

Instrumentalisation of Language and Media Policies for Re-positioning of Ex-Yugoslav Cultural Identities in Slovenia

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Abstract

With the gaining of independence and the adoption of the new constitution, all provisions that pertained to other nations of the former Yugoslavia, including the provision on language, were left out of the new legal and formal framework in Slovenia.

Although many of these people (to be more precise, 171,132 persons) acquired Slovenian citizenship on the grounds of permanent residence in Slovenia, and despite the commitment on the part of the Assembly of the RS stated in the Declaration of Good Intentions preceding the plebiscite in December 1990 that the Slovenian state would ensure “to all members of other nations the right to multifarious cultural and linguistic development,” the status and the situation of other languages of the former Yugoslavia remained unregulated. The language policy of the newly formed state simply did not take into account this language situation.

If we regard language policy as one of the mechanisms of national integration and take into account Močnik’s thesis that “national identification occurs as an identification with the subject of national language competence” (Močnik 1998), it is possible to conclude that peoples of the former Yugoslavia in Slovenia along with their languages are those non-integrated “remnants” which were excluded from the internal cultural and social division in the process of the construction of the Slovenian national identity and national state and remained outside the cultural borders.

The dominant viewpoints, ideologies and practices contribute to the invisibility of these communities and their resources, particularly their cultures and languages. To borrow from Skutnabb-Kangas and Phillipson (1995), for these communities their resources have been turning into non-resources. Although their knowledge of a mother tongue should be an asset and part of their credentials, in the present social circumstances and linguistic reality, this is almost a handicap and a source of stigma.

The situation has been accordingly reflected in the media policy through absence of measures and actions aimed at regular production of media program content that would reflect specific social and cultural situation of these communities.

Our paper will examine how language situation of other nations of the former Yugoslavia in Slovenia has changed with independence of Slovenia, how it affected specific post-Yugoslav re-construction and re-positioning of cultural identities, and how it is supported by the media system in Slovenia.

1. Introduction

Absence of constitutional and legal framework for regulation of language and communication rights of members of other nations of the former Yugoslavia in Slovenia – Albanians (from Kosovo), Bosniaks, Montenegrins, Croats, Macedonians and Serbs – after the gaining of independence has affected both cultural and political potential for articulation and recognition of their specific position and situation.

Although attitudes towards languages of other nations of the former Yugoslavia in Slovenia during the functioning of Yugoslavia signaled problems, there were some elements in the Constitution and other regulation providing framework for their status and use.

The new normative situation can be described by referring to the situation of the erased residents – the permanent residents of Slovenia, members of other nations of the former Yugoslavia, who were erased from the register of permanent residents in February 1992: the languages were erased from the normative framework. Instead of further regulation of language and communication rights for members of other nations of former Yugoslavia and provision of clear framework for protection of languages and cultural identities in the newly formed state, the policy of ignorance and marginalization prevailed.

To illustrate the controversial situation of language use and regulation we will focus on the struggle of the erased people for gaining their rights in the context of linguistic rights and competences. We will examine how knowledge of Slovene (or the lack of it) was pertinent to the erasure itself, to the rhetoric and practices of justifying and legitimizing the erasure, and to the erased people's struggle for rights and acknowledgement. We will also devote attention to the general situation in Slovenia for languages of other nations of the former Yugoslavia.

If we go back to 1992 and try to imagine the atmosphere at the time of the erasure, we can conclude that a large part of the majority population expected immigrants from other republics of the former Yugoslavia to learn Slovene and accept Slovenian culture; i.e., they thought that this was a prerequisite for their living in Slovenia.

“They should learn Slovene and adapt to the circumstances around here; among themselves, they can use their own language and cultivate their culture.” This was one of the six possible answers to the question: “How should non-Slovenes (coming from other republics) who have been living in Slovenia for a long time behave?” It was chosen by the majority of respondents – 60 percent. The year was 1992 and the survey “Slovenian Public Opinion.”

That they “should give up their culture and language and accept Slovenian culture and language,” was the opinion of 12.9 % of respondents, while 8.9 % of them thought that “they should have the opportunity to develop and be educated in their own language.” Other answers were chosen by an even smaller percentage of respondents (Toš 1999, 202–203).¹

¹ Other answers were: “After spending some period of time in Slovenia, they should return home” (chosen by 7.8% of respondents); “I don't know, I'm undetermined” (8.1%) and “They should preserve they culture and language and live by themselves” (2.2%) (Toš 1999, 202–203).

Later, over the long years of public debates during which the erased people fought legal and political battles for their rights, countered by opposing attempts at their disqualification, the language they spoke and their knowledge of Slovene played a significant role in legal procedures and political rhetoric.

In discussing these issues, our point of departure will be Bourdieu's position on the value of language. According to him, a speaker's power stems from his/her position within the social structure, linguistic competence represents symbolic capital, and linguistic exchanges are a means of establishing relations of linguistic domination (Bourdieu 1992, 72).

1. The lack of knowledge of Slovene as a handicap

"My dears, first learn Slovene, not this gibberish!"

A message to Aleksandar Todorović,² the representative of The Civil Initiative of Erased Activists, in a comment on the text entitled "17 Erased Years" signed by "zz" and posted on 27 February, 2009 at Vest.si.

"Mrs. B.K.³ was born in 1971 in Kosovo and came to Slovenia. She obtained, upon her complaint and request for compensation – I don't know what for – a lot of money,⁴ [...] During the years she supposedly lived here, this lady did not even learn to speak Slovene, because she didn't find it important, because the Slovenes would see to it that she gets a translator to defend herself."

A part of the question addressed to Prime Minister Borut Pahor by MP Zmago Jelinčič of the Slovenian National Party on June 15, 2009, referring to the court proceedings involving an erased person.⁵

Criticism of erased people's poor knowledge of Slovene repeatedly crops up in discussions about the regulation of their status and rights. The interviews with the erased people conducted in 2007, 2008 and 2009 as part of the Peace Institute's research study "The Erased People of Slovenia – A Challenge for the Young Nation-State" reveal that many among them, but primarily first-generation immigrants, indeed do not have a good command of Slovene. Many of them speak a mixture⁶ of Slovene and their mother tongue – Serbian, Croatian, Bosnian or other.⁷

² Aleksandar Todorović joined the debate under his full name, while the other commentators, with the exception of Blaž Babič, used pseudonyms. There were 214 comments on this text. (<http://www.vest.si/2009/02/27/17-izbrisanih-let/>, 26. 7. 2009).

³ MP Zmago Jelinčič quoted the full name of the erased person.

⁴ In this part of the question, MP Zmago Jelinčič misleadingly presented the content of the ruling. The erased B.K. did not win or receive compensation in the proceedings to which he referred. The Court ruled that the action for compensation taken by B.K. was justified, but did not decide about the amount of compensation.

⁵ Source: http://www.siol.net/slovenija/novice/2009/06/informacijski_pooblascenec_sprozil_postopek_proti_jelincicu.aspx (21 July 2009).

⁶ A mixture of languages or a hybrid language is a special linguistic, cultural and social phenomenon. It has recently received significant attention and singular approval from the Slovenian public especially after the success of Goran Vojnović's book "Čefurji raus!" (Čefur, plural čefurji, is a derogatory term for non-Slovenes coming from the former Yugoslav republics). Hybrid languages (e.g. pan-English) are characteristic of many multilingual societies, particularly those where immigrants

Why is this so? Why do many erased people lack a good command of Slovene?

Workers from other republics of the former Yugoslavia immigrated to Slovenia when the latter was still part of Yugoslavia. At the time of their immigration and until 1991, when Slovenia as a sovereign state adopted the new Constitution, Article 6 of the Constitution of the Socialist Republic of Slovenia (dating from 1974) provided that citizens of other socialist republics of Yugoslavia had “the same rights and obligations in Slovenia as the citizens of Slovenia.” Provisions relating to language were laid out in Article 212 of this Constitution. In accordance with this article, everyone had the right to “cultivate and express his culture and use his language and script;” the language of all bodies, organizations and individuals performing a “social function” in the Republic of Slovenia was Slovene, and everyone had “the right to use his language and script when realizing his rights and obligations and in procedures before state and other bodies and organizations that perform a social function. A body conducting such a procedure is obliged to supply the material and information on its work in his language and in the manner provided by law.”

The last paragraph of this Article stated that “the lack of knowledge of Slovene cannot be an obstacle hindering anyone’s defense, exercise of rights or justified interests.” Article 213 stated that “members of other Yugoslav nations and nationalities have, in accordance with the law, the right to education and schooling in their own language.”⁸

This arrangement remained unchanged when the Constitution was amended in 1989 and later, when certain provisions related to Slovenia’s inclusion in the Yugoslav federation were changed or revoked by subsequent amendments. The constitutional provision on language use was amended only by adding the stipulation that the federal bodies in the territory of the Socialist Republic of Slovenia were obliged to respect the constitutionally protected equality of all Yugoslav languages when dealing with members of various Yugoslav nations.⁹

In December 1990, during the period when Slovenia was moving towards its independence, an important assurance concerning the linguistic situation and linguistic rights of members of the former Yugoslav nations came from the Assembly of the Socialist Republic of Slovenia. Before the plebiscite on Slovenia’s independence and sovereignty, the Assembly issued the “Proclamation to all citizens of the RS and all the voters in the RS,” inviting them to take part in the plebiscite on December 23, 1990. In the accompanying Declaration of Good Intentions it stated, among other things, that the Slovenian state would ensure “to all members of other nations the right to multifarious cultural and linguistic development.”¹⁰

account for a large part of the population. For a short treatise on the situation in Germany, see <http://www.goethe.de/lhr/prj/mac/msp/en1398809.htm> (26 August 2009).

⁷ After the emergence of the new countries following the dissolution of Yugoslavia, Croato-Serbian or Serbo-Croatian also split into several national languages, i.e. Croatian, Serbian, Bosnian, and recently Montenegrin. For more on what happened to Serbo-Croatian or Croato-Serbian and whether it is possible to say that this language still exists, see Bugarski’s discussion *O starom jeziku i novim jezicima* (On the Old Language and New Languages) (Bugarski 2009, 121–127).

⁸ The Constitution of the Socialist Republic of Slovenia, *Uradni list SR Slovenije*, No. 6/1974.

⁹ Amendment XLVI, http://www.svz.gov.si/si/zakonodaja/osamosvojitveni_akti_republike_slovenije/ (20 August 2009).

¹⁰ <http://www.slovenija2001.gov.si/pot/osamosvojitveni-dokumenti/dobri-nameni/> (20 August 2009).

This was followed by the adoption of the Citizenship of the Republic of Slovenia Act in June 1991. In accordance with this law, nationals of other Yugoslav republics who on December 23, 1990, the day of the plebiscite on independence and sovereignty, had permanent residence registered in Slovenia and actually lived there, could submit an application for Slovenian citizenship within six months of this law entering into force.¹¹ Knowledge of Slovene was not a prerequisite for obtaining citizenship.¹² By contrast, those who applied for Slovenian citizenship under the regular scheme (through naturalization) were required to possess the language skills “necessary for effective communication.”¹³

The new Constitution of sovereign Slovenia, adopted in December 1991, laid down the new formal framework determining the linguistic situation of other nations of the former Yugoslavia living in Slovenia. Article 11 of the Constitution states that the official language in Slovenia is Slovene, along with Italian and Hungarian in the areas inhabited by the Italian and Hungarian minorities. Article 62 states that everyone “has the right to use his language and script in a manner provided by law in the exercise of his rights and duties and in procedures before state and other authorities performing a public function.”

The Constitution of sovereign Slovenia no longer mentions members of other nations of the former Yugoslavia or their linguistic rights.

The reasons for the inferior knowledge of Slovene among first-generation immigrants from the former Yugoslavia lie not only in the formal constitutional and legal regulations that were in place while Slovenia was still part of the SFRY, but also in the living and working conditions of immigrant workers. Silva Mežnarič described these in the book entitled “*Bosanci.*” *A kuda idu Slovenci nedeljom?*, (“Bosnians.” And Where Do The Slovenes Go On Sundays?), presenting the findings of a 1983 research study that examined the situation of workers from other republics of then Yugoslavia living in Slovenia. The author established, among other things, that the speech of immigrant workers, when not rendered in standard Slovene or Serbo-Croatian, represented a “gold mine for sociolinguists,” (Mežnarič 1986, 7) and that future researchers on migration in Slovenia should devote attention to this linguistic phenomenon.

Below is how one of the interviewees described his living situation at the time:

¹¹ Article 40 of the Citizenship Act, http://www2.gov.si/zak/zak_vel.nsf/zakposop/1991-01-0008?OpenDocument (20 August 2009).

¹² In her article “Mi, etno-državljeni etno-demokracije. Nastajanje slovenskega državljanstva” (We, Ethno-Citizens of Ethno Democracy. The Emergence of Slovenian Citizenship) published in *Časopis za kritiko znanosti*, Jelka Zorn wrote about the proposals put forward in the Slovenian Parliament at the time of debate about the Citizenship Act. One proposal was that before awarding citizenship to this category of permanent residents, their knowledge of Slovene should be checked. (Zorn 2007, 24). Borut Mekina, a journalist, published an article in *Mladina* (No. 9/2009) entitled “Vedeli so, kaj delajo” (They Knew What They Were Doing) in which he stated: “At the time when this law was being adopted, delegates even discussed the possibility of checking applicants’ health condition and their knowledge of Slovene, or of tying the acquisition of citizenship to 5-year residence in Slovenia.” See http://www.mladina.si/tehdnik/200809/clanek/slo—izbris_16_let-borut_mekina/ (20 August 2009).

¹³ Article 10 of the Citizenship Act, http://www2.gov.si/zak/zak_vel.nsf/zakposop/1991-01-0008?OpenDocument (20 August 2009).

Yeah, it's a bit difficult to get quite used to it, because we are all alone in the flat, without, like, any potential cooperation from the outside... (Mežnarić 1986, 8) [...] there should be a bit more of a sort of cooperation, say, among local people and people from other republics, I don't know, connections could be better and we could visit each other, a bit more of cooperation in some way – but as it is, you come as if you fell out of the sky, fell from a plane, and as long as there's a need, you work, when there's no need, then when once ... when you don't work you have to travel home, from home to the apartment, from the apartment home, and to work, you have nothing else. (Mežnarić 1986, 11)

Another worker's answer indicated the linguistic situation of the time:

I can't speak Slovene, I say it straightforward, you know...

Yes, but you certainly understand.

Sure I understand, but ... The child understands too, but you see, it's another thing; he plays with the boys, he memorizes some Slovene if a Slovenian child is with them, but you rarely see Slovenian children playing with our, Bosnian children.

They mainly keep apart?

It's not that they keep apart, but they, you know – you and me, when we talk, it's normal that you'll seek a company of people you understand well, it's difficult for you too, because of the language, to use our language, and for me too it is difficult to use Slovene, I mean, it's not difficult ... I didn't try Slovene at all – in my company it's mostly our people, er, ... Bosnians, you cannot speak to them, you don't have such a company, understand Slovene, so that you ... For example, when I was in their company I used to speak, I mean I spoke Slovene several times, but when you speak Slovene, the Slovenians usually speak Serbo-Croatian; if you speak Serbo-Croatian, then they speak Slovene. And you cannot cope with it, directly. And I don't blame... You always look for a company of people of your kind – you cannot, if you're a Slovenian, you cannot go to a Bosnian to look for, because again – you don't know us enough, and we don't know you enough, although we're together, isn't it so? If two Slovenians meet, acquaintances, they will say, "živio, kako si, kaj delaš" [Slovenian for 'hi, how are you, what do you do' B.P]. and other such variants of their own. But with Bosnians it's "zdravo, zdravo, kako si, dobro, ja, ti" [Bosnian for 'hi, how are you, fine, I, you' B.P]. ... He has his own, I have my own, you know, everybody has his own system. [...] To them I cannot, I cannot talk to them, you know, I can't explain to him what I have, although ... he cannot laugh at my joke, my joke is no longer interesting for him. (Mežnarić 1986, 104–105)

Once we know the living conditions of immigrant workers in Slovenia and the constitutional and legal framework that regulated the status of other Yugoslav languages in Slovenia before the country gained independence and at the time of erasure, we can begin to understand the reasons for the poor knowledge of Slovene among first-generation immigrants, many of whom were erased.

According to Gellner (1991), in modern industrial countries an individual can be fully included in society only if he/she goes through complex, formal training, learns the language of the dominant culture and acquires industrially relevant education of a required standard. Many members of the former Yugoslav nations living in Slovenia ("non-Slovenes"), particularly first-generation immigrants, never learnt the language of the dominant culture to an extent that would suffice for their inclusion and acceptance. This phenomenon is quite understandable, given that these people came to Slovenia

as workers during the socialist era when Slovenia was still part of Yugoslavia. Their labor was included in Slovenian industry, but the system did not provide mechanisms for their complete inclusion in Slovenian society.

On the other hand, as Tomislav's testimony below shows, quite a number of younger people (second-generation immigrants) who *have acquired education of the required standard* in Slovenia and in Slovene, meaning that they mastered the language of the dominant culture, were erased. However, when struggling to achieve justice – the reinstatement of permanent resident status or acquisition of citizenship – they were treated as if they did not know the language, meaning that formal skills and knowledge of the dominant group's language could not protect them against social exclusion. Tomislav's account also reveals that linguistic competence became a very important factor in the actions they took after the erasure in an attempt to regain their rights and regulate their status. In some cases, administrative requirements were irrational and had the characteristics of administrative torture.

When I first submitted the application for citizenship on the basis of this [shows a document proving that he is not registered as a citizen of any other country, B.P.], they rejected me, like, they didn't have anything to do with the SFRY. Apart from this document, they also required a certificate of my knowledge of Slovene – that I can use the Slovene language – that is, they insisted I had to prove my knowledge of Slovene before the Commission. I was with my lawyer at Beethovnova street speaking to the administrative clerk M.¹⁴ when they rejected me. I sat down and put this document in front of her. I had not been one of the best students, my marks were threes, or fours, sometimes I had to take a make-up exam, but I tried hard in the last year so my marks were excellent, and I also got an excellent mark in Slovene. It was the "Matura" [the final exam, B.P.] in the commercial school. I brought my school report showing a mark of 5 in Slovene and I presented it to her. She still required the knowledge of Slovene. I spoke Slovene, like I now speak it to you. I knew history too. She said that I still had to take an exam in Slovene. Some who already had citizenship, those who were compliant and had applied "on time" – I put a question mark over "on time", I didn't apply on time because I considered it unnecessary – 70 or 80 percent of them did not know a word of Slovene, and they obtained citizenship anyway. But I - I was born here, I had knowledge, I had everything in writing, and I was still asked to take the exam. There is no logic there. I even showed her the document. "Look, Madam administrator, here it is all in writing, plus you can hear that I can converse in Slovene. This certificate here was issued in the Republic of Slovenia, but despite all I'm still willing to take the exam in Slovene on condition that you issue a document stating that this document, this certificate issued by the Republic of Slovenia, is not binding on you. In that case, I will take the exam once more." She again took my certificate to her boss and came back five minutes later or so. Then she said: "Mister, you don't need to take the exam in Slovene, I see that you can speak it." They took it into account after all (Tomislav, 59).

The absence of mechanisms for the systematic integration of immigrant workers into Slovenian society at the time of their arrival and over the subsequent decades can be explained by the specific organization of the socialist federative Yugoslavia of the time. However, we should not forget that awareness of the necessity of such measures did exist. The interviews with immigrant workers presented in Silva Mežnarič's study dating from the mid-1980s as well as the author's analysis

¹⁴ The interviewee used the full name of the administrator; we use only initials.

suggested the need for such mechanisms. Even at that time Mežnarić drew attention to the danger of reducing conflict between “the immigrants and the locals to the level of the symbolic,” i.e., the level of language and culture, and emphasized that in reality these were “tensions created by unequal access to the basic sources of social power and control” (Mežnarić 1986, 206–207).

Even now, 18 years after Slovenia became a sovereign country, more than 90% of immigrants with temporary or permanent resident status in Slovenia come from the countries that were formed after the dissolution of Yugoslavia.¹⁵ What is meaningful, though, is that the law providing for systemic measures towards the integration of immigrants into society was adopted only in 2008. These measures include free courses in Slovene, Slovenian culture and history. The law and the Resolution on the Integration of Aliens¹⁶ were followed, in March of 2009, by the Rules on the Programs For the Integration of Aliens.¹⁷ The practical realization and the beginning of the implementation of systemic measures in this area were planned to begin in the second half of 2009.¹⁸

2. Knowledge of a mother tongue other than Slovene as a handicap

The story of the erased person called Tomislav who tried hard to achieve recognition of his school certificate proving his knowledge of Slovene has a sequel that is relevant to the issue of the status of speakers of former Yugoslav languages.

For them, the certificate I showed you before which was issued by the so-called Federal Republic of Yugoslavia and which proves that I'm not registered as a citizen of any other country, was non-binding although they required it. I had this hunch, and the lawyer also said the same, that something was wrong, that I was invited only for an informative interview, that the outcome had already been determined and that my application for citizenship would be challenged. I myself could see that the invitation to come to the Ministry was just a formality, that it was part of the procedure, so my blood began to boil a bit. From that moment on, I spoke to the administrator in Serbo-Croatian. The lawyer told me that I'd never obtain citizenship if I spoke Serbo-Croatian in Slovenia. I asked him which law prohibited it; why shouldn't I use my mother tongue? Am I right or not? Can I use my mother tongue? Legally and formally I respect it, if I want to apply for a job, it's clear which language I must use, but

¹⁵ More than 90 percent of foreigners with permanent or temporary resident status in Slovenia come from the countries of the former Yugoslavia. This is supported by the data of the Ministry of the Interior for 2008 found in the material published on the web page of the Peace Institute's project PRIMTS, available at http://primts.mirovni-institut.si/images/pdf/project_briefs/project_brief_1_slovenia.pdf (7 November 2009). At the same time, the text entitled “Integracija v RS včeraj, danes, jutri” (Integration in the RS, Yesterday, Today, Tomorrow) by Jurij Zaletel, head of the sector for the integration of refugees at the Ministry of the Interior, clearly shows that this ratio has been the same for quite some time. Zaletel says that at the end of 2005, there were around 22,000 foreigners with permanent residence status in Slovenia. Of these, 97 percent were members of one of the nations of the former Yugoslavia. At the same time, there were around 27,000 foreigners with temporary resident status, of whom 97 percent were of former Yugoslav ethnic background. See www.mddsz.gov.si/...gov.../elmd06_om4_integracija_mnz.pdf (25 August 2009).

¹⁶ See <http://www.uradni-list.si/1/objava.jsp?urlid=200865&stevilka=2821> (25 August 2009).

¹⁷ See <http://www.uradni-list.si/1/objava.jsp?urlid=200925&stevilka=1060> (25 August 2009).

¹⁸ Information on the beginning of the free courses in Slovene was obtained by phone on 28 August 2009, from an employee at the Department for the Integration of Foreigners of the Sector for Migrations and Integrations at the Ministry of the Interior.

in conversations the official language for me can be my mother tongue. At that time I suspected, and I also got the official reply, that my application for citizenship had been refused. (Tomislav, 59)

Similarly, the comment mentioned earlier by an anonymous reader (using the pseudonym “zz”) who accused Aleksandar Todorović of speaking “gibberish” had a sequel which also indicates the need for reflection on the status of the former Yugoslav languages in Slovenia. Aleksandar Todorović’s reply, this time in his mother tongue rather than Slovene, was as follows:

ZZ, I take my hat off to you, and I wonder if there is any point in explaining to the wolves that it is not ethical to eat lamb.

You reminded me again of my long-time deliberation that whenever I speak to a policeman, or an employee at an administrative office, in a bank etc., I should require a translator. And if I’m not allowed to do it at the institution’s expense, it would be a violation of European and Slovenian laws, as well as civilizational norms.

Your gibberish man. You truly motivated me to continue my work.

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(Comment under the text “17 Erased Years,” posted on February 27, 2009 at Vest.si)

These two comments suggest that it is not quite clear whether and when peoples of the former Yugoslav nations may use their mother tongue in public. They also raise the question of why the speakers of these languages threaten to revert to their mother tongue or begin to use it when they feel rejected. All of this indicates that there is a unique conflict in Slovenia concerning the status and use of these languages.

Why is this so and how did it come about?

The issue of the languages of other nations of the former Yugoslavia vs. Slovene did not become contentious only after Slovenia became a sovereign country. That the conflict is older is indicated by responses to questions posed in the series of surveys entitled Slovenian Public Opinion conducted during the second half of the 1980s. For example, a question in the Slovenian Public Opinion 1986 survey, in the section entitled “National Relations,” went as follows: “Some say that immigration from other republics poses a threat to Slovenes. Do you agree with this statement?” (if yes) What is it that is threatened?” Most respondents, 39% of them, replied that it was the Slovene language that was threatened (Toš 1997, 533).¹⁹ In the following year’s survey, in the section now entitled “The Problems of the Slovenes and Relations Among Nations,” the question was: “Do you think that the Slovene language is threatened, or that it is not threatened?” 65.6% of respondents thought that it was threatened, and 25.2% stated that it was not. In responding to the multiple choice question about the kinds of behavior that posed a threat to the Slovene language, 44.7% of respondents thought that the threat was coming from workers from other republics and autonomous regions of

¹⁹ In the same survey, 33.8% of respondents thought that immigration of workers from the former Yugoslav republics was a threat to their employment opportunities; 23% thought that it threatened nationhood, and 20.4% that it threatened Slovenian customs (Toš 1997, 533)

Yugoslavia who did not learn Slovene; an additional 27.6% of respondents thought that this seriously threatened the Slovene language (Toš 1997, 587–588).

Interviews with younger members of the nations of the former Yugoslavia (second-generation immigrants) offer an insight into the linguistic relations and the situation of the speakers of these languages. In these interviews they talked about their childhood, meaning the period of time preceding Slovenia's independence.²⁰

Asked whether he felt free to speak Bosnian in school and in the street when he was a child (during the 1980s), an interviewee of Bosnian extraction replied.

Actually you could, but they would definitely give you a weird look if they heard you.

Asked if he spoke Bosnian with his Bosnian school mates in school, he answered:

*No, actually not, not in elementary school. We mainly spoke Slovene and we used Bosnian only when we were telling a joke. But no.*²¹

Other interviewees in Admir Baltić's survey spoke about feeling ashamed when as children they used their mother tongue in public.

*In the past it was different, I was ashamed. I don't know, I thought it was unnecessary, why should I speak it if everybody looked at me.*²²

*At that time I didn't like it. I was a bit ashamed, if, for example, my mum started talking to me, I'd immediately tell her: no, speak Slovene.*²³ *I remember the kindergarten, my parents came to fetch me and sometimes, I don't know, my father came and started to talk in Bosnian, and then I'd say: Daddy, keep quiet, not here, here you have to speak Slovene. But as I said, it was when I was a child, before school.*²⁴

[If someone began to talk to me in Bosnian, B.P.] *well, yeah, I was ashamed, like, "what does he want." I replied but in a very low voice, what could I do. I didn't speak it when I was in secondary school either, not in the school, because nobody wanted to talk in Bosnian, there were only a few of us. For me it's not like, it's not like I'd, I don't know, thirty Slovenes and, I don't know, three Bosnians, it's not like I'd want to speak Bosnian. But I was not ashamed when I was in secondary school, if I said*

²⁰ The interviews were conducted for the research project entitled "Diskriminacija na osnovi etnične pripadnosti z vidika Albancev, Bošnjakov, Črnogorcev, Hrvatov, Makedoncev in Srbov" (Discrimination On the Grounds of Ethnicity From the Perspective of Albanians, Bosniaks, Montenegrins, Croats, Macedonians and Serbs), conducted in 2005 and 2006 by Admir Baltić for the Peace Institute. The research was part of a larger project entitled "Ali poznate vaše pravice?" (Do You Know Your Rights?), financially supported by the Embassy of the Kingdom of the Netherlands and the Embassy of the United Kingdom of Great Britain and Northern Ireland in Slovenia.

²¹ Statement by a 28-year-old Bosniak, E. K., in an interview held on 25 June 2005 as part of Admir Baltić's research.

²² Statement by a 20-year-old Bosniak, Z. B., in an interview held on 27 June 2005, *ibid.*

²³ Statement by a 28-year-old Croatian, J. A., in an interview held on 28 June 2005, *ibid.*

²⁴ Statement by a 23-year-old Bosniak, A. P., in an interview held on 30 June 2005, *ibid.*

something in Bosnian, but in elementary school I was ashamed. You know, you had a vacation and you'd spent two months in Bosnia speaking only Bosnian, and when you came back to Slovenia, it just popped out, and then you felt so bad that you just wished the ground would swallow you up.

Just because of one word, and you pray to God that nobody heard it, or someone heard and corrected you and it felt like a catastrophe.²⁵

Some interviewees spoke about non-acceptance of these languages in today's Slovenia:

Now, for example, there is one such example at my workplace, one of my colleagues there is a Bosnian, they call him Bosanc. He came to Slovenia during the war, completed his studies here, and now he's found this job and the two of us always speak Bosnian, and it's a bit, in some way it's quite a provocation for the Slovenes, because they are sensitive, definitely it is, but we still talk in Bosnian.²⁶

It really annoys me that they are annoyed when we speak Bosnian between ourselves, but when, for example, two Spanish people... or two I-don't-know-who talk in their own language, they don't mind it at all.²⁷

For example, I have a friend from Banja Luka and we talk, we used to talk, in Serbian, you know, in the bus. Now, I mean, if Englishmen talk in English, you know, or Germans, whoever, if they talk in their own language nobody minds it. So why should they mind if we talk in Serbian. First, we didn't swear, you know, we don't carry knives on us or anything like that, to rob, guns, whatever. Hm, and there was this situation when an older man began to say 'raus', you know, in that sense, 'čefurji out, go back', that was the situation when I experienced it directly.²⁸

As linguists explain, of all the nations of the former Yugoslavia, it was the Slovenes (and the Macedonians) who saw language as a vehicle of ethnic and national distinction (Bugarski 2002, 71), and it is societies that see language as the main sign of their collective identity that are more sensitive to language issues. Accordingly, language and language policy in Slovenia were always delicate issues. Roter emphasized that the role Slovene had in the building of Slovenian national identity was not the only source of this sensitivity. The attitude towards the language and the framework of language policy are also influenced by the wider context: i.e. the notion of a small nation (Roter 2003, 214). Roter further argues that this notion arises from the small population size and Slovenia's geographical location, which contributed to a feeling among Slovenes during various historical periods that the surrounding nations, representing a "significant Other," posed a threat to them (ibid., 215). According to Bugarski, after the Second World War the Slovene language prospered, but official policies failed to take into account the arrival of migrant workers from other parts of the former Yugoslavia who did not speak Slovene (Bugarski 1997, 25–26). Bugarski concludes that Slovene successfully survived the disintegration of Yugoslavia, indeed quite expectedly, adding that for speakers of Serbian, Croatian and other languages of the former

²⁵ Statement by a 24-year-old Bosniak, E. V., in an interview held on 26 June 2005, ibid.

²⁶ Statement by a 28-year-old Bosniak, E. K., in an interview held on 25 June 2005, ibid.

²⁷ Statement by a 24-year-old Bosniak, E. V., in an interview held on 26 June 2005, ibid.

²⁸ Statement by a 28-year-old Serb, M. M., in an interview held on 1 July 2005, ibid.

Yugoslavia in Slovenia, their full exercise of protected individual rights is limited by the non-recognition of corresponding collective rights (Bugarski 2002, 126).

2.1. Language policy in sovereign Slovenia

As already mentioned earlier, with the gaining of independence and the adoption of the new constitution, all provisions that pertained to other nations of the former Yugoslavia, including the provision on language, were left out of the new legal and formal framework.

Although many of these people (to be more precise, 171,132 persons)²⁹ acquired Slovenian citizenship on the grounds of permanent residence in Slovenia, and despite the commitment on the part of the Assembly of the RS stated in the Declaration of Good Intentions preceding the plebiscite that the Slovenian state would ensure “to all members of other nations the right to multifarious cultural and linguistic development,” the status and the situation of other languages of the former Yugoslavia remained unregulated. The language policy of the newly formed state simply did not take into account this language situation.

According to Bugarski, language policy is part of society’s general policy and the two are harmonized. It is implemented through measures whereby state institutions, social groups and individuals exert direct and indirect influence on the language situation in a specific society, on language resources and practices, and on the shaping of social awareness about these practices. To be viable, language policy must be based on linguistic reality, i.e. an actual linguistic situation (Bugarski 1997, 20). A linguistic situation is determined by the number, size, distribution and status of the languages in use with regard to ethnic groups using these languages and to other demographic, socio-political and cultural factors. Languages used in a specific society differ in the number of users, geographical and social distribution, standardization, communicational power, prestige, ethnic affiliation and the like. Accordingly, some languages become included in language policy, while others remain, or become marginalized and are accorded low formal status (ibid., 10). This happened to the languages of the former Yugoslav nations after Slovenia gained independence. Given the non-recognition and absence of measures aimed at preserving the languages of other nations of the former Yugoslavia, it could be said that Slovenian language policy is not based on linguistic reality or on a concrete linguistic situation and that it is assimilationist in relation to these languages.

Language policy influences a wide range of human interests, and assimilationist language policies harm other legitimate interests and violate the principle of fairness (Kymlicka and Grin 2003, 11). Kymlicka and Grin emphasize that when one linguistic group struggles for the protection of its language, it is never just a struggle to protect its means of communication, but also to protect political rights, autonomous institutions, works of culture and cultural practices, and national identity. On the other hand, when a state tries to enforce a dominant language upon minorities, it is never an enforcement of the language only, but also of political and cultural demands concerning the primacy of the state, the need for common rules and centralized institutions, the need to learn a new history and literature and the need to constitute new nation-state loyalties and identities. Therefore, language disputes are never just disputes over language (ibid.).

²⁹ See the news on the web page of the Ministry of the Interior, which mentions this figure at <http://www.mnz.gov.si/si/splosno/cns/novica/period/1205162022///article/2055/5807/8060adac3e/> (26 August 2009).

If we regard language policy as one of the mechanisms of national integration and take into account Močnik's thesis that "national identification occurs as an identification with the subject of national language competence" (Močnik 1998, 204), it is possible to conclude that peoples of the former Yugoslavia in Slovenia along with their languages are those non-integrated "remnants" which were excluded from the internal cultural and social division in the process of the construction of the Slovenian national identity and national state and remained outside the cultural borders (ibid., 208).

The 1991 census in Slovenia revealed that one of the former Yugoslav languages other than Slovene was the mother tongue of more than 160,000 people (i.e. 8.40 percent of the total population, or 8.59 percent of those who stated their mother tongue in the census). In 2002, this figure was 165,000 (8.44 percent of the total population, or 8.67 percent of those who stated their mother tongue in the census). In 1991, somewhat more than 41,000 residents of Slovenia did not state their mother tongue, and in 2002 this number rose to 52,000.

At this point, we should also mention the findings of the study on ethnic diversity in the City of Ljubljana, relating to the situation of the minority communities consisting of the nations of the former Yugoslavia, and municipal policy towards them. The authors established that Bosnian, Croatian, Serbian or Serbo-Croatian was the mother tongue of 20 percent of Ljubljana residents (Komac, Medvešek and Roter 2007, 61).

In the survey "ABMCMS in the RS" (Albanians, Bosniaks, Montenegrins, Croats, Macedonians and Serbs in the Republic of Slovenia), Kržišnik-Bukić presented historical figures showing the number of speakers of individual languages in the region of what is today Slovenia. They reveal that other nations of the former Yugoslavia have been present in this region throughout history. In the 1846 population census, or the "official survey" conducted in what was then [the Austrian Empire](#), around 20,000 people stated that their mother tongue was Serbian, Croatian or Serbo-Croatian; in 1910, around 25,000 people of the total population stated that their mother tongue was Serbo-Croatian; in 1931, Serbo-Croatian or Albanian was the mother tongue of around 25,000 people; in 1953, approximately 30,000 respondents stated that their mother tongue was Serbo-Croatian, Macedonian or "Shqiptar," and in 1971, 75,000 stated that their mother tongue was Albanian, Croatian, Croato-Serbian, Serbo-Croatian, Serbian or Macedonian (Kržišnik-Bukić 2003, 20–21).

In recent years, the linguistic situation of the peoples of the former Yugoslavia in Slovenia has been discussed by a number of experts and opinion makers. As our recapitulation of these discussions below reveals, there is no consensus among them when it comes to the question of whether the current constitutional and legal arrangement prevents the collectivities of former Yugoslav nations in Slovenia from publicly using their mother tongues.

According to some legal explanations, Article 61 of the Constitution of the Republic of Slovenia allows the use of the said languages within every area of social life, except in procedures before state bodies. To remind the readers, this article states that "[e]veryone has the right to freely express affiliation with his nation or national community, to foster and give expression to his culture, and to use his language and script." Article 62 further provides that "[e]veryone has the right to use his language and script in a manner provided by law in the exercise of his rights and duties and in procedures before state and other authorities performing a public function." Some legal experts argue that this is the right not only of individuals, but of collectivities as well (even if they are not recognized as a legal subject, because once they are recognized as such, their rights are defined

nominally in legal documents). Krivic, for example, maintains that a single individual would find it difficult to exercise the right to use his/her language and cultivate his/her culture; however, if there are more such individuals in a country, it inevitably means that they can exercise this right fully only together, i.e. collectively (Krivic 2004).

Krivic's article on this subject, entitled "What language are the Bosniaks in Slovenia allowed to speak?" (Krivic 2004), was a response to a reader's letter signed by Miha Jazbinšek and published in the *Delo* daily (14 February 2004) under the title, "Mufti's Greetings." In this letter, Jazbinšek took exception to the banner seen in the RTV Slovenia's broadcast of the Eid-ul-Fitr message delivered by the mufti of the Islamic Community in Slovenia. The banner reading "Islamska zajednica u Sloveniji" (Islamic Community in Slovenia written in Bosnian) could be seen behind the mufti. The author argued that there was "no legal basis for this public bilingualism on national television," and that it was also disputable whether bilingualism within a specific community had "a legal basis." In the polemic that followed, Krivic drew attention to the history of this bundle of constitutional provisions, calling to mind that at the time the Constitution was in the process of being drafted, the article stating that "the members of national minorities in the Republic of Slovenia have, in accordance with the law, the right to education in their own language" was "left out" of the final version. Had this provision been preserved, argued Krivic, it would have reduced the "chasm" between the constitutional status of "autochthonous" minorities versus all other ethnic groups in Slovenia. He quoted Danilo Türk and his advocacy of a well-intentioned interpretation of Article 61 of the Constitution in the spirit of ethnic equality (Türk 2001). However, not all legal experts concur with this opinion. Tone Jerovšek, for example, holds that the rights protected by Article 61 of the Constitution, i.e. freedom to express culture and use a language, refer to the language used "in everyday life" or "within various associations and civil society groups" (Jerovšek 2002). Krivic criticizes this restrictive interpretation and argues that Article 62 should be interpreted as a continuation of Article 61. In his opinion, the provision in Article 62 refers to an exception, when free use of one's own language (protected by Article 61) is not allowed, i.e. in procedures before state and other authorities.

Debates on the recognition of minority status and the inclusion of the communities of other nations of the former Yugoslavia in the minority protection system in Slovenia also frequently touch on linguistic rights. Efforts towards systemic regulation of this issue are occasionally understood as a threat to the Slovenian national character, or as an unnecessary interference with individual decisions. For example, Stergar argues that, when discussing the situation of the peoples of the former Yugoslavia in Slovenia, the issue of Slovenianness and Slovenian national authenticity receives only cursory attention and is dealt with frivolously. To illustrate why he considered inappropriate the proposal that the rights of the former Yugoslav nations in Slovenia should be specially protected, Stergar referred to the use of Cyrillic script: "Some among us still remember the signs in Cyrillic at the Ljubljana railway station and texts in Cyrillic on postal seals; should we now expect to see a road sign in Cyrillic in Ljubljanske Fužine?"³⁰ (Stergar 2006, 50–51). Referring to the study on the situation of the former Yugoslav nations in Slovenia and proposals concerning the system of minority protection, Crnkovič writes that he sees no "sound reason for that, and even less the need," explaining that every individual in these communities should "freely decide for himself if he wants to be ghettoized

³⁰ Fužine is a part of Ljubljana largely associated with immigrants from other parts of the former Yugoslavia. Cyrillic script is used in Serbia.

or to socialize with Slovenes, learn Slovene, and adopt other habits,” adding that “the assimilation or ghettoization of non-Slovenes is not my problem, and even less is it the responsibility of the Slovenian state. It is the choice of each individual” (Crnkovič 2005, 5).

In public debates, the languages of the former Yugoslavia in Slovenia, particularly Serbian, Croatian and Bosnian, are occasionally associated with criminal offences. One such example is the statement of the chairperson of the Šoštanj Local Community:

This time the victim was a vagabond. Will the next one be a disabled person, or an old man, or a child? People in Šoštanj are afraid of the children in Kajuh Park who do not speak Slovene.

Mladina listed this statement on 14 July 2003 among the “Statements of the Week;” the accompanying text read: “The President of the KS Šoštanj, Cvetka Tinauer, in Dnevnik, on the ‘language of assailants.’”³¹

Bugarski argues that linguistic disputes are in their essence social conflicts and that these do not occur because of what concrete languages are, but because of what they represent on the symbolic level. He therefore believes that there is no linguistic nationalism, only nationalism that falls back on language (Bugarski 1997, 81–82).

Linguists use the term “linguistic human rights” when discussing issues in this context. People deprived of their linguistic rights are sometimes denied other human rights too: for example, the right to fair political representation, fair trial, access to education, access to information, freedom of expression and preservation of their cultural heritage (Phillipson, Rannut and Skutnabb-Kangas 1995, 2). According to Fishman, the situation of many ethno-linguistic minorities is so precarious that a great effort is needed to stop the process of mother tongue replacement, i.e. assimilation (Fishman 1995, 54). An ethno-cultural group’s loss of language deprives several succeeding generations of socio-cultural integration, cohesiveness and a secure sense of identity, all of which leads to alienation (Fishman 1995, 60; Mikeš 2001, 17).

The lack of linguistic human rights makes minority languages invisible. Linguicism reflects ideologies, structures and practices used to legitimize, justify and reproduce an unequal division of power and resources (material and non material) among groups defined on the basis of language. Linguicism therefore contributes to the invisibility of minorities and their resources, particularly their languages and cultures, so these become non-resources that cannot be converted into positions of structural power in a society. By contrast, the dominant group’s resources, including language and culture, have a value and can be converted into positions of social power (Skutnabb-Kangas and Phillipson 1995, 105).

Studies on immigrant communities that were formed when workers from other countries moved to the industrial cities of western Europe at the time when the labor market was in the process of changing, because of which they are also called urban minorities, have revealed an asymmetry between the dominant population and immigrants in terms of access to power within the fields of the economy, politics and culture. Discriminatory practices and disqualification of minorities have also been observed, where “disqualification means that a migrant’s skills are unrecognized in the

³¹ *Mladina*, 14 July 2003, p. 11.

host country. If, for example, she speaks four African languages, that is usually not an asset in the British labor market” (Hylland Eriksen 2002, 132).

3.2 Criticism by international organizations

Criticism by international organizations concerning the minority protection system in Slovenia, which excludes the communities of the peoples of former Yugoslavia in Slovenia, became increasingly sharp at the turn of the millennium. As early as 1994, the Culture Committee of the Council of Europe drew attention to the unregulated status of these communities (Kržišnik-Bukić 2003, 292). Critical opinions were also expressed in the reports on the implementation of the Framework Convention For the Protection of National Minorities and the European Charter for Regional or Minority Languages, as well as the reports of the European Commission Against Racism and Intolerance. The opinion of the Advisory Committee on the Framework Convention for the Protection of National Minorities in Slovenia, adopted on 12 September 2002, also included critical assessments and recommendations for the upgrade of the minority protection system by adding measures and solutions to protect the rights of the minority communities of the peoples of the former Yugoslavia and the Germans in Slovenia.

The most explicit appeal in this sense came from the Committee of Experts of the Council of Europe in their report on the implementation of the European Charter for Regional or Minority Languages in Slovenia, published on 20 June 2007. The Committee informed the Slovenian government that they had reviewed the situation of the German, Croatian, Serbian and Bosnian languages in Slovenia and obtained proof that these languages could be categorized as regional or minority languages in Slovenia (2007 Report, 6). It reminded the Slovenian government of its request in the 2004 Report to explain this issue in cooperation with the members of these communities, which the Slovenian government failed to do. Therefore, the Committee called on the government to adopt measures towards the recognition and encouragement of Croatian as a regional and minority language in Slovenia, and to explain in collaboration with the speakers of Serbian and Bosnian in Slovenia the traditional presence of these languages and consistently realize its obligations stated in the European Charter relating to these languages (2007 Report, 7). Similar requests were repeated in the latest report of the the Committee of Experts of the Council of Europe published on 26 May 2010, which at the same time acknowledges the Slovenian authorities’ recognition of traditional presence of Serbian language in four villages in Bela Krajina. Such new step taken by the Slovenian authorities consequently result with request for application of certain measures for protection of Serbian language as regional or minority language in the four places in Slovenia, and for cooperation with the Serbian language speakers in implementation of the measures (2010 Report, 6–7).

3.3 Partial measures

In the absence of minority status and efforts towards achieving an integral model of minority protection for the communities of the peoples of the former Yugoslavia, Slovenia implements partial measures in the field of cultural and education policies that could be considered a contribution to the preservation of culture and language among these communities. In certain places, on the initiative of cultural associations, supplemental lectures (that were not part of school curricula) in Serbian, Macedonian and Albanian were organized in elementary schools or outside schools. Accordingly, for several years now, a course in Croatian has been available in certain elementary schools in Slovenia as an optional subject. Serbian and Macedonian were later accorded the same status and the

syllabuses for all three languages confirmed by the school authorities, so it has been possible to include them in elementary school curricula as optional subjects since the beginning of the school year 2008/2009³². This practice has its legal basis in Article 8 of the Elementary School Act, which states that training in other languages is tied to an international agreement. This law further states that “for the children of Slovenian citizens who live in the Republic of Slovenia and whose mother tongue is not Slovene, lectures in their mother tongue and culture are organized in accordance with the international agreement. Additional training in Slovene can also be organized.”

The Ministry of Culture provides finances for the funding of cultural activities of associations that bring together the members of the nations of the former Yugoslavia. The Department for the Cultural Activities of the Italian, Hungarian and the Roma Communities launched this practice as early as 1992, even though the funds at their disposal were only symbolic. This department was later renamed to include ‘immigrant’ communities, as was the budget item in the Ministry of Culture’s annual reports referring to the funds provided for cultural activities of these associations. In 2009, the name of this section of the Ministry was the Sector for Minority Cultural Rights and Cultural Diversity Development. In 2006, the funding of these activities was part of the “cultural programs of special communities” along with funding for the cultural activities of disabled people (which, indeed, is in harmony with the wider conceptualization and explanation of the concept of diversity). The name of the expert committee dealing with the projects in this field still reflects the old naming, i.e. “cultural activities of special communities in the RS.”³³

Although the funds earmarked for cultural activities of the associations of the former Yugoslav nations in Slovenia have been increasing recently, there is still a large gap between the budget resources dedicated to these groups and those dedicated to the cultural activities of the recognized minority groups – the Italian and Hungarian minorities, as well as the Roma community.

A look at the resources set apart in 2008 by the Ministry of Culture to finance cultural activities of minority communities shows that, in 2008, the Italian minority received around 100 euros per member; the Hungarian minority received around 55 euros per member, and the Roma community 8 euros per member. The communities of nations of the former Yugoslavia and the German community received only around 1 euro per member.³⁴ If we add to this the funds provided by the Government Office for National Minorities to the Italian and Hungarian minorities and the Roma community, the difference between the funds intended for the cultural needs (including language preservation) of the recognized minorities and those intended for unrecognized minorities becomes even bigger.

3.4 Self-organization and efforts towards the recognition of minority status

³² There are 488 elementary schools in Slovenia. In 2008/2009, the course in Croatian was held in five schools, with 70 pupils enrolling in the classes. Although classes in Serbian and Macedonian were also available, not one group of pupils interested in attending these classes could be formed (Kržišnik-Bukić 2008, 141).

³³ See http://www.mk.gov.si/si/strokovne_komisije_sveti_in_skladi/strokovne_komisije/ (2 September 2009).

³⁴ Information on the amount of subsidies is available in the Report by the Ministry of Culture on the (co-)financing of cultural programs and projects in 2008, pp. 74–80. For a more detailed analysis of this data for 2006, see the author’s MA thesis “Javna govorica, družbeno izključevanje in stigmatizacija” (Public Speech, Social Exclusion and Stigmatization) (Petković 2009, 87–88).

The nations of the former Yugoslavia in Slovenia are organized into many associations and unions, including the Union of the Associations and Societies of the Nations of the Former Yugoslavia. In October 2003, the Coordination of the Unions of Associations, as this union was called in the past, submitted an application to the National Assembly of the RS for the recognition of minority status.³⁵ It was followed by similar initiatives and requests addressed to various state bodies and the public, but there was virtually no response.³⁶ The initiative that was presented in October 2003 was even ignored by the main daily newspaper, *Delo*.³⁷

Several comprehensive studies were published between 2003 and 2007 (e.g., Kržišnik-Bukić, Komac and Klopčič 2003; Komac et al. 2005, Komac et al. 2007) dealing with the situation and rights of the people of the former Yugoslavia in Slovenia. These provided the basis for future decisions concerning Slovenian minority and language policies and in a way put an end to the almost decade-long silence on the part of researchers and disinterest on the part of the state bodies that commission research studies. On the other hand, the absence of consensus among the researchers regarding the type of measures that should be adopted to recognize and protect the communities of nations of the former Yugoslavia is used as an excuse by government representatives when they want to justify the status quo in this area.³⁸

Notwithstanding the shifts made within the field of education and an increase in subsidies for cultural activities and research studies, these groups have not yet been granted minority status, nor has an integrated model of minority protection yet been established.³⁹ It has turned out that the issue of new minorities that emerged as a result of economic migration across the former common state and its subsequent dissolution, has been a challenge too great for any government of sovereign Slovenia so far to tackle. The present extent and method of minority protection (of the Italian and

³⁵ The request entitled “Public Initiative” was presented to the public by Dr. Ilija Dimitrievski, the Chairperson of the Coordination at the time, during the round table discussion held on 14 October 2003 in Ljubljana and organized by the Council of Europe to initiate a debate on the report of the European Commission Against Racism and Intolerance.

³⁶ Over the past few years, the contacts between the state and representatives of the nations of the former Yugoslavia has improved. In 2008 and 2009, they were invited for talks with the President of the Republic of Slovenia and other government members. Unfortunately, no progress regarding the systemic regulation of this issue followed in the wake of these talks. For more on the work of the Union, see <http://www.exyumak.si/>.

³⁷ The *Delo* journalist, Branko Soban, who was present at the round table discussion held on 14 October 2003 when the initiative was presented, sent the author of this text the article he wrote about this part of the discussion which, however, was not approved for publication by *Delo*'s editor.

³⁸ In an interview for the *Mladina* weekly on 30 June 2007, when referring to the critical views of the Council of Europe regarding respect for the provisions contained in the European Charter on Regional or Minority Languages, Stane Baluh, the Director of the government Office for National Minorities, stated that “experts are not unanimous regarding this issue.”

³⁹ In 2008 and 2009 certain progress was made on the part of The Union of Cultural Associations of the Nations of the former SFRY towards concrete proposals and models regarding the regulation of their situation. In late 2008, they presented the President of the RS with an initiative for the establishment of a panel for constitutionally unrecognized ethnic minorities that should operate as a consulting body that would contribute to the solution of the essential issues concerning national minorities and the regulation of their legal status. In May 2009, the initiative for the adoption of the Resolution within the National Assembly concerning the legal regulation of the communities of the nations of the former Yugoslavia and for the establishment of a panel were also presented to the Prime Minister. The President of Slovenia supported the initiative for the establishment of a panel, while the Prime Minister remained uncommitted. As a result, the future moves of the government continue to be guesswork, and the status quo in this area remains in place.

Hungarian national minorities) in Slovenia rests on the basis established by the former common state, and it obviously enjoys a broad political and social consensus. However, any change in this field carries with it a major political risk and causes bitter public dispute. This has come to light several times over recent years, for example when a new normative framework and the model for the protection of the rights of the Roma community was in the process of being drafted, when attempts were made to regulate the situation of the erased people of Slovenia and to acquire a construction permit for a mosque in Slovenia. The absence of political consensus on these issues is also corroborated by the fact that both the regulation of erased people's status and the mosque construction triggered initiatives for a referendum (and a referendum on the erased people actually took place).

3.5 Maintaining the status quo

In the collection of documents dealing with Slovenia within the European context of minority protection, Žagar analyzes recent trends in the development of minority protection and mentions three possible scenarios pertaining to "new minorities:" the first anticipates maintenance of the status quo, the second is a bleak scenario anticipating the prevalence of xenophobia, and the third is an optimistic one, envisaging multi-culturalism and interculturalism (Žagar 2002, 81).

Given the circumstances in Slovenia, it is possible to say that the scenario for maintaining the status quo regarding the situation of the communities of nations of the former Yugoslavia in Slovenia has become established. The dominant viewpoints, ideologies and practices contribute to the invisibility of these communities and their resources, particularly their cultures and languages. To borrow from Skutnabb-Kangas and Phillipson, for these communities their resources have been turning into non-resources. Although their knowledge of a mother tongue should be an asset and part of their credentials, in the present social circumstances and linguistic reality, this is almost a handicap and a source of stigma.

Since minority and language policies, which, as Bugarski says (1997, 20) are always in tune with the general policy of a society, do not include systematic solutions and measures for the protection and development of the languages of the former Yugoslavia, the consequences thus produced have some features of linguistic inequality, discrimination and linguistic nationalism.

Such a development of the social and linguistic situation can be explained by the fact that ever since it gained independence, Slovenia, i.e. its institutions and dominant social groups, focused attention on the policies and instruments that strengthened or affirmed the Slovenian nation. In this context, the situation, status and languages of the former Yugoslavia represented marginal issues, and ones that carried a symbolic burden at that –connotations of the unpopular historical context. At the same time, the social status of these languages in Slovenia, particularly Croatian and Serbian, i.e. Croato-Serbian or Serbo-Croatian, conspicuously deteriorated during the 1990s. It was the time during which their home countries struggled with war and various social crises, so the members of these nations living in Slovenia lacked political and symbolic capital to assert special demands or resist language discrimination. Gradually, their voices and those of their supporters became louder, advocating the need for dialogue that would lead to a recognition of formal status and development of a system for the protection of their cultural and linguistic rights. Individuals within academic or research institutions, organizations for human rights as well as cultural associations of these nations have been actively campaigning since 2002. Recently, state and local institutions have also made steps

towards affirmation of the cultures and languages of these nations in Slovenia, but they have several peculiar characteristics. First, they are taken in the context of assistance provided to immigrant communities that are in all respects treated separately from the communities of the recognized minorities in Slovenia. Second, the finances and other resources accorded to them are low,⁴⁰ precluding more ambitious cultural works or projects, or any significant affirmation. Third, the courses in the languages of the former Yugoslavia provided by certain elementary schools have been introduced haphazardly and only under pressure from cultural associations. As a result, and because of the social circumstances and status of these languages (which turns them into non-resources), only a small number of children are enrolled in these programs. Furthermore, state-funded research studies on these communities do not achieve the desired effects, and some are even publicly discredited or hidden from the eye of the public, while the lack of consensus on the part of researchers is taken as an excuse for the absence of protective measures.

Therefore, the inefficiency and failure of the initiatives for the protection and affirmation of the languages and culture of the nations of the former Yugoslavia can be explained with the help of the rhetorical strategy model employed by Cummins (1995) to describe the system for preventing similar initiatives in the US, those that threatened to undermine the established power relations and domination of a certain social group. Its components are as follows:

- Goal: Ensure that the economic and political relations of the dominant group are not threatened by deviant initiatives that might empower a minority group.

-Method: Exert economic or political pressure to ensure that implementation of the deviant initiatives is destabilized and the outcome is negative. If there is a positive outcome despite this pressure, then either ignore, deny or distort it.

Outcomes: The failure of the deviant initiative under these conditions will demonstrate that attempts at dominated group empowerment are ill-conceived and ill-considered. Dominant-group control can be reestablished under the pretense of equality and justice (Cummins 1995, 168)

3. Conclusion: Language as an instrument in the struggle of the erased people

We have presented the situation of the erased people in the light of the linguistic situation and language policy before and after Slovenia gained independence. We put it in the context of the situation and status of the languages of the former Yugoslavia in Slovenia.

⁴⁰ It should be mentioned at this point that in 2008, substantial financial help was given to the Eastern Orthodox religious community in Slovenia but outside the framework of the financial help provided for secular cultural activities. It was the year of Slovenia's Presidency of the EU and the year of intercultural dialogue proclaimed by the EU. This generous financial support of 500,000 euros for the construction of a parish hall next to the Eastern Orthodox Church in Ljubljana was approved by government resolution adopted through an extraordinary procedure. The Slovenian PM of the time laid the foundation stone for its construction on 22 June 2008. However, in 2009 this transaction became disputable because the Court of Auditors assessed it as non-transparent and inconsistent with the provisions in the Public Finance Act. Given the extremely low financial help accorded to the cultural activities of Serbs and Macedonians living in Slovenia (the two former Yugoslav nations that belong to the Eastern Orthodox Church), and knowing that all of their initiatives for inclusion in the minority protection system fell on deaf ears, we could pose the following rhetorical question: How is it possible that such substantial financial help was approved via an extraordinary route to the Eastern Orthodox religious community?

We have established that, for erased people, lack of knowledge, or poor knowledge of the Slovene language, is a handicap. On the other hand, knowledge of one of the languages of the former Yugoslavia is also a handicap in present social and cultural circumstances. In this last part we will ask whether the erased people can use this situation as an incentive for political emancipation and political struggle.

The “rebellious” responses reproduced earlier in the text of the erased person called Tomislav and Aleksandar Todorović, the representative of the Civil Initiative of the Erased Activists, suggest that rejection and non-acceptance could inspire a drive for emancipation among the erased people.

An e-mail debate that developed in June 2004 between Dimitr Anakiev and Blagoje Mirković also points in this direction.⁴¹ In this polemic about the methods and means used in the struggle for their rights, Anakiev accused the leaders of the erased people of a defensive stance and of restricting their struggle to legal procedures. Certain arguments presented by Anakiev and Mirković are relevant to the question of whether language can be used as a tool in the erased people’s political struggle.

Below is an extract from Anakiev’s e-mail to Mirković,⁴² originally written in Serbian, a copy of which was sent to several other recipients:

Why do people whose mother tongue is s/h (Serbian/Croatian, B.P.) communicate among themselves in Slovene? It is absurd. It’s not to say that I have something against Slovene, but it means that you yourself do not accept the protection of your rights. You show that you’re willing to “be resigned to your fate,” because in this case Slovene is the language of political pressure exerted by a state that does not recognize you [...] Communicating (officially and unofficially) in another language is not only your right (indeed, one not recognized by anyone, just like some of your other rights), but also a sign of self-awareness and, indeed, awareness about RESISTANCE. I’m afraid that erased people are in such a poor state that even if the means of struggle were changed, no good, or satisfactory outcome would follow. How could you agree in this context to reject one of the most important means of struggle – language? [...] I speak here about your publicly articulated language, about the one used by politicians when speaking about politics; of course, you’ll still use Slovene when buying bread. (14 July 2004, 21:06)

Mirković’s reply to Anakiev was as follows:

It is not my style of fighting. I try to prove to the local authorities, in the local language, what they already know but do not want to admit [...] I don’t want to raise tensions and put forward my language as proof of my harboring occupying ambitions or ambitions of Greater Serbia (expected reactions). I believe that I will not lose anything through the non-use of my mother tongue. The use of Slovene is logical in the territory of Slovenia, because peoples from various linguistic areas take part in the communication. If everyone insisted on his own, everyone would speak for himself only.

⁴¹ The author of this text was on the list of recipients of e-mails containing this debate. Selected parts are published with the authors’ consent. Dimitri Anakiev is a director and producer. Blagoje Mirković is the author of the initiative addressed to the Constitutional Court of Slovenia for the assessment of the constitutionality of the two laws that led to erased people losing some of their rights in Slovenia.

⁴² The English translation is based on B. Petković’s translation into Slovene of the part of the correspondence published herein.

Slovene is a language we share with the Slovenes. I look for elements that bring us closer to each other rather than separating us. That is the point. I expressed my protest concerning the language in the initiative for the amendment of ZDRS-Č⁴³ before the USRS.⁴⁴ (I will not allow my acquisition of Slovenian citizenship to be predicated on the knowledge of Slovene in accordance with MSVN.⁴⁵ I am a Serbian speaking autochthonous Slovene on the basis of uniform Yugoslav citizenship and my Slovenian personal number – EMŠO.⁴⁶) I buy bread on the spur of the moment (Slovenia is a tourist destination), I speak as it comes to me, and I don't write any better regardless of which language I use. I take caution not to insult someone and I don't burden ordinary people with language. (14 July 2004 23:16)

Anakiev's reply to Miković included the following explanation:

I was saying that the Slovene language is used politically and that the response must also be political use of language, because of the struggle for your rights. (15 July 2004, 00:15)

Later he added:

Respect ourselves and fight against Fascists! We have the right to do that. After all, it is to the benefit of this environment. For the benefit of Slovenia. It is necessary to fight for the rights of the Albanians, so that their words resonate along Knez Mihajlova street [in Belgrade, B.P.]. It is necessary to fight for Serbian, Croatian, Bosnian and other words to be heard in Ljubljana. Do not impose self-censorship. Silencing multiculturalism is not a good way. Mono-cultural formations that are anachronistic and anti-European should be dismantled. ... In my opinion, the erased people have a significant and autochthonous place, a historical place in this environment, and we must insist on it. We must prove it, primarily politically, because everything else is clear. We should not abolish ourselves. ... If that must happen, let them abolish us, those who erased us. (15 July 2004 12:16)

The discussion about the situation of the languages of erased people and other nations of the former Yugoslavia living in Slovenia has brought us to the point where it is necessary to take a look at the capacity for struggle of the erased people and other speakers of these languages in Slovenia and their awareness of linguistic rights. The exchange quoted above is more than five years old. In the meantime, the erased people, their associations and supporters promoted various forms of struggle for their rights, meaning forms that were not limited to legal procedures. A wider circle of empowered erased activists was formed in the process, and they regularly appear in public putting forward their demands and defending their viewpoints. This fact is a sign of the determination and firmness they acquired in the struggle for justice despite the obstacles some of them encountered because of their inferior knowledge of Slovene. Concurrent with the erased people's struggle, and being in a way marked by it, is the battle fought by various self-organized communities of the nations of the former Yugoslavia. However, since for a number of years now these battles have been fought on separate fronts, it is not realistic to expect that they will be joined in a unified struggle.

⁴³ The Act Amending the Citizenship of the Republic of Slovenia Act, adopted in 2002.

⁴⁴ The Constitutional Court of the Republic of Slovenia.

⁴⁵ The International Agreement on Succession Issues signed in 2001 and ratified by Slovenia in 2002.

⁴⁶ Unique personal identification number.

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