

Representative Claims and expected Gains

Minority Council Elections and intra-ethnic Competition in Serbia

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Abstract

This article examines the first direct elections to minority councils in Serbia. It seeks to build hypotheses on the interplay between minority council elections and the overall patterns of intra-ethnic party competition in divided societies. Following an introduction to minority politics in Serbia, the authors analyse the campaign for the Bosniak and the Hungarian minority council. Evidence from field research suggests that minority council elections reflect the situation of intra-ethnic competition and provide an additional arena for ethnic outbidding for new ethnic parties.

Keywords: Cultural autonomy; minority councils; intra-ethnic competition; Serbia.

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1. Introduction

In democracies characterised by a cleavage that divides the population into a national majority and one or more national minorities, institutional autonomy solutions are often advocated to avoid permanent majority domination and provide minorities with a possibility to self-govern their affairs to some extent (Lijphart 1977, Sisk 1996). Academic debate has predominantly centred on the *territorially based* model of minority self-government in the form of asymmetrical, or ethno-federalism (e.g. Kymlicka 1998, Agranoff 1999, Zuber 2011). Lijphart himself, however, pointed out that “federalism is merely one way of establishing segmental autonomy. When the segments of a plural society are geographically intermixed, segmental autonomy can be instituted in the form of autonomous cultural councils and educational associations” (Lijphart 1989, p. 40). Cultural autonomy exercised through minority councils separates ethnically defined policy areas concerning “the cultural, linguistic, ethnic, or religious matters of a minority group” (Stroschein 2003, p. 10) from policy areas affecting all citizens alike. The idea of granting national-cultural autonomy on personal, rather than territorial basis can be traced back to debates in Imperial Austria and was originally developed in the writings of the Austro-Marxists Karl Renner and Otto Bauer (Nimni 1999). In both the historical and the contemporary debate, cultural self-government has been praised for providing ethnic groups with a means to self-determination in policy areas that are particularly relevant for preserving their ethno-cultural identity, while avoiding the incentives for separatism that are commonly associated with territorial solutions (Bieber 1999, p. 91, Stroschein 2003, p. 10, Nimni 2007). On normative grounds, however, scholars have warned that granting cultural group rights through minority councils may threaten norms of equality and individual rights at the within-group level (Deets and Stroschein 2005).

According to article two of the Serbian Law on National Councils of National Minorities, “a national minority shall be represented by its national council in the field of education, culture, information in the language of a national minority as well as in the official use of language and script.” The first direct elections to national minority councils in Serbia took place on 6 June 2010. In most of the sixteen minority communities that elected their council members on 6 June 2010, not one, but *several* minority organisations fielded electoral lists, thereby engaging in intra-ethnic competition over who could best represent the minority group within its council. This represents a puzzle for the field of ethnic politics, where scholars still tend to make “the routine assumption that members of ethnic groups 'naturally' mass behind ethnic organizations” (Chandra 2011, p. 153, original hyphenation). In line with this general tendency, (but with the notable exception of Vermeersch (2010)), political scientists have so far tended to evade the question of who seeks to represent minorities in their cultural councils. This article seeks to work towards filling this gap

through an explorative analysis of intra-ethnic competition for minority council offices in Serbia. Intra-ethnic competition indicates that it is not clear who best represents the interests of a minority in the multi-national state.

Given the competencies of the national minority councils, intra-ethnic competition should ideally resemble competition over the best policy proposals in the fields where minority councils represent the minority according to the law – education, culture, media and language use. However, in environments where ethnic cleavages are politically salient, minority council elections do not take place in isolation but are embedded within the general pattern of intra-ethnic political competition for ethnic votes. This article therefore argues that – contrary to their legal limitation on policy areas important for a minority's cultural self-determination – minority council elections in divided societies are affected by the given pattern of political competition for minority votes and may therefore be used as an additional arena for ethnic outbidding (Rabushka and Shepsle 1972, Horowitz 1985).

The recent introduction of direct elections in the Serbian case provides favourable conditions for a plausibility probe of the argument that minority council elections reflect the overall pattern of intra-ethnic competition in ethnically divided societies. To this aim, the article is structured as follows. Section two lays out the legal provisions for the representation and participation of national minorities in Serbian politics, and provides an overview on the national minority council (hereafter NMC) elections of 6 June 2010. In section three, we introduce the two cases we select for analysis, the campaign for the Bosniak and the Hungarian council. Section four explores the argument that competition for office in minority councils mirrors political competition for minority votes more generally on the basis of evidence from semi-structured interviews with Hungarian and Bosniak minority elites that were conducted during field research at the time of the electoral campaign for the NMCs. The analysis shows how political parties used the minority council election as an additional platform within the wider game of political competition for ethnic minority votes.¹ The last section concludes.

¹ The insights about the diversity of representative claims presented in this article were gained predominantly from interviews with minority elites. The analysis therefore exemplifies only one of the possible manifestations of representative claims voiced during the campaigns for the minority council elections, i.e. the claims brought forward by political elites during interviews (and not, for example, within the minority media). We hope that future research will contribute additional perspectives. Audio-recordings and transcripts of all interviews cited in this article are in the authors' possession. The interview guideline is available upon request. Interviewees gave their consent to having their names published.

2. Legal standards of minority protection in Serbia and the minority council elections of 6 June 2010

Three significant international bodies supplement and, to some degree, reinforce each other in the area of protecting minority rights in Europe. These are: the Organization for Security and Cooperation in Europe, the Council of Europe and the European Union (hereafter EU). The process of Serbia's integration into the EU constitutes one of the strongest incentives for reform in this country. Therefore, of those three, the last one can be considered the most influential one. The European Council concluded in Copenhagen that EU membership requires that the candidate country has achieved stability of institutions, guaranteeing democracy, the rule of law, human rights and "respect for and protection of minorities" (European Council 1993, p. 13). That means that Serbia as a potential candidate for EU membership is facing – among other criteria for accession – the requirement to respect minority rights.² In 2001, Serbia joined the Framework Convention for the Protection of National Minorities, and subsequently in 2002 the Law on Protection of Rights and Freedoms of National Minorities regulating the status of national minorities was introduced (Gojkovic 2009, p. 5-6). The 2006 Constitution of the Republic of Serbia guarantees a range of rights of national minorities, including the right to local self-government and provincial autonomy (Article 12) and "special protection (...) for the purpose of exercising full equality and preserving their identity" (Article 14), which are followed by Charter II of the Constitution that deals with "Human and Minority Rights and Freedoms" (Articles 18 to 81). Especially important with regard to the topic of this article are article 79 ("right to preservation of specificity") and article 80 ("right to association and cooperation with compatriots"), guaranteeing that national minorities can preserve their ethno-cultural distinctiveness through their own educational and cultural associations.

These rights made an important step towards being implemented in political practice when the Serbian parliament adopted the Law on National Councils of National Minorities (in Serbian: *Zakon o Nacionalnim Savetima Nacionalnih Manjina*, hereafter the Law on National Councils) in 2009.³ The Law on National Councils provides national minorities in Serbia with an institutional body through which they can exercise the right to preserve their ethno-cultural specificity. The model differs significantly from those adopted by neighboring Bosnia and Herzegovina, Macedonia or Kosovo as it does not realize minority protection within an overall consociational power sharing

² It should be noted, however, that the exact nature of these rights remains contested and that the European Union has applied differentiated standards during the past accession of the Central and Eastern European countries (Schwellnus 2005). A detailed discussion of the contested meaning of minority rights in European norms and in Western and Eastern Europe respectively is beyond the scope of this article, but we refer the reader to Stephen Deets' (2006) thorough treatment of this topic.

³ An English translation of the Law on National Councils is provided by the European integration office of the government of the Republic of Serbia and can be found at: http://www.seio.gov.rs/upload/documents/ekspertske%20misije/protection_of_minorities/law_on_national_councils.pdf [Accessed 14 May 2012]. All direct citations from the law draw on this translation.

regime on the central level of state governance.⁴ It rather tends to keep ethnic questions on the local level, away from the state level institutions.

The Serbian law makers adopted solutions that at first glance seem to be narrow, as far as responsibilities and rights of the NMCs are concerned. The 2009 Law on National Councils indicates that the National Councils of National Minorities (hereafter NMCs) represent their respective national minorities in the four areas of education, culture, information in the national minority's language as well as official use of the minority language and script. Though narrowly defined, these are areas that can be expected to fall into the direct interest of members of national minorities. Education, culture and language use enable an ethnic group to preserve and foster its identity and thus to secure its ethno-cultural persistence. The detailed competencies of the councils in these four areas are defined in articles 10-24 of the Law on National Councils. We will in the following focus on presenting competencies in the area of information in the minority language since they provide the institutional channel through which minority councils can exercise influence on the coverage of electoral campaigns.

In the field of minority media, NMCs may “independently or in co-operation with another legal entity, establish the institutions and business organisations to perform the activities of newspaper-publishing and radio-television broadcasting, printing and reproduction of the recorded media and exercise the rights and obligations of the founder” (Article 19 of the Law on National Councils). However, minority councils do not only have the right to establish their own minority media outlets, they also participate in the institutional management of any minority language broadcast of Radio Television Serbia. To give some examples, NMCs set the criteria for selecting editors-in-chief of all

⁴ According to Arend Lijphart (1977), the consociational model of democracy consists of the following characteristics: grand coalition of elites representing all segments of the society; segmental autonomy; mutual veto right enjoyed during the decision-making process by the representatives of each societal segment; proportionality as a principle guaranteeing representation of the groups in the executive, legislative and state administration. With regard to these features, Bosnia and Herzegovina represents the consociational model, although it lacks the basic understanding between the segmental leaders concerning the shape of the state. The system is similar to the federal system of Belgium, where there is territorial and national division (Bieber 1999). Power sharing between the key groups is reflected in the composition of all state institutions as well as in the legislative procedure and judicial review.

In comparison, minorities in Kosovo's political regime have more limited opportunities and therefore the Kosovo political system is consociation-like with many examples of power-sharing. For example positive discrimination tools exist, especially in the Assembly of the Republic of Kosovo. Power sharing in the executive is guaranteed constitutionally. Adopting a law in the areas of vital interest to ethnic communities requires the consent of a majority of these representatives. The Constitution also guarantees minority participation in the judicial system at all levels. Amended on the basis of the Ohrid Agreement of 2001, the Constitution of the Republic of Macedonia contains several provisions related to the participation of minorities in state governance. The constitution recognizes citizens of ethnic origins other than the Macedonian majority and secures their rights through a minority veto in parliament. Bieber refers to this as a “minimalist consociational system” (Bieber 2008, p. 13). In the case of Macedonia, where executive power sharing is not legally guaranteed, a practical consensus on the need to include Albanians in governing coalitions has, however, formed over the years, rendering the Macedonian power sharing system more flexible than the Bosnian one.

broadcasts in the minority language of Radio Television Serbia and propose candidates for this position (Article 20 of the Law on National Councils). The competencies are not limited to staff nomination and selection, NMCs may additionally adopt broadcasting strategies, suggest how to distribute resources from public budgets to broadcasting companies, and last but not least directly influence what is being broadcasted by giving “suggestions and recommendations regarding the programmes broadcasted in the language of a national minority (Article 21 of the Law on National Councils).

Beyond their key direct competencies in the four areas of culture, education, information and use of language and script, NMCs in Serbia participate also in the decision-making process on the local and state level if minority rights are concerned. They may submit proposals, initiatives and opinions to the state bodies, the bodies of the autonomous province of Vojvodina and to the local self-government units and their opinion shall be sought before decisions are made that touch upon minority rights and the areas of competence of the minority councils (Article 25 and 26 of the Law on National Councils). Ultimately, “a national council may submit an initiative to the Government to repeal, i.e. to quash the regulations of the state bodies and special organisations, which are not in compliance with the provisions of this law [the law on National Councils, authors' note] and other laws and regulations related to national minorities.” (Article 25 of the Law on National Councils).

As a leverage to be used against local or state authorities, NMCs can bring a case to the Constitutional Court, the Ombudsman and to other institutions responsible for the protection of minority rights in Serbia. NMCs in Serbia can therefore have a significant impact on education, culture, information policy (media) and use of language and script on the local level and are able, according to the legal solutions adopted, to influence local self-government.

According to the Law on National Councils, the financial means for the activities of the Serbian NMCs are secured from the state, provincial and local budgets, donations, and other revenue, as regulated by articles 112 to 119 of the Law on National Councils. NMC members are allowed to be paid for their work (Article 113 of the Law on National Councils).

The Law on National Councils states in article 29 that minority council members can be either directly elected by individuals who self-identify with the minority in question or can be elected by delegated electors who convene in an electoral assembly. A special condition for direct election applies: direct elections are possible if more than 50% of all members of a national minority (according to the results of the last census minus 20%) register in advance on a special register of minority voters. Article 45 of the Law on National Councils states that “any citizen having a voting right, a member of the national minority [...] may request in writing in a special form to be entered

into a separate register of voters of a national minority concerned within 15 days from the date of the submission of the request.” The register of voters therefore serves (1) to establish whether the minority as a group is entitled to vote directly, and (2) to define who is eligible to vote, since only pre-registered voters are. Unlike in general elections, the lists of voters are not compiled by the state authorities. Instead, individuals who identify with a minority need to themselves request and fill in the form to be listed in the register of those eligible to vote. This provides an opportunity for minority organisations to 'support' the registration process by collecting forms en bloc. If a minority does not fulfill the condition for direct elections, council members are elected by an “assembly of electors” (in Serbian: *elektorska skupština*). Electors are either delegated by a minority organisation⁵ or have collected the signatures of at least 100 individual minority members (for more details, see Article 100 ff. of the Law on National Councils). This system was already in place before the 2009 Law introduced the option of direct elections.

Finally, a list of candidates for the council may be submitted by a group of minority members, a minority association and/or a political organization representing a minority group (Articles 62 and 71 of the Law on National Councils). Article 71 states: “Under the conditions prescribed by this law, electoral lists may be proposed by a group of voters entered into the special register of voters of a national minority concerned, namely by organizations, associations of citizens, as well as by political organization of a national minority concerned.” Since ethnic minority parties are political organisations representing minority groups, they can field candidates and enter competition for representing the minority within the council. These candidates' lists have to be signed by at least one per cent of the pre-registered members of the relevant minority (with at least 50 signatures in absolute terms) if the electoral list is to be accepted by the Central Election Commission of Serbia.

Most of the 19 constitutionally recognised minorities that elected their representatives on 6 June 2010 fulfilled the legal requirement for direct elections. Only the Croatian, the Macedonian and the Slovenian minorities did not qualify for direct vote and elected their representatives through an assembly of electors. 16 minority councils were directly elected: The Greek, Bulgarian, German, Ukrainian, Bosniak, Albanian, Rusyn, Hungarian, Roma, Romanian, Slovak, Vlach, Czech, Egyptian, Bunjevac and the Ashkali NMC.

The intensity of competition varied a lot between the different minority communities. The Czech minority only had one choice, the list 'Czechs together' (in Serbian: *Česi zajedno*) that consequently

⁵ Minority organisations are defined by the law in the following way: “Any organization, association or political organization that incorporates in its name a designation of one national minority, or whose statute designates it as an organization or an association or a political organization that gathers or acts in the interests of persons belonging to a national minority, shall be considered an organization, association or political organization of a national minority” (Article 101, Law on National Councils).

received 100% of Czech minority votes. Two lists stood for elections to the Albanian, Greek, Egyptian and German NMC, three for the Bosniak and the Ashkali, five for the Hungarian and Slovak, six for the Rusyn and Romanian, seven for the Ukrainian, Bulgarian and Bunjevac and nine for the Vlach. The campaign for the Roma NMC witnessed the maximum of ten lists (Ministry of Human and Minority Rights 2010, for a complete overview on all elections see the appendix of this paper).

3. The NMC elections within the Hungarian and the Bosniak community

The existence of intra-ethnic competition between different electoral lists in all but one of the 16 individual NMC elections suggests a closer look at how direct elections to minority councils are affected by the patterns of intra-ethnic competition for ethnic minority votes more generally. For an exploration of this argument, we focus in the following on the minority councils of the two largest national minorities in Serbia, Hungarians in Vojvodina and Bosniaks in Sandžak. The rationale behind selecting these two minority groups is that they constitute typical cases regarding the level of intra-ethnic competition for minority council representation within Serbia. The two groups displayed levels of contestation of five lists (Hungarians) and three lists (Bosniaks). The average in the population of 16 minority council elections in Serbia was 4.8 competing organisations per minority community (for the complete distribution of the number of competing organisations, see appendix). Typical cases are suitable for case studies aiming at hypothesis formation given that generalisation is the underlying research goal, since a typical case has the largest number of similar cases in the population (Rohlfing 2012, chapter 3).

Vojvodina, the fatherland of Serbian Hungarians, used to belong to the Kingdom of Hungary for centuries and became a part of Yugoslavia only after World War I. Today Hungarians constitute a significant minority in Vojvodina. The share of Hungarians in the autonomous province of Vojvodina is 14.3% (290 thousands of Hungarians in total figures) and the share of Hungarians in the whole Republic of Serbia is 3.9% according to the 2002 census (Republika Srbija 2003). Hungarians have not become the majority on these lands, among other reasons because Vojvodina became an asylum for Serbs fleeing from other territories since the XVII century. Also during the fall of Yugoslavia in 1990s, many Croatian and Bosnian Serbs fled to Vojvodina. In 1948, for example, Hungarians amounted to one fourth of the Vojvodina population and made up 7.5% of the Republic of Serbia. Having moved from the mountainous and rocky hills of Southern Serbia, Kosovo, Bosnia, Krajina or Herzegovina to the fertile lands north of Belgrade did not motivate visitors to leave their new homes again (Eberhardt 2003, Kocsis and Kocsisné Hodosi 1998).

Combined with migration away from Vojvodina to Hungary over the past years, the actual number of Hungarians in Serbia in 2010 is nowadays considered to be even smaller than the 2002 census suggests.⁶

At the time of the elections to the minority councils, five parties were registered as Hungarian minority parties in Serbia (Ministry for Public Administration and Local Self Government undated). The largest party, the Alliance of Vojvodina Hungarians (Savez vojvođanskih Mađara, hereafter SVM), is the only Hungarian party that holds seats in the current Serbian parliament. The oldest party, the Democratic Community of Vojvodina Hungarians (Demokratska zajednica vojvođanskih Mađara, hereafter DZVM) and its splinter, the Democratic Party of Vojvodina Hungarians (Demokratska stranka vojvođanskih Mađara, hereafter DSVM), as well as the Civic Union of Hungarians (Građanski savez Mađara, GSM) are marginal players at the national level but retain local support bases. The Movement of Hungarian Hope (Pokret mađarske nade, PMN) was founded not long before the minority council elections. Vojvodina Hungarians participate in contemporary Serbian politics not only through this range of ethnic minority parties, but also tend to support civic parties such as the Democratic Party (Demokratska stranka, hereafter DS) and the regionalist League of Social Democrats of Vojvodina (Liga Socijaldemokrata Vojvodine, hereafter LSV). LSV defends the interests of the multi-ethnic region of Vojvodina against the central state. Hungarians constitute a minority also within the region of Vojvodina and ethnic Hungarian parties (in particular DZVM and GSM, and more recently also PMN) have traditionally focused on ethno-territorial autonomy for the Northern part of Vojvodina (Severna Bačka) where Hungarians live territorially concentrated, considering the question of autonomy for the entire province of Vojvodina to be a Serbian issue. However, LSV has always adopted a very minority friendly stance and advocates a multi-ethnic Vojvodina with peacefully co-existing ethnic groups. According to a Hungarian journalist, the party has therefore traditionally constituted an attractive choice for ethnic Hungarian voters.⁷

Almost all of Serbia's Bosniaks live in Southern Serbia in a region commonly referred to as the Serbian part of Sandžak, bordering with the Montenegrin Sandžak to the south.⁸ Both Sandžaks, the Serbian and the Montenegrin, are inhabited by Slav Muslims, who identify themselves as Bosniaks. The region of Sandžak also links Bosnian Muslims and Kosovo Muslims. Sandžak Bosniaks are

⁶ Author's interview with Maglai Jenő, 6 June 2010, Subotica. The most recent census has been conducted in 2011, yet so far only preliminary results have been published by the Serbian statistical office and these do not contain information on nationality (Republika Srbija 2011).

⁷ Author's interview with Attila Marton, 2 June 2010, Novi Sad.

⁸ Sandžak is an old Ottoman term for an administrative unit that is smaller than a province but larger than a municipality.

Slavs, who converted to Islam during the Ottoman rule in the Balkans. After the Balkan wars, during the turbulent first half of the XX century, many of them fled to Turkey. Today Bosniaks and Muslims by nationality together amount to 2.1% of the Serbian population, corresponding to a total number of slightly over 155.000 (Republika Srbija 2003).⁹

At the time of the elections to the national minority councils, ten parties were registered as Bosniak minority parties (Ministry for Public Administration and Local Self Government undated). Out of these, the most significant forces at the time of the elections were the Sandžak Democratic Party (Sandžacka demokratska partija, SDP) and the Bosniak list for a European Sandžak (Bošnjačka lista za evropski Sandžak), a permanent electoral coalition headed by the Party for Democratic Action of Sandžak (Stranka demokratske akcije Sandžaka, SDA). Also in the Bosniak case, a newcomer participated in the minority council elections, the Sandžak People's Party (Sandžacka narodna partija, SNP), whose leader, Mirsad Đerlek, is a former member of SDP.

4. How minority council elections are turned into an additional arena for intra-ethnic party competition

The following section shows how minority council elections reflect the overall pattern of political competition for Bosniak and Hungarian minority votes in Serbia both in terms of the participating *actors* and in terms of their *campaigns*. Those political parties which compete for minority votes in contests for the main democratic offices dominated also the contest for the Bosniak and Hungarian minority council. Furthermore, the representative claims made by these parties during the campaign show that the minority council elections provided an additional arena for ethnic outbidding in particular for a new organisation in the Bosniak arena. The ethnic outbidding model of party competition in divided societies, whether coined in materialist (Rabushka and Shepsle 1972) or socio-psychological terms (Horowitz 1985) expects that if the electoral market is fully segmented along ethnic lines, ethnic parties will seek to maximise their votes by adopting more radical positions than their competitors. Recent contributions have challenged the ethnic outbidding model and have emphasised alternative strategies of ethnic parties (Chandra 2005, Zuber 2011). However, NMC elections take place only among the minority electorate and therefore in an ethnically perfectly segmented electoral market where ethnic outbidding is potentially more rewarding than in competition for other democratic offices, where minority ethnic issues constitute only one among a range of salient campaign topics, and where civic parties try to

⁹ Out of these, the 19.000 Muslims by nationality are of Slavic origin and for various reasons identify themselves neither as Bosniaks, nor as *Sandžaklija* (in English: inhabitants of Sandžak), neither as Montenegrin, nor as Serbian Muslims.

de-segment the market appealing to voters across ethnic divides.

4.1. NMC elections and political parties

Some of the lists of candidates for the elections to both the Bosniak and Hungarian minority council were fielded with a focus on granting key positions to *cultural* and *academic* elites from among the minority community, yet *political* parties dominated the elections nonetheless, either by fielding an official party list directly, or by openly supporting a list that appeared to be *prima facie* non-partisan. Also in the latter case, however, the affiliations with parties were publicly known, since party leaders were at the front line of rallying support for the list they promoted. This strategy was not limited to ethnic minority parties but was applied also by those non-ethnic parties with a civic orientation that successfully gain minority votes in general political elections: Besides minority parties, the Democratic Party led by Boris Tadić, the Liberal-Democratic Party led by Cedomir Jovanović, and as an additional regionalist player in Vojvodina, the League of Vojvodina Social Democrats, headed by Nenad Čanak, decided to enter the minority council elections.

Out of the five Hungarian lists for the NMC elections of 6 June, one was fielded and supported by an ethnic minority party, the Movement of Hungarian Hope (see table 1 below). The other four lists were officially fielded by citizens' associations but were supported by political parties, carried similar names as those parties, and included party members. Two Hungarian minority parties did not present or support a list for the NMC elections of 6 June 2010: DSVM and DZVM. The other three parties that are registered as Hungarian minority parties did participate – the newest Hungarian party, the Movement of Hungarian Hope (PMN) with its own list carrying the same name as the party; the largest Hungarian minority party, SVM, by supporting a list that consisted of both party members and non-party members; and finally, Laszlo Rac Szabo, the leader of GSM by fielding a list together with a former member of SVM, Zoltan Bunjik. Two lists were supported by non-ethnic parties, DS and LSV.

In the Bosniak case, all three lists were officially fielded by non-political minority associations but again prominently supported by political parties. The two dominant Bosniak minority parties at the time, the Sandžak Democratic Party (SDP) and the Bosniak list for a European Sandžak, (a permanent electoral coalition of three Bosniak parties headed by SDA) each chose to support one list for the NMC elections (see again table 1). The third list was fielded by a civic organisation, the Bosniak Cultural Community (Bošnjačka Kulturna Zajednica, BKZ). The BKZ list was headed by Muamer Zukorlić, the religious leader of the Islamic community in Serbia. Zukorlić is considered

the most influential political figure in Sandžak by the director of the Helsinki committee of human rights in Serbia.¹⁰ Already during the elections to the minority councils, the BKZ list itself was recognised as a “new political force” (Szöcsik and Bochsler forthcoming). The BKZ list was supported by two political parties, freshly founded minority SNP and the state-wide Liberal Democratic Party. BKZ has in the meantime developed into a political party, the Bosniak Democratic Community (Bošnjačka demokratska zajednica, BDZ), founded in December 2010 and headed by Emir Elfić (Ministry for Public Administration and Local Self Government, undated), thereby further blurring the lines between minority council competition and political competition more generally.

Table 1 provides an overview of the lists that contested the elections, their affiliations with both ethnic minority and state-wide or regionalist political parties, as well as the results they achieved.

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Table 1. Hungarian and Bosniak lists for the 2010 NMC elections, leaders, and connections to political parties.

4.2. NMC elections and campaign strategies

In terms of the content of the campaign, direct elections politicised the question of who can legitimately represent minorities in Serbian politics since different minority organisations defended diverse models of minority representation during the campaign and tried to sell their own model as the only legitimate one. Rather than constituting a struggle over the best policy programme in the fields of education and culture, political parties used the minority council elections as a platform to outbid their opponents with regard to the issue of minority representation. The dominant topics during the campaign were (a) whether the councils can legitimately represent minority interests, (b) whether non-ethnic parties can legitimately represent minority interests, and c) whether religious leaders can legitimately represent minority interests. The following analysis reveals that the positions occupied by parties and candidates on these three topics can be related to their overall strategy in party competition. As expected by the outbidding model, adopting a more radical stance

¹⁰ Author's interview with Sonja Biserko, 5 May 2010, Belgrade. Two parallel Islamic communities exist in Serbia. The Islamic community of Serbia is headed by Adem Zilkić and has its seat Belgrade. The Islamic community in Serbia is headed by Muamer Zukorlić, has its seat in Novi Pazar, and is oriented towards Sarajevo. For more details see Morrison (2008).

on the issue of minority representation thereby constituted a particularly attractive alternative for new ethnic parties.

a) Legitimacy of the council

The question whether to participate or not divided those minority organisations that challenged the capacity of the NMCs to adequately represent minorities within the state and those that participated. DSVM leader Ágoston gave as his key reason for boycotting the NMC elections that the law on the minority councils was not well designed because it did not oblige the state authorities to register the voters but left the task to the minority community itself. Furthermore, he criticised attempts of the Democratic Party to be seeking control of the councils by fielding a list that consisted of Hungarian individuals, yet was sponsored by DS.¹¹ In a similar vein, DZVM elites accused Belgrade for not preparing the list to the council elections and additionally stated that the concept of pure cultural autonomy fell short of their principal policy aim of territorial autonomy.¹² Both parties have not changed their policy positions since the founding days. Therefore, it could be hypothesised that they encounter potentially high costs in terms of policy coherence upon participation. In particular in case of DZVM, accepting cultural autonomy through minority councils could be interpreted as a shift away from the party's more radical principal policy aim of territorial autonomy for the municipalities with a Hungarian majority in the Northern Bačka region.

The Bosniak minority parties that participated in the minority council elections are the two parties that play the dominant role in Bosniak minority representation also in the national parliament. Both SDP and the Bosniak list could reasonably expect to gain influence in the council. Despite their intense competition for the Bosniak vote, they adopt similar positions in favour of cooperation with the state authorities and participated in the governing coalition in Belgrade between 2008 and 2012. Therefore, participation did not require sacrificing policy positions. Both parties had already voted in favour of the law on the minority councils in the Serbian parliament in 2009 and according to both an MP from the Bosniak list and an MP from SDP, both parties are in favour of Bosniak integration into the state and its institutions.¹³

New minority parties generally had high incentives to participate to gain information on their relative power position and at the same time present themselves to the minority electorate for the first time. Consequently, in both minority contexts under observation, new parties that had formed

¹¹ Author's interview with Andras Ágoston, 7 June 2010, Temerin.

¹² Author's interview with Esad Džudžević, 6 May 2010, Belgrade, and with Munir Poturak, 4 May 2010, Belgrade.

¹³ Author's interview with Esad Džudžević, 6 May 2010, Belgrade, and with Munir Poturak, 4 May 2010, Belgrade.

after the most recent parliamentary elections of May 2008 decided to participate, either by fielding their own party list (the Hungarian PMN) or by supporting a list for the council elections, as was the case with Bosniak SNP that supported the BKZ list which was itself soon to develop into a political party. PMN vice president and minority council candidate Zorán Setyerov exposed this logic clearly, arguing that even though PMN agrees with DSVM leader Ágoston, who boycotted the elections, that the law on the minority councils has important deficits, PMN decided to participate, taking the first elections since their founding day as an important opportunity to evaluate their electoral potential.¹⁴

b) Representation through non-ethnic parties

The second level of contestation concerned the question whether non-ethnic parties could also represent the interests of minorities and could and should therefore participate in the NMC elections. On the one hand, ethnic minority parties argued that a minority community should be exclusively represented by an ethnic minority organisation. On the other hand, individual minority community members that prefer to affiliate with a non-ethnic party or organisation argued that these parties can also be legitimate representatives. A number of Hungarians are closely affiliated with either the League of Social Democrats of Vojvodina or the Democratic Party, two non-ethnic, civic parties. According to a Hungarian journalist, if these two parties did not field a list for the NMC elections, Hungarians that do not feel represented by the Hungarian ethnic minority parties such as SVM, PMN and GSM would not have the chance to have a representative of their civic orientation in the council.¹⁵ For example, in October 2009, 22.3 % of Hungarians surveyed by a public opinion research institute in Vojvodina stated DS as their party of choice and 8.3% of Hungarians preferred LSV, which amounts to a total of 30.6% of surveyed Hungarians who preferred representation through non-ethnic parties in democratic politics, at least outside the minority councils (SCAN Agency, 2009: 10). Consequently, ethnic Hungarians decided to stand for elections on a list supported by LSV and on a list supported by DS (cf. again table one). This shows that not only minority parties use minority council elections as an additional arena for intra-ethnic competition, even mainstream, non-ethnic, parties that are successful in gaining votes among the minority in political competition for other offices have incentives to present 'their' list during the council elections.

Elites of the ethnically exclusive Hungarian minority parties criticised this representational

¹⁴ Author's interview with Zorán Setyerov, 3 June 2010, Subotica.

¹⁵ Author's interview with Attila Marton, 2 June 2010, Novi Sad.

model as illegitimate. Setyerov, Vice-President of PMN, argued that only the PMN list and the list supported by SVM were legitimate participants of the NMC elections and accused DS and LSV of trying to get access to Hungarian media and Hungarian money through the council. He further differentiated between Hungarians that competed on a minority list and Hungarians on the DS and LSV lists; describing the latter as opportunists who discovered their Hungarian identity only recently: “They earlier declared themselves as Yugoslavs or Serbs, what do I know, they did nothing for the Hungarian minority”.¹⁶

Depending on the rhetoric endorsed by interview partners, Hungarians that competed for LSV and DS in the minority councils thus either help the Serbian state (through Serbian state-wide parties) to take control of the minority councils or provide a legitimate alternative for those Hungarians citizens who do not agree with the dominant ethnic minority party.

Interestingly in the Bosniak case, BKZ, the only list that was supported by a non-ethnic party with its seat in Belgrade, LDP, was at the same time the list that accused its competitors that fielded exclusive minority lists supported exclusively by ethnic minority parties of cooperating too closely with the Serbian state.¹⁷ A possible explanation for this apparent contradiction is that LDP traditionally enjoys particular support among the Bosniak population¹⁸ and was in the opposition at the level of the national parliament at the time of the NMC elections. This could explain why it is possible to be at the same time opposed to cooperation with the state but in favour of cooperating with a state-wide party with its seat in Belgrade. SDP and SDA both have ministers in government, leaving a vacuum for a third, more radical, outbidding party that claims to represent the interests of Bosniaks on the ground, against the central Serbian state in Belgrade, which has precisely been the rhetoric adopted by BKZ (soon to transform into BDZ) in both the minority council and the 2012 general elections (Szöcsik and Bochsler forthcoming).

¹⁶ Author's interview with Zorán Setyerov, 3 June 2010, Subotica.

¹⁷ Author's interview with Samir Tandır, 17 May 2010, Novi Pazar.

¹⁸ In the first round of the presidential elections of 2008, LDP candidate Cedomir Jovanović received his highest support in the Raška district (8.49% of valid votes), which includes the Bosniak majority municipalities of Novi Pazar and Tutin and in the Zlatibor district (8.19% of valid votes), which includes the Bosniak municipalities of Sjenica, Nova Varoš, Prijepolje and Priboj. His national aggregate result in the first round was 5.34% (Republički zavod za statistiku 2008).

c) Secular versus religious candidates

A third level of intra-ethnic division concerns the different representative claims presented by minority organisations. Here, a dividing line can be drawn between those ethnic elites who argue that religion is a part of the cultural identity of the minority and **that, hence**, religious leaders could and should participate as candidates for the councils, and those ethnic elites who take a secular stance arguing that minority self-government concerns political decision-making and that religious leaders should not participate. This was the most controversial issue in the campaign for the Bosniak NMC but also played a role in the Hungarian one.

The fact that BKZ was headed by a religious leader was seen as highly problematic and perceived as a radical, outbidding move by elites from both SDP and SDA.¹⁹ Esad Džudžević, who was heading the Bosniak list for the council elections differentiated between three models of representing Bosniaks on 6 June 2010, indicating that one of them, the religious option, was “mixed with religious extremism” and therefore “not acceptable at all”.²⁰ By contrast, BKZ candidate Samir Tandir, who is also spokesperson of the Islamic Community in Serbia, defended religious representation with the argument that Islam was “an inseparable component of the behaviour of the Bosniak nation”, therefore the NMC should be run not only by historians, academics, and party representatives, but also by religious authorities like Zukorlić.²¹

In a similar vein, but stimulating less controversy, the fact that the Hungarian SVM included priests on its list for the Hungarian council elections was criticised by DZVM's Vice-president Horváth Ódry.²² Against this evaluation, Maglai Jenő, member of the SVM executive committee referred more to a concept of inclusive representation whereby all elites of the Hungarian minority should preferably be brought together on one list and praised itself for including a catholic, a reformist and an evangelical bishop in an attempt to go beyond presenting a purely political list.²³

The choice between participation and boycott of minority council elections and, in case of participation, the subsequent choice between various representative claims shows that the question of who represents minorities in institutions of cultural autonomy can therefore be explained with reference to the overall logic of party competition. Of the established organisations, DSVM and DZVM chose to abstain and focused on criticising the status of minority participation in the Serbian state as such. As explained above, in case of DZVM, this can be related to the party's attempt to

¹⁹ Author's interview with Esad Džudžević, 6 May 2010, Belgrade.

²⁰ Author's interview with Esad Džudžević, 6 May 2010, Belgrade.

²¹ Author's interview with Samir Tandir, 17 May 2010, Novi Pazar.

²² Author's interview with Márta Horváth Ódry, 10 June 2010, Sombor.

²³ Author's interview with Maglai Jenő, 6 June 2010, Subotica.

maintain a coherent policy positions with regard to Hungarian autonomy in general party competition. A party that has been advocating that cultural autonomy is not enough and that Hungarians need to achieve autonomy on ethno-territorial basis could encounter high costs in terms of maintaining policy coherence were it to consent to the cultural autonomy solution in form of the minority councils. State-wide parties that are popular among minority voters (DS, LSV and LDP) could participate in the NMC elections with ease because they could draw on the organisational and financial resources of larger, state-wide players. However they were also easily portrayed as illegitimate representatives and Serbian-sponsored intruders into the minority council by the 'real' ethnic minority parties. Ethnic minority parties in Serbia used the NMC elections as an additional arena of competition that was particularly attractive for established minority parties with good chances of winning the elections (SVM, SDP and the Bosniak list) and newcomers such as PMN and BKZ-BDZ that sought a platform for outbidding established parties with more radical claims.

Pavel Domonji of the Helsinki committee of human rights in Serbia gave perhaps the clearest summary of how BDZ used the NMC elections as a platform for political competition and ethnic outbidding on the issue of Bosniak representation in Serbia, stating that: “He [Zukorlić] sharpened his rhetoric in the election campaign and practically turned the elections into a referendum on which Bosniaks were supposed to choose their future course” (Domonji 2010). The perception of BKZ as too radical and too closely linked to religion led to neither the list supported by SDA nor the NMC list supported by SDP to agree on forming an NMC governing coalition with Zukorlić’s BKZ that won the majority of votes in the council elections. The subsequent decision of the Minister for Human Rights in Serbia to change the decision-making process for electing an NMC executive from simply majority to qualified majority vote (two-thirds of the votes required) meant that the rules applicable to constitute the Bosniak council differed from the rules that were applied to constitute all other minority councils. This unequal treatment by the ministry gave BKZ-BDZ an opportunity to sell its anti-Belgrade stance even more effectively. **On July 7, 2010**, members of BKZ formed the Bosniak National Council according to the old, simple majority rule and with two members of Bosniak Revival, the list supported by SDP present, since the presence of an absolute majority of elected members is required to constitute the council. The Serbian authorities did not recognise this council. New elections were to be held in April 2011 – with BKZ rising slogans of boycott – but were postponed (Balkaninsight 31 March 2011).

5. Conclusion

This article has examined the first direct elections to minority councils in Serbia. On the basis of evidence from field research it has been argued that minority council elections reflect the situation of intra-ethnic competition and provide an additional arena for ethnic outbidding in particular for new ethnic parties. In all but one of 16 minority council election campaigns in Serbia several representational models were offered to minority voters. From the perspective of democratic pluralism this should be welcomed, since it allows minority members to express diverse preferences as well as establish elite accountability through alternation based on party competition (Szöcsik and Bochsler forthcoming). However, this would require programmatic competition over the actual policy issues at stake in the minority council: education, language use, culture and information in the minority language. In the Serbian case, direct elections to minority councils have instead provided a further arena for intra-ethnic political competition more generally and have also provided a platform in particular for new ethnic parties to outbid their opponents with regard to the issue of minority representation.

Furthermore, minority council elections may not only *reflect*, but in the long run can be expected to also *affect* the patterns of political competition for minority votes. Control of the councils implies control of the minority media and control over a range of offices related to the maintenance of culture, such as who to employ as teachers, librarians or editors of newspapers in the minority language. Maglai Jenő, member of the SVM executive committee, was criticising DS' attempt to get their foot into the Hungarian minority council, but he did so with a telling statement that can be applied to any party that gains control of the minority council: "Whoever gets to control the national council will be controlling the community".²⁴ According to a Hungarian journalist, media institutions within minority communities still depend to a large extent on the political parties of national minorities.²⁵ Asked whether given the results of the Hungarian council elections SVM now had an advantage over other Hungarian parties, Vojvodina analyst Alexander Popov answered: "Of course this package of control ('kontrolni paket') in the national council will give additional wings to this party" (cited *Politika*, 8 June 2010). This could provide an interesting avenue for future research that could trace the electoral fortunes of council-dominating parties over time. Some first comparative evidence can be found in Szekely (2011), who shows how already at an earlier stage, namely when debating the exact design of cultural autonomy institutions, dominant Hungarian minority parties in Serbia and Romania have tried to suggest the institutional design that will most likely prevent them from being challenged by rival parties in intra-ethnic competition.

²⁴ Author's interview with Maglai Jenő, 6 June 2010, Subotica.

²⁵ Author's interview with Attila Marton, 2 June 2010, Novi Sad.

Further comparative case studies of minority councils are now needed to see whether the explorative insights gained from the “hypothesis-building case study” presented here stand up to empirical test (Rohlfing 2012, chapter 1). Nonetheless, some normative implications can be considered already at this stage. Following Saward who theorises representation as a dynamic relationship of claim-making (on part of the representative) and claim-acceptance (on part of the represented), the *legitimacy* of representative claims (such as: “our organisation represents the interests of the Hungarian minority in Serbia”) can only be properly assessed by those being represented under the conditions of an open society, where independent media ensures that citizens gain enough information to recognise who makes representative claims, judge how well founded they are, and decide for themselves whether they respond by accepting or rejecting these claims (Saward 2010, chapter 6). This condition for legitimate representation can be undermined within minority communities if one minority organisation gains full control of the council and consequently the minority media.²⁶ Minority councils are adopted to enhance the stability of *inter-ethnic* democracy as they enable minorities to decide on cultural politics independently from the central state authorities, which in Serbia predominantly represent the Serbian ethnic majority group. Yet, they can at the same time stand against *intra-ethnic* democracy, privileging status quo elites and barring those minority members who do not affiliate with the dominant minority party permanently from representation.

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²⁶ Of course, this does not follow by necessity. If democratic principles and the norms of an open society are rooted deeply enough in the behaviour of minority elites, the chances of creating many sources of media presenting different viewpoints and political perspectives may be higher than our conclusions drawn on the basis of minority communities in Serbia would suggest.

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Table 1. Hungarian and Bosniak lists for the 2010 NMC elections, leaders, and connections to political parties.

Minority	Lists for NMC elections 6 June 2010, percentage of votes	List headed by	Affiliated political parties
Bosniak	Bošnjačka kulturna zajednica (Bosniak cultural community), 48.4%	Muftija Muamer ef. Zukorlić	SNP (Bosniak minority party) and LDP (state-wide party)
	Bošnjačka lista (Bosniak list), 37.35%	Esad Džudžević	SDA, BDSS (Bosniak minority parties)
	Bošnjački preporod (Bosniak revival), 14.25%	Nazim Nokić	SDP (Bosniak minority party)
Hungarian	Evo ruke za mađarsku zajednicu (Let's shake hands for the Hungarian community) 3.37%	Zoltán Bunjik & László Rác Szabó	GSM (Hungarian minority party)
	Mađarska liga (Hungarian League), 3.31%	Tibor Murenji	LSV (regionalist party)
	Pokret mađarske nade (Movement of Hungarian Hope), 2.77%	Balint Laslo	PMN (Hungarian minority party)
	Vojvođanski Mađari za Evropu (Vojvodina Hungarians for Europe), 13.34%	Attila Csengeri	DS (state-wide party)
	Mađarska sloga (Hungarian Unity), 77.21 %	Tamas Korhec	SVM (Hungarian minority party)

Appendix. Overview on the Minority Council elections in Serbia, 6 June 2010

Minority (no of lists)	Lists and election results in the NMC elections of 6 June 2010	Turn-out
Czechs (1)	Česi zajedno 100%	46.52%
Albanian (2)	Demokratska unija albanaca 18.97% Partija za demokratsko delovanje Riza Halimi 81.03%	56.31%
Greek (2)	Helenizam uz Srpstvo – Vera Jeftimijades Jobst 34.62% Volim te – SaGaPo Smederevo 65.38%	77.05%
Egyptian (2)	Budućnost 60.09% Egipćani ali zajedno 39.91%	44.93%
German (2)	Podunavski Nemci Vojvodine 29.47% Zajedno za jedinstvo Nemačke nacionalne manjine Srbije 70.53%	63.73%
Bosniak (3)	Bošnjačka kulturna zajednica – BKZ – Muftija Muamer ef. Zukorlić 48.4% Bošnjačka lista 37.35% Bošnjački preporod 14.25%	56.46%
Ashkali (3)	Zajedno 37.13% Aškalije za spas, mir i budućnost 51.25% Aškalije za bolje sutra – Zijadin Calihi 11.62%	38.85%
Hungarian (5)	Evo ruke za mađarsku zajednicu – Zoltan Bunjik i Laslo Rac Sabo 3.37% Mađarska liga – Dr Murenji Tibor 3.31% Pokret mađarske nade Laslo Balint 2.77% Vojvodanski Mađari za Evropu Dr Cengeri Atila 13.34% Mađarska sloga 77.21 %	55.46%
Slovak (5)	Slovenska strana 8.02% Nova Slovačka Stranka 5.37% Slovačka liga 4.55% Matica Slovačka Za Slovački identitet 22,36% Slovaci zajedno Ana Tomanova Makanova 59,70%	46.81%
Rusyn (6)	Sremačka lista 10.08% Matica rusinska 11.24% Rusinska omladina Saša Paljenkaš 7.62% Zajedno za Rusine Slavko Rac 36.03% Rusinska demokratska stranka – Za narod svoj 9.50% Rusinska liga Oleha Papuga – 25.53%	56.07%

Romanian (6)	<p>Ujedinjeni Rumuni – Raša Todorel 6.18%</p> <p>Ujedinjeni Rumuni iz Srbije – Vasile Barbu 7.12%</p> <p>Zajednica Rumuna u Srbiji 15.42%</p> <p>Jedinstvo 14.82%</p> <p>Rumunsko jedinstvo za evropsku budućnost – Daniel Petrović 48.14%</p> <p>Nezavisni Rumuni 8.33%</p>	54.45%
Ukrainian (7)	<p>Grupa građana Dalibor Pjekni 5.98%</p> <p>Pravda 17.74%</p> <p>Ukrajinska lista – za budućnost 24.82%</p> <p>Galicijani 4.21%</p> <p>Kalina -Petar Zakamarok 9.57%</p> <p>Proleće – Vesna 21.59%</p> <p>'Kolomejka' Sremska Mitrovica Ana Ljahović 16.1%</p>	60.72%
Bulgarian (7)	<p>Liberalna zajednica Bugara 4.55%</p> <p>Za Bosilegrad i evropsku Srbiju 13.47%</p> <p>Bugarska nacionalna manjina u Srbiji – Dragoljub Notev 5.5%</p> <p>Za nas Bosilegrad Vladimir Zaharijev 27.84</p> <p>Da se složimo – Siniša Randelov 3.91%</p> <p>Bugarska zajednica za Evropsku Srbiju – Zoran Petrov 30.07%</p> <p>Koalicija Bugara u Srbiji Nebojša Ivanov 14.64%</p>	66.04%
Bunjevac (7)	<p>Jugoslovenski Bunjevci 8.32 %</p> <p>Bunjevačka liga – Buljovčić Stipan, Bunjo 7.02%</p> <p>Bunjevci za Bunjevce – Nikola Babić 14.55%</p> <p>Savez bačkih Bunjevaca – Mirko Bajić 15.02%</p> <p>Bunjevačka narodna lista – Branko Pokornić 12.57%</p> <p>Bunjevačka lista za evropsku Srbiju 8.32%</p> <p>Sad i uvik – samo Bunjevci – mr Suzana Kujundzić Ostojić 34.18%</p>	41.52%
Vlach (9)	<p>Autentični Vlasi – Dragoljub Firulović 1.18%</p> <p>Vlasi u Srbiji – Svoji na svome 1.58%</p> <p>Vlasi za evropsku Srbiju – prim. dr. Siniša Čelojević 14.8%</p> <p>Vlasi opštine Zajecar – Miodrag Marković 4.46%</p> <p>Ujedinjeni Vlasi - Dragan Balašević 11.74 %</p> <p>Vlasi u evropskoj Srbiji – Neli Đorđević 10.72%</p> <p>Lista za Vlahe u Srbiji – Centar za ljudska prava i interetničku toleranciju – Bor 1.21%</p> <p>Zajednica Vlaha Srbije – dr. Predrag Balašević 27.93%</p> <p>Vlasi za Srbiju – Srbija za vlahe, Miletić mihajlović – Tica 26.38%</p>	46.62%

Roma (10)	Romi za evropsku Srbiju 44.9% Romi Srbije Memišević -Milanović 0.87% Ujedinjeni Romi Miša Stojkov – Milan Nikolić 2.09% Grupa građana Roma Srbije – Dragiša Todorović 8.77% Romska lista za centralnu Srbiju – Nikolić Božidar 1.57% Internacionalna Romska Unija Srbije za bolje Sutra 2.16% Savez društava Roma pčinjsko jablanički okrug 15.06% Romski glas za Evropu 3.89% Vojvodanska romska lista Petar Nikolić 13.67% Romska partija Srđan Sajn 7.03%	54.95%
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Source: Compiled on the basis of the official results of the NMC elections of June 2010, Ministry of Human and Minority Rights of the Republic of Serbia, 2010.