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Cyprus, Minority Politics and Surplus Ethnicity

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The consociational system of governance that Cyprus acquired at independence has had highly ambivalent effects on Cypriot ethno-cultural minorities. For historical or *realpolitik* reasons that are still hotly debated, one ethnic minority (Turkish Cypriots) acquired an elevated status and was officially recognised as a partner of the ethnic majority (Greek Cypriots); other minorities were recognised but in ways that in effect misrepresented them (Maronites, Armenians and Latins); and still others did not and cannot be recognised at all (e.g. Gypsies and Arabs). Minority recognition can strengthen a community though it can also disempower it, depending on the socio-political context within which such recognition takes place and the discourses that surround it. Inequalities of power thus accompany the presence as well as the absence of minority recognition. Cypriot minorities are invariably discriminated or supported, and their status has been complicated by the advent of the 'Cyprus problem'. This has produced diverse implications and paradoxes.

Before embarking on a discussion of Cypriot minority politics after independence the minority situation, before 1960, needs to be briefly mentioned. If one consults beyond ethno-nationalist historiographies it is clear that Cyprus has been a multi-ethnic, multi-cultural society for centuries. That only certain minorities are currently socially recalled or politically recognised should not detract from the fact that many other minorities have been present on the island but progressively assimilated into more powerful groups. A couple of examples can illustrate the point. The Linobambakoi, a syncretistic sect of Muslim-Christians, began to be incorporated into the Greek- or Turkish-Cypriot community, when ethno-nationalist contests acquired prominence in the late nineteenth century. As official religion became the stepping stone to ethnicity in Ottoman and post-Ottoman territories, the Linobambakoi were seen as an ethno-religious anomaly that had to be normalised into Greek/Christian or Turk/Muslim identity. Another smaller community, the Azalis, have been mostly incorporated into the Turkish-Cypriot community (with the exception of one branch of Subh-i-Azal's family that opted for Christianity), and what remains of this 'residual' ethno-religious community are distant memories and relics of their 'Persian ancestry', occasional visits from Iranian Azalis on pilgrimage to Subh-i-Azal's tomb in Famagusta, and an ambivalent relationship with the Bahai faith (Baha'ullah was the brother of Subh-i-Azal, and for many Azalis a usurper of the Babist legacy, oversimplifying it in order to establish a mass religion). Despite recent Azali attempts at global visibility and for recognition as the true followers of the Bayani faith, the local visibility of the Azalis in Cyprus has been irrevocably lost. Similar stories can be told about other small communities in Cyprus, such as Nestorians, Circassians, Bektashis, Jews, Black Africans, etc.

Identifying minorities is not a simple exercise for not every non-majority community is happy to accept such designation. In Cyprus the term *minority* has been resented by consecutive Turkish-Cypriot leaderships when applied to their community, even though numerically correct (Turkish Cypriots constituted 18 per

cent of the population in 1960). In employing the term, they often saw (not unjustifiably) an attempt of disempowerment, specifically in terms of Turkish-Cypriot communal rights granted in 1960 and ‘co-partnership’ in the government of the Republic of Cyprus. They saw its usage as an ingenious linguistic and progressively political means through which Greek-Cypriot leaderships would deny the consociational partnership and establish single majority rule in exchange for minority protection. This would reduce them, they often claim, to the status of Turks living in western Thrace, which is not only a bad model of minority protection but a misunderstanding of the status that Turks historically enjoyed in Cyprus.

By contrast, for critics of consociationalism the Greek-Cypriot majority of 78 per cent was itself discriminated by being asked—in lieu of exercising its right of self-determination in 1960—to share power and create a bi-communal partnership with a community of mere 18 per cent. This perceived colonial injustice has been used to legitimate the demand for constitutional revisions and the subsequent stripping of the communal rights of the Turkish Cypriots in 1963/4 that followed the eruption of interethnic violence. The suspension of basic constitutional provisions brought about the exclusion of Turkish Cypriots from the decision-making process and violence on the ground pushed them into enclaves. Before and more frequently after 1963, consecutive Greek-Cypriot political elites, especially right-wing ones, deliberately ‘minoritised’ Turkish Cypriots in public discourse, though they never succeeded in getting this internationally accepted. As a matter of fact, the ‘partnership’ and ‘political equality’ of the Turkish-Cypriot and the Greek-Cypriot communities have been recently affirmed in the joint statements of the leaders of the two communities, Demetris Christofias and Mehmet Ali Talat, and as a key principle upon which to build the reunification of the island. Thus to designate the Turkish-Cypriot community a minority, though not necessarily a sign of a dubious objective when used in the numerical sense of the term, is highly charged in public discourse and can be perceived as implying a particular kind of solution with regard to the future settlement of the Cyprus problem.

Paradoxically, however, the protection of those Turkish Cypriots currently living in the southern part of the island can only take place within the Framework Convention for the Protection of National Minorities. This is because the bi-communal character of the Cyprus Republic has been suspended since 1963 and the only means of effective protection of the rights of Turkish Cypriots living in the area under Republic of Cyprus control in the absence of formal constitutional checks and balances is to approach their community as a *functional minority* within this area. Specifically, this is necessary in order to be able to protect their linguistic and cultural rights, but also the right to vote or be elected or of civil marriage, basic rights that have been granted to them only after rulings of the European Court of Human Rights against the Republic of Cyprus; see *Aziz v. Cyprus* (2004) and *Selim v. Cyprus* (2001). Treating Turkish Cypriots as suspended constitutional partners has serious legal limitations and implications. These can only be reversed or softened not simply by securing their individual human rights but by functionally minoritising them as long as the Republic of Cyprus state of emergency continues. This is indeed how the Council of Europe practically views Turkish Cypriots living in the south; see for example the recent Resolution of its Committee of Ministers (9 July 2008). Their designation in the south as a minority is therefore empowering for their community—in fact the only means through which Republic of Cyprus’ adherence can be scrutinised and communal viability ensured in an effectively Greek Cypriot regime

that operates under the doctrine of necessity—as much as it is politically charged and disempowering when generalised.

In the northern part after the 1974 war and forceful division of the island, the Greek-Cypriot majority was ethnically cleansed and, where this did not happen, it became a shrinking and discriminated minority. Political fortune was reversed and the Turkish-Cypriot minority became the majority ruling over an ethnocracy, which unilaterally declared independence but nonetheless remains internationally unrecognised and so unaccountable in terms of minority protection. For international legal purposes, the Republic of Turkey is recognised as the occupying power and therefore responsible authority that is answerable to the Council of Europe for violations of human rights. Greek Cypriots would resent being reduced to minority status even more than Turkish Cypriots, and legally this could only be so if the buffer zone were to be recognised as an international border. But *de facto* they are a minority in this area, a functional minority just like Turkish Cypriots are in the south. The European Court of Human Rights tentatively approaches them as a minority, for example in *Cyprus v. Turkey* (2001), a case which examined the status of Greek Cypriots living in the north together with Maronites and Gypsies, and finding Greek Cypriots to be the most discriminated of groups. Certain improvements in this regard have occurred since the partial opening of the checkpoints in April 2003, though still short of European and international standards. Thus the viability of the Greek Cypriots as a *community* in the north cannot be ensured by treating them as mere ‘enclaved’ individuals (the Greek-Cypriot official approach), and definitely not as ‘resident aliens’ (the Turkish-Cypriot official approach), but only as a functional minority for which an internationally recognised legal authority ought to offer protection and be held periodically accountable until a comprehensive settlement of the Cyprus problem.

In short, as long as the Cyprus problem remains unsolved, both Greek Cypriots and Turkish Cypriots remain *de facto* or functional minorities in the northern and southern parts of the island respectively. This should have sensitised the Greek-Cypriot and Turkish-Cypriot regimes as to the plight of all other minorities in Cyprus. Yet the reality is different and exacerbated by the structural bias of the 1960 postcolonial arrangements that perceived all Cypriot ethnicities, other than Greek and Turkish, as *surplus* ones, and consequently as ethnicities that were expendable.

The Maronites and Armenians are two such ‘surplus’ ethnicities. Though in many respects they are content to be recognised as constitutionally protected minorities with the right to elect their own representatives, the crucial problem for these communities is what kind of minorities they are recognised to be. Note that the 1960 Constitution allows only for the existence of ‘religious groups’ which is how they are currently defined. They are that, but they are not just that.

In the case of the Maronites and Armenians the existence of neighbouring ‘mother nations’, different languages and other cultural markers (and even distinct ethnic habitat in the case of the Maronites) have been set aside so that the official script can underscore *religious* difference. In the case of the Armenians, different religious denominations (Orthodox, Catholic and Protestant) are also missed or wished away. Consequently, the membership of these communities is based on confirmation received by their respective Churches, which a number of secular Maronites and Armenians contest. The crude and incorrect identification of Maronites and Armenians exclusively in terms of their ‘religion’ seriously limits the horizon of communal identification and belonging. In the end, it functions as an alibi for the construction of a bi-ethnic rather than a multi-ethnic republic.

With the Latin community (the third recognised minority under the 1960 Constitution), the designation religious group is not in itself so unproblematic though some still link their ancestry to the Frankish period in Cyprus and take pride in using the French language. But the off-loading of the term 'Latin' has foisted exotic associations on them in ways that are off-putting to the community and more evocative of a Caribbean than a Mediterranean environment. The requests from within the Latin community for a more accurate designation i.e. the 'Roman Catholic' community are quite legitimate given that free self-identification is an established principle in minority rights. But note that this would also boost and potentially quadruple the membership of this community, when one adds European and South East Asian immigrants of the same denomination that settled in Cyprus and/or married to Cypriots over the last couple of decades. Ironically, the de-ethnicisation of Cypriot minorities could work in the case of the Latins to increase the size and viability of the community in ways not expected by the government or envisioned by the drafters of the Constitution. This would not only increase the political weight of the community but also the financial burden for the government, given that the Republic of Cyprus is committed to paying for the private education of members of the minorities to schools of their choice. That is why, the government position is for a combined name that would acknowledge Catholicism, on the one hand, but not fundamentally change the current situation on the other. For example, a name like 'Catholic Latins' or 'Roman Catholic Latins' would meet the community half way but also limit its accessibility and membership to those currently termed 'Latins', their spouses and offspring.

The registering of three 'religious' minorities also begs the question why an Anglican community was not recognised as a 'religious group' as it would have passed the one thousand people threshold stated in the 1960 Constitution. Lower 'historical' claims and anti-colonial feelings may have been a factor in not accepting them. Yet also the fact that 'religious groups' were primarily a smokescreen for ethno-cultural recognition and the sentiment felt by the locals as well as the British that the former colonial masters—who were not really leaving the island at independence but merely withdrawing to Sovereign Base Areas—did not deserve or were in need of such recognition. Community empowerment through minority recognition was beneath the great power that the United Kingdom was or wished to be seen as, namely a power that could protect the rights of its military and civilian personnel and their families through long and detailed annexes of the Treaty of Establishment relating to the effective functioning of the Sovereign Base Areas and one that became a guarantor of the 1960 Constitution with the right to intervene if the constitutional order was violated.

The preservation of ethno-cultural pluralism is supposed to be the *raison d'être* and trademark of consociational systems of governance, yet 'minor' identities get systematically erased from the rich ethno-cultural *milieu* or are minoritised in unsustainable ways. Consociationalism has not lived up to its promise because in practice some small or 'marginal' groups tend to be boxed in the dominant groups, or sacrificed altogether, in order to keep the power balance and secure the rights of the larger groups and viability of the political system. In the case of Cyprus, the Maronites, Armenians and Latins were given the 'right' to opt to belong to one of the two ethnic 'partners', i.e. the Greek Cypriots or the Turkish Cypriots, a highly problematic choice that the Council of Europe Advisory Committee in both its First and Second Opinions on Cyprus (April 2001 and June 2007) identified as inconsistent with the Framework Convention for the Protection of National Minorities.

The paradox of the consociational system is that while it appears to make a virtue of heterogeneity at the national level, it assumes and intensifies homogeneity at the ethnic level. It reinforces cleavages and propagates ethnic nationalisms, like Greek and Turkish ethno-nationalisms in Cyprus, and furthermore does not allow the possibility of other ethnicities that unsettle the norm and transgress the logic of the system. In Cyprus, the cleansing of surplus ethnicities morphed into a dominant bi-communal system of governance, where officially—i.e. with respect to the 1960 Constitution and the exercise of civic and political rights—one could be nothing other than a Greek or Turkish Cypriot. Failure to officially adopt the Greek or Turkish identity automatically rendered the person in question a ‘second class citizen’, as Criton Tornaritis, the first Attorney-General of the Republic of Cyprus put it, with no right to vote or be elected or be employed in the civil service under the quota system that was reserved for the communities of the two constitutional partners. On this basis, new ethnic allegiance for the official minorities had to be constructed and subsequently tested and demanded, such as in the form of military service, notably not for a Cyprus Army but for its successor, the Cyprus National Guard, that is the Greek-Cypriot ethnicised version which modified what was constitutionally provided for in 1960 through the doctrine of necessity.

The Second Opinion on Cyprus of the Advisory Committee on the Framework Convention for the Protection of National Minorities, was ‘deeply concerned’ and criticised the ‘continuing existence’ of the *obligation* that minority groups ought to adhere to one of the two Communities—Greek Cypriot or Turkish Cypriot (June 2007, Section 30). Not only did this violate the principle of free self-identification of minorities, but if members of the minority were to withdraw from one community then they automatically had to join the other. That there was no third option, it was found to be especially problematic. Furthermore even the constitutional option of withdrawal (limited as this appears to be) is no longer available to minorities due to the dissolution of the Cypriot Communal Chambers that need to give their consent for such withdrawal to be effective. Consequently, the requirement that all Cypriots formally belong to one of two communities, originally presented as a functional necessity for the working of the consociational system, not only erased the ethnic affiliation of smaller communities but locked in these communities into ethnic identifications they cannot currently discard.

Within this dominant bi-communal system only a certain kind of minoritisation became possible. If a community was lucky enough to get recognised as a distinct group of people *in addition to* the two dominant communities, it was possible for it to be recognised only in a way that was not ‘offensive’ to the interethnic balance of power that was established. The current status of the Parliamentary Representatives of the ‘Religious Groups’ is a clear indication of the structural bias and the attempt to keep them low and ineffective. They can attend but have no vote and no right to address or raise an issue in the House of Representatives (unless given special permission by the President of the House or the President of a Parliamentary Committee). Interestingly there was an attempt to get that reversed in the UN (Annan) Plan that was put to the referenda in 2004, and which was rejected by the Greek-Cypriot community, but accepted by the Turkish Cypriots. Members of the three minorities have, of course, the opportunity to vote and be elected in the open Greek-Cypriot ballot box but in such cases they cannot function as representatives of their community, so their election formally reinforces the bi-ethnic system, and since 1963/4 the mono-ethnic Republic of Cyprus. Symbolically, their low status is reflected in the position their Parliamentary Representatives have in the official

protocol of the Republic of Cyprus: they are not only far below other Parliamentarians, but also well below former Parliamentarians!

The non-recognition of the ethnic character of certain Cypriot minorities creates serious difficulties for the protection of their cultural difference and thus also for the survival of these communities as distinct groups. Consider, for example, the issue of the protection of minority languages in Cyprus. Whereas this has been quite successful in law and in practice with respect to the Armenian language (though here the role of a highly organised Armenian diaspora cannot be overstated), the case of Cypriot Maronite Arabic (CMA) has been a sad story of denial and inaction. In its Initial Report to the Council of Europe (2004), the Republic of Cyprus declared the Armenian a minority language within the meaning of the Charter, but not CMA, which it arbitrarily excluded and designated as only a dialect and thus in need of no protection. This position was not accepted by the Committee of Experts of the Council of Europe (2006), which visited the island and investigated the presence and condition of minority languages. The Committee unequivocally stated that CMA has been traditionally spoken in Cyprus for centuries, yet currently ‘a seriously endangered language and it is consequently all the more necessary for the Cypriot authorities to recognise Cypriot Maronite Arabic as a language and moreover one that is in urgent and immediate need of protection’ (Section 47)

To this date the Republic of Cyprus has not recognised CMA as a language within the meaning of the Charter. The Second Periodic Report (January 2008) that was supposed to give details of the measures taken by the Republic of Cyprus to implement the recommendations of the Council of Europe has raised more questions than answers. Specifically, does the Republic agree with the opinion of the Council of Europe experts? If yes, why does it not say so explicitly and recognise the language as required by the Charter? If it does not agree, why not? Why is this done with one language—Armenian—and not with CMA? Indeterminacy instead of a clear and resolute position can be interpreted as a sign that the State Party to the Charter retains serious reservations and wishes not to be legally bound, when legal obligation is exactly what is required at this stage.

More importantly, this indeterminacy is demoralising for the Maronite community and undermines its own effort (and indeed its responsibility!) to promote the language and ensure its revival and non-extinction. Unfortunately, the government’s minor steps (e.g., some financial support, a conference to study if and how the language can be protected, air time quota for the communities at state radio, etc) are not convincing that effective measures have been put in place with regard to the language and that the recommendations of the Council of Europe will be unreservedly implemented (including the strengthening of the teaching of the language at primary school level). Needless to say, by the time the Republic of Cyprus decides to recognise the language it may be too late. If the Maronite community loses its language then it will progressively change from an ethnic into a religious minority, and to that extent the constitutional designation ‘religious group’ will become a self-fulfilling prophecy.

The ‘Cyprus problem’ and the political obsession and sensitivity that this entails, has been invariably used by both governments north and south of the buffer zone in order to continue to deny the ethnicity of certain minority groups in their area of control. Critics have been warned that recognition of other ethnicities in addition to the two formal ones will at this stage complicate the resolution of the Cyprus problem, which is already very complex. However, as time passes this logic is becoming increasingly difficult to accept and appears to be another pretext for

inaction. Crucially, this is contrary to the spirit of the Framework Convention for the Protection of National Minorities, which the Republic of Cyprus signed and ratified. It should not and cannot plead exceptional circumstances forever.

The moral alibi behind which consecutive Greek-Cypriot governments have hidden is the ‘received constitution’ of the Republic, which cannot be changed, as international organisations have been repeatedly told. Consecutive reports of the Law Commissioner make reference to the unchangeable bi-communal structure of the Republic, which is based on Basic Articles of the Constitution and quote the infamous Article 182, which specifies that these Basic Articles ‘cannot, in any way, be amended, whether by way of variation, addition, or repeal’. But is this the real issue? Note that the Maronites and Armenians do not ask for the bicomunal structure of the Republic to be changed but only for their ethnic affiliation to be formally recognized something that will make Cypriot governments legally bound to protect their language and culture, not just their civil and religious rights. Note also that the problematic designation ‘religious group’ is enshrined in Article 2 of the Cyprus Constitution, which is *not* a Basic Article under the meaning of Article 182 and can indeed be amended (Article 2 is not listed in Annex III, which identifies the Basic Articles of the Constitution). The unchangeable structure of the 1960 Constitution is therefore a bad excuse for not recognizing, even belatedly, the ethno-cultural character of specific Cypriot minorities.

Furthermore, as indicated in the First Opinion on Cyprus of the Advisory Committee on the Framework Convention for the Protection of National Minorities (April 2001), even if there are constitutional impediments, it is still possible for the Republic of Cyprus to produce remedial legislative acts based on the doctrine of necessity, which it has already used in many other instances. Why indeed is the doctrine of necessity employed by the Republic of Cyprus only to protect the Greek-Cypriot community and not for the rights of the National Minorities of Cyprus? The same of course applies to Turkey which occupies the northern part of the island and is legally responsible for human rights violations, although Turkey is not exactly a model of minority protection. Nevertheless, in certain respects, it should be easier for Turkey to introduce and support practical remedial action for minorities in the north as this is outside Turkey and in principle less politically sensitive than introducing such measures at home. If Turkish governments cannot do that in Cyprus, how can they be expected to offer effective minority protection in Turkey, as they have promised to do? At least one Turkish-Cypriot party, the New Cyprus party, is campaigning for such action in relation to the Maronites as a goodwill measure. It will be interesting to see if this meets with any success on the ground.

The issue of surplus ethnicity is further complicated in the northern part of Cyprus with the arrival of thousands of ‘Turkish’ settlers and immigrants. The ethnic background of these settlers and immigrants (the majority of whom are Arabs and Kurds from eastern Turkey) is completely erased and no local or international authority seems to be concerned with their current Turkification. Being viewed as illegal entrants by the Greek-Cypriot authorities, and cultural misfits that need to be integrated though national education by the Turkish-Cypriot authorities, means that their cultural distinctiveness—and especially their right to be educated in their own language—is completely bypassed. However painful and provocative this may sound to certain Cypriot ears, settlers and illegal immigrants also have rights, and as to their offspring born and raised in Cyprus, it is questionable whether there is a legal or moral case that the Republic of Cyprus can make to deny them rights and residence in any future settlement of the Cyprus problem. Indeed, this logic seems to have been

accepted by the Clerides and the Christofias governments, both accepting that a number of around fifty thousand settlers will be allowed to stay. This raises the question of what moral and legal obligations do governments and NGOs have towards these present/future minorities? Differently put, how do we ensure that the unrecognised northern part does not become a black hole for ethno-cultural minorities?

Beyond these groups there is a minority (mostly in the north but also in the south) that has a long historical presence in Cyprus but not officially recognised either by the Greek- or Turkish-Cypriot regimes: namely the Gypsies or Roma community. This is of course a community that is not politically organised from within in a way that enables effective representations and demands for communal rights. This should not however take away from the official obligation to inform them of their rights as well as the disturbing fact that the Gypsies of 'European' Cyprus have no cultural rights whatsoever. The big irony is that they gained communal rights only on a draft proposal and only for a few days. Specifically, in the 2004 UN (Annan) Plan for a Comprehensive Settlement of the Cyprus Problem (Version 4), the Roma community was given due recognition on par with the Maronites, Armenians and Latins. Without any public debate or explanation, this recognition was amazingly dropped in Version 5 of the UN Plan a few days later (the Version that was submitted to the April 2004 referenda). As it transpired, just about the only thing that the Greek-Cypriot and Turkish-Cypriot leaders agreed in Burgenstock was the elimination of any reference to a Roma community in Cyprus. This in itself is quite revealing of minority politics in Cyprus and insensitive attitudes towards the perceived surplus ethnicity. It also completely deflates the claim that it is the Cyprus problem and the 1960 'received Constitution' that impedes the recognition of other ethnic or national minorities in Cyprus.

In this regard, it is encouraging that both the Council of Europe Committee of Ministers in its 9 July 2008 Resolution and the Advisory Committee on Cyprus' implementation of the Framework Convention on National Minorities in its Second Opinion (June 2007) continue to press on the issue of the Roma both the Republic of Cyprus and the Turkish-Cypriot community, where the Roma are constitutionally deemed to belong without being formally asked. They have called upon local authorities to open a long overdue dialogue with the Roma, and to duly inform them of the content of their rights under the Framework Convention and to ensure their freedom of self-identification. With respect to self-identification, and beyond the convenient use of the term *Roma*, distinctions need to be established between the *Kurbet* and the *Mantides*, the former grouped with the Turkish Cypriots and the latter with the Greek Cypriots, and much more assimilated.

It is important to remember, finally, a not so unimportant 'detail', namely that many non-national minorities in Cyprus are currently far more sizable than the national ones including South and South-East Asians, Eastern Europeans, Pontians, Arabs, and that even these are general designations. For the purpose of minority designation one may need to be more specific: Sri Lankans, Filipinos, Romanians, Georgians, Russians, Kurds, Pakistanis, and so on and so forth. That they are not officially recognised as minorities means that in certain respects they are in need of more urgent protection than the established national ones. To the extent, however, that they are seen as 'non-historical', transient or temporary minorities, expectations for recognition and communal representation tend to be lower in the provisions of international human rights instruments, which prioritise historical minorities and do not wish to exacerbate the identity politics game. But the size and internal political

organisation of a community will also be a factor for any future recognition of minorities in Cyprus.

Retaining a memory for past and present minorities but also keeping an eye on future ones is therefore crucial. Critical questions should be posed again and again on social habits and government practices: How can communities be integrated without assimilating them? How can hybrid cultures be registered and protected without exoticising them? How can ethno-cultural identifications and categorisations be made in ways that are historically credible and socially fair? How can layers of nationality and ethnicity be envisioned and applied rather than casually declaring surplus ethnicity? These are only some questions to reflect upon by way of becoming more sensitive to the plight and viability of minorities in Cyprus.

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