Introduction: A Balkan Laboratory of Citizenship

A century of dis/integrations

One could say that Yugoslavia was a legitimate child of its century. It lasted almost exactly as long as Eric Hobsbawm's 'short twentieth century' which spanned the years between the outbreak of the First World War in 1914 – following, in the words of Lawrence Durrell, that fatal 'echo of a pistol-shot' in Sarajevo – and the disintegration of the Soviet Union in late 1991. Yugoslavia, like many other states that surged to the surface of history after the 'collective suicide' of European nations between 1914 and 1918, was conceived and variously imagined during the preceding 'long nineteenth century'. The 'state of the South Slavs' was especially sensitive to the geopolitical seismic shocks between 1918 and 1991. It came into existence *twice* and vanished *twice* following two 'hot' wars and the end of one 'cold' one. Initially it left behind five states whose number has risen to seven at the time of writing. Between the assassination of the Archduke Franz Ferdinand on the Latin Bridge in June 1914 and the centenary commemorations of this event at the same spot in 2014, the political makeup of the region kept relentlessly changing following almost unpredictable shifts of international and internal borders. Between and across these borders various political communities (co)existed and (dis)integrated. This book is an attempt to describe and understand these political communities and their transformations by focusing on both the tension between the *status* of their members, comprising their legal equality, and the *quality* provided by political participation that turns members into citizens. That *status* and that *quality* combined is what constitutes modern citizenship.

By invoking 'a laboratory of citizenship' I am by no means the first one to have applied a scientific language to describe the history of this region. Almost four decades ago, a senior scholar of Yugoslavia, Dennison Rusinow, summarized the socialist 'Yugoslav experiment' in the following terms:

> The history of Yugoslavia during the quarter-century since the experiment with a 'separate road' began in 1949 has therefore actually 'proved' nothing expect the astounding flexibility and adaptability of the Yugoslavs, both leaders and led, and an impatient, apparently inexhaustible and often bewildering willingness to experiment. (1977: 344).

If to the socialist experience we add the 'first' Yugoslavia (1918–1941), this 'impatient, apparently inexhaustible and often bewildering willingness to experiment' resulted not only in two Yugoslavias over more than seven decades but also in six different constitutions. The disintegration of federal Yugoslavia can also be taken as yet another political experiment followed, after massive human, economic and social destruction during the post-socialist 'transition', by continuous attempts at another kind of integration, this time into the European Union (EU).

By following *one hundred years of citizenship* in Yugoslavia and the post-Yugoslav states, this book shows how these political communities and their members were made, unmade and re-made. In this region, various successful and unsuccessful political formulae have been tried, each of them vividly testifying to various forms of modern citizenship, the ways to establish and practice them, their multiple political and social outcomes and dramatic narratives of their creations and collapses. The study of citizenship in various political entities in this region between 1914 and 2014 is not only an illuminating angle from which to narrate and analyse their histories but also, more generally, an insight into the fine mechanics and repeating glitches of modern politics.

We can claim that individuals as social and political beings are profoundly shaped by citizenship, by the status it bestows upon them, by the privileges and restrictions it can entail and indeed by the loss of citizenship, whether voluntarily or not. Being born in one place and not the other, in one particular period and not the other, of particular parents and not of some others, is highly significant. The aleatoric fact of our birth can have a decisive influence on our life chances, individual development, social circumstances and finally our political participation and emancipation. Having this in mind, let us engage in a thought experiment and imagine something not entirely impossible, an individual born in 1914, somewhere in what will become Yugoslavia, who lived long enough to see the centenary commemorations of the First World War. Even without changing his or her place of residence, he or she would have changed his or her state citizenship on numerous occasions. Moreover, citizens of the contested regions and on the country's borders frequently found

themselves at the mercy of different masters. Several times in their lives they woke up to see a different flag on the main square; border changes turned previous ethnic and religious majorities into minorities and vice versa. In addition, citizenship laws and administrative practices themselves were often redefined rendering existing states and laws fragile and liable to change, and creating citizens with ambiguous statuses, rights, identities and loyalties.

In December 1918, at the end of the First World War, former Austrian, Hungarian, Serbian and Montenegrin citizens, and numerous individuals with undetermined civic statuses, came together to form the Kingdom of Serbs, Croats and Slovenes, a unitary state governed by the Serbian royal family. In 1941 Yugoslavia was occupied by the Axis powers and partitioned, and the former citizens of the evaporated Kingdom experienced different wartime fates. They had been subjected to different foreign occupying authorities (German, Italian, Hungarian and Bulgarian) as well as to the governments of domestic collaborators (the fascist Croatian state and Vichy-like regime in Serbia). These authorities treated them quite differently, in general as a function of their ethnic, religious or 'racial' origins. Some were offered fragile privileges; others suffered expulsions and genocide. In 1945, the Resistance movement led by the Communist Party and its leader Josip Broz Tito liberated the country, mostly by its own forces and, against all odds, revived Yugoslavia. This 'new' or 'second' Yugoslavia was based on a federal principle of internal organization, which also introduced a new type of citizenship. The average Yugoslav citizen was simultaneously citizen of a republic in which he or she resided, or to which she or he was related through her or his parents, and of the new federal state. The Yugoslav Federation and, by extension, its citizenship(s) experienced multiple changes over the years, as did relations between citizen and state as well as the form and content of citizens' political participation.

Our imaginary citizen thus reaches retirement in a modernized and developed society that was about to experience, after the death of Tito, various economic and political crises. She or he is 77 when she/he loses her/his federal citizenship and the country disappears. The former Yugoslav republics used their republican citizenship laws to establish their initial citizenries, but they often left the door open for ethnic kin living in the neighbouring countries or abroad and closed many doors to former compatriots and 'brothers'. This abrupt change of citizenship status was especially difficult for those living in zones of conflict, those of mixed origins or of an ethnic background different from the majority governing the territory they inhabited. But this will not be the final experiment in the 'laboratory of citizenship'.

Since 2000 we have again seen new redefinitions of these states and their citizenships, but also the emergence of new independent states such as Serbia and Montenegro in 2006 and partially recognized Kosovo in 2008. New states usually write new constitutions and new citizenship laws, and the already established states often amend them. Since all of the states that formerly made up Yugoslavia have declared their willingness to join the EU – and the EU has, on numerous occasions, declared itself committed to their eventual membership – one can observe new reforms in the domain of state-building and citizenship, as well as the introduction of a new supranational EU citizenship for those already accepted into the Union (Slovenia in 2004 and Croatia in 2013).

This brief historic overview suffices to illustrate that our imaginary citizen who celebrates his or her own centenary in 2014 is someone who has lived multiple political lives. This book aims at telling her or his story by illuminating political constitutions and functioning of the communities she/he belonged to and those which she/he was excluded from and, finally, the reasons behind their many changes. In order to achieve this goal, we should explain first what do we mean by modern citizenship, how it was conceived, how it was practiced and how it developed historically, as well as why the concept of citizenship regime is crucial for understanding what it actually means to be a citizen.

Citizenship and citizenship regime

Citizenship as status and quality

Generally speaking, modern citizenship is a legal link between a state and individuals, involving rights guaranteed by the state to its citizens and duties citizens owe to their states. Those having citizenship of a given state form a 'community of citizens' that defines itself at the basic level by the exclusion of non-citizens. It is precisely this exclusionary character of citizenship that emancipates the citizen vis-à-vis his/her co-citizens and distinguishes him/her vis-à-vis the others, non-citizens residing in the same state, or foreigners living elsewhere and sometimes visiting. In any given territory there is always a hierarchy of statuses among the present population. Although various dimensions of discrimination, especially social and economic ones, do not in general disappear just because a group of persons share a common citizenship, legally having citizenship status should guarantee formal equality before the law and the right to equal political participation and self-governance of citizens. However, children, migrants, the disabled or members of the LGBT (lesbian, gay, bisexual and transgender)

community can often be more accurately described as 'semi-citizens' (Cohen 2009) because of restrictions – of various types – placed upon their enjoyment of full citizenship rights (restrictions that, in the case of children, are merely temporary). Residents, refugees, asylum seekers and even tourists should benefit from basic levels of rights protection (although for illegal immigrants this is likely to be reduced to immediate humanitarian assistance at best), and residents can aspire to various sorts of civic, economic and social rights – but they cannot fully participate as equal political subjects. This is true even in situations when some states allow certain categories of residents (EU citizens, third-country nationals, etc.) to participate in local elections or even in the national elections (e.g. Irish and 'qualifying' Commonwealth citizens in the United Kingdom). In this sense citizenship could be considered a *privilege* that can be earned mostly by birth (being born into a community), but also by marriage and residence (being incorporated into a community), by work (by contributing to a community's wealth), by sacrifice and merit (by serving a community, usually militarily) or, nowadays, by the interest a community expresses in an individual (e.g. sportsmen, scientists or investors).

The dialectic between inclusion and exclusion turns out to be fundamental to citizenship. The privilege of membership makes the community of, at least formally, free and equal citizens bear similarities to a *club* (Walzer 1983: 41), in which members are preferably united around a common political idea or at least the decision to live together. When it comes to states based on ethnocultural membership, Walzer compares them to a *family*. Nevertheless, once the club's membership becomes hereditary, clubs start to resemble families, although the rules of inclusion in some instances might be less centred on the conception of 'blood' and heritage that defines ethnocultural identities. The 'birthright lottery' or citizenship as inherited property (Shachar 2009) is actually how the vast majority of people become citizens of a certain community. Therefore, we are often born into a political community or communities by pure genetic luck – that some would melodramatically call 'destiny' – and by inheriting citizenship privileges from our parents.

I underlined above that citizenship *status* comprises rights but also duties (paying taxes, observing laws, military service or various serving roles during states of emergency, for instance), whereas the *quality of citizenship* is based in ideally equal political participation of citizens (thus not *only* members or *nationals*) that is, in turn, crucial for a sense of membership and a shared political identity.[1] The dynamic and tensions between the two are constitutive for citizenship. Ideally, the two should coincide but this has not always been

the case. We can think of people having citizenship status but not experiencing citizenship as a quality – for instance, those subject to dictatorial regimes, or state-imposed class or social discrimination – and about those experiencing the quality of citizenship – EU citizens in other EU states or international activists involved in global mobilizations and struggles – without having formal citizenship of a place where they happen to live or act. Moreover, dual and multiple nationals, migrants, various statuses that a nomadic individual can possess in different places at the same time, political activities that are transcendent and cannot be limited to state boundaries, among others, blur and complicate the relationship between citizenship as status and citizenship as quality. We can conclude that when it comes to citizenship status the Arendtian formula of 'right to have rights' is indeed applicable, but the *quality* of being a citizen should be understood as both 'the right to claim rights' (Isin 2009: 371) and participation in the social, political and economic matters of one's community.

Transformations of citizenship

The very idea and first practices of citizenship have their roots in ancient Greek city-states and later in the Roman Empire, though their concepts differed greatly. The Greek model was characterized by community belonging and direct participation of free and equal citizens, those who did not serve anyone or work for anyone (Meiksins Wood 1995: 204). However, the fruits of Greek democracy were enjoyed only by a tiny portion of the actual population, involving the males who inherited citizenship status. In the Greek conception of citizenship, the sphere of freedom and politics was separated from the private sphere (the household was left to women and children) and the sphere of labour and commerce (involving slaves and *metics* as non-citizen residents). On the other hand, the Roman notion of citizenship bestowed status and legal personality upon those possessing the title of Roman citizen across the Empire and citizenship was mostly understood as the right to own, to possess and to manage 'things', regulated by law.

   A citizenship would surface again in the townships and guilds of the late Middle Ages and with early capitalist development.[2] However, we cannot talk about *modern* citizenship, defined by at least a formal juridical equality of all citizens, before the late eighteenth century and the early nineteenth century. Democratization of political rights was the focal point of all struggles of the last two centuries and their principal framework was the nation-state; the hyphen between the two words implied a congruence between a political community

(nation), its political and administrative institutions (state) and, inevitably, territory. However, the ideas about what defines a 'nation', how its 'state' should be organized (monarchy or republic, democracy or dictatorship, socialist or capitalist, etc.) and where exactly its territory is or should be differed and still differ sharply, often resulting in internal and international conflicts.

The modern national citizen is thus a product of both juridical status guaranteed by his/her state and of *nationalization* of individuals transforming them into members of their nations by providing various degrees of (ethno) cultural identity. This *double coding* was applied, although differently, in almost all cases of nation-building (Habermas 2000: 113). This process could also be described as the mass production of *national citizens* out of individuals previously fragmented into a variety of class, ethnic, regional, linguistic, religious and corporatist groups. The social, economic and political life of *homo nationalis* is therefore marked by everyday interactions with state institutions, ranging from education and health systems, to army conscriptors and tax collectors. The state provides citizens with tools for work, communication and migrations, and with limited or, at times, extended social mobility. In order for industrial capitalism to function properly, it requires an 'anonymous, fluid, and mobile' population (Gellner 1983: 138).

The life of the national citizen is marked by a developed range of duties (most prominent being military conscription and tax obligations), the control of his/her movements (Torpey 2000), sanctions for transgressing social rules and laws and surveillance if he/she is categorized as belonging to socially excluded or 'dangerous' groups (Foucault 1975). It is not surprising then that the constitution of modern national citizenship went hand in hand with 'the invention of the passport' (Torpey 2000) and various techniques of establishing a person's identity (Groebner 2007). States monopolized the 'legitimate means of movement' (Torpey 2000) and established control of movements of citizens and non-citizens alike through a system of international passports, internal passports and identification cards. Although the practice of issuing documents confirming one's identity has its roots in the late Middle Ages and early modern Europe (Groebner 2007), the systematization of identity documents that started in the late eighteenth century developed throughout the nineteenth century to become a generalized practice by the early twentieth century.

The development of modern citizenship was intimately related to the progressive expansion of rights. In 1949, T. H. Marshall gave a famous lecture on *Citizenship and Social Class* in which he divided citizenship according to three types of rights it provided: *civic, political* and *social*. However, these rights are of

recent origin and correspond to three distinct phases in the history of capitalist societies and their expansion in the West or, more precisely, in England. In the eighteenth century, citizenship meant *civic* rights, entailing individual freedom, the right to own property and the right to justice. *Political* rights would start to expand only a century later and the process would end in the early twentieth century. *Social* rights including economic, educational and social privileges, whose goal was a more egalitarian national society, were only acquired by the mid-twentieth century (1950: 10–14). A growing list of rights related to citizenship is primarily due to the long struggles of those excluded from political rights (working class, women, colonized, etc.), whereas social rights would only appear with the advent of capitalist welfare or socialist states. It is only in the second half of the twentieth century with further democratization and de-colonization that most parts of humanity started to enjoy various degrees of full citizenship, although for so many individuals on earth effective benefits of citizenship were and often are reduced, revoked or out of reach altogether.

The logic behind T. H. Marshall's 'trinity of rights' implied a progressive growth of rights. However, since the late 1970s, we have witnessed a progressive dismantling of the welfare state model as a result of the simultaneous processes of deregulation, privatization and individualization (Bauman 2005). The 'neoliberal' process, involving a wide range of economic and social policies, has brought us into a situation in which social rights are no longer seen as guaranteed by citizenship. With the collapse of the state socialist regimes came an abrupt end to many social rights they provided to their citizens; in post-socialist societies, free market economy and liberal democracy, and thus expansion of political and civic rights, came eventually together with neoliberal reduction of social rights. Since the 1970s, we can also observe the parallel rise of cultural or group rights as well as the shift from distribution to recognition (Fraser 1995). Recognition of minority rights transformed the traditional identity dimension of national citizenship, although at the same time states often promote an integrationist agenda and restrictive citizenship policies (Joppke 2007).

If the reduction of social rights removed the possibility of substantial and not only formal equality among citizens, proliferation of demands for recognition of cultural rights reminded us of the blind spots of the imposition of unified national citizenship and signalled the shift towards differentiated citizenship. In other words, not only that global markets and neoliberal capitalism have shaken the social fabric of national political communities but the very idea of sharing belonging and identity, often seen as necessary or at least desirable for a stable national community, seems undermined (see Shaw and Štiks 2013b).

Furthermore, national citizenship is under attack from both supranational economic and political processes, transnational reconfigurations of communities, armed with new communication technologies and subnational mobilizations. The regional communities such as the EU bring another understanding of citizenship. Although limited in its political influence European citizenship brought some new rights and possibilities for citizens of the EU member states, especially extended electoral rights (see Shaw 2007). At the same time, some of its current members are facing prospects of secession or calls for more autonomy from their regions (in the United Kingdom, Spain or Belgium), whereas seven current EU members were not so long ago part of larger multinational federations.

As a result of changing international borders, economic dynamics, political dis/integrations, intensive migrations, the proliferation of diasporic groups and identity-based politics, political communities have become increasingly complex and overlapping. The rise of dual and multiple citizenship, as well as a wide range of statuses that a person could possess (especially a migrant and nomadic one), complicates the classic relationship between an individual and a state as well as the definition of rights and duties. Resident citizens share to various degrees their political community with non-citizen residents, non-resident citizens and even by non-citizens who are also non-residents (usually in cases of ethnic diasporas). Naturally, migration flows result in a proliferation of partial citizenship for migrants (Bauböck 2011) and pose the question of who has the right to participate and who is a stakeholder in a given community (Bauböck 2008). Some of the old characteristics of citizenship such as membership, belonging, identity and rights have been decoupled or are under tension (Soysal 2000). Global economy and technology have also created within nation-states different *zones* with varying economic and social privileges, from concentrated wealth to slums (Ong 2006). All these transformations of contemporary citizenship mean that individuals will continue to face changing political authorities, the unpredictable logic of inclusions and exclusions, territorial recompositions as well as to enjoy, or be deprived of, multiple statuses and memberships as well as vacillating rights, duties and responsibilities.

What is citizenship regime?

In order to understand what happens to individuals, citizens and non-citizens alike, in certain parts of the world and at a given period, and how the different components of citizenship interact with each other within a certain social, political, economic and international context, there is a need to supplement the

concept of citizenship, in its various forms and dimensions, with the concept of citizenship regime.[3] A 'citizenship regime' comprises the citizenship laws, regulations and administrative practices regarding the citizenship *status* of individuals, including existing mechanisms of political participation (*quality*). More precisely, a citizenship regime is based on a given country's citizenship legislation defining the body of citizens (citizenry), on administrative policies in dealing with citizenship matters and the status of individuals on a given territory and, finally, on the official or non-official dynamic of political participation, inclusion and exclusion. 'The concept encompasses a range of different legal statuses, viewed in their wider political context, which are central to the exercise of civil rights, political membership and – in many cases – full socio-economic membership in a particular territory' (Shaw and Štiks 2010: 6).

Every citizenship regime is influenced by other, often neighbouring citizenship regimes, and, conversely, in the age of intensive migrations and the proliferation of dual and multiple citizenship, every national citizenship regime necessarily extends beyond its own borders. In addition to that, a citizenship regime is constituted, and thus conditioned, by a specific legal set-up that includes not only domestic laws and regulations on citizenship matters but also international conventions and norms. A citizenship regime should also take into account concrete, practical and everyday interactions between citizens and non-citizens with a given state regulating citizenship matters on a given territory. This will include the rules and processes governing the acquisition and loss of membership statuses, external citizenship and various internal 'quasi-citizenship' statuses.

However, the formal set of relationships needs to be placed within the wider context of constant political contestation and of concrete struggles over the content, range and enjoyment of citizenship rights and forms of participation. Formal possession of citizenship does not guarantee a wide range of rights or their actual enjoyment, and equal participation. On the other hand, depending on circumstances, those without formal citizenship might still in practice enjoy certain citizenship rights as well as a certain degree of participation as a result of their residence status. Thus both expansion and reduction of rights and participation of citizens and non-citizens alike depend on the actual functioning of a citizenship regime, which is always a result of social and political interactions, dynamics and struggles. Finally, it is not just formal rules that define citizenship regimes, but also formal and informal ideologies, personal and collective narratives, individual and group beliefs, social rituals and practices and everyday experiences.

It is especially important to bear in mind the concept of citizenship regime suggested here while analysing citizenship in Yugoslavia and post-Yugoslav states between 1914 and today. Only a fine understanding of the functioning of all these elements of citizenship regimes in this region will help us grasp the reasons behind their numerous changes and often tragic transformations.

In Yugoslavia, and after: Citizenship as research field, citizenship as battlefield

Citizenship is one of the central political concepts that, surprisingly, attracted only marginal attention during the existence of Yugoslavia and, until recently, after its disintegration. During the Yugoslav times one can only find legal commentaries by local experts on the matters of citizenship status regulations, the content of law and on the administrative practices (Jovanović 1977; Tepić and Bašić 1969). One possible reason for the almost total marginalization of the concept of citizenship by local scholars could be found perhaps in unfortunate translations of *citizenship* and *nationality* in the local languages. Citizenship as the status of being a citizen of a state (what is in international documents often described as *nationality*) is translated as *državljanstvo* (a status related to the state, *država*), whereas *nationality* (*nacionalnost*) itself actually means the ethnocultural belonging of a person, or ethnicity. The only other possible translation of citizenship is to use the polysemic word *građanstvo* (related to the city, *grad*) that at the same time could describe public activities of citizens ('active' citizenship), a special social group (city dwellers) and a specific class (bourgeoisie). *Državljanin* is a citizen of a state, whereas *građanin* again is the term used for public political and social activities but also for city inhabitants (as opposed to those coming from rural areas). In local languages, save for Slovenian where *državljanstvo* is the term for both status and activity, *državljanstvo* is thus understood as formal status, something related exclusively to legal and administrative matters.

At the same time, *građanstvo* creates a terminological confusion and ideological polemics. A liberal understanding of the political role of *građani* and the idea of *građansko društvo* (civil society) is confronted with left-leaning and Marxist understandings of class struggle and emancipation. Therefore, in socialist Yugoslavia several categories (working people, working class and citizens) were often mentioned alongside each other in legal documents and public discourses with a specific understanding of their roles in the self-managing socialist

community. In short, the problem of translation of political concepts should not be neglected here: if, for instance, French *citoyenneté* is usually understood as active public participation, even as a progressive emancipatory force of citizens taking matters of public interest into their own hands, *građanstvo* in the South-Slavic languages would not necessarily have the same meaning and, moreover, would depend on who is actually using it. To avoid misunderstandings, in this study we are interested in the dynamic legal–political relationship and tensions between citizenship as status and citizenship as political and social participation and activity (the *quality* of being a citizen) or, in other words, between *državljanstvo* and various forms of *građanstvo* (non-related to the *bourgeoisie* as a social or hegemonic class).

Citizenship as status started to attract scholars after the ethnocentric exclusiveness of the new post-Yugoslav citizenship laws and practices proved to be not only a serious obstacle to their democratization but also a grave violation of basic human rights for a significant number of individuals. It is small wonder that the research on citizenship was undertaken by mostly legal scholars and some human rights activists rather than political analysts. Starting in the second half of the 1990s one finds works dealing with the right to nationality (Čok 1999), citizenship laws in a comparative manner and their political ramifications in the post-Yugoslav states (Pejić 1998), studies relating the citizenship issue to constitutional design and political changes in general (Dimitrijević 1998; Hayden 1999; Verdery 1998) and three volumes on the citizenship laws and practices in Yugoslavia's successor states prepared by legal experts, supported by international bodies and international NGOs (non-governmental organizations) (Dika, Helton, and Omejec 1998; UNHCR 1997 and, much later, Imeri 2006). Since 2009, the project on 'Europeanisation of Citizenship in the Successor States of the Former Yugoslavia' (CITSEE, University of Edinburgh), with which I have been associated as a researcher, has produced numerous country case and thematic studies related to citizenship in post-Yugoslav and wider Balkan space.[4] By now a body of scholarly work on citizenship *after Yugoslavia* (see Shaw and Štiks 2013a and the CITSEE working papers' series) has grown considerably.

However, if we put aside the collections of laws published in Yugoslavia with introductory texts written by legal experts, the body of works on citizenship *during Yugoslavia* is reduced to a valuable legal assessment of Yugoslav citizenship in its federal and republican forms (Medvedović 1998), a commentary on Yugoslav citizenship related to post-Yugoslav development (Drouet 1997), a chapter on citizenship and civil society written in a book on Yugoslavia's disintegration (Allcock 2000) and my own work on the matter that

serves as the basis for this book (Štiks 2006, 2013). A student of citizenship in socialist Yugoslavia thus must turn to related and complementary studies on Yugoslav constitutional development (see Dimitrijević 1995; Hondius 1968), federal structures and institutions (see Bunce 1999; Cohen 1989; Ramet 1992) and the general functioning of the Yugoslav political system and citizens' role and participation in it (see Burg 1983; Djilas 1991; Jović 2003a; Rusinow 1977).

Above I offer possible (both terminological and ideological) explanations of why local scholars marginalized the question of citizenship. Another unanswered question is why citizenship in Yugoslavia fell below the radar of international scholars. Since the reason cannot be terminological, it is to be found in ideological positions on the matter (adopted by local scholarship in the post-socialist period) and the widespread opinion among scholars that citizenship as such is intimately related to liberal democracy or, in other words, to political participation of citizens through free elections in a multi-party system. Therefore, citizenship in socialist countries, characterized by one-party rule, could not be *genuine* citizenship, or so the argument went. Rather, it was considered to be little more than a pure legal category bereft of any real political value and thereby unworthy of serious political analysis. A similar opinion is widely held with regard to two related fields, namely socialist constitutions and socialist federalism. If 'really existing' citizenship, constitutions and federalism are the exclusive reserve of liberal democracy, then citizenship, constitutions and federalism in socialist countries exist only 'on paper': 'in a very strict sense only a democracy can be a federal system' (Stepan 2004a: 32). This belief prevented a number of scholars from effectively exploring what citizenship, constitutions and federalism – and the relationship between them – actually meant in socialist regimes and how they helped shape the political system, the nature of political participation, the political dynamic in these societies and, finally, their disintegration. By dismissing socialist institutions as basically *illegitimate*, one fails to realize what actually happened to these institutions once democratization gave them 'legitimacy' and how they operated and, eventually, accelerated disintegrative processes. The important role that institutional arrangements of socialist countries played in the final years of these regimes (see Bunce 1999) proves that we should not neglect their significance.

This is especially the case of Yugoslavia and its disintegration process. By rejecting the view that citizenship is exclusively owned by liberalism and by showing multiple transformations of citizenship in socialist Yugoslavia that will have direct consequences on the process of transition to liberal democracy and free market economy, this book aims at bridging this obvious gap. The Yugoslav

and post-Yugoslav examples show how citizenship is not only a contested concept and a research field but indeed a real battlefield, both academic and political. To perceive citizenship as only the right to elect and be elected at multi-party elections, as the right to vote and to openly express political opinions within a strong civil society and independently of state control, is to imagine an idealistic vision (unspoiled by socio-economic concerns) of citizenship in a perfectly functioning liberal democracy. It also means limiting citizenship studies only to this wishful model presented thus as the normative ideal and cutting out the formation and functioning of political communities in different periods, different parts of the world (not only in the Western hemisphere) and under different ruling and ideological regimes.

Socialist citizenship, or citizenship in socialist countries built in accordance with the general ideology of Marxism–Leninism, was conceived and practised often in direct opposition to liberal democracy and 'bourgeois parliamentarism'. Scholars have mostly failed to take a closer look at the theory and practice of socialist citizenship and equally failed to detect what exactly the 'rights and duties' of socialist citizens were in those countries led by the single, or as in Yugoslavia, federalized party playing the ideological role of the political avant-garde of the working class. As the ideological victor, liberal democracies successfully managed to sideline other political models and other democratic experiments different from the representative system run by biparty or multi-party system of periodic elections. Therefore, we are left without a serious account on how, acting in accordance with their main ideological principles, socialist countries – as is the case with any other polity – defined their own rules of political inclusion and exclusion. Access to the socialist *agora* was generally, but differently in different socialist states, open to members of the party, to members of a variety of trade unions, different organizations and movements such as youth organizations, or, in Yugoslavia, the massive Union of the Working People of Yugoslavia and, finally, to self-managed economic collectives and associations.

Invoking T. H. Marshall's model of historic development of modern citizenship, Gershom Shafir notes that socialist dictatorship performed badly when it came to *political* and *civic* rights, but performed very well when it came to *social* rights (1998: 15). I would add to this that many state socialist regimes also performed well in the areas of *cultural* rights for ethnonational groups, and also of women's rights. The expansion of citizenship and social rights after the Second World War aimed at annulling or changing modern citizenship's historic relation to capitalism, understood already by T. H. Marshall, which manifests itself as the situation in which 'in modern capitalist democracies,

socio-economic inequality and exploitation coexist with civic freedom and equality' (Meiksins Wood 1995: 201). During *les trente glorieuses* in the Western welfare state, in state socialist countries not only social but properly speaking *socialist* rights were the most prominent characteristic of citizenship. Socialist rights aimed at rapid bridging of the inequality gap by annulling the detrimental social and economic logic of capitalist markets and replacing them with a wide state-controlled redistribution system. Among other rights, socialist rights guaranteed full employment, a publicly funded education and health system, housing rights and, in Yugoslavia, workers' self-management as social ownership and workplace democracy coupled with the elaborated delegate system of representation in the political sphere (Kardelj 1977: 156–187; Višnjić 1977):

> The basis of all freedoms and rights of working people and citizens in our socialist society is the right to self-management. This is a new and direct democratic socialist right, which is possible solely in the conditions of the social ownership of the means of production and the ruling position of the working class in the society. This right is unquestionable and inalienable and as such belongs to all working people and citizens. (Kardelj 1977: 119)

One often forgets the main ideological premise of these societies, namely their orientation towards the future and the overarching goal of achieving 'really existing socialism' and, eventually, communism. They claimed (in theory at least) to be more democratic, more humane, more legitimate and morally superior to the capitalist regimes. Actually, all of these systems experienced a deep crisis of legitimacy, not because they failed to construct or reconstruct classical liberal democratic institutions but because these regimes failed to achieve what they had promised and what they claimed to be doing, namely radical social emancipation, the liberation of men from inhumane exploitation and a genuine (unlike oligarchic 'bourgeois') democracy that entails, among other things, respect for basic human rights.

As social engineers, Yugoslav communists turned an agrarian country of mostly poor and illiterate people into an urbanized industrial society of relative social equality and rapid social mobility. Moreover, they could argue that they actually surpassed the liberal democratic model by their decentralized system of delegates (Kardelj 1977: 97–102) and by the self-managing system of workers' ownership, with all its successes and failures, as the largest experiment ever undertaken in industrial or workplace democracy (see Pateman 1970). Citizens were not only citizens once in four years but, ideally, on an everyday basis via

their workplaces that, furthermore, they legally owned. The reality, already signalled by Yugoslav scholars at the time, was not always as rosy. It resulted often in concentration of power in the hands of managerial class, usually related to their own republican party leaderships, that pushed for more liberal market reforms creating competition and inequalities among producers and, which turned out to be politically more explosive, among republics (see Suvin 2014; Unkovski Korica 2015).

Socialist Yugoslavia seems to serve also as a counterexample when it comes to federalism: it was for the majority of its existence a relatively functional multinational federation that could be even branded a confederation after the constitutional changes between 1967 and 1974 that offered substantial autonomy not only to its constituent republics but also to the autonomous provinces in Serbia. Needless to say, the party itself was not as monolithic as in the USSR and Czechoslovakia but rather was partitioned along republican and provincial lines. If Yugoslavia was not politically pluralized, the Communist Party was internally pluralized. This proves that a federal institutional organization, dormant or not, matters and that once in place, these institutions are or could be politically important and 'can become catalysts for unexpected (and unwelcome) change' (Gibson 2004: 9).

However, in spite of the structural differences between multi-party and single-party federalism, federalism in ex-socialist countries, and certainly in Yugoslavia, 'structured the relations between state and society in important and enduring ways' (Irvine 1997: 12). As Valerie Bunce concluded, '[t]he fact remains that federalism in practice created nations and states-in-the-making in Yugoslavia, Czechoslovakia and the Soviet Union' (Bunce 1997: 354). In the last paragraphs of his valuable book on socialist Yugoslavia, Dennison Rusinow concludes that, by the 1960s, Yugoslavia had become a system that 'could no longer reasonably be called totalitarian or even a Party autocracy'. In his opinion, Yugoslavia was a 'polycentric polyarchy involving a network of elites to which access was usually open to all except a few minorities excluded by geographical, cultural or self- or externally-imposed ethnic or ideological isolation'. Back in 1977 Rusinow was convinced that 'Yugoslavia would become merely another slovenly, moderately oppressive, semi-efficient, semi-authoritarian State run by an oligarchy of contending elites, a society in which many people are free and participant and many are not. Like most States' (1977: 346–347).

In 'most states', citizenship should nonetheless turn members into citizens that share a strong degree of mutual loyalty and the commitment to a common future. John Allcock, a rare international scholar of Yugoslavia interested in citizenship, explains the failure of Yugoslavia as principally a

failure of modernization related to the lack of civil society and of a sense of citizenship, both of which are, in his view, characteristic of modernity. 'At the heart of the failure of the Yugoslav state to modernise has been its inability to institutionalise citizenship' (2000: 301–302). Obviously, Allcock here has in mind the belonging and identity dimension of citizenship rather than the firmly institutionalized two-tier citizenship in federal Yugoslavia (of which he does not seem to be aware). Allcock knows that citizenship played a certain political role in Yugoslavia (2000: 303), but he maintains, similarly to Sabrina Ramet (2006: 603), that it failed to produce a strong sense of Yugoslav political identity and a pan-Yugoslav political culture.

These goals basically presuppose the functioning unifying nation-state model and the solidarity and cohesion provided by cohesive national citizenship. Such integrative measures had failed already in the inter-war Yugoslavia (see Chapters 1 and 2). After the mid-1960s, the practice of what I call centrifugal federalism and bifurcated citizenship in socialist Yugoslavia (see Chapters 3 and 4) was diametrically opposed to any attempt to integrate South Slavs into a single nation precisely because of the resentment occasioned by the inter-war experience. Nevertheless, I do agree with Allcock, Ramet and Linz and Stepan (2001 [1992]) that a stronger dose of all-Yugoslav political culture vis-à-vis ethnonational fragmentation would have made the breakup of the country less probable and would have created a potential for political mobilization around the idea of supranational political community. However, we cannot ignore the fact that the democratization of Yugoslavia occurred within an intentionally already highly decentralized federation where, as is later argued in this study, republican citizenships became more important *politically* than federal citizenship as such. I show in this study not only why Yugoslavia in the 1980s was in a deep crisis of its economic and political model (Chapters 4 and 5) and why from 'an oligarchy of contending elites' it found itself run, again, by 'an oligarchy of contending elites', only this time legitimized by poorly organized multi-party elections (Chapter 6), but also what was the role of citizenship in the process of its disintegration (Chapter 7).

Citizenship as a political history of Yugoslavia and the post-Yugoslav states

Citizenship can be also defined as a tool of any state or nation-building process as it is supposed to provide for elementary solidarity and legal equality among the individuals who form a community within which they mutually recognize

themselves as co-citizens. The history of Yugoslavia and the independent states that were built upon or out of its ruins provides an instructive and rare example of how citizenship can be used as a *tool* for different and even opposing goals (Štiks 2013). Citizenship was a tool of national integration in the first Yugoslavia (1918–1941), a tool of socialist re-unification after the failure of the previous national integration and the wartime inter-ethnic conflicts (1945 to the mid-1960s), a tool of cooperation among nations and republics in a socialist multinational (con)federation (beginning in the late 1960s and continuing until 1990), a tool of fragmentation and dissolution (1990–1992) and, finally, of ethnic engineering. Since 2000, the process of joining the EU has been dominating the region and the EU is one of the most powerful external factors in shaping post-Yugoslav citizenship regimes. Although generally citizenship policies are more inclusive than in the 1990s, one can observe that citizenship is still used as a tool of reconciliation and re-integration but also as a tool of ethnonational consolidation and further divisions.

The first Yugoslavia was born at the end of the First World War when the military situation and political circumstances opened up the possibility of the realization of a nineteenth-century idea: that culturally and linguistically similar South Slavs should form their own national state. To paraphrase Massimo D'Azeglio's famous judgement on the Italian *Risorgimento*, after the creation of Yugoslavia it was necessary to create *Yugoslavs*, out of South Slavs and numerous minorities. Therefore, the Yugoslav Kingdom was conceived as a unitary state with a single citizenship (introduced only in 1928) and as one nation, though composed of three 'tribes', Serbs, Croats and Slovenes (see Chapter 1).

It very soon became clear that it was easier to create Yugoslavia than Yugoslavs. The powerful regional nationalist movements each aspired to form an independent state or, short of that, required more autonomy for their units within Yugoslavia. The unitarist project, in the context of the political hegemony of the centre (Serbia), was resisted from the beginning by separate national groups (especially Slovenes and Croats) that had different political and historic memories and different and sometimes opposing political goals. Demands for autonomy and federalism of smaller groups and units were supported by a rising political force, namely the Communists. After initial disputes on the nature of Yugoslavia, Yugoslav communists adopted federalist Yugoslavism as the formula to solve the 'national question' in Yugoslavia. Yugoslavia was destroyed by the Axis powers in Spring 1941 which unleashed fascist terror, inter-ethnic killings and fierce war for liberation, which brought to the fore the popular resistance movement led by the Communist Party and its charismatic General

Secretary Tito. Their 'solution' for Yugoslavia combined the preservation of the country in the federal form, inter-ethnic reconciliation and national and social emancipation (see Chapter 2).

Yugoslavia re-emerged on the political map of post-war Europe as a federation of six republics. One of its crucial innovations from the very outset was to add citizenship to the republics' attributes of statehood. Citizenship in socialist Yugoslavia was from the very beginning defined as having two levels and it was legally and politically bifurcated into federal and republican citizenships. As part of the package of the 'just' solution to the national question, bifurcated citizenship in post-war federal Yugoslavia was a tool of the socialist re-unification of the country. It meant both a commitment to the idea of a South-Slavic state and the acknowledgement that its brotherly nations should develop fully and independently but preferably – as advocated between 1945 and the mid-1960s – in the direction of a higher socialist unity (see Chapter 3).

However, from the mid-1960s, first within the party and later in the far-reaching constitutional changes in the late 1960s and early 1970s it was acknowledged that over the years the South-Slavic brothers had evolved into independent partners. Yugoslavia's internal structure and the relations among the republics were defined by what I call *centrifugal federalism*, a process of gradual but irreversible empowerment of the subunits at the expense of the centre. It was the *device* that transformed Yugoslavia from a centralist federation into a confederation. It also transformed bifurcated citizenship in Yugoslavia from a tool of re-unification of 'brothers' into a tool of cooperation among equal partners (see Chapter 4).

In spite of decentralization and centrifugal tendencies, one has to take a long view over the whole century to understand why the Yugoslav idea or *Yugoslavism* was one of the most powerful mobilizing forces in this region and how it started to lose its attraction and, finally, its political weight after the death of Tito in 1980. No citizenship regime is only legally defined; without a certain ideological conviction that certain numbers of individuals should live in common political community, no matter how organized, no political entity is really possible or enduring. The progressive abandonment of the idea of Yugoslav political identity and citizenship was an introduction to Yugoslavia's dissolution (see Chapter 5). At the end of the 1980s and the beginning of the 1990s citizenship became one of the factors behind Yugoslavia's disintegration, an additional tool of dismantling of its multinational federation. It critically influenced the democratization process (see Chapter 6), disintegration (see Chapter 7) and even the outbreak of

violence (see Chapter 8). Citizenship was, of course, one of many factors, but it is one which has not yet received sufficient attention (see Chapter 7).

Democratization came to Yugoslavia via its republican backdoors and never reached its federal institutions. The right to participate in the liberal democratic game of free elections and post-electoral formation of coalitions, with minorities and majorities, was at first extended to all residents of the republics. However, trans-republican ethnic solidarity began to dominate the Yugoslav political space. It involved the vision of an ethnocentric state that would reassemble most, if not all, ethnic members in one state. It is therefore not surprising that, in the context of the Yugoslav political crisis, the election results revealed strong support for ethnic leaders and ethnic parties (see Chapter 6). The ethnonational conception of citizenship prevailed and fuelled violent conflicts over the redefinition of national borders within which the ethnonational states were to be formed on the basis of the absolute majorities of the core ethnonational groups. Democracy, on this view, was seen as workable only if it was essentially ethnonational and, conversely, the ethnonational group or ethnic nation was understood as the only workable framework or basic unit for democratization (see Chapters 6 and 7). In the context of disintegrating federation and inter-ethnic mistrust, fuelled by nationalist forces and aggressive media propaganda, one can detect, in my view, three main triggers of violence: the question of territory and borders, the role of the failing federal army and, finally, citizenship or, in other words, the search of citizens for a political community in which they would secure their rights and equality and for a state that would guarantee their protection. These three triggers of violence were to various degrees present in all violent conflicts in the post-socialist space (see Chapter 8).

What initially presented itself as ethnic solidarity and a nationalist vision of recomposition of previously existed communities into neatly divided ethnocultural groups governing 'their' territory was soon enshrined in legislation. Almost all of the successor states of the former Yugoslav federation have used their respective citizenship laws as an effective tool for ethnic engineering. Citizenship laws played a key role in determining the citizenry of the new states. Where there were equal citizens of the Yugoslav federations, in the post-Yugoslav states we find four unequal groups: the included, the invited, the excluded and the self-excluded (see Chapter 9). All former citizens, regardless of their ethnic backgrounds, who were registered in the citizens' republican registers were automatically transferred into new registers. Those were the *included*. However, some – ethnic kin in the neighbouring republics and overseas – were also *invited* to join the citizenry of the new states. And, while some were invited,

some long-term residents were *excluded*. Their situation was often even more complicated if they were of different ethnicity to the core ethnic group of the republic where they lived. Finally, some decided to *self-exclude* themselves from the new citizenship regimes, with the idea of forming one's own ethnically based state and/or joining their kin state and its citizenship.

Since 2000, we have generally witnessed greater inclusiveness and less discrimination on ethnic grounds, as well as increased sensitivity to the political aspirations of minorities. However, citizenship is still a *tool* of ethnic nation-building, divisions and discriminations in this region of overlapping and inter-dependent citizenship regimes (see Chapter 9). In the context of the aspirations to join the EU, we can observe how the EU (mis)manages these citizenship regimes, legislation and administrative practices in these states as well as general political behaviour (see Chapter 10). Regardless of an eventual integration into the EU of all post-Yugoslav states, which would add the European citizenship framework for their citizens, one is tempted to ask if and how one-time brothers, yesterday's enemies and today's neighbours will become tomorrow's partners.