

VOIVODINA'S AUTONOMY AND ITS MINORITY PROTECTION DIMENSION

BEÁTA HUSZKA

Public Foundation for European Comparative Minority Research, Budapest
Hungary

This paper presents the autonomy movement of Voivodina, what has been achieved so far and why the pre-1990 autonomy could not have been attained. The Hungarians of Voivodina have traditionally been enthusiastic supporters of provincial autonomy despite the fact that Voivodina's autonomy is not a kind of ethnic autonomy. This issue will be explored through a focus on the case of the Hungarian minority and the ways in which the autonomy of Voivodina benefits ethnic minorities. I will demonstrate that the current powers of provincial institutions have been sufficient to implement minority rights in Voivodina better than in the rest of Serbia, yet were not enough to prevent inter-ethnic incidents. I will also consider why provincial authorities could be better trusted regarding minority protection than the central government, including in dealing with future ethnic violence.

Keywords: Serbia, Voivodina, minority rights, autonomy

The province of Voivodina, situated in the North of Serbia on the border with Hungary and Romania, has been throughout most of its history famous for its multiethnic character and the lack of serious ethnic tensions. Voivodina traditionally has been home to more than twenty different nationalities, among which the Hungarians, Slovaks, Croats, Montenegrins and Romanians are the most numerous after the Serbian majority, which as of today constitutes around two thirds of the province's population.¹ Voivodina also had a historic legacy distinct from that of the rest of Serbia, as until World War I it was part of the Austro-Hungarian Monarchy, while the rest of the country was under Ottoman rule until the end of the 19th century. In addition, Voivodina belonged to the group of so-called developed regions in the Socialist Federal Republic of Yugoslavia, being the third most developed federal unit after Slovenia and Croatia if measured by regional GDP per capita, and the most developed region of the latter Federal Republic of Yugoslavia comprised of Serbia and Montenegro.² Before 1989 Voivodina enjoyed far reaching autonomy, which was stripped away by Milošević; its status was similar to that of the republics in the former Yugoslavia. Since the democratic changes in

2000 some of the previous competencies were reinstated, in particular by the so-called Omnibus Law in 2002. However, the pre-1989 autonomy has not been restored and cannot be expected to be restored any time soon. Hopes regarding more autonomy have vanished for the moment following the adoption of the new Serbian constitution in 2006.

Ethnic minorities have traditionally been enthusiastic supporters of provincial autonomy, despite the fact that Voivodina's autonomy is not a kind of ethnic autonomy, and has always been led by local Serbs. Provincial autonomy in itself does not even grant special political representation for minorities, as there are no reserved seats guaranteed for them in the provincial assembly in proportion to their percentage of the population. Furthermore, Voivodina's autonomy could not function as a substitute for any kind of ethnic autonomy given that even the largest minority community, the Hungarians, makes up only 14% of the province's population. However, the political autonomy of Voivodina became one of the five fundamental pillars of the Hungarians' autonomy-model, in addition to personal, ethnic-territorial, political and municipal autonomy.³ This indicates that Hungarians consider provincial autonomy a means of guaranteeing their minority rights. The question arises why exactly Voivodina's autonomy is favored by minorities. I will address this question by focusing on the case of the Hungarian minority and the ways in which Voivodina's autonomy benefits ethnic minorities. This discussion will demonstrate that even though minorities in Voivodina are in a privileged position compared to other groups living in the rest of Serbia, such as the Albanians in the Preševo valley or the Bosniaks in Sandžak, Voivodina's minority-protection regimes also have their limits, which particularly manifested themselves during the inter-ethnic incidents in 2003 and 2004. I will therefore also offer an explanation as to why strengthening provincial autonomy would be desirable from the point of view of preventing future ethnic violence. First, however, I offer a short discussion introducing the history of the movement for autonomy in Voivodina.

A Brief History of the Movement for Autonomy

The contemporary movement for the autonomy of Voivodina was born in the early 1990s. It grew out of the lost autonomy the province had enjoyed before 1989.⁴ The Yugoslav constitution of 1974 endowed the federal units (the republics and provinces) with far-reaching legislative, executive and judicial rights: they had their own parliament and ministries, were able to ratify their own constitution, and had control over education, economic and social welfare policies. Since Serbia had two autonomous provinces, Voivodina and Kosovo (and as such was unique among the Yugoslav republics), a peculiar situation emerged in which

Serbia could not amend its own constitution without the consent of its provinces, while the latter were able to alter their own constitutions without the consent of Serbia.⁵ Furthermore, in the federal bodies the provinces could veto the decisions of the Serbian authorities. Individual republics and provinces also gained considerable economic autonomy, especially with regards to fiscal policy, including defining credit conditions.⁶ As a result, national grievances were on the rise in Serbia from the early 1980s over the growing sovereignty of the provinces, which started to behave more and more like "states within the state."⁷

In 1988, Milošević forced the provincial leaderships to resign and practically abolished Voivodina's and Kosovo's autonomy, an edict which was enshrined in the new Serbian constitution adopted in September 1990. The provinces lost most of their legislative, executive and judicial powers, and their right to veto constitutional changes in Serbia.⁸ Thus, Milošević effectively centralized Serbia and responded to Serbian concerns over the fragmentation of the Serbian nation in Yugoslavia.

In the early 1990s regional parties began to be formed that sought the restoration of autonomy. They called for the reinstatement of institutions supporting ethnic and cultural diversity and demanded the return of the previously held political and economic competencies. The most significant autonomist parties, the Reformist Democratic Party of Voivodina (the Reformists), the League of Social Democrats of Voivodina (LSDV), and the Alliance of Voivodinian Hungarians (AVH), emerged mostly from the dismissed or marginalized provincial political and cultural elites.

By now autonomist political groups have been trying to mobilize people for almost two decades without much success. It is surprising the extent to which these parties have failed to win public support from the early 1990s until recently, indicated by their poor performance during elections. The question as to why this has been the case throughout this period is especially puzzling since according to available opinion polls Voivodina's autonomy has been supported by the majority of its population, regardless of the arrival of nearly 200,000 Serbian refugees from other parts of former Yugoslavia. A survey of the SKAN institute from October 2003 showed that 75.5% percent of the province's population favored cultural and economic autonomy within Serbia, which would mean an increase in Voivodina's rights.⁹ This and previous surveys demonstrated that the majority of the population of Voivodina's supported improving the status of Voivodina over maintaining the status quo. Although most of the time Belgrade is blamed for the lack of progress, it will be argued here that the failure of the movement for autonomy cannot be explained solely by the resistance of Belgrade, but also by the weakness of autonomist parties.

After 2000: A Lost Chance for Autonomy

After the fall of the Milošević regime, hopes emerged for the restoration of autonomy. These hopes were reinforced by the political campaign of the 'Democratic Opposition of Serbia' (DOS) coalition before its coming to power, since it declared that "it will respect the need for decentralization of the state government, with a special regard to regionalization of Serbia, affirmation of autonomy of Voivodina and Kosovo and Metohija."¹⁰ Despite such rhetoric, in practice the eight years of DOS rule in the form of various coalition governments set up by its former member parties since 2000 did not testify to a genuine commitment to decentralization. Carrying out the task of decentralization would have required, first of all, the adoption of a new republican constitution, which has been continuously postponed, with reference to plausible and less plausible excuses; as a result Serbia has been essentially operating under the constitution of Milošević until November 2006. Moreover, even though the constitution was eventually adopted, it did not reinstate the powers Voivodina had lost, which will be explained in more detail below.

However, it is not only the central government that is to blame for the fact that Voivodina did not get back its extensive former rights. Any kind of solution regarding autonomy or regionalization has to be homegrown, meaning it has to rely on wide public support. Unfortunately, regionalist parties so far have been unable to mobilize sizable political support for their autonomist aspirations.

During the local elections, held in September 2004, the autonomist parties were unable to unite in a single platform representing Voivodina. As during previous elections, their campaign was marked by mutual accusations and a fierce competition for the title of who would be the "real" representative of the interests of the population of Voivodina. Whereas the Alliance of Voivodina Hungarians (AVH) stood primarily for the interests of the Hungarian minority, the other two main autonomist parties, the League of Social Democrats of Voivodina and the Voivodina Reformists, campaigned intensely against each other and against Belgrade. By 2004 their discourse had acquired a radical tone in comparison with previous elections. Economic arguments still dominated the pro-autonomy rhetoric, yet the campaign turned increasingly negative as the parties vehemently accused each other of incompetence and opportunism. Furthermore, their attitude towards Belgrade could be called almost paranoid, as they repeatedly referred to vague threats coming from the capital. The pro-autonomy discourse was considerably more moderate during the Milošević era even though the threat had been much more real.¹¹

It seems that the negative discourse and disunity among the parties was not popular among the voters. Their electoral chances were also weakened by the fact that during the period of 2000–2004 they were in power as members of the DOS

coalition, but fell short of meeting their campaign promises, since autonomy remained an unfulfilled wish. Consequently, in the 2004 provincial elections they performed poorly. The Together for Voivodina coalition led by LSDV received 7 mandates, the Reformists 2, while the Hungarian party came out as the strongest by gaining 11 seats in the provincial assembly, which was also a failure considering that the party had 17 mandates before 2004. This outcome meant that the position of the autonomist parties weakened considerably in the institutions in Voivodina in comparison with the preceding political term. The strongest single party became the Serbian Radical Party with 36 mandates, yet the governing coalition was formed by the leadership of the Democratic Party, which won 34 seats in the assembly.¹²

It should be stressed, however, that even if there has been no return to Voivodina's pre-1989 status, there were some steps taken towards the restoration of autonomy. In February 2002 the republican parliament adopted the so-called "Omnibus Law" (*Law on Establishing Particular Competencies of the Autonomous Province*), which transferred some competencies to provincial authority, among them jurisdiction over education, labor, pensions, health care, environmental issues, culture and language policy, human and minority rights, media, social services, agriculture, tourism, sport, etc. However, since the law did not grant any legislative rights or control over finances, its success was only partial and far from satisfying, especially in comparison with Voivodina's standing in the former Yugoslavia.

While the Law gave back quite a few responsibilities to Voivodina, it failed to return any economic rights, including property rights. Voivodina did not receive its own sources of revenue, but still depended entirely on Belgrade's grace to cover its expenditures, as all the funds it used were redistributed back from Belgrade. In practice the money was often delayed, which caused serious tensions. Due to the delays, public services did not function properly and provincial institutions provided poor quality health care, education, and other public services, also undermining the legitimacy of the autonomy issue.¹³

From the autonomists' point of view, this situation was especially frustrating in light of the apparent development gap between Voivodina and the rest of Serbia. Per capita national income is considerably higher in Voivodina than the Serbian average and the province contributes considerably more to the state budget in proportion to its percentage of the population.¹⁴ Foreign investors also prefer Voivodina to the rest of the country, which indicates a generally better investment climate.

Autonomists often point to the province's multi-ethnic and multi-cultural character as a basis of demanding legislative and judicial rights and more economic autonomy. They generally argue that Belgrade cannot grasp the special situation in Voivodina and the needs that result from it. Beyond any doubt, implementing a

multi-lingual administration itself requires a lot of money, as translators and bilingual documents, signs, minority schools, etc. are expensive. Minority media can rarely function according to free market principles, but usually need considerable extra funding. It is a general problem that the scarcity of adequately trained teachers and proper textbooks makes secondary school education especially difficult for national minorities. Projects promoting inter-ethnic tolerance at the grass roots level also need significant financing. All these aspects of sustaining and fostering minority cultures and building a multi-ethnic society are generally expensive.

It should be mentioned, however, that the financial situation of the province was somewhat improved recently, as the new Serbian constitution significantly increased the budget of Voivodina (to at least 7% of the national budget). However, financial autonomy, meaning the province's ability to raise its own revenues, is still lacking. From the point of view of establishing financial autonomy, the single most important measure would be to transfer state property to the provincial and local governments, which still do not have ownership rights. Since provincial and local governments currently have the right to manage state property, and are responsible for a number of functions, it would make sense to devolve to local and provincial governments the properties that are essential to their functions.¹⁵ Property devolution is currently on the political agenda, and the law has already been prepared by the Standing Conference of Towns and Municipalities, the biggest interest organization of local governments in Serbia. Moreover, the new Serbian constitution already recognizes the category of municipal property and property of autonomous provinces, and asserts that the devolution of state property will be regulated by law.¹⁶ Property transfer would be a simple and much anticipated next step in Serbia's administrative reform, without which one cannot talk about real local or regional autonomy. As all Central and Eastern European transition countries, including present EU members and countries of former Yugoslavia, have finished or at least initiated the process of property devolution, there is no reasonable argument for Serbia further delaying this process.¹⁷

As provincial institutions have not been in a position to accomplish the desired level of autonomy since the required laws have to be approved by the republican parliament, some symbolic steps were taken in the direction of autonomy. The constitution of Voivodina, which would endow the province with extensive rights in all three areas of authority, was prepared to be presented in the Serbian parliament.¹⁸ The proposal included a very ambitious wish list, such as the establishment of the post of president of Voivodina, a Voivodina High Court of Justice, a two chamber provincial parliament and a Voivodinian National Bank, among others.¹⁹ These demands have remained illusory, since the national assembly has had enough authority to jeopardize such aspirations.

Nevertheless, highly visible, demonstrative initiatives continued, which were expressive of aspirations for sovereignty. The province managed to set up the post

of its own ombudsman, acquired its own label of “Made in Voivodina” on some characteristic export products, and decided to have its own coat of arms, which had to be used together with that of Serbia.²⁰ The provincial parliament decided that Novi Sad would be the capital and not merely the seat of Voivodina,²¹ and adopted the flag of Voivodina.²² The intense fostering of international relations, such as participation in Euro-regional cooperation, representation in Brussels, and the establishment of cultural and economic ties with the Netherlands, Belgium, and some German Bundesländer also had symbolic implications. The message often sent to Belgrade was that the issue of autonomy would be brought to the level of international politics.²³ Furthermore, the provincial government initiated several measures regarding minority rights, allowing for their implementation more effectively than in the rest of Serbia, which will be discussed in what follows.

Implementation of Minority Rights in Voivodina²⁴

The constitution adopted in 1990 under Milošević deprived Voivodina of its legislative rights. Until then Voivodina was entitled to adopt its own laws; this right was withdrawn in 1990. As of November 2006 the new constitution of Serbia did not introduce anything new in this regard either, as it did not extend provincial competencies as much as an inch.²⁵ Yet as was discussed above, in 2002 the Omnibus Law authorized the Autonomous Province of Voivodina (APV) to regulate in greater detail some specific areas that fell under provincial jurisdiction, among them the official use of the languages and scripts of national minorities on the territory of APV, including supervision of the regulations' implementation.²⁶ As a result, provincial authorities were able to initiate a wide range of lower level legal measures that ensured more effective implementation of minority rights in Voivodina than in the rest of Serbia. Some of these positive achievements, which owed their success in particular to the work of the Provincial Secretariat for Regulations, Administration and National Minorities (practically a ministry in the provincial government), will be outlined first. At the same time, I will stress that despite the proactive attitude of provincial authorities, the existing minority protection measures have been insufficient to address the inter-ethnic incidents in 2003–2004 and their root causes. In fact, provincial authorities lack the capacity and the authority to influence the state's response to such incidents, as they do not have any control over the work of the police and the judiciary. Therefore, in the second part of this section the recent inter-ethnic incidents will be discussed with a view towards possible solutions.

According to law, minorities are entitled to far reaching rights in Serbia, as inscribed by the Law on Protection of Rights and Freedoms of National Minorities adopted in February 2002.²⁷ The law originally was legislated at the federal level

while Serbia was still part of the Federal Republic of Yugoslavia (FRY). Once the FRY ceased to exist and was transformed into the state union of Serbia and Montenegro all federal laws became valid at the republican level of Serbia. The most important provisions of this law were also enshrined in the new Serbian constitution. This law guaranteed a wide range of rights for national minorities, such as the right to use their mother tongue, including in official contexts, the right to preserve minority languages, cultures and national identities, the right to education in the mother tongue until high school, the right to use national symbols, the right to access to public information in minority languages, and the right to appropriate representation in the public sector, among others. Moreover, the law offered the possibility for minorities to set up national councils through which they would be able to exercise their cultural rights. This means that minorities in Serbia are thus entitled to institutional cultural autonomy:

The persons belonging to national minorities may elect national councils (hereinafter: the council) with the purpose of exercising rights of self-government regarding the use of language and script, education, information and culture.²⁸

The law can be regarded as a good legal basis for minority protection, but implementation often falls short of the rights granted in principle. The reasons for this are manifold and include shortage of money, harmonization of various laws regulating specific issues with the law on national minorities, and the absence of staff that can speak the languages that are official locally. Yet in Voivodina, due to the activities of the provincial institutions, these rights are exercised more commonly than in the rest of Serbia.

Language Rights

A recent shadow report prepared by the Voivodina Center for Human Rights on the implementation of the Framework Convention for the Protection of National Minorities found that there are considerably better guarantees for language rights of minorities in Voivodina than in the rest of Serbia.²⁹ The official use of minority languages is much more common in multi-ethnic municipalities in Voivodina than in the rest of Serbia.³⁰ In addition to Serbian, Hungarian, Slovak, Romanian, Ruthenian and Croatian are official on the territory of the province (and there are several other languages that are official locally).³¹ According to republican law, the language of a minority becomes official in a municipality if that minority makes up at least 15% of the population or if the proportion of all national minorities reaches 10% of the population locally. However, the law also allows municipalities to recognize a language as official if the share of the minority

group in question does not reach the 15% threshold. Moreover, in Voivodina, due to provincial regulation, if a minority's share does not reach the required 15% in a municipality, but reaches 25% in certain settlements within the municipality, in those settlements the language of that minority becomes official.³²

As the Omnibus Law empowers the province to regulate some issues in detail in accordance with the relevant republican law,³³ the province could also order and regulate the issuing of bilingual birth certificates. The republican law on official language use originally authorizes the relevant ministries of the Serbian government to create such documents. This means that if the ministries fail to do so, bilingual documents cannot be used, which has been the case outside of Voivodina. Since the ministry of justice and administration never produced such bilingual birth certificates, the Albanians in Preševo valley for instance cannot write their names in their original form.³⁴ In Voivodina this problem has been solved by the provincial bodies. Moreover, the Serbian Ministry of Interior issued bilingual forms of identity cards for some minorities in Voivodina, but not for minorities in the rest of Serbia.³⁵ In principle, persons belonging to a national minority could ask for a bilingual form of personal identification, yet these forms were first printed and made available only in May 2006 and only in Voivodina.

Proportional Representation

A provincial decree declares that public authorities have to take into account the ethnic make-up of the local population when employing their staff. In order to support the use of more languages in public institutions, the province is now entitled to issue language certificates proving the language skills of employees. A person knowing more of the official languages of Voivodina is now in an advantageous position when applying for certain jobs in the public sphere. The provincial bodies also regularly monitor whether national minorities are proportionally represented in public administration and public companies. Except for the managerial positions of public companies, where Serbs still dominate, with the exception of the Roma community minorities in general are adequately represented in most municipal and provincial institutions.

However, while provincial authorities can look after the proportional representation of national minorities in provincial and municipal institutions, they cannot oversee republican institutions, where employing persons belonging to national minorities has not been a priority. Consequently, according to the estimates of the Provincial Secretariat for Regulations, Administration and National Minorities, national minorities were the least represented in bodies of the various republican ministries, such as the police and the judiciary, and in bodies of state administration managed by districts. As in district branch offices of state authority the ethnic

composition of a district is not observed while employing civil servants, minorities practically cannot use their languages while communicating with these state institutions, hampering the exercise of minority language rights.³⁶ As a result, for instance, Hungarian is hardly used during court procedures in practice even in those municipalities in which Hungarians constitute a majority.³⁷ These estimates are also supported by the table below showing the representation of the Hungarian minority in judicial institutions and in the bodies of the Ministry of Interior.

Owing to lobbying activities of the provincial government, in 2006 the republican government adopted an action plan aimed at improving the representation of ethnic minorities in central state institutions operating on the territory of Voivodina.³⁸ The action plan seeks to increase the share of minorities employed in such institutions, and until the desired level of representation is reached under-represented minorities will be subject to positive discrimination. Although the action plan reflects the good will of the government, there are no sanctions in the case of non-compliance. The future success of its implementation is therefore questionable. Nevertheless, some positive steps were already taken by the police, reflected by the fact that job advertisements are being publicized in minority languages as well. Since the police took over border policing from the army, many new positions were opened, which provides opportunities for persons belonging to ethnic minorities to enter the police forces. However, a minority-sensitive attitude and a true commitment to proportional representation could be much more expected if the police and judiciary were under provincial authority.³⁹

Table. Share of Hungarians in the Police and Judicial Bodies in Voivodina⁴⁰

Population of Voivodina	14.28% (census, 2002)
Judges of municipal court	9.7%
Judges of districts	4.4%
Municipal public prosecutors	8.0%
District public prosecutors	9.3%
Judges of commercial courts	10.2%
Departments of the Ministry of Interior of Serbia	
1. Heads of departments and chief superintendents	4.16%
2. Superintendents	8.33%

Political Representation

As was mentioned before, minorities have no guaranteed seats in the government or the assembly of the APV. However, parties representing minority groups can influence politics at the level of the province much more than at the national level. Today, the parties of the Hungarian Coalition have nine members in the pro-

vincial assembly and control three secretariats in the executive body. Although no legal guarantee exists for minority representation in these institutions, it has been the practice since 2000 to include Hungarian parties in the governing coalitions. Hungarian ministers control important functions, as they are currently responsible for the secretariat of national minorities, economy, education. Clearly, their chances of having an influence in Belgrade are much lower, even if they managed to send four MPs to the national parliament during the recent elections in 2008.

The significance of participating in the executive bodies can be also demonstrated through the provincial government's investment and development policy. Due to local Hungarians' political influence, municipalities inhabited by Hungarians receive development funds from the province in accordance with the percentage of Hungarians in the population, which they can spend according to their own priorities.⁴¹ Certainly the adoption of this practice can be at least partially explained by the fact that since 2000 István Pásztor, the current president of the Alliance of Voivodina Hungarians, has been responsible for the ministry of privatization, which also manages the allocation of finances from the Voivodina Development Fund accumulated from privatization revenues.⁴²

The provincial government's sensitive attitude to the problems of minorities was also manifested recently during the process of media privatization. Since the continued existence of radio and broadcast media in minority languages would have been threatened by privatization, the Executive Council of the APV launched an initiative to halt the privatization of multi-lingual radio and television stations.⁴³ As the state decided that all print media had to be privatized, the ownership of minority print media was transferred from the province to the national councils. Yet as the financing of these newspapers and magazines remained unresolved, the province continued to contribute significantly to the maintenance of these forums from its own budget.⁴⁴

National Councils

Recently, the provincial national council was established, including the directors of all national councils and provincial ministers. The function of such a body will be to provide a forum where representatives of national councils can discuss all issues related to national minorities with the ministers, initiate proposals, and give opinions about legal proposals. Provincial bodies in general closely cooperate with national councils and involve them in decision making related to national minorities. For instance, the province consults the national councils on the question of which cultural institutions of national minorities should be supported and how much funding they should receive.

It can be also argued that the institutional development of the Hungarian National Council has been the outcome of close cooperation between Hungarian politicians of Voivodina and the provincial government.⁴⁵ This has been the case on the one hand because many key figures in Voivodina's government personally played an active role in establishing the Council, such as Tamás Korhecz, Provincial Secretary of Regulation, Administration, and National Minorities and István Pásztor, Provincial Secretary of Privatization. On the other hand, many competencies bestowed on the Council used to belong to provincial jurisdiction. Endowing the Council with real powers has been a long process that has been underway since its founding in 2002, while its authority has been extended over more areas gradually. Giving real clout to the Council involved extensive negotiations with the central government and provincial authorities, thus what has been achieved so far can be considered a result of an extensive bargaining process. Even today the Council's powers are not defined by law, as the Law on Protection of Rights and Freedoms of National Minorities only states that the council "shall participate in decision making or decide on issues in these fields [the use of language and script, education, information and culture]".⁴⁶ This means that the law determines the competencies of national councils only approximately; moreover, it proposes only temporary rules concerning the councils' election. Therefore, a fundamental aspiration of the Hungarian members of parliament in Belgrade is to determine clearly the national councils' spheres of authority through legislation.⁴⁷ They also want to set the financing of the councils' programs aiming at the preservation of national identity on a sound legal basis. Currently, only the operating costs of the Hungarian National Council are fully covered by the state and province, the programs it runs are not.⁴⁸ In addition, the election procedure of the council members has to be clearly spelled out by law. This law is still waiting to be adopted, even though the current term of the Hungarian National Council already expired in December 2006.⁴⁹

One area in which the Hungarian National Council is already in the process of gaining more authority is minority education. According to law, national minorities can exercise authority over minority education through their national councils, yet this field used to be under provincial authority.⁵⁰ In Voivodina ultimately the province has the authority to pass curricula for minorities and approve textbooks in agreement with the Ministry of Education, while in the rest of the country passing curricula and approving textbooks is solely the responsibility of the central government.⁵¹ In cooperation with the provincial government, the Hungarian National Council has been slowly taking control over Hungarian minority education over the last few years. By now the Council has to be consulted on matters such as the selection of school directors or members of school boards in those institutions where Hungarian is among the languages of instruction.⁵² Moreover, the Hungarian National Council has been taking an active part in designing Hun-

garian educational curricula, including choosing textbooks, which are often imported from Hungary.⁵³ The ultimate aspiration of the Hungarian minority, represented by the National Council, is to gain full authority over the schools in which instruction is exclusively in Hungarian and to run their own Hungarian school network.⁵⁴

The Incidents

Despite all the minority protection efforts of the provincial government, ethnically motivated violence was on the rise in 2003 and 2004. This coincided with the electoral success of the Serbian Radical Party, having gained the highest share of votes in Voivodina during the 2003 parliamentary and the 2004 local elections. In 2003 the minority government led by Vojislav Koštunica was formed with the outside support of the Serbian Socialist Party. These political developments represented a nationalist turn after the four year rule of the Đinđić (after March 2003 the Živković) government and were somewhat surprising considering that during the 1990s Voivodina was mostly spared from ethnic violence.⁵⁴ Nevertheless, the share of ethnic minorities significantly decreased over the course of the decade due to their mass emigration and the large influx of Serbian refugees. Some 172,000 Serbs from other parts of Yugoslavia settled in Voivodina permanently, while the population of the three largest minorities (Hungarians, Slovaks, and Croats) declined significantly. Between 1991 and 2002, the proportion of Hungarians in the population of the province fell from 17% to 14%, partially due to the emigration of tens of thousands.⁵⁵ Altogether, the share of Serbs climbed from 57% in 1991 to 65% in 2002, which was a sign of Voivodina's weakening multi-ethnic character.⁵⁶

Various organizations presented different numbers of incidents, reflecting not only their divergent political leanings but also the difficulty of defining what exactly can be called an incident. The Provincial Secretariat for Regulations, Administration and National Minorities recorded 206 incidents between December 2003 and November 2004.⁵⁷ The Ombudsman for Voivodina counted 76 incidents between January and September 2004.

The incidents included nationalist graffiti, damaging objects of symbolic value to religious or ethnic minorities, damaging private property, verbal attacks, physical attacks and fights. It should be stressed that only a minority of the incidents included violence against individuals, and no one was killed. However, the incidents cannot be regarded as being only isolated cases, but were part of a widespread phenomenon in Voivodina. The victims were persons belonging to national minorities, the majority of them ethnic Hungarians. Most of the perpetrators were young people between the ages of 15 and 25, and they acted mostly spontaneously.⁵⁸

As was concluded by a study prepared by Florian Bieber and Jenni Winterhagen, this upsurge of violence can be associated with the alarming distance between ethnic groups and the high ethnocentrism of youth. They further argued that the incidents reflected deeper inter-ethnic divides and “a new form of grassroots nationalism,” which if it goes unaddressed may lead to new waves of ethnic tension and may “radicalize the political scene.”⁵⁹ Thus, the incidents revealed deeper social problems that were aggravated by the nationalist backlash at the center in Belgrade and the nationalist attitude of the media.

The weak response of the police until October 2004, marked by the low number of perpetrators arrested and by light sentences, indicated the attitude of central authorities, who did not see the resolution of this problem as a priority. International attention was needed for central authorities to take firm action, after which the frequency of incidents dropped sharply.⁶⁰

The incidents were much politicized within and outside of Serbia. The rhetoric of the biggest Hungarian party, the Alliance of Voivodina Hungarians (AVH), became increasingly dominated by the incidents carried out against Hungarian individuals. Owing to the intense propaganda of the Hungarian parties, the Hungarian government also got extensively involved, and after it failed to address the issue on a bilateral level with Serbia and the state union it turned to the EU and the Council of Europe.⁶¹ As a result, the Council of Europe raised its voice several times in 2004 against the violence in Voivodina.⁶² Moreover, in a resolution drafted by its Hungarian members, the European Parliament condemned the violence and called for the restoration of Voivodina’s pre-1990 autonomy in September 2005. The resolution reflected the view according to which central authorities mostly ignored the incidents and failed to react properly, thus demanding on this basis more autonomy for Voivodina.⁶³

The Serbian media initially generally ignored the problem and hardly reported it. This was true even of the regional media in Voivodina, such as *Dnevnik*. After the issue attracted international attention local media began to blame the Hungarian party and Nenad Čanak, a prominent Serbian autonomist politician, for inciting inter-ethnic tensions.⁶⁴ Until the fall of 2004, Belgrade officials mostly denied the ethnic character of the violence and questioned its significance by making references to the young age of the perpetrators. Altogether the government has been slow and reluctant to react, which has contributed indirectly to the escalation of violence. The number of cases noticeably decreased after the government put some pressure on the police to respond more firmly, which also brought about an increase in judicial procedures.⁶⁵ According to the data of Ministry of Human and Minority Rights, incidents targeting ethnic Hungarians significantly decreased in 2005, yet the level of incidents was still higher than in 2003.⁶⁶

In recognition of the fact that the weak response of the judiciary and police was at least part of the cause of the escalation of violence, the need to have some sort of

local influence over the selection of the heads of police, judges and prosecutors was brought up by the AVH and by Nenad Čanak, as well as the need to create a multiethnic police in Voivodina.⁶⁷ One can conclude, in agreement with Bieber and Winterhagen, that the initial weak state reaction to inter-ethnic violence reflected a general skepticism towards minorities and a lack of sensitivity to their problems. At the same time, since 2000 provincial authorities have demonstrated a very different attitude and testified to a true commitment to minority related issues. This is also a consequence of the fact that politicians belonging to ethnic minorities, especially Hungarians, have actively participated in their work. Recognizing that the incidents reflected deeper social problems, in 2005 the Provincial Secretariat for Regulations, Administration and National Minorities initiated a project promoting multiculturalism and tolerance and targeting young people.⁶⁸ The program was not supported by republican institutions, but it did receive funding from the Hungarian government, the OSCE mission, the US embassy and a private company. While more of such programs would be needed to reduce the distance between ethnic communities in Voivodina and to improve the level of personal inter-ethnic contacts, delegating the police and the judiciary to provincial authority could be a guarantee of a more minority-friendly response to future inter-ethnic tensions in light of the past performance of provincial institutions.

Conclusion

Although several opinion polls testify to the fact that the majority of Voivodina's citizens would be in favor of autonomy, the movement for autonomy has remained insignificant and has not been able to mobilize considerable support.⁶⁹ After 2000 the autonomist parties could not use the political leverage they gained during the September 2000 elections and they gradually became marginalized. Their shrinking popularity can be explained by several factors. First of all, they were not in a position to restore Voivodina's autonomy, as such decisions have to be made by the republican parliament. However, their inability to gain electoral support was mostly the result of their political behavior. Since the early nineties there was no single election during which the parties representing Voivodina's autonomy would have been unified. The coalitions they joined revealed their priorities. This communicated to the public that even for autonomist parties the issue of autonomy was not of the highest importance. Moreover, the negative campaign against one another and Belgrade probably further weakened their popularity.

At the same time, Belgrade has also been reluctant to grant the autonomy it promised in 2000. The current powers of provincial institutions have been sufficient to implement minority rights more effectively in Voivodina than in the rest of Serbia, yet were not enough to prevent inter-ethnic incidents. It can be assumed

that were Voivodina to have more powers, coupled with the necessary financial autonomy, this would benefit minority groups. Proportional representation in public institutions could be implemented on a wider scale, extending to institutions currently under central control. Bringing the judiciary and the police under regional authority could reduce the chances of inter-ethnic incidents and could ease inter-ethnic tensions. More money could be spent not only on minority education and culture, but on programs fostering inter-ethnic coexistence. Last but not least, more financial autonomy could contribute to more efficient economic development.

It is worth noting that the pro-autonomy agenda has always been part of a pro-European, democratic discourse. In addition to the autonomist parties and the young but small Liberal Democratic Party of Čedomir Jovanović, there is also a faction in the Democratic Party that supports Voivodina's autonomy. They have not been too outspoken recently, probably because the present moment is not the right one in which to push such agendas due to the issue of Kosovo. However, if Voivodina's autonomy would be taken up by any significant political party in the future, the EU should encourage such an endeavor. Granting support for political forces fighting for Voivodina's autonomy would not only constitute a sign of support for national minorities but could potentially reinforce a more democratic, pro-EU identity for Serbia. As the EU needs allies in Serbia in order to bring Serbia into its ranks, autonomist forces could be such partners during the process of Serbia's accession.

The elections held in May 2008 in Serbia brought about a further weakening of autonomist forces in Voivodina. The Hungarian Coalition managed to secure only nine mandates as opposed to its previous eleven, while the number of seats held by the Together for Voivodina coalition in the provincial parliament dropped from seven to six. The true winner was the Democratic Party, as its coalition, "For a European Voivodina," controls the absolute majority of seats in the assembly (64 of 120). Even if part of the Democratic Party supports Voivodina's autonomy, it fundamentally won the elections on the democratic ticket, not on the issue of autonomy, as it positioned itself as the guardian of democracy in the face of the threat posed by the Serbian Radical Party. Consequently, its overwhelming success can be interpreted as a popular vote for democracy and Serbia's European future, while people were probably less influenced by concerns over autonomy.

Nevertheless, despite the fact that the Democratic Party could comfortably form a government on its own, it decided to include the Hungarians and the LSDV in the ruling coalition alongside the Serbian Socialist Party, which became its partner at the national level. Consequently, in spite of the Hungarians' weakening political weight indicated by their poor performance in the provincial elections, AVH managed to keep its strong position in the province's institutions, which is a promising sign that it will be able to uphold Hungarian interests through the next

political term. The most curial posts from the Hungarian minority's point of view, the ministries of economy, minorities and education, were retained by the party. Moreover, AVH nominated the president of Voivodina's assembly.⁷⁰ Thus there is a good chance for the continuation of institution building and the assertion of minority rights, even if the number of Hungarians in the provincial parliament decreased by two. A recent communication of the newly formed provincial government also indicates that its former sensitivity to minority issues and its increased attention to minority rights will be sustained in the future. At the end of July, the government concluded that the implementation of the law on minority languages in local administrative and judicial bodies was unsatisfactory and called on local governments to take decisive steps in order to ensure that minority languages could be used more widely in practice.⁷¹ In addition, the fact that Tamás Korhecz kept the office of the Secretariat for Regulations, Administration and National Minorities is a further guarantee that the existing policies related to minority protection will be maintained.

Finally, the new provincial government can be expected to continue the struggle to strengthen Voivodina's autonomy, as Bojan Pajtić, an enthusiastic autonomist of the Democratic Party, has again become prime minister. Due to the governing coalition's overwhelming weight in the provincial assembly, it will be easy for them to pursue their political agenda. Yet ultimately the key to their success lies more in Belgrade than in Novi Sad, as the national assembly has the authority to expand Voivodina's jurisdiction over more areas and to grant it financial autonomy. The implementation of minority rights depends also on Belgrade to a considerable extent, since for the proper functioning of national councils the Serbian parliament has to adopt the necessary laws, such as those regulating the election of national councils and the financing of their programs. Therefore, power relations in the Serbian parliament will fundamentally determine what can be achieved in terms of asserting minority rights and further developing Voivodina's autonomy. Since the Democratic Party at the head of the Serbian government does not have to prove its democratic credentials, there is a fear that as during the previous period it will not view these issues as a priority. In this respect it was probably a wise decision on the part of the Hungarian Coalition not to join the government but to support it from the outside. This might secure the four Hungarian deputies a better position from which to represent Hungarian interests and push through their political agendas.



Notes

- ¹ Hugh Poulton: "Rising Ethnic Tension in Voivodina," *RFE/RL Research Report*, Vol. 1, No. 50, 18 December 1992, 14.
- ² GDP/capita Slovenia USD 5821, Croatia USD 3733, Voivodina USD 3478, Serbia USD 3037. 1991, Federal Institute of Statistics. In: Daniel Ottolenghi – Alfred Steinherr, "Yugoslavia: Was it a Winner's Curse?" *Economics of Transition* 1(2) (1993): 235.
- ³ Autonomy Concept of the Hungarian Coalition, Viewed at the official website of the Hungarian Coalition. April 18th, 2008. <http://www.magyarcoalicio.org/>.
- ⁴ Autonomy struggles in Voivodina date back to the 17th century, as the expression of demands put forward by the Serbs of Voivodina. Their calls for autonomy mounted, especially during the 19th century, and were realized for a short period between 1849 and 1860.
- ⁵ Ivan Vejvoda, "Yugoslavia 1945–91 – from Decentralization Without Democracy to Dissolution", in David A. Dyker – Ivan Vejvoda, eds. *Yugoslavia and After* (Pearson Education, 1996), 15.
- ⁶ Ottolenghi and Steinherr, "Was it a Winner's Curse?", 222.
- ⁷ Jovan Teokarević, "Neither War nor Peace, Serbia and Montenegro in the First Half of the 1990s," in: *Yugoslavia and After*, 181.
- ⁸ Jovan Teokarević, 183.
- ⁹ Žolt Lazar – Dušan Marinković, "Regional Identity, Voivodina's Urban Public Research Survey," in Nadia Čuk Skenderović, ed. *Essays on Regionalization* (Subotica, March 2001), 180; "Voivodina: Multiethnic Jewel of Serbia," *Axis, Global Challenges Research*, June 3, 2006. <http://www.axisglobe.com/article.asp?article=896>.
- ¹⁰ Jovan Komšić, "Unitary or Asymmetric Regionalism," in: *Essays on Regionalization*, 158.
- ¹¹ Our focus here is the elections in 2004, because the outcome of these elections determined the political weight of autonomist parties during the period between 2004 and 2008. During the most recent elections in May 2008, autonomist parties again joined different coalitions. Although some of them ran together under the name "Together for Voivodina", the Hungarian parties set up their own coalition, and a former member of LSDV, Igor Kurjački, formed his own party.
- ¹² Website of the Executive Council of the Autonomous Province of Voivodina, <http://www.Voivodina.sr.gov.yu/Engleski/index.htm>.
- ¹³ Interview with Duško Radosavljević, Novi Sad, Sept. 8, 2003.
- ¹⁴ The last data is from 2005, when per capita income was 17% higher in Voivodina than in Serbia as a whole. Source: official website of the Statistical Office of the Republic of Serbia. <http://webzrzs.statserb.sr.gov.yu/axd/en/pok1.php?ind=1>; In 2003 Voivodina provided almost half of the state budget. In: "Kevesebb is jó lett volna", *Magyar Szó*, Feb. 27, 2003.
- ¹⁵ This was the conclusion of the authors participating in a project launched by SLGRP, which was meant to formulate policy recommendations for Serbia with regards to property devolution. The Serbian Local Government Reform Program (SLGRP) began in 2001. The project was also supported by USAID and LGI OSI Budapest. <http://www.slgrp.usaid.org.yu/>.
- ¹⁶ Constitution of the Republic of Serbia, *Document*, Articles 86–87.
- ¹⁷ This argument was stressed by Charles Jókay in his study prepared for the SLGRP project. Charles Jókay, "Policy Recommendations for Returning and Transferring Property to Local Governments in Serbia," in Gábor Péteri (ed.) *From Usage to Ownership* (Budapest: LGI OSI, 2005), 130.
- ¹⁸ Legislative, executive and judicial.
- ¹⁹ "Mi kerül bele?", *Magyar Szó* Nov. 12, 2002.

- 20 “Címere lesz a Vajdaságnak”, *Origo* June 27, 2002.
- 21 *Origo* Oct. 11, 2001.
- 22 “Voivodina Wants Hymn as well”, *Blic Online* Oct. 25, 2003.
- 23 “A Vajdaságnak már lesz helye az EU-ban”, *Magyar Szó* Oct. 7, 2002.
- 24 Based on an interview with János Orosz, Provincial Secretariat for Regulations, Administration and National Minorities, Novi Sad, Sept. 25, 2006.
- 25 Lawyers of Forum Iuris concluded about the constitution that “it does not guarantee its [Voivodina’s] original competences, legislative authority, or even its right to enforce its own decisions (there is no guarantee of executive authority), as well as its participation in the election of judges in the courts taking part in the protection of provincial autonomy. The constitution stipulates declaratively that Voivodina will be entitled to direct revenues, but the type and amount of these revenues will be determined by the laws which are adopted by the Republican Assembly. Also, the Province cannot enact its statute autonomously, only upon approval of the Republican Assembly. The constitution does not guarantee that the Province will decide about its territory by itself, nor does it guarantee its autonomy, because it can be abolished.” Quote from Helsinki Committee for Human Rights in Serbia, *Human Rights: Hostage To the State’s Regression*, Annual Report, Serbia 2006 (Belgrade, 2007), <http://www.helsinki.org.yu/doc/Report2006.pdf>, 312–313.
- 26 Shadow Report, Voivodina Center for Human Rights, “Alternative Report submitted pursuant to Article 25 Paragraph 1 of the Framework Convention for the Protection of National Minorities,” September 2007, http://www.minelres.lv/coe/report/ShadowReport_Voivodina_VHRC.pdf, 74.
- 27 “Law on Protection of Rights and Freedoms of National Minorities,” *Official Gazette of FRY No. 11, 27 February 2002*, translated by OSCE Mission to FRY.
- 28 Article 19, “Law on Protection of Rights and Freedoms of National Minorities.”
- 29 Shadow Report, 76.
- 30 “Határozat a Nemzeti Kisebbségek Nyelvének és Írásának Vajdaság Autonóm Tartomány Területén Való Hivatalos Használatával Kapcsolatos Kérdések Részletezéséről,” *Vajdaság Autonóm Tartomány Hivatalos Lapja, Újvidék* 2003. május 22, 8. szám.
- 31 Shadow Report, 74.
- 32 *Ibid.*, 76.
- 33 Article 2 and 3 of the Omnibus law: “Law Establishing Particular Competencies of the Autonomous Province,” Document, Published in the *Official Gazette of the Republic of Serbia*, No. 6, on February 7, 2002.
- 34 Shadow Report, 87.
- 35 Particularly for Hungarians, Slovaks, Croats, Romanians and Ruthenians. In Shadow Report, 88.
- 36 Shadow Report, 22.
- 37 It should be mentioned though that this is also often the case even if all the participants in the trial know Hungarian, including the judge. The main reason for this is that if there is an appeal all materials have to be translated into Serbian, putting a significant financial burden on the court. Shadow Report, 85.
- 38 “Decision on the measures to increase the participation of national minorities in state administration bodies”, Shadow Report, 124.
- 39 Interview with János Orosz, Provincial Secretariat for Regulations, Administration and National Minorities, Sept. 25, 2006, Novi Sad.
- 40 Data from Helsinki Committee for Human Rights in Serbia, in *National Minorities and Law*, Helsinki Files N. 15, Belgrade, 2002, 87–88.

- ⁴¹ Presentation of Tamás Korhecz, Provincial Secretary of Regulation, Administration and National Minorities at the conference *Autonomy from another angle*, organized by the Public Foundation for European Comparative Minority Research, Budapest, May 26, 2008.
- ⁴² After the last local elections in 2008, he became the secretary of economy.
- ⁴³ Shadow Report, 54.
- ⁴⁴ Shadow Report, 61.
- ⁴⁵ This opinion was voiced by Tamás Korhecz, Provincial Secretary of Regulation, Administration and National Minorities at the conference *Autonomy from another angle*.
- ⁴⁶ Article 19, "Law on Protection of Rights and Freedoms of National Minorities."
- ⁴⁷ Bálint Pásztor, Member of the Serbian parliament representing the Alliance of Voivodina Hungarians, at the conference *Autonomy from another angle*.
- ⁴⁸ László Józsa, President of the Hungarian National Council, at the conference *Autonomy from another angle*.
- ⁴⁹ "Report about the Activities of the National Council's Executive Board in 2006 and 2007," website of the Hungarian National Council, Feb. 29, 2008, www.mnt.org.yu.
- ⁵⁰ "Law on Protection of Rights and Freedoms of National Minorities."
- ⁵¹ See Article 12, 13 of the Omnibus Law.
- ⁵² Communication about the visit at the Ministry of Education, website of the Hungarian National Council, Sept. 26, 2006, http://www.mnt.org.yu/hu/frame.php?content=doc_show&e_id=211&e_tipus=HTML.
- ⁵³ Report about the Activities of the National Council's Executive Board in 2004, website of the Hungarian National Council, Zenta, March 10, 2005. http://www.mnt.org.yu/en/frame.php?content=doc_show&e_id=174&e_tipus=HTML.
- ⁵⁴ Program of the Alliance of Voivodina Hungarians, Subotica, June 19, 2004, http://www.vmsz.org.yu/hu_new/dokumentumok/program.htm#5b
- ⁵⁵ With the exception of some Croat villages, such as Hrtkovci. Humanitarian Law Center, *Human Rights Violations in the Territory of Former Yugoslavia 1991–95* (Belgrade, 1997), 83–105.
- ⁵⁶ Between 1991 and 2002 the number of Hungarians decreased by 14.5%, that is by roughly 50,000 people. However, even before 1991 the Hungarian population was declining by a rate of 10% per decade on average. (In "2006. évi jelentés a vajdasági magyarok helyzetéről," Website of the Hungarian Prime Minister's Office, <http://www.nemzetpolitika.gov.hu/data/files/84190142.pdf>, 11.) This would imply that "only" around 20,000 fled or emigrated from Serbia in the nineties. The demographer Károly Mirnics, however, estimates this number to be between 40,000 and 60,000. In: Károly Mirnics, "Ámítás és hiszékenységek," *Forrás* June 2004, <http://www.forrasfolyoirat.hu/0406/mirnics.html>.
- ⁵⁷ Florian Bieber – Jenni Winterhagen, "Ethnic Violence in Voivodina: Glitch or Harbinger of Conflicts to Come?," *ECMI Working Paper #27*, April, 2006, http://www.ecmi.de/download/working_paper_27.pdf, 3–4.
- ⁵⁸ Data from Florian Bieber and Jenni Winterhagen, 9.
- ⁵⁹ The research of Florian Bieber and Jenni Winterhagen demonstrated this point. Florian Bieber – Jenni Winterhagen, 11.
- ⁶⁰ Florian Bieber – Jenni Winterhagen, 26.
- ⁶¹ *Ibid.*
- ⁶² "Bemutakozott Goran Nikičić, a Vajdasági Szociáldemokrata Liga magyarkanizsai polgármesterjelöltje," *Magyar Szó* Sept. 08, 2004.
- ⁶³ The Secretary General, the Committee of the Ministers of the CoE and the Parliamentary Assembly of the CoE addressed the problems in Voivodina in 2004 in several resolutions. Council of Europe Committee of Ministers, ResCMN(2004)12, Nov. 17, 2004. See <https://wcm>.

coe.int.; Council of Europe Parliamentary Assembly, *Resolution 1397, Functioning of the democratic institutions in Serbia and Montenegro*, 2004.

⁶⁴ European Parliament, *European Parliament resolution on the defence of multi-ethnicity in Voivodina*, P6_TA(2005)0369., Sept. 29, 2005, <http://eur-lex.europa.eu/Notice.do?val=433738:cs&lang=mt&pos=1&phwords=&checktext=checkbox>.

⁶⁵ This view was promoted by Večernje Novosti. Source: Florian Bieber and Jenni Winterhagen, 36–37.

⁶⁶ Florian Bieber and Jenni Winterhagen, 26–27.

⁶⁷ Data from Florian Bieber and Jenni Winterhagen, 38.

⁶⁸ This was the finding of the shadow report published by the Voivodina Center for Human Rights, cited above.

⁶⁹ Provincial Secretariat for Regulations, Administration and National Minorities, *Promotion of Multiculturalism and Tolerance in Voivodina*, Novi Sad, February 2005.

⁷⁰ Žolt Lazar, Dušan Marinković, 185.

⁷¹ It should be noted that AVH lost one office, that of the ministry of environmental protection, yet the significance of that post does not compare to the gain represented by the right to propose the assembly's president.

⁷² "A vajdasági kormány elégedetlen a hivatalos nyelvhasználatról szóló törvény alkalmazásával," VajdaságMA.info, July 25, 2008. <http://www.vajdasagma.info/universal.php?rovat=cikk&ar=vajdasag&id=7137>.