Interpretation of Integration

A Case Study of Human Rights guided Assistance to the Process of Integration in Estonia – Impacts on Democracy

By Vanja Ohna
Department of Sociology and Human Geography
University of Oslo, November 1999
(Cand Polit 1992)
Summary

The present work analyses a Human Rights actors’ approach to assist Estonian social scientist on matter related to integration in Estonia. Human Rights actors’ interpretation of integration as it is expressed in actually ongoing discourse is explored within a perspective of maintaining democracy and current challenges in Estonia. Particular emphasis is put on socio-cultural conditions for democracy and how Human Rights actors relate to these issues.

The first part (chapter III and IV) is a conceptual and theoretical discussion focusing on the relationship between integration and democracy. The second part (chapter V) elaborate on the concept of nationalism, both from the perspective that emotional support at the national level has its positive and negative sides, and from the perspective that Human Rights actors have a difficult conceptual and ideological relationship to this term. The third part (chapter VI) describes the rough lines of the Estonian history. The fourth part (chapter VII) discusses methodological issues related to the transformation of discourse into social practice. The fifth part (chapter VIII and IX) focuses on the Human Rights actors work at the Tallinn seminar from different perspectives. The general principles throughout this analysis rest on Raymond Boudon’s theory of unintended consequences of social action.

The role of communication and solidarity is discussed departing from liberal theories on democracy and theories on reproduction of social systems. A concept of integration applicable to modern democratic societies is outlined. The underlying question is if Human Rights actors fit the role as educators or as missionaries, departing from Robert Dahl’s questioning of whom should appropriately decide who comprises the ‘people’ in democracies. To answer this question Human Rights actors understanding of integration and democracy have to be in accordance with social scientific assumptions. Thus their understanding will contextually be compared with the suggested conceptualisation of integration. In the last part Human Rights actors interpretations are discussed in the perspective of ideologies, which gives an opportunity to suggest a counter perspective that embraces the issues which Human Rights actors have great difficulties in grasping. Human Rights actors are trapped in a severe strain between normative justifications and the result of their work in social practice. It is this strain that give rise to the most severe challenges of potential unintended consequences of their well meant actions.
Acknowledgement

I would like to thank all my family, friends and colleagues that have helped me organising my life during the year of fieldwork and writing. I would never managed without your support! Thanks to my children Eivind and Katja who have been patient with a busy and occasionally absentminded mother. A special thanks to Thale for keeping alive the childish part in me during this busy period. To Gøril, thank you for fruitful discussions and company during the summer and autumn. To Beni, I hope the tears of agony make your three of life burst into leaves.

My work could never been done without the assistance of Pål Kolstø, who provided me with historical and contemporary material on the situation in Estonia. He informed me of the Tallinn seminar and played a major role in giving me access as an observer. Thanks to my supervisor Sigurd Skirbekk for discussions and encouragement. To Lars, for commenting my English writing. I would also thank Ahto Külvet and his parents Anne and Arvo, for their hospitality and for letting me staying with them during my fieldwork in January. And lastly thank to all the people I got to know during my stay in Estonia, your contribution to my understanding of the current challenges are invaluable.
Content

I Introduction............................................................................................................5
II Three Main Questions............................................................................................8
III Transformation of Democracy............................................................................15
IV National Integration ............................................................................................27
V Nationalism..........................................................................................................41
VI The History of Estonia.........................................................................................50
VII Methodology.....................................................................................................61
VIII Interpretations of Integration............................................................................71
IX Ideology and Dilemmas.......................................................................................96
X Closing Comments...............................................................................................106
XI References.........................................................................................................109
XII Appendix..........................................................................................................112
I Introduction

‘...our own uneasiness grows out of our recognition of the elusiveness of social realities in the face of the multitudinous competing images and sources that give us “the story”. Our sense of the variety of stories, opinions, images is as fine-tuned as our sense of the power of knowledge, word, and image to create and to control social reality.’ (Doyle McCarthy 1996:9)

The aim of the study is to explore and develop an appropriate understanding of the challenges concerning integration in Estonia, and see how Human Rights actor’s assistance influence on social processes maintaining democracy. The emphasis will be on how Human Rights actors interpret integration and how these interpretations relate to democracy and current challenges in Estonia.

Estonia is currently facing major challenges concerning integration. The rapid demographic changes taking place under Soviet rule after World War II created a social and culturally divided society where the minority became relatively large compared to the size of minority groups in most Western European states.

The history of Estonia shows that learning the Estonian language has been a major vehicle to integration in the past. Despite religious cleavage lines, learning the titular language opened up for peaceful social interaction. Estonian government follows this traditional line when they demand non-citizens to learning the Estonian language in order to obtain citizenship.

To the Estonian people, the willingness of Russian speaking gaining knowledge in the titular language is considered a gesture of reconciliation of the suppression during the past Soviet period.

Current interpretation of Human Rights challenges this tradition. Language is part and parcel of ones culture and identity, making any attempts by governments to interfere with language or other cultural means to promote integration a concern for Human Rights. The crucial question is then if, and how language or other integrative measures related to culture legitimately can be used by a state if the purpose should be to maintain and keep democracy operational.

The population living on the Estonian territory today consists of 35 percent Russian speaking most of them without command in the titular language. The government’s regulative practice regarding language, especially when it is linked to the regulation of citizenship, has evoked massive reactions from Human Rights actors.

During 1998 and early 1999 Human Rights actors from different countries have been
engaged in assisting Estonia on these matters. They have arranged two seminars both titled 'Minorities and Majorities in Estonia: Problem of Integration at the threshold of the European Union'. This case study looks into the details of the Human Rights actors' assistance during the last of these seminars, which was held in Tallinn in January 1999.

General sociological assumptions support the notion that social consequences of intentionally, and even well meant, action do not necessarily turn out as expected (see i.e., Boudon 1982b). There are two ways to investigate unintended consequences of social actions. The first option is to ask if the outcome of intentional action is as expected or not. In this case an answer could be sought by comparing the interpretation of the state of matters of Human Rights actors with a sociological system theoretical perspective. The second option is to look for logical inconsistencies within the argumentation of Human Rights actors, and look for how contradictions are managed.

A Reader...

The present work comprises ten chapters. Readers unfamiliar with the history of and situation in Estonia are advised to start with the short introduction in chapter VI. With some risks of repetition, the general features of the current situation in Estonia are commented on throughout the text, so that the reader familiar with the situation in Estonia easily could skip chapter VI.

Chapter II introduces to the field of investigation and frames the major questions guiding this work. Chapter III introduces to democracy. The aim is to explore the challenge of cultural pluralism in Estonia. Three types of democracy, the competitive, the participatory and deliberative, are described. The effect of socio-cultural issues relating to communication and solidarity on social life and democracy are discussed by departing from Robert K. Merton's theory on reproduction of social systems. The concept of the competent democratic citizen is explored, revealing a theoretical shortcoming related to the link between individual actions and outcome at the level of society in some theories on democracy. This particular shortcoming is linked to a tendency to underestimate the effect of socio-cultural issues on social practice. It is suggested that the challenges in Estonia best can be met by applying deliberative democratic methods.

In chapter IV the concept of integration is explored departing from a Weberian perspective of legitimacy applying Antonio Gramsci's term collective will. Traditional theories on integration are described emphasising the division between consensus and conflict theories. Lewis Coser's idea of conflict as integration is the point of departure for a theoretical discussion of how we can conceive the term integration within a democratic framework. His shortcomings are similar to the shortcomings of traditional integration theories, which is highlighted by Niklas Luhmann's critique and ideas about integration in modern societies. The minimalist term of integration in Luhmann's understandings is challenged by Scott Lash's theory of reflexive modernity, which suggest mechanisms for
how communities are created in modern knowledge based societies. Issues related to communication and solidarity is discussed particularly taking care of the contextual regulation of the impact of dialogue and emotions/solidarity.

Chapter V explores the concept of nationalism, which explicitly involve questions of solidarity. Reviewing some of the main features of current research on nationalism, firstly, gives a broad introduction to a variety of aspects of solidarity and collective action. Secondly, it makes possible a deciphering of some crucial aspects of Human Rights actors’ reluctance against emotionally based communion. To illustrate the difficult relationship between nationalism and Human Rights, I have analysed an interpretation of the Framework Convention for the Protection of National Minorities conducted by a respected lawyer within the system of Human Rights. This particular contribution is chosen because of its form as a narrative of the ideology of Human Rights, but then also because the writer participated in the Tallinn debate.

Chapter VI draws the major lines in the history of Estonia and the demographic development during the Soviet era. Questions regarding language and conditions for encounters are dealt with.

Chapter VII discusses the methodological issues of the forthcoming analysis of the Tallinn debate particularly emphasising the link between discourse and social practice.

Chapter VIII is divided in two major sections. The first introduces to the Human Rights actors and their respective institutions through an analysis of problem selection. The aim is to clarify some major tendencies to focus on some issues and disregarding others, and by that sketching a contextual framework for the discussion in Tallinn. The second section deals with the discourse in Tallinn. The analysis of the debate departs theoretically from Niklas Luhmann’s ideas of contradictions as potential triggers for action.

In chapter IX the Human Rights actors’ work is analysed in light of the struggle for recognition of ideas. The focal point is the ideological work that Human Rights actors have to carry out in order to safeguard legitimacy for Human Rights at the international level. This work might be strained by questions demanding Human Rights to function in social practice. The dilemmas are explored first by describing the nature of the ideological work, and secondly, by proposing reflexive communitarianism as a counter perspective that manage to take into account social practice and clarify and express conditions under which democracy operate.

Chapter X consists of a summary of the main findings in this work.
II Three Main Questions

‘Today...the idea of culture as unified and integrated has undergone criticism and revision...Yet it contains the insight that every facet of a “social order” – itself a phenomenon produced and achieved – is something meaningful, something that can serve as a mode of signification, whether Gods, objects of adornment, money, sentiments, human gestures, or our garbage.’ (Doyle McCarthy 1996:110)

Cultural pluralism is regarded an asset for society by many people. The colourful image of diversity shine through the commercials in most Western countries. Questioning the modern societies need for cultural diversity is narrow minded and intolerant. Traditional sociological theories on integration is not quite in line with this view, and we could ask why, and try figuring out what keep society peaceful and operative against the odds of old fashioned theories. Why should any one worry about increasing cultural pluralism, if states keep on functioning peacefully and democratic?

The Estonian government does worry about the challenge of cultural diversity. They do everything in their power to avoid segregation and the development of two societies in one. The main vehicle in this process is introducing Estonian as the obligatory common language. This is believed to be accomplished by demanding people who apply for citizenship learning the titular language, and by introducing Eestica as an obligatory course throughout Russian primary schools in Estonia. The Russian speaking children are expected to get a good command in Estonian so that they can attend to Estonian speaking secondary schools and universities, and thus prepare for active participation in the Estonian society using the titular language. The Russian speaking adults have no such options for mastering Estonian. They have to attend private or official language courses, and the major motivation for doing so is not that they practically need Estonian to manage their everyday life, but rather to get an Estonian citizenship.

Human Rights actors attending the Tallinn seminar react against Estonian policy on linguistic matters. The wish to create one society is regarded a misconception of the social and practical benefits of cultural pluralism. The Estonians have to understand that there are no other options than to accept the current pluralism and that it is an asset that should be carefully managed to give the society a surplus that would otherwise vanish. But at worse, the Estonian language policy is believed to increase the regional instability, and provoking Russia. It is a threat to independence. The focus of Human Rights actors attending the seminar in Tallinn is the Russian speaking minority and their life chances. The language policy is believed being discriminatory, particularly because of the large size
of the minority. Some of these Human Rights actors thus claim that Estonia should introduce two official languages and stop what they regard as attempts of coercive assimilation. A major disputed task is, however, related to the Estonian citizenship legislation, which granted citizenship only to those who had a pre World War II connection to Estonia. The law, adapted short after the independence in 1991, forced most Russian speaking residents to naturalise if they wanted Estonian citizenship. Human Rights actors claim that most Russian speaking residents should have been given citizenship automatically in 1991 (the zero-option), and thus they regard the current arrangement as illegitimate on several grounds.

To Human Rights actors, Estonia is one case among several others. The reasons for helping Estonia are many, and some of the actors’ motives are partly contradictory. Additionally the interdependency created because of the different types of actors involved in the processes of integration in Estonia introduces a momentum for social change. First of all, Estonia is dependent upon its large neighbour Russia, which strategically makes use of the Russian speaking diasporas in Estonia. Secondly, the management and actions taken by the Estonian government depends upon institutional arrangements as well as on particular actors that in sum form a web of interdependency that surely influence on integration policies. Thirdly, the European Union plays a major role in Estonia’s management of their minority, at least as long as Estonia strive for membership. The European Union demands their member states to comply with Human Rights. This is where the Human Rights actors at the Tallinn seminar enter. Because, as long as the European Union listen to Human Rights actor’s interpretation of the situation in Estonia, they reinforce the Human Rights actors arguments and increase their likeliness for being applied.

MODERN DEMOCRATIC SOCIETIES AND THE CONCEPT OF INTEGRATION

How can integration be interpreted in modern democratic states departing from a perspective of sociology, and focusing on socio-cultural issues related to maintaining democracy and what are the relevant issues regarding integration in Estonia within this framework?

Reproduction or transformation of democracy does not only depend upon institutional, political and economic development, but also on the informal socio-cultural climate in which democracy is embedded. If particular socio-cultural issues are crucial to the maintenance of democracy, then they should be expected to appear in the conceptual repertoire of Human Rights actors, because maintaining rule of democracy is the major condition for compliance with Human Rights. But let us explore the link between democracy and two particular issues, which are socio-culturally embedded, namely dialogue and solidarity.
Rule of democracy becomes robust when an increasing number of democratic states appear, and states are economically motivated to maintain democracy to meet the markets’ demand for stable societies. If we depart from a strict dichotomy of democracy/not democracy, which could be applied if we roughly discussed reproduction of democracy, we would fail to see the shades of conditions and functioning of different types of democracy. The strength of a particular democracy depends on several factors. The future of Estonian democracy is explored from three qualitatively different ideal types of democracy, the competitive, participatory, and deliberative democracy. While the first interpretation of freedom builds on an idea of liberating man from the institutional strain that hampers man’s free expressions, the latter emphasises social structures and institutions as enabling. Predictability and coordination of expectations creates opportunities for experiencing freedom. Both views are compatible with the idea that society depends on some kind of voluntary submission of individuals in order to maintain a free society. However the conditions under which submission occur are perceived different. Concepts like social control and socialisation are understood completely different within the framework of these ideas.

I shall depart from David Beetham’s (1999:1-29) claim that states with big cultural diverse minorities preferably should apply deliberative democracy, and discuss the conditions related to dialogue and solidarity from this perspective. Communication becomes important in three different ways. First dialogue in deliberative democracy is believed to be a main vehicle to decide on matters regarding truth and to reach to the best arguments regarding collective decisions and actions. Secondly, dialogue is intrinsic to the operation of democratic institutions. Thirdly, dialogue is a vehicle for the autonomous individual to claim his or her values and interests. To discuss transformation of democracy means applying a perspective of social change, and among the three main options, theories of modernisation, conflict theories and theories of interdependency, I argue for using the latter in the case of Human Rights actors assistance in Estonia. In Chapter III, I discuss the question how the three types of democracy are related to dialogue and solidarity.

Solidarity is emotionally based support for a particular community, or for fellow countrymen in the case of the nation. Georg Simmel (see Guneriussen 1999) and later Niklas Luhmann (1984) claim that the modern society suspends the need for emotionally based supportive relationships because the differentiation that takes place result in a rationalisation of social systems. Strong emotional relationships in feudal
societies are replaced by the demand for skills making you able to operate within the broad spectrum of social systems. Plural societies are made possible because of the differentiation uncoupling emotions from face-to-face interaction. The question is what kind of modern context that supports this idea of suspension of solidarity, and if Estonia qualifies to these terms. Solidarity could be a safety net in case of crisis. Additionally we should ask if solidarity keep up attitudes and actions that support the welfare state, as i.e., the willingness to pay taxes.

Informal social contracts are according to the traditional sociological assumptions crucial to the regulation of social interaction and to social order. Regulation by law cannot succeed unless there is a supportive socio-cultural environment of informal social contracts between people. Michael Illner’s (1996) study on institutional reformation in the former Soviet Republics show that the reorganisation of institutions according to Western European models do not necessarily lead to similar approaches to legal or democratic institutions. He reaffirms the link between the functioning of institutions and the socio-cultural environment in which they are embedded. Luhmann on the contrary, argues that modern societies no longer are built on social contracts. The traditional assumptions of these contracts belong to the history of Western Europe and are linked to the Grand Narratives of early modernity. I will argue that the scientific significance of informal social contracts depends on the society in question, and that Luhmann’s objections in fact presuppose a particular kind of stable differentiated society. We thus have to ask what kind of mechanisms that reproduces this type of society and question if these mechanisms make concepts of social contracts superfluous in any situations, if the answer is negative we should be advised to apply Luhmann’s ideas of integration with contextual sensitivity.

Niklas Luhmann’s ideas about integration in modern societies are close to affirming the suspension of socio-cultural contracts and solidarity. His epistemological focus departing from the concept of difference, is challenged by Scott Lash, who claim that communion in modern societies have to be understood from a hermeneutic perspective. Communion is created in the reflexive sharing of social practice. Three assumptions about the maintenance of democracy is elaborated through a discussion of traditional conflict and consensus theories on integration which are contrasted by Luhmann’s perhaps postmodern view and Lash’s perspective of a hermeneutics of retrieval. The first is that democracy depends upon a free society, which creates the condition for autonomous individuals who can promote their values and interests through i.e., public speech without risking being persecuted. The second is that democracy depends upon certain conditions for dialogue. The third is that maintenance and functioning of democracy in certain situations may depend upon emotional communion or solidarity or empathy among its residents.
The impact of Human Rights actors’ interpretation of the current challenges in Estonia on the social development in the country has to be approached indirectly. In this section the question is framed in two slightly different perspectives. The first is according to the notion of logical inconsistencies and contradictions within Human Rights actors’ own utterances. The second approach is to compare Human Rights actors’ interpretations of integration in general and the Estonian situation in particular, with the sociological perspective that is discussed in chapter IV. I shall emphasis the former during the analysis of the debate, but then use the latter as a context in which the interpretation is carried out. How do Human Rights actors’ contribution to the discourse at the Tallinn seminar influence social practice in Estonia, and particularly, in what way are the conditions for dialogue and solidarity influenced by their interference?

**THE QUESTION OF PROBLEM SELECTION AND INTERDEPENDENCY**

In section 8.01 ‘The Human Rights Actors’ the subject of problem selection among the present Human Rights actors is discussed. One way to approach the second main question is to look for the areas of concern, and the areas that are ignored by the actors. A short description of the system of Human Rights introduces to this analysis, which is framed by the question touched upon during the discussion of democracy, namely Robert Dahl’s notion of appropriate authority regarding the Estonian national integration policy. Two distinct lines are followed. First, if the Human Rights actors themselves or some Human Rights institutions should be considered the appropriate authority on these (or parts of these) matters, then we should ask if they are fit to grasp the underlying dynamics supporting democracy. This would, according to Dahl, be important in the decision of what is appropriate. Secondly, if Estonian government is the appropriate authority, then we should evaluate the Human Rights actors’ utterances according to their instructive character. These issues are discussed in chapter V under the subheading ‘The Missionary or Educator Style’ where Max Weber’s scheme of pragmatic judgements is the theoretical point of departure. What types of questions are usually dealt with and what issues tend to be disregarded by Human Rights actors attending the Tallinn seminar?

**THE QUESTION OF CONTRADICTIONS**

The occurrence of logical inconsistency or contradictions does not tell if and when a particular outcome occurs. The presence of inconsistencies can only give an idea of possibly unintended consequences if the Human Rights actors’ interpretation was to be the guiding understanding for actions. This is mostly not the case. To get to an understanding of the impact of Human Rights actors’ assistance we have to look for these actors position in relation to other actors and institutions. Niklas Luhmann (1984:357-404) suggests viewing contradictions as stimulators of the immune system of social
systems. Contradictions are highly potent triggers of action. Social development is resulting from the more or less unpredictable management of contradiction. And the uncertainty of future development is linked to the mix of commensurable and incommensurable contradictions that have to be met. It is first of all incommensurable contradictions that make predictions of future direction uncertain, and thus creates conditions for perverted effects that hardly can be foreseen. How do Human Rights actors express contradictions in the discourse and how are understandings, and dilemmas regarding integration and democracy managed? The question of ‘form’ can then be linked to the notion of an ideal dialogue and the Weberian pragmatism, while the question of ‘content’ can be compared to the theoretically developed framework on integration.

The Human Rights actors attempt to get Estonian government to follow the intentions covered by international Human Rights instruments can be interpreted as an attempt to institutionalise Human Rights within the already existing institutions in the country. Institutionalisation has the best potential for reducing interdependency costs, even though it does not automatically do so. According to Boudon the most challenging aspects of understanding social change is to look for the interdependency between social actors and institutions. Boudon stresses the need for assessing existing incompatibilities between institutions and social groups or actors, and not so much conflicts of interest, in order to understand social change. This scenario focus on (semi-)rational actors placed in a particular structural relationship to others and to institutions that make them tend to act in certain ways.

**IDEOLOGY AND MANAGEMENT OF HUMAN RIGHTS DILEMMAS**

The system of Human Rights need strong legitimacy in order to have power to carry out Human Rights work in different corners of the world. The claim for Human Rights as universal rights adds to the amount of ideological work. It might in fact push Human Rights further apart from social practice. If Human Rights are universal then they are not conditioned or changed by any kind of social practice. As we shall see through out this work the Human Rights dependency on a rule of democracy challenges the normative immunity. Rule of democracy is based on certain social conditions that are hard to ignore if democracy is to be maintained. It is the link between the claims for normative superiority and situated social practice that generate problems, and these problems are linked to the conditions supporting Human Rights and democracy respectively.

The area is explored from two sides. First the nature of the ideological work sustaining legitimacy on behalf of Human Rights is described by departing from theories on mechanisms keeping up hegemony. Human Rights are then compared to the ideology of New Liberalism and discussed in relation to some aspects of Boudon’s theory of unintended consequences. Secondly, a counter perspective is suggested by recalling the
discussion between communitarian and Habermasian deliberative democracy. If the
general ideas regarding integration in modern democracies outlined in chapter IV are
operative, we could imagine a reflexive communitarianism, that no longer carry the notion
of common values and consensual representation. Assuming that communities are shaped
according to Scott Lash’s theory of reflexive modernity, and situated in social practice,
some of the critique against traditional communitarianism is removed. However a
communitarian perspective does not suspend normative ones, on the contrary, they have
to mutually enrich each other.
III Transformation of Democracy

Human Rights equals democracy. They are within current interpretation of Human Rights inseparable. Contemporary democracies face serious challenges like i.e., how to secure communicative communion in plural societies and manage the crisis of the environment. If democracy should survive as a system of political decision making, it probably has to come up with adequate responses. The ability for democratic elected governments to execute political decisions is hampered in several ways. The global marked and huge international corporations possess the ability to overrun or jeopardise democratic decisions made within a single state. International law and Human Rights interfere with intrastate matters to a greater extent than ever, reducing the executive power of the government on several areas.

I shall depart from the simple idea that reproduction of democracy depend on qualified response to at least local challenges, and explore how Human Rights influence governmental legitimate executive power regarding socio-cultural matters relevant to the reproduction of democracy. In this case I will look at communication and solidarity in culturally plural societies.

DEFINING DEMOCRACY

The concept democracy comprises the Greek words ‘demos’ and ‘kratos’, which mean people and rule. As a system of rule democracy date back some 2500 years to the Phoenics, Sparta and Athens (Dunn 1992). The ‘demos’ of Athens were free men, and did not include slaves and women. In modern democracies the conception of the people have gradually broadened, and political rights are granted women and diverse cultural groups living on the territory of the democratic state. However political rights are usually not granted to people considered strangers even though they have a permanent resident in the state. Foreigners has to naturalise in order to obtain citizenship, and it is citizenship which decide people’s status as belonging to a particular ‘demos’ in modern states.

The definition of democracy is disputed. I shall give three examples, which rests on different methodological assumptions. The first depart from actual social practice and focuses on the institutional arrangements within what should be called democracy. The second approach departs from mixing normative and empirical considerations by looking for the constituting principles of democracy. The third approach focus on the impact of democracy on state-violence.

An example of the first is Adam Przeworski (Steen 1997:5), who define democracy as the institutionalisation of continual conflicts by which all interest groups are subjected to uncertainty. The drawback of democracy as compared to authoritarian forms of rule is, he
says, decreased control over the outcome of interaction and political decisions. But then this decreased control by a single group constitute the stabilising force within democracy, it prevents totalitarian rule.

An example of the second approach is David Beetham (1999:5), who says that democracy should be measured against the extent to which principles of popular control and political equality are accomplished. The reason for not merging the two into a notion of equal right to take part in collective decision is that Beetham wants to distinguish between a distributional principle (equality) and what is being distributed (popular control).

The third approach, illustrated by Rudolph J. Rummel (1994:23,27) who focuses on democracy as a form of rule where the power is checked and accounted for. The popular control should safeguard against monopoly of power, and enforce the tendency both within and between states, to solve conflicts through conferences rather than war.

Rummel does not put emphasis on the issue of equality in the same way as Beetham. To Rummel it is far more important that democracy prevents clustering of power. While Beetham emphasis the normative aspects, Rummel emphasis the rough practical aspects preventing abuse of violence. In the following discussion, I shall focus on arguments relating to social practice rather than normative considerations. Then questions of legitimacy refer to socially situated bottom-up support for democracy rather than what is considered normatively superior by experts.

The broadened international support for democratic rule enforces the stability of single democracies. Politicians are highly aware of the loss of international political support as well as potential losses in the fields of economy. Failure of democracy increases the risk for sanctions and breakdown of the internal market. Nevertheless, the functioning of democracy depend on more than supportive international structures. History, socio-cultural configuration, demographic changes and the way situational challenges are met influence the development of democracy.

**Socio-Cultural Challenges to Democracy**

The Estonian democracy is likely to transform mainly because of three types of challenges facing the society. The first is the relationship with Russia, which geo-politically always will constitute a threat to Estonia’s independence. The recent historical development points in the direction of split up of larger states (Østergård 1998) into smaller democratic sovereign units. Cultural pluralism increases separatist tendencies, but it is not necessary negative that the states are becoming smaller. In a geopolitical and military perspective though, smaller states are more vulnerable than larger states unless smaller states are able to form operative alliances. It is thus the difference in size among neighbouring states that becomes critical. In this case the Baltic States are small compared
to Russia. Another issue is that the size of the democratic sovereign state has to be large enough to deal with contemporary challenges in the region in which it is situated. Examples of areas that can be challenging are environmental- and migration issues.

The second is to what extent the Estonian government manages to deal with domestic and international affairs. The rapid demographic changes that took place after World War II, severely distorted the socio-cultural configuration in society, and this change has become a particular challenge to democracy.

The third is the impact of the international involvement in Estonia, and I am particularly thinking of the application for membership in the European Union and the interference of international actors regarding matters of citizenship and language requirements. I shall depart from the challenge of cultural pluralism in Estonia, and discuss transformation of democracy according to type of democracy, and who constitutes the people. But then, to discuss transformation is to enter the subject of social change. A short remark on social change is thus necessary, and a more detailed discussion is carried out later.

The choice of theoretical perspective will be decisive for what kind of empirical issues that are regarded relevant. Social change is, within conflict theory, a result of groups struggling for opposing interests. Modernisation theories on the other hand claim that the major mover of social practice is development of technology, of transportation, of new types of communication etc. Raymond Boudon (1982a) rejects both these views. It is not that he doesn’t acknowledge the social impact of conflicts or development, on the contrary. Revealing the major potential for social change, Boudon says, is accomplished by a much more complicating task, namely by analysing interdependency. This analysis is primarily based on the latter.

Different types of democracy build on different historical and socio-cultural factors supporting or threatening its legitimacy. I shall depart from three theoretical types of democracy, the competitive, the participatory, and the deliberative. The definition of who constitutes the people can be regarded as question of appropriate authority, like Robert Dahl (1970) describes. It is next to impossible to say that one particular definition of the people is right, we should rather ask who appropriately constitute the people in different situations and diverging circumstances. The discussion of Estonian citizenship and the right to demand linguistic skills, which are carried out in the Tallinn debate, illustrates Dahl’s point. The debate is a fight over where to place the appropriate authority. Human Rights actors claim that the international community of Human Rights should decide the broad framework regarding naturalisation requirement and language laws. While the Estonian government, and some of the Estonian social scientist attending the seminar, would say that the independent Estonian representative government should decide on these matters concerning the process of integration.
THREE TYPES OF DEMOCRACY

COMPETITIVE DEMOCRACY
Theories on competitive democracy (Midgaard and Rasch 1998:8-9) focus on the connections between voters and political representatives. The idea is that representatives defend their positions by competing for votes. The voting slips of the people are the means to gain influence but then also the threat against re-election. The critique against this type of democracy is comprehensive. Joseph Schumpeter’s version of competitive democracy undermines the capability of ordinary citizens to participate in politics. Later versions have modified the image of the irrational, emotional voter, and replaced competitive democracy within rational action theory. Nevertheless, the role of political activity of ordinary citizens is rather limited in this type of democracy.

PARTICIPATORY DEMOCRACY
The theory on participatory democracy (Midgaard and Rasch 1998:9) presents normative and functional arguments for political activities on the grassroots level. It is not only a question of voting, but of using optional channels to gain influence. Political activity is believed to yield human development, political competence and self-confidence. While a competitive democracy focus on democracy as a mean to prevent totalitarian rule and promote advantageous and fair decisions, the participatory democracy carry the belief of exercising genuine and direct influence as well as creating conditions for self-realisation. Participatory democracy is regarded a goal by itself.

DELIBERATIVE DEMOCRACY
Competitive democracy comprise aggregated individual preferences that according to the theory on deliberate, or discursive democracy (Midgaard and Rasch 1998:9-10) has to be replaced or supplemented by public discourse. The collective decisions that are taken within democracy should be reached by debate, revealing all relevant arguments and preferably lead to consensus decisions. The power of the good argument should ideally prevail, but then when consensus fail, the power of the vote take over.

Two different ideal models of deliberative democracy can be sketched (Weigård&Eriksen in Midgaard and Rasch 1998). The first is the communitarian, which depart from the ideas of the Greek democracy. Politics is regarded as collectively coping with challenges in society. Discussion is the means to reaching the best solutions. In modern times, Nico Machiavelli and later Jean-Jacques Rousseau and John Stuart Mill elaborated the political theory that founded the republican tradition that embraces communitarian ideas today. The critique of communitarian view is that it builds on the assumption of ‘demos’ as ‘ethnos’ in the sense that people constitute a moral communion. Modern societies are often multinational and culturally plural, thus this type of
communion does not exist. No representative body can therefore be given the task of defining what is the good life for the collective like they did in the Greek Polis.

The second model described by Joshua Cohen (Weigård&Eriksen in Midgaard and Rasch 1998:43-44), build on the communicative theory of Jürgen Habermas. Four criteria are identified. The first is that public discussion is free in the sense that the participants are not bound by values or conditions other than those they found their own deliberation within, and decisions are followed by action. The second issue is that discourse should be matter-of-fact oriented. It is the strength of the argument and not the position of the speaker that should guide decisions. The third issue is that all participants are formally and substantially equal. Everybody who wishes so should be given the opportunity to part take. The fourth issue is that the aim is to reach consensus, but then if this is impossible, votes decides. Discussions have a purpose in any case, as they contribute to the socialisation of participants and prepare them for the next discussions. To Habermas it is important that public debates function as a critical medium against the formal political institutions of democracy. Public reflexive communities demand that politicians argue and justify their views and action, and through these informal procedures give legitimacy to the rule of democracy (Weigård&Eriksen in Midgaard and Rasch 1998:51).

Beetham’s (1999:82) hypothesis, that societies divided by clearly defined and historically antagonistic cultural groups have difficulties in sustaining democracy depart from the two general assumption acknowledged within theories on democracy, namely that democracy depend upon effective legislative control and national unity. Beetham points to the fact that a democratic system depends upon a popular consent in conditions of free expression and association. If this popular consent is lacking, democracy can hardly survive, without on the one hand, major transformation processes like secession, civil-war, genocide, or, on the other hand, imposition of some kind of authoritarian rule. The threat to democracy is alarming if there are ‘…no effective bases of mobilisation that cut across ‘ethnic’ loyalties…and no party which successfully transcends them…’ (Beetham 1999:82) Democracy then becomes part of the problem instead of the solution, Beetham claims. If we take Estonia, the ethnic division in the political sphere is hardly a threat to democracy if we depart from Rummel’s interpretation. But then, in Beetham’s interpretation Estonia would be characterised as a less democratic democracy and thus inferior to other and more democratic states.

The Estonian democracy is not threatened by instabilities as such, on the contrary. The reason is that of the 35 percent Russian speaking residents, only a small minority has Estonian citizenship, the rest are either non-citizens or have Russian citizenship. This reflects itself in the small fraction of Russian speaking members of the parliament. Added to the fact that the Russian speaking is less likely to associate politically, the situation is hardly threatening. A brief description of the near future development reveals that Russian
speaking gradually will gain access to citizenship. Children with stateless parents, born in Estonia after the 26. February 1992 will automatically get Estonian citizenship. However older Russian speaking have greater difficulties in learning Estonian. The willingness and ability for them to learn Estonian will be decisive if the current legislation is kept operative. But then, the question of citizenship for Russian speaking long term residents is a normative question as well. As we shall see later, the Human Rights actors at the Tallinn seminar tend to argue on the basis of the latter.

Beetham (Beetham 1999:27) suggests than in order to safeguard the integrity of minorities, democracies like the Estonian should rest on widely use of deliberative procedures where minority claims are heard and taken seriously into consideration. There are two important issues linked to this organisation, namely the development of institutions and the conditions for dialogue within existing structures. I shall base my discussion on Beetham’s assumption that a deliberative type of democracy seems best fit to meeting the current challenges in Estonia. However, assuming the possibility of a genuine political dialogue across these deep cleavage lines surely has to rest upon a set of other conditions. Without claiming to exhaust the range of options, I shall claim that there are two major areas that have to be considered. The first is the climate for dialogue at different institutional levels within democracy. The second is the emotional aspects concerning mutual trust or solidarity. However, before discussing these issues, the mechanisms of transformation of democracy and especially the impact of socio-cultural issues, can be highlighted through Robert K. Merton’s general considerations about the reproduction of a social system. Merton’s thoughts are combined with Robert Dahl’s ideas of what characterises a competent democratic citizen.

**Robert K. Merton’s Theory on Reproduction of Social Systems**

Robert K. Merton suggests eleven questions that should be asked in order to analyse the reproduction or transformation of a social system like democracy. I will not deal with all his questions, but chose those relevant to highlighting the following question. *What socio-cultural preconditions regarding communication and solidarity are crucial to the reproduction of a particular type of democracy?*

1) Subjective disposition is Merton’s term for the inclination of individuals to act in certain ways (and not in other). The individual is considered to be socialised into the society he or she lives, but this socialisation is never deterministic. The choice to do otherwise is always open, however at the level of a social system, Merton looks for aggregated tendencies, i.e., what people (belonging to a certain group) tend to do. The way people tend to act can be functional or dysfunctional to the democracy in question. Subjective disposition is functional insofar they enhance the regulation, the adapting of, or the development of democracy. Robert Dahl (1995) speak of a competent citizen, and applies a theory of rational actors to demonstrate what individual skills he believes
maintains democratic society. Dahl offers substantial suggestions to how functional subjective dispositions can be conceived.

The competent democratic citizen (Dahl 1995:264) is characterised by three criteria. First, he or she has a strong motivation to obtaining, a not defined minimum of knowledge in order to sort out his or her interests. Secondly, the citizen has to possess sufficiently strong motives to clarify what political actions that will promote the identified interests. The third criteria is that the citizen sufficiently has to act within the political sphere according to what he or she has identified as their interests and concordant means to reach them. Democratic competence and functional subjective dispositions should be understood contextually. Dahl does not consider contextual variation, like i.e., specifying what these skills should be like in different types of democracy. Even though Dahl utters that development of empathy is a major challenge in culturally plural societies. No suggestions are made to explain how emotional engagement in collective life is triggered. It is self-interests that are focused.

Dahl’s three criteria might at first sight seem reasonable however they are in fact more complicated. Terms like knowledge and interests, partly if not completely, are social constructions. What kind of knowledge is required to identify own interests, needs, and political strategies? On what level and in what time span should one conceive own interests? Is it sufficient to know and act only taking into account immediate effects? What about the environmental challenges that often are forgotten or ignored in the everyday social practice? Dahl cannot say. He depart from a quite common assumption within democratic theory, which he share with Beetham, namely that the individual is the only qualified subject to decide what the good life is. The individual’s preferences are not questioned.

Merton’s concept of functional subjective disposition separates individual motives and objective outcomes of action. It grasps the unintended consequences of actions and therefore exceeds the limits of Dahl and Beetham’s conceptions. Merton’s emphasis of unintended consequences makes Beetham’s normative based assumptions looks practically naive. According to Merton’s understandings the link between subjective motives and actions on the one hand and outcomes at the level of society is far from obvious and in fact call for particular explanations taking into account the interdependency between actors, groups and institutions.

2) Different groups may gain or loose by the upholding of a particular type of democracy. Anton Steen (1997) analyse the elite in Estonia and show how they regain positions with only minor changes in spite of the transformation occurring in August 1991. The Estonian speaking of course consolidate their position, the Russian speaking loses theirs. Estonia is an ethnic democracy because Russian speaking residents that have lived in the country for decades are deprived political rights, says Steen. The democracy in
Estonia favours the Estonians, both because it offers them official positions and because they have access to political power. The potential transformation of Estonian democracy can happen slowly as young Russian speaking residents automatically gain citizenship and command in the Estonian language in school, or it can change more quickly if Estonian government change the citizenship regulation. But then the relationships among the Estonian speaking part of the populations can also tell about the configuration of interdependency that might heavily influence the development in Estonia.

3) Merton says that we should assess what functional conditions that underlie the dynamic reproduction of a social system. The risk for tautological conclusion is alarming, because it is not sufficient to claim that a condition existing prior to an occasion is ‘necessary’, we have to ask under what conditions they turn out necessary. Let us look at the condition of solidarity claimed in liberal theories of democracy.

It is possible to roughly divide liberal theories on democracy in two different models of society. The first depart from the notion that cultural pluralism and democracy fit together, the other departs from an assumption that a certain level of communion is a necessary condition. I shall call the first cluster of assumptions for the plural society model, and the latter for the melting pot model of society. These distinctions refer to the distinction often made about the role of community in liberal democratic theories, where the contribution of Lord Acton and Alfred Cobban are linked to the plural society model, the contribution of John Stuart Mill is linked to the melting pot model.

Traditional theories dating back to Lord Acton and Stuart Mill, depart in their views on the requirement of communion. Mill (Østerud 1997:72-73) claim that the democratic unit, usually the state, has to rest on common language, religion, history, or a common pride or humiliation, or common experience over time or during some short crucial period. Even though Mill says that each of those do not necessarily suffice, the lack of all hardly maintain democracy. Mill believes that the principle of nationality is a necessary condition for democracy. The feeling of belonging to a nation is effectively securing a cooperative environment.

On the other side we find Lord Acton and his follower, Alfred Cobban (Østerud 1997:74-75). They claim that Mill is wrong when he assume that the condition of national community is necessary for democracy. Great Britain, Belgium and Switzerland are examples that do not fit, they say. They reject the principle of nationality because strong feelings of belonging to a particular nationality in multinational states would threaten the stability. Culturally or linguistically mixed states should thus not apply this principle. Nevertheless, Acton/Cobban, according to Østerud (Østerud 1997:75) admit that a certain minimum level of communion within a multinational state is necessary to maintaining democracy.

4) To validate functional analysis imply to compare a certain system to other similar
systems, but then, says Merton, there are always limited options for comparison, and the question is how to validate in the absence of similar cases. Even though i.e., Belgium and Switzerland have similar challenges regarding language, it is not obvious that the transfer of ideas working in these countries should apply to Estonia. Especially considered the quite different historical experiences and the additional religious and traditional cleavage lines that exists between Estonian speaking and Russian speaking in Estonia.

**Dialogue and Solidarity in Democracy**

What types of challenges to dialogue appear in culturally plural societies? It is not obvious that dialogue should be important to the functionality or the legitimacy of democracy. Participatory and competitive democracies have other types of demands on dialogue and discourse than deliberative democracy. Participatory democracy allows single groups to consolidate and pursue their interests through i.e., organisations. The role of dialogue then becomes a question of internal communication and may be access to the public sphere through media. The right to make independent statements prevail, the synthesis of the better argument through public debate become less urgent.

The impact and position of dialogue in different types of democracy are different. Additionally, institutional configurations and the socio-cultural environment in which they are embedded play a major part both directly regarding arenas for dialogue, and indirectly through legitimising processes supporting a particular way of organising democracy. Departing from these modifications regarding the role of dialogue, we can proceed to the discussion of two particular phenomena that challenge the conditions for dialogue in Estonia, namely language and deep cultural cleavage lines.

The point of departure is a rough understanding of the gradually increasing role of dialogue if we go from competitive, to participatory, to deliberative democracy on the one hand, and on the other hand the gradually increasing role of solidarity when we turn from deliberative to competitive democracy. Of course this is a simplification, but nevertheless can be a rough guide.

Deliberative democracy depends upon some degrees of willingness of opposing groups to understand the viewpoint of their competitors. When discourse mainly becomes a game of rhetoric exercises in a fight for power, and not directed toward reaching constructive collective decisions and actions, deliberative democracy by definition fails. Rhetoric fights can hardly be avoided it is a question of balance between the two. However, the place of dialogue within democracy is also a question of legitimacy. Legitimacy to particular ways of organising discourse and placing dialogue in time and space according to the appropriate level of authority, to use Dahl’s phrase, gives direction to the development of democracy.

If deliberative democracy gain legitimacy by organising public debates and political discussions within a broad range of institutions and organisation, the demands on
Dialogue and solidarity are challenged when people from different cultures meet, especially if they are supposed to make collective decisions. The degree of challenge depends, among other things, upon what types of cultural differences that are involved. If the cultural differences are external and comprise differences like food preferences and clothing, there would hardly be any problems, and at least they would be minor. But if cultural differences mean basic differences in the way people conceive reality, major problems are certain to rise when they are supposed to cooperate. Hindrances might be solved by particular ways of organising society by i.e., institutional arrangements, segregation, and local autonomy. If Estonia should strive toward deliberative democracy, it becomes urgent how to exceed the linguistic barriers, but then also the cultural cleavage lines.

Mary Douglas (1997) term anomalies refers to issues that fall outside of peoples interpretive frameworks in a way that threaten the existing way of viewing the world. Anomalies don’t fit the conceptual scheme. The usual reaction to anomalies is either to ignore them or to emotionally react to defeat and reject the existence of them. Anomalies are probably the most challenging to overcome when people with different view of reality meet. What seems obvious and natural to one party might be threatening and taboo in the eyes of another party, and wise versa. The conditions for an ideal dialogue, as postulated by Habermas, appear immensely unrealistic in the light of anomalies. If the best option in cases where groups divided by deep cultural cleavage lines live within the borders of the same democracy is deliberate democracy, then the hindrance of anomalies has to be overcome. Otherwise, the option seems to be segregation, local autonomy, and only a necessary minimum of cooperation.

If anomalies is a challenge to the Estonian society remains to be seen. The cultural cleavage lines between Estonian speaking and Russian speaking are considered to be deep, including language, religion, traditions, and history. They have few things, but living at the same territory in common and they live relatively segregated.

The relationship between Estonians and Russian speaking is emotionally ambiguous. The reasons for this can be traced back to the killings and suppression of Estonians during the Soviet period. Thus, to create conditions for dialogue, Estonian government has not only to prepare so that linguistic and cultural hindrances are overcome. The government additionally has to create a condition for reconciliation of the past so that the emotional ambivalence and suspicion toward Russian speaking as potential fifth columnists is dealt with.

If we briefly call upon what sociological theories suggests in the case of overcoming anomalies, we could draw upon George Herbert Mead’s theory of how people come to make sense of signs, gestures and language. They have to meet face to face, and it is
through encounters the threatening interpretation of anomalies has a chance to be incorporated into something known and familiar.

Liberal theories on democracy agree on the need of a minimum of communion or solidarity. A more comprehensive discussion of how we can perceive the condition of solidarity in modern societies is carried on in two ways, first in chapter IV, when discussing integration and secondly from a different perspective in chapter V, which explore some aspects of current research on nationalism.

CONCLUDING REMARKS

A functional democracy has to meet collective challenges adequately. To Estonia the external challenges comprise the relationship with Russia, the aspired membership in the European Union and the demands that follows, i.e., from Human Rights actors. In this work it is the internal demand caused by the rapid demographic change that made Estonia a culturally plural society that is in focus.

Democracy, understood as an effective peace keeping type of rule, does not depend upon civic democracy that claims general access to political participation. It suffices, says Rummel, that monopolisation of power is avoided. But then, deliberative democracy is believed to be better able to reach collective decisions that work. Deliberative democracy has an advantage by the option for safeguarding the life chances of minorities.

Discussing transformation of democracy imply introducing theories of social change. The choice is to apply Raymond Boudon’s theory on unintended consequences of social actions where he explicitly focuses on interdependency. Boudon’s theory builds on Robert K. Merton’s assumptions, saying that it is important to account for individual preferences in order to clarify the web of interdependency. These issues are explored when discussing the term functional subjective dispositions in the light of Robert Dahl’s assumptions regarding the competent democratic citizen. The functioning of democracy depends upon people to possessing particular skills and ways of coping. The deliberative democracy has particular demands regarding the conditions for communication at different institutional level in society.

The major theoretical issue in this chapter concerns the discussion on where to appropriately place democratic authority regarding questions of integration. This question can only be answered through a careful discussion of the conditions for democracy. I have chosen to depart from the web of interdependency and to look at conditions related to communication and solidarity. The challenges to communicative conditions in the case of Estonia is linked to overcoming linguistic barriers and to create opportunities for encounters so that culturally embedded anomalies can be transcended. The challenges to solidarity are related to the historical trauma and the fear for Russia, which call upon means for reconciliation and confidence building.
The Estonians have to overcome the fear of betrayal they feel toward the Russian speakers living in Estonia. Resisting lowering the demands for getting citizenship is a defence as well as much as it is a strategy to safeguard a favourable position in society. The fear is not felt against single persons, but should better be understood as linked to potential interference by Russia.

The demographic map of Estonia illustrates that some regions, like the Idu-Viruma in the north-east corner of the country, will remain dominantly Russian speaking in the near future. However, the option for people to meeting each other are more favourable in the cities. In rural areas Russian and Estonian speakers are currently socialising. What is alarming is the slow increase in Russian speakers acquisition of skills in Estonian and the slowly decrease in Estonian speakers skills in Russian. Without a common language or mutual understanding of the others languages, the chances for social interaction is minor.
IV National Integration

THE CONCEPT OF INTEGRATION IN DEMOCRACY

Democracy in modern societies is reproduced if a certain support from the population is maintained. Let us assume that this type of support is conceptualised as integration. Legitimate authority in Max Weber’s sense is linked to the idea of ruling with at least partially voluntary support from the people. Integration in modern democracy is then maintained if legitimate authority in favour of some kind of democratic rule is reproduced. Of course the coercion and external social control can be comprehensive and legitimacy still preserved. However, to Weber, legitimacy means that authority is not perceived as coercion or exercise of power. People spontaneously comply with the authority, mostly voluntarily. The concept of internalisation comes to mind as relevant to discuss because it suggests mechanisms creating the conditions for voluntary submission to the rules of the game of democracy.

Weber suggests that elite’s create and maintain myths supporting their favourable position as natural. If they succeed other groups voluntarily follow their lead. Antonio Gramsci (Laclau and Mouffe 1997:45-63) theory is based on similar assumptions. Gramsci’s term collective will, could be understood as integration at the level of the state. The intellectuals comprise the ruling elite in Gramsci’s theory. The elite rules as long as they maintain the ideology renewing the collective will, and they can do so in two ways. The first is the most effective, and refer to the term organic ideology. The elite articulates and develops ideology on the basis of popular concepts and beliefs. To succeed the elite has to renounce some of their own interests and support the interest of other groups. The second option is a rigid version of ideology. In this case the elite which articulate the collective will are less willing to, or less able to, draw upon the popular culture. The hegemony can be safeguarded through prohibitions and prescriptions, or in sociological terms, external social control. Democracy, on the other hand, depends upon a free society that implies less external control, and some forms of internalised or otherwise organised voluntary submission.

The crucial question is then how Estonia should manage its historical and socio-cultural challenges in a way that strengthens the capability of the Estonian nation and the Estonian democracy to meet future challenges. How can cultural diversity become an asset and not a hindrance in the present? And in the long run, how can the Estonian government stimulate encounters and the development of a common will between Russian speaking and Estonian speaking in order to overcome separatism and lessen the fear of betrayal? Reconciliation becomes important to bridge the gap of distrust between Russian speaking
and Estonian speaking in Estonia. It is from this point of departure the Estonian government has to take action to maintain democracy and thus to comply with Human Rights.

**THEORETICAL POINT OF DEPARTURE**

Emilé Durkheim (1858-1917) devoted most of his work to questions concerning integration. Ferdinand Tönnies (1855-1936) likewise dealt with similar questions although from a different perspective and departing from a different view of history and of the dynamics of society. Tönnies’ typology of Gemeinschaft and Gesellschaft characterises different spheres of modern society and refers to different types of integration. Georg Simmel (1858-1918) has also contributed to a description of integration in modern society, again from a different stance. Simmel opposed to the organic way of thinking that characterised August Comte (1798-1857) and Herbert Spencer (1820-1903). To Simmel the dilemmas of integration in modern society appear because the economic structures of capitalism depersonalises and alienate people, however, at the same time the complexity makes it possible to found relationships on new and more impersonal grounds (Guneriussen 1999:216). Simmel suggested in this way a possibility of suspending solidarity, suspending the need for emotional bonds that previously was thought of as a condition for social order. By lending Tönnies’ term Gesellschaft, we can elaborate Simmel’s idea. Integration in social spheres dominated by Gesellschaft characteristics as the public sphere, dominated by the marked, could then be interpreted according to the existence of relatively stable and predictable institutions. Later we shall see that Niklas Luhmann’s notion of integration depend heavily on similar assumptions.

While Durkheim interpreted modernity as a challenge calling upon the need of establishing organic solidarity, Simmel regarded modernity as a condition where solidarity at least partly lost its previous function of holding society together. Durkheim acknowledged that division of labour weakened the emotional ties between people. But contrary to Simmel, he thought these ties had to be replaced. Organic solidarity was the cure for overcoming individualism and weakened traditional emotional relationships. Durkheim believed organic solidarity was obtained through socialising people into morally responsible and autonomous individuals (Guneriuussen 1988:79). Durkheim and Simmel’s different positions are highly relevant in the following discussion, because they call upon different type of responses to the challenge of integration in modern society. While consensus and conflict theories about integration lend their ideas from Durkheim, Niklas Luhmann’s understanding of integration has more in common with Simmel’s approach.

**CONFLICT AND CONSENSUS THEORIES**

The division between consensus and conflict oriented approaches to integration appeared
at the scene of social science in the late 50-ies through the emerging critique against i.e., Parsons structural functionalism (Strandbakken 1998:272).

Internalised social control, staged by society and developed and reproduced through social interaction, becomes a corner stone in Durkheim’s conceptualisation of integration. Durkheim believed that there had to be a balance between internal and external social control. If the internal social control was weak, then the external social control had to be stronger to compensate. If this balance fail, anomie occurs. In the preface of the second edition of Division of Labour Durkheim claimed that a nation only will be maintained if ‘…a whole series of secondary groups near enough to the individuals to attract them strongly in their sphere of action and drag them, in this way, into the general torrent of social life.’ (op cit. Wallace and Hartley 1988). ‘Secondary groups’ could be trade unions, voluntary organisations, family and friends. The educational system is crucial to Durkheim. He believed school had important roles in developing patriotic citizens. Solidarity in the ordinary sense of the word means concordance, unity or communion of interests. The organic solidarity, in Durkheim’s sense, is communion that is strengthened through the knowledge of the interdependency in modern labour divided societies. Communion is created and strengthened by the knowledge of interdependency in labour divided societies, he believed. Today his views on organic solidarity are challenged. The concept of organic solidarity does not distinguish between, on the one hand, subjective feelings and experiences of belonging, and the other hand, objective measures of integration at the level of society. Solidarity occur when the subjective and objective measures coincide (Korsnes, et al. 1997:282).

Ralph Dahrendorf challenge the consensus orientation to integration by introducing a dichotomy of consensus and integration versus conflict and coercion, but he does, according to Pål Strandbakken (1998:275), not dismiss the consensus/integration approach. In fact Dahrendorf claim that both perspectives are necessary and valid in social analysis, however, when explaining a particular social phenomena only one of these focuses must be chosen. Dahrendorf think it is impossible to bridge the two. Strandbakken (1998:280) claim that the consensus critique headed by C. Wright Mills might be a more useful point of departure. Wright Mills wanted to study how we create history. His critique against Parsons’ focus on the conceptual framework that makes it next to impossible to study and formulate the idea and processes of conflict.

Durkheim, and later Marcell Mauss (Collins 1994:225-230) and Talcott Parsons (Østerberg 1990:45-60), supports the idea that society consists of informal contracts underlying the compliance to formal laws and rules of the market. Social interaction guided by rules, law or contracts operates in a supportive environment where individuals posses certain socio-cultural skills (Durkheim/Parsons), or, people have been through particular experiences (Mauss) that suspend the demand for external social control. The
general idea is that compliance with official laws and contracts depend on an appropriate operative informal structure based on internalised expectations or repeated experiences confirming trust. These assumptions are valid within conflict theories as well, but then they focus on the stratifying potentials of informal structures rather than on the integrative aspects. Niklas Luhmann’s conceptualisation of integration is based on a critique of this conceptualisation of informal social contracts. However, before exploring Luhmann’s thoughts, I shall present Lewis Coser’s theory of conflict as integration. Coser’s work is instructive to the interpretation of the Tallinn debate if the theory is clearly understood in terms of its underlying assumptions. When exploring a country like Estonia, we enter a socio-culturally scene that not necessarily fit the European modernity, which often implicitly form the context of sociological theories on integration.

CONFLICTS AS INTEGRATION

In his essay 'Conflict as Integration', Lewis Coser (in Østerberg 1990:250-255) discusses the condition under which conflicts promotes processes of integration. Coser’s theory is build on Simmel’s thoughts about conflicts (Collins 1994:117), however, that does not imply that Coser’s understanding of integration lend itself to Simmel’s in all respects. They are rather synergetic. While Simmel says that strong emotional relationship vanish in modern society, Coser says that strong emotional relationship might hamper conflict management through open dialogue.

Societies in which conflict management has been institutionalised and conflicts are accepted, are flexible says Coser, and have a potential for promoting integration by managing conflicts. Democracy and the rule of law are examples of ordered ways to deal with conflicts. Three issues are relevant regarding the integrative outcome of a conflict. The first is the groups involved. Are they close personal affiliations or are they less emotional and issue oriented? The second concern the nature of the disputed issue. And the third comprise the structure of society, meaning the institutionalisation of conflict management and the general acceptance of conflicts. Coser explicitly claim, that sharing of values and norms that lend legitimacy to the social system in a Weberian sense, is a precondition for a general acceptance of open and flexible conflict management. Flexible structures of conflict management build on criss-crossing of conflict lines. The presence of deeper cleavage lines would threaten the legitimacy and reduce the ability to absorb conflicts.

Coser’s theory is general and has to be framed in time and space relating to specific conflicts if something is to be said about integration. It is also obvious that conflict between groups can promote integration within the involved groups without integration at a higher level. Thus Coser’s theory suggest mechanisms for inclusion and exclusion. Nevertheless, Coser is in line with the idea of a bottom-up support creating legitimacy, which I initially suggested as the point of departure for discussing national integration. In
The relationship between, on the one hand, the outcome of institutional arrangements like democracy or a particular form of rule of law, and on the other hand the socio-cultural environment in which the institutional arrangements are embedded, is suggested in Coser’s theory. An example of this relationship is illustrated in the work of Michael Illner (1996). Illner analyse the transformation in the newly independent former Soviet Union republics, and conclude that the export of Western institutions, whether they are within the sphere of economy or politics, fail to produce expected outcomes. The reason, Illner suggests, is that the impact of the socio-cultural environment on the functioning of institutions has been severely underestimated. Mistakenly the socio cultural traits of former Soviet republics are considered to be similar to the socio cultural environment of Western European states.

Coser’s theory on conflicts as integration illustrates mechanisms that promote or hamper the process of integration at different levels and between different groups. His theory can be used to categorise democracies where there are a general acceptance of freedom of speech and fairly open management of conflicts. This general acceptance exists, at least in Western democracies, hand in hand with established corporative and representative bodies that manage different types of conflicts at different levels.

Biryukov and Sergeyev (1994) have analysed the concept of democracy in the perspective of Russian traditions and culture, and they clearly show how the Western conceptualisation of democracy depend upon a particular notion of truth that is absent in traditional Russian thought (see i.e., Bodin 1993). Biryukov and Sergeyev show how democracies can be modelled quite differently depending upon the concept of truth applied. This coincides, from a different perspective, with Illner’s observations. Biryukov and Sergeyev suggest that the Western model is to develop the better argument on the basis of participation. The Orthodox model is to reach a functional solution, and this is not necessarily accomplished by general participation, or even by discussions.

Coser’s theory build on an assumption that perhaps only apply to traditions of Western societies, namely that dialogue is considered the vehicle to management of what Coser call realistic conflicts. Flexibility is dialogue. Acceptance for open expressions of conflicts do only threaten systems build on rigid common values and norms, says Coser. He could just as well have said that society has to apply a particular notion of truth, which Scott Lash, as we shall see later, would say is a matter born out of, and embedded in reflexive everyday practice. The expressed relationship between social challenges, group-interests and reaching functional solutions (through open dialogue), Coser assumes superiority of the Western democratic model, like i.e., Jürgen Habermas (see i.e., Schaanning 1993:159-189) do. The superior position of Western types of social organising are of course disputed.
(Schaanning 1993:159-189), but I shall leave this debate here. Coser might nevertheless be right in assuming that the Western model of democracy is capable of managing a higher level of conflicts than other models, and he is probably right in assuming the greater potential for conflicts leading to integration within such frameworks. But what he does not consider is how this democratic model can gain legitimacy, as bottom-up support within modern societies. And particularly in societies divided across deep cultural cleavage lines digging through the very foundation of democratic legitimacy. We have to search for the answer remembering that no universal grounds of legitimacy in a Weberian sense is possible, because a bottom-up support for a particular type of rule find its resonance in the everyday practice situated in time and space, influenced by history, traditions and culture.

Coser’s assumption of common values as a basic condition for stable societies is similar to Durkheim and Parson’s notion of integration, and by his focus on the integrative potential of conflicts he places himself within consensus theory. Nevertheless, Coser’s theory illustrates mechanisms of inclusion and exclusion that could explain processes of social differentiation. A critique against major assumptions underlying consensus and conflict theories on integration is put forward by Niklas Luhmann, who reject the idea of a society integrated by solidarity, a common morality, or common values. Modern society is complex and the differentiation simplifies communication across wider cultural barrier than what was previously possible. The division between systems creates stable conditions because crisis within one system does not necessarily influence on other systems. The emotional bond between people loses its function. The ‘traditional misconception’ of integration, as Luhmann understands it, occurs because outdated concepts are applied to contemporary complex societies. (Hagen 1996:369).

**A POSTMODERN APPROACH TO INTEGRATION – NIKLAS LUHMANN’S THEORY**

The reason for choosing Luhmann’s concept of integration is not only that it is a critique of traditional theories on integration, but then also because of the similarity with Luhmann’s minimalist notion and the notion of integration put forward by Human Rights interpretors, namely as access to political rights. The following discussion should be read as a critique against traditional approaches as well as a suggestive model in which current Human Rights interpretation of society would easily fit in.

The system theory of Niklas Luhmann (1984) departs from three theoretical perspectives of cybernetic, biological systems, and mathematics. I shall not give a comprehensive introduction to his work, but elaborate on some aspects that are relevant to the discussion of integration in modern societies.

Luhmann’s concept of integration is often called postmodern. It could be discussed if postmodern is a proper term or if postmodernity is a radicalisation of modernity. The question relates to the question if there are a real break with modernity or not. Luhmann himself reject the postmodern label and call his own theories modern. Others, like Willy
Gunneriussen, (1999:281) argue that Luhmann’s theories represent a real break with the modern, because he uncouples the traditionally modern link between on the one hand society and social systems, and on the other hand human subjectivity and action. Human being is no longer considered a part of society. Such break can justify the term postmodern. Luhmann’s position as postmodern in this sense, and his epistemological point of departure comprise the blue prints of his critique against traditional integration theories.

**Social Systems**

A social system remain as long as it is capable of producing meaning and meet current challenges in the environment that is relevant for the existence of the system. The ability to manage challenges from the environment, depend on the ability of the system to translate these challenges into something that can produce meaning. Dysfunction may occur in spite of successful production of meaning, and thus the system reproduction is threatened in two ways. First, it fails if it cannot produce meaning. Secondly, it may fail in the long run if it is unable to maintain the functional aspects that uphold it. Luhmann’s major point is that social systems orients toward production of meaning and not toward being functional like Parson believed.

Society can never be understood from outside, since no encompassing system at an operationally equivalent level exists (Luhmann, 1984:412). The only way to approach society is through self-observation and self-description and self-clarification. Interaction systems have boundaries that can be identified by stating what is present and what is not (Luhmann, 1984:412). Societal systems are not interaction systems and cannot be conceived of as the sum of what goes on within interaction systems. The relationship between society and interaction systems is captured through the temporal aspect of episode (Luhmann, 1984:406). Interactions are episodes of societal processes. They occur because sediments of prior societal communication creates the conditions for future communication – future episodes.

**Defining Integration**

Integration for Luhmann does not mean common understanding (Hagen 1996:379) nor mutual relations based upon exchange (Hagen 1996:369). People are not integrated through solidarity or common morality, but by understanding the mechanisms of modern society. These understandings should be detached of normative judgements. Integration, he says, depend upon the ability of the individual to handle a set of codes, like using money, acknowledging the difference between his own and others possessions, and respect the rule of the winning party within a democratic society (Hagen 1996:369). This idea is linked to the suspension of emotional bonds like solidarity and informal social contracts.
Suspension of Solidarity and Informal Social Contracts

Niklas Luhmann argues against the traditional sociological assumptions that social interaction are based on unwritten contracts. He says that traditional theories postulate ‘… the non-contractual foundation of the binding effect of contracts. From this point of view, the human being was no longer capable of making contracts. Humans owed their sociality - to society.’ (Luhmann, 1984:212). Luhmann warn against critiquing the old conceptual understandings by using the old terms, because such critiques tend to produce abstract ‘residues of tradition’ (Luhmann, 1984:212). This warning surely cover this projects effort to re-conceptualise the term integration . Luhmann changes the premises of traditional questions, including those of classical humanism, by proposing to view human beings as part of the environment of society rather than a part of society itself (Luhmann, 1984:212).

Luhmann’s understanding of socialisation may clarify his stance against traditional theories. The psychic system, he says, refers to the individual’s consciousness understood as thought patterns leading to decisions to act (or not) rather than a permanent state of mind. Self-interpretation (within the psychic system) is socialisation to Luhmann (1984:238, 240-244). The individual always possesses the choice of incorporating and interpreting the complexity of the environment, which include all other people. According to the cascade of choices that always could have been otherwise, Luhmann describe a non-deterministic process. He warns against the perverted effects resulting from a belief in the predictability of socialisation. However, Luhmann points out that the decisions already taken do influence and narrow the range of future actions. Nevertheless, this concept of socialisation is far more open to strategic and flexible accommodation than what traditional theories suggest.

Luhmann reject Talcott Parsons understanding of both the existence of and the need for a common morality or basic values as a basis for integration in modern society (Hagen 1996:369). The belief in morality as a means of binding human beings within society can be traced back to the history of European societies. Today this assumption is outdated and no longer valid (Luhmann, 1984:235). Such assumption, Luhmann says, overlook the fact that morality is laden with conflict, and thus rest on a one-sided consideration of morality as a means of binding human beings within society.

Morality becomes less important in a modern and complex society, because interaction to a greater extent only touches a small part of the individuals involved. Thus the development of complex societies makes interaction easier and makes it possible for a variety of groups belonging to different cultures to co-exist peacefully. Luhmann admits that this point of departure toward integration has to provide a replacement. He suggest the term interpenetration, ‘…which means that the phenomenon of morality will no longer be related to the simple relation of human beings and society, but to the relation between relations: to the co-ordination of two distinct relationships of interpenetration’ (Luhmann, 1984:235). The two
types are social and interpersonal interpenetration. Luhmann describe the coupling between social and interpersonal interpenetration like this: ‘Generalising by referring individual actions to a whole person and respectifying this generalisation by conditioning: this is the technique that fuses social and interhuman interpenetration’ (Luhmann, 1984:237).

According to Luhmann the historical development of increased complexity hamper the chances for social interpenetration to cover inter-human interpenetration. The result is that the question of esteem is let out of the sphere of social interpenetration. This is what makes encounters easier because you no longer have to consider the whole human being. The complexity is reduced. It suffices to know the codes operative within the sphere of each encounter. The inter-human interpenetration may then be left to the sphere of family, close friends and lovers.

The implication of Luhmann ‘s thoughts regarding integration should first be the issue of safeguarding the success of morality as measured by the degree to which people can relate to one another without having to consider what they personally feel or think of one another. Solidarity could be interpreted as the equivalent of respect, which in Luhmann ‘s interpretation is a reciprocal understanding of each other’s esteem. He says: ‘…esteem depend on conditions that can be absorbed into the requirements of living together socially. The esteem of other human being thus becomes an anchorage of requirements for social order, and at the same time these requirements vary what is signaled back to the other as a condition of esteem or its loss. (Luhmann, 1984:236-237).

Claims of crisis or breakdown of norms, Luhmann says, need not exist in the real world - they could in fact be the mere result of the concepts used to understand society. What is needed, Luhmann says, is to change the tools by which we look at society. What Luhmann suggest is that the need for solidarity as personal and emotional affiliations to others is diminished in modern complex societies as long as a stable (welfare) society is reproduced. Estonia is a fairly stable society, but it is not a welfare state according to Nordic standards. To discuss integration the way Luhmann suggests thus additionally imply searching for the mechanisms that creates and reproduces stable democratic welfare states. It is a strengthening link between the welfare state and democracy, and we could ask what emotional and rational support that maintains the welfare state, just to walk around the direct link to democracy. And next, Luhmann’s theory says nothing about what keeps up social order and stimulates voluntary submission of individuals in societies where major or rapid potential destabilising transformations occur. The excuse on behalf of Luhmann is that he concentrates on clarifying the point from which he observes, and anticipating a breakdown or major transformation of democracies or welfare states can also have political purposes. While Luhmann manage to reveal these political purposes, he nevertheless has to assume stability, and that is the weak point in his notion of integration. If the emotional aspects should turn out more important in particular situations, we could
gain more insight by looking at Scott Lash’s ideas of how community is created in modern, knowledge-based societies.

Scott Lash’s theory on reflexive modernity counteracts on major points Luhmann’s undermining of the role of emotional communities in modern societies. Lash claim that applying analytic concepts like difference and complexity hamper the opportunity to get to the nature of communities. Lash’s theory exceeds traditional integration theories by developing new ways of thinking about social structures. Lash manages to account for the impact on social practice of the reflexivity occurring in processes which Anthony Giddens calls double-hermeneutics.

**SCOTT LASH ’S THEORY ON REFLEXIVE MODERNITY**

Scott Lash (1994:110) wants to frame a critical theory that manages to serve the purpose that Marxism earlier served in early industrial societies. Lash’s theory is according to himself a third version of contemporary successors of Marxism. The two others are Jürgen Habermas and his concept of communicative rationality and Michel Foucault’s analytics of discoursive power.

Three areas are dealt with, the first is the powers of social actors, the second is the cognitive nature of reflexivity, third is the strong program of individualisation put forward by the theory. Reflexive modernisation is a theory of the ever-increasing powers of social actors, or agency, in regard to structure. Lash explicitly says that these three issues have to be understood in terms of its *doubles*, which mean the unarticulated other, in the context of its unspoken assumptions (Lash, 1994:110-111).

What happens when modernity begins to reflect on itself, and understand its own excesses and vicious spiral of destructive subjugation, Lash asks. The development is immanent to the modernisation process itself. ‘It would be a condition of, at a certain historical point, the development of functional prerequisites for further modernisation.’ (Lash, 1994:112-113). Modernity is no longer the dichotomous opposition to tradition like it is conceived by classical sociological theory, says Lash. At issue is a three-stage conception of social change, from tradition to simple modernity to reflexive modernity. According to Lash the motor of this social change is individualisation. Individualisation sets agency free from the social structures of simple modernity (Lash, 1994:114).

Lash claim that reflexivity can take place either through mediation of expert systems or against the grain of such expert systems. Anthony Giddens term double-hermeneutics refer to the reflexivity of the social agent and the reflexivity of expert systems. Social agents can use the concepts and the ideas produced within expert systems and by doing so social transformation are influenced by expert systems but then on their own premises. The position of the expert systems may influence on how the reflexive production of the system receive attention outside the sphere of experts. Reflexivity means freedom from the expert system, either they are trusted or not. For Giddens, the question of social order
is linked to ontological security, which he believes to be mediated through expert systems (Lash, 1994:117).

Reflexivity does not prevail equally within a society. People working in areas characterised by flexible production have to develop their reflexive skills, but then there are a lot of areas within modern society that still are simple and without any demand on reflexive skills. Lash talk about the winners and the losers of reflexivity, and to get closer to how this reflexive stratification occur, the structural conditions for reflexivity has to be revealed. Reflexivity is characterised by the retreat and retrocession of social structures, how then can we talk of structural conditions, asks Lash. The foundation of reflexivity is neither the structures suggested by Marxism, nor the normatively regulated institutional structures of Parsonian functionalism ‘...but instead an articulated web of global and local networks of information and communication structures.’ (Lash, 1994). The life chances in reflexive modernity are a question of access to and place in the new information and communication structures.

In Estonia as in most CIS countries, science and expert systems has another configuration regarding status and level of confidence than in Western countries. The confidence in expert systems, other than maybe economy and technology, is low compared to the West. After independence i.e., about 100 000 Russian speaking left Estonia, many of them where intellectuals. The change reduced dramatically the share of Russian speaking involved in expert systems in the country. The share of the workforce engaged in the expert systems are lower in Estonian that i.e., the UK and USA which employees about 25 percent of the total workforce.

Reflexivity is not only cognitive, but then also aesthetic. Lash departs from Theodor Adorno’s Hegelian concept of aesthetics, and he claims that reflexivity in this area manifest itself like mimeses. It is a process of copying and resembling of symbols in everyday life that attain reflexive characteristics. People have unequal influence on the symbolic production in modern society, but then, many people are able to receive and thus they are accessing the symbolic vocabulary. The access comprises a resource for critique, says Lash.

In Estonia the production of symbols in electronic and written media is divided according to linguistic lines. Access to aesthetic reflexive symbols is thus different to the Estonian speaking than to the Russian speaking in Estonia. The cognitive aspects of democratic discourse are to a great extent jeopardised by the fact that Russian speakers only to a small extent speak Estonian. Yet the bilingual skills of Estonians could help bridge the gap if it weren’t for the unwillingness to use Russian and the declining interests among Estonian speaking youths to learn Russian. The Russian speakers, however, have to learn Estonian if communities in the county are going to mix and not split further along the current linguistic lines.
Community is a complicated term within the perspective of deconstructionist’s who insist on using concepts like difference and complexity and non-identical instead of community and shared cultural practices. Lash elaborate how we can perceive community, the ‘we’, in reflexive modernity. The radical individualism of the deconstructionist is not a utilitarian individualism, but then an aesthetic. Lash claim that in order to get access to community we have to break with the deconstructive method and look towards the ‘truth’ advocated by hermeneutics [Lash, 1994 #158:144]. We have to interpret the categories of agency and structure, subject and object, control versus contingency and the conceptual versus the mimetic in a hermeneutic perspective. ‘This sort of interpretation will give access to ontological foundations, in sitten, in habits, in background practices of cognitive and aesthetic individualism. It will at the same time give us some understanding of the shared meanings of community.’ (Lash, 1994:144). Lash rejects the hermeneutics of suspicion and postulate that what is needed is the hermeneutics of retrieval. The hermeneutics of retrieval do not chronically defer and deny meaning but look beneath the play of the signifier ‘...to gain access to the shared meaning which are conditions of existence, indeed are the very existence of the ‘we’. (Lash, 1994:146).

Lash identifies three different ways of approaching reflexivity. The first is through cognitive reflexivity (Giddens/Beck), the second is aesthetic reflexivity (Adorno/Nietzsche), and the third is anthropological reflexivity situated in shared practice (Bourdieu) (Lash, 1994:156). To approach community implies to depart from a type of reflexivity that is founded in shared practice. Communities have to be in the world, they have to be worlded, Lash claims. The reflexivity of communities is the reflexivity linked to habits and the routine activities in everyday life. Lash claim that the modern (reflexive ) society displaces social structures. But unlike the adherents of linguistic and cultural structuralism, Lash claim that we should focus on the communities that are created on the basis of their place within the information and communication structures, that today are vastly different from traditional communities (Lash, 1994:167). People working within the expert systems, have at least the potential to, form neo-tribes based on a common understanding written in their habitus.

The key-question if we interpret national integration in terms of Weberian legitimacy, is how to create a collective will in a culturally divided country like Estonia. The counter question, indirectly phrased by Luhmann, is if a collective will at all is necessary in modern societies. Luhmann suggest that we perhaps don’t need a collective will in order to state the reason for democracy, the substitute could be the existence of a stable conglomerate of complex self-referential systems.

Because so few Russian speaking have a citizenship, the collective will guiding the Estonian parliament can, and have to if the rule should remain organic in Gramsci’s sense,
almost exclusively play on the popular Estonian. No surprise it looks nationalist in the
eyes of foreigners. Following Lash, powerful reflexive potential exists, which could
transform what is currently interpreted as Estonian traditions, and thus consolidating the
basis for creating a collective will that also embrace the embedded social practice of the
Russian speaking communities. However, as Lash says, this is a question of conditions for
creating a common universe of meaning that cut across current cultural cleavage lines – it
is hard to figure out how that is going to happen without social interaction or at a
minimum without shared literature, media etc.

CONCLUDING REMARKS

Integration at the level of the state should be conceived of as the development of a
collective will that supports democracy as legitimate rule. The collective will is according to
Gramsci (Laclau and Mouffe 1997:52-61) situated in social practice, and thus it coincides
with Lash’s reflexively modern notion of communities, which are embedded and created
in social practice. Communion is not defined according to sharing of values as traditional
theories suggested, but then in shared social life. This is notion of integration is in fact
close to Durkheim’s original descriptions of how the individual obtain the socially
embedded collective consciousness or morality by living and interacting in the dynamics of
society. In Lash’s sense it is not necessarily a question of a common normative basis, its is a
question of shared meaning, of making sense of the world in similar ways. There is neither
any claim that these universes of meaning constituted by social practice are shared across
groups that don’t interact. But then the communities Lash talks about could be imagined
communities (Anderson 1995), sharing common channels of communication through
which they coordinate a sense of shared meaning.

From the traditional integration theories can we take the advice of looking at the impact
of primary and secondary groups on the development of collective will, and from
C.Wright Mills we are advised grasp the historical perspective. Luhmann tell us not to
have too much confidence in the contractual schemes of traditional theories, but then his
theory assumes a stable society. We should thus be warned against thinking that solidarity
and emotional affiliation at the level of society are irrelevant, it is rather conditional. Stable
societies rest on conditions that should be questioned by asking where the limits to
plurality are. What kind and extent of cultural differences can exist within the boundaries
of democracy? Luhmann only tell us that modern society tolerate plurality because
emotional relationships are redirected to the private sphere of life, but he cannot tell us if
modern democracies can be build on any configuration of cultural pluralism.

The criss-crossing of system affiliations are believed to jeopardise massive social
mobilisation. But what will happen in Estonia, where this criss-crossing create clear-cut
lines digging through traditional, historical, cultural and religious land dividing the
population in two? Can the social systems in Estonia maintain the stability Luhmann claim that these modern systems possess in such environment? Does it matter if the cleavage-lines are clear-cut? Does it matter how large the minority groups are? Does it matter if people that should cooperate within a democracy cannot understand each other’s language? Luhmann cannot tell. But even more alarming is that the Human Rights actors attending the Tallinn seminar reject these contextual considerations, at least in practice, as irrelevant. We should ask why.

The major challenge remains namely how bottom-up support for the normative procedural model of democracy is secured. It seem naive to think that an ideal model of democracy based on normative arguments and supported by social practice in Western democracies can survive and function well under any socio-cultural conditions. This belief is only possible if the web of interdependency is completely disregarded.

If we apply Coser’s theory, we could say that the international involvement in the disputes on citizenship regulation consists of two major fronts. The first is the Estonians who agree on the current linguistic requirements to obtain citizenship. The second fraction comprise the Russian speaking who want to get Estonian citizenship, or don’t want it but then have strategic motives for fighting the governmental practice, and the international community which argue with support from Human Rights. This massive external pressure can bring Estonians even tighter together, and may be a sign of this is the rather moderate aspiration for a membership in the European Union among Estonians. Russian speakers are far more in support of the European Union.
V Nationalism

THE CONCEPT OF NATIONALISM

The frontline of current research on nationalism can be seen as twofold. In practice these two perspectives overlap and depend on the issues in focus i.e., what aspects of the people or elite’s practice that are relevant. Some focus i.e., on economic issues other highlight cultural aspects. Firstly, a fraction adheres to the notion of elite using history and ethnicity to manipulate ordinary people. Secondly, there are researchers that believe that nationalism is a phenomenon of the ongoing process of development founded in a specific and historically founded context. In the latter case history is regarded as substantially influential regarding social changes within a society, and not only something that can be manipulated by the elite (Skirbekk 1998a) (Skirbekk 1999b).

In the continuing I shall draw upon Scott Lash ‘s theory of reflexive modernity, presented previously, and Antonio Gramsci’s (Laclau and Mouffe 1997:45-63) theory of ideology which was briefly introduced in the former chapter. The assumption is that nationalism is a substantial feature of social practice, implying how traditions and history are incorporated in everyday consciousness and everyday practice. The elite can try to manipulate and ‘produce’ history, but as Gramsci says, they will have a better chance to succeed if they consider other group’s interests and capture the main concepts and features from the popular practice. This means that the elite has to choose between stringent manipulation according to their own interests, resulting in a less powerful position regarding ideological support. Or they can consider the interests of the people and lessen their demand on pushing forward their own, resulting in the acquisition of a powerful hegemonic principle. Nationalism in this sense becomes a mix of grassroots influence and elite manipulation. Lash ‘s theory says something about how communities situated in social practice reflect upon experts’ interpretations of reality, and thus he gives insight to how nationalism can work reciprocally. First nationalism emerges from and substantially influencing social practice. Secondly, that the reflexive aspects linked to the conceptualisation of nationalism as means for creating ideological hegemony.

Historically the concept of nationalism has been understood as different to pre-modern ethnically oriented solidarity. Nationalism is a modern phenomenon, occurring in social science with Johann Gottfried Herder’s (1744-1803) writing in the middle of the 18th century. Herder advocates a non-aggressive nationalism. His view is that national characteristics are learned through social practice (Østergård 1998) and thus develops a Volkgeist. According to Sigurd Skirbekk (1998b) Herders nationalism comprise the idea that if cultural and political borders coincide the conditions for successful nation building
are optimal. Walker Connor (Østergård 1998:477-76) show that this is the case only a few countries of the contemporary world. However, Connor also show that people increasingly are dissatisfied with the states in which they live, and he links it to a tendency to develop smaller ‘nationalistic’ or ‘ethnic cleansed’ states, a phenomena occurring even in well established Western European states. Cultural diversity thus, seems to be a component splitting up nations rather than unifying them.

The French branch of research on nationalism emerging after the French Revolution, argued for law and rights as sufficient for keeping a state or nation together, but were soon to revise this assumption in the present of realities (Skirbekk 1998b). The German branch departing from Herder on the other hand has met critique for being too one-sided on its emphasis on cultural aspects. Nevertheless the French version of nation and nationalism has been linked to the term ‘demos’, while the German version is connected to the term ‘ethnos’. The question relevant to the reproduction of democracy is to find the balance between political and legal rights (demos) and the socio-cultural environment (practice) in which these rights can be expressed.

Anthony Smith (1995:3-6) present three answers to what he considers the paradox of revival of nationalism and bloody conflicts in modernised societies. The first suggest that contemporary nations and nationalism are survivals form another epoch which will pass away with modernisation. The second answer departs form the idea that nations and nationalism are the products and the producers of modernity. Nationalism is considered an unpalatable, but stabilising force in times of rapid social change, and will not pass away until modernity according to the affluent Western model is globalised. The third option departs from the notion of nationalism as perennial phenomena. It is an expression of forces immanent to human social interaction. The three answers carry weaknesses, but together they draw the lines of the diverse aspects of the phenomenon nationalism. Smith define nationalism as an ideology of historic territory that concentrates the energies of individuals and groups within a clearly demarcated ‘homeland’, in which all citizens are deemed to be brothers and sisters and to which they therefore ‘belong’. The rehearsal of fraternity rites in political communities makes collective identification possible, and strengthens self-awareness and social reflexivity (Smith 1995:155).

Nationalism, says Smith, is not necessarily extremist, it can also be liberal and open for inclusion of others. The world order depends on nation and nationalism as a framework because there are no viable options to replace them (Smith 1995:159-60). There are dark sides of nationalism that enhance division, destabilisation and destruction, says Smith, however the idea of a global culture can hardly offer collective faith, dignity and hope that the surrogate for religion, nationalism can accomplish. Legitimacy and steering power of democracy are closely related to an emotionally based collective identification, which
constitute the material which a successful political elite has to apply in order to articulate and develop a popular will. Departing from Smith’s assumption we should, in the case of Estonia, ask how the Russian speaking and Estonian speaking residents can gain access to the same community united by a liberal and inclusive Estonian nationalism.

"NATIONALISM" AND HUMAN RIGHTS

To speak favourably about nationalism within the realm of Human Rights is difficult, and linked to the subject matter of Human Rights, namely individual rights. In contrast the UN-system is organised according to the states as subjects. The contrast regarding the subject creates a chronic strain between the UN-system and Human Rights. (This strain may explain the type of ideological work done by Human Rights actors at the Tallinn seminar – which can be interpreted in terms of modifying the power-balance between the UN-concepts and the HR-concepts). To explore how nationalism as a concept is handled and interpreted by Human Rights actors’ help us gain insight in what may turn out as dilemmas in a discussion about integration. I shall draw upon an analysis of what I will call The Narratives of Human Rights. I depart from documents written by Asbjørn Eide (1998a; 1998b), a recognised expert on minority rights.

THE NARRATIVE OF HUMAN RIGHTS

The community of Human Rights can be regarded as a community in Lash’s sense if they share social practice and develop a similar vocabulary of meaning. We could in this way call the fellow colleagues joining the discussions of Human Rights issues at the international level a community of experts. Asbjørn Eide is a highly respected representative of the international community of Human Rights, and his position as well as his graphic accounts of Human Rights makes his interpretations of Human Rights particularly fit to analyse the ideology of Human Rights. This does of course not imply that his views are undisputed, but they nevertheless conjure up the rough lines of current Human Rights actors’ ideological stance.

Identity is the thread in the Narrative, it is the key metaphor in Eide’s interpretation. I shall argue that the way identity is used increase the tendency to regard integration as an abstract concept ignoring social practice. Eide’s interpretation of minority rights creates a narrative that contributes to the consolidation of the international community of Human Rights, however, it is nevertheless a mediocre answer to the challenges of contemporary societies. I will return to why it is so later.

KEEPING WITHIN THE LIMITS OF DISCOURSE

I shall explore the scenarios of threat put forward by Eide, because these scenarios reveal ‘a morality’ and can tell us something about the areas that might be ideologically erased
from discourse. The reason for identifying taboos in current interpretations of Human Rights is that I believe, first, that it is within these areas we can identify unintended consequences, and secondly, that acknowledgement of neglected areas strengthen the potential for corrections if things turn out unexpectedly. Scenarios of threat are powerful because they express that certain areas are considered taboos. Raising questions concerning taboos are hazardous. In Mary Douglas (1997) wordings, we can talk about anomalies, or features that fall outside the current model of, and understanding of society and reality. Anomalies create fear and massive resistance because the order and understanding of the state of matters are disturbed. This disturbance threatens the ideological construction of Human Rights the most, and it would on the contrary be productive to the critical correction at the level of social practice.

Ethno-Nationalism

‘Where ethno-nationalist movements emerge, it reflects unease and an unstable situation. It indicates…that the social contract among the members of the hegemonic groups has not been extended to all members of society’ (Eide, 1998). The Narrative of Eide explains to us that tolerance and respect for the equality in dignity and rights of members of all groups in society safeguards stability. According to Eide the theories of Herder is the predecessor of current expressions of ethnic-nationalism. The ethno-nationalist ideology is according to Eide characterised by defining the nation in terms of ethnicity. It refers to a common history and tradition, and preferably also a common language. The borders of the ethnic nation should coincide with the borders of the state (defined as a political unit). And the loyalty of the members of the ethnic nation should override all other loyalties (Eide, 1998). Eide suggest civic nationalism as the proper concept in modern democracies, I will link the discussion of civic nationalism to how he manages the term identity. The position Eide gives the concept of identity can elaborate on why nationalism, interpreted in ethnic or popular terms become problematic within the domain of Human Rights. But first his definition of the term.

Civic nationalism is, according to Eide, accomplished when the state make sure that every resident, citizen or not, get equal opportunities (life-chances) – and when the state fulfil this obligation, all residents can (and will?) identify with the nation. Residents shall thus have the opportunity to ‘…assert their double identity and loyalty: They can be nationals with the civic nation… and expect to be treated as equals…and…they can be members of an ethnic, linguistic or religious group.’. To accomplish this Eide claim, nationalism must have ‘…a strong ‘civic’ and participatory character.’ (Eide, 1998).

Identity as the Universal Mechanism

The concept civic nationalism is based on an abstract notion of equality, deprived of the dynamics of social practice. Civic nationalism implies identification with the state. Eide
does not tell if identification should be emotional or if it should be cognitive and rational. He explicitly utters fear against emotional engagement on the basis of the discriminative social practice that has appeared in many former Soviet republics. The one-sided view of emotional engagement as the source for xenophobia and ethnic conflicts, stand in contrast to i.e., Smith’s more balanced view. Emotions give rise to positive collective aspirations as well. The one-sided stance regarding emotions may explain why Human Rights actors tend to avoid themes like communion and solidarity – they merely always see the negative aspects of exclusion. Again, Human Rights actors’ emphasis the future and they are reluctant to treat history and traditions in any other ways than as means in the hands of a manipulative elite. Let us take a look on how Eide interpret identity in this context?

Eide says that the comprehensive use of the term identity within the Human Rights instruments ‘…expresses a clear trend towards the protection and promotion of cultural diversity both internationally and internally to states.’ (Eide, 1998). Thus the protection of individuals identity can only be accomplished when the state abstain from imposing socio-cultural influence on its residents. This way of thinking is close to Jean Jacques Rousseau’s idea of freedom namely that human development is hampered by the strain imposed by society and that liberation from this strain releases the human potential on all areas including the morality. But then, this is not quite what Eide has in mind, because he implicitly claim that the people within the border of a state/democracy have to develop a political community ‘…evolved with a common legal code and civic culture.’ (Eide, 1998) In short this means that the limits of cultural diversity have to be sought for in this perspective. It also means that the preservation of people’s identity is not regarded a threat, but than an asset, in the development of a civic culture. Eide clarifies his view regarding the potential negative sides of preserving identity. With reference to the development in former Yugoslavia and Soviet Union, he warns against ‘regressive development’ linked to ‘negative identity’. ‘For some cultural identity has become an obsession not to share and compromise, but to erase, exclude and if necessary kill the other – and even to destroy the cultural symbols of the other group.’ (Eide, 1998). He continues elaborating on The Narrative by saying that the destruction of cultural and religious symbols of other groups is ‘…efforts to destroy the common heritage of the population in the area, seeking to introduce retroactively an artificial mono-cultural identity by erasing even the symbols of the historical existence of others.’ (Eide, 1998). Nevertheless Eide claim that ‘protection of the identity of the different groups in society is intended to enrich the society as a whole.’ (Eide, 1998) (my underlining). The state is obliged to protect, facilitate, and promote reproduction and further development of the culture of the minorities. The identity of minorities should develop without societal strain by applying the principle of non-assimilation – any transformation of minority cultures and identities should thus be voluntary in order to be legitimate within Eide’s interpretation.
The link Eide makes between ethnic cleansing, destruction of cultural symbols and the introduction of ‘an artificial mono-cultural identity’ comprise the key to the moral of his narrative. A culturally homogeneous state (democracy) is a contradiction in terms, it creates false identities and thus is a threat to self-realisation and self-confidence. But most dangerous of all, a state pursuing homogeneous cultural influence in a socially plural society, creates unstable societies, and enhances the risk for reintroducing Holocaust.

**THE STRUGGLE FOR THE HEGEMONIC PRINCIPLE**

Nationalism in Estonia as popular social practice or governmental policy (elite manipulation) is confronted with the culture and ideology of Human Rights. If we shall understand the reaction to Human Rights assistance in Estonia and the impact of Human Rights actors’ assistance on the international level, we can apply a perspective of cultural confrontation (Ehn and Løfgren 1982:75). Billy Ehn and Orvar Løfgren initially thought of cultural confrontation between people within the same society, however, we have to ask what kind of role the distanced present of Human Rights actors in Estonia has. They are not participants in the everyday social practice of Estonia. Human Rights actors are ‘tourists’ in Zygmunt Bauman’s sense. They have no obligations (to the people living in Estonia), they do not have to face the consequences of their actions as they don’t reside in Estonia, but move on. The Human Rights actors participate in the ‘international community’ that Eide talks about, and their actions and ideological work is aimed at accomplishing goals set by this community. The Estonian social scientist at the Tallinn seminar are not ‘tourists’, they are situated in the social practice in Estonia.

Antonio Gramsci’s concept hegemonic principle (Laclau and Mouffe 1997, 59-60) refers to the principle that gives a particular ideology access to a hegemonic position. The success of hegemonic principles, Gramsci says, does not depend upon its internal logical characteristics, but then it succeeds when it manages to become a popular religion. Chantal Mouffe (Laclau and Mouffe 1997:60) claim that we should understand popular religion in terms of a collective, national, popular will. And the clue to it is to articulate and incorporate the national and popular ideological features into the hegemonic principle.

We can easily imagine that the confrontation between the Estonian population which managed to gain independence much thanks to its national culture and the Human Rights actors ideology having no mercy whatsoever for cultural and linguistic preservations performed by a government at the level of the state.

The Estonian government’s policies are interpreted as mono-cultural and monolingual and as such they comprise a threat to the security in the region according to The Narrative of Human Rights.

But then the ethno-nationalist policy of the Estonian government is also conceived of as a general violation of minority right, unless the Russian speaking third of the residents in
Estonia voluntarily assimilate to ‘Estonian culture and language’.

The Estonian social scientist have first hand knowledge of the Estonian society, however, they also have to play by the rules that are constituting the hegemonic principle in Estonia, which is of course not the same as the hegemonic principle guiding the international community of Human Rights.

Human Rights actors can, according to Gramsci’s theory, only succeed in implementing the civic culture prescribed by interpreter’s of Human Rights if they manage to articulate this culture in popular terms. The cost of changing the way civic culture is articulated, though, can be too high. It means that Human Rights actors have to renounce some of their interests in order to incorporate the popular, which is too twined up with The Narrative’s scenario of nationalism as a potential cause to ethnic cleansing.

The Narrative of Human Rights contributes to the construction of a deep cleavage line between substantial and abstract interpretations of integration. The Narrative resist interpretations of integration as situated in particular social practices, and instead it promotes an abstract notion of integration as the relationship between the individual and the state. The legal focus, and the state as the proper addressee of Human Rights, contributes to this interpretation.

**NATIONALISM IN ESTONIA**

‘Those newcomers who learn Estonian will fit in; those who don’t remain aliens.’ (Taagepera 1993:13).

The first known inhabitants of the ancient territory of present Estonia (7500 B.C.) belonged to the Kunda culture. Around 3500 B.C. new people entered this area and probably brought the Finno-Ugric language to this territory. Since then changes in culture seem to have been gradual, indicating that no major changes because of i.e., invasion occurred. In 2000 B.C. the next wave of immigration took place. These immigrants most likely spoke an old Baltic language. These two cultures mixed and the Finno-Ugric language prevailed on this territory. The next major immigration wave came around A.D. 500, but stopped short of Estonia. The eastern Slavic tribes that moved west assimilated gradually the Finnic speaking people living south-west of St. Petersburg, and the Vepsians and Karelians, whose language still survive in some parts. The language boarders of A.D. 1000 remained mainly unchanged until the 20th century (Taagepera 1993:13).

Rein Taagepera’s citation above indicating that access to the community is gained by learning Estonian. We could treat this utterance as part of the Estonian elite’s, in this case the historian Taagepera, manipulation of history, ethnicity and nationalism. Another option is to consider the substantial aspects of language as a former functional vehicle for becoming a member of a community, and ask how this tradition influences social practice in Estonia.
THE FIRST NATIONAL AWAKENING

According to Taagepera (Taagepera 1993:31) the first national awakening in Estonia took place between 1860 and 1885. During these years Estonia got newspapers, theatre, poetry and other mass-cultural events. The language gradually modernised partly encouraged by the Finnish language, which was about twenty years ahead compared to Estonia. Through these cultural events Estonians managed to operate autonomous mainly because of the ongoing disputes between the German Balts and the Russians. The cultural activities contributed to the modernising of Estonia on areas like the agriculture and education. The newspapers and theatres and other cultural institutions extensively used the Estonian language. Taagepera (1993:33) argues that it was the cultural awakening preceding the economic development that lead to modernisation in Estonia. Industrialisation and urbanisation occurred in Estonia after 1860 (Taagepera 1993: 35). Railroads and telegraph came in 1870 and telephone in 1880ies. At that time the Narva textile mills were one of the world’s largest (Taagepera 1993: 35).

In 1800 about 2/3 of the adult peasants in the southern part of Estonia was able to read, a much larger share than if compared to i.e., Russia (Taagepera 1993:27-29). During the late 1800’s it seemed that the development of schools and other institutions embracing the Estonian language calmed down a situation that was highly coloured by economic and political disputes between the Germans and the Russians. The strengthened position of the Estonian language in different spheres of society created prosperous opportunities for Estonian youths (Taagepera 1993:32). In 1850, 90 percent of the population could read, a figure which raised to 96 percent in 1897 (Taagepera 1993:33) Newspapers and books in the Estonian language constituted important forces in creating what Benedic Anderson (1995) has called imagined society. The written text in Estonian language reached even the most remote living part of the population and was not exclusively an urban phenomenon.

THE SECOND NATIONAL AWAKENING

The second national awakening occurred between 1986 and 1988 (Smith 1994), followed by the emergence of nationalist movement during the period from 1988 to 1990. The national awakening ended in a process of secession during the years of 1990 and 1991. The politics of glasnost created opportunities for the Baltic people to rediscover their history and later openly express a new version of the past. The Estonian newspapers played an important part by focusing on local issues, introducing a discourse on the future direction of the republic within a national context (Smith 1994).

Environmental issues were essential in this regard because they were considered legitimate and did not threaten the Soviet regime. The environmental focus contributed to the fall of conservative minded politicians in the early phase of succession (Smith 1994:128-129). At the same time the development of nationalist movements at a grassroots level was to a greater extent aiming at economic, political and cultural autonomy. The
responsiveness of the Baltic States to Michael Gorbachev reform initiatives late in 1988 to increase trade in the region supported the activities of these movements. Trade with foreign companies flourished, but of Gorbachev's policy was met by scepticism by local conservative communists. The Estonian intelligentsia on the other hand approved of these changes. In many ways the intelligentsia proved to be the bearer of nationalism (Smith 1994:130).

During this period the Estonian language was made a state language, and republic-based citizenship was formalised. National symbols like the Estonian flag could be used in public (Smith 1994). Economic self-determination that was safeguarded through laws adopted in 1989. These events were crucial for the development of nationalism.

In March 1989 the Russian speaking communities for the first time raised their voices against the development of language and citizenship laws that seemed to threaten their social security (Smith 1994:135). The Russian speaking were reluctant to fully join the wave of popular nationalism partly because their national rhetoric insinuated that they were aliens (Smith 1994:135).

Estonia has traditions with peaceful actions of protests, like the famous demonstration held on the 50th anniversary of the signing of the Molotov-Ribbentrop agreement on 23 of August 1989, when the Estonians and their fellow Balts made an unbroken line of people from Tallinn to Vilnius (Nørgaard 1996:111).
VI The History of Estonia

THE ROUGH LINES OF ESTONIAN HISTORY

THE PRE-WORLD WAR I PERIOD

Estonia has been occupied by other states for centuries back, and in modern times only with one exception namely the independent years between 1918 and 1940. From 1200 the geopolitical and geo-demographic position of Estonia and Latvia, made both countries with access to the Baltic Sea, vulnerable. In the years after 1200, the Danes and Germans, the Swedish and the Russians have all been rulers of Estonian territory.

The German rule (1227-1561) brought Estonia into the Roman Empire, but this were more in a technical sense than in practice (Taagepera 1993:18). The legal and economic position of local peasants eroded gradually and ended in servitude in the middle of the 14th century (Taagepera 1993:19). The Germans were to hold and increase the extent of servitude. The Swedish (1561-1710) later abolished servitude at least formally, if not in practice (Taagepera 1993:24-25). This Swedish period was marked by increased focus on peasants rights, but in fact there was little improvement of the peoples conditions and the nobles and privileged in fact strengthened their positions (Taagepera 1993:23). The greatest achievement of the Swedes for Estonia was at the educational field. They founded the Tartu University in 1632. The choice of Tartu may have been influenced by the fact that Tartu had been the site of a Jesuit college during Polish rule between 1583 and 1601 (Taagepera 1993:25). In 1699 the university was moved to Pärnu because of the current threat from Russia. The Great Northern War (1700-1721) ended the Swedish rule in Estonia, northern Latvia and Ingermanland. A significant decrease in the Estonian population took place in this period. During the years 1695 to 1697 there were crop failures followed by famine. Added to the losses during the Nordic War the population was reduced from 350 000 to 150 000.

Under the Russian rule (1710-1920), introduced during the Great Nordic War, servitude continued and was at first even strengthened. But then the economy and population growth improved and the number of inhabitants reached 250,000 in about 1780. (Taagepera 1993:27). The Russians left space for the local rule by German Baltic landowners in all the Baltic States. In 1816 the servitude was abolished in Estonia partly by help of the German landowners, who benefited on this transition by keeping their land (Taagepera 1993:29). The life of peasants worsened dramatically after the transition, and eventually lead to upsurges. The Germans were forced to ask Russia for military support, which was only reluctantly given to them. The Russians was well aware of the risks of larger uprisings, and made efforts to force the German Balts toward reforms (Taagepera
Especially in the 1880ies and 1890ies the Russians tried to expel the German cultural influence in Estonia (Blakkisrud 1996:50). The German influence was partly linked to the activity of the protestant church. By means of enforcing the Orthodox Church’s position, the rate of success was fairly high due to the recruitment of Estonian peasant sons to study for orthodox priests (Taagepera 1993:31). The German Protestant Church comprised mostly of Germans that did not have a good command in the Estonian language, thus making the recruitment of Estonian believers difficult. The Russian attempt to russify Estonia, and to reduce the Germans cultural influence, opened up new space for Estonian intellectuals, who now could free themselves from the German domination. These circumstances finally lead to, as previously mentioned, the early (1860-1885) modern awakened nationalism in Estonia (Taagepera 1993:31,34-35).

**WORLD WAR I AND THE INTER-WAR PERIOD**

The preparation for independence began with the cultural modernisation in the last half of the 19th, and the beginning of the 20th century, but was interrupted by the mobilisation of Estonians into the Russian army during World War I (Taagepera 1993:36). One example of a proliferating idea of independence can be illustrated by the public gossip, taking place under the construction of the Tallinn Opera Theatre in 1913. The Estonians told Russians that it was going to be the future parliament building (Taagepera 1993:37). It was of course never used for that purpose, but this event can be interpreted as a sign of a wish for independence.

World War I started with the German-Russian war in 1914 and clearly revealed the mixed feelings of the Estonians. To a large extent Estonians favoured Russia, because Germany was associated with their present German-Baltic oppressors. In contrast, the geopolitical position of Finland, made the Finns prone to favour the distant Germany during WW I. Russia on the other hand was a potential threat to their autonomy. (Taagepera 1993:41) In February 1918 the Germans overran Estonia. Following these events, three Estonians supported by the underground organs proclaimed Estonian independence on the 24th of February 1918 (Taagepera 1993:44). The Germans though, paid little notice to the Estonian declaration of independence. One of the three men behind this proclamation, Jüri Vilms fled to Helsinki where he was captured and executed by German and Finnish troops in April 1918 (Taagepera 1993:44). This is one of several events were the Finnish government denied support for and acted against Estonia. Even though the Finns have supported the Estonians, the historical experiences show a lot of ambivalent features, often connected to the Finns concerns regarding Russia (Küng 1989:275-280). In November 1918 Germany collapsed and surrendered to the Western Allies, an occasion that changed the situation in Estonia overnight. Early in 1919 the Finnish supported Estonia by helping them financially, and Finnish volunteers helped...
fighting the Russians    (Taagepera 1993:45). The request for military support, though was
denied by the Finnish government    (Küng 1989:275-280). By the additional support from
the Allies, Estonia finally reach to the Tartu Peace Treaty with Russia at the 2 of February
1920    (Taagepera 1993:46). This treaty regulated the Russian-Estonian border, and this
boarder agreement was to be a major factor in the territorial debates in the early 1990ies
(Taagepera 1993:47). In September 1921 Estonia joined the League of Nations    (Taagepera
1993:48), and almost twenty years, until 1934, of independence and proliferating
democratic experience were to follow.

The inter-war period was peaceful and gave Estonia a more long lasting experience of
democracy    (Taagepera 1993:49). However as early as 1866, Estonia experienced some
sort of democracy , when Alexander II imposed reforms that introduced elections for local
councils. The voting rights were limited although even landless males could vote at that
time. This is the first sign of grassroots democracy in Estonia    (Taagepera 1993:33). After
the Russian revolution in 1905 the development of political parties in Estonia took place in
a larger scale    (Taagepera 1993:36). At that time half of the Russian government officials
in Estonia where in fact Estonians, implying certain degrees of local autonomy
(Taagepera 1993:37).

In 1920, the first democratic structures were open to proportional representation. A 100-
member single-chamber parliament was formed. Fourteen parties gained access to the
parliament in 1923. Even though this composition showed a remarkable high level of
fractionalisation the cabinet had difficulties in forming stable coalitions    (Taagepera
1993:53). In 1932 there were only six parties represented in the parliament. The reduction
in number of parties was perhaps a sign for some degrees of self-correction, but then in
1934 several parties split up. As a consequence of this rather turbulent period public
discredit toward what Taagepera [] , 1993 #203:54) called ultrademocracy appeared. The
world depression of course put additional strain on this new and fragile democracy .

The first challenges though, arose in 1924 when the communist front organisation
received 9.5 percent of the votes and gained 10 seats in parliament. The call for leadership
from the left was connected to a mobilisation from the side of Soviet   Union. In December
1924 a bloody communist putsch in Tallinn was close to seizing the radio building.
Simultaneously Soviet   troops were at high alert at the Estonian border only waiting for a
cry for help    (Taagepera 1993: 54). Only three years earlier Soviet   troops had entered
Georgia under similar circumstances, and thereby ended the independence of Georgia.
The reaction in Estonia was to suppress the communist organisation by the joining of all
other parties in a government of national unity    (Taagepera 1993:54).

The second challenge facing the inter-war democracy   in Estonia came from the right,
from the League of Veterans of the War of Freedom, popularly called the Vabs. They
demanded a strong presidency, and did almost manage to get the support needed for a
small change in the constitution. They lost with 49 against 51 percents of the votes in a 1932 referendum. The next attempt was carried out by the Farmers’ Union, but without any result. In October 1933 the Vabs finally won 73 percents of the votes in favour of a strong presidency (Taagepera 1993:55). The Vabs candidate was far ahead of all the other candidates in front of the election for president. Meanwhile Prime Minister Päts, the currently acting president, proclaimed that the guidelines for the new constitution also had to guide his presidency. Using what he claimed to be constitutional means, he got some 400 Vabs arrested and prohibited all political parties, deactivated the parliament and postponed any further elections. Because the constitution of 1933 prohibited postponing election, Päts, according to Toivo Raun, (in Taagepera 1993:55) had carried out a coup d’état.

**WORLD WAR II AND THE SOVIET PERIOD**

In 1939 Estonia once again where occupied by their Soviet neighbour. Prior to the secret German-Russian Molotov-Ribbentrop pact signed the 23 of August 1939, all the Baltic states had signed neutrality or non-aggression treaties with Soviet union and later also with Germany. The model of neutrality was adopted from Sweden (Taagepera 1993:59) but did certainly not safeguard independence. The Germans attached Soviet Union on the 22 of June 1941 and by the early July the Germans reached Estonia. By October they got the last parts of Estonia on their hands. Both Russia and later Germany ignored the non-aggression treaties they had signed.

Because of Stalin’s massive deportations during the years between 1939 and 1941, the Germans were, although ambivalently, welcomed by most Estonians. Nevertheless Hitler and his German companions wasted their goodwill, by treating Estonians almost as badly as Stalin did (Taagepera 1993:72). Even though many, Estonians joined the German army. Their motif was twofold. Firstly, to join German forces was a way of securing one self and ones family and friends. Secondly, and a far more effective justification was created by Estonians who saw the Estonian units in the German army as an opportunity for future independence.

The Russian attempt at re-conquering Estonia started in January 1944. In September of 1944, the Estonian units in the German army along with the Finns were able to set up a defence outside Tallinn, the very moment the Germans were retreating. This defence however did not manage to withstand the Soviet troops arriving a few days later. In October 1944 Russia once more had control over the country. But then, this resistance has for long been a symbolic gesture making clear that the Soviet occupation forces did not liberate Estonia from Germans troops, but seized it from the Estonians (Taagepera 1993:71). By the end of World War II Estonia once more had lost many inhabitants. About 30 percent of its pre-1939 inhabitants were either killed, deported to Sibiria or fled the country, making Estonia among the countries facing the greatest human losses during this
After World War II, when the Molotov-Ribentrop pact between Germany and Soviet Union resulted in the annexation of Estonia into the Soviet Union, Russian speaking people gradually made up a larger part of Estonia’s inhabitants. Many of these Russian speaking peoples did not plan to stay for long in Estonia, and thus did not make the effort of learning the native language. The great flux of Russian speaking moving back and forth between other parts of the Soviet Union continued through the whole area of Soviet annexation. At independence in 1991 only 12 % of the Russian speaking population had a good command in Estonian language (Lauristin, et al. 1997:293).

During the last part of the 1970-ties the Soviet authorities made an attempt to russify the Baltic State through enhanced demands on fluency in the Russian language to obtain jobs (Smith 1994:126). For the first time Russian was introduced in the first grade of Estonian speaking schools. These attempts on the other hand in fact made a contribution to the preservation of Estonian language. This tendency was strengthened by the economic decline starting in the last half of the 70-ties (Taagepera 1993:126).

INDEPENDENCE

The broader political influence came in the end of 1988 when the first political party, except for The Communist Party of Soviet Union, The Estonian National Independence Party, was created. A few months later The Popular Front of Estonia was established. Both parties strongly supported Gorbachev’s reform policy (Nørgaard 1996:85). When the independence was regained in August 1991, the Popular Front did not manage to stay united, and eventually fragmented and contributed to a pluralisation of Estonian parties (Nørgaard 1996:86).

In 1992 a constitutional reform was carried out, and Estonia settled for a modern parliamentary model of government. The survival of democracy depends on the skills with which the elite manages the political system and the reform process. It is more difficult and complicated to transfer personal authority and legitimacy to a new personal leadership than if authority and legitimacy are rested in institutions. In the long run, the personalisation of politics and the linkage of democracy with welfare constitute the greatest obstacles to the development of a democratic political culture in the Baltic States (Nørgaard 1996:111).

Ole Nørgaard claim that the current development of a stable democracy in Estonia rest on a grassroots ‘…growth of a democratic political culture.’ And further, that political culture is hard to define in emerging democracies. Political culture, Nørgaard claim, is difficult to operationalise. Nevertheless, ‘…Soviet oppression has made the Balts insecure and unaccustomed to expressing attitudes and values’ (Nørgaard 1996:105-106).

Estonia has undoubtedly limited democratic experience, however, saying that Estonia’s conception of democracy is pre-modern, understood as lead by authoritarian
personalities, or underdeveloped implying the existence of a developed or ‘better’ model of democracy might cause problems. N. Biryukov and V. Sergeyev’s (1994) claim that a particular Russian version of peoples rules derived from the traditions of Sobors. This tradition dates back to 1500-1600, but was later abandoned before the re-introduction some 300 years later, and is founded on a more substantial conception of truth than the one relativist Western thoughts adapt to. Biryukov and Sergeyev says that it is possible to derive a particular Russian type of democracy from the culture of Sobor, that orient more toward the results of political activity than the procedure used to take political decisions. The Estonian democratic tradition has more in common with the Russian version than it has with civic, participatory democracies as they are conceived in the West.

Estonians have preferred peace and partly autonomy instead of independence at the cost of bloodshed. This does not, however, mean that the democratically elected elite of Estonia today will abstain from defending their superior position that certainly would be challenged if the Russian speaking part of the population gained access to vote.

Nørgaard (1996:106) claim that the unfulfilled expectations of democracy have left marks on institutions and peoples confidence in parliament and government. As figures from opinion polls suggest, the case of Estonia is better than the other Baltic States in this regard. Respondents were asked if they believed that the parliament principally acts ‘...in accordance with the interest of the people’. From 1991 until late 1994 the fraction that approves fall from 45 percent to 31. The same figures for Latvia is from 59 percent to 22 (Nørgaard 1996:106-108). The lack of confidence in parliament is deep rooted, as a survey made by Rose and Maley in 1994 demonstrate (Nørgaard 1996:108). The answers show that a majority believes that expert commissions, and leaders or the presidents should have the right to suspend parliament. Nørgaard try to explain this partly by the bad experience of democratic institutions and partly by the tendency to personalise politics (Nørgaard 1996:108).

Nørgaard (1996:113) claim political participation in the Baltic States is relatively low. Lithuania is a bit ahead. But then, he refers to membership and work through political parties or through single issues organisation. Despite the overall low level of political activities, the single issues may gain some attendance. Even though the Balts are expected to involve in political activity as political decisions penetrate closer to daily life, they seem to engage in non-formal political organisation. This might leave the official political scene to a narrow elite (Nørgaard 1996:113).

The current challenges to the Estonian democracy are, among other things, to securing an economic growth and manage concrete national challenges. But then also to counteract the weakness that stems from the rule of a small technocratic elite that in many cases are influenced by the former communist nomenclature used to exercise power beyond democratic control (Nørgaard 1996:118) (Steen 1997).
THE RAPID DEVELOPMENT OF CULTURAL PLURALISM

DEMOGRAPHIC DEVELOPMENT IN ESTONIA

Who have been defined and considered the 'people' in Estonia? Regarding theories of democracy it is crucial to determine who comprises the national community and elaborate what mechanisms are operative for joining this community. The demographic development can give some clues to challenges.

During the last 800 years survival through reproduction rates have been important. Estonia has through out these years had a quite low reproduction rate (Taagepera 1993:38,58) because of a combination of low birth rates and great human losses during catastrophes, war, and especially during the Stalin period. Nevertheless Estonia managed to survive (Taagepera 1993:18). In 1550 there were about 250.000 people in Estonia. At least 6 percent were living in urban surroundings, estimated to be about 8.000 in Tallinn and 6.000 in Tartu (Taagepera 1993:19). In 1900 the Baltic Germans comprised about 4 percent of the total population in Estonia (Taagepera 1993:35).

Demographic Development in Estonia from 1939 - 1980

<table>
<thead>
<tr>
<th>Year</th>
<th>Total population (millions)</th>
<th>% Estonians</th>
<th>Degree of urbanisation</th>
<th>Birth-rate</th>
<th>Death-rate</th>
<th>Natural growth thousands/5yr</th>
<th>Immigration thousands/5yr</th>
</tr>
</thead>
<tbody>
<tr>
<td>1939 pre-war borders</td>
<td>1,134</td>
<td>88</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1939 post-war borders</td>
<td>1,052</td>
<td>92</td>
<td>34</td>
<td>16,1</td>
<td>17,0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1945</td>
<td>0,854</td>
<td>94 (?)</td>
<td>31</td>
<td>15,9</td>
<td>19,4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1950</td>
<td>1,097</td>
<td>76 (?)</td>
<td>47</td>
<td>18,4</td>
<td>14,4</td>
<td>5,6</td>
<td>6,6</td>
</tr>
<tr>
<td>1955</td>
<td>1,157</td>
<td>74 (?)</td>
<td>55</td>
<td>17,9</td>
<td>11,7</td>
<td>6,8</td>
<td>3,6</td>
</tr>
<tr>
<td>1960</td>
<td>1,209</td>
<td>74</td>
<td>57</td>
<td>16,6</td>
<td>10,5</td>
<td>6,8</td>
<td>8,3</td>
</tr>
<tr>
<td>1965</td>
<td>1,285</td>
<td>71</td>
<td>62</td>
<td>14,6</td>
<td>10,5</td>
<td>5,3</td>
<td>9,0</td>
</tr>
<tr>
<td>1970</td>
<td>1,356</td>
<td>68</td>
<td>65</td>
<td>15,8</td>
<td>11,1</td>
<td>6,3</td>
<td>8,0</td>
</tr>
<tr>
<td>1975</td>
<td>1,427</td>
<td>66</td>
<td>68</td>
<td>14,9</td>
<td>11,6</td>
<td>4,4</td>
<td>4,9</td>
</tr>
<tr>
<td>1980</td>
<td>1,474</td>
<td>65</td>
<td>70</td>
<td>15,0</td>
<td>12,3</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: (Taagepera and Misiunas 1993:353-368)
Ethnic Composition of the Estonian Population from 1934 - 1994

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Titular nationality</strong></td>
<td>88,2</td>
<td>61,5</td>
<td>66,0</td>
<td>4</td>
</tr>
<tr>
<td><strong>Eastern Slav</strong></td>
<td>8,2</td>
<td>35,2</td>
<td>32,8</td>
<td>-</td>
</tr>
<tr>
<td>Russians</td>
<td>57</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ukrainians</td>
<td>79</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Belorussians</td>
<td>79</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Poles</td>
<td>0,2</td>
<td>0,2</td>
<td>0,2</td>
<td>73</td>
</tr>
<tr>
<td>Other nationalities</td>
<td>3,6</td>
<td>3,3</td>
<td>2,0</td>
<td>-</td>
</tr>
</tbody>
</table>

Source: (Nørgaard 1996:172-173)

Figures from 1934 indicate that about 12 percent for the total population living on Estonian territory were ethnically non-Estonians (Blakkisrud 1996:52). At that time, Russians comprised some 8 percent of the total population, while there was 1,5 percent Germans, 0,5 percent Jews and 0,5 percent Swedes. After The World War II and during Joseph Stalin’s industrialisation and reform processes there were tremendous changes in the demographic situation in the country. During this period almost 25 percent of the population disappeared, they where either killed, sent to Russia, or flew the country (Nørgaard 1996). Almost the whole agricultural expertise vanished during Stalin’s agricultural reforms during the 1950-ies. Simultaneously, during the 40ies to 60ies, a lot of Russian workers immigrated to Estonia.

Estonia is geographically segregated across language barriers. The Idu-Viruma region, the north-eastern part of Estonia, is inhabited mostly by Russian speaking, while the countryside of the rest of Estonia is dominated by Estonian speaking. Russian speaking live more urbanised than Estonian speaking. In Tallinn there are about 50 percent Russian speaking, living partly segregated in suburbs of the city. In the area north-east called Idu-Viruma, there were even before WW II fairly large Russian-speaking societies. For instance the old-orthodox people living around the lake Peipsi who came to Estonia in the 18th century. In Tallinn however, today inhabited by 50 percent Russian speaking, most Russian immigrants arrived between 1945-1970. Figures for the year 1979 show that the Russians now comprise almost 30 percent of the total population. During the period from 1934 to 1979 there was a slight increase in the fractions of other small non-Estonian communities as well. Simultaneously the Estonian population decreased from about 90 percent to 65. After independence in August 1991 until about 1994 approximately 100.000 Russian speaking people emigrated from Estonia. The rate of emigration after 1994 has been small and still is. This indicates that the Russian speaking left in Estonia today most likely will,
for several reasons, stay in the country. Today there are approximately 35% Russian-speaking in Estonia (30% Russians).

**Urbanisation**

The degree of urbanisation has been another feature of modern societies, indicating the decline of community based social control. In 1960 77 percent of the population in Estonia lived in urban areas. The figure for 1996 was just below 70 percent (UNDP 1998:122). Russian speakers do to a greater extent than Estonians live in urban areas. Estonians are more often engaged in agriculture. About 11 percent of the total working force in the country engage in agriculture while about 32 percent works in the industry. The service sector comprises 56.7 percent of the working force in 1996 (UNDP 1998:126). This short summary of urbanisation in Estonia shows that there are great differences between Estonians and Russian speakers regarding where and how they live and what they do for their living. Russian speakers are ‘more modern’ than their Estonian speaking cohabitants if we uses the measure of urbanisation and type of work.

**Language Skills**

During the Soviet period language barriers was managed because Estonians had a good command in Russian. The chances of having a professional carrier were linked to fluency in Russian. 30 percent of Estonians became fluent in Russian, while over 90 percent understood Russian well. There was nevertheless a change during the 1970-ies, where the reluctance among Estonians to learn Russian increased and resulted in a decline in command in Russian (Blakkisrud 1995:32).

In January 1989 new language legislation made Estonian the official language in the republic (Blakkisrud 1995:37). At this time only 8 percent of the Russian speaking were fluent in Estonian. Two years later, in 1991 about 12 percent had a very good command in Estonian. If we put together fluency and active Estonian, the figure for 1989 was 22 percent and for 1991 it was 27 percent. The share of Russian speakers that don’t know Estonian at all was 21 and 23 respectively. About half of the Russian speaking residents have a passive knowledge of Estonian (Lauristin, et al. 1997:293).

Today Estonians are reluctant learn Russian. Orientation towards the Western world increases the motivation of learning other foreign language, which can worsen the condition for bilingual communication in Estonia. Unless the Russian speaking part of the population start learning Estonian, linguistic barriers will become greater than it is today. An illustration of the development is translated literature. In 1985, literature translated from Russian to Estonian comprised 86 percent of all translations (books from countries in the Baltic Sea region, and thus not included literature in English). In 1991 the figure was 39 percent and in 1996 it was declined to 5.5 percent (Lauristin, et al. 1997:322).

Russian primary schools teach Estica, which comprise the Estonian language, literature
and history. The Russian speaking children, most likely, will master the titular language, at least when the Russian schools educate their teachers and receives appropriate materials for education in Estonian. The future scenario for Russian speaking adults that not yet can speak the Estonian language on the other hand, seem quite pessimistic. The reasons can be looked for regarding personal motivations, the ability to learn language in old age, access to good language courses, external factors influencing on subjective motivations etc.

**Citizenship**

In 1996 29 percent of the Russian speaking community (totally 525 000 in January) held Estonian citizenship, while 12 percent had applied. 35 percent where without any citizenship and 24 percent either had citizenship in a CIS country or was applying for one (Lauristin, et al. 1997:286-7). The language test non-citizens has to pass in order to naturalise or get employment involving comprehensive communication consists of four parts: written (two questions), listening (twelve exercises, at least 7 to be answered correctly), reading (sixteen exercises, at least nine to be answered correctly) and conversation. These requirements correspond to category E. The test is divided into six categories from A to F (best). (Uibopuu 1994: 37, in Thiele 1999). In 1996 7940 non-citizens passed this language test in order to qualify for employment that demand communicative skills. The annual rate seem to slightly decline, being the highest in 1993 when 32 862 Russian speakers passed the test, followed by 17 012 in 1994, and 13 568 in 1995 (Järve and Wellmann 1999:52). The figures for the language test for citizenship amounts to 3 153 in 1996. About 200 people pass this exam each month, and the success rate is about 80 percent (Järve and Wellmann 1999:53)

There are no major obstacles to demand knowledge of the titular language in order to naturalise. The Tallinn debate focus on two slightly different aspects related to citizenship. The first is about the legitimacy of demanding a connection to the Estonian State before 1940. Many of the Human Rights actors are in favour of the zero-option, giving citizenship to all natural persons living on the Estonian territory at independence. The second issue is related to the level of knowledge in Estonian. Calling upon international law and interpretation of the case of Costa Rica, Human Rights actors claim that is suffice to have a passive knowledge and not as the Estonian law demands, proficiency at the level of higher education (Thiele 1999:20).

**Cross-cultural Encounters**

Prior to WW II there were only a few percent of the population living in Estonia that did not speak Estonian. Minority groups were during the early independence clustered, like in the eastern borderlands regarding Russians and the western islands regarding the Swedes, the local township made it possible to run schools in their own language (Taagepera 1993:51).
Intra-ethnic marriages are often used as an indicator of the level of integration between different groups. The rate of intermarriage in Estonia has been and still is lower than in the other Baltic States. Only 5 percent of Estonians marry a non-Estonian. This may indicate a low level of interaction (Nørgaard 1996:176). The divided educational systems accompanied by a marked language based difference in choice of type of higher education (Nørgaard 1996:177) reduce the number of potential meeting places. Some Russian speaking, mostly non-Russian, parents send their children to Estonian kindergartens and schools. Even though Estonian country schools always have had Russian speaking pupils, this represent one of the major challenge for the Estonian education system to receive a lot of children that cannot speak Estonian. In the near future though, sending children to Estonian schools is unlikely to be the dominant choice among Russian speaking parents.

Three different aspects are important in the Estonian context. First is the segregation of Russian speaking in the cities, the second is the region of Idu-Viruma and the third is the challenge of integrating Russian speaking at the countryside of Estonia, where they have to join Estonian speaking primary schools without any knowledge of the Estonian language in advance. Each of these challenges differs in character, and has to be approached differently. Nevertheless, some overarching approach is also necessary.
VII Methodology

‘In societies like ours…”Truth” is centred on the form of scientific discourse and the institutions which produce it…it is the issue of a whole political debate and social confrontation.’ Michel Foucault

STIR UP A HORNETS' NEST?

My intention was to explore this ticklish subject of integration and look for the Human Rights actor’s strategies to accomplish ‘…that society is better off’, like one of the participants at the Tallinn seminar phrased it. I soon found myself in an unpleasant position that at first was difficult to sort out. The reason for getting into this thwarted situation is related to the nature of my study. On the one hand it can be referred to the inner logic of the system of Human Rights and its need for legitimising Human Rights internationally. The system of Human Rights operates with concepts at the level of the individual while they focus on states as the subject to execute Human Rights. There are certain incompatibilities between the concerns of gaining legitimacy and converting interpretations of Human Rights into functional social practice. On the other hand the difficulties can be traced back to the sociological conceptualisation of integration, which traditionally depart from asking ontological questions. This position tends to underestimate or completely disregard the aspects of social construction of reality that reveal itself when epistemological questions are raised prior to substantial investigation of the term integration. A third disturbing feature is the political aspect of Human Rights. Political ideologies tend to conceive of society differently, and some of the exposed disputes in Tallinn clearly relate to differences between communitarian and liberal understandings. What is important is to balance between science and politics, and the best way to do it is to clarify the political aspect of the present work. I shall try to do so in chapter IX.

DISTURBING HUMAN RIGHTS

To question the functionality of Human Rights implicitly means to expose the magic constituting their legitimacy. The emotional resistance evoked when I asked some Human Rights actors to elaborate their arguments exposed in the discourse indicate the difficult position of functional questions. The reaction is close to reactions evoked when exposing a taboo. The excerpts from the discourse, the documents available and the personal communication don’t give a comprehensive picture of the background for these reactions. Nevertheless, their function can be interpreted as attempts of self-immunisation within a
perspective of ideology (Skirbekk 1986:39).

The title of the Tallinn seminar included the term ‘integration’, a concept that seem to carry with it many ambiguous connotations which I later realised was the major source of the frustrations I experienced during analysis. Integration is an anomalous or at least ambivalent term in the Human Rights actor’s vocabulary. It is, as we shall see later contradictory to i.e., interpretations of political and cultural rights. Some of the reasons for this can be traced back to different outlooks on society and the liberalist conception of an individual disconnected from the social web. To acknowledge importance of socio-cultural issues would limit the notion of plural societies, which constitute a basic ideological idea within the Human Rights system. Discussing integration and democracy, without operationalised limits to what plural society is, becomes next to impossible.

GUARANTEED ABSENCE OF UNINTENDED CONSEQUENCES?

Human Rights actor’s implicit reluctance to consider potential unintended consequences of their actions led me into no-man’s land. I was captured between searching for scientific verification and humanitarian and moral ideals of making the world a better place. The latter is a partly a political task that has to be exercised despite lack of scientific evidence. However, it could be both immoral and disastrous to guide the Estonian population and the Estonian government to act contrary to existing social scientific knowledge even when the aim is framed in political terms. Not informing the receivers of assistance of these loopholes would be, in my opinion, immoral.

Being aware of the double-hermeneutic effect of experts understanding of the world, Human Rights actors can play a card postulating that social practice will coincide with Human Rights interpretations if people believe in their superiority. The clue should then be to reveal the conditions making this belief come true. The Human Rights actors’ partly postmodern (Lyotard 1984:14-17) and partly liberal perspective on knowledge severely undermines the role of socio-cultural factors in society. In the first case it is the actual impact that is questioned, in the second it is the state’s legitimate right to interfere that is questioned. The result is a distorted image of social dynamics.

I find myself in a rather baffling position, nevertheless, the position may be fruitful as a point of departure to pinpoint some of the blind spots in both the sociological approach and the Human Rights approach. The analysis will surely reflect the discomfiture raising from the more or less chronic dilemmas appearing when the excerpts from the Tallinn debate is confronted with sociological perspectives on social change and integration.
THEORETICAL AND METHODOLOGICAL ASPECTS OF DISCOURSE

‘The rule of validity in science is a logical way of approving or rejecting the truthfulness of propositions. Validity, then is a logical criterion (logical or practical) of whether something is true or not.’ Regi Theodor Enerstedt (1989:145)

The guiding question of discourse analysis is according to Potter and Wetherell (1987:160) ‘…how is discourse put together, and what is gained by this construction.’ Discourse analysis is most of all concerned with finding out why a particular problem is formulated in a certain way or what procedures are used to authorise factual accounts. (Potter and Wetherell 1987:181-182). To answer such questions means to look at construction, variation and function. First one should look for patterns in the data material. Variation and differences of accounts in form and content are informative. To settle what different features that are accounted for in similar way and the consistency or lack of consistency comprise information of patterns. Secondly, one should look for functions and consequences of utterances that could be verified linguistically (Potter and Wetherell 1987:168).

Niklas Luhmann propose to look for contradictions appearing in communication because they are potent triggers of action. They can tell something about the direction of development and particularly the unintended outcomes of actions. Potter and Wetherell suggest the term repertoires to describe how actors account for contradictory statements. These repertoires help people make sense of their own contradictory utterances, mainly by not being in use simultaneously.

THE PATH FROM INTERPRETATION TO PRACTICE

An interpretation of reality that is close to reality is an understanding of the social dynamics of a particular environment that makes the world appear predictable. This is what Mary Douglas (1992) uses as a departure for assessing validity. The clue is to be able to anticipating the result of a certain event or action. Karl Mannheim define the utopian utterance as an assumption ‘…incongruous with the state of reality within which it occurs.’ (Mannheim 1936:173). His definition expresses a, partly false in a perspective of postmodernity or reflexive modernity, assumption that the state of reality can easily be settled. Nevertheless, utopian utterances by definition do not pass the test suggested by Douglas.

Ethnomethodology, structuralism and post-structuralism mainly focus on how expressions and discourse is presented, the focus is on the form. Hermeneutics in addition consider the content of expressions and try to relate them to a broader universe of
meaning in which the expression is uttered. Both form and content is important when we
wish to look at the function of discourse.

Jonathan Potter and Margaret Wetherell (1987:138-157) introduce the term interpretive repertoires. People make sense of their contradictory expressions by framing them into different interpretative repertoires. In this way we could expect to reveal different interpretations of integration in use in different circumstances. The dimension of time reduces contradiction because different repertoires usually appear in different situations. Luhmann (1984, 357-404), though, says that time have the potential of both creating and neutralising contradictions.

The division between linguistic representation and ‘real’ events is, according to Potter and Wetherell (Potter and Wetherell 1987:181-2) a philosophical construction belonging to the history of the Western societies that have a tendency to tie scientific explanation to one of these contradictory poles. This is at the kernel of the methodological question put forward in this section. I have chosen the stance of critical realism, acknowledging that ‘real’ events do occur outside the linguistic representation of reality. I want to question how the Tallinn discourse influences social practice and maintain democracy in Estonia. These questions exceed the narrow scope of the discourse. It should be noted that overemphasising the textual action, which often is the case in postmodern understandings, lead to undermining the fact that expressions and discourse have ‘real’ and observable consequences that are not solely the result of the postmodern notion of linguistic play (Fangen 1997:17).

**RESEARCH DESIGN – A CASE STUDY**

The present study focuses on the challenge of integration in Estonia. A historical perspective describing the rough lines of history and recent demographic development comprise the frame in which current challenges are interpreted. The historical part is based on secondary literature mostly written by Estonian historians.

The aim is to analyse how Human Rights actors work as it is carried out in the discourse at the Tallinn seminar might affect the development of Estonian society and particularly how it affects democracy. This is a tricky operation of constructing a link between the functioning of discourse and theories of social change. I have chosen to apply Boudon’s theory on unintended consequences of social action as the bridge between the two. His notions of the web of interdependency between actors and institutions and traditions makes it possible to start from actual discourse and walk the way towards interpreting the impact of Human Rights actors uttering in a broader perspective. By using data from an actually occurring discourse I avoid the bias and idealisation that otherwise could have been the result if single interviews of Human Rights actors were applied. I am not concerned with the Human Rights actors’ attitudes or beliefs when they attend the debate, but would rather like to interpret how they explicitly or implicitly express their
understanding of the challenges concerning integration in Estonia. In this regard, actual occurring incidents of discourse are best fit. Actual discourse are better fit to revealing strategic moves, and thus makes it possible to assess the role which Human Rights actors try to obtain. However, actual discourses have to be interpreted in context. Besides the historical background, official documents written by the Human Rights actors are used to draw the contextual lines. The positions of the participating Human Rights actors are revealed by an analysis of their institutional affiliation, and by asking what kind of question they engage themselves with. And lastly, these Human Rights are positioned within a larger web comprising i.e., Russia, the European Union and other Human Rights institutions. It is of course not possible to reveal all aspects of the impact of discourse on social development, however some important areas are highlighted that shed light on some dilemmas faced by Human Rights actors and by Estonian government dealing with a multicultural modern society.

**THE ‘MISSIONARY’ OR ‘EDUCATOR’ STYLE**

When I read through the excerpts from the Tallinn seminar I got the impression that the Human Rights actors where shifting between the roles of ‘the missionary’ and ‘the educator’. The discourse made sense in different ways when the image of the Human Rights actors’ role was altered and when different Human Rights actors seemed to play both roles simultaneously. This interplay created a particular dynamics in the discourse, making it difficult to get a grip on what was scientifically supported arguments and what was ideological rhetoric. The distinction between scientifically and ideological utterances becomes less important when the function of utterances are explored. Then the scientific or ideological comprise the form, or the interpretative repertoire in which the utterances is framed. In a functional analytic perspective the distinction between scientific and ideological utterances is a question of validity. The not yet falsified argument, based on thick descriptions and not only formal theoretical models, is scientific according to Boudon (1994). Generalisation of formal theory without explaining contextual conditions is rhetoric.

Max Weber (1999) has discussed the implication of values within the scientific domain. I find his elaboration of ‘pragmatic judgement of values’ particularly relevant to shed light on these issues. Weber (1999:108-9) deparst from the role of the academic educator and asks how the educator could and should relate to the distinction between science and values. He admits that there is a difference between logical explicable and empirical issues on the one hand and the pragmatic, aesthetic and moral judgements. Both belong to the domain of the educator says Weber (1999:109), if, and only if, the teacher maintain as his duty to clarify to his audience, and even more important to himself, what is logical reasoning and empirical facts and what is pragmatic judgements of values. It is a minimum requirement to intellectual integrity.
I shall depart from Weber’s reflections on the discourse of pragmatic judgements of values (Weber 1999:123). Even though the expert meeting in Tallinn cannot settle all types of minority questions regarding Human Rights, the aim of the discourse should be to assist Estonia and make sure that the development is heading right. What is right can be discussed, but in this work ‘heading right’ imply maintaining a functional democracy. Weber insists that a properly conducted discourse on pragmatic judgements of values have the potential to enrich the empirical focused research. It is the link between normatively based formal procedures prescribed by Human Rights and empirical research that are of particular interest in the Tallinn debate.

Weber lines out four aspects of a proper discourse on these issues. The first is to reveal the essential values linked to the diverse expression appearing in the discourse. It is important to revealing, not only the opponents, but ones own stance as well. The clue is to abstract and concentrate judgements of values in a way that makes them principal judgements. The result is a discourse basing its legitimacy on logic.

The second aspect is to deduce the consequences of a particular normative stance. The Human Rights approach implicitly depart from this type of discussions, however the Tallinn seminar is obviously not a proper arena because these discourses takes place within the international community of Human Rights. Weber stresses that this approach have to collect empirical observations in order to elaborate as many aspects as possible concerning the practical consequences if this particular normative stance should be the axiom guiding actions.

The third aspect is to clarify the actual effects of the implementation of a particular strategy intended to meet a challenge. This refer to what this present work is aiming at. It is not focusing on collecting empirical data supporting or opposing Human Rights, as explained in Weber’s second point. But then to explore the Human Rights actors’ strategies as they are appearing in Tallinn. Practical implications of strategies can be analysed by looking for interdependencies that create conditions for unintended consequences (Boudon 1982b). Weber points to realistic assumptions about available resources as an important aspect. In fact we could interpret democratic culture, communicative conditions and empathic reservoir as resources in the project of human resource management of Human Rights actors.

The fourth aspect is that discourses along the lines suggested above can give rise to new axioms that were not realised when the discourse started. When new axioms appear the discussion has to be repeated according to the first point, namely the principal aspects, and according to the second point, namely the practical aspects.

Weber’s proposed procedure can be regarded as a mechanism of correcting ideologies in a way that prevent them from becoming functional self-destructive. His scheme can thus be used as a comparison when exploring the procedures of discourse and the
possibility for ideological distortion at the Tallinn seminar.

No doubt, the complexity of modern society makes it methodologically insurmountable to reveal all aspects of unintended consequences. Temporality adds uncertainty as Luhmann points out. The difficulties in forecasting social change, intended or not, prepare the grounds on which ideological rhetoric thrive. And even if we can at least analytically distinguish values and science by the help of Weber’s scheme, we still have to cope with the fact that reality partly is a social construction and that generally acknowledged axioms substantially influence social practice.

**CONTRADICTIONS AS TRIGGERS OF ACTION**

If we wish to explore what triggers action we can, according to Luhmann (Luhmann 1984, 38x-404), ask how contradictions are created from the horizon of universe of meanings, and how issues contradicting each other are unified into contradiction. We should look for the logic constituting contradictions and look for what transforms and combines distinctions, oppositions and competing issues into contradictions. We should also look for how contradictions (consciously or not) are constructed and managed. Contradictions trigger responsive action and thus they have functions. In the following the contradictions appearing in the texts are identified and their functions explored. Contextual knowledge is crucial to capture something as a contradiction, because the contradictions are created according to the ‘universe of meaning’ in which it appear.

**TWOD AS A MECHANISM OF REDUCING TEMPORAL UNCERTAINTIES**

When contradictory utterances occur at the same time, Potter and Wetherell (1987) says that people turn to the ‘truth will out device’ (TWOD). TWOD mean that the future is appointed the judge of peoples’ accounts. Contradictory statement becomes contradictory because of lack of evidence, evidence that the future will bring. In the setting of scientists, this mechanism helps to maintain the belief in an empiricist repertoire.

To the community of scientist, the empiricist repertoire is the common repertoire from which legitimacy and validity claims are taken. Even if validity claims are negotiable and not objectively given, temporality may constitute both an opportunity and an obstacle in arguing for ones theories. This is what Potter and Wetherell observed namely that researchers discredited competing theorist by the same device (temporality) as they themselves use to explain their own theories superiority.

The Tallinn discourse takes place in the veiled of uncertainties linked to theories of social change. Society is better off if states comply with Human Rights. However this utterance refers to the future, it is a statement that Luhmann would term imaginations of the present future. The actual social practice that, in the future, manifest itself is termed future presents. Lack of empirical evidence, because Human Rights actors don’t look for them (?), or lack of theoretical and philosophical foundation to grasp social change, makes
plenty of room for manipulation and strategic play. Of course the same uncertainty regarding social change applies to sociology and interpretations of integration. The question is how Human Rights actors makes use of science and how they account for their beliefs in particular plans for action regarding the challenges of integration in Estonia.

‘GOOD GUYS’ AND ‘BAD GUYS’

The email answers from a participating Human Rights lawyer after the seminar suggest what comprehensive defence mechanisms that can be triggered. I asked him to elaborate his arguments in support of his utterance that ‘...society will be better off...’ if Estonia complied with Human Rights. He answered:

...history is full of examples of instability being caused by oppression. International human rights defines what kinds of oppression are now deemed morally unacceptable and even dangerous in terms of peaceful coexistence. Those are the guiding principles which became more urgent after the realisation of some of the horrors of the Second World War and the Holocaust. I am a bit surprised at your comment here: do you mean the conduct of the Talibans should not be condemned? If they are, it has to be from a common human understanding, not a European one. International human rights represents that difficult universal consensus (and I am speaking here of international human rights, not the Western concept of human rights- they are not the same).

How should I interpret this answer? Is it a mechanism of self-immunisation or an attempt to withdraw from critique by attaching possible motives or the malicious position of the questioner? Is it an attempt to argue that international Human Rights protect, on a universal ground, the human being against the harassment of the Talibans and to avoid a new Holocaust? The generalised arguing, that instability and oppression can be appropriately dealt with by applying Human Rights is a formal model according to the scheme of Boudon, and thus as an argument it is of little worth unless it is properly contextualised. To avoid this kind of argumentation – either because it is comprehensive or because available cases and data are scarce or weak – he mirrors suspicion on my motives for asking him to argue. Similar strategies were used against liberal nationalist utterances of Estonians in the Tallinn discourse.

However, in spite of empirical evidence, rhetorical utterances cannot be called dysfunctional without further explanation of their function. The rhetoric of Human Rights actors works to strengthen the legitimacy of Human Rights. It perhaps makes it more likely that states comply with Human Rights. No harm is done as long as the result of compliance by the states and Human Rights actors work turn out as expected, namely to create a society that is ‘better off’.
UNINTENDED CONSEQUENCES OF SOCIAL ACTION

Raymond Boudon explores the paradox of reaching a situation nobody wants, even in the absence of ill will on behalf of the actors involved. Boudon (1982b) postulates a high risk of unintended consequences if there are major incompatibilities between different elements in society. The interdependence between units of society may result in perverted outcomes. Eliminating interdependence costs are expensive. If the costs are high, the willingness to reduce interdependence falls. Institutions usually reduce interdependence costs, but then there are always limits to how comprehensive the reduction of risks can be.

I want here to advance the analysis of social change by isolating one of the basic mechanisms involved, that of the perverse effect. I will therefore assert that there is a perverse effect when two (or more) individuals, in pursuing a given objective, generate an unintended state of affairs which may be undesirable form the point of view of both or one of them (Boudon 1982a:13-14).

SOCIAL CHANGE

It is not obvious that the criteria of validity refer to the practical applicability of a theory or a model. But if this is the case, then the theory or model has passed an important stage. Raymond Boudon (Boudon 1994:221) claim that theories or models not passing this stage of validity judgements could be used as objects for ideologies and represent utopian thinking. Utopian thinking perhaps misinterprets formal theories in that they are taken for real, forgetting to consider that the postulates hidden in formal models are conditional.

The intentions of the Human Rights actors assisting the Estonian social scientist are connected to a notion of future social development as beneficial if Estonia adapts the suggested interpretations of Human Rights. These themes are related to social development. The ability to forecast social development is a question related to the philosophy of history. The major questions of historical philosophy is if it, at all, is possible to anticipate social change, or if the proper scientific approach is to settle with a detailed historical description that only look retrospectively.

Raymond Boudon (1994) has devoted his book ‘Theories of Social Change’ to describe different aspects of the concept of social change. He departs from Robert Nisbet’s ‘Social Change and History’. Nisbet dismisses the idea of social change in favour of a historical approach as the proper scientific approach. Gerhard Lenski later published an article on ‘History and Social Change’, turning Nisbet’s title around. Lenski reaffirmed the legitimacy of the idea of social change and tried to restore the former status of the notion of evolution.

By lending the assumptions of the multilinear (as opposed to unilinear) notion of evolution put forward by the anthropologists Shalins and Service in the early 1960-ies, Lenski claimed that ‘...there are incontrovertibly such things as partial changes moving in a particular direction to defend the theory of social change quite separate from history...’ (Boudon 1994:7) Boudon expresses the question like this: ‘...is an acceptable, valid or legitimate
Joseph Alois Schumpeter (1911-) had earlier discussed the problems of historical sociology, which, in his opinion is connected to an older tradition of philosophy of history (Boudon 1994:8). Boudon claim that if we follow the arguments of Schumpeter, who points out that the same problem can appear in many guises, we can ask if the idea of social change simply rises the questions once appearing in relation to historical sociology and philosophy of history. In short Boudon answer yes to this question, and argue that Georg Simmel at the beginning of this century already had discussed epistemological problems in the field of philosophy of history in his work ‘The Problems of the Philosophy of History’. Simmel’s idea is reappearing in Nisbet’s work albeit in a different wording. Social sciences are distinct from history, says Simmel, not because their task is to establishing nomothetic propositions (laws), but because they are formal in nature (Boudon 1994:197).

The notion of models is epistemological quite different from that of laws. Models do not necessarily imply any empirical conclusion and hence they have no predictions. They can only be linked to reality indirectly, by taking varying circumstances into account (Boudon 1994:200-201). When formal theories, like i.e., Parsons’ cultural theory, Merton ‘s functional analysis, or theories of evolution, are conditioned in such way that it can be refuted they qualify as scientific according to Popper’s theorem of falsification. Formal theories cannot be refuted they are simply interpretative frameworks. Thus any theories of evolution have to be clarified by filling in sufficiently historical data if they are to become stricto sensu theories (Boudon 1994:206-207). In Boudon’s wording: ‘A history of theories of social change would therefore insist that the specific and diffuse demands they have tried to respond to should be expressed in precise terms and that there should be a rigorous assessment of the effect of such demands on the theories.’ (Boudon 1994:216)

**CONCLUDING REMARKS**

Lumann’s thoughts of conflicts and contradictions as triggers of action constitute the basis of the analytic framework. The aim is to reveal the dilemmas rather than to hide or to dissolve them. Weber’s ideas of how the ‘educator’ ideally should act are used as the analytic basis of describing the roles of Human Rights actors within the dichotomy of educators/missionaries. Their role is implicitly linked to Dahl’s term appropriate authority, referring to the legitimate placing of right to decide on the matters discussed at the seminar, either to the nation-state or to the international community of Human Rights. The ‘appropriateness’ is next judged according to the Human Rights actors’ ability, interpreted on the basis of exposed strategies and understanding, to maintain a well functioning democracy. The latter is accomplished by reference to the ideas discussed in chapter III and IV.
VIII Interpretations of Integration

‘Many familiar phenomena are the manifestation or the consequence of perverse effects, or again the result of attempts made by the collectivity to eliminate them.’ R.Boudon (Boudon 1982b:1). ‘Predictions sometimes have a tendency to come true of themselves, not because those who utter them are able to read God’s plans, but because a prediction becomes a social fact the moment it is uttered.’ (Boudon 1982b:3)

The Baltic States access to the European Union is intrinsically linked to compliance with Human Rights. The OSCE office in Tallinn, which controls compliance, says that there are no systematic or severe violations against Human Rights in Estonia. The crucial issues to the European Union directly related to Human Rights are concerns for statelessness and citizenship regulation.

Justified or unjustified claims of violation of Human Rights in Estonia have been, and still can be, important to the relationship between Estonia and Russia. In the summer of 1993 i.e., the tension between the two states increased as a result of a law on the status of aliens adopted by the Estonian parliament. The Russian Foreign Ministry protested against this law and characterised it as a grave violation of Human Rights. Shortly after the gas deliveries from Russia were cut off to all The Baltic States, but in the case of Estonia, with explicit reference to the law on aliens (Zaagman 1999:25). The OSCE was asked by President Lennart Meri to assist the Estonian government in this situation. OSCE and The High Commissioners suggested a rephrasing of the law and to establish a roundtable on minority issues. The Estonian government followed these recommendations that was supported by experts from the Council of Europe.

This is an example of the complex interplay between The European Union, Russia and Human Rights oriented institutions, that shapes the context in which the Tallinn debate takes place and the attending Human Rights actors are involved. How Human Rights actors express themselves about Estonia influence on Estonia’s external relationships, regarding economic as well as geopolitical issues, to Russia and to The European Union.

And of course, the uttering of Human Rights actors in media or written materials may in complex ways influence the relationship between Estonian speaking and Russian speaking residents in Estonia.
THE HUMAN RIGHTS ACTORS

The following presentation of the Tallinn seminar participants and the institutions they are affiliated with aim at clarifying what kind of questions, empirical material, and analytical categorise they focus on. I shall theoretically draw upon The Merton Thesis (Zuckerman 1989:242-262) and identify relevant generic and subject specific issues that may influence the problem selection and neglect of the Human Rights actors in my material.

The Human Rights actors and their institutions do not, with some exception (Birckenbach and Kolstø), involve in questions concerning integration. They are interested in the integration policy of the Estonian government because it deals with the regulation of citizenship and thus political rights. The language laws of Estonia comprise the subject matter all Human Rights participants. During the presentation I shall explore what kind of analytical categories and what kind of empirical material the institutions focus on. But first I will give a brief introduction to the system of Human Rights.

THE SYSTEM OF HUMAN RIGHTS

Human Rights comprise of a set of instruments, conventions and treaties. Discussions at the international level are held within assemblies and committees who interpret and reinforce, add or change the wording in the instruments or make recommendations.

THE SHORT STORY ABOUT HUMAN RIGHTS

The World Declaration on Human Rights was signed in 1948, however in a perspective of history of ideas, the notion of (human) rights dates back to the 11th century when the Magna Charta introduced civil rights. The American Amendment appearing after the revolution in the second half of the 16th century is closer to the phrasing of current Human Rights. Later, during the 17th century democratic rights appeared. Between the two world wars ILO (International Labour Organisation) introduced labour rights which highly influenced the framing of social and economic rights within the Human Rights instruments later.

THE HUMAN RIGHTS INSTRUMENTS

Today the two most important Human Rights instruments are The International Convention for Civil and Political Rights and The International Convention for Economic, Social and Cultural Rights ratified signed on The United Nation’s General Assembly the 16. December 1966, and ratified in 1976. In the case of Estonia the European Framework Convention for Protection of National Minorities, ratified in 1991, is additionally important. What is meant by internationally recognised human rights is an agreement on principles (and not necessarily practice) by official state representatives.

There are legitimate exceptions for violating the current interpretation of Human Rights. If there are severe threats to people health, the morality of society and to
democracy exceptions are allowed (Lindholm 1998). In this case we should ask what the Human Rights actors (as legitimate interpreters) consider to be severe threats to democracy.

It is necessary to point out that Human Rights have to be conceived as they are interpreted, and not simply as they are worded in the instruments. This implies the existence of a reflexive community of Human Rights interpreters.

**Human Rights as Thin Normative Descriptions and the Autonomy of the State**

It can be illustrative to regard the internationally recognised Human Rights in context of what Michael Walzer’s (1994) call thin morality. Walzer refer to a minimalist normative framework that could (and should) be applied to a diverse set of actual social practices. Social practices represent thick normative description. Thick descriptions contain traditions and culture specific to the society in question. Jack Donnelly (Donnelly 1989) stresses that Human Rights should allow different cultural expression of thick normative descriptions up to the point that these expressions do not violate Human Rights (as thin normative descriptions). It is however difficult to see how Donnelly rightfully can be said to interpret Human Rights as ‘thin’ because he can only understand compliance with Human Rights so tightly linked to a particular social liberal regime (Donnelly 1989:66-87) that one could doubt there is room for a broad diversity. My point is that unless Human Rights are considered as thin normative guidelines, Human Rights interpreters risk becoming the leading figures of altruistic imperialism. In order to avoid this position the states have to be granted some autonomy when Human Rights are turned into social practice.

**Human Rights Interpreters and Democratic Authority**

I shall recall the writings of Robert Dahl (1970:45-79) on authority in democracies and phrase his key question in the context of Estonia. Dahl points to the democratic challenge to decide who rightfully constitutes ‘the people’. There are no correct answer, he says, what is at stake is to find the form of authority ‘...most appropriate to the circumstances.’ (Dahl 1970:75). We can ask what kind of circumstances the Estonian society with its fairly large Russian speaking population is facing and what appropriate authority that fit. This question is of course extremely complicated, and has to be dealt with at different levels. Nevertheless, I find this a fruitful point of departure for discussing the level of authority on issues related to language and citizenship. The reason is that Human Rights actors in fact claim to possess appropriate authority, explicitly or implicitly, by interfering with the government’s integration policy. I can not answer the question of authority from a political or normative stance, but I can suggest an answer by applying a sociological perspective that question the scope, empirical material, and analytical categories used by Human Rights interpreters. Maintenance of democracy is according to Dahl a necessary condition for calling democratic authority appropriate. The question is thus: if Human Rights actors...
understanding of social life are fit to grasp the dynamics underlying the maintenance of democracy.

**PROBLEM SELECTION AND NEGLECT**

The ways in which theoretical perspectives identify certain concepts and problems worth investigation can also tell what areas are neglected. Merton (Zuckerman 1989) suggest to look for generic and subject specific issues related to a particular area of research in order to explore how subjects of investigation are selected. I will not argue about the advantages and flaws of Merton’s theory. In this case the aim is to roughly suggest ideas regarding selection of problems as a contextual description for the Tallinn discourse.

The generic issues comprise three areas, the first is that institutional interdependency vary according to time and space. The second is the sources of an emerging social pattern and, the often, different issues that account for the persistence of the same system. The third feature is the problem choices, which in the generic case comprise the difference between subjective motivations and the social role played by the research (objective outcome).

The subject specific issues refer to Merton’s claim that external socio-economic influence produces substantial shifts in interests among scientists. The recruitment to different areas change and thus the patterns of problem choice changes. The external changes can influence directly or indirectly. The interplay between the two are important, and Merton provide an example of how the theoretical perspective, intrinsically scientifically, can interact with socio-economic factors, such as recruitment or facilitating social interaction, to produce particular distributions of problem choice.

**THE HUMAN RIGHTS PARTICIPANTS IN TALLINN**

Interdependency is created, says Merton, because individuals occupy multiple social statuses in different institutional spheres. The consequences of actions in one institutional domain influence on what people do in others. The Human Rights participants all know each other well, and most of them attended the previous Flensburg seminar in May 1998. Many of the experts are lawyers specialised on minorities, and participate in regular European and international meetings discussing these issues. The legal interpretation of Human Rights does not necessarily need to refer to social practice, it can, and mostly do, refer to itself, to the legal system. Knowledge that complicates simple legal solutions to modern challenges would probably not threaten the system which easily could exclude it as irrelevant, but it could draw into doubt the loyal position of the ones that dare ask this sort of questions. There is thus a risk that the discourse at the Tallinn seminar is framed in narrow legal terms.

The represented institutions are relatively new. The Norwegian Institute for Human Rights (NIHR), one of the oldest, started as a research project founded by the Norwegian Research Council and was made permanent in 1987 by a decision in the Parliament. The
other institutions came into existence in the middle of the 90-ies. As we saw in the
discussion on nationalism, Smith identified the paradox of increasing ethnic conflicts in a
modernising world. The inauguration of OSCE in 1972 and the later proliferation of
Human Rights institutions in the West can be seen as an attempt to answer the challenge
of ethnic conflicts. The Schleswig Holstein Institute (SHIP) is an example. The institute was
launched in 1995, four years after the fall of the Soviet Union, and their particular scope is
to contribute to peaceful conflict management in the Baltic Sea Region. They focus mainly
on regional safety and Russian speaking living outside Russia. The situation in Estonia
seems also to offer opportunities for continued work for SHIP. Like SHIP, the European
Centre for Minority Issues (ECMI) also involves in ethno-political tension and both
institutions are less concerned about strictly legal questions compared to the other
institutions represented.

It is beyond doubt that the Human Rights actors attending the Tallinn seminar have
good intentions and that they really believe that Estonia will be better off if they comply
with current interpretation of Human Rights. But as Merton points out, this does not
necessarily mean that the actual outcome of their actions is beneficial. The social roles
played by the research and the actions of Human Rights interpretors goes far beyond their
subjective beliefs and attitudes, and in this case it is these objective consequences that are
of most interest to us.

I shall go into detail of NIHR because the institution is relatively large compared to the
others and express typical features of what is also considered relevant subject matters
among the other institutions. And then I shall present the Legal Information Centre for
Human Rights (LICHR) because of its position as a domestic actor in Estonia.

THE NORWEGIAN INSTITUTE FOR HUMAN RIGHTS AS AN EXAMPLE

NIHR have four major areas of research, a fifth concerned with Human Rights in Norway
was added this year. The first area is the universalisation of human rights particularly
emphasising the role of the UN. The second area is human rights and the European Union
. The aim is to look at the legal, political and social development in various European
states. The third area is human rights and normative traditions. Globally recognised
human rights are related to the diversity and partly conflicting normative doctrines and
cultures. The aim is to facilitate culturally based support so that human rights can be
implemented. The fourth area is human rights and development, focusing on human
rights in political transition especially in the South.

In 1997 the Institute started a research project in co-operation with the Legal
Information Centre for Human Rights (LICHR) in Estonia, and the Latvian Human Rights
Institute at the University of Latvia. Areas of research are mainly connected to minority
questions.

It is possible to define four major areas of concern to NIHR. The first is legal and
organisational question at the international level. The second is comparative legal and administrative studies at the national level. The third is normative and anthropological questions aiming at harmonising different religious views, particularly the Christian and Islam, with Human Rights. The fourth area of concern is related to historical-social scientific questions focused on the conditions for and the hindrances to implementing Human Rights (Lindholm 1998). There are no concerns whatsoever regarding surveillance of unintended consequences of the implementation of Human Rights.

THE LEGAL INFORMATION CENTRE FOR HUMAN RIGHTS
The Legal Information Centre for Human Rights is the only institution that also appears as a domestic actor. Aleksej Semjonov, the leader of one of the two Russian political parties, considered being separatist in his viewpoints, is the head of the information centre. LICHR was established in May 1992 as a non-governmental organisation on the initiative of five citizens of Tallinn. The centre is financed by the Danish Ministry of Foreign Affairs (DANIDA), NIHR, European Union (the Phare&Tacis Democracy Programme) and from the Dutch and British Embassy in Estonia, to support the development of democracy and promoting the process of integration of ethnic minorities in Estonia. Active support have been given from the Danish Centre for Human Rights, the Information Centre on Eastern Europe, Minority Rights Group-Denmark and by members of the Round Table on Ethnic Minorities of the President of Estonia and other officials. The objectives of the centre are to increase the awareness of, and contributing to the safeguarding of Human Rights. They spread information, give free legal advice to individuals appealing to Human Rights, and support attempts on bringing the Estonian legislation in accordance with international Human Rights standards. LICHR thus get economical as well as knowledge based support from a broad range of foreign institutions to conduct their work. During the interview I had with Semjonov in Tallinn he told about his goals inspired by the Swiss State. It is an illustration of his political work and tell something about how he perceive the question of national integration.

It is, my dream is that it might be a common value, the same attitude toward the future of Estonia. That Estonia might be an open society, might be a society where diversity is a value, that we can reach this unity through diversity, not at the expense of it, refusing diversity…. Common goals is much more important to me, like Switzerland for example is another very good example, they don’t mix with each other, Frenchmen and Germans and Italians. But they have their common goal to preserve their unique Swiss State. Their plurality and unity through plurality, unity through diversity and so on, that is their value. Very good, deeply internalised value and very good from my opinion.

Regarding questions of language, Semjonov supports the idea of two official languages in Estonia, and of course support the international Human Rights actors’ view of lessening the language demands for citizenship. The double role of Semojonov, as a leader of the
Information Centre and a separatist politician is certain to influence both his positions. As a leader of LICHR he can indirectly get support from the Human Rights actors to his work as a politician. The mix-up of roles can draw into doubt whether LICHR promotes Human Rights or stage particular political interests. These issues of course interact and we can hardly expect them not to.

The foreign institutions support development of democracy and integration, but we should perhaps ask how the think LICHR’s work or the abstract and theoretical assumptions about Human Rights accomplish this goal. What kind of democracy is likely to emerge by assisting in this way, and for whom is it beneficial?

PERSONAL PROFILES OF SOME PARTICIPANTS

Some of the participants in Tallinn performed more comprehensive roles than others did, and as I focus on Human Rights actors, I will present some of them in more detail below.

Asbjørn Eide works within the area of univeraslisation, and has participated in creating the guidelines clarifying economic and social rights, and contributed to formalising the right to food and nutrition (NIHR 1997). Asbjørn Eide has chaired an expert group that developed: "The Oslo Recommendations on Educational Rights of Minorities" and "The Oslo Recommendations on the Linguistic Rights of Minorities." Eide is additionally engaged in implementing the European Framework Convention for the Protection of National Minorities.

Maria Lundberg, also engaged in the area of universalisation, has been working with questions of realisation of economic and social rights in Vietnam. She is also into the topics of cultural rights and minority rights within NIHR’s universalisation programme area. In co-operation with the Foundation on Inter-Ethnic Relations, Lundberg has analysed the legal content of the international instruments on minority rights.

Fernand DeVarennes, a lawyer expert on linguistic minority rights, has a personal background as a French speaking in Canada. According to himself, his own experience as a member of a linguistic minority has been a personal motivation for getting into these matters. He says:

‘Quebec is interesting because while the objectives for safeguarding the French language and culture have been seen as valid, by the way by international law also, there is also been a decision of the UN Human Rights committee, clearly indication that at least some aspects, the method used to protect the French language was against the international law and freedom of expression…And that is something we have to consider here in Estonia also. Since then the Quebec government has change its language laws and no longer violates freedom of expression. But it has not had to change the vast majority of its language law, because the vast majority of these language laws are not very problematic.’(XD5/38-40)

Pål Kolstø, a Norwegian historian employed at the University of Oslo, works with issues concerning Russians outside Russia. His comparative work is focused on Russians
in all newly independent states of the former Soviet Union. Currently he is writing about regional integration among non-Russian Soviet successor states. He will highlight the role of the Russians in these states regarding integration at a regional level.

Hanne-Margret Birckenbach from SHIP are working with documentation on two areas. The first is international approaches to conflicts and preventive diplomacy. The second is on ethno-political conflicts concerning Russians outside Russia. The aim is to prevent development on internal conflicts, by assisting the ‘… countries involved in solving problems in conformity with international law and other agreed standards, including human rights obligations.’ (SHIP 1999). The common feature across all newly independent states of former Soviet Union is that the Russian speaking overnight lost their position as a majority. The ethno-political conflicts arising in these states have attracted international attention ‘… regarding Human Rights and minority rights in the face of nationalist and discriminatory developments, and have been subject to at least some efforts of preventive diplomacy.’ (SHIP 1999).

Birckenbach stated at the Tallinn seminar a clear stance for her engagement in Estonia. She is not interested in intervening in the internal affairs of Estonia, but to assist the development of Estonia as part of Europe and part of the world. The Estonian national integration program is of international concern and thus of her concern because ‘… it is financed with foreign money and it has been encourages by other states and by the international debate within the OSCE as well as within the Council of Europe and other international organisations…’. She wants to discuss Estonian politics from this perspective, and she is then concerned with ‘…what the international community (is) doing when they are supporting this and that and not supporting other things. Her project is to evaluate, from the perspective of compliance with Human Rights, the foreign assistance given to Estonia.

Christian Wellmann also from SHIP is working with issues related to the safety and conflict management in The Baltic Sea Region, and is involved in Estonia from much the same perspective as Birckenbach.

Erik Andersen, a Danish economist working for Danish Centre for Human Rights, has conducted research on the economic development in Estonia. At the Tallinn seminar he presented his work stating that the economic position of the Russian speaking are worsened since the independence. He was invited to hold the same speech as he held at the previous seminar in Flensburg. In fact Birckenbach’s contribution in Tallinn was also mostly a repetition of her speech in Flensburg.

CONCLUDING REMARKS

Human Rights instruments are a direct result of the experiences of Holocaust and WW II. Human Rights should correctly be understood in terms of the ongoing interpretive work of an international elite of Human Rights actors, and not in terms of the wording in the instruments. This interpretive work is constantly developing, and we should be aware of
the internal disputes that put in motion what we could say is current understanding of Human Rights. It is not these internal disputes that are focused in this work though they are informative with regard to the Human Rights actors’ motives.

Human Rights should remain thin moral description, in Walzer’s sense, leaving space for historically and culturally situated social practices. The moment Human Rights takes on the role of thick description, which of course is a matter of definition that can be disputed, they fall short of being a vehicle for exercising altruistic imperialism. The general discussion of the appropriate level of democratic authority touches the question of thin moral description in several ways. We could ask to what extent the interference of international Human Rights actors in matters regarding integration in Estonia leaves behind the characteristics of Human Rights as thin descriptions. In my opinion this question should be addressed from the perspective suggested by Dahl, namely to what extent the placing of authority safeguards the maintenance of democracy. The role of Human Rights actors during the Tallinn seminar have to meet different criteria according to the appropriate level of authority on matters regarding integration in Estonia. If the nation-state is the proper authority, Human Rights actors should be expected to play the role of ‘educators’. If the authority regarding these matters belong to international Human Rights institutions, then we should expect Human Rights actors to act as ‘judges’ or ‘missionaries’ without obligations to listen to the Estonians. In this case we have to demand the Human Rights actors to properly grasp the current situation in Estonia as well as the underlying dynamics of society so that democracy is maintained.

I have looked at the Human Rights actors’ inclination to select some, and avoid other types of questions. The awareness and focus on areas where Human Rights work are put under careful examination for potential unintended consequences are alarmingly low. Believing doing good overshadow the thought of making things worse. We should ask why people who should be expected to have the ability for being critical abstain from questioning their work.

The Merton Thesis are based on an assumption that the web of interdependency between actors and institutions as well as contextual fluctuation regarding economy and ideology creates the conditions under which some areas of social challenges are investigated and others not. The close link between Human Rights and Holocaust give rise to ideological thinking of the relationship between particular phenomena like i.e., nationalism and genocide as discussed in chapter V. The reflexive management of myths related to Holocaust (see i.e., Skirbekk 1999c) may guide what are regarded legitimate areas of investigation within the system of Human Rights. This tendency should be interpreted in the context of ideological shift that took place after the fall of the Berlin Wall in 1989, the victory of what has been called New-Liberalism (Skirbekk 1999c).

The relationship between international obligations of maintaining legitimacy for
Human Rights and concern for the social development in Estonia creates a particular strain in the Tallinn discourse. This refers to the time/space interdependency suggested by Merton. Even though the official aim is to assist Estonia, the outcome could better be referred to as a contribution to the universalisation of Human Rights. The representatives from NIHR and deVarennes explicitly work with issues of legitimacy at the international level, and accordingly we could expect concerns about the legitimacy of Human Rights to overrun issues related to actual social practice in Estonia in case of strain.

The Human Rights actors that are focusing on conflict management at the regional level have a different approach. They are concerned about the Russian diasporas and the Russian speaking outside Russia, and their view regarding questions of language takes another direction than i.e., the Estonian government. Conflict resolution in the region implies using the Russian language, and it becomes important that the near-abroad from Russia maintain the language. This is a good argument if we apply sociological integration theory to the regional level. However, these actors assume the superiority of Human Rights. Compliance with Human Rights, and Human Rights actors work is by default considered beneficial. As a group these researchers have the potential for correcting the Human Rights actors thinking in abstract, legal and individualistic terms. However, they fail because they forget to question the impact of Human Rights work on social practice.

The Danish economist, Andersen, has a different aim. He addresses the question of economic discrimination. His contribution to the Tallinn seminar, where he presented his works, does not clearly belong to either of these two main fractions of universalisation and conflict management. Nevertheless, Andersen highlight economic stratification from the same point of departure as the experts dealing with conflict management do, namely by assuming that implementation of Human Rights is the proper answer to the current challenges.

Semjonov works for improving the situation of Russian speaking in Estonia. He does so as a head of LICHR and as a politician. His view of what is to improve the situation is heading for a segregated Estonia after a model of the Swiss State, a goal that is contrary to the Estonian government who wishes to avoid segregation. Semjonov is well placed economically and ideologically in a web of foreign institutions, and this support, either it is directly intended or not by the supportive institutions, makes is position strong. However the governmental and popular ideas in Estonia are far from supportive. Semjonov’s idea fit the New-Liberal ideology prevailing among Western Human Rights actors, but they don’t fit the popular oriented liberal nationalism that dominate the Estonian society.

Compliance with Human Rights appears to be the right answer to the challenges in Estonia from the point of view of all these actors. The channel for addressing questions of unintended consequences of Human Rights motivated actions is blocked by the heavy
burden of creating legitimacy for Human Rights in all corners of the world. But then, the already existing legitimacy may contribute to preventing experts from questioning their basic assumptions, probably with help from the more encompassing ideology of neoliberalism. If the eyes of experts regarding perverted effects of well meant action are shut, how can Human Rights actors interpretations, suggestions and action be adjusted and corrected if effects turn out unexpectedly?

Questions regarding superiority, legitimacy, functionality of Human Rights are political, but then they have also a scientific side. Politics and science cannot be separated, but nevertheless, questions concerning unintended consequences of actions are within the domain of social science. The present work in fact depart from the implicit goal of Human Rights, namely to create and maintain democracy. The political and ideological aspects of the discussion concern the types of democracy and the way we understand the dynamics of social life. But then even these questions contain social scientific assumptions. With these considerations in mind I will proceed with the analysis of the discourse at the Tallinn seminar.

**ANALYSIS OF THE DISCOURSE**

The theoretical approach used to analyse the debate is described in chapter VII section 7.02, and focuses on how contradictions are constructed and managed. Because contradictions are highly potent triggers of action, their appearance can say something about the likely direction of action. This section is divided in three parts. The first focuses on the concept of integration and discusses issues linked to Human Rights actors understanding of the concept. The second part focuses on Human Rights and the third part focuses on Human Rights actors understanding of democracy.

**INTERPRETING INTEGRATION**

Hanne Margret Birckenbach presents a speech at the Tallinn seminar that is quite similar to the one she presented at the Flensburg seminar. The following analysis is based upon my notes of her speech in Tallinn and the written material she released after the Flensburg seminar (which is the same she gave me when I asked her to comment on my notes). She is the Human Rights participant most clearly stating what she considers to be the proper interpretation of integration.

Birckenbach says integration should be understood as the introduction of a successful problem-solving strategy ‘...which is able to create an opportunity structure that allows the divided country to reunify and to mobilise the ideological and financial resources for this purpose.’(s0/ph4). Integration has to be framed within conflict theory, she says, where disputes can be settled within social and political systems in a collaborative spirit. ‘Consequently integration is not a process undertaken in order to eliminate disputes. The aim is to
achieve a better tackling with disputed issues.’ (s1/ph20). She thus implicitly makes similar assumptions as Coser builds his conflict theory on.

Her understandings of the dynamics and mechanisms leading to integration can be illustrated through an analysis of how she construct contradictions. At least three issues can be identified, all leading towards similar responsive actions. The first contradiction appears between the concept of coercion and voluntarism. The second one is between ethno-politics and equality, and the third one is linked to what should be considers the proper sequence of actions in the process of integration.

**Coercion and Voluntarism**

‘Integration of this type…[cannot] be archived by force, compulsion and other ‘pressure’, i.e., against the will of the actors who are part of the conflict. Instead it is a project defined by multifaceted means concurring with the rules and the aims…’ (s1/ph24-32). The contradiction expressed in this phrase lies in the implicit assumption that reaching to agreements on rules and aims (at the level of society?) would be achieved without individual experiences of coercion. I will return later to slightly different interpretations of this uttering, namely that the rules she refer to are universal Human Rights and thus outside the range of democratic decisions for any of the parties involved in a conflict. But let me turn to an example of the dilemma between coercion and voluntarism. Some parts of the Russian speaking population feel they are unjustly forced to learn the Estonian language. As a single phenomena this would hardly turn on the alarm signal, but then it is reinforced by the language requirements linked to citizenship. The notion of voluntary learning the Estonian language becomes connected to access to political rights obtained through citizenship, and if resistance to learn the titular language prevent access to political participation then the Human Rights actors counter actions are triggered. Birckenbach’s suggestion to overcome coercion in the process of integration is that everybody applies to certain rules. Successful integration is accomplished, she says, when polarisation is avoided and dynamic relationships are established. This is in line with Coser’s theory. By following Birckenbach’s five amendments the ideal relationships are created.

‘1)…actors respect each others existence and identity, 2) actors find/search for at least a minimum of consensus, 3) actors try to realise their needs without violating the needs of the others, 4) actors use tension as momentum (impulses) for enlarging reciprocal understanding and co-operation, 5) actors avoid to resolve internal problems at the expense of the other.’ (s1/ph24).

Respect for the individual’s existence and his or her identity equates voluntarism. This was also obvious in Eide’s account for the Human Rights Narrative. The question of coercion or voluntariness is transformed into a question of respect for the individual’s existence and identity. Respect for another person’s existence as a right to subsistence
(Shue 1996) is perhaps the easiest one to settle. How should we understand respect for identity?

The excerpt above is without historical or socio-cultural references. The form of the utterance is a prescription saying if people comply with these rules, peaceful conflict management is obtained and to Birckenbach this means that integration is accomplished. But what if people don’t comply? Is it only because they are nationalist minded, xenophobic, intolerant, narrow minded or ignorant? Birckenbach’s amendments are conditional. The conditions comprise a common universe of meaning that makes it possible to understand each other, people have to know what is considered as respect for other people’s identity, there has to be a collaborative spirit and even solidarity if her fifth point is to be followed. Can these challenges be solved by legal measures alone? I doubt it.

The question of voluntariness becomes irrelevant when discussing compliance with Human Rights, because the addressee of Human Rights is states, not individuals. Only states can comply with Human Rights. The utterance of Birckenbach above does not have the state as subject, but rather individuals and their relationship to each other. Should we implicitly understand that the obligation of the state is to safeguard social practices following these prescriptions? The important question is how the states are allowed, within the frame of Human Rights, to make sure that its residents (voluntarily) develop tolerance, respect and a cooperative spirit. If we go to official documents, the answer is through the system of education.

On the basis of Eide’s document, where he interprets, the Framework Convention, it is possible to give some clues to the interpretation of integration. I have previously showed that the term identity is the key to the interpretation of the convention to Eide. His position, in the case of Estonian language requirement for citizenship, can be illustrated by an excerpt from his interpretation of the convention:

Identity (linked to the requirement of non-assimilation), is essentially cultural, and requires not only tolerance but a positive attitude of cultural pluralism by the state and the larger society. Required is not only acceptance but also respect for the distinctive characteristics and contribution of minorities in the life of the national society as a whole. Protection of the identity means not only that the state shall abstain from policies, which have the purpose or effect of assimilating the minorities into the dominant culture, but also that it shall protect them against activities by third parties which have assimilatory effect. Crucial in these regards are the language policies and the educational policies of the state concerned. Denying minorities the possibility to learn their own language, or excluding from the education of minorities transmission of the knowledge of their own culture, history, tradition and language, would be a violation of the obligation to protect their identity (Eide 1998a).

A slightly more direct utterances about integration is stated below:

The overall purpose (of minority rights?) is to ensure integration, but on a basis of respect
for each of the cultural, linguistic or religious groups which together form the national society. The formation of ghettos, of minority groups, which live only in their own world without knowledge of, or tolerance for, the members of the larger society, would be a violation of the purpose and spirit of the Declaration. (comments to Article 4.4) (Eide 1998a)

He identifies educational mechanisms implicitly believed to enhance toleration and strengthen non-violent conflict resolution. These mechanisms will, according to this utterance, create a society willing and able to comply with Human Rights. Additionally compliance with Human Rights depends upon support by law and other mechanisms. The educational system cannot function alone, however it is the system, which are believed to socialise tolerant human beings. The question is if tolerance as a characteristic of the individual is a functional mean to adequately cope with challenges at the level of society. Eide call upon the increasing tendencies for ethnic conflicts in contemporary society and claim that in societies where different ethnic, religious and linguistic groups coexists, ‘...the culture, history and traditions of minority groups often have been subject to distorted representations producing low self-esteem in the groups and negative stereotypes in the wider community’. The result in many cases is, he says, racial hatred, xenophobia and intolerance. The clue to a solution is multicultural and intercultural education.

Multicultural education involves educational policies and practices which meet the separate educational needs of groups in society which belong to different cultural traditions, while intercultural education involves educational policies and practices by which the members of different cultures, whether in a majority or minority position, learn to interact constructively with each other. (comments to Article 4.4) (Eide 1998a)

Eide express the contradiction between coercion and voluntarism by making a distinction between voluntarily learning Estonian and doing it for strategic reasons. ‘When Russian parents send their children to Estonian schools it may not be because they love Estonian language, but it may be because they want to get education, to get jobs, and that may be a temporally, instrumental consideration, rather that a change in the attitude.’ (XDT3/137) He clearly state that a voluntary change in attitude and ‘...instrumental reflection on what is useful...is a different matter.’ (XDT3/135) We can ask how relevant the distinction between ‘voluntary’ and ‘strategic’ moves are for several reasons. First it is obviously put forward as a critique against the integration policy. An increasing number of Russian speaking in fact wants their children to learn Estonian. Eide claim to know their reason for wanting so is strategically motivated. Eide cannot bring empirical evidence clarifying if Russian speaking parents, strategically and not voluntary, helps their children learning Estonian. This utterance gives priority to the emotions, in which parents want their children to learn the titular language. We have to ask if this is a minor problem compared to the gain regarding strengthening the Estonian democracy, and strengthening the conditions for cooperative spirit, as for nothing less than being able to speak the same language, and
signalising respect for the Estonian nation.

Secondly, when it comes to distinguishing what is voluntary and what are purely strategic movements it suffices here, I think, to remind of Pierre Bourdieu’s concepts of field and habitus. The notion of habitus immediately invokes suspicion of anything regarded as voluntary. In the context of the Tallinn seminar, such utterances are rhetorical or utopian, postulating in images the existence of individual freedom and self-realisation in a totally non-cohesive social environment.

Thirdly, having to learn a new language necessarily will evoke resistance at the level of individuals. People are asked to carry on quite an extensive work adding to their current everyday obligations.

ETHNO-POLITICS VERSUS EQUALITY

By support of the Human Rights instruments, Birckenbach constructs another dilemma, namely between ethno-politics and equality. She would like to replace the ethno-political approach in Estonia by a more republican, ‘…which allows to identify with the state because the state grants ‘equality’ of the people and is not in need for the fiction of blood, culture, or language.’

Equality is contradictory to an ethnic democracy like Estonia. The action following this contradiction is to enhance the possibility for non-citizens to get Estonian citizenship. Thus, the requirements of command in the Estonian language have to be lowered. Birckenbach goes even further, suggesting official bilingualism as a proper means to integration in Estonia. She says that the Estonian government should ‘… accept bilingualism in the parliamentary work, instead of forcing its members to use a language which is only partly understood by the audience….In my view, language training for a monolingual public life is, with respect to integration, wasted money…’ (s6/ph89,91) A new contradiction linked to the importance of language in parliament is thus constructed. Birckenbach acknowledge that it is important to understand each other, but put more emphasis on the position of Russian speakers right to talk, which he or she does better in Russian, rather than right to be understood, which at least in the near future will have to be in Estonian.

It is not an issue to be discussed that two official languages in parliament create new patterns of disadvantages unless it is possible to eliminate the risk for some groups becoming disadvantaged, we should rather care to discuss what kind of disadvantages, what kind of discrimination that are acceptable.

As we saw in chapter IV, less than 1/5 of the Russian speakers have good command in Estonian. Additionally the Estonian speaking young people are not particularly motivated to learn Russian. The Human Rights actors’ resistance toward a monolingual state is rooted in the notion of equality. Birckenbach says:

‘…if the knowledge of the Estonian language is regarded to be a precondition for equality in political life as well as with respect to jobs, than it is the obligation of the Estonian State
This excerpt shows Birckenbach’s reluctance against allocation of foreign money and other resources to overcome the linguistic challenge in Estonia. I shall let this interpretation rest and instead focus on two slightly different, however not excluding, interpretation. First equality is contradictory per se to monolingualism in Estonia if the only legitimate criteria are voluntarism. As long as Russian speakers refuses to learn Estonian the principle of voluntarism will be violated.

The link between the idea of voluntarism and identity, as one of the key-words in Human Rights. The Human Rights actors are not consequently referring to what level, the individuals or society, they have in mind when talking about voluntary adaptation to language requirements. They are rather using the rhetorical potential juggling the issues around. Nevertheless, the individual centred rights tend to make the former more acutely important, while the latter is of most importance to reproduction of democracy.

The second option is to interpret official monolingualism as the major factor opposing equal access to work and the services of the welfare state, resulting in economic inequality. Official bilingualism appears as a mechanism to overcome economic inequalities. It is beyond the scope of this paper to discuss the link between official mono- or bi-lingualism and economic inequalities, but it would seem reasonable also to consider the impact of such linguistic arrangement on democracy. Dilemmas might turn up and states have to deal with these contradicting issues and make judgements and priorities as well as to take action. Departing from a perspective of reproduction of democracy, the question is if official bilingualism, and reduction of linguistic demands regarding citizenship, really will improve peaceful coexistence and a cooperative spirit in conflict management.

In Estonia the Russian speaking part of the population are to a less extent bilingual compared to the Estonians (Lauristin, et al. 1997:326). However, in order to understand Human Rights actors’ reluctance to treat linguistic and other socio-cultural aspects of life as substantially influencing social life, I think we have to see how Human Rights actors imagine the link between universal rules of the game and the need for (socio-cultural) education and training.

THE PROPER SEQUENCE OF ACTION

The third contradiction comprises a dilemma having a temporary character and concern what should come first, changes in the system of education or changes in the area of politics. I will try to frame this contradiction and at the same time answering the question stated above, namely how Human Rights actors bridge the gap between socio-cultural practice (conflict management) and learning the rules of the game (socio-cultural
Birchenbah agree that integration is a time consuming process and says we should decide ‘…which steps should be taken first. She then says that ‘… international recommendations focus on reforming the legal and political system. In practice, however there is a tendency to put the burden to the educational system.’ (s6/ph79) She says that the impact of changes in the education system on social change is marginal and often overestimated. To emphasise reforms within education is only to disguise and to reproduce the existing structures of power. According to this scheme, the reforms of Estonian educational system i.e., to adapt to the new linguistic demand put on the Russian speaking children are interpreted as a mean for Estonians to keep their privileged position. As far as Birckenbach believe that the process of integration in Estonia has to develop in a sequence like this. Because she believes the political aspects are decisive for the later, she suggest that integration processes should develop on the basis of ‘…emergence of a consensus on a new, non-exclusive citizenship policy among the Estonian elite…A strengthened and encouraged leadership of moderate representatives of Russian speaking as well as non citizens…their substantial involvement in negotiations on the integration process…further international support to this (her) project.’

Christian Wellmann, supports Birckenbach’s assumptions and elaborates on the role of grassroots activity regarding integration. He argues that grassroots activities are important, but says that the government ‘…defines a framework for what, on the grassroots level can happen. And so somehow state policy in this context…is still more important than the grassroots process.’ (XDT3/259).

Wellmann claim that it is insufficient with language courses and smaller projects within the national integration program. There has to be a more comprehensive policy, which also affects the labour market, social security system, and language policy. Nevertheless, his conceptualisation of integration is focused on the subjective feeling of Estonian residents. Integration means to Wellmann ‘…to basically identify with the state…’ (SDT3/255-257). The Estonian government has ‘…to invite the non-Estonians to integrate into Estonian society.’ The logic of seduction is dominating, and is perhaps the only strategy applicable within the limits of voluntary adaptation. ‘Estonians have to move (do something)’ he says.

Language teaching and grassroots activities do not suffice in the eyes of Human Rights actors at the Tallinn seminar. Changing the law and changing official policies are given priority.

FUNCTIONS LINKED TO MANAGEMENT OF CONTRADICTIONS

Birkenbach has a position as a researcher at SHIP. During her speech she explicitly suggest this meeting to agree upon the establishing of a permanent workshop to observe the process of integration in Estonia. Is it possible to interpret her construction and management of contradiction as a means to create work for herself and her institution? This is a tempting interpretation in light of her efforts to position herself among other
experts. And next she positions herself as a particular kind of qualified expert by calling upon her previous work in reviewing international NGO’s.

‘Reviewing recommendations given by international organisations and clarifying possible arguments about the role of the language requirements, the philosophy of integration as well as on priorities and consistency of certain steps, will help to prepare strong and reasonable criteria for the discussion about what is helpful for integration and what is not…The criteria needed in order to review the state of integration in Estonia and to introduce the findings into the political processes on the national as well as the international level.’ (s6/ph95)

The suggestions in this excerpt is that she or the groups or experts she trust to have competence shall work out the ‘role of language’, ‘the philosophy of integration’ and suggest what criteria for a further discussion is relevant and reasonable. To do so she suggests to ‘correcting’ international NGO’s when they (mistakenly?) i.e., support Estonian language teaching, which she claims would be a sign of approval for the Estonian language policy. The working-group should be designed to perform tasks like:

‘…1) clarifying what is meant when talking about integration, which actions should be supported and which one should be rejected, 2) collecting and recognising those recommendations already put on the governments desk by international organisations, 3) reasoning these recommendations, identifying loopholes, and contributing to their enrichment.’ (s0/ph14)

I will continue exploring the strain between social practice and the role of language within the international Human Rights, because these goals in certain ways are contradictory. This is not openly acknowledged as a contradiction in the Human Rights actors’ speeches at the Tallinn seminar. Nevertheless, it is obvious that the three tasks recognised by Birckenbach above are political as well as scientific. She leaves to the Human Rights experts to settle the normative and legal questions, and wants experts to accomplish their interpretation. Departing from a normative stance, the concept of integration shall be developed. But then, integration is nothing that experts can decide on by will, it is a phenomena occurring in social practice, a practice which is partly influenced by the experts opinion like Lash has described.

**INTERPRETING HUMAN RIGHTS**

Four lawyers and experts on Human Rights issues made major contributions to the seminar. I will particularly focus on two of them because their fields and performance frames the main lines of discourse regarding Human Rights at the seminar. The first is Fernand deVarennes, who is an expert on linguistic rights. The second is Asbjørn Eide. The preceding analysis is based on excerpts from the Tallinn seminar and written materials they have published. The published materials are used as contextual framing of the viewpoints they express at the seminar.
A particular contradiction is found in the arguments of deVarennes when claiming actual benefits for society if Human Rights are applied. On the one hand he says beneficial effects should be demonstrated in actual society, and on the other hand he claim indisputably superiority of Human Rights. First he rejects the need for recommendation about normative principles, ‘...because most people are for goodness and virtue...what we need is... recommendation about more specific policies that work, that...are effective, and demonstrably convincing, about which we can make a demonstration that society is going to be better off.’ (XDT4/63) He continues to say that it is a different thing to demonstrate the efficiency of something than to argue normatively. The latter becomes a question of opinion he says. ‘... the work to be done here should not rely so heavily on the right or the wrong, but a little more on the balance of what is likely to be beneficial or not for society.’(XDT4/65) Against his utterances later on it is obvious that contextual sensitivity becomes a problem caught in the crossfire between what is beneficial for society and what is necessary for the functioning of the Human Rights system. After a brief account of countries making excuses for not adhering to Human Rights (like China, Malaysia, Australia and Myan Mar), deVarennes says: ‘If we went through all of the because(s)...international law or international Human Rights would indeed be very meaningless. International law, international Human Rights are the rules of the game...it apply to every country.’ (XDT3/231) Later he explicitly comments on Estonia, a country he admittedly has no detailed knowledge of, and he says that Estonia is no different. ‘I don’t treat Estonia any differently than I would treat China, or Malaysia, or Australia, or France or Canada. It is doing some good things and it is doing some things not so well. (XDT5/54) The definition ‘doing well’ have to relate to the current international interpretation of Human Rights more than it relate to how Estonia faces its particular challenges. We have to suspect that what is at stake is not so much what ‘is likely to beneficial’ for the Estonian society. DeVarennes says:

‘...it is important to keep in mind that we have to be careful about creating any exceptions or precedences. Minorities in all part of the world came to be in a position of vulnerability…. vulnerable groups are those at most need of protection of international law and Human Rights, and any weakening of these rights in any country, for any reason, is not only a threat to a particular minority in a unique historical and social setting, but it is also a dangerous precedence for other vulnerable and indigenous groups.’(XDT5/56-60)

This excerpt illustrates a major feature of the Human Rights actors’ dilemma, and I will spend some lines elaborating the logic and contradictions in this phrase. First, it is suggested in the first line that exceptions to the general interpretations of Human Rights taking place within the international system of Human Rights is possible, however, extremely difficult. The reasons for this follow. Secondly, exceptions to current interpretations of Human Rights might do minorities even more vulnerable. Human
Rights and international law is first and foremost a means to protect vulnerable groups. We are then informed that even if an actual, historically and socially situated minority group would benefit from an exception from the current interpretation, it would be wrong to make the exception because it would jeopardise the safety and wellbeing of other vulnerable groups. This can explain why social practice becomes secondary to the strict compliance with Human Rights, which safeguard international legitimacy.

We can ask what possible arguments that could invoke exceptions from current interpretations of Human Rights in the case of Estonia. Satisfactory arguments cannot only depend on an assumption that deviation from the norm would benefit the Estonian society, and the Russian speaking minority. It had to be argued that an exception did not harm all present and future vulnerable groups, a fairly impossible point of departure when the key-argument is that international legitimacy of Human Rights is the ticket to protection.

This configuration of concerns might create a type of strain that in the long run may weaken the position of Human Rights. Especially when some Human Rights interpretors (i.e., Lindholm 1998) are reluctant to distinguishing severe violations of Human Rights, like torture and genocide, and controversial (in a social scientific perspective) violations involving interpretation of what is i.e., voluntary or coercive learning of a language, Human Rights actors undermine the corrective potential that could be provided from actual social practice. As deVarennes excerpt show, there are hardly any legitimate practical reasons for not following current interpretation of Human Rights, and if they existed, they should be severe.

**CHANGING THE UNIVERSAL RULES OF THE GAME?**

An obvious contradiction appears when morality in practice necessarily has to be socio-cultural and temporal, while Human Rights agents claim a universal morality. One way of bridging the gap is to regard Human Rights as a thin morality, and a blue print for historically specific ‘thick’ moralities.

Like deVarennes, Eide suggest looking for practical solutions albeit in a different framing. He says: ‘...we have to think practically about the situation of people, rather than in legal terms of their category.’ (XDT3/76) The legal term of people’s category refer to questions related to state succession and state continuity and the legitimacy of new ways of regulating citizenship. The practical issue is, according to Eide the fact that the Russian speaking population has been living in Estonia for decades and thus should have the right to citizenship. ‘...the presumption must be that there is an option for the people that lived on the territory prior to the changes to obtain a citizenship of the country in which they live, because it is in the territory where people live that the citizenship is useful...’ (XDT3/84-86) Further, Eide’s view of thinking practically and not in strict legal terms may be explained by his effort to influence current interpretations of Human Rights within the international community. At
the seminar he says:

‘...international law is undergoing a very fundamental change. The classic international law, as it existed from about 1800 to about 1945, it was based on the notion that international law dealt with matters between states....the question of nationality was left practically entirely to the states...but the law which developed after 1945 has moved far beyond the question of interstate regulation, and it is dealing, mainly through the Human Rights law, with intrastate situations. It is trying increasingly to regulate intrastate affairs, by demanding on the governments to treat their own inhabitants in ways which are spelled out, among others in this collection of documents which have been distributed here. So it is a new situation, and we cannot use the logic of the classic international law...’ (XDT3/90-96).

Eide refer to the Human Rights systems right to interfere in matters regulating citizenship and minority issues, matters that previously was within the jurisdiction of the state. His idea of ‘thinking practically’ might refer to the strain within the UN system, between fractions that adhere to states as subject matters or fractions that refer to individuals as subject matters.

**INTERPRETING DEMOCRACY**

Several of the international participants at the seminar touched the dilemma recognised in Birckenbach’s text, namely between ethno-politics and equality. The first one is Eide who stresses the need for the expert group in Tallinn to offer the Estonian public ‘assistance’ in turning the political direction in the parliament. He comments on Mati Heidmet’s utterance about the diverging views regarding integration between politicians and the public. Heidmet said that the Estonian population has a positive attitude towards integrating Russian speaking than does the Estonian politicians. If this is the case, Eide says, then it should be consider even more important to adopt recommendations, ‘... because if we are more in line with the general public than with the politician we should do something to help the politicians come to the public opinion.’ (XDT3/139) By this Eide claim, maybe ironically, that the public opinion in fact is in line with the thinking of Human Rights actors. I would suggest to interpreting the passage in the context of Eide’s engagement in minority rights. Democratic decisions have in his opinion no inherent legitimacy. Majority rule may be discriminating, and thus they are not valid unless certain other conditions are fulfilled. These conditions are summed up like this: ‘Protection of minorities is based on three requirements: Non-exclusion, non-assimilation and non-discrimination’ [Eide, 1998 #133, s4/ph27]. His utterance about being in line with public opinion thus become a rhetorical device whether it is interpreted as sincere or ironic – in the first case he plays on democracy as a legitimising device, in the second he calls upon the superiority of Human Rights over national democracy.

Wellmann frame his critique of the Estonian (ethnic) democracy in slightly different
terms. To him the crucial issue is a public debate on integration. When Heidmet said questions of integration would not be raised during the upcoming election in March 99, Wellmann commented: ‘So if that is true, then something is running totally wrong in Estonia...if that is not a debate in public, I don’t know where this society live. Whether the political culture really has lived up to European standards already?’ (XDT3/263). His final suggestion is for the seminar to pay attention to how ‘...to trig off a public debate on integration policy in Estonia.’ A ‘proper’ democracy thus, can be interpreted as a society where crucial issues are debated in public. The notion of what constitute a proper democracy is further elaborated by Niels Buttenschoen.

Buttenschoen depart from a distinction between plural and homogeneous societies and recognises Andra Veidermann’s aim of the integration policy to prevent two separate societies in one state. However he has some second thought regarding this particular aim. He asks if the idea of a plural society is part of the discourse or if the political debate only aim at a homogeneous society. Then he says:

‘...it is quite alright if one section of the population finally integrates and assimilates... into one new nation... if it is by their own will. And that is of course the basic question here. If the plurality is considered also by the minority as an intermediate situation toward a future integrated nation, which is the Estonian nation with one language, one culture...there is no problem. But if this minority find this as a basic problem which could challenge their identity, and as they see themselves as, their survival in the long run, this might constitute a basic problem. And of course this should be debated in... this society.’ (XTD/287-291)

The excerpt reveals once more the notion of voluntarism linked to integration and the guarantee of preserving voluntary incorporation into the Estonian society. Buttenschoen suggest a public debate. The question is again how a notion of voluntariness as a property at the level of an individual can be expressed on, transferred to, and settled at the level of society, this time through a public debate, and then translated into properly democratic governmental policies. As Eide points out, there is nothing automatic in safeguarding minority rights in a democratic society, which is always prone to the dictatorship of the majority.

If socio-cultural differences are small enough, relationship between the groups living within a single democratic state have better chance of creating and maintaining confidence and empathy. The notion of small enough differences implies that Human Rights actors have to create limits for the term cultural diversity. This is guaranteed a complicated task to accomplish internationally. The alternative is to reject any limits to cultural diversity than those explicitly stated in the Human Rights instruments, namely if it threatens the fundamental freedoms and rights of others or if cultural diversity is narrowed by voluntary assimilation. This might partly explain why the concept of integration have to be framed in a universalistic perspective as political rights liked to the territory of residence deprived of any socio-cultural characteristics that potentially could discriminate,
and not as a local, substantial phenomena of communion situated in social practice. It partly explains why access to political participation becomes more important than any successive access to political rights through grassroots activity aimed at social inclusion.

**CONCLUDING REMARKS**

The interpretation of integration reveals a line of thought, namely that the incorporation of Human Rights in Estonian law should be the right starting point. Ethno-politics is thus abolished. Then the question of coercion and voluntarism becomes manageable, because the pressure against the will of individuals is released by giving them the right to vote. This is a procedural argument. The problem is how people abide to the rules of this procedural arrangement. This is strictly speaking outside the scope of Human Rights because the only proper addressee to abide by the rules is the state, not individuals. Obviously the Human Rights actors don’t have to bother with this challenge, it is in fact the state that should deal with them. We are returning to the initial question of Human Rights diminish the states right to create conditions under which rules like those suggested by Birkenbach could function.

Education and adjustment of national law is believed to be the main strategies for making people voluntary to abide by the rules of the game. By acknowledging the need for education, the Human Rights actors indirectly acknowledge that rules is socially embedded – occasionally social practice is based on informal contracts. But then, in the Tallinn debate, the role of education was down played, as secondary to the legal adjustments on language requirement, the procedural arrangements. Linguistic and cultural barriers can prevent the state from being able to create conditions where individual dignity is respected in social practice. It is therefore necessary to take a closer look on the relationship between the formal procedural arrangements, the thin moral descriptions of Human Rights, and social practice. And because the relationship between the formal prescriptions and social practice never can be the same across time and space, this fact will constitute a strain within the system of Human Rights.

The present analysis show how social practice hardly change the interpretive practice within the system of Human Rights, and that the arguments for not making correction according to experience is to protect minorities all over the globe.

Human Rights actors strategically argued for a public debate on matters regarding integration, and indirectly characterised the public space in Estonia undemocratic. Nevertheless, the utterances can be interpreted as a wish for a deliberative democracy. That the willingness to participate in public debates is linked to history and traditions was given less attention. Neither was there any discussion about the possibility for public debate across linguistic barriers as in Estonia.

However, the discussion was, as Butenschoen’s contribution show, a discussion of whether Estonia should be plural or homogeneous. The dilemma between ethno-politics
and equality appear in a new guise. The arguments are based on the coercion/voluntarism dichotomy. Are people willing to accept a homogeneous nation? We should ask where is the limit to the culturally plural state, and when does it become homogeneous. In the perspective of integration we could translate the question and say that the limit is somewhere within reach of creating a collective will in support of democratic rule in culturally plural societies.

The theoretical point of departure for this analysis has been the assumption that Human Rights actors should take on different roles according to their place and ability with regard to democratic authority. In this case we can only say something about their contribution either as educator or missionary. Weber’s ideas about discourses and pragmatic judgement suggest a dynamic between normative, political and scientific judgements that at least are illustrative for Human Rights actors’ role as educators. Raymond Boudon’s theory of unintended consequences is then the guide for assessing likely outcomes of the tendency for action that are revealed by identifying contradictions.

Human Rights actors attending the Tallinn seminar do not clarify the distinction between empirical fact and judgement of values. Empirical evidence is by default dismissed unless it is extremely severe, and thus Weber’s second point of deducing consequences of a particular normative stance by collecting empirical evidence is not followed. Weber’s first point, about exploring values linked to own and others expression is also violated against when it comes to taking the Estonian scientists’ utterances seriously. The liberal nationalism that is reflected in the Estonian social scientists views are by default dismissed as discriminating and not given further notice. The third issue, clarifying effects of actual implementation intended to meet a challenge is tricky. The challenge in Human Rights actors is discrimination and ethno-politics, and does not refer to maintenance of democracy, which is the focal point in this work. Of course adjustments of Estonian language and citizenship legislation would by definition abolish the ethno-political rule. If we regard the concepts used by Human Rights actors it becomes obvious that they are not able to answer to qualitative challenges to democracy – they can only deal with the strict formal challenges of citizenship. Weber’s fourth point is the synergetic effect that makes it possible to create new axioms. Socio-cultural issues are kept out of the discourse and thus no synergy between i.e., Estonian liberal nationalism and Human Rights perspectives developing the conditions for democracy can take place. The conclusion is that Human Rights actors perform badly as educators at the seminar, however, that is most likely because they entered the debate, not as educators, but as missionaries.

As missionaries, Human Rights actors should live up to some minimum standard of grasping the dynamics of society and of the functioning of democracy. The individually centred understanding of the challenges in modern societies is not the best point of
departure. When formal procedures are disconnected from the environment in which they are embedded, without any invitation to synergetic discussions on practical solutions, the rate of success has to be low. The only way to actually succeed is purely by chance. Human Rights lawyers do not possess the necessary qualification to assess Weber’s criteria of deducing consequences of a particular normative stance, meaning a particular interpretation of Human Rights. What should be the appropriate answer to conditions for dialogue in modern knowledge based societies like Estonia? How should compliance with rules and altruistic actions be secured if it was not through the governments policy influencing on everything from the socialisation process in the family and educational system to the commercials in the mass media? How do Human Rights actors imagine that preferences and voluntary submission develop? The questions are far beyond the reach of Human Rights actors’ ability to answer, or even willingness to answer. It goes beyond Human Rights actors’ work however, it has tremendous impact on the success or failure of their procedural arrangements. I shall proceed by elaborating on the conditions for discursive democracy within a perspective of ideology, and through this discussion I hope to shed some light to why Human Rights actors make the moves they do in Tallinn, and how Human Rights influence on social practice.
The struggle for recognition of ideas and the right to define situations is part of the dynamic play of ideologies. Human Rights actors are situated in the strain between the work of keeping up legitimacy at the international level and the surveillance of social consequences of implementation of Human Rights. To illustrate how this dilemma between recognition of ideas and social practice, I shall first give a brief account for the nature of Human Rights actors’ ideological work to keep up international legitimacy. Then I shall discuss the two different models of deliberative democracy, the communitarian and Habermasian, in the perspective of ideology, and look for a possible counter perspective that could open for a more dialectic or synergistic reflection on this chronic dilemma of Human Rights actors.

Departing from this distinction means introducing politics, which makes it possible to clarify how matters related to Human Rights and to the theoretical understanding of the maintenance of democracy is politicised. It makes it possible to place the theoretical outlining within a broader ideological scheme that possibly clarify some distinctions between science and politics.

The guiding questions are: How can Human Rights actors safeguard ideological support for universal Human Rights, and keep their position as superior interpreters of normative challenges in modern societies in general and in Estonia in particular? Can the communitarian ideological perspective, oriented toward social practice, function as a critical counter perspective to the normatively and procedural orientation of Human Rights actors interpretations?

The Nature of Human Rights Work for Legitimacy

Human Rights are believed to be universal. There are no geographical, and only few situational, exceptions to where Human Rights, as they are interpreted at a specific moment, are applicable. Theories of hegemony can illustrate some of the work Human Rights actors have to accomplish to keep up the image of Human Rights as universals and globally applicable. Antonio Gramsci’s theory of ideology was briefly sketched in chapter V section 5.02, where his thoughts about the struggle for the hegemonic principle was discussed. According to the Gramscian understanding of ideology, Human Rights actors might succeed ideologically if they manage to transform Human Rights into a ‘public religion’. The means to accomplish this in an organic sense is to draw upon the popular culture and traditions. The rigid type of hegemony is, according to Gramsci, accomplished by using different types of force.

Defining Ideology
How can mechanisms of ideological influence on experts’ interpretation and social practice be understood? That depends first of all how ideology is defined. Two major lines are usually applied. The first regard ideology as a system of thoughts, meaning a collectively shared universe of meaning, values, norms etc. The second depart from ideology as a means of domination. Ideology is in Sigurd Skirbekk’s (Skirbekk 1999c) defined as a system of meaning. He identifies five criteria characteristic of ideology. In this way ideology is regarded both a system of meaning and as a means for domination. I will return to the criteria in a moment.

In the Marxist tradition ideology has been between regarded differently according to the emphasis on idealism or materialism. Nevertheless, Marxist conceptualisation of ideology have had a tendency to reductionism that Chantal Mouffe (Laclau and Mouffe 1997:21-32,55-61) claim is exceeded by Antonio Gramsci’s Marxist oriented theories. Gramsci’s concept of ideology comprises the field ‘...in which people move, gain consciousness about their positions, fight.’ (Gramsci in Laclau and Mouffe 1997:53). Ideology is a battlefield. People’s consciousness about their existence is not a personal enterprise, it is mediated by the ideological configuration in which ‘...two hegemonic principles stand in opposition to each other.’ (Gramsci in Laclau and Mouffe 1997:53). The individual’s subjectivity is not given, but is the result of social practice. Ideology has a material and institutional existence. Ideology is not a set of spiritual realities, it is not as such a system of meaning, but it is materialised social practice. Understood like this, ideology shape subjects, and triggers their actions (Laclau and Mouffe 1997:53). The intellectuals are according to Gramsci the agents of ideology, leading the development and disseminate organic ideologies.

I shall depart from the idea that ideology is not only a mental picture, but situated social practice, which takes on a system character that could be explored according to Skirbekk’s features of ideologies.

**FIVE FEATURES OF IDEOLOGIES**

According to Sigurd Skirbekk (1986:37-40) ideologies are defined according to five features. The first is that ideologies possess system character – it is a comprehensive model of reality. The second is that ideologies are linked to the interests of particular groups. The third is that ideologies have a tendency to distort the conception of reality. The fourth is that some groups or individuals can be identified as losers. The fifth is that ideologies tend to be self-immune, which imply that they cover up the contradictions within their understanding of the state of matter in a way that prevent open discussions on these issues. These contradictions have to be concealed in order to safeguard the continuity and renewal of the ideology. This feature is complicated. According to Luhmann, contradictions are inevitable in any social system, some of these are acknowledged and dealt with, others are considered irrelevant or perhaps are not thought of at all. They are
contradictions according to other frameworks of reference. The underlying assumption is that there are available models that could better reveal collective challenges. And the self-immunisation refers to the ideological work of rejecting the better models.

Skirbekk’s third feature has to be explored to reveal what kind of conceptualisation of truth that is implicit. Luhmann says reality as it is can never be represented by any understandings. The perception of reality always depart from the blind spot of the observer, and this blind spot can never be grasped in the particular observer modus, it can only be revealed by observing from a higher order, but then again this higher level observation also has its blind spots. Skirbekk third feature refers to the materialised results of ideology. Postmodern assumptions about knowledge, and Hans Skjervheim’s (1968) intersubjective focused interpretation of ideologies, claim that it is impossible to say that some interpretation are closer to reality than any other. Luhmann turn this claim for a reference to truth into a question of clarifying the particular distinctions used to observe social phenomena. In this way it is possible to evaluate i.e., a normative procedural framework like Human Rights or Habermasian ideal type deliberative democracy in terms of dysfunction regarding operationalised measures.

**THE POWER OF DISCOURSE**

Departing form the discourse at the Tallinn seminar we could ask which type and form of power that may influence the discourse at the seminar. One way to highlight structures of power at work is to introducing the thesis of hegemony put forward by Frederik Engelstad (1998), where he draw upon Steven Lukes’ (1974) theory of power.

The power of ideas and concepts can be interpreted as hegemonic in two ways. A necessary precondition in order to speak about hegemony in the first place is that there have to be a certain number of adherents to an idea or ideology. First, if an idea gain common recognition without any challenging ideas, it would be hard to call the idea hegemonic. Some people would say the Human Rights belong to this type of generally recognised ideas, and in fact, this is the only position for any idea or ideology if it were to be recognised as universal. In any other modus the position of universality will be challenged.

Secondly, in the case of coexistence of a plurality of ideas there are two options. Either the ideas can exist peacefully together without any visible signs of conflicts or there will be a visible conflict where some ideas try to gain hegemony over the others.

The visible conflict can, according to Engelstad, be divided in two different scenarios. The first scenario ends when the weaker of the ideas submit to the stronger part, and the result is a general adherence to the idea - the end of hegemony. In the second scenario no submission occur, but then the weakest part looses because its adherents were unable to mobilise a sufficient counter-move.

According to Lukes (1974), hegemony can be safeguarded in three ways. First, the
ability to form roles is important, because access to construct roles in a future perspective, will influence on the options for acting. Accepting the nationalistic profile of Estonia in a Human Rights perspective would imply a major change in scope especially regarding the other newly independent states of former Soviet Union. The consequences of reorganising ideas and i.e., incorporating a positive attitude toward liberal nationalism within the system of Human Rights would be difficult. The resistance would be massive, as the positions the interpreters would be threatened, but more severely this represent a kind of theoretical anomaly. How these views become partly antagonistic is sketched in section 9.03.

Secondly, the strong party may have access to strengthening its position infringing on people to embracing their ideas. At the Tallinn seminar the idea of Human Rights gain a general recognition by all participants. No one is against Human Rights. The Estonian social scientist does not have the same acquaintances with the international community of Human Rights, as the Human Rights interpreters have. Estonian social scientists do not have the same obligations to institutions of Human Rights. The Human Rights actors on the other hand have access to knowledge about the different interpretations of Human Rights within the system, which makes it easy to argue convincingly in legal terms, but not necessary on an practical level. Thus Human Rights actors have access to a greater vocabulary of rhetoric means, which makes critique difficult. At the seminar arguments and counter-arguments made by Human Rights actors more often referred to what is current interpretations within the international community of Human Rights, rather than putting forward empirically relevant arguments that could have lead to a fruitful debate concerning social practice.

The Estonian social scientist that have ambitions of making an international career knows, by the examples of successful colleagues or as members of the reflexive community of international Human Rights, that it is wise to be identified as belonging to the rights side in these matters. To do so they cannot use nationalist flavoured arguments. But then, not all of the local social scientist has such ambitions, and they orient to the popular ideology resting on nationalist rhetorical devices. When the Estonian social scientist meet international experts they can chose to, either adapt to the ideology of foreign experts or safeguard their positions within Estonia, and keep up the liberal nationalist attitudes.

Thirdly, when the weakest part depends upon counter-mobilisation a lot of organising resources that can be hard to activate is needed. The cost of organisation is high and the risk for free riding is overwhelming. According to Lukes this is a usual reason for not managing to make effective counter-moves against dominant views. We could say that the Estonians are the ideologically weak part at the seminar because all participants mutually agree on the moral superiority of Human Rights, and for the simple reason that Estonia is
a small country. Their only card to play in the discourse is their personal convictions as scientist. Estonian social scientist may find support within social science, but then again there are no comprehensive and organised moral doctrine, that can challenge the hegemony of the Human Rights and promote room for open-mindedness regarding liberal nationalism.

**THE TALLINN DISCOURSE AS IDEOLOGICAL WORK**
We could roughly say that this would represent a Human Rights ideology versus a nationalist popular ideology. While the first appear at the international level, the latter is embedded in the practice of local civil-society. In the case of Estonia the nationalist concern is mainly a question of demands regarding the Russian speaking part of the populations command in the Estonian language. In the rhetoric of ideological discourse these linguistic demands get mixed up with traits of nationalism, included the connotations of ethnic discrimination, exclusion of minorities and even of Holocaust. The Tallinn debate can ideologically be interpreted in terms of a dispute between a communitarian and liberal nationalist fraction and the Human Rights actors, which heavily gain support from the ideology of New Liberalism.

**HUMAN RIGHTS AND NEW-LIBERAL IDEOLOGY**
By recalling the analysis of the *Narrative of Human Rights* in section 5.02, I shall draw the major lines between Human Rights actors’ attention to issues related to integration and New Liberalism. The Narrative characterises homogeneous states as a threat. It violates the strict norm of non-assimilation. Assimilation leads either to false identities or rebellion, the first is a threat to self-realisation, the second to social order and peace. Civic nationalism secures access to political participation for all residents, ethno-nationalism is based on socio-cultural demands toward residents in order to give them access to vote. In the case of Estonia these demands are either that your parents are Estonian citizens (and thus have pre-WW II connections to the country), or that you learn the Estonian language. However, the Narrative does contain some images of shared beliefs, namely the sharing of a common legal code and a civic culture. Let us see how this image relates to New Liberalism.

**NEW LIBERALISM**
New Liberalism is a modern version of social liberalism, which theoretically and historically can be referred back to people like John Stuart Mill, Thomas Hill Green and L.T.Hobhouse (Skirbekk 1997:148). Jürgen Habermas term late-capitalism has much in common with the New Liberal ideology, which is characterised by a particular system integrative interplay between the state, administration and market. It is in opposition to
the *liberal-capitalism*, which focused one-sided on the market. New Liberalism has freedom as a superior political goal, and understands society in terms of the individual as exterior to the state. The state is supposed to serve the individual. The freedom that is characteristic to New Liberalism is characterised by the individuals liberation from authorities, but then also from the binding force of traditions, religion and culture in general. In this perspective New Liberalism regard culture and excessive state regulation as restriction to the freedom that by definition is believed to be crucial in order to obtain what is considered to be the good life. Formation of subjective dispositions, preferences and tastes are not questioned, because the individual is supposed to create his or her identity on the basis of voluntary choice. This is exactly what the Human Rights Narrative lined out, and what is confirmed in the Tallinn debate.

The particular view of culture and the strong emphasis on self-realisation within New Liberal ideology breaks with the old version of liberalism’s idea of the survival of the fittest, but then it also breaks with the conservative ideas of personal and moral obligations to the community. This makes it hard to accept and even recognise that peoples’ preferences, their expectations and inclinations to act are created in social interaction, it is situated in practice and not something that can be chosen from the shelf in the supermarket. According to Boudon (1982b:159-160) this type of social understanding refer to the Interactionist Paradigm of the Marxian Type. Individual preferences are considered ‘…to play a vital role in explanatory schemata but do not themselves require analysis.’ (Boudon 1982b:160) This is a useless point of departure for interdependency analysis, Boudon claim, because the socio-institutional context remain out of sight.

**A COUNTER-PERSPECTIVE?**

The distinction between the communitarian and the Habermasian model of deliberate democracy was briefly sketched in chapter III. The discussion appearing in the crossroad between these two models can describe some of the dilemmas Human Rights actors meet in the Tallinn debate.

In chapter III, the Habermasian ideal model of deliberate democracy was described as superior to the communitarian (Weigård and Eriksen in Midgaard and Rasch 1998:37-61). Let’s look closer at Weigård and Eriksen’s arguments. They stress that the assumptions of the communitarian fail to stand up against normative and empirical judgement in modern society. Moral communions do not exist at the level of states. The representative political bodies can only claim normative rights to decide for other people what is the good life on the basis that a moral communion in fact exists. Culturally plural states by definition has no common moral foundation, and further, Weigård and Eriksen claim that even if a moral communion, against all odds, could be established, this would not be a general wish. Even though pluralism has its challenges, plural societies are regarded an asset and something
that should be preserved (Weigård & Eriksen in Midgaard and Rasch 1998:48). This is in line with the liberal democracy theories of Lord Acton and Cobban (Østerud 1997:72-75). And to recall Østerud’s conclusion, even plural societies need a minimum of communion in order to maintain democracy.

Habermas reject the idea of dragging the communitarian perspective on democracy out of the liberal institutional framework of contemporary societies so that the consensual principle becomes the *modus operandi* of formal political institutions. The consensual principle should guide the informal and formal discourses, but only with reference to a superior normative standard that gives democracy its legitimacy. Negotiations, pragmatic discussions and political-ethical discourses are formal deliberation that also has to orient themselves to these standards (Weigård & Eriksen in Midgaard and Rasch 1998:54-55). And here is where we reach the crucial points.

First, Habermas presuppose a public debate as the critical correction to formal politics, and we should discuss the conditions for public debate in Estonia, which is split into two linguistic groups presently living quite segregated and orienting towards different mass media. The Estonian democracy is downgraded by default by Cohen’s fourth characteristic of deliberative democracy, because Russian speaking non-citizens are not considered equal political participants. If this disqualify Estonian democracy is another matter related to the discussion if Russian speaking without prior links to pre WW II Estonia are aliens proper. Nevertheless, Russian speaking residents have the opportunity for obtaining citizenship and this could have led to another debate, namely how the introduction to citizenship could be enhanced, how language teaching for adults could be better, cheaper and organised more convenient taking into account people’s work. Another related issue is the discussion of possibilities to reach to consensus when the cultural cleavage lines are so comprehensive as in Estonia. Weigård & Eriksen (in Midgaard and Rasch 1998:58) conclude that Habermas’ model cannot explain how to implement a proper institutional design that safeguarded this type of deliberative democracy. I shall argue that the main reason for this probably can be traced to the one-sided view of pluralism and reluctance against instrumentally institutionalising culture, unless it is incorporating the ideology of Human Rights into the educational system.

This is related to the second point of the normative standard that Habermas are suggesting to orienting democratic discourses against. The communitarian counterpart focus on situated social practice and is thus much more oriented toward traditions and culture. Even if we agree that moral communities at the level of state don’t exist in most modern countries, and definitely not in Estonia, it is not certain that this criteria dominate every version of communitarianism. Other versions of communitarianism, not so value-consensus oriented as Weigård and Eriksen describe, but rather one departing from the social practice situated in civil society. And this lead us back to Scott Lash’s theory of
reflexive modernity, which in fact could illustrate how a communitarian view of society could better account for modernity. Incorporating Lash’s ideas could also shed new light on the focal point of Human Rights actors at the Tallinn seminar, namely to look at stratification within the information structure, and how reflexive communions are created. Habermas thinks that the normative and procedural structures can legitimise democracy, but this is a conditional ground of legitimacy if we follow Weber. It depends upon the support from a popular tradition according to Gramsci. And to understand Weber’s term legitimacy and Gramsci’s term collective will, we have to apply a perspective of bottom-up support for democracy that is situated social practice, not common values, and not cognitively reasonable belief in procedural arrangements founded in philosophy.

If we instead depart from regarding society as social practice, we can better understand why the normative and philosophical approaches fail, especially when they are applied to other than Western societies. This does not mean that the normative reasoning of Habermas is wrong, or that we don’t need superior norms and values to guide social interaction. We do need them. But we should better not try to understand social practice departing from them, and that is partly what Human Rights actors do at the Tallinn seminar. They explain political and economic discrimination referring to lack in compliance with Human Rights without referring to possible mechanisms and even arguing how legal measures should be the proper mean to abolish discrimination.

The communitarian perspective ‘modernised’ by the theory of reflexive modernity is a counter perspective to the liberal and Habermasian (which could be regarded as fitting the description of New Liberalism). Even though Weigård and Eriksen (in Midgaard and Rasch 1998) claim that Habermas deliberative model is a synergetic result of merging communitarism and liberalism, this deliberative model has its drawbacks that could be understood by applying a crossed perspective of a reflexive communitarianism. What becomes problematic is of course the generalisation or universalism that is applied to Habermas model. The moment the communitarian perspective enters the scene it demands a limit to this universalism referring to social practices, to traditions, customs, to culture. It has its natural limits in the limits of bottom-up support for this type of democracy.

Habermas dilemma of universalism is similar to the Human Rights actors’ dilemma, and in fact this can refer to the tight link between Habermas theories and Human Rights. Habermas bases his normative arguments on the precondition of Human Rights, which makes the rule of the people, democracy, possible (Weigård&Eriksen in Midgaard and Rasch 1998:58). The possibility that interpretations and exercise of Human Rights could jeopardise democracy, and thus turn out counterproductive to the goals of Human Rights is not expressed in Habermas theory. But then, this thought is not unfamiliar within communitarian perspectives that stress the mores or habits of the hearts of citizens as a
necessary precondition for maintaining democracy (Tocqueville 1832).

Human Rights do not put other restriction on people’s actions and wills other than those that restrict the fundamental freedoms of others (Article 29). In a political perspective we can see how traditional integration theories stressing socialisation becomes familiar to the communitarian tradition, while some conflict perspectives on integration and Luhmann’s ideas fit into the liberal. Defending democracy is, as Gunnar Skirbekk (1999a), a philosopher of science and member of the Norwegian Commission for Freedom of Speech phrases it, a question of carefully balancing between the normative and the practical. The Commission departs from three issues, the search for truth, democracy and the autonomy of individuals. They clearly state that the autonomy of the individual cannot be given special status, it has to be regarded (and restricted) according to the two other.

CONCLUDING REMARKS

The distinction between politics and science is difficult and sometimes obscure. Nevertheless, clarifying some aspects of the boarder line between the two spheres shed light on some mechanisms making it difficult to reach to appropriate decisions about collective challenges. This discussion concentrates on two dilemmas, the first is the chronic dilemma between safeguarding legitimacy for Human Rights and the actual materialising of Human Rights actors work in social practice. The second is concerned about socially situated bottom-up support, a collective will, for a normatively procedural arrangement like deliberative democracy, which threaten to expose that there might be a need for creating limits to what is considered to be universals.

The discourse at the Tallinn seminar reveals the weak position of Estonian social scientists, which depart from a communitarian and liberal nationalist view of society. Human Rights actors’ ideological work is supported by powerful mechanisms regulating the recognition of ideas. By interpreting ideology as embedded in social practice, we can also see the contours of how social scientists are socialised within the system of international Human Rights by participation. But then, we can also see why the ideology of Human Rights becomes inferior within the borders or Estonia because Human Rights actors does not mediate their mission in symbols that makes sense in liberal nationalist oriented society. It is in fact hard to see how they ever should succeed.

This brings us to the next point, namely the idea of deliberate democracy. There is a link between, on the one hand, the dilemma of legitimacy and social practice exposed in the Tallinn discourse, and on the other hand, the dilemma between universal normative procedural arrangements and the conditions under which they are made possible. This is perhaps not so strange, taken into account that Habermas is accused for excessively wanting to prevent a second Holocaust (see i.e., Schaaning 1993:159-189). By default, he
thus lend support to Human Rights as the basic and undisputed fundament on which deliberative democracy is to be created (Weigård&Eriksen in Midgaard and Rasch 1998:56). This means that Human Rights work and promotion of deliberative democracy in Habermas’ version meet similar dilemmas regarding social practice.

The dilemmas are not dissolved by applying a perspective of reflexive communitarianism, however, this perspective take into account the social shaping of preferences and have clear potentials for getting closer to solutions that not only are nice and politically correct, but solutions that also turn out to work.
X Closing Comments

In the present work Human Rights actors work in Estonia has been under scrutiny regarding their ability to meet current integrative challenges. I have departed from a conceptual and theoretical discussion on the relationship between integration and democracy and developed a concept of national integration based on Gramsci’s term *collective will*. The argument for a bottom-up support for democratic rule is based on the idea that contemporary modern democracies depend upon certain conditions, including socio-cultural ones. A bottom-up support maintains a free society, which again is a condition for democracy. Support for democracy is situated in social practice, and in order to understand how individual democratic skills contribute to maintaining democracy, I have suggested applying Merton’s term functional subjective dispositions. The communicative and emotional conditions have been explored. Luhmann’s concept of integration is shown to rest on an assumption of fairly stable society, and I argue that the conditions and the context in which democracy is embedded need to be explained, and not taken for granted as Luhmann does, if unintended consequences is to be predetermined.

During the discussion on democracy the question of who constitute the people became relevant to this work focusing on Human Rights actors, interfering with the integration policy in Estonia. The question of *appropriate democratic authority* is answered by the criteria of maintaining democracy, as Dahl suggested. The answer to this question regarding the Human Rights actors was based on the analysis of how they perceive the dynamics of society and the regard the conditions for democracy.

The Human Rights actors’ interpretation of integration and democracy was approached in two ways. First, issues of interdependency and problem selection was discussed, concluding that most of the participating Human Rights actors departed from an assumption that Human Rights was the answer to the challenges in Estonia as well as to conflicts in any part of the world. The questioning and selection of problems is unlikely to question Human Rights. Secondly, the discourse was analysed according to construction and management of contradictions on areas of integration and democracy. The content of Human Rights actors’ speech was uncovered, but then also how they framed their views. The latter made it possible to assess what kind of role these actors tried to capture, an information that was highly relevant to the question of where to place authority in questions regarding integration. There was a clear tendency to take on the roles of missionaries, implying that these Human Rights actors presented and expressed themselves competent in taking on responsibility to take appropriate decisions concerning questions on integration. This is as we have seen an image that doesn’t live up to Dahl’s criteria. Not because Human Right actors necessarily did harm at the seminar, which is more difficult to argue clearly for. But rather because their conceptual framework is ill fit
to understand the dynamics of modern societies and thus carry strong potentials for triggering unintended consequences that could make society worse off.

The material from the Tallinn discourse clearly shows how the strain between the ideological work to safeguard legitimacy for Human Rights and concerns regarding social practice expressed itself. In chapter IX the nature of this ideological work was elaborated in a perspective of power. The close link between Human Rights actors interpretations and New Liberal ideology gives opportunities for self-immunisation, which makes it easy for Human Rights actors to avoid conditional and contextual investigation before giving advises. I have suggested reflexive communitarianism as a counter-perspective to Human Rights and New Liberalism. The traditional communitarianism has met critique for similar reasons as traditional integration theories. However, it is quite possible to depart from a communitarian idea based in Scott Lash’s theory of reflexive modernity, and this perspective orient toward social practice and not normative and philosophically reasoned ideals. The focus on social practice is necessary if Human Rights actors work shall avoid creating cascades of unintended consequences. However the implication of applying a perspective of reflexive communitarianism has to be elaborated in more detail, especially sorting out the delicate relationship between the normative procedural and the socio-cultural condition for democracy. Even though Habermas seem to have a bias overemphasising the normative aspects, maybe explained by his political and emotional engagement in preventing Holocaust, it is quite clear that a normative fundament is necessary.

The foundation in this work has been the theory of unintended consequences and the web of interdependency between actors, institutions, ideologies and traditions. In the analysis of the discourse I emphasised contradictions because they are, as Luhmann suggests potent triggers of action. But then also because contradictions also can be inconsistencies.

The Weberian pragmatic discourse founded the judgement of Human Rights actors as educators, clearly revealing that they did not take on an educator, but a missionary role at the Tallinn seminar.

The question if Human Rights actors did harm by their contribution in the Tallinn seminar is difficult to answer directly. If we compare their suggestions with identified conditions for discursive democracy, we could ask if press releases like the one from the seminar (Appendix) triggers public debate or enhance dialogue within formal political institutions. What impact does this message have on Russian speaking and their motivation to learning the titular language? Since language is a potential medium for reconciliation, how would the emotional relationship between Estonian and Russian speaking become? Another aspect is the direct and indirect effect of the support of LICHR and mister Semjonov’s political party. These are potential negative effects, but then the
present material makes it only possible to speculate on the outcomes.

If we look at the Human Rights actors position in the field, we can see that they have a less official role than i.e., OSCE, but nevertheless their contributions are released and printed in the mass media, the Russian speaking mostly. It reaches members of the European Union, and set the standards for forthcoming discussion on these issues.

The crucial test for democracy is if it manages to cope with the challenges it faces. A failure might lead to collapse. Do people stick together and support each other or do they act strategically without solidarity for each other when society reaches crisis? If there are culturally divided groups the question is more important because the amplitude of conflict may rise and at the same time the ability of the government to act constructively through dialogue is diminished.

The dilemma between too much and too little government interference regarding conditions for democracy is expressed in theories of political science. Some researchers suggest letting divided groups live separate within the territory of the state only sharing a ‘demos’ of co-decisions at the level of state. They recognise the risk for enhancing conflicts when the state interfere with socio-cultural matters, but this does not imply that government should do nothing to crate conditions for democracy. Henry Shue (1996), an Human Rights interpreter, claim that governments are responsible for creating such conditions, and that it is a violation against Human Rights not to do so. This shed light to the role of the Estonian government and the potential for liberal nationalism in the country. The government is tied up by Human Rights actors’ claims, and at the same time they are made responsible for creating conditions for (deliberative) democracy. The potentials for taking advantage of a liberal nationalism to create conditions for deliberative democracy and keeping up the spirit of Estonian resident could make Estonia better off. The crucial question is if the non-interference policy that Human Rights actors recommends, in the long run amplify conflicts, that could have been dealt with in a smaller and manageable scale earlier.

Sociological theories presented here do suggest that people living within the border of the same state should preferably interact across national, religious or linguistic lines to reduce the level of miscommunication (anomalies) and to develop political communities across linguistic lines. To create emotional support is more challenging because social meeting places alone cannot produce communion.
XI References


Guneriussen, W. 1988 Tvang og autonomi : det problematiske forholdet mellom individ og samfunn i Emile Durkheim’s sosiologi, Tromsø.

Guneriussen, W. 1999 Å forstå det moderne - Framskrittstro, rasjonalitet, ambivalens og irrasjonalitet i diskursen om det moderne, Oslo: Tano Aschehoug.


Skirbekk, S. 1986 Ideologiavsløring som ideologi - En argumentasjonsanalyse av norsk moraldebatt, Oslo: Universitetsforlaget AS.
Skirbekk, S. 1999b .
Weber, M. 1999 Verdi og handling, Oslo: Pax Forlag A/S.
THE PRESS RELEASE FROM THE TALLINN SEMINAR


An international seminar on minorities and majorities in Estonia and its different regions was convened to discuss issues of integration at the threshold of the European Union. It brought together about 30 experts on international law, human rights, and minority issues from ten different countries.

The meeting was co-organised by the Legal Information Centre for Human Rights (Tallinn), the European Centre for Minority Issues (Flensburg) and the Norwegian Institute of Human Rights (Oslo). It constituted a follow-up to a seminar on the same topic held in May 1998 in the German-Danish border region.

The participants recognised with appreciation the decision by the authorities of Estonia to initiate an integration programme but also expressed some concern with its limited scope and the slowness of its implementation. They explored the process and means of integration in the light of international standards governing human rights and minority protection. They noted that, in addition to compliance with international standards, there is a continuing need for a broad discussion between majorities and minorities in Estonia on the process and aims of national integration, and for ensuring widespread public awareness of the process.

The programme is at present intended to include language training, grassroots integration projects and regional development. The participants at the seminar felt that the integration programme should also include a dialogue on citizenship issues and minority protection, as already envisaged in the Government’s policy paper on national integration.

Participants discussed at some length issues related to language policies. While there was full support for the objective to promote and protect the Estonian language and culture, many participants expressed concern that current language provisions create significant problems for many of those who are not proficient in the Estonian language. It was pointed out that recent changes in the language requirements of Estonian electoral law are not consistent with the functioning of an inclusive democracy, as required by the International Covenant on Civil and Political Rights, in particular Article 25.

The participants also noted that the concerns underlying international human rights and minority standards are to ensure equality of everyone in dignity and rights, and to protect cultural, religious and linguistic pluralism in society as a basic element for ensuring peace and stability in the country and the region at large.

Participants further noted with concern that developments during the last decade have caused significant
differences in the enjoyment of economic and social rights among members of Estonian society, and that appropriate measures should be taken to ensure that discrimination does not occur on the basis of language and ethnicity.

The participants welcomed the changes in citizenship legislation which facilitate access to citizenship for children born in Estonia after 26 February 1992 who would otherwise be stateless. Participants considered it important, in order to achieve equality, to extend these provisions and to further facilitate access to citizenship for all those who have de facto become permanent residents of Estonia.

The seminar also discussed the draft amendment to the language law (Draft 1030 SEI). While participants recognised the legitimacy of strengthening the position of the Estonian language in society, they also underlined the importance of avoiding that this lead to discrimination in access to employment and economic activity, and that the law should not regulate matters which are beyond the normal reach of state involvement in private language use.

**PROGRAM AND PARTICIPANTS - THE TALLINN SEMINAR**

"Minorities and Majorities in Estonia: Problems of Integration at the Threshold of the EU”, Tallinn, 8 - 9 January 1999

**PROGRAMME**

**Friday, 8 January**

11:00 Opening of the Seminar in the Building of the Estonian National Library
(Tõnismägi str. 2, tel. +372 - 6 307 611, fax +372 - 6 311 410)

11:00 - 13:30 First session:
Discussion

13:30 - 14:30 Lunch

14:30 - 16:30 Second session:
Discussion

Vello Pettai or Mati Heidmets: "Societal Resources and Readiness for Integration: Monitoring the Process.
Coffee-break

16:00 - 18:00 General Discussion
Reception in the Mihkli trahter (Hotel Mihkli, Endla 23)

**Saturday, 9 January**

10:00 - 12:00 Third session:
Fernand de Varennes: "Linguistic Rights, Non-discrimination and Political Participation.
Discussion

Erik Andre Andersen: "Economic and Social Aspects of Integration in Estonia; the Northeast Region.
Discussion
12:00 - 13:00 Lunch
13:00 - 16:00 General Discussion (Adoption of Recommendations)
Coffee-break
Closing of the Seminar

LIST OF PARTICIPANTS

Alfredsson, Gudmundur
Director, Raou Wallenberg Institute of Human Rights and Humanitarian Law, Lund, Sweden

Andersen, Erik Andre
Researcher, Danish Centre for Human Rights, Copenhagen, Denmark

Arjupin, Andrei
Legal Adviser, Legal Information Centre for Human Rights, Estonia

Birkenbach, Hanne-Margret
Senior Researcher, Schleswig-Holstein Institute of Peace Research (SHIP), Kiel University, Germany

Bloed, Arie
Director, Open Society Institute, Budapest, Hungary

Butenschon, Nils
Director, Norwegian Institute of Human Rights, Oslo, Norway

Eide, Asbjørn
Chief Researcher, Norwegian Institute of Human Rights, Oslo, Norway

Grin, François
Acting Director, European Centre for Minority Issues, Flensburg, Germany

Hallik, Klara
Senior Researcher, Legal Information Centre for Human Rights and Institute of International and Social Studies, Tallinn, Estonia

Heidmets, Mati Dean,
Social Science Department, Tallinn Pedagogical University, Estonia

Järve, Pritt
Senior Analyst, ECMI, Germany

Kolstø, Pål
Professor, University of Oslo, Norway

Laius, Agu
Director, Jaan Tõnisson Institute, Tallinn, Estonia
Lundberg, Maria Researcher, Norwegian Institute of Human Rights, Oslo, Norway
Mits, Martin
Deputy Director, Latvian Human Rights Institute, Latvia
Muizhnieks, Nils
Director, Latvian Centre for Human Rights and Ethnic Studies, Riga
Ohna, Vanja
Norwegian student at sociology
Pettai, Vello
Estonian President’s Plenipotentiary at the Roundtable on Minorities, Lecturer at Tartu University, Estonia
Remets, Rufina
Legal Adviser, Legal Information Centre for Human Rights, Tallinn, Estonia
Semjonova, Larissa
Deputy Director, Legal Information Centre for Human Rights, Tallinn, Estonia
Semjonov, Aleksei
Director, Legal Information Centre for Human Rights, Tallinn, Estonia
Stadnicov, Sergei
Lecturer on Comparative Religion Studies and Ethics, Tallinn Pedagogical University, Tallinn, Estonia
Thiele, Carmen
Researcher, University of Frankfurt/Oder, Germany
Tsilevich, Boris
Head of Department of Social Research, INSIGHT Ltd, Riga, Latvia
de Varennes, Fernand
Director, Asia-Pacific Centre for Human Rights and the Prevention of Ethnic Conflict, School of Law, Murdoch University, Australia
Vetik, Raivo
Director, Institute of International and Social Studies, Tallinn, Estonia
Wellmann, Christian
Deputy Director of the Schleswig-Holstein Institute for Peace Research (SHIP), Kiel University, Germany
Ziemele, Ineta Director, Latvian Human Rights Institute, Latvia
THE PREVIOUS SEMINAR

The first international seminar titled "Minorities and Majorities in Estonia: Problems of Integration at the Threshold of the EU" was organised by the European Centre for Minority Issues (ECMI) and took place from 22 to 25 May 1998 in the German-Danish border region. The aim of the seminar was to discuss the problems of implementation of the national integration policy. Mrs Andra Veidemann, Estonian Minister of Interethnic Affairs, delivered a keynote speech at the first session of the seminar. She commented in detail the government policy paper "The Integration of Non-Estonians into Estonian Society. The bases of Estonia's national integration policy", which was adopted at the 10.02.1998 session of the Government of the Republic of Estonia. The discussion at the seminar focused on the role of citizenship and language policies, system of education and media in the Estonian national integration. The participants included two Estonian MPs, two former Estonian ministers, the Head of the OSCE Mission to Estonia, the Estonian Ambassador to Denmark, scholars and experts from Estonia, Latvia, Denmark, Norway, Great Britain, Russia, and Germany.

The follow-up seminar in Tallinn was a two days expert meeting taking place the 8-9 of January 1999. The aim was similar to those of The Flensburg Seminar, however this time only experts and no politicians or media people were invited. The reason for not inviting politicians this time was to calm down the emotional engagement that appeared at the Flensburg seminar, and thus get to discuss the matter of state more analytically.

THE OFFICIAL ESTONIAN INTEGRATION POLICY

THE ESTONIAN GOVERNMENT’S INTEGRATION STRATEGY

In autumn/winter 1997/98 the Estonian government started developing a strategy for tackling the issue of integration. As a first step a policy paper The Integration of Non-Estonians into Estonian Society. The bases of Estonia’s national integration policy was drafted within four months by a commission of 18 persons under the responsibility of the Minister of Interethnic Relations of the Republic of Estonia, Mrs. Andra Veidemann. On 10 February 1998 the Estonian government adopted the policy paper.

THE DOCUMENT TEXT

INTEGRATION OF NON-ESTONIANS INTO ESTONIAN SOCIETY


1. Estonia’s current policy on non-Estonians and the legislation expressing this policy evolved in a specific socio-political context characterised by the restoration of the independence of Estonia and its emergence from the sphere of influence of its eastern neighbour. (The definitions muulane and mitte-eestlane are used as synonyms for non-Estonian in the Estonian version of this text. Policy on non-Estonians means the steps taken by the state which directly or indirectly influence the position and opportunities of non-Estonians in Estonian society.) This context determined the content and dominant approach of policy. Under current legislation, the non-Estonian segment of society is divided into four legal categories – Estonian citizens, citizens of other states, persons with undetermined citizenship and undocumented persons.
2. By the beginning of 1998 the national and international situation has changed. A mental shift has occurred among the majority of non-Estonians, including the acceptance of Estonian independence as an inevitable fact. Compared to the beginning of the 1990s, the approach of Estonians on issues involving non-Estonians has also developed; attitudes have become more tolerant and open. New problems arising from the large non-Estonian segment of society have entered the agenda. Nationally this involves, above all, the alienation of an appreciable number of non-Estonians from Estonian society and isolation in a world of their own language and mentality. Sociological research conducted in the 1990s clearly points to the development of a “two societies in one state” model in Estonia. It is not difficult to see the danger of such development to both social and security policy. The situation among non-Estonians youth is of concern, where many talented young people cannot find sufficient employment opportunities, while growing unemployment provides fertile ground for a criminal subculture.

3. The changed internal and external situation requires that Estonia’s policy on non-Estonians take a new step forward. This step must be based on our current national and social interests, the goal of ensuing rapid modernisation of society in the context of accession to the European Union, while preserving both stability and commitment to the protection and continued development of Estonian culture. The new step must mean the replacement of what until now has been largely spontaneous development with a national strategy, which includes a clear orientation to the integration of non-Estonians into Estonian society. (Integration means the engagement of persons in all levels of society. Integration is not a change in ethnic identity, but the removal of barriers, which hinder many non-Estonians from participating fully in Estonian society.) This means the implementation of a national programme directed at integration together with institutional and financial support. Above all this will pertain a significant reduction in the number of persons with undetermined citizenship, a substantial breakthrough in teaching of the official language and real participation of non-Estonians in Estonian society.

4. The emphasis of Estonia’s national policy on non-Estonians should be as follows:

- **orientation to the future.** Policy on non-Estonians must be based not so much on the problems of the past as on ensuring a stable future and development potential for Estonia, the need to modernise, and the values of a united Europe.

- **emphasis on children and youth.** The goal is that the generation growing up in Estonia today will in the next century become citizens who value the Estonian state and country and consider it their home. Attention and tangible resources must be focused above all on nursery schools, schools, hobby groups and summer camps

- **integration as a challenge for development** for Estonians and non-Estonians. Integration requires a serious effort on the part of non-Estonians, since language skills and the resulting competitiveness do not come on their own. At the same time it is a challenge to Estonians’ openness and democracy. If Estonians do not understand the need for such development and are not prepared to take steps of their own, there is no point in setting goals for integration. Without a doubt, integration strategy is also a difficult task for the Estonian state and politicians since domestic policy objectives for the development of Estonia as a democratic nation state must be defined.
- **active participation of non-Estonians** in integration as real contributors whose needs and expectations are addressed in the formation of policy on non-Estonians. The distrust and passiveness prevalent among non-Estonians must be replaced by the understanding that each person’s potential for a secure future in Estonian society depends on their own activeness and ability to co-operate.

- **confidence as the basis for integration.** Barriers can actually be removed and tolerance can develop only in a situation where all parties feel confident and secure. For Estonians this means guarantees for the preservation and development of Estonian customs, manners and ideals. For non-Estonians this means the confidence that the policies of the Estonian state are not directed at driving them out or their assimilation. The model of two distinct societies increases the level of insecurity for both Estonians and non-Estonians. Integration is the only way to achieve a sense of confidence for both parties.

5. In order to implement a policy on non-Estonians, political consensus is needed to create and launch a national programme. A national integration programme should be prepared by March 1998 and discussed both by political forces and the public so that it can be implemented as a national development programme beginning in 1999. The national programme must become the cornerstone of Estonia’s policy on non-Estonians during the next ten years. The programme must be based on the clear specification of goals of the state in this sphere. The goals of the state in forming a policy on non-Estonians are:

- to **change attitudes** in addressing issues related to non-Estonians. The attitude “non-Estonians as a problem” must be replaced by the attitude “non-Estonians as participants in rebuilding Estonia”. The key issue here is expression of the state’s interest and attitude toward the potential of non-Estonians in Estonia, particularly of the new generation. Only a clear expression of the interest of the state in issues related to non-Estonians can create the political atmosphere necessary for true integration, including readiness to participate among non-Estonians.

- **significant reduction in the numbers of persons with undetermined citizenship** in the Republic of Estonia. The Estonian state is interested in a population with a clearly defined legal status. We want that non-Estonian in Estonia would be predominantly Estonian citizens. The state is interested in making the naturalisation process more efficient and in providing it with both political and material support. We must promote the development of children born in Estonia into Estonian citizens, regardless of nationality of their parents.

- **development of the Estonian educational system to be the central integration agent.** The future model of the Russian-language school must be clarified. Estonian-language schools also require the preparation of teachers for work with a multilingual and multicultural student population and the creation of Estonia-centred textbooks and teaching materials. The goal is that a youth who graduates from a non-Estonian basic school will be proficient in the Estonian language and that this will allow him or her, if desired, to become an Estonian citizen without a further exam and he or she will not face linguistic or cultural barriers to furthering education or competing in the labour market.

- **rapid improvement in the Estonian language skills of non-Estonians** over the next few years. The goal is for Estonian to be not only the official language but the predominant language of communication in society. Another goal is that all graduates of non-Estonian basic schools will pass an Estonian language and
civics exam, which, for non-citizens, would be equal to the citizenship exam.

adaptation of non-Estonians to the Estonian cultural sphere and their active participation in society. The goal is to reduce the barriers, which hinder the competitiveness of non-Estonians in the labour market and the public life. It is also to create more favourable conditions for their more widespread participation in non-governmental associations, cultural activities and international relations.

reduction of regional isolation of non-Estonians. The mobility of Estonians and non-Estonians within the state should be stimulated and supported in order to change the current trend in which predominantly non-Estonian regions (particularly Eastern-Virumaa) are preserved. The goal is to create multicultural and open social environment in Eastern-Virumaa.

political integration of non-Estonian Estonian citizens in the legislative and executive branches of government. A precondition for the democratic development of Estonia is the emergence of political pluralism independent of national identity, where voting in elections does not follow ethnic lines, rather is based on ideological differences and socio-economic interests.

Re-independent Estonia has been successful above all due to its bold steps and unorthodox solutions. The time is ripe to take such steps in policy related to non-Estonians as well. Estonia’s goal is to develop a European, integrated society. Attainment of this goal requires that clear domestic policy goals be established and that we work hard to achieve them.

LICHR

Alexei Semjonov: During the interview with him in Tallinn after the seminar, he clearly stated that he wished for Estonia to adapt to the Swiss model of society where the two societies separated by language and religion continue to live separately. He says:

‘ (Text units 186-186):… Switzerland for example is another very good example, they don’t mix with each other, Frenchmen and Germans and Italians. But they have their common goal to preserve their unique Swiss state. Their plurality and unity through plurality, unity through diversity and so on, that is their value. Very good, deeply internalised value and very good from my opinion.’

Access to political participation through citizenship, thus, become the most important and probably the only issue when it comes to integration, a concept he sees as parallel to non-discrimination:

‘… integration for me is kind of congruence (agreement, consistency) so if you want to live together, and understand each other, to create an atmosphere of confidence and mutual trust and so on and so forth…. So for me integration first of all must mean non-discrimination…. I doubt very much that we can integrate society where there are different groups especially ethnic groups with different sets of rights…. So if these people are excluded by law one could not speak about their integration. So it, must be the first main precondition for the development toward integration and equality, non-discrimination…. It is not a ground for integration to reach homogenisation in some secondary or artificially defined criteria. But if we really speak about common goals which we could reach only working together, co-operation, collaboration, mutual participation, mutual respect and so on, that is much more important for me.’
THE SCHLESVIG-HOLSTEIN PEACE RESEARCH INSTITUTE

The Schlesvig-Holstein Peace Research Institute (SHIP) put special attention to the regions of Schleswig-Holstein and the Baltic Sea. The institute was founded in 1995 by the Minister of Science, Research, and Cultural Affairs of the State of Schleswig-Holstein. It is attached to the Christian-Albrechts-University of Kiel. The aim is to carry out:

‘…fundamental and application oriented academic work in topics relevant to the maintenance of peace. Its goal is that of improving the state of knowledge of the conditions leading to, the opportunities for and the obstacles to advances in integration, non-violence, and justice in the international system as well as in individual societies and to contribute to the dissemination of that knowledge.’ (§2 of statutes).

The academic work of SHIP concentrates at present on three subject areas. The first area is co-operation, prevention of violence and non-military treatment of conflicts. The second area is conversion and peace compatible trade and industry. And the third subject area is environmental security and sustainable development. SHIP's special interests in the Baltic Sea region aim at peacekeeping in the European region. Questions that are raised, are what role the Baltic region have in the development of new European peace structures, and how European transformation will affect the living condition of people living in the Baltic region. SHIP carry out analyses of potential conflict in the Baltic region in order to develop constructive responses mainly through mechanisms of regional co-operation at different levels.

THE EUROPEAN CENTRE ON MINORITY ISSUES (ECMI)

ECMI aim at promoting interdisciplinary research on issues concerning minority-majority relations in a European perspective. They want to improve inter-ethnic relations in parts of Western and Eastern Europe where ethnopolitical tensions and conflict prevails. ECMI was founded in 1996. Denmark and Germany, and the Schleswig-Holstein region contributed to the establishing of the institute.

THE RAOUl-WALLEnBERG INSTITUTE OF HuMAN RIGHTS AND HuMANITARIAN LAW

They initiate, develop, and support other activities in these fields. Being one of the Nordic national institutes for human rights, the Raoul Wallenberg Institute is an active party to joint Nordic programmes regarding different aspects of human rights and international development.

The concept of culture is difficult to define exactly. A lot of definitions are available, ranging from the humanists view of culture as art, literature etc. to the anthropologist view of culture as everything from thought styles to handicrafts. In the context of this paper, culture would be used in the sense of a system of meaning developing within certain social and geographical and timely settings. This system of meaning are at the level of the individual, partly internalised and partly available as a strategic means of action, but then it is also incorporated in different ways into institutions. There are certain means and mechanisms for creating and sustaining a particular system of meaning and these could be consider as important vehicles for reproducing culture. Socialisation and formation of institutions are according to Talcott Parsons the two most important mechanisms for incorporating aspects of the cultural system into the social system.

Espen Schaanning (1993:179) has questioned if the Habermasian communicative reason emerging from ideal discourses would be able to handle all challenges facing society. Habermas belief in the power of the better argument is
then reckless, and should indeed be supplied by other means (than ideal dialogue) if challenges are to be adequately met. Schaanning claim that Habermas consensus theory is next to impossible to falsify, and thus self-protecting against any claims of validity. This is indirectly a critique of the ideals of democracy.

Democracy is a Greek word constructed by 'demos' and 'kratos' - which mean people and rule. As a system of rule it dates back to Athen in 508BC or even further back to Sparta and the less documented history of the Phoenics (Dunn 1992). The 'people' of the democracy of Athens was free men. Slaves and women did not have access to political decisions in the first ancient democracies. Even in modern democratic states, the 'people' have never comprised everyone living on the territory of the state. Women got their voting right in the beginning of the 20th century, and children have never had access to vote. People defined as foreigners do usually not have access to vote, at least in state elections.

David Beetham (Beetham 1999:82) put forward a hypothesis regarding the relationship between political culture and democracy like this: 'Societies divided by clearly defined and historically antagonistic cultural groups will have great difficulty in sustaining democracy.'

Anthony H. Birch identifies two sociological models of integrative processes at the level of the state. His division imply that different approaches to theories of modernisation will divide research either into the models of plural societies, where assimilation is considered illegitimate and destructive, or into the models of melting pot societies, where assimilation or integration is seen as unavoidable consequences of modernisation. The pluralist model assumes a conflict perspectives where the majority exploits the minorities. (Birch 1989:11). According to this model integration is defined in terms of general access to political rights, disregarding any culturally constituted characteristics. This way of thinking emerged in the late 60-ies especially through the work of Lijphart (Østergård 1998). The melting pot models were severely challenged by the fact that minority integration or assimilation in fact did not take place in the way social scientists had thought (Birch 1989:48). The main argument for the melting pot model had been that integration, conceived in broader terms, guaranteed stability. Since the stability of the state remained in plural society the idea of melting pot society was questioned. During the 60ies the preservation of minority cultures gained status as desirable. Cultural pluralism was regarded as a potential for growth and welfare. This made policies aimed at integration or assimilation appearing illegitimate. In the 70ies immigration from the far abroad increased in Western European countries as a result of import of workers because of a deficit on the labour market. The challenges concerning integration radically changed.

According to Henry Shue (1996:62) the government has the duty to design social institutions and take actions to prevent effects of chronic threats to subsistence, security or freedom. I suggest to interpreting his intentions also to cover the duty to maintain democracy. Because democracy is a necessary condition for the political rights spelled out by Shue and in most current interpretations of Human Rights.

Consensus theories are social theories based on the assumption that individuals have and acknowledge that they have, common interests, and that harmony is important. Social order is explained by reference to a communion of interests (Strandbakken 1998:282)

Conflict theories are social theories based on the assumption that the individuals are opposed to one another through the struggle over scarce resources, prestige and power. Some actors win, others will loose. Social order is explained with reference to coercion (Strandbakken 1998:283)

By realistic, Coser means conflicts that appear because particular demands are not met, based on estimation of the participants gains and losses, and where action is directed toward a solution that overcome the obstacles. A non-realistic conflict aims at action that function as stress-release for one or both parties. No particular solution to the conflict as such is sought. (in Østerberg 1990:254-55)

To Zygmunt Bauman (Bauman 1992:vii-ix) postmodernity is first of all a state of mind, the state of mind characteristic
of people who have the habit or compulsion of reflecting upon themselves (typical for intellectuals and artists). To Guneriussen (Guneriussen 1999:262-283) this is rather an effect of radical modernisation and does not represent a shift.

Niklas Luhmann [Luhmann, 1984 #161:405] divide social systems into societal and interaction systems. To Luhmann society ‘…is the all-encompassing social system that includes everything that is social…’ [Luhmann, 1984 #161:408]. Society constitutes the elemental units, which in Luhmann ‘s understanding are communications. And whatever constitutes in this way is society [Luhmann, 1984 #161:409]. ’Just as an organism does not live outside its own skin, or a psychic system operatively extend its consciousness into the world, or an eye create neural contact with what it sees, so a society cannot communicate with its environment. It is completely and without exception a closed system. This distinguishes it from all other social systems, in particular from interaction systems, which include communicative relations with their environment…’ (Luhmann, 1984:409-410)

But the distinction between system and environment offers the possibility of conceiving human beings as parts of the societal environment in a way that is both more complex and less restricting than if they had to be interpreted as parts of society, because in comparison with the system, the environment is the domain of distinction that shows greater complexity and less existing order. The human being is thus conceded greater freedom in relation to his environment, especially freedom for irrational and immoral behaviour. He is no longer the measure of society’ (Luhmann, 1984:212-213)

Talcott Parsons cultural theory is based upon the assumption that there is a general system of thoughts and values underlying all institutions and social interaction. But then, Parsons theories should be treated as formal theories (according to Boudon), and Luhmann then would operate with several systems of thoughts - production of meaningfulness - and claim that there is no overarching system like Parsons would suggest.

‘All morality finally relates to the question whether and under what conditions human beings esteem or disdain one another. By esteem we mean a generalised recognition and evaluation which honours the fact that others accord with the expectations one believes must be assumed for social relations to continue. Esteem is allocated as a reference to a person; all persons can gain or lose it for themselves (although in former societies belonging to a group was important for the bestowal of esteem/disdain). The person as a whole is always intended - in contrast to the estimation of individual merits, capacities, or competence in a profession, in sports, in love, and so forth. Thus esteem is a symbolic generalisation that is directed to persons and finds its boundaries in them. These boundaries are not sharply drawn, and more (or less) can be attributed to a person than that person actually deserves, as seen by other observers. Highly moralised systems tend to overattribute. What is important is that the person be judged as a whole.’ (Luhmann, 1984:235)

Zygmunt Bauman (Bauman 1993) divides social space in cognitive, aesthetic and moral space. The cognitive space comprises the rational part of social interaction. The aesthetic space comprises the emotional and impulsive aspect of social interaction while the moral space is the area of asymmetric responsibility for the Other. It is within the logic of his space of morality that we could search for the options for solidarity. In Luhmann ‘s version – the cognitive space represents the depersonalised social systems – the aesthetic space is the social systems operating according to emotional and spontaneous, but not necessarily moral, logic.

According to the constructivistic approach by Ernest Gellner ‘…nationalism is not the awakening of nations to self-consciousness: it invents nations where they do not exist - but it does not need some pre-existing differentiating marks to work on…’ (Smith 1994:62), ‘…nationalism is not the awakening of an old, latent, dormant force, thought that is how it does indeed present itself. It is in reality the consequence of a new form of social organisation, based on deeply internalised, education-dependent high cultures, each protected by its own state. It uses some of the pre-existent cultures, generally transforming them in the process, but it cannot possibly use them all.’ (Smith 1994:63).

Biryukov,N. Sergeyev,V. elaborate the tradition of Sobor historically and identifies some basic differences when comparing to the Western conception of democracy. First, the concept of truth is interpreted more substantial and
scholastic in the Russian tradition. What is truth and correct coincides with what is right and just. In the Western
democratic conception truth is perceived as something coming out of a dialogue or discourse, a thought that would seem
absurd in the Russian interpretation. While the Russian tradition focuses on the truth, the Western model focuses on
what is right and just. Consequently the basis of legitimacy becomes different. The voice of the people is necessary to
assess what is right, but not what is the truth. The Russian model indicates scepticism toward the ability of the masses to
reach the correct decisions. The Western model is focused on procedure, the Russian on what is conceived as substantial
truth. Listening to the voice of the people could in the Russian context be accepted insofar as this procedure proved to
create correct decisions. If it fails, other methods for decision-making would legitimately gain support. The Russian
sbornost tradition is then more authoritarian than most Western concepts of democracy allow. (Biryukov and
Sergeyev 1994).

My question was phrased like this: ‘What I cannot find in your contributions, is the guiding questions leading you to
your conclusion that society will be better off if it complies to the contemporary interpretation of international human
rights.’

Theories of social change are according to Boudon the analysis of social change in contemporary social sciences, in
particular sociology. The philosophical and more specifically epistemological questions related to social change are in
Boudon’s opinion raised in the works of Nisbet and Lenski and are similar to those raised by Georg Simmel in
connection with the philosophy of history (Boudon 1994:9).

Zuckerman (1989:261) claim that i.e., Pierre Bourdieu reach to similar results as Merton even though he has a different
approach. Raymond Boudon (1982b) has also discussed Merton’s theories.

I asked for a correction of my notes from her speech by email. She then sent me approximately the same manuscript as
the one that was published after the Flensburg seminar.