial basis, although in practice it is usually introduced only in a specific area, either in the whole territory of a state or in a specific administrative or territorial unit (Keating, 2012, p. 26; Porter, 2003). The latter can be observed in Slovenia, where the overwhelming majority of the two relatively small and non-Slavic minority communities – the Hungarians and Italians – are concentrated along the Hungarian border and in the port cities of the Adriatic Sea. Consequently, amongst the countries in question, the territorial principle is mostly applied, whilst it can be seen that, in both cases, the proportion of those living outside the officially defined mixed areas was at least 15%, according to both the 1991 (Komac, 1999, pp. 18–19, 26) and the 2002 censuses. On the latter occasion, the share of those living outside the affected municipalities was about 16% in the case of Hungarians (Statistical Office of the Republic of Slovenia, 2002b) and almost 20% in the case of Italians (Statistical Office of the Republic of Slovenia, 2002a).

In Slovenia, elections are held by law, regardless of the local proportion or number of communities in the two ethnically mixed regions, but are not open to non-residents. In other majority systems, where municipalities or councils are also elected at the local-district level: a) a threshold is set so that either a certain number of registered voters (Hungary 2006, 2010), or b) a minimum number of the population in the census is required for the elections to be held (Hungary 2014, 2019) or c) combining these two approaches, the number is calculated from the comparison of the census and the electoral roll (Croatia). However, especially in the case of

wide territorial dispersion, the introduction of these census or registration thresholds – which distort the purely personal principle – means that only those belonging to a minority or a subset of registered voters are able to elect MSGs at the local or county level. On one hand, it is understandable that in municipalities with only a few minority residents, it is not possible to form minority bodies but to have a prescribed local number instead which presupposes a small, active local community. On the other hand, the exclusion of smaller communities and the introduction of territorial thresholds may act against the registration of minority members.

All this may have contributed to the fact that, in Hungary, despite the growing number of scatterings of a few people in the latest censuses, the majority of voters registered in a settlement where they saw it as ‘meaningful’ (Table 1), probably because an MSG had previously operated in the municipality or it was newly organised.³ However, this ratio remained the same or decreased with the introduction of the census threshold in 2014, with the exception of Slovenes. The amendment therefore not only excluded municipalities that did not yet declare a sufficient number of minority members in the 2011 census, but also smaller municipalities that had existed for a long time. However, in several cases, the amendment brought settlements into the system where, although the census recorded a sufficient number of people, the locals had not yet organised themselves enough to form an MSG. As a result, in slightly less than 10% of the scheduled elections, an average number of around 15 people were registered in these cases. In 50 other cases, however, although there were 25 registered voters, in the absence of the census threshold, elections could not be called.

Table 1.

Number and proportion of registered and eligible minority voters in the latest minority elections in Hungary (2010–2019)

Minority	2010			2014			2019		
	Total	Election	%	Total	Election	%	Total	Election	%
Armenian	2,357	2,245	95	2,399	2,003	83	3,270	2,608	80
Bulgarian	2,088	1,997	96	1,355	1,267	94	1,364	1,235	91
Croat	11,571	11,351	98	10,637	10,326	97	11,593	11,176	96
German	46,629	45,934	99	40,906	40,131	98	54,899	52,955	96
Greek	2,267	2,159	95	1,744	1,658	95	2,791	2,443	88
Polish	3,052	2,924	96	2,246	1,994	89	3,556	2,834	80
Roma	133,492	121,194	91	157,902	148,037	94	211,134	183,382	87
Romanian	5,277	5,083	96	5,088	3,739	73	7,268	6,841	94
Ruthene	4,228	3,811	90	3,107	2,573	83	4,294	3,367	78
Serb	2,432	2,342	96	1,689	1,595	94	2,444	2,247	92
Slovak	12,282	11,938	97	12,211	11,904	97	12,402	11,828	95
Slovene	1,025	876	85	692	655	95	859	816	95
Ukrainian	1,338	1,184	88	1,012	663	66	1,920	1,491	78

The number of registered voters increased up to 2019, but the proportion of those registered in a settlement where no local election could be held due to the census has risen from

³ Exploring the causal relationships undoubtedly requires more thorough research in the future, as in many cases the activities of minority municipalities may have contributed to the increase in the census population in the given settlements and the factors and processes behind the introduction of minority voter registers.

9% to 12%. The highest proportions were amongst Poles, Armenians, Ruthenians and Ukrainians, communities that were officially recognised only after the regime change. In addition, in 8% of elections, fewer than 25 people were registered (15 on average). Compared to 2014, in 2019 the number of elections decreased slightly, from 569 to 527, when elections were cancelled due to an insufficient number of candidates. All these data may reflect the impact of the amended legal environment, the adjustment of minorities to it or a growing self-awareness of the increase in the number of people registered in the affected municipalities, except for Bulgarians, Slovaks and Slovenes. At the same time, there was an increase in the proportion of those who, although included in the national electoral roll, did not have the opportunity to form a local government.

Furthermore, if the territorial configuration of the MSGs is projected onto the census results, it turns out that, in 2014, at local level, self-governments were able to represent on average 64% of those belonging to the given nationality according to the 2011 census. However, there are significant differences amongst them: whilst 92% of the Roma population lived in a settlement where an MSG was elected locally in 2014, this proportion was only 24% in the case of Ukrainians. In 2019, with the exception of the Ruthenians, the number of elected self-governments remained the same for five minorities and increased for seven. Especially for Croats, Poles, Romanians and Ukrainians, new or re-entering municipalities allowed the structure to cover minority members more effectively than in 2014, which cannot be observed in the case of the Roma, despite the increase in the number of their self-governments (Table 2).

Table 2.

Territorial coverage of local MSGs in Hungary (2014–2019)

<i>Minority</i>	<i>Minority members, census (2011)</i>	<i>Territorial coverage, elections (2014)</i>	<i>Percentage</i>	<i>Territorial coverage, elections (2019)</i>	<i>Percentage</i>
Armenian	3,571	2,041	57	2,040	57
Bulgarian	6,272	3,155	50	3,173	51
Croat	26,774	22,242	83	22,589	84
German	185,696	150,006	81	149,863	81
Greek	4,642	3,406	73	3,400	73
Polish	7,001	3,804	54	4,026	58
Roma	315,583	290,566	92	288,701	91
Romanian	35,641	17,267	48	17,880	50
Ruthene	3,882	2,393	62	2,361	61
Serb	10,038	6,304	63	6,344	63
Slovak	35,208	26,827	76	26,876	76
Slovene	2,820	1,799	64	1,799	64
Ukrainian	7,396	1,810	24	3,307	45

However, further analysis is needed to explore the causal effect between census results and the elections of MSGs, and thus the potential incentive effect of the autonomy regime to encourage people to declare their identities and create self-governments. In the case of the Ukrainians, one of the reasons they are still the least represented is their belated and lower level of organisation compared to other minorities. The relevant percentages may also indicate a high level of territorial dispersion for all communities, meaning that the remaining persons not covered by the municipalities lived in settlements where, due to legal restrictions, the

established thresholds of self-governments did not apply. In other cases, the legal conditions were met but an insufficient number of candidates were fielded (three or four in 2014, three or five in 2019), perhaps due to a lack of minority NGOs and integration into minority public life. However, there has been some improvement recently: in 2014, 21% of the scheduled elections could not be held due to a lack of candidates, but in 2019 this proportion improved somewhat for all minorities and dropped to 19% overall.

In the cases examined, beyond majoritarian electoral mechanisms, list-proportional systems are not necessarily able to fully represent community members. Not all registered voters in Hungary can participate in regional minority elections, where elections can be held if at least ten municipalities or districts in a given county or capital are elected. For example, the Slovenes territorially concentrated in the border region of Vas County traditionally elect local MSGs in only eight settlements, and so they have missed the opportunity to establish a county-level Slovene body. However, if a territorial election is called, the county-level self-government could also be elected from those settlements where no local elections are held anyway. Nevertheless, the personal principle is most precisely followed by the election of the national councils in Serbia and the national MSGs in Hungary. In Serbia, if direct council elections are held, eligible voters must be able to vote regardless of their place of residence or local number. To illustrate this, in the last 2018 elections in Subotica, in addition to the major local communities, there were Egyptian, Polish and Vlach (1 each), Czech (3), Albanian and Bulgarian (4 each), Romanian (5), Ashkali and Ukrainian (7 each), Slovak (11), Slovenian (47), Ruthenian (85), Greek (87) and Bosnian (138) voters, several of whom cast their votes. However, due to the logic of fielding lists and the decisions of nominating organisations in Serbia, some municipalities and communities may not be represented in the respective national council.

The integrative and mobilisation capacities of elected autonomies

Considering the key features of the minorities in question, and consequently the low overall salience of ethnic issues in public life, it can be argued that both the registration process and voting itself – usually conducted on different days than general elections and in separate polling stations – could mean higher costs for group members (Birnic, 2007, p. 223). Moreover, the need to declare their identities and register themselves may even have a demobilising effect on the groups in question. The extent to which the personal principle is adopted, and whether and how it is combined with territorial elements and thresholds, necessarily affect in turn individuals' choice to register and participate in their autonomous bodies. As a result, significant parts of these communities might have abstained from minority elections, in which case the number of registered minority voters would be consistently less than the number of those who declared themselves as belonging to the officially recognised minority communities in the latest censuses, and even less than the estimated number of the ethnic group within the population. In this regard, when comparing the latest and available census data with the number of voters registered in the last election (Table 3), and applying the method previously introduced in Serbia to reduce the census data by 20% for non-eligible voters – predominantly minors – in order to be screened, it can be seen that, with a few exceptions, a significant proportion of those belonging to minorities did not register to vote. In Hungary, on average, only 58% of those belonging to minorities were registered on the electoral roll; in Croatia, 63%, and in Serbia (excluding Albanians) 77%.

Table 3.

Comparative data for national and ethnic minorities in Croatia, Hungary and Serbia

<i>Minority</i>	<i>Croatia</i>		<i>Hungary</i>		<i>Serbia</i>	
	<i>2011 census</i>	<i>2019 electionsⁱ</i>	<i>2011 census</i>	<i>2019 electionsⁱⁱ</i>	<i>2011 census</i>	<i>2018 electionsⁱⁱ</i>
Albanian	17,513	13,916	–	–	5,809	36,456
Armenian	–	–	3,571	3,270	–	–
Ashkali	–	–	–	–	n. d.	2,708
Austrian	297	31	–	–	–	–
Bosniak	31,479	12,817	–	–	145,278	106,326
Bulgarian	350	93	6,272	1,364	18,543	18,201
Bunjevci	–	–	–	–	16,706	7,849
Croat	–	–	26,774	11,593	57,900	n. a.
Czech	9,641	6,717	–	–	n. d.	1,483
Egyptian	–	–	–	–	n. d.	3,893
German	2,965	1,094	185,696	54,899	4,064	2,592
Gorani	–	–	–	–	7,767	–
Greek	–	–	4,642	2,791	n. d.	2,458
Hungarian	14,048	10,902	–	–	253,889	129,471
Italian	17,807	16,984	–	–	–	–
Jewish	509	184	–	–	–	–
Macedonian	4,138	3,090	–	–	22,755	n. d.
Montenegrin	4,517	3,168	–	–	38,527	n. d.
Polish	672	123	7,001	3,556	–	345
Roma	16,975	11,877	315,583	211,134	147,604	66,570
Romanian	435	0	35,641	7,268	29,332	20,391
Russian	1,279	597	–	–	3,247	–
Ruthene	1,936	1,299	3,882	4,294	14,246	7,934
Serb	186,633	170,406	10,038	2,444	–	–
Slovak	4,753	2,856	35,208	12,402	52,750	29,509
Slovene	10,517	6,452	2,820	859	4,033	2,128
Turkish	367	69	–	–	–	–
Ukrainian	1,878	1,084	7,396	1,920	4,903	2,677
Vlach	29	0	–	–	35,330	26,584

Notes: i Registered, eligible minority voters; ii Total number of registered voters at the last minority elections.

Sources: Croatian Bureau of Statistics (<https://www.dzs.hr/>), State Electoral Commission (www.izbori.hr); Hungarian National Election Office (www.valasztas.hu); Serbian Electoral Commission (<http://www.rik.parlament.gov.rs/>); see also Hungarian Central Statistical Office (2011) and Statistical Office of the Republic of Serbia (2011).

However, it is important to note two methodological limitations of the comparison above: the two data sets are getting further apart in time, and they do not cover the same group of people, which in turn may have changed significantly over time. However, in many cases the census cannot provide an accurate picture – or even an approximation – of the number of persons belonging to a minority, as many refrain from assuming their identity either by claiming to belong to the majority nationality or simply not responding to the relevant

questions. Moreover, censuses include those who do not have the right to vote in minority elections, including minors and citizens of other countries.

In cases where there were more registered voters than the census result, the reasons why are well known. For instance, in Serbia, the majority of Albanians boycotted the 2011 census, but a significant number of them had already registered for the national council elections. In the case of the Ruthenians in Hungary, hiding and abstinence from the Ruthenian census categories (Kozma, 2007, pp. 269–270), already examined by some scholars, may explain why the number of their registered voters exceeded the total population shown in the census, although it should be acknowledged that this could also be the result of electoral abuses or changes in the community, such as increasing self-awareness or an increase in immigration.

However, the number of registered voters shows a declining trend over time in most of the countries and for many minorities: in Croatia, it reached its peak in 2011 with around 361,000 persons altogether, but had decreased to around 163,000 by 2019. In contrast, the size of only three constituencies (Albanian, Bosniak and Roma) apparently grew consistently over the same period. The Serbian community alone lost more than 100,000 voters in one and a half decades. Meanwhile, in Serbia, there were around 436,000 registered voters for the 2010 elections of national councils, and their number showed moderate growth to around 465,000 in 2018. Yet, at the same time, some traditional minorities decreased in Vojvodina, including Bunjevci, Hungarians, Ruthenians and Slovaks as well as the Vlach community in eastern Serbia.

As to the integrative effect of elected NTA systems, the question is not only about the extent to which these arrangements are able to represent potential group members and provide sufficient incentive for them to register for the elections, but also whether they encourage voter participation. Most conventional theories of modern representative democracy hold that broad participation in public life is desirable because the more people who cast their votes the greater the legitimacy, accountability and representativity of the elected body, increasing the visibility of the interests of the diverse political community and gaining a voice in decision-making. Although voters' decision whether to participate in minority elections is influenced by several factors, including their socio-economic status, external electoral institutions and procedures seriously constrain them, too. In addition to the highly sensitive issue of registration, the perceived utility of voting should also be considered, that is whether it makes sense for often largely assimilated culturally and linguistically – or socially excluded – group members to declare their identities by attending a non-competitive election for an often weakly functioning body. It is often held in the literature that list-proportional electoral systems are more likely to result in higher turnout since they encourage greater competition, parties are more interested in contesting elections and, not least, voters are more motivated to vote (Birch, 2003, p. 79).

In the present cases, however, it seems that instead of the adopted electoral formula, much depends on the day of the election and the physical location of polling stations. Generally speaking, holding minority elections on the same day as local elections but at separate polling booths would produce higher voter turnout, as was the case in both Hungary and Slovenia. However, testing the above hypothesis in the two most prominent proportional regimes only revealed a weak correlation between the number of lists and voter turnout, namely in Serbia (0.18) and for the latest elections of national MSGs in Hungary (0.45).

In addition, in 2019, the minority elections in Hungary did not take place in separate polling stations, which contributed to the fact that, compared to 2014, the turnout increased for all communities except Ruthenians. In Serbia, where elections are held on different days,

turnout is mostly lower: for direct national council elections, the national average turnout was 54% in 2010, 41% in 2014 and 43% in 2018. Over the electoral cycles, Greek minority participation fell drastically from 77% to 13%, although a decline was also noticeable in larger communities such as Ukrainians (-20%), Hungarians (-18%), Albanians and Germans (-17%), Bunjevci (-16%), Slovaks (-13%), and Czechs and Egyptians (-12%). A variety of factors may explain such decline, including the number of regular or early parliamentary, Vojvodina provincial, municipal and presidential elections held in Serbia almost every year, and the presence of dual citizens who may participate in their kin-state and European Parliament elections. Other factors worth noting are voter fatigue, voting on separate days and the lack of electoral competition and stakes, evident in the decrease in the number of nominating organisations.

The issue of voter turnout is especially striking in Croatia where extremely low turnouts have been recorded, especially in the first elections, which, in addition to the fact that minority elections are held on separate days, may have been due not only to the weak competencies of the councils (Petričušić, 2007, Table 4), institutional ignorance of the local municipalities, the lack of results and classic electoral campaigns, but also a reluctance amongst communities to declare their identities. In those settlements in which minorities constitute local majorities, the need to create a separate minority council could be challenged. The non-competitive nature of the elections may also have played a role, that is if the same number of candidates ran as the number of elected representatives, the seats were essentially decided by the nominating minority organisations and voters were less motivated to vote. The number and location of polling stations could also be argued to influence voter motivation: with fewer voters, some municipalities set up fewer polling stations, and in many cases they were in different locations than in other elections. For the people of the capital, Zagreb, this meant in practice that they were obliged to travel to the centre of the city on a Sunday to cast their vote. People living in towns on the outskirts of the city faced an even greater challenge, given that there was no public transport on Sundays. The situation was compounded when the election day was set for June or July, when heat alerts are most common.

Table 4.

Voter turnout at the first elections of national minority councils in Croatia, 2003–2019 (%)

<i>Level</i>	<i>2003</i>	<i>2004</i>	<i>2007</i>	<i>2011</i>	<i>2015</i>	<i>2019</i>
County	10.21	6.35	9.88	10.44	13.49	12.60
City	10.84	8.99	8.04	9.45	12.26	10.87
Village	22.13	16.20	17.02	15.93	22.96	23.30

Source: Croatian State Electoral Commission (<http://www.izbori.hr>).

The idea is that elections should in theory create more accountable, effective, transparent and potentially more visible organisations with the potential to unite and mobilise communities. In practice, however, even in Hungary (which saw probably the highest turnout), data show voter decline from one election to another. At least minority voters in Hungary were more active than in Serbia, where the average voter turnout was well below 50% at the latest minority elections (Table 5). However, in all cases, it is crucial that community leaders, ethnic activists and minority organisations and parties seek to mobilise and integrate less-committed members.

Table 5.

Voter turnout at the last minority elections (%)

	Croatia (2019)	Hungary (2019)	Serbia (2018)	Slovenia (2018)
Albanian	13	–	39	–
Armenian	–	62	–	–
Ashkali	–	–	45	–
Austrian	10	–	–	–
Bosniak	23	–	52	–
Bulgarian	2	59	56	–
Bunjevci	–	–	25	–
Croat	–	74	–	–
Czech	17	–	58	–
Egyptian	–	–	56	–
Finnish	–	–	–	–
German	13	72	47	–
Greek	–	73	12	–
Hungarian	33	–	36	65
Italian	8	–	–	62
Jewish	18	–	–	–
Polish	39	74	45	–
Macedonian	11	–	–	–
Montenegrin	6	–	–	–
Roma	27	56	49	–
Romanian	–	70	48	–
Russian	23	–	–	–
Ruthene	16	69	51	–
Serb	9	74	–	–
Slovak	15	73	33	–
Slovene	5	76	28	–
Turkish	7	–	–	–
Ukrainian	17	64	40	–
Vlach	–	–	53	–

Sources: Croatian State Electoral Commission (<http://www.izbori.hr>); Hungarian National Election Office (www.valasztas.hu); Serbian Electoral Commission (<http://www.rik.parlament.gov.rs/>); Slovenian municipal websites.

In terms of voter turnout, the project also compared minority election data with other electoral results: the votes cast in Hungary at the parliamentary elections for the lists of national self-governments (the so-called minority spokespersons) and Roma parties; in Croatia and Slovenia the votes for minority MPs; and in Serbia the votes for ethnic parties, including the most recent parliamentary elections in Croatia and Serbia in 2020. The conclusion was that the minorities in question tend to register for and participate more in minority elections than they support minority actors in parliamentary elections. One reason for this is that voters registered as minorities in both Hungary and Croatia must cast one of their votes on mainstream or minority candidates/lists but, interestingly, support for minority parties in Serbia is lower than for national councils.

Conclusion

This paper aimed to explore some key and intertwined features and effects of minority elections on intra-community dynamics and voter behaviour – like special voter registration and voter turnout – taking into account the sensitive nature of ethnic data and the relatively high level of cultural-linguistic assimilation. Concerning the elected non-territorial cultural autonomies of central and south-eastern Europe, very little research has focused on these issues, hence this study sought to fill this gap at least in part by identifying and examining their operation in practice whilst acknowledging that more in-depth analysis of the key elements of such processes needs further research. Taken together, these factors have a crucial influence not only on the public participation of the minority groups concerned but also on their future prospects.

Overall, this paper demonstrates that, when compared to census data, the existing elected regimes in the respective regions are only partially able to represent the potential group members, many of whom live in communities scattered across the country (except in Slovenia where both minority communities are territorially concentrated). Significant portions of minorities abstain from elections: they do not register, vote or stand as candidates. This could also be because minorities have (or perceive they have) limited access to minority rights and institutions. For example, in municipalities that also hold elections at local level, and where additional thresholds are imposed – such as a required number of registered voters or group members according to latest census results – a significant number of people, because of their territorial dispersion, low level of organisation and political mobilisation, may be unable to elect their preferred representatives or autonomous bodies.

Moreover, certain minority elections show a decreasing trend in the number of registered voters. In Croatia and Serbia, the decreasing number of registered voters produced relatively low and even declining voter turnout, while the number of voters rose again in 2019 and resulted in increasing participation in Hungary. In those cases where minority elections are held together with municipal elections, higher voter turnout could be observed (Hungary, Slovenia), whilst lower participation can be attributed to weak competencies and the general non-competitive nature of minority elections (Croatia).

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