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## **Conclusion**

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This special issue has dealt with an important challenge confronting not only the academic field active on minority issues, but also the ways in which minority policies, laws and international frameworks need to be (re)considered. An urgent challenge has emerged through ‘new migration’ and the rapidly increasing ethnic diversity, a new reality in most European nation-states. Again, we are standing at a breaking point, another milestone in the evolution of minority studies and how to consider the right of the increasing number of different minorities. The collapse of the Soviet Union, followed by the Yugoslav wars, each represented two important milestones, and are the forerunners to much of the existing academic, political and legal developments, knowledge and experiences with minority studies. Yet the current phenomenon—the ‘new migration’—seems to be representing a third milestone. It has rapidly made its way into minority studies, however with less understanding of what it really means and what the greater implications may be. Many things need to be rethought and newly understood, not least who and what constitutes a ‘minority’ today, but also how to equip national and European-level institutions, how to reconsider the term ‘minority rights’, and who should have access to special rights or enjoy special protection. These are only a few of the questions arising from contemporary developments, and as seen in the Introduction to this

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special issue, there are many more concerns and dilemmas related to new migration and its possible impacts on minority rights.

Minority studies have always been torn by complex questions, a challenge which is now there again. With the third milestone making its way into minority studies, characterized by new migration and new types of minorities in Europe, some of the classic questions are gradually reintroduced. Questions that we thought had been addressed and matured, suddenly turn out to be relatively unstable after all, or at least when confronting the new and highly complex realities which are spreading across Europe. Vertovec (2007) introduced the term ‘superdiversity’ as he described the British ethnic composition back in 2007. The notion was applied to capture how the very nature of immigration had changed since the early 1990s in Britain, referring to a transformative trend of “diversification of diversity” (2007: 1025). More specifically, with superdiversity, Vertovec argued that the past decades’ immigration had become so diverse that societies had to consider many new variables when drawing up different policies. Vertovec listed new variables such as differential immigration statuses, and their concomitant entitlements and restrictions of rights, divergent labour market experiences, discrete gender and age profiles, patterns of spatial distribution and mixed local area responses by service providers and residents (ibid.). This points to the weight of differentiation both within and between diverse migrant groups. The guest editor of this special issue, Alan Anderson, also raises a question of ‘differential’ treatment or state recognition of minority rights for different types of ethnic/linguistic/religious minorities. Now that nearly each nation-state in Europe confronts a rapidly increasing diversity, do the state policies also need to be adjusted accordingly to better reflect the diversity? Are the so-called *differential state policies* for different types of minorities the new norm? Such developments have inevitably led to a reintroduction of the longstanding debate, namely on how to (re)consider the scope of minority rights. Classic questions on who is a minority also suddenly reoccur, reengaging both scholars and policy makers. By questioning who is a minority today, one needs to consider that most European nation-states have changed dramatically from the times when post-war or post-Soviet arrangements were drawn up. How can we (or should we) categorize all the different minority groups? Do all the different types of minorities that make up European societies today qualify for ‘special’ minority rights? Or do we need to engage in new distinctions and categorizations? This also raises questions over whether there is a need to rethink the distinct approaches that have been applied towards traditional/national minorities and the more recent immigrant-origin

minorities? So far, the former ones have managed to secure various special ‘rights’, while the latter are (most often) obliged to emphasize integration into receiving countries. In what way(s) do the European countries need to rethink their national politics and approaches in settling the various needs of the different types of minorities? Also, could the increasing need to establish integration policies in European nation-states have detrimental (or positive) effects on the policies that are already established and negotiated for the historical national minority groups, or vice versa? While some of the above questions are not new, the context in which they are being asked are. The environment in which the old questions are reintroduced has changed dramatically, and while the original questions are returning, they are this time accompanied by several new concerns, arising from complex phenomena which are here to stay and will not go away. The European-level institutions have made important achievements in the field of national minorities and their protection by establishing some of the most ground-breaking documents, such as the Framework Convention for the Protection of National Minorities (FCNM) and the European Charter on Regional and Minority Languages (ECRML). Despite the weakness encountered in each of these documents, not least the problem of non-enforcement upon states, they have marked an important development in the area of minority rights in Europe. And these documents have contributed to important achievements, not least by encouraging many states to be more open and receptive to minority issues and diversity in their societies. Yet both documents were established in a different time, a time in which the first two milestones were dominating the minority discourse Europe. The European Centre for Minority Issues (ECMI) also shares many years of experience on the two first milestones in minority studies, namely the collapse of the Soviet Union and the Yugoslav wars as well as the consequences following the end of both federations. Each of the two milestones served the basis for much of ECMI’s research for a long time and the centre has covered each milestone widely in its projects, publications and events. Through this focus, ECMI has contributed with important knowledge, expertise and produced important results regarding both milestones. Now, as a third milestone has arrived, with an incredible speed, requiring a multifaceted rethinking in the context of minority studies, it is also time for the ECMI to rethink its engagement with minority issues with this special and highly complex context. This special issue is a good place to start to explore some of the most challenging questions today and to engage with the highly unexplored linkage between minority rights and new migration.

## 1. The issue of redefinition(s)

One central question was introduced in the very beginning of this special issue, namely: how ‘new migration’ may affect ‘minority rights’. This question brings together the established rights of long existing (traditional) ethnic minorities and the presumed rights of new migrants. But the question further raises the issue of ‘redefinition’ of the very meaning of minority rights and what ‘rights’ ought to be given, and for whom. The issue of ‘redefinition’ of minority rights is not novel to minority studies, and it has been addressed in existing work, very recently in fact. Malloy (2013), for example, has suggested a new approach to viewing minority rights by elaborating how we could move away from the hierarchical position of protection as the main ‘end’ of minority rights. Here new mechanisms, such as the need of empowerment mechanisms, entered the debate on how and to what extent minority rights can and need to be reconsidered. Similarly, Guella *et al.* (2013) also introduced the so-called ‘law of diversity’ which proposed a move beyond protection towards empowerment of national minorities by emphasizing the importance of self-empowerment, participation and cooperation. Hoch-Jovanovic (2014) also reached the conclusion that minority rights are undergoing a dynamic change in the times of European integration and that various Europeanization forces contribute to a reinvented picture of minority politics and *traditional* rights, not least through the importance attached among minorities to act independently at the European level and/or in transnational coalitions, being more prioritized than protectionist paradigms. So, the question of *redefinition* has already been raised and addressed in the interdisciplinary field of minority studies, at least in the context of traditional national minorities. However, such studies which began to explore the potential for various kinds of redefinitions regarding minority rights and minority politics in Europe, did not get very far before the realities in Europe started to change. Minority issues suddenly became accompanied by highly complex realities, rarely observed before. This has introduced many new variables to be considered; many new ‘categories’ of groups are waiting to be ‘sorted’; numerous new concerns need to be dealt with. This all calls upon many decisions to be taken regarding what approaches we should apply in terms of methods, theories and data. The immense influx of people has not only created a challenge to nation-states and the (potential) threat to older/traditional national minorities. But this extreme diversification of people also imposes a challenge to the academic domain, as well as political and legal developments concerned with drafting policies and establishing rights. With such a

complex reality, a number of redefinitions and rethinking are today more urgent than ever before.

## **2. How does this special issue contribute?**

This special issue raises several important questions about the interlinkage between new migration and existing knowledge in minority studies. Each article addresses this linkage in a unique way. This is done in the four articles by addressing four different problems, through four different approaches, looking at different country contexts and by developing four different arguments. And as such, each of the articles in this special issue contributes to the ongoing debate producing relevant knowledge to both academia and policy makers working on minority issues.

This special issue was opened through an Introduction by the guest editor, Alan Anderson, who provides a thorough review of the development across many European states as caused by the new migration waves. With this he also introduces several important questions that need much more attention today. One of the most central questions revolves around how new migration (in many varieties) may affect minority rights. He defines minority rights as not only the established rights of long-existing ethnic minorities but also the presumed rights of new migrants settling largely in European countries and through which those countries are being transformed into ethnic pluralist (multicultural) states. By pointing to the many controversies arising from the increasing new migration, Anderson opens up the special issue with many central reflections of current societies, underlining the need to better understand the complex relation between traditional/national minorities and newer immigrant-origin minorities.

The Introduction is followed by Armillei's and Mansouri's focus on the meaning of 'ethnic democracy' in Italy and Australia. The co-authors explore the question of what forms of policies states can apply regarding irregular migrants, or 'boat people', and especially two states with authoritarian legacies. Through a historical ideological lens, the two authors argue that Italy's and Australia's approach in dealing with irregular immigrants is reinforced through the history of authoritarian legacies. They illustrate this argument by pointing to several trends observed in both countries throughout the past decade. A first weakness is noted in both countries' concerns protecting their national territories from the massive influxes, rather than

complying with international human rights. A second pattern is shown in the ways of dealing with 'boat people' in both countries, in which the public opinion appears to have a strong hold of national policy choices and actions. That is, crimes at the national level are often linked to illegal immigrants, which has helped to install a context of 'moral panic' leading to a reinforcement of 'othering' and ethnic nationalism in both countries. Because of this widespread discourse, both countries are increasingly concerned with securitizing their territories, rather than applying democratic means in the dealing with irregular migrants. In practice, this has led to an increase in penalizing asylum-seekers. The authors make an interesting point throughout the article, namely that one needs to shift the focus to the causes of the illegal immigration in order to prevent it, and not only consider how to deal with the migrants once they have arrived in the 'host countries'. However, the negative attitudes in both countries are not only visible in their approaches toward illegal immigrants, but also in attitudes toward other existing and traditional minorities in the two countries, such as the Roma in Italy and the Aboriginals in Australia. This reinforces the arguments about the still strong presence of ethnic nationalism in both countries, which not only influences the approach to illegal immigrants from Africa and Asia, but also justifies it. The article sheds a useful light on how certain legacies are easily revived in times of new migration and what influential force such legacies can have on the policy choices in countries. But the article also points towards the issue of renewed nationalism as directed towards 'visible' minorities, both older ones as the more recent ones, which is exactly one of the dilemmas raised by Anderson in the Introduction.

The next article by Carlsson explores integration policies of immigrants, however, in a very specific context that has not rendered much research so far, namely in bilingual Finland. But rather than focusing on the Finnish language as the language of immigrants' integration in Finland, the author shows how the existence of a historical minority in a country can impact the debate on how to draw up an immigrant integration policy. Swedish, being the second official language in bilingual Finland, is spoken by a Swedish non-territorial minority with national minority status and co-constitutional rights in Finland. And although the societal position of Swedish has been declining in Finland over the past decades, many immigrants express a wish to have the Swedish language as the language of integration. Unlike in other federal states with bilingualism and territorial minorities, where the dominant language of that territory needs to be learned by immigrants, in Finland it is rather voluntary. However, not much is being done by the Finnish state to enable immigrants to choose between the two

languages, this despite existing legislation. And while the Swedish-speaking minority in Finland is in favour of an integration policy in the Swedish language, many immigrants choose Finnish due to structural reasons and fear of ending up in a marginal position should they opt for Swedish. This article shows the complexity of bilingual arrangements when it comes to a changing reality and increasing diversity, and especially when confronted with new processes such as new migration and the need to adapt the existing structures to emerging developments such as a new integration policy. It also brings to the fore the different categories of historical minorities and how these are perceived by migrant communities. For example, in this article, the fact that the Swedish minority in Finland once held the dominant position in Finland, could possibly also explain the immigrants' interest in learning Swedish. This is an area that would need further elaboration, though.

In the third article, Andreeva treats the Schengen Agreement as a novel migration arrangement in Europe and she illustrates how such an arrangement can (indirectly) have a negative impact on state policies and cause mistreatment of certain minority groups. By looking at the Republic of Macedonia and the country's citizens belonging to the Roma minority, the author illustrates the ways in which members of the Roma minority are deprived from fundamental rights, especially the freedom of movement. In 2009, the EU decided to extend one of its core principles, namely the freedom of movement to the Western Balkans by lifting the visa requirement for citizens from those countries and allowing them to travel freely to the remaining EU member states within a certain period. The Republic of Macedonia belongs to one of those countries where the visa requirement was lifted, however as the author notes in her article, this has led to a jeopardizing of fundamental rights for some of country's citizens, especially the Roma. Although the minority group enjoys constitutional guarantees and protection, it has been repeatedly denied the privilege of crossing the border or leaving the country. The Roma minority is thereby not only prevented from freely exercising the freedom provided by the EU, but the act of prohibiting the Roma to leave the country is also interfering with their constitutional rights. The author links this specific case to the existence of a deeply rooted problem in the Republic of Macedonia, one in which state institutions and, in this case, border institutions often apply discriminative practices towards the Roma minority, denying them the right to leave the country freely being only one of many instances of discrimination. This case helps to demonstrate how a certain minority in one country, despite the guarantee of fundamental rights and freedoms of citizens in the state constitution as well as rights guaranteed

by the European and international level, is still mistreated and discriminated against when placed in the context of the ‘new migration’.

The fourth and final article provides a detailed analysis of three theoretical/methodological approaches on how we could investigate a potential (re)definition of minorities through the usage of news media. The author presents three broad approaches that can be useful to begin such research, namely: a media-based definition of minority; critical and comparative discourse analysis; and media as a forum. The author discusses both advantages and pitfalls with the three approaches, concluding that media—as an agent of the discursive practice—presents a highly biased and deeply problematic reality in terms of the way diverse ethnic groups may be perceived or accepted as in- or out-groups. However, in the context of increasing knowledge about the process of (re)definition of minorities in a reality with ‘new minorities’, a media analysis can, on the other hand, also help to bring the existing problem to light and to critically engage with the assertion that certain groups do or do not require protection and/or recognition by academic, political and legal institutions and structures. This also concludes the entire special issue by asserting that the current issues of ethnic, cultural, linguistic and religious diversity in Europe require an engagement of the entire minority field, which encompasses not only academic research and studies, but also political and legal actors and domains.

### **3. Four conclusions can be drawn from the above articles:**

First, historical legacies in nation-states, and especially legacies of fascism and ethnic-nationalism, are easily revived when confronting new migration;

Second, state policies on integration don’t always consider the voices of migrants; for example, in the case of bilingual ‘host-countries’ where the migrants’ own perspectives should be debated and included in setting up an integration policy;

Third, some regional migration arrangements, such as the Schengen Agreement in Europe, can indirectly trigger discriminative treatment towards certain (traditional) minorities;

Fourth, the minority field, including academic, political and legal, needs to consider the increasing relevance of ‘new minorities’.



#### **4. Recommendations**

So what is the relation between the (emerging) integration policies aimed at ‘new migrants’ and the more established policies of older national minorities?

This special issue has tackled several different aspects related to the minority rights and new migration and how these may relate and influence each other. Although no definite conclusions can be drawn in this still relatively underexplored field, this special issue has introduced some urgent questions that need to be addressed and (re)considered, and that will undoubtedly occupy many scholars’ research agendas over the coming years. Despite the complexity that the new migration introduces, European organizations as well as the nation-states in Europe do have experience with tackling diversity, and especially minority demands which has led to the creation of rights schemes applying to national minorities. Without repeating the questions on whether new migrants qualify for special minority rights or not, countries do need to strengthen their engagement with these groups and to (re)consider the scope and content of integration policies. The experiences with national minorities in Europe can be useful to build on, and especially because the rights that many national minorities enjoy today were preceded by challenging and complex times. Therefore, the process which led to the creation and institutionalization of national minority rights can provide a useful platform in terms of experience to policy makers and important lessons can be drawn from the process preceding the establishment of national minority rights. One characteristic of that previous process was the timing that it needed to agree on and establish certain rights to national minorities in Europe, despite the urgency in many areas. The process also involved the issue of accepting those rights by many different parties involved. Each national minority group is unique, demonstrating its own specific needs, requirements and claims, not only between European countries, but also within the countries. This has also meant that each model or arrangement has had to adapt to such unique circumstances which arise from diverse societies.

Just like the established minority rights applying to historical national minorities across Europe took time to be accepted by the publics, integration policies regarding new migrants also need to be contested. Input is necessary from a broad range of actors and voices, including public opinion, interest groups, the media, and all political parties as well as academia. Not only is such an engagement missing, but it is also one of the strongest challenges in contemporary European societies.

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