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Minorities in the Europeanisation Process: Undermining the Westphalian Order for the Neo-Medieval Scrum?[1]

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Abstract. European ethnic and national groups are often said to undermine European structures, *i.e.*, States' sovereignty and territorial integrity. Considering the literature on multilevel governance, it is argued that minorities' politics and strategies are in line with the overall Europeanisation process. A glimpse at the demands and alliances by four central European minorities indicates that they behave as any other interest group: they use European concepts, norms, and structures to reach their goals. They do not present alternative models for Europe, but rather integrate the already co-existing neo-Westphalian and neo-medieval models.

Keywords: National minorities, Europeanisation, Westphalian order, multilevel governance.

With the European integration, inconsistencies between nation-states, stateless nations and minority groups were to reduce. Following Eric Hobsbawm's thesis, transnational institutions and policies embracing all the national and ethnic groups independently of their state of residence, diminish the importance of the 'national question' (1990, p. 191). David Held and proponents of cosmopolitan democracy

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believe that interdependence and transnational institutions redesign the architecture of the world and 'globalise' culture. Since cultures will converge, cultural policies will eventually be unnecessary (Held 1995; Van den Berghe 2002; Brock 2002). However, ethnic group claims are still at the heart of debates and fuel questions related to the structure and the identity of an integrated Europe.

Europe has been established by sovereign nation-states voluntarily delegating some of their authority to supranational institutions. However, while Europe is in the making, member states are under pressure: the increase of ethnic and regional identity claims poses the national question in terms of secession or territorial fragmentation (see McGarry and Keating 2006). Analysts agree on the important challenge national movements bestow on the current layout between nation-states. Minority groups weaken European structures and challenge the democratic governance exercised within the boundaries of states (Linz and Stepan 1996, p. 28). Governments thus often accuse ethnic groups to undermine the European order.

Do minorities call into question the current structure of Europe? Do they present an alternative - not to say incompatible - model or do they fit into the existing processes? In what follows, it is argued that they fall in with the Europeanisation process and are part of it. Identity groups align their policies on the European model, which provides external constraints and opportunities for the players within states. In so doing, minorities participate in the construction of Europe.[2] They act as any other interest group that adapts and adjusts its strategies according to the circumstances, following the complex European multilevel governance, already taking place in other policy domains, as observed by analysts and practitioners.

A look at the strategies and claims of four groups, the Poles in Lithuania, Russians in Latvia, Rusyns in Poland, Slovakia and Ukraine and Silesians in Poland, selected according to their differences, shows that minorities use Europe to achieve their goal of cultural development and survival. Euroscepticism in East European states comes largely from the perception of the national culture being threatened by Europeanisation. The resultant nationalising policies (Brubaker 1996) collide with the perspectives and interests of minority groups. These in turn adopt a European discourse pressuring the state to mitigate the nationalising line and to comply with the *acquis communautaire* provisions regarding decentralisation and distribution of power. In doing so, they promote the process of Europeanisation and often trigger adjustments at state policy level. Europeanisation benefits minorities.

Our research coincides with Rogers Brubaker's theory of triadic relations between minorities, their kin-state and the host-state (1996). It also aligns with the

[2] This corresponds the fourth definition of Europeanization out of the nine presented by Robert Harmsen and Thomas M. Wilson (2000, pp. 15-16).

studies by Antoine Roger (2002) on strategic and pragmatic adjustments of ethnic political parties, for example. Acting in a context of constraints and interactions, minorities use Europe to put pressure on states, to ally themselves with similar groups in other countries and thereby to obtain an increased weight in policymaking. The identity groups under study subscribe to the European model and bring their politics in line with it. If the 'national question' undermines the sovereignty of states, it does so in a similar fashion other interest groups do, whose study has given rise to concepts such as post-national sovereignty, neo-Westphalian and neo-medieval models or multilevel governance Types I and II.

The first section discusses modes of European governance as observed in the literature on policymaking and on its players: groups, states, transnational bodies. Projects of Europe adopted by national/ethnic groups that are subject to controversy will then be presented. The policies and claims of the four minorities mentioned above are reviewed next.

Neo-Westphalian and Neo-Medieval Modes of Governance in Europe

There seems to be a consensus as to the fact that we are witnessing the 'development of a mode of governance now located at several levels and involving interactions between multiple partners, including the state' (Quermonne 2006, p. 211). The decision-making process in Europe and elsewhere takes place at multiple levels and involves interactions between various territorial units within the states, supranational institutions and societal actors such as interest groups, that often trespass boundaries (see Dowding 1995; Pappi and Henning 1998; Thatcher 1998). To achieve their goals regarding the environment, agriculture, policies related to women and minorities, interest groups now have different channels at their disposal: they can take action in partnership with interest groups within the state or join similar groups outside their borders, or ask for assistance the European level lobbying associations and act through them. A vast literature examines the behaviour and choices made by interest groups that adapt their strategies and discourses to the opportunity structures (Kitschelt 1986). Groups seize opportunity windows such as domestic and external institutional changes. For example, Jenny Fairbrass and Andrew Jordan (2001) suggest that British environmental groups use the opportunities offered at the European Union (EU) level to override resistance coming from their government. Donatella Della Porta and Sidney Tarrow (2005) and Margaret Keck and Kathryn Sikkink (1998), among others, argue that groups without voice on the domestic political arena or who suffer repression seek allies elsewhere to put external pressure on domestic policies, a mechanism called 'boomerang effect'.

Based on his analysis of the interactions between interest groups, states and transnational institutions in the processes of policymaking on issues related to

economic, social, environmental and foreign affairs, Jan Zielonka (2006) identified two distinct modes of governance in Europe, the neo-Westphalian and the neo-medieval ones. These, echo the European governance Types I and II as identified in 2001 (and 2003) by Liesbet Hooghe and Gary Marks. Despite some differences in terms and in the emphasis put on an item or another, the types of intra-European relations respectively identified by the authors combine into two distinct modes of governance (Table 1). Both modes embody multilevel governance, but the structure of the system varies in each of the two models.

Table 1: Multi-level Governance in Europe

Structure	Zielonka	Hooghe & Marks
Type I neo-westphalian	Europe = a super-State Fixed rigid external borders Pan-European identity Centralised structure of governance Hierarchical centre-periphery relations, well defined competencies Limited sovereignty of periphery	Jurisdictions with general competencies Non juxtaposed identity belonging Jurisdictions organised in a limited number of levels Rigid pyramidal structure
Type II neo-medieval	Fluid borders Multiple cultural identities, low level of universalism Polycentric structure of governance Permeation between diverse political entities and loyalties Non hierarchical centre-periphery relations, more or less defined competencies Sovereignty spread across a variety of functional and territorial lines	Functional jurisdictions Multiple juxtaposed identity belonging Unlimited number of jurisdictions Flexible and fluid structures

Based on Jan Zielonka (2006, p. 12) and Liesbet Hooghe & Gary Marks (2001, p. 7).

Europe Type I consists of various territorial units, limited in number, however, for reasons of coordination. These entities have well-defined jurisdictions, with general competences devolved based on subsidiary principle, rather than on functionality. They are defined by borders and organised hierarchically. According to Zielonka (2006), it is a super-state organised on a variant of federalism, with Europe-outside world relations being of Westphalian

type. Hooghe and Marks (2001 and 2003) examine intra-Europe relations and also point to a federal design, but here with a multiplication of territorial units created according to the presence of historical, cultural or regional communities. On the contrary, the neo-medieval Type II mode of governance is characterised by its polycentric and fluid structures, where one unit's jurisdiction juxtaposes with that of another so that they compete. Competencies are allocated according to specific policies and issues, following the functionality principle. On a territory, policies A belong to the entity X, but the policies B belong to Y. At the same time, the entity Y has jurisdiction over B on another territory, and so on. This mode of governance relates in turn to the concept of post-national sovereignty or that of cooperative sovereignty that is a polycentric, organised in a non-hierarchical fashion (Besson 2004, p. 271).

For Zielonka (2006), the neo-Westphalian and neo-medieval modes present alternative types of governance, with an irrevocable tendency towards the second. Similarly, studying the political spaces created for the Saami in Lapland, the Roma nation-building policies and the Hungarian Status Law, Stephen Deets (2007) places ethnic politics into the neo-medieval category. Yet, the Status Law is subject to heated debates since it is considered incompatible with the current European structures based on state sovereignty. It is a Hungarian idea of an 'extended citizenship' granted to external minorities. In early 1990, Prime Minister Joseph Antall proclaimed himself 'Prime Minister of fifteen million Hungarians,' thereby including those living outside the borders of Hungary (Rhodes 1995, p. 362). Feeling responsible for Hungarians left outside the country after the First World War and in view of the (perceived) discriminatory policies of neighbouring countries, the government decided, by means of a law called the Status Law, to create a card that assigns privileges to Hungarians outside Hungary, including economic and social rights (Batt 2002a). The Hungarian initiative has two objectives: to secure well-being for its external minority and to ensure a voice to the Hungarian nation, not solely to the Hungarian state, in the process of European supra-state integration (Ieda 2004, pp. 4 and 15). A senior Hungarian official declared that 'in the process of the European integration, state borders are gradually losing their significance. The Hungarian policy relative to the nation is at the forefront of a Europe that increasingly rejects the importance of borders putting forward communities and peoples instead. The Status Law is the milestone of this process' (quoted by Ieda 2004, p. 20). The objective is to form a Hungarian nation without state borders in order to build a 'Europe of nations.' An extremely difficult debate unfold, with on the one side, Hungary defending the compatibility of its policy with the European norms and, on the other, neighbouring countries and the EU opposed to it in the name of state sovereignty (Batt 2002a; Deets 2007).

The main criticisms of the Hungarian law relate to the interference with the internal affairs of neighbours, hence with their sovereignty. The law explicitly

stated in its 2002 version that recipients would benefit from its provisions in Hungary as well as in their state of residence (Iordachi 2004, p. 265). The law aims at transfering competencies over the external Hungarians from the host-state to the parent-state, where these competencies become part of internal affairs (Ieda 2004, p. 52). The 'Europe of nations' idea may be controversial, but it fits Type II neo-medieval style of European governance, a mode already identified while studying environmental and other interest groups. However, contrary to the findings by Jan Zielonka and Stephen Deets, minority groups do not necessarily pursue this type of policies. Another vision is put forward by regional ethnic parties, represented in the European Parliament by the European Free Alliance (EFA). It is the vision of a 'Europe of regions,' which also seems to undermine state-centred structures. The EFA and its MPs from Scotland, Wales, the Basque Country and Latvia 'defend stateless nations, regions and disadvantaged minorities.'[3] The party's website presentation reads:

> [EFA is a] European political party that gathers national, regional and autonomist parties from all over the European Union. Political parties, members of the EFA, subscribe to the right to self-determination of peoples (...). The main objective of the EFA is to provide democratic nationalism and regionalism with a political structure for the development of concrete initiatives at the European level.[4]

Of the two principles of international law, territorial integrity of states versus self-determination of peoples, the latter takes precedence in the regional idea. This conflicts with the interests of the states. The concept of a 'Europe of 100 flags' proposed by the nineteenth century Breton nationalist, Yann Fouere, is taken up by the EFA. Challenging state structures, Scots, Bretons, Catalans, Moravians and others embrace the idea of a Europe composed of historic regions each detaining most cultural, economic and political competencies, based on the subsidiary principle. This minimises - without eradicating - the role of states. Certainly controversial, this model fits well the modes of governance already in place in Europe: 'Europe of regions' corresponds to the Type I neo-Westphalian Europe as identified by Zielonka and by Hooghe and Marks.

By challenging the principles of sovereignty and territorial integrity, these conceptions of Europe are suspicious for state actors. They are seen as an alternative shaking the European order. Not only they tend to minimise the role of states, but also to call into question the pan-European identity which was supposed

[3] The Greens/European Free Alliance, 'EFA; Members', EFA-Greens website, available at: http://www.greens-efa.org, accessed 23 April 2008.

[4] European Free Alliance, 'What is the EFA', official webpage available at: http://www.e-f-a.org, accessed 23 April 2008.

to attenuate national particularisms and ethnic divisions.[5] It is argued instead that minorities use Europe and in so doing, they fall into the European discourse and promote European norms in states of their residence. Europe is a complementary political arena and an additional tool in the hands of minorities. Even if they undermine Europe by challenging the Westphalian paradigm, they fit perfectly well into the process of Europeanisation: multilevel governance, interest groups networks, neo-Westphalian and neo-medieval structures that already exist. In addition, a question arises. As minorities appear to promote two types of Europe - of nations and of regions - can we identify the characteristics against which a minority chooses a model over another? Hooghe and Marks (2001) rather sustain that the two modes of governance coexist. A glance at the policies undertaken by minorities, proposed in the remainder of the article, contributes to the debate and allows us to conclude to the coexistence – arguably a conflicting coexistence - of the two structures. The strategies of each group under study fit both modes, which are juxtaposed, the two being inherent to Europeanisation.

Most Different Cases: Four Minorities under Study

To answer the questions identified in the previous section, four different cases are compared. This method will also establish whether the differences between minorities play a role in choosing their strategies. The choice of cases (Table 2) represents a sample of the diversity of minorities based on: a) their official status (recognition), b) the relationship with their neighbouring country (kin-state), which could lead to the development of claims for irredentism and/or for 'Europe of nations', c) the historical link to a specific territory and d) the level of concentration of the minority on a given territory. Silesians are concentrated in a historic region of which they are indigenous, they are not recognised by Poland as a distinct group and do not have a parent-state, that is there is no country with a majority Silesian nation. Rusyns (or Ruthenians) are more or less concentrated on their indigenous historical territory - now divided between Poland, Slovakia and Ukraine -, they are officially recognised in the first two countries, but not in Ukraine, and they have no kin-state. Poles in Lithuania are recognised as a minority, are concentrated on a historic region of which they are indigenous and they have a kin-state, Poland. Finally, Russians in Latvia are recognised as a national minority, have a parent-state, Russia, but are neither indigenous nor territorially concentrated.

[5] Seventh definition of Europeanization provided by Robert Harmsen and Thomas M. Wilson (2000, p. 17).

Table 2: Cases under Study

Minority	Silesians (PL)	Rusyns (PL SL UK)	Poles (LIT)	Russians (LAT)
Parent-State	N	N	Y	Y
Recognised	N	Y (PL SL) N (UK)	Y	Y
Historical/ indigenous	Y	Y	Y	N
Concentrated	Y	N (PL) Y (SL UK)	Y	N

Note: N = no, Y = yes; PL = Poland, SL = Slovakia, UK = Ukraine, LIT = Lithuania, LAT = Latvia.

Poles in Lithuania

Following the First World War, new states (re)-emerge, including Poland and Lithuania. The latter includes Wileńszczyzna (Vilnius and the surrounding region) (Snyder 2003, chap. 3), predominantly populated with Poles. In 1920, after the refusal to conduct a plebiscite followed by a military operation, the area is occupied/recovered by Poland (Snyder 1995, pp. 326-330). When the Red Army occupies eastern territories of Poland (Ribbentrop-Molotov secret pact), Stalin gives Wileńszczyzna back to Lithuania, which is subsequently absorbed to the Soviet Union (Karski and Klimek 2000, pp. 146-147). The Polish minority - which presently constitutes 7% of the total population of Lithuania and lives in an area of 30-50 km around the capital (Łossowski 1992, p. 70) - refuses to submit to the sovereignty of the Lithuanian State, restored in 1991. Cut from Poland for forty years, Poles learn Russian rather than Lithuanian (Tomaszewski 1992, pp. 89-94). Moreover, the Polish minority still considers Lithuanians as intruders in Wileńszczyzna. Therefore, the Lithuanian nation-building is perceived more threatening to the survival of this minority than the Russification policies under the Soviet rule were (Snyder 2003, p. 250). In response to the nationalising policies, between 1990 and 1991, the Polish minority adopts several autonomist resolutions (Burant 1993, p. 401; Łossowski 1992). From the beginning, the Polish government clearly dissociates itself from the autonomist movement of its external minority. Unlike the Hungarian approach, Poland adopts the 'Europe of States' model: the daily *Rzeczpospolita* reported in its edition of 11 September 1991 that Poland demands the formulation of European minority norms in Lithuania while clearly recognising the sovereignty of Lithuania over its Polish minority. In the 1992 Joint Declaration on Good Neighbourhood, the parties agree to follow the European norms on minorities, as stipulated in the documents of the Security

Council and Cooperation in Europe (CSCE, later OSCE). This provides the Polish minority in Lithuania with an opportunity structure, a legal tool for subsequent negotiations with the Lithuanian government.

Russians in Latvia

Latvia's Russophones account for 33.5% of the total population, of whom only 18% speak Latvian. Conversely, over 60% of Latvians speak Russian (Kelley 2004, p. 73). In the early 1990s, most major cities are predominantly Russian-speaking and Russian is dominant in the capital, Riga. After 50 years of being in the dominant position, Russians find themselves excluded from the polity, in accordance with the citizenship laws introduced in the 1990s. In 2005, 45% of Russian speakers do not have Latvian citizenship.[6] Authors tend to describe the country's regime as an 'ethnic democracy' (Evans 1998; Järve 2001).

From the late nineteenth century, the policy of the empire was to russify the region by encouraging the migration of the Russians and by ensuring the dominance of Russian in local institutions and in the education system. Latvians managed, however, to take control over their state during the chaos of the Bolshevik revolution and their independence was formalised in 1920. However, Soviet Russia annexed Latvia in 1940. Simultaneously to mass deportations, regional demography was altered by the influx of Soviet Russians (Park 1994, p. 71). The number of Latvians drops from 77% in 1935 to 52% in 1989, while that of Russians increases from 8.8% to 34% over the same period (Melvin 2000, p. 135). Population figures and the Russian, then Soviet, dominance explain the resentment of Latvians against the Russian-speaking population and their fear for the survival of the national political community (Evans 1998, p. 59). Although a large number of Russian speakers supported the independence of the Baltic countries since 1989 and did not identify with the USSR, ethnic exclusive policies are adopted towards the Russian minority (Park 1994, p. 70). A survey conducted in 1990 show that 45% of non-Latvians were keen to the idea of independence and the referendum held on 3 March 1991 revealed that even districts with majority Russian-speaking population voted for independence (Melvin 2000). Similarly, only 52% of non-Latvians identified themselves as Soviet citizens. It is a period of the 'plasticity of identities' (Smith and Wilson 1997, p. 845). The eventual easing of Latvian nationalising policies was negotiated with Europe, but judged unsatisfactory by the Russian speakers and by a large number of specialists (Kelley 2004; Poleshchuk 2002; Wilson 2002). With the declaration of the Council of Europe, stating its

[6] 2005 data from the Latvian Institute, available at: http://www.tlfq.ulaval.ca, accessed 14 September 2006.

satisfaction with the new provisions – now in line with those prevailing in most European countries - the use of European norms by the minority seems impossible.

Rusyns in Poland, Slovakia and Ukraine

Rusyns are Eastern Slavs, indigenous of the Carpathian region. They are either Orthodox or Greek-Catholic and their language is similar to the Ukrainian. They never constituted an independent state and over centuries, the region has been subjected to multiple changes of state ownership. Nevertheless, from the mid-nineteenth century, Rusyns are recognised as distinct peoples by different states to which they belong and by the international community. Following the failure of the Hungarian revolution in 1849, Austria divided Hungary into five districts, including one based in the Subcarpathian area administered by local Rusyns. The district remains in place however only for a few months. After the First World War, the Hungarian government created an autonomous Rusyn region, which survived 40 days. Meanwhile, the government of Czechoslovakia guaranteed Rusyns a territory ruled by local leaders in exchange for their adherence to the newly created state. This Rusyn territory, later called Carpatho-Ukraine, had legal foundation in the Czechoslovak Constitution of 1920, but also in two international treaties: Saint-Germain-en-Laye (1919) and Trianon (1920). When Czechoslovakia disintegrated in 1939, the region proclaimed its independence, but was quickly re-annexed by Hungary. Paul R. Magocsi (1992, p. 99) concludes that 'despite the fact that Rusyns have never had a state, over the twentieth century and for significant periods of time, they have had experience - and thus the historical memory - of their political entity.'

Currently, the Rusyns are divided between three countries. They are recognised as a minority in Poland, where they live in the Lemko region (Łemkowszczyzna) at the east-southern end of the country, and in Slovakia where they live in the Prešov region in the east. Their number is 5 800 in Poland and 24 200 in Slovakia. As for the Rusyns of Transcarpathia in south-western Ukraine, they are not officially recognised as a minority group since their ethno-genesis is considered identical to that of the Ukrainians and since Rusyn is considered a dialect of the Ukrainian language. According to the 2001 census, they are 10 100, but according to data gathered by the Rusyn regional organisations they are 800 000 and represent between 65 and 70% of the population of the region.[7] The Rusyn movements in the three countries reappeared after the fall of communism (Michna 1995). The leaders of the Rusyn organisations from Poland and Slovakia formulate their objectives in terms of culture rather than territory. On the other side

[7] Letter to President Kuchma from Rusyn organizations, dated 19 April 2004, available at: http://www.karpatorusyns.org, accessed 15 January 2008.

of the European border, in the referendum on the independence of Ukraine in 1991, a question about autonomy was added in the region of Transcarpathia: 78% of people voted for a self-governing Transcarpathia, but such a status was not granted subsequently (Solchanyk 1994, p. 62). Since then, Rusyns claim recognition and autonomy. Associated with separatism, the Rusyn movement is targeted by the Ukrainian government. In 1996, the Ministry of Interior issued a document where Rusyns are presented as a threat to the sovereignty and to the territorial integrity of the Ukrainian state (State Committee of Ukraine 1996). Steps are put forward to eradicate the movement, including: strengthening the position of Ukrainians in the region of Transcarpathia by cultural and linguistic policies as well as by the selection of staff in the regional administration; preventing the holding of any referendum that would seek to determine self-identification of the people in the region; pursuing a media campaign stressing the Ukrainian character of the region and its population (Belitser n.d).

Silesians in Poland

The Polish census of 2002 reveals that the Silesians, numbering 173 000, are the largest minority in Poland (Simonides 2003). They represent 12.4% of the population in Upper-Silesia, the south-west territory of the country (Bieda 2006, p. 7). Yet, Silesians are not recognised by Poland as a distinct community given that they are considered being Poles, with some distinct cultural traits, and their language as merely a dialect of Polish. Frequent divisions of the territory of Silesia and its belonging to various states throughout history are the basis for the separate identity of Silesians. The region inhabited by the Western Slavs is incorporated into Poland at the end of the tenth century but in the Middle Ages, Germanic peoples settle there. In the fourteenth century, Silesia passes to the Czech crown, and in the eighteenth, the majority of the territory is annexed by Prussia, while a small part goes to the Austrian Empire. Germanisation policies are put in place. After the First World War, Silesia is divided between Poland and Germany, with a small portion in Czechoslovakia. In the Polish part, in the inter-war period, Silesians are provided with a regional autonomy where they have a parliament and detain control over language and educational policies, and over police and public services. After the German defeat of 1945, almost the entire German part of Silesia is allocated to Poland. Once again, Silesia undergoes assimilation policies, this time to the Polish nation.[8] The fall of the communist regime offers an opportunity for Silesians to organise and assert their existence and their rights (Kamusella 1994, p. 114; Szmeja 2002, p. 45). In 1990, the *Ruch Autonomii Śląska* (Movement

[8] History account based on Maria Szmeja (1998), Karl Cordell (1995), Tomasz Kamusella (1999), Bernard Linek (2001) and Grzegorz Strauchold (2001).

for the Autonomy of Silesia, RAŚ) is formed. In 2000, a secret document from the Department of State Security refers to the RAŚ as the only internal threat to the sovereignty and to the territorial integrity of Poland (Tajne dokumenty UOP 2000).

Despite differences in legal status, demographic and geographic situation, the four groups have a common goal: to assert their existence and rights. They all aspire to be granted (financial) means for cultural development and survival and to get a voice in policymaking processes. In the next section, we turn to the study of their actions in order to see which mode of governance they prefer, if this is the case.

Minorities and Europeanisation: Strategies and Multilevel Governance

What kind of Europe do cultural minorities endorse? In what follows it is shown that they act like any other interest group. They put pressure on European and state policies aligning their strategies with the European structures in place. In so doing, they participate in the construction of Europe. The adopted measures operate at different levels – flexible and fluctuating – but they fit into the neo-Westphalian structures that are juxtaposed with the neo-medieval ones. Here, an overview of chosen directions is provided rather than an in depth analysis of the background, the validity and extensive scope of the adopted strategies. Each minority‘s use of Europe, the policies promoted within the country and within Europe, will be presented.

In Lithuanian politics until 2000, only the political party of the *Akcja Wyborcza Polaków na Litwie* (Electoral Action of Poles in Lithuania, AWPL), supported by the *Związek Polaków na Litwie* (Association of Poles in Lithuania), represents the Polish minority. Since then, a competing party made its appearance, the *Polska Partia Ludowa* (Polish People's Party, PPL), without significant electoral weight so far. The respective programs reflect the European standards and spirit of decentralisation and of the respect for minority rights as stipulated in the Framework Convention for the Protection of Minorities and in the European Charter for Regional or Minority Languages. They fit entirely in the Type I Europeanisation when referring to regionalisation and in the Type II Europeanisation when it comes to language and educational policies for minorities. The AWPL program states that its goal is to restructure the Lithuanian state into a set of regions with general competencies, clearly defined and distinct from the central authorities.[9] The regions should hold all the local competencies in industry, finance, budget, education, culture and social policies. It is affirmed that the delineation of these territorial units should reflect the ‘natural economic ties,

[9] AWPL Akcja Wyborcza Polaków na Litwie [Electoral Action of Poles in Lithuania], available at: http://www.awpl.lt/index.php?lng=pl&action=page&id=16), accessed 20 March 2008.

historical traditions and the ethnic distinctiveness of the regions.' Similarly, the PPL program proposes building a Europe of 'free nations based on the subsidiary principle and of solidarity with all other nations of the world, based on state citizenship and on regional identity.'[10] There is confusion between the concepts of nation and region, but the rest of the document - which accounts for the heterogeneity of the Vilnius region – clearly points into the direction of a Type I Europe of regions. The use of Europe is also clear in the AWPL electoral declaration of 2007, which refers repeatedly to European acts. First, a reference is made to the Charter of the Regions, ratified by Lithuania and whose implementation is the primary goal of the party. Then comes the already ratified Framework Convention followed by the mention of the European Charter, whose ratification is pending. The AWPL's objective here echoes the Type II Europeanisation, since state jurisdiction over collective rights would be limited. Linguistic and educational policies would go to the region, but its heterogeneity also implies the right of Russian, Belarusian and other residents to deal with these issues on their own behalf. In addition, the party aims at establishing the superiority of the EU over state jurisprudence in matters concerning minority issues. The AWPL also has been pressuring Lithuania to ratify the European Convention on Citizenship in order to legalise the possibility of detaining dual citizenship.

The difficulty of conceiving of a neo-Westphalian mode of governance *or* neo-medieval one is also apparent when observing the different alliances the Polish minority builds. The intra-ethnic divide, which is reflected in the formation of competing parties, together with Poland's position which respects the Westphalian order,[11] impede the claim for a Europe of nations. Moreover, given the electoral strategies and the intersection of functional interests, the AWPL allies itself with the Russian minority. Together, AWPL and the Russian association 'Strength in Unity' get 7.41% of votes in European elections of 2004, thus overcoming the 5% threshold, without winning however any of the thirteen mandates given to Lithuania. At the European level, the two Polish parties ally with different entities. While PPL is a member of the EFA and joins the family of European regional parties, the AWPL is part of the Union of Polish Communities in Europe. The first chooses an alliance of regional interests, heterogeneous in identity terms; the second opts for the association based on ethnic identity to represent common interests mainly to the Polish government. At this level, PPL adopts the concept of a Europe of regions (Type I) and AWPL that of Europe of nations (Type II).

Similar divisions are detected in the case of Russians in Latvia. Despite Europe being satisfied with the relaxation of nationalising policies in Latvia,

[10] PPL Polish Popular Party, programme available at: http://www.lllp.lt/index.php?theme=program, accessed 21 March 2008.

[11] One of the reasons being the potential territorial revisionism on the part of Germany, to the West.

minorities use Europe - its concepts, discourses and structures - to produce a 'boomerang effect.' The *Saskaņas Centrs* (Harmony Centre, SC), a party supported by Russian-speaking population created in 2005, uses in its programme and its strategies the Framework Convention ratified by the Latvian Parliament in May 2005.[12] The SC wins 14.42% of the vote in 2006 and ranks fourth among the eleven competing parties. It is a moderate party that gathers the votes previously granted to the *Par cilvēka tiesībām vienotā Latvijā* (For Human Rights in a United Latvia, PTCVL), also a Russian-speaking party but radical, which fell by more than thirteen points as compared to the 2002 elections. In the last elections of October 2010, the SC gains 29 seats while the PTCVL loses all its representation in the Parliament. Of interest is the fact that, just as the Poles in Lithuania, the Russian minority in Latvia do not form a cohesive unit. On the one hand, Russians are part of a larger group of Russian speakers including Belarusians, Jews, Poles and other groups whose interests converge in matters related to linguistic rights. On the other hand, the Russian minority is divided in two competing camps having their own plans as to how to get on the agenda and gain resources for the development of the Russian group. At European level, the PTCVL is represented in the EFA, while the SC is joining in the European Parliament's Party of European Socialists. The ethnic divide is fading in the latter case to make way for a programmatic party whose political vision resembles that of some Latvian parties. That said, Boriss Cilevics, SC member sitting in the European Parliament on the Socialists ticket, represents the interests of his Russian and Russian speaking constituents by participating in all committees on human rights, on minorities and refugees. The SC does not call into question the Westphalian structures and its strategies fit into the Type I European governance.

Instead, Tatiana Zdanoka from the PTCVL is one of the Euro-MPs members of the EFA. However, it is formally Ms. Zdanoka and not the party who is member of the EFA: the PTCVL is not a regional party, the Russians in Latvia are dispersed and do not occupy a historic territory. The association with the European regional parties sends mixed signals as to the adopted type of Europe. The EFA represents the interests of minorities for the establishment of collective rights, but there is also the question of autonomy or independence of the regions. The purpose of PTCVL is not clear: which region would it be? Is an extraterritorial nation under consideration? If that were the case, what role would Russia have? The accession to European structures provides additional political spaces: a month after the enlargement, in June 2004, a party defending Russians in Europe - whose number is estimated at 6 million - is created (Bayou 2004; Socor 2004). The inaugural congress of the Russian Party of the European Union takes place in Prague bringing together activists from Cyprus, Denmark, Estonia, Latvia, Lithuania,

[12] SC programme available at: http://www.saskanascentrs.lv, accessed 10 December 2006.

Norway, the Czech Republic and Slovakia. It includes Tatiana Zdanoka. The group aims at being represented in the European Parliament and calls for the adoption of Russian as an official EU language. Its electoral success is rather weak and uncertain. However, the point is that Russians in Latvia take advantage of present opportunity windows and are now part of a pan-European interest group that transcends state borders and is reminiscent of the 'Europe of nations' concept.

Both modes of European governance intertwine also in the case of the Rusyns. When showing a geographical map to Rusyn leaders of Slovakia and Poland, they unanimously agree that the Rusyn territory extends over the entire geographical area of the Carpathians. According to the interviews conducted by Ewa Michna (1995, p. 81), these leaders are keen to the idea of such an independent state, but resign themselves to stay within the borders of Poland and Slovakia for reasons of political pragmatism. From her interviews conducted in 1995 and in 2003 with leaders of the Rusyn movement of the three countries, Michna found a significant correlation between the withdrawal of the national aspirations by the Polish and Slovak Rusyns and the prospect of European integration (Michna 2004). This finding corroborates the thesis by Viva Ona Bartkus (1999): it seems that the calculation of costs and benefits related to secession dictates the formulation of Rusyns' aspirations in cultural rather than territorial terms (Michna 2004, p. 145). Rusyn leaders of Slovakia and Poland say:

> "for us, hope is not in a [Rusyn] state, but in united Europe as we will be once again in the same space and we will be able to communicate with each other without hindrance. That may worry the Transcarpathian Rusyns as Ukraine shall not enter [Europe] probably any time soon and as they are submitted to total isolation while being subject to assimilation. They are thus right […] to aspire to autonomy." (Quoted by Michna 2004, p. 145)

These assertions refer us to both types of Europe simultaneously. The 'myth' of Europe guaranteeing respect for minorities, financing the development and maintenance of their identity, as well as of the infrastructures in the peripheral regions they inhabit, is a powerful incentive to remain member of the state of residence, namely Poland and Slovakia. Europe of states is advantageous so far. Nevertheless, the Hungarian concept of the Europe of nations clearly emerges, albeit implicitly, in these assertions. Rusyns in Slovakia and Poland will benefit from European political institutions in which their identity can be expressed with one voice. They will be able to develop common Rusyn projects within the European structures. Yet, Rusyns from the Lemko and the Prešov regions do not overlook the situation of their kin who find themselves on the other side of the EU border. They focus on the European future of Ukraine and, in the short term, on

opening borders allowing cultural exchanges and trade.[13] Improved structures and financing of Euro-regions, particularly in the Carpathian region, would also benefit Rusyns on the Ukrainian side.[14] There is thus a place for the states, but also for extraterritorial nations, all being function of strategies to advance identity policies.

The 2004 Orange Revolution and the victory of pro-European camp of Victor Yushchenko, elected president, gave hope to this unrecognised minority in Ukraine for a change in state policy, which must now conform to European standards. Ukraine's aspirations to join the EU are used by Rusyn leaders and provide them with a new opportunity structure and with a potential 'boomerang effect.' The Vice-Chairman of the Transcarpathian Rusyns, Mr. Fedir Shandor, for instance, says it is very important for Ukraine to register the Rusyn nationality in order to avoid all sorts of complications in the EU and so that the image of Ukraine is not tarnished (Maksymiuk 2006). The claims for the autonomy are changed: instead of focusing on a Rusyn region, autonomy for the multicultural region of Transcarpathia is put forward. This is in line with the EU decentralisation policies and with a Europe of regions with general competencies, meeting thus the Type I Europeanisation. Simultaneously however, cross-border activities portend the idea of a wider historical area that includes the Rusyn nation beyond the state borders. In so doing, Rusyns have a voice, one common voice, in Europe regardless of where they reside, including even the part of the nation living outside Europe. Clearly, the neo-medieval model is juxtaposed to the states. Territorial structures of Type I combine with cross-border communities of Type II. To make it even more entwined, the *Stowarzyszenie Łemków* (Association of Lemks) in Poland and the Carpatho-Rusyn Society are part of the Federal Union of European Nationalities, a lobby group pressuring Europe and bringing together a range of minority groups across the continent, but the Slovak Rusyns are not there.

In Poland, since the formation of RAŚ, various proposals are put on the table: from the unification of Silesia with Germany to the creation of an independent Silesian state. Officially, RAŚ claims the granting of regional autonomy under the terms of the inter-war constitution. Immediately associated with separatism, such requests are perceived threatening to the interests of the Polish state. In the context of the 'return' of Poland to Europe, RAŚ alters its strategy using the European discourse, similar to the realignment of the Rusyn discourse in Ukraine. On the one hand, autonomy is now presented as being part of the pan-European decentralisation process; on the other hand, autonomy is no more required for Silesians, but for the multicultural region of Silesia, with general competencies. The RAŚ is member of the *Liga regionów* (League of Regions), an association

[13] There is a vast literature on the consequences of Schengen on those excluded from the EU enlargement and a political debate is taking place in Europe regarding possible modifications to the border policies (Batt, 2001; 2002b; Kisielowska-Lipman, 2002; Lepesant, 1999).

[14] See Judy Batt (2002b) on the problems related to the Carpathian Euro-region.

bringing together other regional groups in Poland, which advocates that the Polish state be composed of twelve autonomous regions. At the same time, the title of the journal published by RAŚ changes. To the former title *Jaskółka Śląska* (Silesian Swallow), *'- Europa 100 flag'* (- Europe of 100 flags) is added, referring to the concept used by regional parties in Europe. Since 2004, RAŚ is represented in the European Parliament since it became member of the EFA. Together with the political parties of Moravians, Britons, Scots, Catalans and others, Silesians advocate a Europe of regions and use Europe as a complementary political arena for the enactment of their policies. The neo-Westphalian Europeanisation is clear. Not being officially recognised and constituting only a tenth of the population of the region, political pragmatism dictates they emphasise cultural heterogeneity, instead of a historic nation, to advance their autonomy claims. The autonomous region advocated by the RAŚ does not exceed the current state borders.

However, RAŚ cooperates with organisations of Silesians in the Czech Republic and in Germany. In the first case, there is an agreement of cooperation signed in 1998 with the *Hnutí samosprávné Moravy a Slezska* (Movement for the Autonomy of Moravia and Silesia, HSMS), which seeks the creation of a Czech federation formed by three constituent regions within current state borders (Świderek 1999). In the second case, in Germany, an immigrant Silesian registered in November 2008 the *Initiative der Autonomie Schlesiens* (Initiative for the Autonomy of Silesia), an organisation whose purpose is to promote a Europe of regions by supporting the claims made by RAŚ. The Initiative proposes to conduct talks with the three states - Poland, the Czech Republic and Germany – in order to establish an autonomy over the whole historical region of Silesia. Cooperation between these three organisations strengthens the Silesian extra-state community, but it is also very pragmatic. Speaking of the Initiative, Jerzy Gorzelik, leader of RAŚ, said that 'international cooperation is most of the time required to obtain EU subsidies. And this organisation can represent for us a strong partner' (Świercz 2008). The group adjusts to and uses European opportunity structures to achieve its goals of cultural development as well as to get funding for regional projects. Paradoxically perhaps, Europe strengthens trans-border national/ethnic communities. The mutual influence is constitutive of the Europeanisation process.

Conclusion

The study of the four cases supports the argument put forward by Michael Keating: 'the European theme was taken up by minorities as a substitute for irredentism [separatism]' (2004, p. 370). Regardless of their legal status, demographic and geographic situation, minorities use the European discourse and structures to advance their goals of cultural development and to get a voice on the political arena. In doing so, they promote Europeanisation. They appeal to various

levels of European governance; do not necessarily join the European family of regional parties and their controversial goal of autonomy or independence (Lynch 2007). The picture that emerges is that of an Europeanisation of juxtaposed two types. On the one hand, the four minorities play the card of decentralisation and granting general competencies to historical regions on the subsidiary principle; on the other hand, they account for the heterogeneity of these regions and advocate granting functional competencies in cultural matters to the various groups inhabiting the region. At the same time, they build extraterritorial communities that would act in unison within the European structures. To make it even more entwined, it is clear that minorities are hardly united entities. Different factions within the same identity group adopt diverse strategies. Domestically, some choose to ally themselves with organisations of other minority groups or with organisations and political parties of the majority. At the European level, some are seeking to strengthen their position by allying themselves with different minority groups across Europe; others opt for cooperation with their ethnic kin-diasporas to put pressure on the parent-state.

It has been suggested that policies adopted by identity groups are similar to those adopted by other interest groups in the European multilevel governance. Finding themselves at the margins of the domestic political arena, minorities - as interest groups - capture and use concepts that circulate and the existent structures to achieve their goal. Their claims for a Europe of regions and nations do not collide with European structures and do not represent an alternative to the present day Europe. Their policies are an inherent part of the process of Europeanisation - of both types of the process, the neo-medieval and the neo-Westphalian. As noted by Hooghe and Marks (2001), this dual process coexists, intersects and juxtaposes, suggesting perpetual conflicts and continuous adjustments among the different elements of the European system. The same can be said of the European community in the making. Identity is a social construct, it is 'situational' and 'ever changing' (Hale 2004, p. 466; Maíz and Requejo 2005, pp. 2-5; May *et al.* 2004, p. 9; Young 2002). Being 'situational,' it is not limited to belonging to a single reference group, but rather is composed of multiple identifications that form a whole and that sometimes conflict. European identification is additional and complementary to the cultural, regional and/or state identifications. Europe moulds in the interactions between groups, the regional, state and supra-state structures and in responding to the resistance towards policies and norms that result in continuous adjustments. The European political landscape that emerges from these interactions and adjustments is a set of flexible institutions and political processes that manage ever-present conflicts over divergent values and interests. It is a dynamic process shaping a European 'imagined community.'

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