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Ethnic Minority Policies as an Ethnic Cleavage Dimension Within Post-Communist Party Systems: Case Studies of Vojvodina Hungarians and Estonian Russians²

Abstract

Focusing on the case studies of Vojvodina Hungarians and Estonian Russians, the article aims to explain the persistence of ethnic cleavage in post-communist party systems. Ethnic cleavage is expressed in terms of ethnic minority policies pursued by political parties. The article relates the degree of stability of the ethnic cleavage within the party system to the persistence of party policy attitudes and policy practices in ethnic minority policy. The long-term impact of the salience of ethnopolitical issues at the outset of multi-party system on policy attitudes and policy practices of political parties is summarized in a two-decade-long perspective. A proneness of political party attitudes and practices to path dependence is related to reversal prospects of state minority policies. The article names the limitations of party policy-making in the sphere of ethnic minority policies.

Key words: ethnic minority policies, post-communist party systems, Vojvodina Hungarians, Estonia's Russians, cultural autonomy, language policies, citizenship policies

Introduction

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- 2 This article draws on the doctoral research conducted by the author for his dissertation "Political Parties and Ethnic Minority Policies, 1991-2011: A Comparative Study of Serbia's Hungarians and Estonia's Russians". Vytautas Magnus University, Kaunas, 2012.

At the outset of multi-party system in post-communist European states, ethnicity was found to be the only cleavage salient enough to be immediately transformed into party platforms (Crawford 1996: 117-156). The salience of ethnicity raises a number of questions with regard to the ethnic dimension in the structure of party systems of post-communist European states and its implications for ethnic minority policies. What impact has the redefinition of ethnopolitical settings in the states that emerged from multiethnic socialist federations left on the attitudes of crucial political actors and policy makers toward ethnic policies and on their actual policy practices, and what long-term implications could it have for ethnic minority integration patterns and social cohesion in these states? To what extent has this kind of ethnicized transition toward a multi-party system structured ethnic minority policies in these states along ethnic or civic lines?

The dimension of ethnic cleavage within a party system could imply different answers to these questions, reflected in political parties' divergent policy attitudes toward ethnicity-related issues, and, respectively, different policy practices in ethnic minority-related policy areas (language, citizenship, education, etc.).

A related question concerns the peculiarities of policy making by political parties in the area of ethnic policies in terms of durability or proneness to change of party policies over time. Does the ethnic dimension of the nation-wide political cleavage structure, expressed in the said difference in party policy attitudes and practices, persist over time, and what factors could condition its change?

An important set of theories dealing with the role of political parties in policy making attributes a series of features to them, which are believed to determine policy outcomes in relevant ways. These features are: a relative immutability of party policy stances, path-dependency, resistance to change and perpetuation of existing policy paths over time. Thus, historical institutionalist theoretical tradition assumes that political parties are particularly path-dependent in their policies: once set along a particular path, their policies are difficult to reverse (Panebianco 1988: 270-273; Pierson 2000: 251-267). In contrast, theories stressing the office-seeking nature of political parties (particularly rational choice theory) argue that party policies are instrumental in their quest for power. Parties are thus expected to adjust their policies to the goal of getting or remaining in power (Downs 1957: 28; Schlesinger 1988: 266-293; Seiler 1998: 227).

These contrasting interpretations of party policies suggest different implications for any policy field. If party policies are path-dependent, their policies will heavily depend on their history, or previously chosen policy path. If parties are primarily guided by a rational power-seeking calculus, a dynamic political environment can be expected to impart more mutability to party policies over the course of time. In any case, the peculiarity of the relationship between the two phenomena – (1) the political party with its peculiar role in shaping policies and (2) ethnicity as a factor of political cleavage – still remains an underresearched area when it comes to ethnic minority policies. The two-decade-long period that has passed since the introduction of multi-party systems in European post-communist states allows us not only to evaluate the legacy of the processes of ethnic mobilization in ethnic minority policies pursued by political parties, but also to test the proneness of parties' ethnic policies to path-dependence and reversibility over time.

Although seemingly different in a number of aspects that make up the general ethnopolitical contexts of the two states, the two states chosen for the present research – Serbia and Estonia – satisfy the key validity requirement: the origins of the both states' contemporary party systems date back to periods of strong ethnicity politicization that could not but affect the policy attitudes and practices of the major political parties.

Of all the states that (re-)emerged on the map of Europe in the early 1990s, Estonia is perhaps the most eloquent example of a nation-state that defined its identity in explicit ethnic primordialist terms, with resulting implications for all ethnicity-related policy areas. This development is the outcome of a powerful popular movement for national independence which in the long run gave rise to the country's major political parties. The practical implementation of the conception of political membership had clear ethnopolitical implications, resulting in socioeconomic stratification overlapping with ethnic divisions.

The emergence of a multi-party system in Yugoslavia was accompanied by ethnicity-related conflicts that gradually escalated into the wars of Yugoslav disintegration. The present research is concerned with the case of Serbia, focusing on the policy practices of the country's political parties with regard to the specific issue of the autonomy of Vojvodina and its peculiar regime of minority rights protection, with its relevant implications for the province's biggest Hungarian minority.

Ethnic Cleavage in Serbia's Party System and Hungarian Cultural Autonomy in Vojvodina

In order to identify ethnic policy-related cleavages within the party system and to measure changes in political parties' ethnic minority policy attitudes and practices in a quantitative manner, Peter Hall's categorization of first-order, second-order and third-order policy changes is applied (Hall 1993: 278-279). In analyzing strategic party policy agendas and legislation initiated by various parties, party policy changes are labeled with the following codes. First-order changes denote changes in policy tool settings, prompted by new knowledge and experience, whereas general policy goals and tools remain unaltered. Second-order changes indicate changes in both policy settings and tools, based on past experience, while general policy goals and strategies do not alter. Third-order reforms are particularly important for studying cases of policy reversal, since in addition to changing policy tools and settings, they also imply changes in policy goals.

The 1974 Constitution of Vojvodina, by establishing a full-fledged system of nationality rights protection, institutionalized a particular track of developing official policies toward minorities. Considering four processes inherent to any political environment (collective action, institutional development, the exercise of authority, and social interpretation) (Pierson 2011: 40), the subsequent reduction of autonomy in 1989 proved to be a critical juncture marked by an "exogenous shock" to the current path, as the ruling party exercised its political authority so as to reverse the existing track of institutional development. Nevertheless, during the years of its existence (1974-1989), the Vojvodinian regime of nationality rights protection had generated the potential for collective action and social interpretation aimed at reinstitutionalizing the abandoned path. By producing Hungarian leaders who were able to speak for the group, the system of de-facto cultural autonomy provided them with the resources and skills to mobilize politically (Tolvaišis 2012: 63-83). The continuation of policy standards became possible due to program documents of both ethnic Hungarian and regionalist Vojvodinian parties, inspired by the 1974 constitution, speaking in favor of historical institutionalist theoretical assumptions about a considerable degree of stability of party policy agendas over time.

Throughout the 1990s, ethnic minority policy standards of the 1974 provincial constitution, albeit abandoned in practice, were preserved as a normative orientation in the policy agendas of ethnic

Hungarian parties and the League of Social Democrats of Vojvodina (LSV), with an ally embodied by the Democratic Party (DS) as the major opposition party. The alliance structure of Vojvodina Hungarian parties was based on a long-standing division characterizing Serbian political parties in the form of “autonomism” versus “centralism”, which overlapped both with the ethnicity-related cleavage (“civic” versus “ethnic” approach to statehood) and the “pro-European” versus “anti-European” foreign policy orientations (Tolvaišis 2011: 53-70).

After the critical juncture of October 2000 (the overthrow of Slobodan Milošević), national minority rights protection was gradually institutionalized on the republican and provincial levels. Convergence between the DS and the Alliance of Vojvodina Hungarians (VMSZ) resulted in the creation of post-electoral coalitions. With a vice-prime minister in the government, the VMSZ got the opportunity to participate in the ruling majority on the republican, provincial and local levels, as well as producing third-order policy changes on the provincial level.

The redefinition of Vojvodina’s competences within Serbia was a prominent goal for the VMSZ. The reform initiated by the Democratic Opposition of Serbia (DOS) resulted in passage of the Law on Local Self-Government and the Law on Establishing the Jurisdiction of the Autonomous Province of Vojvodina (Omnibus Law) in February, 2002 (Službeni glasnik 2002). Over 200 competencies, including the spheres of culture, education, official use of languages and alphabets, and public media, were transferred to Vojvodina. In May, 2002, the Provincial Secretariat of Regulations, Education and National Minorities took over control of the official use of languages. The Provincial Council of National Communities founded by the Executive Council on August 30, 2006, became an advisory institution monitoring the work of national councils, in line with the LSV’s program guidelines. The Provincial Ombudsman became the most important independent institution dealing with the promotion of human rights in provincial and municipal institutions. On the local level, the Law on Local Self-Government foresaw the right of ethnically heterogeneous municipalities to establish advisory councils for interethnic relations (Službeni glasnik 2007, art. 98). Still, since the law did not specify procedures for electing council members, local municipalities arbitrarily appointed them, and the councils’ structure reflected the party structure of the local authorities.

The experience of the first decade of the 21st century showed that the provincial institutions proved to be more sensitive and effective at promoting the rights of national minorities, adopting numerous acts and taking on activities and measures. Throughout the said period, the VMSZ was coalition partner in the provincial government for several mandates. Their representatives in republican legislative institutions contributed importantly to the elaboration of minority legislation.

Consolidation of power on the provincial level provided the VMSZ with an important framework for articulating minority interests. In turn, by pursuing the above-described policies, the DS recognized the leading role of Vojvodina as an institutional framework for promoting national minorities. Moreover, Serbia's European integration appeared as an additional incentive to the DS to improve minority-related legislation and its enhancement. Hence, the "pro-European", civic and autonomist orientations appeared to be a supreme legitimizing motive. Likewise, the basis for the VMSZ's convergence with the autonomist LSV was laid by the multicultural character of the province. Here, opportunities opened up for the Hungarian political community to cooperate with both provincial and nation-wide political forces on the basis of their engagement in two interrelated dimensions: 1) the process of expanding Vojvodina's autonomy, and 2) the process of Serbia's integration into the EU.

The LSV and the VMSZ cooperated since the foundation of both parties, running together for elections in electoral coalitions on the republican level before the abolition of the 5% threshold for minority parties. Their last joint participation in elections was in 2003, in the coalition "Together for Tolerance" (LSV, VMSZ, and the Sandžak Democratic Party). After the coalition failed to pass the threshold, the LSV gave the Hungarian party its support in directing European institutions' attention to the situation of the Vojvodina Hungarians. Once back in parliament, the LSV and VMSZ based their cooperation on their shared commitment to European orientation and regional interests. These shared attitudes determined that in most cases, the voting patterns of the two parties in the Parliament coincided. Likewise, the LSV has been one of the VMSZ's closest partners in the provincial coalition since 2000.

The 2009 Statute of Autonomy, as the legal framework for minority rights protection in Vojvodina, enables us to trace ethnicity-related cleavage within the Serbian party system in terms of policy practice. The Statute was elaborated and supported by the DS, LSV,

G17+ and the Serbian Renewal Movement (SPO) and opposed by the Democratic Party of Serbia (DSS), the Serbian Progressive Party (SNS) and the Serbian Radical Party (SRS).

A first-order change in the policies of the Socialist Party of Serbia (SPS) is notable. After entering the ruling coalition with the DS in 2008, the SPS passively supported the DS's ethnic policies. This first-order change in party policy stances and practices can be attributed to the impact of the critical juncture of the SPS's loss of power in 2000. With new leadership, the party adapted to fundamental changes in the political environment in order to survive as a parliamentary party. The rupture with the Milošević-era ethnic policy path can be explained in terms of both rational choice theory (as the only way to pursue viable office-oriented behavior) and historical institutionalism (as an impact of a fundamental critical juncture). In the case of the SPS, the two theories seem to be complementary, not contradictory.

Identical party voting patterns could be observed during the adoption of the Law on Establishing the Competences of the Autonomous Province of Vojvodina on November 30, 2009 simultaneously with the new Statute of Vojvodina. The DS, LSV, G17+, SPS and SPO voted for the law, while DSS, SNS and SRS opposed it (Tolvaišis 2012(2): 127). The law confirmed the Province's competences in the sphere of education (articles 33, 34, 38), culture (Statute 2009: art. 41), and the management and control of the official use of languages and alphabets (art. 76). Other important stipulations included the province's commitment to cofinance public media in minority languages (art. 62), and the possibility of delegating the Province's competences in the field of culture, education and public media to national councils (art. 74.5). These stipulations represented elaborations of the LSV's concept of regional autonomy, backed by the provincial branch of the DS. In line with the programs of the DS and LSV, the Statute introduces new notions of multiculturalism and interculturalism as values of special importance for Vojvodina, and obliges provincial institutions to promote inter-ethnic respect and communication (art. 7).

An important legislative innovation introduced by the Statute is the principle according to which the level of individual and collective human and minority rights, once achieved, cannot be reduced (art. 23). The Province may raise the level of protection of national communities. This principle, introduced by ethnic and regionalist parties, surpasses the stipulations of the 1974 provincial Constituti-

on, and is in line with modern international standards of minority rights protection.

The principle of proportional representation introduced by article 24 is another example of the higher standards applied by the Statute as compared to the 1974 Constitution. It committed the provincial institutions to ensure that national minorities are represented according to their share in the population. These principles were the result of the DS's, LSV's and VMSZ's engagement.

The Statute's benefits for national communities of Vojvodina can be subdivided in several spheres that support both historical institutionalist assumptions emphasizing the perpetuation of party policy agendas over time, and rational choice arguments about the utility-seeking nature of parties. First of all, the provincial institutions proved to be far more sensitive and responsive than the rest of Serbia or even adjacent states with regard to the enforcement of minority rights. The tradition of interethnic cohabitation, rooted in Vojvodina's centuries-long civic culture, was adopted as an ideational value by ethnic Hungarian, Vojvodinian regionalist parties as well as provincial branches of Serbian nation-wide parties that adhere to the same side of the cleavage, and was preserved in party policy agendas over two decades, in line with the historical institutionalist paradigm. Second, by providing the province with additional financial means, the Statute creates the material basis for improving the enforcement of minority rights. Financial incentives could drive political parties' utility-maximizing behavior. Finally, institutionalization of cooperation between provincial institutions and the Hungarian National Council is the third benefit that the Statute brings to the Hungarian parties.

Vojvodina's Statute was drafted by the DS, the LSV and the Hungarian Coalition. The impact of the Hungarian Coalition is visible in those parts that regulate representation of national communities in provincial institutions. The contribution of autonomist and ethnic parties is reflected in the level of minority rights established by the Statute in the sphere of language use, which exceeds the level of rights of national minorities established by the Constitution and the republican laws. Namely, the Statute foresees 6 official languages, while the Constitution of Serbia stipulates that the only official language in the state is Serbian. The unequal situation created between the Serbian citizens living in Vojvodina and those in other parts of the country was picked up by the DSS, SNS and SRS as one of main criticisms of the Statute.

Likewise, the split around the Statute overlapped with the ethnic/civic cleavage. The VMSZ, DS, LSV and G17+ actively participated in drafting the Statute and voted for it, while the DSS, SNS and SRS opposed it, considering it a legal act that undermined the constitutional foundations of the Serbian state. On the initiative of the DSS, the Constitutional Court of Serbia challenged two thirds of the Statute's provisions on 5 December 2013. On 14 May 2014, the DS, SNS, SPS, VMSZ and NDS voted in favor of the modified Statute, while the DSS and the SRS opposed it, while the LSV abstained from voting.

The emergence of the SNS can be considered an example of an internal party split representing a form of critical juncture in its own right that complements the theoretical framework. The SNS emerged out of the SRS, as the deputy leader of the SRS Tomislav Nikolić supported the Stabilization and Association Agreement in 2008, contrary to the general party line. The VMSZ entered the coalition with the SNS on the local level as early as in 2010 in Zrenjanin, and converged with the SNS in Subotica. In the wake of April 2016 elections, the VMSZ was dubbed by the leader of the SNS Aleksandar Vučić to be the only reliable partner to form a coalition with. On the eve of the 2016 elections, minister of foreign affairs and trade of Hungary Péter Szijjártó, former spokesman of Fidesz, visited the party convention of the SNS in Pančevo and expressed unequivocal support to the SNS.

Still, the period of convergence between the SNS and the VMSZ was marked by the reduction of number of Hungarian radio programs across Vojvodina, including the Hungarian-language broadcasting of the Subotica Radio. The experience of the SNS shows that possible splits and significant changes in policies of individual parties not affect the general ethnicity-related cleavage dimension within the party system.

The establishment of national councils of national minorities is another third-order change that occurred in Serbia after the critical juncture of 2000. These institutions of cultural autonomy were established by several pieces of legislation, all of which reveal a long-standing policy cleavage between Serbia's political parties. The foundations of minority cultural autonomy were laid by the federal Law on the Protection of Rights and Freedoms of National Minorities and the 2006 Constitution (art. 19). Specific cultural autonomy legislation includes stipulations of the 2009 Statute of Vojvodina (art. 25) and the Law on National Councils of National Minorities.

The federal Law on the Protection of Rights and Freedoms of National Minorities defined national councils as advisory and representative bodies in the fields of education, culture, media, official use of language and alphabet (art. 19). The proposals elaborated by the VMSZ and the Hungarian National Council with regard to minority rights to cultural autonomy were accepted by all DOS-based parties. Thus, the right of every national minority to elect a national council was established by article 20 of the 2006 Constitution.

The beginning of Vojislav Koštunica's (DSS) first government (2004) coincided with a rapid slowdown in the elaboration of practical legislation that would allow for the implementation of the constitutional principles. Two terms of Koštunica's government (2004-2007, 2007-2008) were marked by a lack of political will to pass the Law on National Councils of National Minorities. The delays in making necessary changes to legislation occurred due to the opposition of the parties that represented the opposite side of the threefold cleavage: the DSS, SNS and SRS opposed the law, considering its stipulations anti-constitutional.

The second half of 2009 marked a watershed in the Hungarian political community's cooperation with the nation-wide establishment. The adoption of the Law on National Councils of National Minorities became possible due to the support of a part of the DS, led by minister of human and minority rights Svetozar Čiplić and characterized by a more liberal view towards national minority policies.

The said law gave hitherto unseen prospects for cultural autonomy of national minorities. It stipulated that national councils based in Vojvodina would be financed from the republican budget and co-financed from the provincial budget. Furthermore, the law entitled national councils to initiate the adoption of new laws or amendments to the existing legislation, and monitor its enforcement. National councils obtained the right to found associations, funds, institutions of education and upbringing (art. 11), culture (art. 16), media (art. 19), the public use of languages and alphabets (art. 10); or to co-found them together with the Republic, Province, local municipality or other legal persons. The Republic, Province, and local municipalities were entitled to transfer founding rights over the abovementioned institutions to national councils (art. 24).

The DS-led provincial institutions manifested their acceptance of national councils through the transfer of competences. In the field

of education, national councils were authorized to suggest teaching subjects relevant for national minorities, and to participate in drafting teaching plans and programs. Obtaining the national councils' opinion on school textbooks became an established practice in Vojvodina. In the field of official language use, national councils defined traditional toponyms in minority languages. In the field of media, the founding rights over printed media in minority languages on the territory of Vojvodina were transferred to national councils. The republican parliament, the government, other state institutions, as well as provincial and local government institutions were obliged by law to consult the national councils before making decisions on issues of minority cultural autonomy (art. 25). Summing up, we may note that the law largely corresponded to the Common Concept of Autonomy of Vojvodina Hungarian Parties (Magyar Koalíció 2008).

According to the legislation in force, national councils were not supposed to be politically subjective. Nevertheless, the Hungarian national council was practically influenced by the VMSZ. An example of indirect political benefits that could be potentially drawn by political parties from their control over cultural institutions was provided by the change in status of the Hungarian daily "Magyar Szó". With the election of the first Hungarian National Council in 2002, the Provincial Assembly of Vojvodina transferred the founding rights over "Magyar Szó" to the National Council. Later on, this move provoked criticism by other Hungarian parties that the daily had become the mouthpiece of the VMSZ, which also controlled the Hungarian National Council. The composition of the national council represented the distribution of influence within the Hungarian electorate, i.e., another cleavage dimension along party lines. During the direct elections, other parties' electoral lists (most notably the DS and the LSV) ran alongside the VMSZ. The national council as an institution of cultural autonomy thus proved to be a source of political capital in the inter-party struggle. The experience of Vojvodina Hungarians thus suggests that rational choice arguments on the utility-maximizing behavior of political parties and historical institutionalist assumptions on the perpetuation of party policy stances over time are not necessarily mutually exclusive. Parties may stick to their original policy agenda, which could also enable them to create new institutional spaces for drawing office-related benefits.

The political parties' engagement in the struggle over the national council reveals the attractiveness of this institution as an in-

stitutional resource of political capital, lending support to rational choice assumptions about the office-seeking nature of parties. On the one hand, this circumstance may benefit ethnic minority policies, prompting the parties to consider minority issues in their agenda, as shown by the experience of parties that stress their commitment to civic and regionalist values and whose contribution to the restoration of minority autonomy is presented above. On the other hand, the practice of political parties in Vojvodina provides examples of cases in which the tactical priorities of political parties are often defined by electoral considerations and do not always correspond to the priorities suggested by the real minority situation (e.g., the project of territorial autonomy; scarce attention toward the situation of Hungarian-language education in Banat and Srem where the Hungarian electorate is too weak for ethnic parties to rely on; or the example of minority mass media and cultural strategies, ethnicized and politicized by national councils). Minority policies pursued by ethnic parties had their limitations, as they were conditioned by “office-oriented” considerations.

Ethnic Cleavage in Estonia’s Party System and Ethnic Minority Policies in Estonia

The origins of cleavage in attitudes toward minority policies within the Estonian party system can be traced back to the period of Estonian ethnopolitical mobilization on the eve of the Soviet Union’s collapse. Already then, moderate and radical streams were discernible in the political programs of the two rival movements (Pettai, Hallik 2002: 505-529).

The moderate stream was represented by the Estonian Popular Front (ERR), with its gradual approach to pursuing ethnopolitical goals, as well as its use of the official framework provided by the Communist Party of Estonia (CPE). Its goals included the protection of Estonian language and culture, the restoration of national symbols, and a gradual transition toward independence (Semjonov 2002: 105-158), civic political identity and protection of the Estonian ethnicity within the USSR, taking on Estonian as the state language and establishing control over migration to Estonia. The ERR was inclusive toward Russian political activists.

The radical stream was embodied in anticommunist dissident political forces: the Estonian National Independence Party (ERSP),

the Estonian Citizens Committees and the Congress of Estonia. These advocated a radical turnover of the existing bicomunal (Estonian-Russian) ethnopolitical balance in favor of the Estonian nation.

The fundamental critical juncture that determined Estonia's ethnic policy path for more than two decades to come was the radical stream's success in taking over the lead in setting the ethnic policy agenda. Its peculiar ideology of legal restorationism denied the USSR any legitimacy and literally called for the restoration of the pre-war Estonian Republic (restoring pre-war laws and granting citizenship rights only to citizens of the pre-war Republic and their descendants). This ideology had an enormous appeal among the ethnic Estonian majority. By employing the criterion of pre-war citizenship as an effective tool for defining membership in the newly-restored state (Poleschuk 2009: 110) and successfully mobilizing 600,000 people at the elections of the Congress of Estonia, the Citizens Committees set an alternative policy agenda regarding Estonia's huge Soviet-era immigrant community (Pettai 2007: 1-23).

The ethnic policy path Estonia ultimately followed was further determined by rivalry between the CPE, the ERR and the Congress in the period 1988-1991, and the ethnic outbidding effect it produced in radicalizing the Estonian ethnic policy agenda. The ERR and the Congress gave rise to the main political parties that shaped Estonian politics after regaining independence. The core of the ERR later formed the KE and the Moderate Party, while the core of the Congress later formed the ERSP. The cleavage thus initially ran between a relatively more moderate approach to ethnic policies and the potential for civic-based participation on the one hand, and an uncompromisingly exclusive majority-centered policy agenda on the other.

Furthermore, and more importantly for understanding the later policy dynamics of the ERR-based parties, the cleavage became blurred as the restorationist agenda prevailed. In other words, over time crucial elements of the Congress's agenda were incorporated into the ERR's policies as well.

Finally, recognition of Estonia's independence in September 1991 became a turning point that set a nearly irreversible path for Estonia's citizenship, language and related policies. In 1992-1997, this minority policy path was definitively entrenched in state legislation.

The overall foundations of Estonian ethnic minority policies rest on a peculiar definition of national minority, restricted to Estonian citizens only. This definition originates from the Law on Cultural Autonomy of National Minorities, adopted on June 12, 1993 on the basis of the respective law of 1925.

Applying Hall's classification in order to measure the nature and degree of party policy changes in the area of Estonian citizenship policies over the two decades, we can distinguish first-, second- and third-order policy changes. These, in turn, can be liberalizing or restricting.

Third-order policy changes would imply changes in the foundations of citizenship policies. These foundations were laid by the decision made by the Supreme Assembly on November 6, 1991, which recognized the right to automatic citizenship for citizens of the pre-war Estonian republic and their descendants only.

Second-order policy changes refer to policy instruments, whereas policy goals remain unaltered. The main instrument of Estonian citizenship policies vis-à-vis non-citizens is the naturalization procedure, introduced on March 30, 1992, when the pre-war Law on Citizenship (Riigi Teataja 1938, with important modifications) was enacted. The law foresaw that residents of the ESSR that had not been citizens of the Estonian Republic before June 16, 1940 or their descendants could obtain Estonian citizenship only by undergoing the naturalization procedure (Riigi Teataja 1992). Accordingly, a second-order policy change would imply substitution of the naturalization procedure with alternative instruments for various applicant groups. For example, a permanent residence permit can also be considered a citizenship policy tool.

First-order policy changes refer to policy instrumental settings, whereas both policy instruments and policy goals remain unaltered. For Estonian citizenship policies, this would imply changes in particular naturalization modalities, requirements for naturalization, changes in particular requirements for permanent residency permits, etc.

Several trends can be distinguished with regard to the parties' role in developing Estonian citizenship legislation since 1991.

First, major Estonian political parties displayed a considerable degree of stability in citizenship policy practices over the two decades. This finding lends support to the historical institutionalist assumption on the path dependence of party policy lines. Over

time, all Estonian nation-wide political parties revealed a broad degree of consensus on the fundamentals of citizenship policies. It was only at the end of the second decade of independence that changes in the ethnic policy attitudes and practices of the Center Party (KE) and the Social Democratic Party (SDE) emerged. These changes are still in line with the historical institutionalist argument. Historically, the KE and the SDE date back to the Popular Front with its traditional duality of (1) consideration of alternative and more liberal solutions to minority policies and (2) a relative lack of political will in insisting on their enactment. Third-order changes in the KE's and SDE's policies can be explained by changes in the environment which render previous policy tools obsolete. By advocating the liberalization of citizenship policy for stateless children, the KE and SDE acknowledged the changing political and social environment.

Second, the policy content of legislative amendments proposed by various parties enables us to identify a stable ethnicity-related cleavage dimension among Estonian nation-wide parties. Third- and second-order changes to legislation, initiated by more moderate parties (KE, SDE), were opposed by parties strongly committed to the inalterability of citizenship policy principles: the Pro Patria and Res Publica Union (IRL) and the Reform Party (RE). The latter parties have been consistently guided by considerations of "historical justice", of preservation of the Estonian nation, language and culture, dating back to the critical junctural period of Estonian national revival. In line with the historical institutionalist paradigm, these motives, focused on the circumstances of the Russian-speaking population's appearance in Estonia, were taken up by political parties' programs (Tolvaisis 2012(2): 138-147). This "historical justice" motive mobilized the mass support of the Estonian population through Citizens' Committees, was subsequently reflected in party platforms, public discourse and adaptive expectations of the parties' electorate (Tolvaisis 2011: 106-133), and in the long run proved to be more viable than the European and international conditionality, calling for the equalization of the political rights of migrants' descendants with those of Estonian citizens.

Third, two phases can be distinguished in the evolution of Estonia's citizenship legislation: (1) the institution of a policy framework based on the principles of state restitution and historical justice (1991-1998, when the fundamental citizenship legislation was adopted), and (2) the consolidation of this policy framework (since

1998, or since the adoption of the state integration program and the introduction of changes in the legislation under pressure from the EU).

Fourth, the irreversibility of the current Estonian citizenship and language policy path owes a lot to the impact of the EU conditionality that helped to consolidate it. Of all the international organizations that have dealt with Estonia's minority policies, the EU was the only one to succeed in introducing a second-order change at the critical historical juncture of Estonia's EU accession (liberalizing naturalization requirements to non-citizens' children and Estonian language requirements in the private sector). On the other hand, the overall impact of the European Union on Estonia's minority policies was limited: it succeeded in persuading Estonia to liberalize certain policy particulars but did not demand that it alter the fundamental principles of these policies (primarily, citizenship policies and collective legal status). These policy principles, closely related to the official legal interpretation of Estonia's statehood, were laid down at the critical juncture of Estonian ethnic mobilization and drive for independence in 1989-1991. Thus, the fundamental legal principles of the restored Estonian state set considerable limits on the power of conditionality of international organizations (the Organization for Security and Cooperation in Europe, the Council of Europe and the European Union) in reversing Estonia's minority policies.

In the area of language policies, third-order changes would refer to alteration of the fundamental principle of language policy which declares Estonian the only state language. This principle was enshrined in the 1995 Language Law, which declared all other languages except Estonian as foreign (Riigi Teataja 1995). A first-order policy change would thus imply raising the status of the Russian language to a higher level than that of foreign.

Second-order policy changes would imply alteration of language policy instruments, such as introducing or lifting Estonian language requirements for various spheres; instituting or abolishing institutions of control for language use.

First-order changes denote policy instrumental settings. In the context of language policies, it would imply toughening or softening Estonian language requirements in various spheres, and toughening or liberalizing control measures of language use.

The two-decade development of Estonia's language legislation reveals several trends that are important for the present analysis.

In terms of policy goals, Estonia's language policy has been clearly directed toward the expansion and protection of the sphere of usage of the Estonian language. Amendments introduced in various years dealt with the limits of the sphere in which the use of Estonian would be mandatory (second-order changes), but no party has ever introduced a motion aimed at enacting a third-order change and legalizing the use of other languages in the public sphere. Since its adoption in 1995, the main policy line enshrined in the Law on Language has remained unaltered, directed toward propagating and helping to learn Estonian.

The language policy practices of all the major Estonian parties continued to toughen even during historical critical junctures. This adds credibility to historical institutionalist theoretical arguments on party policy inertia and considerable resistance to changes in the area of ethnic policies.

The first critical juncture was the European Commission's monitoring process (documented in the progress reports issued from November 1998 and October 1999). This circumstance prompted the Council of the EU to expand its initial guidelines in December 1999, adding new demands for second-order policy changes (Council of the EU 1999: 35-40). Thus by pointing to the EU free market requirements, the Commission managed to obtain the revocation of amendments to the Language Law which set Estonian language proficiency requirements for private business.

Another amendment passed in November 2001 under EU pressure abolished the requirement for electoral candidates to know the Estonian language. However, at the same time regulations for elected institutions were adopted that entailed the sole use of Estonian as the working language in parliament and local municipalities.

Thus despite EU pressure, the content of legislative amendments and the support given to them by various parties revealed a consensus on language policy fundamentals among major nation-wide parties. The example of the above-mentioned revocation of Estonian language requirements for electoral candidates in 2001 is telling: the more moderate and ERR-based KE proved to be even more radical than the Congress-based Isamaa, as most of the KE's deputies (including the party's leader Edgar Savisaar) voted against the liberalizing amendment.

The IRL and the RE consistently proved their adherence to the policies of exclusive prioritization of the Estonian language. In 2007,

their deputies, along with representatives of other parties, initiated a change to the preamble to the Constitution. The initial version of the preamble had enshrined the determination of the Estonian nation to ensure the preservation of the Estonian nation and culture for ages. The IRL's and RE's amendment expanded this statement by adding the protection of the Estonian language (Riigi Teataja 2007).

On the initiative of the ruling IRL-RE-SDE tripartite coalition, Estonian language policies kept toughening even against the backdrop of the Bronze Soldier crisis³ and its aftermath. Thus on February 8, 2007 the ruling coalition initiated amendments to the Language Law. These first-order policy changes expanded the competences of the Language Inspection Authority, allowing it to visit private and state institutions without notification, to attend their sessions and to study documents, to revoke previously issued Estonian language proficiency certificates, to assign a re-examination and to suggest that employers dismiss employees with insufficient command of Estonian. In 2009 the Minister of Education and Science Tõnis Lukas (IRL) formed a working group charged with analyzing the shortcomings of the Language Law and assessing the need for a new edition of the law. The initiative was not aimed at introducing third-order changes in the foundations of language policies, nor did it consider measures aimed at promoting other languages. Instead, it aimed to protect the Estonian language from new challenges revealed during the monitoring of the language sphere. The law draft was intended to introduce new policy instruments (second-order changes) which would oblige the Parliament to analyze language policies and the development of the Estonian language as issues of state importance at least once every two years (this provision was ultimately excluded from the final version of the law). Aimed at more effectively protecting the Estonian language, the law set new, tougher requirements for knowledge and usage of Estonian. The scope of the Language Inspection Authority was defined more precisely, drawing its attention to people that graduated in Estonian (exempted from language examination requirements), but did not speak it. According to the new law, such people could be re-examined (Keeleseadus 2011). This law came into force on July 1, 2011.

The consensus among the parties on language policy fundamentals prevailed until the end of the first decade of the 21st century. In

3 The removal of the Soviet World War II monument from the center of Tallinn in April 2007 that provoked riots involving the Russian community.

this period, slight divergences on first-order policy details emerged, in particular regarding the degree of language policy restrictivity and the scope of the Language Inspection Authority. These divergences ran along the cleavage dividing more radical parties (IRL and RE) from more moderate ones (KE and SDE). The latter group of parties manifested a potential for more inclusive minority policies, dating back to the ERR policy tradition. Both the above mentioned consensus on policy goals and the divergence on first-order particulars are in line with historical institutionalist assumptions regarding the stability of party policy paths over time. The KE's and the SDE's more radical approach to language policies compared to their relatively more liberal stances on citizenship policies, correlates with the general acceptance of Estonian by Estonia's Russian population.

Meanwhile, ethnic Russian parties' policy effectiveness proved to be extremely limited. In the Riigikogu of 1995 and 1999 convocations, several voices from the Russian faction voiced issues but were not able to influence decisions or policy outcomes.

In summing up the analysis of the two-decades of Estonian language policies and the role of political parties in elaborating them, an argument usually passed over by analysts can be raised. The socioeconomic situation of Estonia's Russians shows the crucial role of Estonian language skills in determining individual social, economic and political opportunities in society (Estonian Human Development Report 2007: 47-54). Since the Estonian language requirements for naturalization and employment opportunities proved to be too rigid (as shown by decreasing naturalization rates and emerging socioeconomic stratification along ethnolinguistic lines), there were two ways to promote Russians' socioeconomic opportunities and achieve more efficient use of Russian human resources in Estonia: (1) a human-centered policy orientation, which would imply liberalizing Estonian language requirements; and (2) a language-centered policy orientation which would imply prioritizing Estonian language training among the Russian population in order to help it reach high language skill standards, instead of liberalizing those standards. Two decades of policy experience clearly reveals the consensus among Estonian nation-wide parties on the second policy way. A cleavage line can be distinguished among the more rigid IRL and RE and a slightly more moderate KE (since 2011 followed also by the SDE). Dating back to the times of the Congress

and the ERR, the persistence of this policy cleavage between parties speaks in favor of the historical institutionalist approach that emphasizes path dependence in party policies.

This party policy inertia proved to be stronger than the conditionality of critical junctures, the strongest being EU accession. Although the UN monitoring institutions went as far as to suggest that Russian become the second state language in Estonia, the EU – as the only international institution with conditionality power on Estonia – supported Estonia in its language-centered policy path. It did not question language and citizenship policy fundamentals, but rather provided abundant aid for Estonian language training programs. Thus the EU contributed to the irreversibility of the Estonian language policy path, as it did not demand third-order policy changes.

As regards education policies, third-order changes would refer to alterations of the strategic goal of transition of Russian-language education to Estonian language of instruction. Second-order changes denote instruments of this transition (the amount of the curriculum to be affected by the transition). First-order changes refer to the temporal settings of the transition.

The survey data on Estonia's Russian schools is important for assessing the parties' policy in terms of policy efficiency expected by the Russian school community affected by the reform. The main education priority was considered to be the preservation of Russian identity: this factor was of primary importance for 49% of parents and 39% of teachers (LICHHR 2010). This shows that a considerable part of the Russian community attributed importance to the socio-cultural function performed by the school, which was appreciated even more than the goal of obtaining knowledge and skills.

Although not a single political party managed to respond to this expectation, a second-order policy-related cleavage between parties came to the fore, as shown by the policy-shaping in parliament. Still, the education reform, once set along a particular track of transition of Russian gymnasiums into the Estonian language of instruction, was never reversed. Party policy attitudes and practices proved to be path-dependent for two decades, diverging only in second-order policy particulars. In historical institutionalist terms, no sufficiently strong critical junctures emerged in two decades to alter this policy path.

Summarizing the political parties' contribution to shaping cultural autonomy policy in Estonia, two conclusions can be made. The

first is related to a general path dependency of party policy attitudes and practices over time, in line with the historical institutionalist paradigm. This path dependency was manifested by most mainstream political parties, as no changes occurred in their stances toward minority cultural autonomy or the legal definition of national minority. The ethnic Russian Party of Estonia (RPE) also manifested trends of path dependency in policy priorities: the constant prioritizing of the implementation of rights to cultural autonomy was part of the party's political identity.

The second conclusion refers to changes in party attitudes: changes are possible, if prompted by the external political environment. A shift toward a more active attitude on the part of the SDE toward cultural autonomy policy happened in the context of its unification with the RPE, aimed at attracting more Russian votes (as the party's leadership publicly and repeatedly stated). This circumstance, while in line with rational choice assumptions, still does not contradict the historical institutionalist argument on path dependency. A change became possible in a party that, partially, dates back to the relatively liberal tradition of the ERR. Meanwhile, policy stances of the Congress-based parties remained unaltered.

Conclusions

Case studies of ethnic policy practices of Serbia's and Estonia's political parties empirically confirm historical institutionalist theoretical assumptions in the sphere of ethnic minority policies. Both cases reveal a considerable degree of stability and resistance to change in ethnic minority policies. Throughout the two decades, the ethnic policy-related cleavage within the party systems of both states proved to be long-standing and overlapping in all minority-related policy areas. In Sartori's terms (Sartori 1976: 291), ethnic policy-related cleavage within Serbia's party system can be characterized as polarized pluralism, with no consensus among major parties on the basic values and foundations of ethnic policies persisting for two decades. Ethnic policy-related cleavage within Estonia's party system can be characterized as moderate pluralism, with a general consensus on ethnic policy fundamentals persisting for two decades, and divergences on policy instruments and instrumental settings (i.e. on second-order and third-order changes) that appeared in past years.

Throughout the two decades since the introduction of multi-party systems, political parties' diverging normative orientations and ideational values with regard to ethnic minority policies both in Serbia and Estonia date back to the critical junctures marked by the political salience of ethnicity that coincided in time with the introduction of the multi-party system.

In Estonia, an ethnicity-related cleavage divides, on the one hand, the parties of relatively more moderate ethnic minority policy tradition dating back to the ERR (these parties are KE and SDE), and on the other hand, the parties formed on the basis of the Congress of Estonia (IRL and RE) that showed a two-decade-long consistency in advocating a legal restorationist approach to language, citizenship and other ethnic minority-related policies, established by the Congress in the late 1980s and preserved till this writing.

In Serbia the divergent ethnic policy stances of political parties were formed in the wake of the abolition of Vojvodina's autonomy and at the outbreak of wars of Yugoslav disintegration. The resulting ethnic policy-related cleavage between parties persisted for two decades.

In both studied cases, the prevalence of particular (first-, second- or third-order change) codes in ethnic policy attitudes and practices of individual parties enable us to establish overarching parallels that reveal a strong path dependence of political parties' ethnic policies. In line with historical institutionalist assumptions, first-order changes in parties' ethnic policies are rare and usually occur as a response to critical junctures, or exogenous shocks in the parties' environment. In Serbia, first-order changes in the League of Communists of Serbia (1989) and SPS's (after 2000) ethnic policies occurred as a response to fundamental exogenous shocks that delegitimized previous ethnic policy courses. In Estonia, first- and second-order legislative changes proposed by the KE and SDE were initiated mostly by individual Russian members of the respective parties and were framed in utility-maximizing (vote-oriented) terms.

In both cases, utility-maximizing approaches to ethnic policies, manifested by political parties, are in line with rational choice arguments, but these appear to be complementary, not contradictory to historical institutionalist theoretical assumptions. On the one hand, considerations of utility maximization can cause changes in parties' ethnic policy attitudes and practices (as shown by the examples of

the KE and SDE in Estonia). On the other hand, first-order changes are possible in parties with ethnicity-related ideational values that are relatively compatible with policy alteration (SDE and KE), and are not likely to occur in parties with ideational values, normative orientations and policy legacies that are diametrically contrary to first-order alterations of the existing policy paths (IRL). In Serbia, throughout the two decades attempts to introduce first-order changes in ethnic policies usually resulted in party splits (foundation of SPO, DSS, LDP, SNS) rather than alteration of policy courses of original parties (SRS and DS).

Both case studies reveal the crucial contribution of political parties in perpetuating and reproducing the particular ethnic minority policy courses of the respective states, as shown by legislation enacted in periods of various party rule. The proneness of political party policy attitudes and policy practices to path dependence in the ethnic policy sphere determines considerable difficulties for the reversal of state minority policies.

The case study of the Vojvodina Hungarians exemplifies the difficulties of reversal of ethnic minority policies pursued by the state. The reduction of Vojvodina's autonomy contributed to shaping the structure of political cleavages at the time of a "critical juncture", i.e., at the outset of the multi-party system. In Serbia, political parties enabled decades-long historical continuity of the standards of nationality rights protection enshrined in the 1974 constitution of Vojvodina. By preserving these standards in parties' policy agendas and ideational values, ethnic Hungarian, regionalist and nation-wide political parties bridged the centralist stage of Vojvodina's institutional arrangement and restored these standards in the 2009 Statute of Autonomy.

In Estonia, the EU's pressure to alter citizenship and language policies in the late 1990s did not result in alteration of party policy program attitudes on ethnic issues. Accordingly, due to political parties' intransigent ethnic policy stances, the general citizenship and language policy path of the Estonian state persisted through the major critical juncture represented by EU conditionality. In liberalizing naturalization requirements to non-citizens' children and Estonian language requirements in the private sector, the EU contributed to the consolidation of the Estonian citizenship and language policy paths, as it did not demand overall policy reversal.

Both case studies reveal that political parties' proneness to path dependence in the sphere of ethnic minority policies imposes li-

mitations on policy expertise (acquaintance with and professional interpretation of minority needs). Case studies of Estonia's Russians and Serbia's Hungarians show that nationwide political parties are not prone to prioritizing ethnic minority policies. In both countries under analysis, mainstream political parties do not manifest competent expertise in assessing minority needs, relying instead on their own path-dependent ideational values and normative orientations. As a consequence, the legal restorationist approach to citizenship and language policies on the part of the Estonian Congress-based parties determined that the huge share of non-citizens in the country's population and limited social cohesion still constitute major challenges for Estonia's integration policies. Prioritizing Estonian language training as a means of fostering naturalization and integration has proved to have limited effectiveness. Sociological survey data suggest that increasing the share of Russians in Estonia's citizenry is not likely to lead to the country's direct social and political destabilization, but is likely to overturn the existing balance of parties' electoral fortunes, creating incentives for perpetuation of existing language and citizenship policy paths.

Empirical evidence of political parties' limited policy effectiveness in the area of ethnic minority policies is provided by both case studies. If the ethnic minority political community has limited influence on the nation-wide level, ethnic minority policy effectiveness is contingent on the political will of nation-wide parties. In policy enactment, nation-wide parties act either as influential allies of ethnic parties (as in case of Serbia's Hungarians), or as avenues for minority politicians to pursue minority policies (participation of Russian politicians in Estonian parties). The findings suggest that political parties tend to incur crucial limitations to policy effectiveness posed by electoral considerations and the peculiarities of the available alliance structure. Both the experience of Serbia's Hungarians and that of Estonia's Russians provide examples of policies initiated by the state or advocated by majority parties that do not correspond to the policy expectations of minority communities (e.g. the failure of the official Estonian integration program elaborated without sufficient minority participation; simplistic visions of minority issues demonstrated by a significant part of the mainstream party elite in Serbia; politicization of the national councils and of minority mass media by political parties). The policy ineffectiveness of Estonia's Russian parties was followed by their electoral margi-

nalization; while Serbia's Hungarian parties, committed to cultural and territorial autonomy, gave proof of electoral considerations conditioning their policies that were beneficial for majority Hungarian North Bačka and detrimental for Hungarians dispersed across Banat and Srem. A distinction can be made between minority policies implemented by specialized institutions and policy agendas pursued by political parties. Limited party policy effectiveness suggests a need to empower nonparty-based institutions characterized by ethnic minority-representation and policy expertise within the ethnic minority policy network. The experience of Vojvodina suggests that minority policies, once (re-)institutionalized, would benefit if organized according to the principle of professionalism, rather than remaining party-based and politicized.

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