

Diversity in Action  
Local Public Management of Multi-ethnic Communities  
in Central and Eastern Europe

# **DIVERSITY IN ACTION**

**LOCAL PUBLIC MANAGEMENT  
OF MULTI-ETHNIC COMMUNITIES  
IN CENTRAL AND EASTERN EUROPE**

*Edited by*

**ANNA-MÁRIA BÍRÓ AND PETRA KOVÁCS**

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Local Government  
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Local Government and Public Service Reform Initiative (LGI), as one of the programs of the Open Society Institute (OSI), is an international development and grant-giving organization dedicated to the support of good governance in the countries of Central Eastern Europe (CEE) and Newly Independent States (NIS). LGI seeks to fulfill its mission through the initiation of research and support of development and operational activities in the fields of decentralization, public policy formation and the reform of public administration.

With projects running in countries covering the region between the Czech Republic and Mongolia, LGI seeks to achieve its objectives through:

- Development of sustainable regional networks of institutions and professionals engaged in policy analysis, reform-oriented training and advocacy;
- Support and dissemination of in-depth comparative and regionally applicable policy studies tackling local government issues;
- Support of country specific projects and delivery of technical assistance to implementation agencies;
- Assistance to local Soros foundations with the development of local government, public administration and/or public policy programs in their respective countries;
- Publishing of books, studies and discussion papers dealing with the issues of decentralization, public administration, good governance, public policy and lessons learnt from the process of transition in these areas;
- Development of curricula and organization of training programs dealing with specific local government issues;
- Support of policy centers and think-tanks in the region.

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## PREFACE

DIVERSITY IN ACTION:  
LOCAL PUBLIC MANAGEMENT OF MULTI-ETHNIC COMMUNITIES

Anna-Mária Bíró and Petra Kovács

## Reform of Public Administration and Ethnic Identity Protection

The establishment of new political institutions and the reform of public administration are key events in the process of transition in the post-communist countries of Central and Eastern Europe (CEE). In this process, the effective management of multi-ethnic communities has become relevant at both the central and local levels of government. Minorities raised their voices for the protection of their rights and for their involvement in democratic state-building. In their view, meaningful democracies could only be based on consensual states incorporating all ethnic groups, whether majorities or minorities, on an equal footing. This inclusive legitimacy of the newly emerging states was thought to be a major guarantor of stability, a condition *sine qua non* of effective transition to market economies and the rule of law. Due to the legacy of nationalist-communist countries that discouraged and sanctioned public participation in policy-making in general and increasingly regarded the state as the ethnic property of the majority population, the aspirations of minorities for the preservation of their identity and effective participation have been resisted to various degrees throughout much of the region. Nevertheless, as a result of heated domestic debates under international pressure for peace and stability, it has been broadly recognised that the aspirations of minorities and indigenous peoples will not disappear and that there must be a systemic response to their needs.

The protection of minority rights and the political, economic and social inclusion of minorities have also been urged by various intergovernmental organisations. These organisations include the United Nations (UN), the Organisation for Security and Cooperation in Europe (OSCE), the Council of Europe (CoE) and the European Union (EU), which have developed a number of politically and legally binding instruments regulating and guiding the domestic treatment of minorities. The international community has declared that the welfare of minorities is no longer an exclusively internal affair of the state but a legitimate concern of the entire community.

As a consequence of domestic and international events, post-communist countries have established various forms of legal and institutional frameworks for the protection of minorities. But it has become increasingly clear that an exclusively rights-based approach in the spirit of effective protection defined by international minimum standards may not necessarily provide for a broader inclusion of minorities at all levels of government. Thus, the

development of participatory systems of governance responsive to the special needs of diverse minorities has become key to stable and functioning democracies of this multi-ethnic region. The establishment of inclusive systems of local governance in general and from an ethnic perspective in particular, is an important first step towards building participatory systems overall.

The bulk of the minority rights and multi-ethnic policies are implemented by local authorities. In addition, special measures and services are truly effective only if designed and carried out at the closest level to those affected. In many countries, as a result of public administration reforms and decentralisation, local authorities gained competencies to design policies responsive to ethnic diversity through the representation or direct involvement of minorities. In some countries, autonomous arrangements in the field of culture were set. Yet the effective implementation of these policies is often hindered by central government control, skewed administration of law, insufficient technical expertise and inadequate resources. There is, therefore, an urgent need to develop methods to overcome these barriers and to enhance local government capacity to meet the specific needs of diverse communities.

Experience shows that, on one hand, effective decentralisation can often be delayed by central government fears of secession by territorially compact ethnic groups. On the other hand, even if the centre is co-operative on ethnic issues, nationalist local authorities may block the implementation of decentralised minority policies. Whilst decentralisation and the principle of subsidiarity can be very effective, domestic supervision and international monitoring are also needed to improve minority protection in the region. In addition, the building of a political culture acceptant of a multi-ethnic public administration should supplement the legal and institutional reforms. A multi-disciplinary approach to public administration reform coupled with the application of multiple tools of reform, including training, is key to the establishment of pluralist democracies in Central and Eastern Europe.

## The Project

In the fall of 1996, the Local Government and Public Service Reform Initiative (LGI) of the Open Society Institute launched a project to identify and disseminate useful information on the effective management of multi-ethnic communities and development of multi-ethnic politics in Central and Eastern Europe (Managing Multi-ethnic Communities Project (MMCP) <http://lgi.osi.hu/ethnic>). As of January 2001, more than 160 relevant cases of local policy innovation had been identified, and a network comprised of more than 300 local experts and civil servants was established. (As of spring of 2000, LGI Managing Multiethnic Communities Project and the Center for European Migration and Ethnic Studies (CEMES) have engaged in a partnership to update and maintain the database of case studies on innovative practices.)

As a result of this project, LGI understood the urgent need for support of local government capacity-building and multi-disciplinary training of public officials to address problems related to the governance of multi-ethnic communities. In November 1998 LGI began the production of this textbook for schools of public administration in the region in

order to provide public officials with a solid knowledge of the relevant legal, political and administrative issues related to the effective governance of multi-ethnic communities of the region. As most country chapters were submitted before the summer 2000, important political events which have since occurred in the region are not addressed in the book.

Consonant with the Managing Multi-ethnic Communities Project, LGI has already published a book with similar focus covering the countries of former Yugoslavia. (Nenad Dimitrijevic (ed.), *Managing Multiethnic Local Communities in Countries of Former Yugoslavia*, LGI: Budapest, 2000.) Another book on the Newly Independent States is forthcoming. (LGI Managing Multi-ethnic Communities Project and the Network of Ethnological Monitoring and Early Warning of Conflict in Moscow are expected to publish *Democratic Governance of Multi-ethnic Communities in the Newly Independent States*, edited by Valery Tishkov, in 2001.)

## Substance and Methodology

Due to the lack of relevant literature and research in this field, this textbook intends to fill the gap by providing information and 'food for thought' for public officials and relevant professionals and practitioners. It is not intended to be an exhaustive comparative study of local management of multi-ethnic communities in the region; it does not establish theories and models that identify commonalities and differences in inter-community management at the local level across all relevant countries in a systematic way. Such a task would exceed the introductory intentions of the book. The major objective of this book is to set the ground for basic multi-disciplinary knowledge in this field, to provide a regional overview of the major issues that were identified across the countries in question and to collect and share strategies for addressing these issues through the case studies of good practice. It is hoped that this book will invite creative criticism and further research and debate that can inform the everyday work of those concerned.

The textbook covers the following countries of Central and Eastern Europe: Bulgaria, the Czech Republic, Hungary, Poland, Romania, Slovakia and Ukraine. These countries share commonalities that make them suitable for comparative research. All of them are post-communist and in a period of political, economic and social transition; they have all experienced peaceful transition processes; each of them opted for accession to the European Union and integration into Euro-Atlantic structures; and all of them are historically multi-ethnic and have undertaken significant institutional reforms, including public administration reform.

This volume analyses the management of multi-ethnic communities from a multi-disciplinary perspective, attempting to briefly map out the broader context of the issue together with a focus on particular in-country situations and practices. It also combines a more detached view of comprehensive expert analyses with the perspective of local authors focusing on local particularities. The book is divided into two major parts.

Part One introduces the political, legal and administrative environment of the management of multi-ethnic communities.

The political science chapter is structured around the basic concepts of state, ethnicity and civil society, and the conditions for their effective functioning under modernity

and globalisation. Related issues such as legitimacy, state integrity and state collapse, citizenship, ethnicity and cultural reproduction, multi-ethnicity and multi-culturalism are re-assessed critically in a comparative framework of examples from Western and Eastern Europe. The question of post-communism and the special role of ethnicity in these states are also addressed.

The chapter on public administration gives an overview of institutional reforms carried out in the last ten years at both central and local levels in the relevant countries of Central and Eastern Europe. In the section discussing the initial constitutional and institutional reforms in post-communist states, the two major competing constitutional settlements, parliamentarism and presidentialism, are presented and analysed. The following part provides a critical survey of the central government reforms, including the civil service and administrative structures and the issue of the training of public officials. A number of problems related to the development of the new administrations are analysed from historic, economic, political and legal perspectives. The overview of local government reform incorporates key elements including size, competencies and property as well as central/local relations.

The overview of the existing legislative framework on the protection of minorities presents the international law background and context and the leading global and European texts. Its analysis focuses on four key texts: Article 27 of the International Covenant on Civil and Political Rights, the United Nations Minority Rights Declaration, the Charter for Regional and Minority Languages and the Framework Convention for the Protection of Minorities of the Council of Europe. The interpretative complexities of each text are addressed, and an explanation of what these instruments mean and how they can be used is provided. The focus on legal analysis is combined with a broader focus on political issues, 'diplomatic' approaches to conflict prevention and redress, and the benefits of inter-cultural and multi-cultural education.

Part Two identifies the relevant historic legacy, legislation and institutional structures, major political debates in minority protection and public administration reform, with particular reference to local government on a country by country basis. Innovative local practices in this subject area are included. Policy analysis is combined with demographic and sociological surveys, and rights-based assessments are combined with inquiries from a public policy perspective. To lay the foundation for a more or less systematic comparative review, the editors suggested some guidelines to the authors containing a set of issues for analytic consideration. These issues include: various characteristics/qualifiers of multi-ethnicity, the legal and political position of minorities, public administration and local government reform with reference to the representation and participation of minorities, and policy recommendations. Some authors chose to structure their analyses according to the guidelines. Others shaped them according to what was considered as most important from their perspective in the field. For instance, some authors focused on the analysis of one or two minority situations instead of a more comprehensive overview of inter-ethnic issues in their states.

Authors identified various types of minorities and minority policies. It seems that the number/size, geographical location, pre-communist history and institutional memory, elites (skilled, organised), available local resources (spiritual and material), and external resources proved to be decisive factors in designing minority policies. Part Two empha-

sises that various ethnic groups in a given country may have very different aspirations, claims and needs. Different groups also enjoy very different levels of social and political integration. This kind of information, it is hoped, may help public officials and civil servants to better understand the nature of the region's ethnic diversity and to design policies according to the needs of various ethnic groups.

Each country chapter includes an in-depth analysis of the legislative and institutional frameworks for the protection of minorities. Chapters discuss differences between *de jure* and *de facto* provisions of legal and institutional guarantees. Conflicts between international law and domestic legislation are discussed in all chapters. While Central and Eastern European countries have become parties to various international and European legal instruments, these guarantees sometimes contradict domestic legislation. Sometimes international standards are stronger than domestic laws, while in other cases domestic law can exceed international norms. Harmonisation of international and domestic legislation, however, should not be used as a means of lowering or disrupting existing domestic standards.

There are various forms of constitutional recognition of minorities throughout the region. The outcomes of political debates on these forms of recognition can be assessed along a broad constitutional spectrum. At one end of the spectrum, minorities are recognised in constitutions, and may be granted state-constituent status. At the other end, their constitutional recognition may be denied altogether. This lack of recognition can prevent effective minority protection. However, nonrecognition of minorities at a constitutional level may be the price for some *de facto* provisions for identity protection at the local level.

In the emerging democracies of Central and Eastern Europe, new institutions in civil society have emerged to design and implement various types of public policy. Nonprofit or civic organisations have been established to respond to new challenges or to provide adequate services for particular groups. Due to their autonomy, these organisations are often more creative in developing new models and means to provide specialised services. On the basis of the experience of these NGOs, successful innovations might be translated and adapted in other localities. The civil sector can fill in gaps in government policy and practice, and can work in partnership with local government to meet minority needs.

Some other major issues identified across the chapters are the following: representation and/or direct involvement of minorities in local governments, use of minority languages in public administration, financial guarantees for cultural autonomy, financial and political support for minority education, and minority access to local public services. Almost all of these topics have emerged in each of the seven countries. However, institutional arrangements and policy responses have varied to a great degree. Further, political debates that marked the introduction of new policies both at the central and the local level crystallised around different issues: language, education, territorial autonomy or property restitution, citizenship, and distributive justice. The textbook presents a set of innovative approaches and policy programmes that have attempted to address these issues.

The country analyses are supplemented by case studies of innovative practices coming from various multi-ethnic localities in the region. Case studies are intended to raise awareness among public officials and practitioners of the many old and new strategies for the promotion of local multi-ethnic harmony across the region. These case studies were

included to illustrate local experiences in concrete detail so that they can be adapted and used under different circumstances.

Special attention was paid to ensure that multiple ethnic perspectives were reflected in each country chapter. Expert readers from diverse ethnic groups were invited to provide comments and advice to the authors that were subsequently integrated into the text. Because of the pilot nature and multi-ethnic character of the book, the editors did not opt for a rigid structure and uniform style and terminology across chapters. On the contrary, they tried to respect the individual perspective, methodology, style and language present in each chapter to celebrate what is the major topic of this book: diversity.

## Key Features of the Book

Each of the chapters is designed to be easy to read with a number of learning aids including:

- **Abstracts.** A brief summary of the main points is provided at the beginning of each country chapter.
- **Boxed Case Studies.** Important cases of good practice and innovative thinking are contained in boxes.
- **Appendices and Annexes.** These provide useful information to supplement the text.
- **Further reading.** Each chapter provides a brief list of further reading on the subject covered.
- **Consolidated bibliography.** At the end of the book a detailed list of sources is provided chapter by chapter.
- **Glossary.** A selection of key concepts is briefly explained at the end of the book.