

Ethnic discrimination in Slovenia after its independence

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Introduction

Slovenia is a multi-ethnic post-socialistic country in central Europe. It was part of the Socialist Federal Republic of Yugoslavia until 1991 when it became an independent state. Despite the country's attempts at being a democratic country open to diversity, reflecting modern Europe's values, discriminating behaviors and attitudes are still present in the daily life of ethnic minorities. This essay aims to delve into the topic of discrimination in Slovenia, specifically after its independence. Meanwhile, considering Slovenia's historical backdrop, and relations with its ethnic minorities. The essay explores the experiences of the "new" ethnic minority and the act of Erasure, which was one of the most openly discriminatory acts in the history of the country.

Historical Context

To begin an essay on ethnic discrimination in post-independence Slovenia, we must first consider its history as part of the former Socialist Federal Republic of Yugoslavia (SFRY). Slovenia gained its independence on June 25, 1991. As a state, it came about as an ethnopolitical construct based on mounting pressure in both Royalist (1918 to 1941) and Communist (1945 to 1991) Yugoslavia. Before the establishment of former Yugoslavia, it was under the control of various foreign powers, including Austrian and Italian authorities. In these historical contexts, ethnic Slovenians were considered a minority. Following World War II, the population demographics of the region shifted towards a Slovenian majority due to the expulsion of Germans, Austrians, and Hungarians (Blitz, 2006).

Former Yugoslavia was formed as a federation consisting of six constituent states and two autonomous provinces within Serbia. The six states included SR Bosnia and Herzegovina, SR Croatia, SR Macedonia, SR Montenegro, SR Serbia, and SR Slovenia. The two autonomous provinces were SAP Kosovo and SAP Vojvodina (Pistotnik and Brown, 2019). The polity of

former Yugoslavia was made up of two parts. It had a federal structure on a national level, and it had sub-state entities on a republican level. From 1945 to 1974, four different constitutions were adopted, leading to a transition from centralist federalism to centrifugal federalism, which granted greater autonomy to its sub-units (Pistotnik and Brown, 2019). In other words, the constitution of 1974 established the sovereignty of the individual republics. While there was an attempt to transcend national identities towards a unitary Yugoslav identity, the mentioned transition gave rise to nationalism within these separate units. Meanwhile, the Yugoslavian state with its national identity diminished. Increasing debt additionally weakened the united national identity and caused dissatisfaction in Croatia and Slovenia, who were economically better off but had their wealth distributed to other regions in need of support (Pistotnik and Brown, 2019).

In former Yugoslavia, Slovenians were considered more advanced and separate from the Balkans. For example, Slovenian household items were seen as superior in comparison to the ones coming from other Yugoslav states. The notion of Slovenia not being associated with the Balkans enhanced during the 1980s, coinciding with the economic crisis (Boškovič, 2005). This ideology expressed itself in Slovenian anthropology and ethnology in the 1990s. The two fields emphasized the differences between Slovenia and the rest of the Balkans. They aimed to create a distinct image of Slovenia overlooking the historical background from 1918 to 1991 that contributed to its formation (Boškovič, 2005).

Ethnicities Within Independent Slovenia

Despite a majority of 83.1 % of the population defining themselves as Slovenians in a census in 2002, the land where Slovenia became independent in the 90s was never ethnically homogenous (Kralj, 2008). The number of ethnic minorities and their political and economic power have changed throughout history. The change of Slovenian borders in the 90s left the territory with many different ethnicities. As of present, there are two distinct categorizations for them (Medvešek, 2007). The first group includes historical national minorities. The Slovenian constitution defines them as autochthonous national communities. Although there is no specific explanation for the adjective “autochthonous” in the constitution, Italian, Hungarian, and Roma ethnic communities are recognized within this group. The second category includes “new” national communities. Among them are members of nations of the former Yugoslav state. They

have immigrated to Slovenia throughout the entire time of its existence, especially during the mid-sixties from the last century onwards. Mostly for economic reasons (Medvešek, 2007).

The Slovenian regime's protection of national and/or ethnic minorities is multi-layered. The first dimension covers comprehensive legal protection of historical national minorities. Legal protection includes, in addition to constitutional provisions, a set of applicable provisions found in multiple fields of legislation (Medvešek, 2007). Among the special rights meant for autochthonous members is stated in the constitution's Article 11: The official language in Slovenia is Slovenian. In the areas of municipalities, in which Italian or Hungarian national communities live, the official language is also Italian or Hungarian. Article 64 of the constitution guarantees the right for the autochthonous Italian and Hungarian national communities and their members to freely use their national symbols and to establish and develop economic, cultural, and scientific research organizations to preserve and nurture their national identity. By law, these national communities and their members have the right to upbringing and education in their language and to the ability to form such an upbringing and education. The law also defines areas where bilingual education is mandatory. National communities and their members are guaranteed the right to cultivate relations with their mother nations and their countries. Slovenia has a moral and material obligation to support these rights. At the suggestion of these communities, the state can authorize self-governing national communities for the management of certain tasks under state authority and provide funds for their implementation (Medvešek, 2007).

There is also a selective scope of provisions for the protection of the Roma community. Although there is only a basic model for preserving the national identity of "new" national communities (Medvešek, 2007).

It is important to note that the Constitution does not have specific provisions for the protection of "new" minority communities or "revived" German-speaking national communities. The only constitutional provisions that these two communities can rely on are two articles. The first one is Article 61 meant for preserving their national identities, which relates to the expression of national belonging, and Article 62, which enables the members to use their language in speech and writing (Medvešek, 2007).

"New" Minority

“I have always had a problem with this differentiation between Slovenians and Non-Slovenians. Non-Slovenians are not English or Hungarians; they are always ‘the ones from the south’.” - Velimir Bijelić, representative of Slovenian-Montenegrin Friendship Society (Kralj, 2008).

The quote above highlights the greater distancing of the Slovenian majority from the ex-Yugoslav minority compared to other nations and ethnicities. It is evident in research conducted in the past that the majority population has a negative perception or attitude when it relates to different immigrants living in the country. Discriminatory attitude is especially apparent for members coming from republics of ex-Yugoslavia (Kralj, 2008).

Results of a public opinion poll in 2002 show that 34.2 % of the population would prefer to live in an area where there is little ethnic difference. Members belonging to “new” national communities in Slovenia experience covert and overt discrimination in numerous ways, particularly in areas such as education, social and political participation, media access, and their everyday lives. One of the main contributors to these problems is the lack of recognition and protection under the law which impacts their ability to maintain their national identity and simultaneously participate in Slovenian society (Kralj, 2008). As stated beforehand, Slovenia recognizes autochthonous minorities and grants them many different rights as written within the constitution. For example, it grants them the ability to foster their mother tongue, and culture in upbringing and education. In contrast, due to the lack of regulations and state support, there is a less inclusive situation regarding additional classes of the mother language and the culture of “new” minorities. Members of these communities mostly have to organize and fund these educational activities themselves (Kralj, 2008).

An interviewee from an association of Albanian cultural societies expressed that the government approves of Albanian language lessons, while not providing enough funds for teachers (Kralj, 2008). Similarly, in an interview with a representative of the Croatian community, concerns were expressed about schools not covering costs, such as teacher salaries and travel for classes teaching the Croatian language, which the Croatian government covers. Additionally, the interviewee pointed out that the Croatian community being responsible for everything somehow creates a situation that resembles “getoization.” Some (Slovenian) children’s parents might be unwilling to let them attend these Croatian classes due to a fear of their children being judged, treated differently, and so on (Kralj, 2008).

Employment

“Look at this organigram; it is publicly accessible on the internet. This is the list of names of all people working in the Slovenian government’s agencies and services. 417 names are listed, only seven among them suggest non-Slovenian ethnic background. Seven!” - Vesna Miletić, Society of the Serbian Community representative (Kralj, 2008).

Employment is considered one of the most important facets of life when participating in society. It reflects the extent to which a person is integrated into it. Many immigrants choose lower-qualifying work due to varied reasons (Kralj, 2008). Some have higher qualifications, but their degrees are not recognized in the new country, and some do not hold the required education to perform jobs that are financially and socially more appealing. The number of unemployed people is higher among the non-Slovenian ethnic community. More specifically, the 2002 census database shows that unemployment rates are higher among second-generation immigrants, regardless of their ethnicity. One of the reasons behind this might be due to their parents moving to Slovenia in the sixties when there was greater work demand (Kralj, 2008).

Discrimination of people in hiring and the workplace is forbidden by the law. Thus, members of the new minority face discrimination of a more covert nature. Interviewees expressed that they are confronted with favoritism of Slovenians regardless of the qualifications of applicants when applying for work. Naum Taštanoski, from the Macedonian Cultural Society Macedonia, emphasized the lack of parliament members who belong to ethnic minorities (Kralj, 2008). Workplace discrimination also shows in the phenomena named the “sticky floor” and “glass ceiling,” translating to limited job advancement opportunities and stagnation of the role they are assigned within hierarchical work environments (Kralj, 2008). Furthermore, Slovenians are disproportionately represented across legislative, judicial, and executive sectors, and they hold main roles in companies as well. This indicates clear inequities in employment positions (Kržišnik-Bukić, 2003).

Social and Political Participation

“We have had some discussions with the Office for National Minorities. ... They did not approach us in a sense, like, ‘We are the experts in this field,’ or ‘We understand what you are talking about’ or ‘We will take some steps’. No, that was not the case! In fact, it was the case of

‘What do you want?’ or ‘There is nothing we can do’ or ‘There is no legislation.’ Well, this was precisely our point! There really is no legislation, but we would like to change it, so we could arrange our affairs more easily.” - Ivo Garić, Union of Croatian Societies in Slovenia representative (Kralj, 2008).

Official recognition under the constitution would enable members of these ethnic communities to gain sufficient resources to promote their language and culture. As of now, these activities are self-covered, and members rely mostly on donations from connected families and friends. Sometimes the activities are partially and (minimally) funded by the Ministry of Culture, the Public Fund for Cultural Activities, and local municipalities (Kralj, 2008). For this reason, a group of representatives of Albanians, Bosniacs, Montenegrins, Croats, Macedonians, and Serbs, gathered under The Association of Unions of Cultural Societies of the Constitutive Nations and Nationalities of the Former Yugoslavia in Slovenia. In 2003, they publicly appealed to the National Assembly of the Republic of Slovenia. Their goal was to gain official recognition of their status as national minorities residing in the Republic of Slovenia. This appeal happened during the Round Table of the European Commission against Racism and Intolerance. The arguments made for the appeal were that they have been communities that have been residing in Slovenia for a while and that with the recognition they could be further assimilated. Regardless, no suggestion proposed was considered or implemented (Kralj, 2008).

Based on research and interviews “new” ethnic minorities accentuated the need for proper legislation, as it would enable them to carry out cultural activities and do other things more easily. Consequently, they could be fully integrated into society as they would have the necessary foundation of rights as citizens (Kralj, 2008).

Representation in Media

“New” ethnic minorities' representation in the media is limited. As a community, they are often overlooked, which is tied to their sense of exclusion in society. In other words, the topic of broadcasting ethnic communities is marginalized, and many journalists are therefore not willing to pursue it. When they appear in the media, they are depicted either as being involved in certain conflicts or as victims of unfair treatment (Kralj, 2008). In contrast to one another, they are either shown as a problem for the Slovenian population or the victims of discrimination they face by the

members of the ethnic majority. The right to have an active part in public media is only reserved for the Italian, Hungarian, and the Roma community (Kralj, 2008).

Daily Life Discrimination

“There are remarks in the sense ‘How dare you [speak in your mother tongue; author’s note], this is Slovenia!’ Most of us use our mother tongue when we speak on the telephone. ... However, a certain discomfort is always present. If you speak in English, then everything is fine. This is the problem of small nations, which are very homogenous.” - Hasan Bačić, the Cultural Union of Bosniacs in Slovenia (Kralj, 2008).

Interviewees pointed out how they feel pressure to censor themselves concerning the use of their mother tongue. They are afraid of experiencing prejudice if, for example, they use Serbian in a phone call conversation (Kralj, 2008). Struggles regarding discrimination and concurrent integration into society take various forms in different generations. The first generation usually struggles with acquiring knowledge of the Slovenian language and has challenges stemming from that. The second generation is confronted with different things since they attend Slovenian schooling. And the main issue of the third usually revolves around their identity. An interviewee pointed out that regardless of whether the children are part of the third generation, born and raised in the country, and while facing identity questions perceive themselves as Slovenians, the environment will label them as foreigners based on their last names (Kralj, 2008).

In conclusion, ethnic minorities experience several types of adversities. The stereotypes and prejudices held about them reflect more than the personal beliefs and narrow-mindedness of the majority. They present an ideological background that serves as a foundation for political conflicts. As Kralj (2008) noted, discriminatory behavior, overt (such as the lack of legislation) or covert (such as employment bias), is not a single-time occurrence. Rather, discrimination is comparable to a process with its roots in societal power dynamics (Kralj, 2008).

The Erasure in the Context of Europeanization

In 1991, Slovenia became an independent country, and it was thought of as the most advanced country from ex-Yugoslavia by domestic and foreign opinions. As mentioned previously, the

notion of Slovenia being “different” from other Balkan countries of the former Yugoslavia, existed beforehand and was accentuated by ethnic tensions, and Slovenia being more economically well-off in the 80s. Differentiation from others played a role in establishing the national identity of Slovenia. As it separated from former Yugoslavia the country also suffered less severe consequences than the other previous co-nations. Besides the 10 days of war for independence, almost nothing else happened. Despite the reputation of Slovenia becoming a developed democratic country in Europe, the state committed one of the most blatant and discriminatory administrative crimes known today as the “Erasure” (Zorn, 2004).

On the 26th of February in 1992, almost a year after Slovenia declared its independence, Slovenian authorities removed 25,671 people from the register of permanent residence in secret and without any legal basis. The affected were mostly of Croatian, Serbian, Bosnian, Macedonian, and other ethnic origins. The “Erased” were subjected to losing their rights as legal citizens, including welfare benefits, health insurance, and so forth, despite some of them having lived in Slovenia for decades with their families and contributing to the progression of society (Pistotnik and Brown, 2019).

Pistotnik and Brown (2019) asserted that the Erasure was more than just a mere administrative mistake. They argue it was a nation-state identity-building action and a consequence of racism that stems from the power dynamics between the majority and the ethnic minority groups. Racism and racialization are often tied to Western Europe and colonization. These concepts are usually not discussed in connection with the former Yugoslavia or the area of Balkan. Baker (2018) explains that in the Yugoslav region, two binary symbols were conceptualized. Being modern was associated with Western Europe and being primitive and less developed was connected to the Balkans. Baker (2018) adds that although race and ethnicity are not the same, they are connected in a bigger scope of things. The pattern of differentiating the civilized and less civilized regions fits into the global framework of racialization. Furthermore, through the perspective of global, Western discrimination processes, the Erasure did not violate new, “civilized” standards of independent Slovenia. It had helped the country get into the EU. Erasure could be seen as Slovenia’s attempt to implement European migration policies. In other words, the Erasure served as a means for the country to align with the European migration policies, enabling Slovenia to adhere to the Western standard that, beneath the surface, had underlying discriminatory components (Pistotnik and Brown, 2019).

Pistotnik and Brown (2019) write that racialization is a consequence of the social power dynamic of groups that gives rise to categories that might not have existed beforehand. According to Michel Foucault, in a bio-political space, state racism creates racial identities and assigns them to individuals with the help of both external and internal mechanisms. Imposed identities are bound to change regarding context and time (Pistotnik and Brown, 2019).

In former Yugoslavia, every person held dual citizenship. The first one was the citizenship of their home republic, and the second one was from the federation. This continued until the end of SFRY. Both citizenships adhered to the changes in the constitution. After 1976 citizenship was fully controlled by the specific republics. A citizen from a certain republic had completely equal rights and obligations in the land of another republic if they had their permanent residence registered there. In other words, they had the same rights and duties as citizens there. People who moved and had their permanent residence adjusted to another republic were referred to as “commoners.” Therefore, republican citizenship did not have a substantial impact on an individual’s life. Federal citizenship and the registration of permanent residence in that respect played a more vital role (Pistotnik and Brown, 2019).

Migration to Slovenia increased in the 1960s. It reached its peak between the years of 1978 and 1980. The majority moved from Croatia and later from Bosnia and Herzegovina. People moved mostly for economic reasons due to employment in industry and construction, but there were also different motives to migrate, such as marriage and pursuing an education. “Commoners” coming from diverse origins were perceived as culturally and ethnically different. Prejudice was mostly held against “temporary” workers, even though in the former Yugoslavia the concept of brotherhood was promoted and there was no institutional exclusion present. On paper, everyone was equal in terms of opportunity. After the dissolution of SFRY, the differences between Slovenians and members of ex-Yugoslav republics began to stand out formally. Independence set the ground for the institutional marginalization of the so-called “Southerners” (Pistotnik and Brown, 2019).

The Erased

Citizenship of the Republic of Slovenia Act and the Aliens Act were the new legislations regarding citizenship as Slovenia became independent. The Citizenship Act defined that former

citizens of the Socialist Republic of Slovenia would instantly gain citizenship. Many had to renew their citizenship as they had become foreigners under the law. People who had previously had their permanent residence registered in Slovenia were also eligible to acquire the newly founded Slovenian citizenship but within a limited six-month window. Others who had a temporary residence had to apply for a residence permit with the Aliens Act (Pistotnik and Brown, 2019).

By the end of the six months 171,127 people applied, while 25,6716 persons who did not apply were removed from the register, which was done secretly without informing those subjected to the Erasure in any form. The affected often found out that they were erased spontaneously, on a case-to-case basis. For example, a person went to their local municipality for bureaucratic matters, and their documents were destroyed there on the spot, with a loose explanation. The state violated people's legal rights to safety and protection by refusing to formally inform them. Additionally, the affected were treated as bureaucratic objects. The responsibility of the act was put onto them as if they chose not to be legal Slovenian citizens, they had to fight to regain their recently lost citizen rights. Although there were multiple reasons why people chose not to apply within six months, the shift in culpability was seen in public and political discourse or lack thereof (Zorn, 2004).

Zorn (2004) illustrates the individual background and situation of one Erased person: Mrs. U. was born in Slovenia in the 1950s. Her mother was ethnically Slovenian, and her father was Serbian, born in Croatia. She had lived in Slovenia her entire life, attended school, got married, and had two children there. She did not apply for Slovenian citizenship, because she considered herself Slovenian and thought she was entitled to the state's citizenship by default. Nevertheless, when she tried to register her second child's birth at the local municipality, she was told she was not considered a citizen anymore. From a legal perspective, she was a foreigner residing in Slovenia. A state authority obliged her to get a foreign passport with an address to formally register her stay in Slovenia. The official also told her she would need a language proficiency test including some other requirements. Mrs. U later got her Croatian citizenship and residential rights despite spending her whole life in Slovenia.

The Erased encompassed a heterogeneous group of people united by Erasure. Some of them migrated throughout former Yugoslavia and some spent building their lives in Slovenia. Many spent a proportionate amount of time in the state. Thus, developing personal, cultural, economic,

and other connections within the country. After a time, as new regulations were introduced, the circumstances of individuals within this diverse group of people shifted. This led to even more varied experience within a group of people with different backgrounds (Gornik, 2019).

Some scholars argue that the conservative ideology of ethnocultural nationalism is the direct reason behind the Erasure. It is often associated with xenophobia and even genocide on the end of the spectrum. Marta Gregorčič (2007) argues that the Slovenian government's agenda behind the Erasure was that of achieving "national homogeneity". Gornik (2019) states that although the act of Erasure had strong ethnocultural elements, explaining it through one perspective oversimplifies a matter with multiple elements at play. The newly accepted Citizenship legislation did not overtly guarantee a more ethnically pure nation. Thus, members of ex-Yugoslav nationalities who resided in Slovenia had the option to apply for the new citizenship, and a majority among them also attained it. Changes in the constitution did not affect them at random. The Erasure mostly affected citizens who belonged to other republics and had not applied for Slovenian citizenship or those who did not meet the requirements for it. The main factor and problem behind the Erasure seemed to be centered around the citizenship application and its demands, rather than just ethnicity (Gornik, 2019).

In other words, the Citizenship Act of 1991, defined the conditions for obtaining Slovenian citizenship, with an emphasis on residency over ethnicity. Therefore, citizenship was not constructed entirely in ethnic terms. However, ethnic origin played a significant role because the Erased were from former Yugoslav republics. The Erasure can be further understood considering the ideological change towards embracing a European identity in opposition to the "Balkan" or Yugoslav one. Distancing Yugoslavian history from Slovenia's national identity provided a foundation for the exclusionary legislation implemented by Slovenian authoritative entities. Ethnic identity in that context could be seen as a convenient and superficial justification for these policies (Gornik, 2019). "All traces of former shared Yugoslav history needed to be removed from the society for it to make the transition successfully into a modern European national state. Europeanisation was thus seen as separation from the Yugoslav legacy, and not as a possible result of democratization" (Mandelc and Ucakar, 2011).

Slovenia joining the EU in 2004, did not amend the problems of the Erasure. Although, in the following years, the situations of the Erased have changed and diversified. In the 90s, the crime was not considered a violation of human rights since it was argued on the premise of newly

founded legislation. However, the European Commission's instructions reduced some of the negative consequences the Erased have suffered. In 1999, the Constitutional Court made Slovenia grant permanent residence permits to the Erased who had been living in Slovenia since 1992. And in the subsequent years, the Erased have gained additional rights, although the years of damage were done and never fully compensated. As the consequences of Erasure not starting on a specific date, it did not end once people got their status back (Pistotnik and Brown, 2019).

The Erasure also contributed to challenges of the working class facing the neo-liberal transition. Numerous workers, for example, migrants from Bosnia, were abused. They faced working environments that exploited them since they had lost their work rights. Besides the Erasure being an act that was related to ethnic prejudice and a desire to be part of modern Europe, it can also be understood as an indirect act of expropriation. Human beings who once had resources and worked within a country had all of that taken away once neo-liberalism was implemented (Pistotnik and Brown, 2019).

“For thirty years we, Bosnians, were building various facilities across Slovenia, and now look where we ended up,” said Mr. V. B. and pointed towards a small room with three bunk beds. “Some wanted to expel us earlier, when the country became independent, others tried later. They have now laid down such rules that they have succeeded.” “We wasted the best years of our lives in Slovenia,” said his colleague. “I worked my whole life and now I don’t have anything. Everything stopped when I arrived in here [sic] Š[sic]the Deportation CenterĆ[sic]. Can you imagine what psychic [sic] pressure that is. All of a sudden everything crumbles around you.” “It seems that they think this is more profitable than if they gave us citizenship or residence permit. As citizens, we would have the right to social aid, pension, they would be obliged to help us resolve housing problems” (Zorn, 2004).

Conclusion

In Western societies, prejudice and discrimination are often linked to racism due to their colonial history, to which the Balkan region is not directly connected. In Slovenia and other post-socialistic countries from former Yugoslavia, the historical background and relationships between the previous co-republics come into play. The bureaucratic system in countries organizes the daily lives of its citizens. Legislation or lack thereof is one of the mechanisms the

state uses to pose identities upon its citizens. State laws can impact almost every aspect of people's lives – from the right to national health insurance to the right to work and be treated as part of the community, even being talked to. These rights shift throughout time and political regimes. An apparent example of this is the breakup of Yugoslavia and the change in the role of people's national identity. Before the dissolution individuals were citizens of the unified Yugoslavia, which provided a joined identity. However, with the newly founded laws and the Erasure, the impacted were in limbo. The Erased did not fully fit into this “newly” built national identity for several reasons. They were insiders with full rights one day; only to discover they were outsiders the next, unable to participate fully in the same society or at least not without experiencing a major setback. Some people lived in Slovenia their entire lives, they did not migrate, and yet they lost their citizenship. In contrast, elements of national identities of ex-Yugoslav republics seem to have been tools to bring the same groups of people together under a common, shared national identity. We can look at the Erasure from different perspectives that go beyond seeing it as an administrative step, for example as a measure of Europeanization. Within this context, it was a move towards state-formation by implementing European policies on migration. The new policies state institutions aligned with enforced systemic exclusion of groups of people previously included. The process of exclusion has broader implications for understanding migration policies. It exemplifies how policies created to adhere to superficially advanced standards can be the ones that have discriminatory effects on individuals (Pistotnik and Brown, 2019).

In conclusion, this essay strives to highlight the discrimination faced by the Erased through a broader look at discriminatory practices. By incorporating multiple accounts and stories, we gain valuable insights into past discrimination and its ongoing consequences, going beyond a mere list of factual injustices. In emphasizing the expression of the Erased we also challenge the element of silence present in the years when the discrimination has occurred. Beyond that, in examining aspects of this issue through various viewpoints we can also gain perspective on other issues affecting the present Slovenian society. Fostering hope in preventing such occurrences regardless of their origin.

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