

# Challenges of Inclusion and Mobility in a Multilingual Region: The Case of Vojvodina<sup>1</sup>

EDGÁR DOBOS

*International and internal mobility can result in both linguistic diversity and forced migration due to intended homogenisation efforts (e.g. “ethnic unmixing” in the successor states of former Yugoslavia). In literature we can talk about both mobility-induced diversity and mobility-induced homogeneity. Language rights and language policies should ensure that the trade-off between mobility and inclusion is not solved simply through assimilation. This article addresses these trends and processes in the specific context of the case study on the Serbian province of Vojvodina. Recent migratory trends in Vojvodina – within Serbia and from Serbia to Hungary and other EU states – have changed the “identity landscape” of a region that possesses deeply anchored multinational–multilingual traditions. In addition, an important question, therefore, was how existing legal provisions on language rights could offer protection to minority language speakers.*

International and internal mobility can result in both linguistic diversity and forced migration due to intended homogenisation efforts (e.g. “ethnic unmixing” in the successor states of former Yugoslavia). We can speak about both mobility-induced diversity and mobility-induced homogeneity. Language rights and language policies should ensure that the trade-off between mobility and inclusion is not solved simply through assimilation.

In this broader context, the case study on the Serbian province of Vojvodina has confirmed these orientations. Recent migratory trends in Vojvodina – within Serbia and from Serbia to Hungary and other EU states – have changed the “identity landscape” of a region that possesses deeply anchored multinational/multilingual traditions.

An important question, therefore, was how existing legal provisions on language rights could offer protection to minority language speakers. In a nutshell, Vojvodina is expected to be a multilingual region in Serbia according to the laws on language use. However, this political objective is often not

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achieved, a frequently observed obstacle being that local authorities see any attempt at implementing those language rights more as a burden than an opportunity.

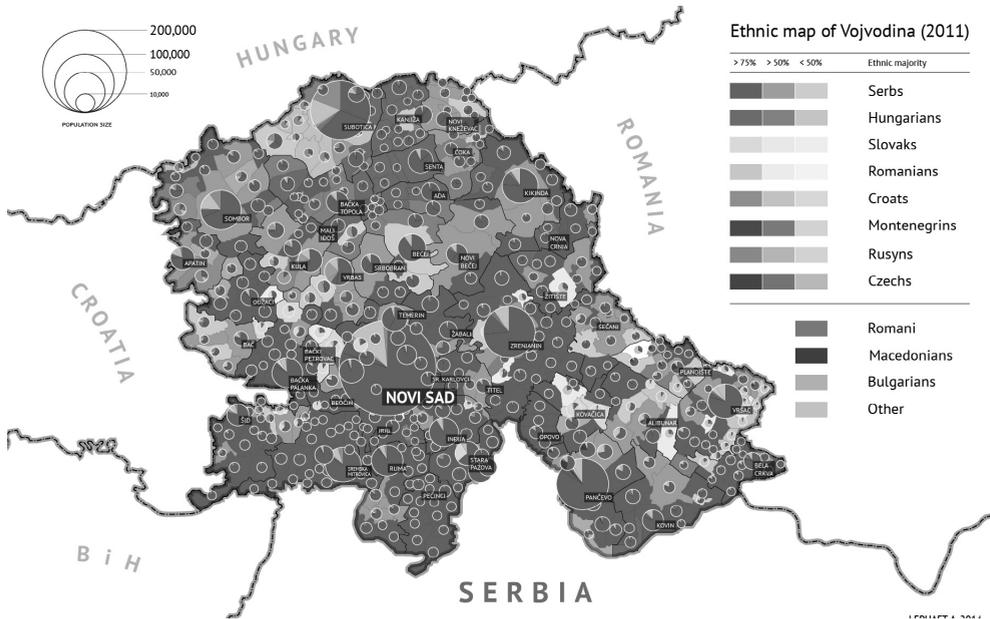


Figure 1: The ethnic map of Vojvodina (2011)  
(Source: Léphaft 2014)

## Multilingualism in Vojvodina: Legal Framework and Practice

Vojvodina is a multilingual border region where modern settlements, migrations and assimilation processes have resulted in the formation of groups and communities with a mixed cultural repertoire.<sup>2</sup> Besides Bosnia-Herzegovina, Vojvodina had the highest average tolerance and also the greatest national diversity within former Yugoslavia before its dissolution. An important qualification on the strong association of diversity and tolerance is that levels of national tolerance have been influenced by the structural position of minorities and majorities at different administrative levels.<sup>3</sup>

Field research in Vojvodina shows that some places display harmonious cohabitation of ethnic and linguistic communities. In case of Belo Blato (in Hungarian *Nagyzerzsébetlak*, in Slovak *Biele Blato*), for instance, multilingualism in practice is reflected by almost unnoticeable shifts from one language into another in primary school, church, street, or market place. A native put it as: “We have also a fifth language, that is *belo blatsko* (i.e. the language of Belo Blato). We start the conversation

2 See ILYÉS 2008, 7; TÁTRAI et al. 2013.

3 See HODSON et al. 1994; also MASSEY et al. 1999.

in Hungarian, switch into Serbian, continue in Bulgarian or Slovak, then finish again in Hungarian.”<sup>4</sup> Conversely, conflict has flared up in other areas, following the influx of a large number of Serb refugees from Croatia and Bosnia-Herzegovina after the wars of the early 1990s that has realigned the ethnic composition and the fragile ethnic equilibrium in some of the localities in Vojvodina as illustrated by the ethnicisation of socio-economic conflicts in Temerin.<sup>5</sup>

The 2011 census data still reflect the heterogeneity of Vojvodina, where less than 67% of the population declared themselves Serbs.<sup>6</sup> The question is whether the sociological reality of multilingualism is reflected in the legislation and translated into practice during everyday encounters with public service providers and authorities.

*Table 1: The Ethnic Composition of Serbia and Vojvodina (2011)<sup>a</sup>*

Ethnicity	Serbia		Vojvodina region		Southern parts of Serbia <sup>b</sup>	
	#	%	#	%	#	%
Serbs	5,988,150	83.32	1,289,635	66.76	3,193,067	88.80
Albanians <sup>c</sup>	5,809	0.08	2,251	0.12	2,306	0.06
Bosniaks	145,278	2.02	780	0.04	142,902	3.97
Bulgarians	18,543	0.26	1,489	0.08	15,866	0.44
Bunjevci	16,706	0.23	16,469	0.85	65	0.00
Croats	57,900	0.81	47,033	2.43	3,115	0.09
Germans	4,064	0.06	3,272	0.17	294	0.01
Goranci	7,767	0.11	1,179	0.06	1,260	0.04
Hungarians	253,899	3.53	251,136	13.00	953	0.03
Macedonians	22,755	0.32	10,392	0.54	5,393	0.15
Montenegrins	38,527	0.54	22,141	1.15	6,484	0.18
Muslims	22,301	0.31	3,360	0.17	14,945	0.42

4 Interviews made by the author and participant observations, Belo Blato, 24 May 2016. Similar experiences were recalled in Vršac (in Hungarian Versec) near the Romanian border with the difference that multilingualism here was rather referred to as a reality of the past. Interviews made in Vršac, 21 May 2016.

Bi- or multilingualism had been rather a rule than an exception before the transition from polities marked by ethnic, confessional and linguistic diversity (Ottoman and Habsburg empires, post-WWII Yugoslavia) to modernising and homogenising nation states in Southeastern Europe. See, for instance, Henry Brailsford's description on Manastir's market place and multilingualism in practice in Ottoman Macedonia: BRAILSFORD 1906.

5 Manifestations of conflict included an increase in ethnically motivated incidents (graffiti, damage to private property, to religious and memorial objects, as well as verbal and physical attacks) against minorities. See BIEBER–WINTERHAGEN 2006; RISTIĆ et al. 2013. On the liminal or in-between position of Serb refugees, see KOSKA 2015.

6 *Popis stanovništva, domaćinstava i stanova 2011. u Republici Srbiji.* [2011 Census of Population, Households and Dwellings in the Republic of Serbia.] 2012. Vojvodina is co-habited by significant national minority communities: Hungarians 13, Slovaks 2.6, Croats 2.43, Roma 2.19, Romanian 1.32, Montenegrin 1.15, Bunjevci 0.85, Ruthenian 0.72% etc. Most of the persons belonging to the Jewish and the German community were killed or expelled by Hungarian and Yugoslav authorities during and after WWII.

Ethnicity	Serbia		Vojvodina region		Southern parts of Serbia <sup>b</sup>	
	#	%	#	%	#	%
Roma people	147,604	2.05	42,391	2.19	77,888	2.17
Romanians	29,332	0.41	25,410	1.32	2,640	0.07
Russians	3,247	0.05	1,173	0.06	773	0.02
Ruthenians <sup>d</sup>	14,246	0.20	13,928	0.72	73	0.00
Slovaks	52,750	0.73	50,321	2.60	325	0.01
Slovenians	4,033	0.06	1,815	0.09	679	0.02
Ukrainians	4,903	0.07	4,202	0.22	283	0.01
Vlachs	35,330	0.49	170	0.01	34,978	0.97
Yugoslavs	23,303	0.32	12,176	0.63	3,066	0.09
Other	17,558	0.24	6,710	0.35	3,765	0.10
Regional affiliation	30,771	0.43	28,567	1.48	915	0.03
Did not declare	160,346	2.23	81,018	4.19	40,357	1.12
Unknown	81,740	1.14	14,791	0.77	43,221	1.20
Together	7,186,862	100.00	1,931,809	100.00	3,595,613	100.00

<sup>a</sup> Table 1 contains also data on the southern parts of Serbia for comparison but excludes the Belgrade region.

<sup>b</sup> Including Šumadija and West Serbia as well as South and East Serbian regions.

<sup>c</sup> Incomplete coverage because the Albanians of the Preševo Valley boycotted the 2011 census (in 2002 the census recorded 61,647 Albanians in Serbia without Kosovo).

<sup>d</sup> Rusyns with another ethnonym.

(Source: *Popis stanovništva, domaćinstava i stanova 2011. u Republici Srbiji 2012*)

The language regime of Serbia reflects a combination of a territorial and non-territorial approach to autonomy arrangements.<sup>7</sup> Serbia limits the territories where minority language rights can be claimed.<sup>8</sup> According to the state-level threshold rule, a national minority's language is in official use in the local self-government units (LSGUs), which are inhabited by more than 15% of persons belonging to that national minority, based on the latest population census.<sup>9</sup> The Provincial Assembly of Vojvodina has introduced another threshold and permitted national minority languages to be in official use in settlements or villages if they are inhabited by more than 25% of persons belonging to a national minority in accordance with the data of

7 On state traditions and language regimes, see CARDINAL–SONNTAG 2015; on the relationship between territoriality and minority language rights, see VIZI 2016. On autonomy arrangements in general, see SALAT et al. 2014.

8 Application of the Charter in Serbia, Report of the Expert Committee on the Charter, Strasbourg, 6 May 2009, ECRML (2009) 2, para. 29.

9 Zakon o službenoj upotrebi jezika i pisama. [Law on the Official Use of Languages and Scripts.] *Službeni glasnik RS*, br. 45/91, 53/93, 67/93, 48/94, 101/05 i 30/10, član 3.

the last census.<sup>10</sup> Currently 9 different national minority languages are in official use in one or more of the 45 local self-government units in Vojvodina.<sup>11</sup>

One of the motivations behind the creation of this form of autonomy was the need to regulate the position of the national minorities living scattered across the whole state territory. Moreover, territorial autonomy did not fit into the national policy of Serbia towards minorities, especially in a time when Albanians were claiming independence for Kosovo.<sup>12</sup> Interestingly, one informant has argued against the territorialisation of minority (including language) rights by comparing precisely the situation of Hungarians in Vojvodina to that of the Serbs in Kosovo.<sup>13</sup> Vladimir Ilić has referred to the fact that the “enclavisation” of Serb communities in the form of autonomous municipal units south of the Ibar river has resulted in the territorial concentration of Serbs into these “enclaves” while relocation and home-leaving of Serbs living scattered occurred.<sup>14</sup> He has raised the probability of similar processes in case territorial principle would be applied in this way. Ironically, the “emptification” of smaller settlements and cities, and the emigration of members of the Hungarian minority community has been stimulated further by Hungarian extraterritorial citizenship politics (to be discussed below).<sup>15</sup>

Vojvodina’s multi-ethnic fabric differentiates the autonomous province from the rest of Serbia. 41 of Vojvodina’s 45 local municipalities can be considered multi-ethnic (meaning that more than 5% of the total local population belongs to a minority group or that all minorities together make up more than 10% of the local population), while the number of multi-ethnic municipalities in the rest of Serbia (without Kosovo) is only 27 out of 167.<sup>16</sup> Under these circumstances, the recommendation of François Grin seems to be particularly relevant: “territoriality [...] can prove highly flexible and be reconciled with linguistic diversity if language regime is modulated by

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10 Provincial Assembly Decision on detailed regulation of some issues concerning official use of language and script of national minorities in the territory of the Autonomous Province of Vojvodina, *Official Gazette of the APV*, No. 67/2012, Article 8(3).

11 The Hungarian language is in official use in the entire or partial territory of 31 LSGUs: the Slovakian in 13, the Romanian in 10, the Ruthenian in 6, the Croatian in 4, the Macedonian in 2, the Czech, the Montenegrin and the Bulgarian in 1. *Jezici i pisma u službenoj upotrebi u statutima gradova i opština na teritoriji AP Vojvodine* (Novi Sad, 03.09.2014). Available: [www.puma.vojvodina.gov.rs/mapa.php](http://www.puma.vojvodina.gov.rs/mapa.php) (Downloaded: 30.06.2018.)

12 Both Vojvodina and Kosovo were recognised as autonomous provinces with wide legislative, executive and judicial powers by the 1974 Constitution that made these entities federal units of Yugoslavia. Now the 2006 Constitution of Serbia differentiates between the legal standing of Vojvodina and that of Kosovo: while the former is a “simple” autonomous province, Kosovo is an autonomous province “with special status”.

13 Interview with Vladimir Ilić (Sociology Professor, Belgrade University), Zrenjanin (in Hungarian *Nagybecskerek*), 5 July 2013.

14 See also BATAKOVIĆ 2007; PRELEC–RASHITI 2015.

15 Interview with Róbert Badis (Researcher), Senta (in Hungarian Zenta), 4 July 2013. See also BÁRDI 2017; POGONYI 2017.

16 See GOJKOVIĆ 2006; BERETKA–SZÉKELY 2016.

exploiting different tiers of government, by fine-tuning the allocation of competences between these authorities and building in asymmetries in favour of languages seen as weaker and most in need of protection.”<sup>17</sup> Unfortunately, this approach is not applied in case of Vojvodina, the unique multilingual character of this autonomous region is not reflected in the allocation of competences. Although Vojvodina enjoys some autonomy, this autonomy seems to be of an administrative nature as only the Serbian Parliament has the right to adopt laws and only the Serbian Government has the opportunity to execute them. In this sense, Serbia could be described as an asymmetrically decentralised unitary state with a unitary legal system. The Assembly of Vojvodina can only regulate issues falling into its fields of competence by bylaws, moreover these acts must always be in accordance with the Constitution and with state laws. This means that the opportunities to regulate an issue differently in the Province than in other parts of the state are very limited.<sup>18</sup>

Notwithstanding the fact that Vojvodina has competences to grant some additional rights for minorities living on its territory, the Province lacks full autonomy in the field of national minority rights. The restrictive approach of the state of Serbia does not help preserve and promote traditional multilingualism in Vojvodina. Recently, a Constitutional Court’s ruling forced the Provincial Assembly of Vojvodina to repeal its decision on detailed regulation of language rights of national minorities settled in its territory. By this move, the Constitutional Court limited the legislative powers of the autonomous province and its opportunities to improve conditions of multilingualism to simple repetition of state laws.<sup>19</sup> Even though the European Union demanded the adoption of the Action Plan for Exercising the Rights of National Minorities<sup>20</sup> from the government of Serbia in order to open negotiations on Chapter 23, “Vojvodina’s future contribution to the implementation of [it] is deemed to be negligible, because instead of regulation, control or soft law measures taken in order to improve enforcement of language rights, Vojvodina is only required to provide financial support for local municipalities in its territory.”<sup>21</sup>

17 See GRIN 2011, 29.

18 See BERETKA–SZÉKELY 2016.

19 Decision of the Constitution Court of the Republic of Serbia, No. IUz-353/2009, *Official Gazette of the RS*, No. 67/2012. On the probable effects of the Constitutional Court’s decision, see BERETKA 2016, 525–526.

20 See especially chapter 5 on the use of languages and scripts: *Akcioni plan za ostvarivanje prava nacionalnih manjina* [Action Plan for Exercising the Rights of National Minorities] 2016, 32–40.

21 See BERETKA 2016, 528–529.

On the basis of interviews, assessed reports and documents, and participating observations during field research<sup>22</sup> it is possible to highlight the relationship between a *de jure* and *de facto* situation concerning the use of minority languages, as well as its connections with domestic and cross-border mobility and social inclusion. The role and effects of diverse actors (including conditionality of international organisations, language policies of Serbia, kin state activities of Hungary, Croatia and other countries, monitoring work and legal assistance of the provincial ombudsman and NGOs, individual choices and adaptation strategies or “navigation”) are inseparable when shaping multilingualism in practice.<sup>23</sup>

From a *praxis-based* view, “the crux of the minority problem is not to establish rights on paper, but to make sure that they are operative – in other words, to establish guarantees.”<sup>24</sup> The national legal framework of the protection of national minorities

22 The selection of our informants and sites was based on our effort to reflect the variety and heterogeneity of positions in terms of a) ethnicity (e.g. Bosniak, Bulgarian, Bunjevci, Croat, Hungarian, Serb, Slovak positions); b) locality (settlements with different ethnic structure and minority–majority positions, e.g. Belo Blato [in Hungarian *Nagyzerzsebetlak*, in Slovak *Biele Blato*], Dobričevo [in Hungarian *Udvarszállás*], Gudurica [in Hungarian *Temeskutas*], Kanjiža [in Hungarian *Magyarkanizsa*], Mužlja [in Hungarian *Muzslya*], Novi Pazar, Novi Sad [in Hungarian *Újvidék*], Palić [in Hungarian *Palics*], Senta [in Hungarian *Zenta*], Skorenovac [in Hungarian *Székelykeve*], Subotica [in Hungarian *Szabadka*], Tavankut [in Hungarian *Tavankút*], Vršac [in Hungarian *Versec*], Zrenjanin [in Hungarian *Nagybecskerek*]); c) level of agency (local, provincial, national and international level actors as well as kin state representatives); and d) professional background (various actors observing, experiencing and/or shaping multilingualism in practice, e.g. legal experts, officials, politicians, teachers, priests, members or activists of cultural organisations, ordinary people, diplomats, ombudspersons). During our stay, we have attempted to observe, map, and document elements of the linguistic landscape that reflect power relations, communicative and symbolic functions, as well as collective identity representations. The legal documents and fact-finding reports we have used include those published by the provincial ombudsperson, language right monitoring team, the Hungarian Language Office, the European Commission, the Committee of Experts on the European Charter for Regional or Minority Languages and the Serbian Government (Action Plan for the Realization of the Rights of National Minorities). These reports are of different value for the purpose of our research. Compared to international reports that have a tendency to take a bird’s eye view and neglect the existing gap between laws and actual practice, information gathered by the Office of the Provincial Ombudsman, the Hungarian Language Office or the language right monitoring team on the basis of received complaints and participant observation provide richer details and are more sensitive to the lived experiences on the ground. Interviews were conducted by the author in May 2016. In addition, interviews conducted during the author’s previous field trips (September 2010, July 2013, June 2015) and by György Szerbhorváth in April 2015 were also used for the purpose of this article.

23 In order to explore the complex relationship between multilingualism, mobility and inclusion, one has to pay attention to the wide range of actors that are in constant interaction with and providing both opportunities and constraints to each other. See KRAUS–GRIN 2018.

24 Also, Fernand de Varennes reminds us: things that governments “should” do, if they are “nice” are not something they “must” do – “Being nice is not a very convincing argument and is less persuasive than rights and freedoms that have the weight of the law behind them.” See TOYNBEE 1922, 323; de VARENNES 1999, 117.

is good but the application of laws faces many obstacles.<sup>25</sup> The national laws of Serbia do not only support the rights guaranteed by the Charter for Regional or Minority Languages but also even provide higher level of minority language protection. However, they are not consistently implemented.<sup>26</sup> That the enforcement of minority language rights needs to be improved seems to be justified by the fact that in 2015 almost 42% of the complaints in the field of protection of national minority rights before the Provincial Ombudsman referred to the use of languages.<sup>27</sup> Various terrains of language rights enforcement can be mapped: linguistic landscape (public signs and street names),<sup>28</sup> communication with public authorities and officials (hospital, post office, judicial proceedings),<sup>29</sup> proportional representation of national minorities among the employees (see below), textbooks and language of instruction in schools and translation of personal documents and transcription of names.<sup>30</sup> We have found several factors that contribute to the implementation gap: a) lack of will (from the part of authorities and officials who perceive minority language speakers as a problem, instead of a positive resource, and the “extra” services that would meet their needs as a burden;<sup>31</sup> b) politics (political imagination of Serbia as the state of Serbs, powerful

25 National minorities (“nationalities”) and their languages enjoyed an equal footing with the Serbian language in court proceedings, state administration and civil service also under the 1974 Constitution of the Socialist Federal Republic of Yugoslavia and the relevant laws. Knowledge of at least one minority language was required for employment in the public sphere and the ethnic composition of the local population was taken into account in case of appointments. The 1974 Yugoslav Constitution (Article 171) contained the following provision: “Members of nationalities shall, in conformity with the constitution and statute, have the right to use their language and alphabet in the exercise of their rights and duties, and in proceedings before state agencies and organizations exercising public powers. Members of the nations and nationalities of Yugoslavia shall, on the territory of each Republic and/or Autonomous Province, have the right to instruction in their own language in conformity with statute.”

26 György Szerbhorváth’s interview with Eva Vukašinović, the Deputy Ombudsman of Vojvodina, April 2015. See also SZERBHORVÁTH 2015.

27 Annual Report 2015 of the Protector of Citizens, No. 7873 (15 March 2016). 135.

28 Inconsistency and inaccuracy are typical problems. It can be observed in many places that the name of the public office is written in the minority language but the name of the city is written in Serbian. To mention some examples (with reference to a primary school, a public library and a tax bureau): “Bratstvo-jedinstvo Általános Iskola – Belo Blato” (instead of the Hungarian “Testvériség és Egység Általános Iskola – Nagyzerzébetlak”) (See Figure 2.); “Népkönyvtár – Bela Crkva” (instead of the Hungarian “Népkönyvtár – Fehértemplom”); tax bureau: “Adóhivatal – Kovin” (instead of the Hungarian “Adóhivatal – Kevevára”). In these and other cases the intention of the authorities was good but the implementation only partial. On the analysis of the linguistic landscape, see GORTER 2006.

29 Interview with a member of the language right monitoring team, Subotica (in Hungarian Szabadka), 23 May 2016.

30 It was often heard that the inaccurate transcription of a person’s name may cause registration problems. For instance, if there is a difference between someone’s identity card and certification of master’s degree, he/she has to provide additional documents in order to prove his/her identity.

31 See KONTRA et al. 1999, 6.

linguistic ideology emphasising the primacy of the Serbian language);<sup>32</sup> c) lack of legal consciousness (many persons belonging to a national minority are not aware of their language rights); d) local and regional branches of the republic's central institutions (tax bureau, employment agency, pension fund, institute of geology etc.) are not sensitive to the local context with national minority languages in official use.<sup>33</sup>



Figure 2: The Primary School in Belo Blato (in Hungarian Nagyerzsébetlak)  
(Source: Picture made by the author)

The ethnic composition of the local population (ethno-demography) affects the use of national minority languages. On the basis of our interviews and the complaints, a territorial pattern can be identified. There are usually no complaints from areas where a national minority constitutes the local majority and the use of the given national minority language is common in both official and unofficial spheres.<sup>34</sup> There are also very few complaints from places with a lower percentage of national minority population where also expectations about the use of a national minority language are modest. Novi Sad (in Hungarian *Újvidék*) could be mentioned as an example where

32 The institutionalisation of power asymmetry between majority and minority communities is of central importance in this regard due to the fact that modern nation-states have created a new mechanism of social exclusion, namely they have almost systematically privileged ethnic majorities (“titular” nations). See WIMMER 1997.

33 Interestingly, some of the interlocutors have noted that contrary to the public's perception, the lack of financial resources does not belong to the main obstacles to the application of language rights. Interviews with officials of the Hungarian Language Office and a member of the language right monitoring team, Subotica (in Hungarian *Szabadka*), 23 May 2016.

34 In Senta (in Hungarian *Zenta*), for instance, Hungarian counts as the default language in an “unmarked” position compared to Serbian or other languages. On the relationship between “marked” and “unmarked” position, see BRUBAKER et al. 2006.

banks for instance do not offer service in national minority languages. Most of the complaints are coming from contexts where Serbs constitute the majority, the rate of a national minority is significant and the relatively high expectations about the use of the given national minority language do not meet with the lived experiences. Subotica (in Hungarian *Szabadka*) fits this pattern probably the best.<sup>35</sup>

Despite constant criticism of the Provincial Ombudsman, relevant laws and opinions of the ombudsman can be circumvented without serious consequences. *Pseudo* multilingual practice or *de facto* monolingual practice goes on in the absence of an adequate legal basis. In principle, everybody has the right to use his mother tongue at court, police, land registry, hospital; to get the bills and other documents of post offices, gas and electricity suppliers in national minority languages in official use,<sup>36</sup> or to information about his medical state in a language he/she understands.<sup>37</sup> However, in lack of personnel who can speak national minority languages in official use, the clients, customers, or patients are required to speak and read the Serbian language in order to get any information. This was the case when somebody filed a complaint from Žitište (in Hungarian *Torda*) municipality on a breach of the right to use Hungarian in communication with a newly hired doctor of the hospital. In Žitište both Hungarian and Romanian are in official use, and patients have the right to information in any languages introduced into official use. Nevertheless, the Ombudsman's opinion cannot obligate the hospital to take into account knowledge of languages in official use in case of employment.<sup>38</sup>

### **Social Inclusion and the Proportional Representation of National Minorities**

The rules and practices governing language in administration, law, education, media, public signage and communication with the authorities and public service providers affect the interests and identities of people. Language is, therefore, unavoidably politicised in multilingual societies. Majority and minority perspectives often conflict over the interpretation of realities and/or the desired model of state-minority relations. The proportional representation of national minorities among civil servants or employees of public bodies is one of the instruments that have the capacity to counterbalance the disadvantages based on linguistic features and safeguard

35 Interview with officials of the Hungarian Language Office, Subotica (in Hungarian *Szabadka*), 23 May 2016.

36 Unfortunately this rarely happens. The same is true in case of the post offices where inscriptions and signs are monolingual (Serbian Cyrillic). It counts as a rare exception that some municipalities (Kanjiža, Senta, Subotica) have started to introduce bills also in national minority languages in official use. Interviews of the author.

37 Some of the language rights are outside the scope of the Law on the Official Use of Languages and Scripts but their enforcement still depends on the official status of the national minority language. See BERETKA 2016, 518.

38 Annual Report 2015 of the Protector of Citizens, No. 7873 (15 March 2016). 35.

the successful inclusion and actual participation of national minorities in the social, political, economic, and cultural life of the country.<sup>39</sup> In this regard the *Ljubljana Guidelines on Integration of Diverse Societies* have emphasised that the effective participation in social and economic life includes the promotion of “labour market inclusion of minority groups with disproportionately low participation.”<sup>40</sup> According to the Constitution and the laws of Serbia, public authorities and organisations providing public services (e.g. hospital, police, court, land registry, post office) have to take care of a proportional representation of national minorities among their employees.<sup>41</sup> Moreover, in order to exercise the right to use a mother tongue, they have to employ officials and staff who understand and speak national minority languages.<sup>42</sup> However, there is a significant gap between these requirements and the real practice as the report of the Office of the Provincial Ombudsman in Vojvodina has recently shown.<sup>43</sup>

There are three barriers that prevent the application of these standards. Firstly, belonging to a national minority and speaking the language of a national minority are not overlapping categories. On some occasions, e.g. in the police, instead of hiring members of national minorities, the police offer a minority language learning course, although the efficiency of such measures is questionable.<sup>44</sup> Secondly, under the Serb Constitution (Article 47.2) “no person shall be obliged to declare his national affiliation”. Hence, it is impossible to know the precise number or rate of public servants belonging to minorities that means a serious practical obstacle to

39 Due to a recent approach to social inclusion, “successful inclusion implies a feeling of belonging and of being accepted, as well as actual participation [...] in the social, political, economic, and cultural life of the country, region and local area of residence. This feeling of “belonging”, which is a marker of successful inclusion, needs to be safeguarded for different types of constituencies, whose specific needs may be different”. MIME 2017, 6.

40 OSCE, *The Ljubljana Guidelines on Integration of Diverse Societies and Explanatory Note* (The Hague, November 2012), Article 40. This document was launched by the OSCE as an attempt to make a balance and maintain (e.g. linguistic) diversity while ensuring the integrity of the society within a state. It states in Article 38 that “[e]ffective participation in public affairs and all aspects of social, economic and cultural life, including of persons belonging to minorities, is both a right in itself and an essential precondition for equal opportunities in practice”.

41 The Constitution of the Republic of Serbia, Article 77(2).

42 *Zakon o službenoj upotrebi jezika i pisama*. [Law on the Official Use of Languages and Scripts.]

43 Pokrajinski zaštitnik građana – ombudsman: *Poznavanje jezika i pisama nacionalnih manjina koji su u ravnopravnoj službenoj upotrebi u organima pokrajinske uprave* (Novi Sad, 2015).

44 The ethnic composition of the local population matters. For instance, it is easier to find Hungarian speaking personnel in Senta (in Hungarian *Zenta*), Temerin or Subotica (in Hungarian *Szabadka*) due to the larger number to fill the positions in Vojvodina. Nevertheless, Hungarian personnel is not hired for the local police even in settlements with Hungarian local majority in the northern parts of Vojvodina. Interviews of the author. See also RÁCZ 2012.

the application of the proportionality principle.<sup>45</sup> Thirdly, there is no legal mechanism to control someone's command of a national minority language. Laws neither require proof of the knowledge of any language in case of employment in the public sector nor obligate public service providers to hire personnel who know minority languages. Although the knowledge of any national minority language can be included as "desirable" in employment specifications, language criteria or language tests cannot form part of the employment policy.<sup>46</sup>

Examples of the non-application of minority language rights illustrate well how legal incoherence helps undermine social inclusion. This may have a detrimental effect on state-society relations as it may weaken the legitimacy of the state and trust in the effective and inclusive functioning of public institutions. Persons belonging to national minorities may feel compelled to appeal to legal assistance, to use informal networks or opportunities provided by kin states, or to choose assimilation as a way of adaptation when they face ethnic-based social exclusion and practical obstacles in their problem-solving efforts on a daily basis.<sup>47</sup> The non-application or circumvention of the laws may encourage also national minorities to circumvent public institutions and expect real solutions to their everyday problems outside the state institutions. We should not sacrifice multilingualism as a resource and potential to social exclusion based on routinised monolingualism that may result in language loss and assimilation as an adaptation strategy.

### **Migratory Pulling Forces and Kin State Policies**

As the result of the redrawing of borders or population displacements, sections of linguistic and cultural communities found themselves cut off from the states where the relevant majority communities live. To describe this type of situation, Rogers Brubaker has used the terms kin state, national minority and nationalising state,<sup>48</sup>

45 The Constitution of Serbia is, of course, not the only constitution that contains structural contradictions. An illustrative example is the Constitution of Bosnia-Herzegovina (Annex IV of the Dayton Peace Agreement), written by mostly USA legal experts. The BiH Constitution gives international human rights provisions priority over all other laws within the Bosnian legal hierarchy, while at the same time it applies an ethno-territorial logic of power-sharing (cementing the privileged position of Bosniaks, Croats and Serbs as "constituent peoples" while rendering "others" ineligible to stand for election to the Presidency or the House of Peoples) that is in clear violation of the non-discrimination components on which the constitution is predicated. See HODŽIĆ–STOJANOVIĆ 2011; DOBOS et al. 2017.

46 See BERETKA 2016, 519.

47 On state-society relations and the difference between the image of the state and the actual practice, see MIGDAL–SCHLICHTÉ 2005. As the authors emphasise (p. 15.), the state as a field of power is "shaped by (1) the image of a coherent, controlling organization in a territory, which is a representation of the people bounded by that territory, and (2) the actual practices involving those staffing its multiple parts and those they engage in their roles as state officials". See also THELEN et al. 2014.

48 See BRUBAKER 1996.

and the Venice Commission the terms kin state, kin minority and home state.<sup>49</sup> While this so-called “triadic relationship” characterises many contexts in Central and Eastern Europe, the observable reality is much more complex. Acknowledging the fact that there are also international actors (e.g. the EU) shaping these interactions and dynamics, thereby widening the triadic model into a quadratic one,<sup>50</sup> and also taking into account of the heterogeneity of the different “fields”, we could make the following distinctions among the cases:<sup>51</sup>

- a) There are autochthonous/national minorities that had been in the majority nation’s status before the redrawing of state borders. Even if they ended up under the sovereignty of another state, where they did not constitute the “titular” nation, they have preserved their national consciousness. Although they are classified as national minorities within the legal and political order, from an analytical view “minority nation” or “co-nation”<sup>52</sup> would be a more precise term for them in the social and cultural sense. They are part of a “divided nation”<sup>53</sup> who consider their former home state their kin state. Hungarians in Vojvodina (Serbia) or Transylvania (Romania) could be mentioned as examples.
- b) There are autochthonous/national minorities or co-nations that consider a neighbouring state their kin state although they have never lived under the sovereignty of that state, their homeland (place of living) has historically never (or only for a short transitional period) been a part of that putative kin state. They consider the majority nation of that neighbouring state their ethnic kin and this sense of being part of the same nation is mutual (reciprocity), despite both their situational stigmatisation by the transborder ethnic kin and their cultural similarity with their co-habitants in their home state. Bosnian Croats and Bosnian Serbs illustrate this pattern, adding that they are two of the “constituent nations” besides the Bosniaks, and in fact it is the internationally brokered Dayton Peace Agreement that has allowed the maintenance of “special relations” between the neighbouring states (Serbia,

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49 *Report on the Preferential Treatment of National Minorities by their Kin-State*, adopted by the Venice Commission at its 48th Plenary Meeting, CDL01INF (2001), 19–20 October 2001.

50 The reformulation of Brubaker’s triadic model into a quadratic one has aimed to involve the international actors, mainly the EU that is shaping the various triadic relationships through its conditionality politics. The model is, of course, simplifying: “the international community” (or “the EU”) also represents a very heterogeneous field of different actors and interests. See SMITH 2002; KRASNIQI 2013.

51 There are also contexts in which the concept of kin state does not make sense. For instance, French, Italian or German speakers living in Switzerland neither consider themselves French, Italians or Germans, nor regard neighbouring countries as their kin-states. In fact, the French, Italian or German speaking parts of Switzerland have never been part of France, Italy or Germany, and as the case of Switzerland illustrates, a shared language does not necessarily imply a common history and the same identity. See GRIN 2005; WIMMER 2011.

52 See KYMLICKA–OPALSKI 2001.

53 See MCGARRY–O’LEARY 2013.

Croatia) and the two entities of Bosnia-Herzegovina (the “Republika Srpska” and the Bosniak–Croat Federation).<sup>54</sup>

- c) The concept of kin state does not apply to all autochthonous/national minorities. There are also “claimed co-ethnics”, who maintain a sense of separateness (distinctiveness) and refuse to identify with the putative kin state or kin nation, or to participate in its transborder nation-building project. This lack of reciprocity can be observed in case of Bunjevci (Vojvodina/Serbia and Hungary) in relation to Croatia, Slavic speaking ex-Yugoslav Muslims, e.g. Torbeši (Macedonia), Goranci (Kosovo) or Muslims (Montenegro) in relation to Bosniaks, or Vlachs (Vojvodina/Serbia) in relation to Romania.<sup>55</sup> These minority groups in liminal or in-between situation may be exposed to loyalty pressures and homogenisation efforts from the part of both “kin” and “host” state. There is a complex interplay and tension between their local practices of self-identification and the top-down mechanisms of competing nation-building projects.

In case of Vojvodina, the relationship of Vlachs and Romanians, and that of Bunjevci and Croats illuminates these dynamics well. The distinct identities of Vlachs and Bunjevci have been institutionalised as these groups managed to establish their national councils in 2010. At the same time, they rely on political and financial aid from the “kin” state. There is a conflict potential between the ambition of the “kin” state to incorporate its claimed co-ethnics into its national body while the “host” state uses recognition and categorisation of its ethnic minorities and supports their self-differentiation efforts in order to weaken the leverage power of their “kin” state. For instance, Romania threatened to use its veto right on Serbia’s EU accession talks unless Serbia changed its policy towards the Vlachs, a group considered by Romania to be the descendants of Romanised people, part of the transborder Romanian nation, and not recognised as a distinct national minority.<sup>56</sup>

The relationship between Croats and Bunjevci has also acquired an interesting political dimension. The content and script of textbooks can be a highly contested issue in a border region where ambivalent identities and loyalties are endangered by competing nation-building projects. Tomislav Nikolić, the President of Serbia donated textbooks in Cyrillic letters to Bunjevac children in Vojvodina in September 2014 stating that Serbia is promoting the situation of national minorities and, as a part of these efforts, the state would like to contribute to the standardisation of the Bunjevac language. He also mentioned that Bunjevci are neither Serbs (i.e. “Catholic Serbs”) nor Croats. These statements provoked immediate and fierce reactions from prominent Croat politicians (the Prime Minister and the President of Croatia, Zoran Milanović and Ivo Josipović respectively, as well as Ruža Tomašić, a Croat Member of the European Parliament) who regarded this gesture as an “insult” and claimed

54 See FRASER 2013.

55 See STJEPANOVIĆ 2015; FRIEDMAN 2016.

56 See BODÓ 2014.

Bunjevci to be part of the Croat nation and their script to be Latin rather than Cyrillic. According to a radical view, the incident in question was “the last manifestation of the politics of annihilation of the Croat language and culture in the territory of Vojvodina.”<sup>57</sup> Representatives of the Croat community in Serbia raised the issue of textbooks with Latin letters during the drafting process of the Action Plan for Exercising the Rights of National Minorities.<sup>58</sup>

Apart from top-down mechanisms, local interactions and identity plays are also interesting. Bunjevci pupils can attend special classes in the primary school of Tavankut (in Hungarian *Tavankút*). However, one of the informants has found on the basis of informal discussions that in one of the Bunjevac classes only one pupil declared himself a Croat while all the others were Serbs. In this case the Serb parents enrolled their children in the Bunjevac class in order to enjoy the material benefit provided by the state of Croatia including a free textbook package and a free visit to Croatia among other things. Pretending to be a “Bunjevci” does not require extra efforts as the dialect spoken in that village cannot be clearly distinguished from the Serbian language.<sup>59</sup>

It is of utmost importance to focus on the local effects of kin state policies and transborder nation-building activities, especially extraterritorial citizenship policies. A most interesting finding is how the acquisition of citizenship of neighbouring countries, which are also members of the European Union, is used as a tool for labour migration within the EU. Bulgaria, Croatia and Hungary are happy to provide benefits and institutionalise the relations with their transborder kin communities, while many inhabitants of Vojvodina and Southern Serbia mobilise their language skills, family histories and personal connections in order to acquire EU citizenship via Hungarian, Croat or Bulgarian citizenship.<sup>60</sup> That labour migrants from Vojvodina often use social networks and experiences from the ex-Yugoslav “guest worker” era suggests that ethnic and linguistic social networks seem to be the most efficient vectors of inclusion and employment for newcomers.<sup>61</sup>

As our findings prove, a significant part of young Hungarians is planning to leave or already has left Serbia in order to find jobs in an EU member state and not necessarily in Hungary. Similar dynamics were observed within the Bulgarian and

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57 Interviews of the author, May 2016.

58 Minority protection has been part of the EU conditionality in relation to the Central and Eastern European candidate countries since the adoption of the Copenhagen criteria of 1993 to the latest accession talks with Serbia that have even required an action plan on the protection of national minorities. Interview and personal communication with Brigitta Toldi (Hungarian Language Office) and Katinka Beretka (legal expert), Subotica (in Hungarian *Szabadka*), May and June 2016. See also *Akcioni plan za ostvarivanje prava nacionalnih manjina* 2016. On EU conditionality and the protection of national minorities, see CSERGŐ et al. 2017 as well as VIZI et al. 2017.

59 György Szerbhorváth's interview with Andrew Hodges, Tavankut (in Hungarian *Tavankút*), April 2015. See also SZERBHORVÁTH 2015.

60 See POGONYI 2017.

61 Interviews of the author, May 2016.

Croatian communities in Serbia, as well. In the interviews, Germany and Austria were mentioned as the most popular destination countries.<sup>62</sup> Apparently young minority language speakers (either belonging to the minority in question or not) respond adaptively to the changing conditions that open up new opportunities within the EU's labour market. The migration of young and talented members of minority communities who have left their communities may result in the lack of minority language-speaking personnel at court, hospital, university, post office, etc. The labour migration thus reduces the number of and therefore the survival chances for some minority communities.<sup>63</sup>

The opportunities of cross-border mobility opening up with the acquisition of Hungarian citizenship have resulted in the growing prestige of the Hungarian language. As the conditions of the acquisition of Hungarian citizenship by facilitated naturalisation are based on citizenship of the Hungarian Kingdom before 1920 instead of ethnicity, the benefits that can be gained make attractive the knowledge of Hungarian also among non-Hungarians. Similar phenomenon can be observed in Niš and its region where many Serbs attempt to find and prove Bulgarian relatives or descendants in order to get a Bulgarian citizenship. In fact, the local Serbian dialect is quite close to the Bulgarian one that makes transcending the language boundaries relatively easy.<sup>64</sup>

### **At the Intersection of Mobility and Inclusion: Belonging and “Dual Othering”**

Members of autochthonous/national minorities moving between their host and kin state are exposed to boundary-drawing practices and, occasionally, stigmatisation by the national majority of both states – even after having “returned” to their kin state. While “successful inclusion implies a feeling of belonging and of being accepted”,<sup>65</sup> stigmatisation and social hierarchies or rankings related to in-between identities and liminal positions are barriers of inclusion. The dual (double) othering process by both host and kin state majorities strengthens the feeling of otherness and alienation, the sense of in-betweenness of transborder kin minorities.<sup>66</sup> For instance, Hungarians that are being marked as a Hungarian other by the local Serb majority in Vojvodina

62 Interviews made in Belo Blato (in Hungarian *Nagyzerzébetlak*), Dobričevo (in Hungarian *Udvarszállás*), Gudurica (in Hungarian *Temeskutas*), Senta (in Hungarian *Zenta*), Skorenovac (in Hungarian *Székelykeve*), Subotica (in Hungarian *Szabadka*) and Vršac (in Hungarian *Versec*), May 2016.

63 Although the threshold rule of 15% is based on the latest population census, the status of a national minority language in official use cannot be endangered by the population loss since national minority (language) rights count as “vested rights” within the legal order of Serbia. See BERETKA 2016; SZERBHORVÁTH 2015.

64 Personal communication with Ana Veljković (a native of Niš and a graduate student at the University of Glasgow), Budapest, June 2016.

65 MIME 2017. 6

66 See POGONYI 2017.

(host-state) are often labelled as “Serbs” reflecting that they are perceived as aliens by the local Hungarian majority in Hungary (kin state) – their “own” ethnic or national kins.<sup>67</sup> The recurring slippages between otherness and sameness, division and unity, aliens and co-ethnics or co-nationals could be best captured by the term “(br)othering” based on an analytical strategy of double writing.<sup>68</sup>

There were many Serbs that had migrated from Croatia to Serbia during the 1990s spending years in a liminal state of being without any recognised citizenship – they had lost their Croatian citizenship (and their documents by the authorities of the Serb Republic of Krajina were not accepted by Croatian authorities) and could not acquire a Serbian one for a long time. Most of them belonged “both here (Serbia) and there (Croatia)” or “neither here (Serbia) nor there (Croatia)”.<sup>69</sup> Their in-between position has been reflected in their categorisation as *dođoši* (a pejorative word for newcomers; in Hungarian *gyűttment*) by local Serbs.<sup>70</sup> As the bilateral relations had improved between Croatia and Serbia, they managed to reacquire Croatia’s citizenship with both symbolic and practical consequences. Firstly, it meant for many the recognition of their pre-war life and dignity within Croatia’s polity and the restoration of bonds with the past home. Secondly, Croatia’s citizenship enabled them to reconstitute their property thus to improve their material conditions and promote their social and economic integration in Serbia, and/or use the Croatian citizenship as a currency to travel during the time when Serbian citizens were still limited by visa obligations, and especially since 2013 when Croatia joined the EU and those having its citizenship have also EU citizenship that could be converted into economic and labour migration.<sup>71</sup>

This in-between identity formation and the dual othering and belonging works not just in case of national minorities moving to “their” kin state but also in case of intra-EU and third world immigrant minorities. The othering and stigmatising practices can be organised into a hierarchical order. In the Netherlands, for example, many immigrants coming from postsocialist EEC countries perceive immigrants from non-European (e.g. postcolonial) countries through negative narratives and stereotypes, considering “Surinamese”, “Turkish”, or “Moroccan” migrants dirty, uneducated, lazy and so forth – in a very similar way to how the postsocialist migrants are stigmatised by the host society. This phenomenon can be characterised as “nesting Orientalism”, or the process of moving on the hierarchy of civilizational discourse by using the same “measuring rod” to devalue others lower on the imaginary “East–West slope” – in a self-congratulatory way. This can work also within an ethnic community, e.g. Hungarians that have lived in the Netherlands for a long time often consider

67 The same is true in case of Hungarians from Transylvania that are called “Romanians” in Hungary. Interviews of the author, May 2016. See also BRUBAKER et al. 2006; POGONYI 2017.

68 HAJDARPASIĆ 2015, 15–17.

69 KOSKA 2015, 192.

70 Similar dynamics have been observed in other postwar post-Yugoslav settings, for instance, in Mostar, Banja Luka, Krajina. See ACESKA 2013; LEUTLOFF-GRANDITS 2016; STEFANSSON 2006; VETTERS 2007.

71 See KOSKA 2015.

newcomer fellow Hungarian migrants backward who are less educated, not motivated to work, characterised by lack of language skills, the absent motivation for social mobility which is a result of their laziness etc.<sup>72</sup>

### Concluding Remarks

The case of Vojvodina shows that adherence to international minority rights standards does not guarantee the effective implementation of these norms in domestic settings. Governmental negligence, the vague formulation of specific language rights, the social and political prioritisation of the national state language may indeed dominantly influence language use patterns. On the other hand, kin-state support for minorities, especially the practice of facilitating naturalisation has become an important driving factor for migration. Access to EU member state citizenship proved to be a mobilising force, especially among young people for leaving their homeland. In this context, minority language becomes a tool for labour migration and research has shown that the EU appears as one market to migrating members of minorities, without any preferences for their kin-states. On the other hand, assimilationist practices and migration contribute largely to the linguistic homogenisation of a multilingual region in Serbia, regardless of the legal protection of minority languages.

The macro environment is not always helpful: international minority rights norms are often contested and subordinated to geopolitical interests; without a robust and common European minority rights regime, EU member states remain unaccountable for the non-implementation of minority protection commitments; and the primacy of domestic party politics often overpowers the influence of EU conditionality.

As a matter of fact, in domestic settings ethnic and linguistic pluralism should be reflected in policy solutions that exploit different tiers of government (national, regional and local), fine-tune the allocation of competencies between these authorities, and build in asymmetries in favour of languages most in need of protection.

In this context, accepting local initiatives could also open the way for a more flexible approach to recognising official language use at regional and local levels: for example, where the minority language users are numerous and/or the minority exceeds a certain rate, and minority representatives ask for that, the minority language should be declared as a regional official language. It could be particularly useful and could offer mutual benefits in border regions, where minorities live. Policy solutions related to multilingualism should also reflect a complementary (“additive”) approach, instead of an exclusionary (“subtractive”) approach, enabling the learning of the state’s official language as a second language essential to employment and social mobility, while reinforcing the mother tongue as a first language essential to identity, psychological and security needs.

<sup>72</sup> See BAKIĆ-HAYDEN 1995; TODOROVA 1997; MELEGH 2006; HUNYADI 2017, 18.

With the prospect of Serbia's accession to the EU looming closer, further research into this case could focus on the effects of dysfunctional legal protection of language rights and extra-territorial citizenship on (domestic and cross-border) mobility and social inclusion in Vojvodina.

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