

Language politics and language rights in the territory of the former Yugoslavia and the today's Serbia/Vojvodina

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Abstract

In this paper we will attempt to outline the process of how the nationality/minority rights, especially the minority language rights were changed in the former Yugoslavia in the next period of times: ... and how they have been changing in Serbia since 1990, and in Vojvodina. We present the most significant constitutional and legal changes, their impact on the institutional and everyday life, and the language policy tendencies.

Finally, we discuss how the formation of the Serbian National Councils, shaped the linguistic rights of minorities in Vojvodina, in particularly after 2009 through examining the work, experiences and the strategy of the Hungarian National Council and the Hungarians living there.

Without minorities

Since its formation, the Kingdom of Serbs, Croats and Slovenes (1918) which was named Yugoslavian Kingdom between 1929-1941, followed an assimilating minority policy and strongly preferred the Serbo-Croatian language.

In the meantime a different situation emerged gradually in Tito's south Slavic state.

It consisted of six federal republics and two autonomous provinces that belonged to Serbia. The federal republic became more decentralized over time. This meant that although the official language of the federal institutions (the party headquarters, military, police) was the Serbo-Croatian / or the Croatian Serb, but given the republics and provinces could determine themselves their official languages, while in the provinces the minorities' languages became official languages (Albanian in Kosovo, Hungarian, Romanian, Slovak and Rusyn besides the Serbo-Croatian in Vojvodina). This was particularly true in municipalities where a certain minority group was at higher rates.

Minority and language policy of the Socialist Federal Republic of Yugoslavia (1945-1990)

One of the aims of Tito's policy was precisely to build a new nation, called the Yugoslav and thus to create a supranational society.

In 1954, the so-called Novi Sad Agreement declared that both languages, the Serbian and the Croats should be equally considered in the every day use. As a result of this attempt to unify the two languages the so-called Serbo-Croatian, or Croatian-Serbian language was created. (see Radovanović 2004). And it was due to the radio and television stations that a standardized version of the Serbo-Croatian was created. (Although eventually each republic and province had its own radio and television stations and newspapers, they presented each other's news programs, and shows. But the standard version of the Serbo-Croatian language was mostly spread through the programs, films and sport programs of the unified Yugoslav Radio Television. In addition, Slovenes, Macedonians and even peoples out of the South Slavic ethnic groups like the Albanians or the Hungarians and the other minorities learned the language (or at least understood it) rather and primarily from the YRT shows and newspapers than in the school.

In case of young people the military became a linguistic melting pot, and the youth work action

(*Omladinske radne akcije*) also mattered in this question. The prestige of the Serbo-Croatian language grew, but after 1991 its meaning changed in a specifically negative way, it has almost meant a swearword. (Požgaj-Hadži – Balazić Bulc – Miheljak 2013: 37-66)

The 1974 Yugoslav Constitution contains the main and positive changes¹. It stresses that everyone is equal before the law, regardless of nationality, race, sex, language, religion, educational level or social status.² Article 170 also includes that 'all Citizens shall be guaranteed the right to opt for a nation or nationality, to express their national culture, and to use their language and alphabet freely.'

Article 171 is even clearer:

'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/Autonomous Province, have the right to instruction in their own language in conformity with statute.'

The 1974 Constitution, Article 214 also stresses that 'Not speaking the language in which the official proceedings are taking place cannot be an obstacle for the citizens and organizations to exercise and protect their rights and interests. (...) Everyone has the right to use their own language before the court or other public authorities and to access information in their own language in judicial proceedings.'

Practically, in the third part of the Constitution which is about the relations between the federal states³, the same is repeated by stressing that 'The languages and the alphabets of the nations and nationalities shall be equal throughout the territory of Yugoslavia.'

In reality, the Serbo-Croatian/Croatian-Serbian language became increasingly dominant in the everyday use due to the effect of the media and also to the communication of the companies, the military, the youth work action and cultural events etc.

However, regarding the subsequent discussions it is important to point out that in sociolinguistic aspects the 1974 Federal Constitution stipulates both pronunciation, Ekavski and Ijekavski, and both script, Cyrillic and Latin, of the Serbo-Croatian language in the official use as equal.

In addition, minorities could request the use of their own languages at municipalities, courts, etc., translating and interpreting services were set up. However, in practice this did not mean that minority citizens could use their mother tongue in any situation without any obstacles. That period of time had the same problem as it is today: though minority citizens had/has the right to use their own language in case if it was not possible no sanctions were imposed.

If there was no interpreter in the court, or the police officers and officials of the police station didn't speak the language of a certain minority, or in case there was no Hungarian speaking teacher in the school, it was an infringement but didn't have any legal and practical consequences.

The autonomy of Vojvodina

Besides the Federal Constitution it is important to point out that the Constitution of the Socialist

¹ *Službeni list SFRJ*, 3,(1974), 1974. február 21. See the parts concerning on minorities and language: Ustav Socijalističke Federativne Republike Jugoslavije 1974 (1974. február 21.) <http://dediserver.eu/hosting/ethnodoc/data/YU19740221-2.pdf>

² Article II., Chapter III. chapter, Section 154

³ Odnosi u Federaciji i prava dužnosti Federacije. Első rész, 245., 246 és 247. szakaszok.

Autonomous Province of Vojvodina⁴ (created in January 30, 1974, based on the Federal Constitution) authorized the establishment of its own constitution, constitutional court, legislature, police, courts, national banks etc. which meant a better chance to achieve the realization of minority and language rights as well⁵. But in the aspect of our topic the important periods are the period after 1969 when the Constitution of the Socialist Autonomous Vojvodina was created and the era after 1974. At this time the authority of the Constitution of Vojvodina was extended with state power authorities as we mentioned it earlier. But still, the laws and the Constitution of the Socialist Autonomous Vojvodina – the Statute – had to be in harmony with the Serbian Constitution and the Federal Constitution and laws. Language rights essentially were not different from languages rights on federal level.

Centralization and war in Serbia after 1990

A radically different system developed after 1990, when the breakup of the federal system occurred. First, the League of Communists of Yugoslavia was dissolved at its 14th Congress in January 1990. But already after the so called anti-bureaucratic Serbian revolution (coup) in the fall of 1988, Serbian nationalist supporters of Milošević were brought to power in the provinces and in most of the municipalities too. From that time it was practically not interesting what was written in the Constitution of Yugoslavia, of Serbia or of Vojvodina. State of emergency was imposed in Kosovo. The situation in Vojvodina was less tense, but the rest of the story is well known: after the outbreak of the wars in 1991, partly due to the constraints of military mobilizations, tens of thousands of minorities at military age fled from Vojvodina, mostly Hungarians and Croats. This context fundamentally determined the situation and the rights of the minorities, while from 1990 after the introduction of the multi-party system, minority rights organizations and later on parties were formed.

The new Serbian Constitution⁶ which deprived significant laws from the provinces (state authorities such as national banks, police, constitutional court etc.) was adopted in 1990.

It's interesting to note that, according to the first phase:

„The Republic of Serbia is a democratic State of all citizens living within it”⁷

so it doesn't specifically define whose nation's country it talks about. And Article 8 states that:

„In the Republic of Serbia the Serbo-Croatian language and the Cyrillic alphabet shall be officially used, while the Latin alphabet shall be officially used in the manner established by law.”

The authorities of the provinces were reduced, but in the meantime the Constitution and laws of the Socialist Federal Republic of Yugoslavia (SFRY) were still valid, so the Serbian Constitution's provision on language use hit the Federal's. The Federal Republic of Yugoslavia as the legal successor of the Socialist Federal Republic of Yugoslavia was declared by Serbia and Montenegro in April 27, 1992. Its Constitution⁸ doesn't define either on the ground of nationality whose state it is but according to Article 15:

'In the Federal Republic of Yugoslavia, the Serbian language in its ekavian and ijekavian dialects

⁴ Ustav SAP Vojvodine. *Službeni list SFRJ*, 1974.

⁵ http://www.slobodnavojvodina.com/index.php/index.php?option=com_content&view=article&id=349:dok-je-imala-svoj-ustav-vojvodini-je-ostajalo-90-njenog-novca&catid=5:akcenti&Itemid=40

⁶ Ustav Republike Srbije, 1990. *Službeni glasnik RS, 1990.1*. Voltaképpen cirill betűkkel kell itt jelezni, hiszen immár ez a hivatalos írásmód: Устав Републике Србије. ("Службени гласник РС", број: 1/90)

⁷ <http://unpan1.un.org/intradoc/groups/public/documents/UNTC/UNPAN019071.pdf>

⁸ Ustav Savezne Republike Jugoslavije. *Službeni list SRJ*, br.1/92, 1992.05.01.

and the Cyrillic script shall be official, while the Latin script shall be in official use as provided for by the Constitution and law.'

The Serbian Law on the Official Use of Languages and Scripts was accepted on 27 July 1991⁹. According to that:

'the Serbo-Croatian language is also called Serbian language (hereinafter referred to as the Serbian language) in case if its pronunciations Ekavski and Ijekavski are concerned.'

This invalidates the Constitutional provision for the binomial name of the language and lets the monomial name take its place and thus the Serbo-Croatian language cease to exist in the official language use. But according to experts it still exists.

The struggle of languages, or language policy in Serbia since 1991

Ranko Bugarski writes in his work of *On old language and new languages* (Bugarski 2007: 122-127) that in the aspect of linguistics and communication the Serbo-Croatian language still exists even after the Serbo-Croatian language became four languages after 1990, so that in the certain republics the Serbian, the Croatian, the Bosnian and from 2007 the Montenegrin became official languages.

The Croatian linguist Dubravko Škiljan (Škiljan 1998, 2002) shared this opinion too. That is, the Serbian, Croatian, Bosnian and Montenegrin are political languages, they are the dialects and variants of the Serbo-Croatian/Croatian Serbian language. So there was only a little change in the standard version of the language.

The nationalist Croatian politics of the nineties, and later on the Bosnian politics also sought to explore more and more archaic croatism and turcism. In fact such specific terms and forms became mandatory in the official discourse that only the users, administrators and citizens don't and didn't understand. (For information, see: Bugarski 1995, and my review of the book: Horváth 1996)

The struggle of languages, or the struggle for autonomous language could be regarded as a ridiculous and irrelevant problem but since members of the Croatian minority live in Vojvodina, and they have the right to use the Croatian language (so it is among the official languages in Subotica too) it is important what is the standard Croatian language in Croatia.

Various dictionaries were published, the Croatian Radio-Television issued a language manual in 1992 which prohibited the use of certain words, saying they were not Croatian but Serbian expressions. This went on until it became absurd: Self-proclaimed linguists began to clean the Croatian language from all 'Serbism' but they went from one extreme to the other and even declared some loanwords of Latin, Greek, German, English, and also Hungarian origin as of Serbian origin. (Granick 2013: 76).

But the vehement professional and lay debate about the question of how many languages can we speak about did not take place in the public discourse only. As we will see this problem has consequences in the practical use of language at places where the language of the South Slavs as a minority becomes official so they have the right to use their own language.

The Montenegrins introduced two new sounds and the letters that indicate them. (since they have both the Cyrillic and the Latin as valid scripts, in the Cyrillic script it means the letter c and 3, and in the Latin script means the letter ś and ź. We talk about all this not only because it is interesting but because this is an evidence for a symbolic battle: the Montenegrins also do everything to separate their own language.

⁹ Zakon o službenoj upotrebi jezika i pisama. *Službeni Glasnik RS*, br: 45/91

Again, this is not merely a curiosity in Serbia, where Montenegrins were immigrated especially to Vojvodina after 1945 (mainly to replace the Germans) - and although currently there's only one municipality, Kishegyes/Mali Idoš where the Montenegrin is an official language, according to the law Montenegrins have the right to use their mother tongue, so this in practice means that Hungarian-Montenegrin and Serbian-Montenegrin translators should work in the self-government. However, there's no such expert working there (in the latter case, it is highly doubtful, what would translation mean), so ad absurdum a Hungarian translates the Serbian text to Montenegrin or vice versa.

In addition, this is a very small municipality were due to the continuous emigration there are only ten thousand permanent residents and Montenegrins takes about 20% of them.

In a larger municipality called Verbász/Vrbas – where Montenegrins takes 25% of the residents - there's a political battle about whether to include the Montenegrin language among the official languages of the municipality or not. The Montenegrins themselves are also divided in this question because although some of them declare themselves as Montenegrins, they consider the Serbian their mother tongue.

The debate (which exists within Montenegro too) about whether the Montenegrins are an independent nation or are one of the Serb tribes is a very old or one might say ancient debate. The same debate is taking place about the Bunjevci and Šokci who live in Vojvodina too, and the question is whether they are Croatians or the descendents of Croatian tribes, or they are an independent nation, or even there is an option which claims that they are Catholic Serbs.

Bugarški says that the best language provisions were introduced in 1974. The ones introduced in 1990-91 were somewhat weaker and the third version in 2006 was especially the worst. He thinks that the Serbian stayed as the Serbo-Croatian language (there's still no new spelling), it changed the least, just like the so called Croatian, Bosnian or the Montenegrin.

The inaccurate opinion which refers to experts doesn't tell how many times the law has been modified and or that the laws on the use of minority languages are often not followed and that it is not controlled or punished.

The expert Ivan Klajn thinks that the Cyrillic script will become archaic. In fact its decline began in 1918 and with reference to a newer research in 2014 he claims that 47% of the residents uses the Latin script in while 36% use the Cyrillic script in. One of its reasons is that in the aspect of the English, Latin and other foreign languages, and in the field of mathematics, chemistry and computer technology, or even education it could not be otherwise.

In the meantime he argues that all official documents should be written in Cyrillic script, but it cannot be required in the aspect of private texts. The Cyrillic script is used rather in Eastern and Southern Serbia, but the process is more evident if we regard that 47% of 20-29 year olds use the Latin script, while 60% of 70-75 year olds use the Cyrillic script.

Language policy and language use after 2010

It is not worth to particularly deal with Milosevic times because it was considered a police state, which was disguised as parliamentary democracy, but could hardly be called as rule of law state. After his fall a hopeful period began, which was ended by an other coup - the assassination of prime minister Zoran Djindjic. The new nationalist government created the new Serbian Constitution¹⁰, in

¹⁰ Constitution of the Republic of Serbia. *The official bulletin of the Republic of Serbia*. 98/2006. szám

2006 after the breakdown of the barely functioning Constitution of Serbia and Montenegro (declared in 2003). The Koštunica-government was highly against autonomy and could not be seen by any standards as following a minority-friendly policy.

The constitution defines Serbia as a nation-state, "Republic of Serbia, the Serbian people and state of all Citizens who live in it"¹¹

So it highlights the expression Serbian people, but the word minority is not mentioned here. However, the Article 79 determines that:

„Members of national minorities shall have a right to: expression, preservation, fostering, developing and public expression of national, ethnic, cultural, religious specificity; use of their symbols in public places; use of their language and script; have proceedings also conducted in their languages before state bodies, organisations with delegated public powers, bodies of autonomous provinces and local self-government units, in areas where they make a significant majority of population; education in their languages in public institutions and institutions of autonomous provinces; founding private educational institutions; use of their name and family name in their language; traditional local names, names of streets, settlements and topographic names also written in their languages, in areas where they make a significant majority of population; complete, timely and objective information in their language, including the right to expression, receiving, sending and exchange of information and ideas; establishing their own mass media, in accordance with the Law.”¹²

In other words, after Serbia inherited high standards from the SFRY regarding the use of minority languages, and the field of linguistic rights, practically if not legally a significant step back was taken regarding the application of these rights.

Still, we can conclude that after Serbia together with Crna Gora ratified the the European Charter for Regional or Minority Languages in 2005, the situation in many aspects has been much better than in some of the neighboring countries.

According to first Article of the Serbian Law on the Official Use of Languages and Scripts of 1991¹³, which was amended many times, last time in 2010, the official language in Serbia is the Serbian and the official script is the Cyrillic while the Latin script is regulated. As we could see, in practice the law fails many times in the aspect of the script, but contains details of other rights such as:

- Besides Cyrillic script words can be written with Latin script as well anywhere but words used as signals can be written only with Latin (section 4);
- Traffic signs of the international and main roads, place names and geographic names should be written with Cyrillic and Latin script as well (Section 5);
- In all official proceedings citizen has the right to use their own language (Section 6);
- Language of a national minority can become the part of the official languages of the local government if the rate of the certain minority reaches 15% in the latest census (this census was introduced only after the modification of the Serbian Law on the Official Use of

¹¹ http://www.srbija.gov.rs/cinjenice_o_srbiji/ustav_odredbe.php?id=217

¹² http://www.srbija.gov.rs/cinjenice_o_srbiji/ustav_odredbe.php?id=218

¹³ Zakon o službenoj upotrebi jezika i pisama. *Službeni glasnik*, br. 45/91, 53/93, 67/93, 48/94, 101/2005 – dr. zakon i 30/2010

Languages and Scripts in 2010). Being an official language means that members of the national minority can use their own language in official and legal matters, in the communication with court organizations, in the aspect of official and other documents, in the case of voting – filling out ballot papers and bulletins, in the representative bodies. In case the rate of a minority doesn't reach 2% on the level of the republic, then its members can communicate through the local government in case their mother tongue is the part of the official languages. (Section 11)

- The same section provides that the member of that minority groups, which reaches at 2% on the territory of the republic can turn to the organizations of the Republic in their own mother tongue and they have the right to get answer in that language.
- The minorities have the right to use their name, as they write it in their own language (eg personal documents.) (Section 18);
- This applies to the place and street names, traffic signals, official notifications, and to the companies (section 19 and 20).
- It is important that the once acquired language rights cannot be withdrawn if the rate of the minority group decreases at the latest census under 15% on local level and 2 % on republic level.

Part V of the law regulates the control of these language rights: the public institutions responsible for administrative, public traffic, urban and communal, education, cultural and healthcare services are responsible for respecting language rights provisions as well (Art. 22). For the violation of language use provisions the law envisages a fine ranging between 1000 dinars (cca. 8 euros) and 1 million dinars (cca. 8000 euros) depending on the offence – the gravest offences are the missing traffic signs and settlement tables.

The Assembly of the Autonomous Province of Vojvodina broadened further the minority language use rights in 2003:¹⁴ for example where a minority language is a local official language, bills issued by public firms and by suppliers (like post, electricity suppliers, etc.) shall be written in minority language as well. Nevertheless, as practice shows, even in settlements where Hungarian is recognised as an official language (Kishegyes/Mali Idoš) electricity bills are issued only in Serbian and in Cyrillic script, while the telephone bill is issued in Serbian and Latin script. It may be even more interesting to note that the leaders of the local government are partly the representatives of the Hungarian Alliance of Vojvodina and other members of the local council are also almost exclusively Hungarians, just like the employees of the local public service company – and even though the bills of the local public service company are issued only in Serbian. It means that the law is not applied faithfully even in places where there are minority language speaker employees.

Art. 8 of the law offers an additional opportunity for local governments where the proportion of persons belonging to a minority on the entire territory of the local government is below 15%, but in one smaller administrative unit within the settlement (in a village or community) they reach 25% on that part of local government minority language can gain official status. Furthermore, even if the most recent census shows that the proportion of a minority population has dropped below 15%, but their language was recognised as official language before, it shall remain so. Nevertheless lawyers formulated serious criticism against the lack of respect for the equality of languages, until 2010 “in general there was not any equality between the status of Serbian and other official languages (the Constitution does not guarantee the principle of the equality of languages, although within the

¹⁴ Határozat a nemzeti kisebbségek nyelvének és írásának Vajdaság Autonóm Területén való hivatalos használatával kapcsolatos egyes kérdések részletezéséről. VAT Hivatalos Lapja, Újvidék, 2003. május 22., 8. szám

context of the prohibition of linguistic discrimination it lists specific minority rights including language rights)” (Beretka 2014: 174). According to Katinka Beretka the legislator found a liberal solution by ignoring questions of language use in the fields of culture, media, in certain parts of education and the public activities of private companies.

Recent legislative reforms and the adoption of new laws – largely motivated by Serbia’s aspirations to access the European Union – the legislative environment has improved a lot, e.g. new ombudsman institutions has been set up both at national, at provincial and even at municipal administrative level having competence also on claims regarding language rights. However at national level the ministry of minority issues was abolished and replaced by a Government Office for Human and Minority Rights, while at provincial level in Vojvodina, the tasks of the Provincial Secretary for Minorities has been extended to other policy areas not related to minorities. One of the main challenges is the continuous battle for competences between the central government and the provincial government (largely depending on opposite political coalitions in power) and the central government makes serious attempts to limit provincial competences even in the field of language rights. Till today – reinforced by the relevant decisions of the Constitutional Court – in Vojvodina public education (from kindergarten to university) is still under provincial competence and also the province’s privileges in language rights have been acknowledged by the Constitutional Court (Beretka 2014: 178). Another positive development was that local governments have been entitled not only to safeguard minority rights, but also to promote them – even if the term “promotion” is a soft-law expression (Beretka 2014: 179). Today Serbian is the only official language in 7 municipalities of Vojvodina’s 45 municipalities and seven other languages are recognised as official languages: Hungarian is an official language in 31 municipalities and in certain settlements on the territory of other 3 municipalities; Slovak is official in 10 municipalities, Romanian in 8, Rusyn in 5, Croatian, Czech and Montenegrin in 1-1 municipalities are official languages. On the territory of Vojvodina education is conducted on a minority language (or minority languages) in 539 elementary schools and 110 secondary schools – but the number of minority language students is dropping every year, which obviously influences also the number of classes conducting education on minority language.

The relatively new Law on the protection of the rights and freedoms of national minorities¹⁵ defines persons belonging to minorities as follows:

„A national minority for the purpose of this Law shall be any group of citizens of the Federal Republic of Yugoslavia numerically sufficiently representative and, although representing a minority in the territory of the Federal Republic of Yugoslavia, belonging to a group of residents having a long term and firm bond with the territory of the Federal Republic of Yugoslavia and possessing characteristics such as language, culture, national or ethnic affiliation, origin or confession, differentiating them from the majority of the population and whose members are distinguished by care to collectively nurture their common identity, including their culture, tradition, language or religion.”¹⁶

The Law guarantees equal status for all citizens irrespectively of their ethnic background, and declares the freedom to choose and use personal names on minority language, to use the mother tongue of every citizen belonging to a minority, the right to receive education on mother tongue, various rights in the field of culture and the preservation of traditions. The same Law provides regulation on the creation of National Councils. Specific provisions are codified in other sectorial laws, like the law on education regulates the establishment of minority education institutions, etc.¹⁷ These legal provisions have been extended by Art. 26 of the Statute of Vojvodina Autonomous Province which declares that besides Serbian and Cyrillic writing in the work of the provincial

¹⁵ *A JSZK Hivatalos Lapja 11/2002, Szerbia és Montenegró Államközösség Hivatalos Lapja, 1/2003, - Alkotmányos Alapokmány és a SZK Hivatalos Közlönye 72/2009*

¹⁶ The text of the law quoted from its English translation: <http://www.refworld.org/docid/4b5d97562.html> accessed on 1 March 2015.

¹⁷ *Zakon o osnovama sistema obrazovanja i vaspitanja. Službeni glasnik RS, br. 72/2009, 52/2011 i 55/2013*

authorities, institutions, Croatian, Hungarian, Slovak, Romanian and Rusyn languages are also in official usage. In this framework provincial institutions may prescribe additional language criteria for their employees.

National Councils and language issues

From their creation in 2002, National Councils had limited competences and legitimacy – since they were elected by electors – thus their role has increased following the adoption of the new law in 2009.¹⁸ Both in 2010 and 2014 members of minorities could elect directly their National Councils and the number of the members of each national council (ranging between 15 and 35) depends on the latest census results on the population of each minority community. The new law broadened also the public competences of National Councils which mainly covers four key areas: education, public media, culture and language use. In regard to official language use of minority languages, the National Councils have the competence to determine the traditional denomination of minority settlements and other geographic names on minority language – in regard to those municipalities, settlements or local communities, where that minority language is recognized as official language. National Councils may also formulate proposals to the municipalities to give official language status to a minority language, may propose to change street signs, names of institutions, municipal districts, etc. where they see a vital interest for the recognition of minority language. National Councils are also entitled to promote the use of minority language in public authorities' offices and may propose the adoption of specific instruments, provisions to enhance the use of official minority languages and to further the translation of legal documents, laws and other legislation into minority languages. In the field of education National Councils may make proposals for specific textbooks to be used in schools, especially for the education of history, literature and mother tongue.

In the case of the Hungarian National Council, both the election and the composition of the Council can be characterized by the overwhelming dominance of one political party, the Hungarian Alliance of Vojvodina since 2002. This dominance caused some political tensions – especially regarding the selection for the leading positions of minority institutions under the administration of the National Council. Nevertheless in the field of language policies, the Hungarian National Council proved to be rather efficient. The discrepancies characterizing the use of minority languages in public life – like in the translation or dissemination of legal regulations and other information on minority language, the National Council started to actively monitor the practice of public institutions. There are serious problems with the implementation of existing legal standards on minority languages: according to Art. 77 of the Constitution of Serbia every citizen has the right to ask and receive information from public authorities on his/her mother tongue, but this barely happens in everyday life. Even in the field of education, while minorities have the right to receive secondary education on their mother tongue there no guarantees for the employment of teachers who speak the language of that minority. Thus even in schools where a minority language is officially recognized as the language of education – in lack of professional minority language speaker teachers, the effective implementation of minority education rights is hindered.

In order to discover such problems, the Hungarian National Council set up a language-monitoring team to control both at municipal level and in the single institutions the effective implementation of language rights. This language-monitoring team of two officials designated by the National Council systematically overview the practice of all municipalities where Hungarian is an official language and the three municipalities, where Hungarian is only in part recognized as official language. The idea of the ten months mission is to examine the implementation of all relevant – national, provincial or local – legal provisions affecting the use of Hungarian language. The mission was launched in 2014, the results of this survey however are not yet accessible. Nevertheless this shows that the effective implementation of legal provisions may often be incomplete and problematic and the National Councils may launch pro-active initiatives to improve the situation.

¹⁸ Törvény a nemzeti kisebbségek nemzeti tanácsairól [Law on the National Councils of National Minorities]. A SZK *Hivatalos Közlönye*, 72/2009.

Multilingualism in Vojvodina – experiences from the past to present and the Language Strategy of the Hungarian National Council

There are not reliable survey data available on the situation of multilingualism in Vojvodina today, but the results of previous research conducted by Lajos Göncz are still relevant. Göncz (1999) identified various challenges and tendencies that characterise the use of Hungarian as a minority language since Tito's times:

- on one hand Hungarian has a low social prestige, it is not seen as a practical tool of communication in everyday life (e.g. in business life, commerce etc.). On the other side there are some sporadic extreme cases where speakers tend to strongly prefer Hungarian language, totally excluding Serbian language from all public communication;
- the number of minority language-speakers is steadily diminishing even among the members of the minority community;
- a deteriorated dual lingualism emerges, when speakers do not speak neither their mother tongue, nor the state language well;
- a special semilingualism emerges when an individual, who speaks two languages does not speak any of the two languages as well as other mono-language speakers in the society (Göncz 2004: 37);
- the contrast between Hungarian language-speakers living in areas where they form a majority and those who live in diasporas is becoming more visible, especially in the individual's relation to Serbian;
- the lack of Hungarian university education for lawyers results the strong deterioration of Hungarian translations of public documents, laws, even so much that the Hungarian versions remain incomprehensible (Göncz 1999)

The Hungarian National Council was aware of these social changes in Vojvodina and especially keeping an eye on the lack of effective implementation of existing legal provisions on language use adopted a special strategy paper on linguistic rights.

The strategy was adopted in 2012 for the period 2012-2017 and it first evaluates the existing legislation on linguistic rights. The strategy paper states that "today a large number of legal sources regulate in details certain areas of official language usage which result often in the adoption of contradicting legal norms" (Language Strategy: 27).¹⁹ Besides serious terminological confusion characterizing this area of legislation and problems related to the hierarchy of norms, the most critical element of language rights norms is that they are in most cases merely declarative norms. This implies that the legislator does not require for the respect of language rights any concrete actions, or for the violation of these norms it did not introduce sanctions or other instruments motivating local entities, authorities and individuals to implement these norms. In addition both sources and motivation are missing from effectively implementing in practice the language rights recognized by law (Language Strategy: 12).

The strategy paper calls attention on the decreasing ratio of Hungarians among public servants employed by municipalities: in 2003-2004 their number reached 14,7-14,9% while by 2010 it diminished to 12,5%. Even if the law offers opportunities for the use of minority language, the real possibility for official oral communication is limited: in municipalities where Hungarians form majority, usually all official communication is conducted in Hungarian – although the author gained contradictory experiences as well – while in municipalities where Hungarians form a minority, even the members of the Hungarian community rarely address public authorities in Hungarian. Data

¹⁹Language Strategy: 27. Accessible online at: <http://www.mnt.org.rs/dokumentumok/strategiak/nyelvhasznalati-strategia-2012-2017>,

collected in the strategy paper shows that the number of people requiring dual language birth certificates has dropped till 2010 (Language Strategy, 17. the trend has changed only because Hungarian citizenship has become more easily accessible). In written communication, 24,44% of first grade administrative procedures were conducted by the municipalities in Hungarian in 2010 but only 0,63% of the appeals was presented in Hungarian (Language Strategy: 27). However statistical data shows that Hungarian language was used dominantly in three municipalities, where the number of first grade procedures was significantly high Szabadka/Subotica (58%), Magyarkanizsa/Kanjiza (35%) and Zenta/Senta (93%) while in other municipalities there were very few positive experiences in this regard. Apparently Hungarian language can be used only where Hungarians live in absolute or relative majority and where Hungarian speaking public servants are available as well. In regard to judicial authorities the situation is similarly gloomy, only 8% of local judges speak Hungarian in the province. The strategy paper underlines that “the lack of coordinated control mechanisms does not only create insecurity but also results in inefficiency and the diminished authority of public institutions” (Language Strategy: 28).

As it could be seen above, the language policies and the situation of minority language rights altered significantly in former Yugoslavia and in Serbia/Vojvodina alike. As a conclusion it can be said that the legal framework of minority language rights offers an acceptable level of protection and a liberal approach inasmuch persons belonging to minorities may officially use their mother tongue. But everyday practice reveals that municipalities are not offering the opportunities recognized by law, this may happen even in municipalities where a minority forms majority. The reasons behind that are manifold, but it seems to be sure that the lack of qualified personnel and the lack of financial sources (for translation, etc.) are influential. On the other hand even the members of minorities do not have enough information on their rights.

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