

**WE: WOR(L)DS WHICH EXCLUDE**

**JUST/2011/FRAC/AG/2716**

**WORKSTREAM 1**

**HUNGARY - NATIONAL REPORT**

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## WE – Wor(l)ds which exclude – National Report WS 1

### 1. Quantitative examination of the collected documents

The number of collected documents: 234

Type of documents	The number of documents
decree	31
protocol	25
development plan, plan, programme	23
official letter	22
submission	16
resolution	16
official report	15
Consortium Cooperation Agreement	14
proposal for a resolution	12
government decree	10
analysis, research report	8
law	6
plan	4
reminder	4
declaration	4
invitation	4



certification	3
Constitution, Fundamental Law	2
strategy, programme	2
request	2
record	2
handbook	2
parliamentary decision	1
parliamentary proposal	1
action plan	1
civil agreement	1
indictment	1
expert opinion	1
working paper	1
<b>Total</b>	<b>234</b>

#### The distribution of collected documents based upon the date of origin

Year	The number of documents
1949/1989	1
1990	1
1993	2
1997	1



1999	1
2000	2
2001	4
2002	7
2003	4
2004	11
2005	9
2006	6
2007	17
2008	12
2009	33
2010	41
2011	28
2012	25
2013	27
<b>Total</b>	<b>232</b>

There are 77 documents in the collected material which are indicating specific financial sources aiming directly at the Gypsy/Roma population. Among the national-level materials there are 26 documents which are dedicated exclusively to the Gypsy/Roma population. The affected Gypsy/Roma groups are mentioned in general.

Since the national jurisprudence does not make difference between the Gypsy/Roma groups, there's no sense examining this question; this aspect is indicated in the



research only because of the different practices held in the countries participating in this project.

### Related topics in the collected documents

The number of related documents	TOPICS
3	housing in general <sup>1</sup>
5	spatial development, development of disadvantaged regions
3	exclusively on desegregation/ development of segregated areas
1	social integration – „disadvantages”
3	social integration – „poverty”, „child poverty”
3	exclusively on Roma integration
1	rights - equality
11	rights – discrimination (ombudsman)
2	social aid <sup>2</sup>
3	special groups <sup>3</sup>
5	„Nest-building” - programme, abuse
3	World Pavilion Project

<sup>1</sup> including related articles based on different types of categorization:

- disadvantages
- housing environment

<sup>2</sup> including related articles on housing benefits

<sup>3</sup> in which Roma population are overrepresented, i.e. housing of young adults of the child protection system, housing of asylum seekers



1	Aidinger road
10	Avas
1	demographic and social circumstances
3	desegregation
1	health education
13	rules of coexistence, crime, police, traffic wardens
9	analysis, survey
1	abandoned flats
2	equal opportunities
1	Északmegyer Quarter
24	development
1	Fekete Gyémánt square
1	social integration, remedial programme
2	looting, stealing
2	child poverty with housing elements, child welfare
26	György-settlement
3	tasks of offices, local governmental regulation
4	certification
1	damage limitation
3	eviction from flat
2	experimental project





13	transferring, moving to new flat, exchange of flat
10	environmental pollution, waste
1	utility costs
1	community building
3	public services
2	rules of address registration
3	evaluation of the lease, instalment of the rent, debt
32	squatters, illegal inhabitants, illegal occupancy
8	housing agreement, lease agreement
13	quality of flats, comfort class, circumstances of life
15	housing, housing aid
1	housing advisory programme
1	„LAKMUSZ” - programme
13	Lyukóvölgy (Lyukó valley)
2	modernization
1	rules of operation
1	improper use of flats
1	Nick yard
1	rats
1	takeover of the programme
7	Roma integration
1	Szántó Tibor road
5	segregated districts
10	social rented housing



5	social care, social supply
8	windup of settlement
11	settlement rehabilitation
2	spatial development
1	territorial questions
2	reply to housing application
5	video surveillance system

### 1.1. The distribution of collected documents

Settlement	Institution	Type of settlement	Region	Method of the document collection	
				direct	internet
Pécs	Mayor's Office of Pécs, Major Department of Social Welfare	big town	South Transdanubia	direct	internet
Miskolc	Mayor's Office of Miskolc, Major Department of Social Welfare	big town	Northern Hungary	internet	
Micro-region of Siklós	Micro-regional Association	micro-region	South Transdanubia	internet	
Micro-region of Sásd	Micro-regional Association	micro-region	South Transdanubia	internet	



Micro-region of Edelény	Micro-regional Association	micro-region	Northern Hungary	internet
Micro-region of Encs	Micro-regional Association	micro-region	Northern Hungary	internet
Edelény	local authority	small town	Northern Hungary	internet
Encs	local authority	small town	Northern Hungary	internet
Sásd	local authority	small town	South Transdanubia	internet
Gordisa	local authority	village	South Transdanubia	direct
Mágocs	local authority	village	South Transdanubia	internet
Szendrőlád	local authority	village	Northern Hungary	internet
Szakácsi	local authority	village	Northern Hungary	internet

**The number of documents gathered in big towns: 176**

**The number of documents gathered on micro-regional level: 6**

**The number of documents gathered in small towns: 17**

**The number of documents gathered in villages: 5**

**The number of documents gathered in South Transdanubia: 135**

**The number of documents gathered in Northern Hungary: 69**



**The number of local-level documents: 199**

**The number of documents gathered on micro-regional level: 6**

**The number of national-level documents: 29**

**1.2. The distribution of collected documents based upon political and technical/ administrative aspects**

Territorial level of the collection	Political	Technical/ administrative
Governmental	29	-
Micro-regional	6	-
Municipal	122	77
Pécs	54	68
Miskolc	49	5
small towns	13	4
villages	6	-
<b>Total</b>	<b>157</b>	<b>77</b>

It is well apparent that general, political documents are born on governmental level, and set out the framework of the national housing policy. On micro-regional level this is the dominant type of documents (however it is not a representative data regarding the low number of the examined elements). On local level, beside the principal rules, documents related to the practical implementation of the principal rules, the management of particular situations, the administration and the housing administration appeared in larger numbers. This distribution is comprehensible as the administration of particular cases, the evaluation and solution of the individual problems are made on this level.



## **2. The context of the research, regional context**

### **2.1. The regional selection of the gathering of documents**

We have chosen two regions of Hungary (South-Transdanubia and Northern Hungary) to be the location for the document gathering. The reason for our choice was that the number of the Gypsy/Roma population living in these two regions, as well as their rate compared to the total number of the regions is above the national average. It is presumeable that the higher rate of the Gypsy/Roma population, the intensive coexistence and relationship of the Gypsy/Roma and non-Gypsy/Roma population is the reason for that we experience the most problematical situation, cases of housing and friction points here. There are larger number of documents in these regions which are aiming at ruling this coexistence and managing the established problematical situations. The common point is thus the high rate of the Gypsy/Roma population in these areas. Beside the common characteristic we are able to find numerous differences between the two regions of the country, regarding its general social, economical background as well as its history and the situation, integration and housing circumstances of the Gypsy/Roma population living there. These differences encouraged us to scrutinize another region with different background and conditions beside the area of South-Transdanubia we comes from, in order to highlight the parallels and be able to compare the differences.

In many aspects there are major differences between the two regions of the country, in other aspects there are similarities as well of course. The similarities between the two regions are the “small village” settlement structure, the problem of commuting and the high unemployment rate. The political organizations and actions may demonstrate the differences mostly (Cserti Csapó 2012). In eastern and north-eastern part of the country the Party Jobbik, which is known for its intolerance against the Gypsy/Roma population, enjoys strong support. Why do we experience this intolerance there and not here in our South-Transdanubian region? Why does not lead the intolerance against Gypsy/Roma people to political manifestation in the



southern part of the country? Answering these questions does not belong to the essential part of our research, they help only to realize the differences. We suppose that the operation of supporting and self-help organizations among the Gypsy/Roma population in the south-western region of the country is the reason for that there are not severe conflicts during the coexistence in this area. (Forray 2012). In this part of the country the integration of the Gypsy/Roma population is greater, the self-organization and representation of interests of Gypsies looks back on a longer tradition. There has been civil organizations; aspirations and engagements in the education; ethnic minority programmes in the kindergarden and school since the change of the regime. In this region the Gandhi Secondary School for disadvantaged, primarily for Gypsy/Roma youth was established which is the only secondary school of this kind and therefore unique in the world. Later the Department of Gypsy Studies/Romology at the University of Pécs was launched which has a major role in the higher education and research of the Gypsy youth. This was completed with the establishment of the Romology programme operating in the Doctoral School of Education and Sociology of Education at the University of Pécs.

Therefore Transdanubia has a good institutional and organizational infrastructure that makes the region – despite the present problems – fit for life for Gypsy/Roma people and reduces the conflicts between the majority and the minorities that are originating from social, educational and social stratificational differences. In Northern Hungary the background infrastructure is rudimentary, so the relationship between the majority and minorities is more tense.



## The places of the document gathering

### 2.2. The levels of the document gathering

We would like to examine the documents concerning the housing and housing policies on three levels at the beginning of the research. Our aim was to collect all the resolutions, decisions, directives and regulations made on national level between 2003-2013. National-level documents are the directives and proposals for the housing policy and within this the directives and proposals related to the housing of the Gypsy/Roma population.

The second level of the document gathering was the regional level in every country participating in this project. In Hungary the gathering of documents did not include the middle level, because in the national practice there's no regional institution for the planning of housing policy, neither the county decision-making nor the administration manages this question. On the contrary we considered it to necessary to study the



subregions, because we see from our research results that there is a lively lobbying activity both on regional and subregional level to solve the housing problems. We thought that it would be worth examining the subregional level, on the one hand because of the diversity inside the subregion and on the other hand because lot of subsidies are given to the subregions which we think makes a closer interaction with the national policies. We visited websites of subregional associations and downloaded some strategies and situation analysis from there. In connection with these we noticed that the local councils have to communicate doubly or triply because of the different, not for Roma! „labelled” subsidies or because of any subsidies which does not meet the local needs at all. So the decrees and resolutions reveal the local political situation, but parallel to this there is a „parallel communication” by the projects originating from applications that can be seen in the usage of the documents as well. There is a further communication level with the local residents which depicts another situation that could not be seen in the official documents, but rather in the half-official ones. However the number and nature of documents gathered in the subregions are inconsistent with our preliminary expectancy.

The third level of the examination was the level of the local councils. It falls within the duty of the local authorities to put into practice the documents of the national level in form of action plans and programmes.

National documents: strategies, government regulations, laws, ordinances

Micro-regional documents

Local documents: draft programmes, local housing strategies, projects on settlement rehabilitation, anti-segregation plan, applications, replies to application, decisions (e.g. decision of General Assembly), decrees, official letters, invitations, proposals, surveys, contracts, cooperation agreements





The housing policy, the directives and proposals related to the housing of the Gypsy/Roma population are determined by the national documents. The practical representation of these documents or the establishment of action plans falls under the responsibility of the local councils. Our work on document gathering does not cover the middle level because the housing policy does not have any regional institutions in the Hungarian practice; neither the administration of the county manages these problems. However the necessity of a micro-regional research has emerged in the course of the document analysis. On the basis of our research it is apparent that lobbying activities are increasingly vivid on the middle level delivering the housing problems.

Although the focus of these documents is not expressly the housing problem, but the lack of drainage is one of the most problematical points regarding the housing quality in towns and therefore the strategy of the system development (that has been financed by EU funds) is strongly connected to the concepts of urban development. The case of “Györgytelep” (György-settlement) is a good example also for the failures of the drainage development. According to this case the related documents should be the subject of a detailed analysis.

## **2.3. Documents of technical/administrative or political type**

### **2.3.1. The national-level documents**

We have examined the following types of documents between 2002–2010.

1. General laws, regulations which are dealing not definitely with Gypsy people, but ensuring the right to housing and equal treatment. These documents are usually connected to housing policies that also provide actual financial aid.



2. Policies referring to the population with low socioeconomic status or to groups having a special social status therefore we examined documents regarding groups living in segregated areas.<sup>4</sup> Moreover it would be noteworthy to include in our inquiry the programmes which help the grant-aided youth to settle and create homes because there are a large number of Roma people among these young adults. Maybe it would be worth examining the asylum policy as well because Roma refugees (families) are arriving to Hungary even if not in large numbers.
3. Supporting policies aiming directly at the Roma population: these documents are directed expressively to the integration of Roma people. The programmes which were launched on the basis of these documents are strongly linked to the programme called 'Roma decade'.

The proportions between point number two and three are seemingly shifted after 2010. Although the struggling with the naming remains (disadvantaged status, low social status or naming the Roma expressively as target group, e.g. the title and the text of Roma strategy), but in the major part of the measures the Roma population is named as target group, furthermore the establishment of the Roma strategy as well as the windup of settlements in the framework of Széchenyi Plan can be linked also to this period. Beside these documents if we also examine whether funds have been added to the particular measures, the financial laws of the related years and the execution of these laws give detailed information about that.

### **Some important information, notes:**

The Act LXXVI of Year 1993 – neither its modification later – which legally acknowledges the Gypsies as minority, does not include questions related to housing issues.

The Act CXXV of Year 2003 – dealing with the equal treatment and promoting equal opportunities – marked the housing issue as a stressed sphere. (Since 2005 the

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<sup>4</sup> According to the Central Statistic Office of Hungary the concept of the segregated area is a region where the rate of the low- status people (population of the active age-group who possesses only elementary school qualification and do not have regular income) is higher than 50 %. The settlements where the population is more than thousand people, segregates can be selected also on the level of housing blocks.



realization of equal treatment has been supported by the Authority of Equal Treatment as well.)

The action plan of the 'Decade of Roma Integration' programme: The national action plan was finalized till the end of 2004 that determined the most important tasks and objectives for the period of 2005–2015. The Hungarian working group was set up on 11 March 2004. In the statutory meeting it was agreed that the Action Plan of the Roma Decade will be worked out according to the strategies and directives equivalent to the ones of Government Decree No. 1021/2004 (III. 18) on the governmental programme promoting the social integration of the Roma people and its related measures".<sup>5</sup> The action plan includes two further tasks in the field of the housing issue: "Elaboration and implementation of programmes which accelerate the housing and social integration of Roma people living in settlements or settlement-like settlings, furthermore infrastructural development of areas densely populated by Roma people."

The Hungarian Roma Strategy are not exclusively directed to Roma people as it can be recognised from the subtitle of the strategy. Rather it is referring to people living in deep poverty, to child-poverty and the Roma. The documents which refer to the Roma do not distinguish between the cultural subgroups of the Hungarian Roma population, although the National Social Inclusion Strategy contains references to the Boyash ("Beás") and Lovári languages, but solely in linguistic aspect. So there are no references to Vlach Gypsy ("Wallachian" or "Oláh") or Romungro groups. The problem of the terminology is important in connection with the strategy: the English version of the strategy uses the idiom "inclusion", but the Hungarian version of it contains the expression *felzárkóztatás* ('adaption, remedial') which means a sharp change compared to the integration, inclusion policies.

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<sup>5</sup> In 2002 a new government was formed which summarised the provision plans regarding the Roma inclusion in the form of government regulation (for details see point 1.2.4.).



The selection of documents including elements of housing policies emerges as a vital question during the analysis of the documents. The housing supports have a clearly effect on the housing of the Roma people. The so-called “szocpol” (‘social-political support’) has determined the home-building attitude of the locals living in smaller settlements for a long time, not to mention the numerous illegal and semi-illegal businesses emerged between the client (supported) and the contractor in connection with this social-political support. Therefore the support resulted in the building of low comfort-level houses which do not make the requirements of the regulations. The decision of 2001 was modified several times, after the change of the government in 2011 new decisions were published following the strategy of the government.

Beyond the laws mentioned above we can examine some other laws which are dealing with the housing issue in some way: mortgages, supports for young adults and families (etc.), which have no Roma connection in particular, but the method of the determination of the target group is interesting and the target group is continuously changing.

### **Funds:**

After joining the European Union, beside the state subsidy, the Structural Funds were the financial basis of the implementation of the Action Plan.

The launch of the current government programme related to Roma settlements was made possible not only by the Roma Strategy and the governmental initiation, but by an important change as well: **the modification of the decree** (437/2010/EU – 19<sup>th</sup> May 2010) of the European Regional Development Fund (**ERFA**) enabled to start the settlement-windup programmes. The sources were allowed to use in every member state for supporting the housing circumstances of communities living on the margin of the society (including the Roma). Previously these sources could have been used only by the 12 new member states **for renovating buildings** situated in cities. Due to these changes ERFA can be used for supporting the housing of disadvantaged



social groups in all member states – **to put up new buildings** in rural and municipal areas.

In the case of the national-level documents it is difficult to determine the actual costs which can be directly linked to the housing of Gypsies. Only one section of the housing part of the Roma Strategy contains actual amounts in connection with a programme that is aiming not exclusively at the Roma population.

### The quantity and type of the collected documents on national level

The number of collected documents: 29

Type of documents	The number of documents
Constitution, Fundamental Law	2
law	6
governmental decree	10
parliamentary decision	1
parliamentary proposal	1
plan	4
action plan	1
strategy, programme	2
handbook	2
<b>Total</b>	<b>29</b>

### The distribution of national documents based on the date of origin

Year	The number of documents
1949/1989	1
1990	1
1993	2



1997	1
2001	1
2003	1
2004	1
2005	2
2006	1
2007	10
2008	1
2009	1
2010	1
2011	5
<b>Total</b>	<b>29</b>

#### The distribution of national documents based upon political party affiliation

Political party affiliation	Number
Right	6
Left	18
missing data	5
<b>Total</b>	<b>29</b>

We have to point out that the government was left-wing during the major part of the research period; except the last two years. As well as one of the chosen cities, Pécs, had left-wing leadership for a long while. It is also the reason for the noticeable differences between the documents from the city of Pécs and Miskolc.



**The number of national-level documents indicating specific financial sources aiming directly at the Roma population: 2**

**The number of national-level documents aiming exclusively at the Roma population: 3**

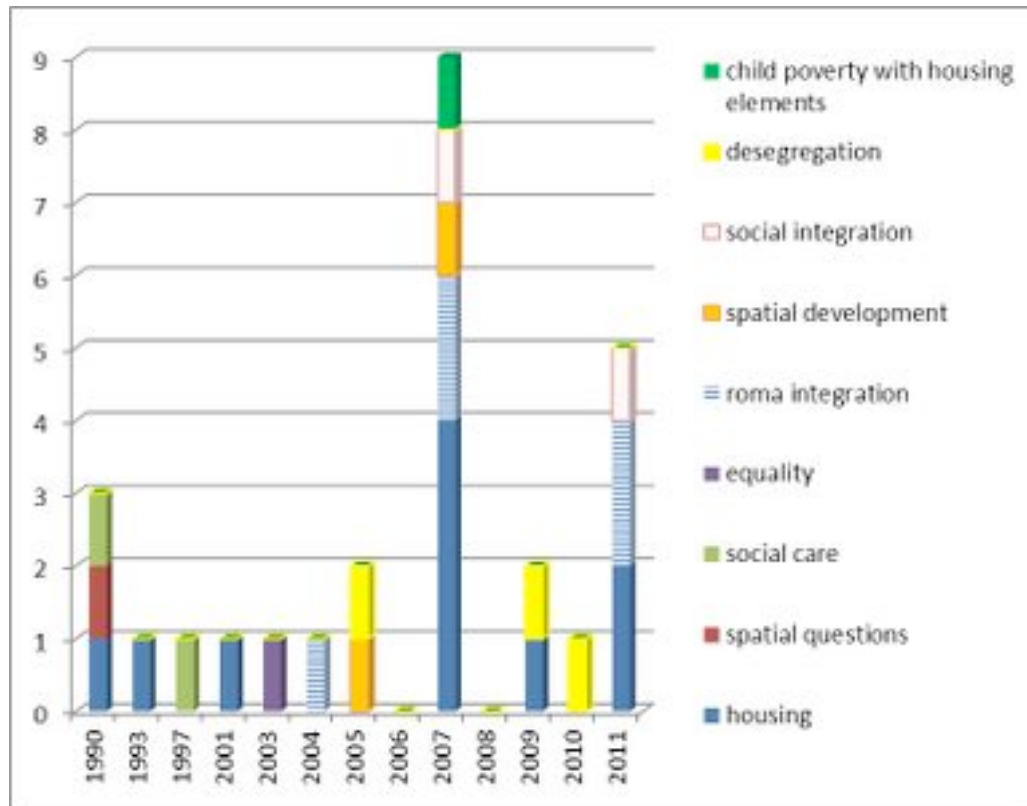
**The affected Gypsy/Roma groups are mentioned in general.**

Since the national jurisprudence does not make difference between the Gypsy/Roma groups, there's no sense examining this question; this aspect is indicated in the research only because of the different practices held in the countries participating in this project.

**The concerned topics in national-level documents**

Topics	The number of related documents
housing	11
territorial questions	1
social care	2
equality	1
Roma integration	5
spatial development	2
social integration	2
desegregation	3
child poverty with housing elements	1

**The distribution of concerned topics in national-level documents based on the date of origin**



## 2.4. The quantity and type of documents collected on micro-regional level

The number of documents collected on micro-regional level: 6

Type of documents	The number of documents
development plan, plan, programme	4
regulation	1
analysis, survey	1
<b>Total</b>	<b>6</b>

The distribution of documents collected on micro-regional level based on the date of origin

Year	The number of documents
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2003	0
2004	1
2005	2
2006	0
2007	0
2008	0
2009	1
2010	0
2011	0
2012	1
2013	1
Total	6

**The distribution of micro-regional documents based upon political party affiliation**

Political party affiliation	Number
Right	1
Left	0
Independent	1
missing data	4
Total	6

**The number of micro-regional-level documents indicating specific financial sources aiming directly at Roma population: 1**



**The number of micro-regional documents aiming exclusively at Roma population: 0**

**The concerned topics in micro-regional-level documents**

Topics	The number of documents
housing aid	2
remedial programme	1
development	4
social supply	1

**2.5. The local-level documents**

**2.5.1. The quantity and type of documents gathered in the city of Pécs (South-Transdanubia)**

**The number of collected documents: 122**

Type of documents	The number of documents
official letter	22
decree	21
submission	16
official report	15
Consortium Cooperation Agreement	14
analysis, survey	7
development plan, plan, programme	6
reminder	4



declaration	4
certification	3
proposal for a resolution	3
request	2
record	2
working material	1
decision	1
<b>Total</b>	<b>121</b>

**The documents gathered in the city of Pécs based on the date of origin**

<b>Year</b>	<b>The number of documents</b>
1999	1
2000	2
2001	3
2002	7
2003	3
2004	7
2005	4
2006	4
2007	4
2008	8
2009	24
2010	33
2011	10
2012	7



2013	4
<b>Total</b>	<b>121</b>

**The distribution of documents gathered in the city of Pécs based upon political party affiliation**

Political party affiliation	Number
Right	53
Left	54
Independent	5
missing data	10
<b>Total</b>	<b>122</b>

**The number of documents from city of Pécs indicating specific financial sources aiming directly at the Roma population: 61**

**The number of documents from city of Pécs aiming exclusively at the Roma population: 3**

The affected Gypsy/Roma groups are mentioned in general. Since the national jurisprudence does not make difference between the Gypsy/Roma groups, there's no sense examining this question; this aspect is indicated in the research only because of the different practices held in the countries participating in this project.

**The concerned topics in documents gathered in the city of Pécs**

Topics	The number of documents
György-settlement	26
squatters, illegal inhabitants, illegal occupancy	26
development	15



quality of flats, comfort class, circumstances of life	13
transferring, moving to new flat, exchange of flat	12
social rented housing	10
analysis, survey	9
housing agreement	6
certification	4
eviction from flat	3
reply to housing application	2
experimental project	2
evaluation of the lease, instalment of the rent	2
lease agreement	2
settlement rehabilitation	2
Északmegyer Quarter	1
„LAKMUSZ” - programme	1
Aidinger road	1
Szántó Tibor road	1
Nick yard	1
Fekete Gyémánt square	1
rules of coexistence	1
utility costs	1



housing advisory programme	1
debt	1

### 2.5.2. The quantity and type of documents gathered in the city of Miskolc (Northern Hungary)

The number of documents gathered in Miskolc: 54

Type of documents	The number of documents
protocol	25
resolution	8
development plan, plan, programme	6
proposal	5
invitation	4
decree	3
proposal for a resolution	1
civil agreement	1
indictment	1
expert opinion	1
spatial development	1
<b>Total</b>	<b>54</b>

The distribution of the documents gathered in the city of Miskolc based on the date of origin

Year	The number of documents
2003	0
2004	2
2005	1



2006	<b>0</b>
2007	<b>1</b>
2008	<b>2</b>
2009	<b>5</b>
2010	<b>2</b>
2011	<b>12</b>
2012	<b>12</b>
2013	<b>17</b>
<b>Total</b>	<b>54</b>

**The distribution of documents gathered in the city of Miskolc based upon political party affiliation**

<b>Political party affiliation</b>	<b>Number</b>
<b>Right</b>	<b>39</b>
<b>Left</b>	<b>13</b>
<b>Independent</b>	<b>0</b>
missing data	<b>2</b>
<b>Total</b>	<b>54</b>

**The number of documents from city of Miskolc indicating specific financial sources aiming directly at the Roma population: 11**

**The number of documents from city of Miskolc aiming exclusively at the Roma population: 17**



### The affected Gypsy/Roma groups:

Classification	Number
cigány (Gypsy)	3
Roma	5
ethnic feature	1

### The concerned topics in documents gathered in the city of Miskolc

Topics	The number of documents
Lyukóvölgy (Lyukó valley)	13
rules of coexistence, crime, police, traffic wardens	11
Avas	10
environmental pollution, waste	8
squatters, illegal inhabitants, illegal occupancy	6
„Nest-building” programme, abusing	5
settlement rehabilitation	5
segregated districts	5
windup of settlement	3
World Pavilion Project	3
video surveillance system	3
evaluation of the lease, instalment of the rent	2
looting, stealing	2
development	2
social supply	2





tasks of officers	1
abandoned flats	1
modernization	1
rats	1
transferring, moving to new flat, exchange of flat	1
takeover of the programme	1
public utility	1
improper use of flats	1
demographic and social circumstances	1
child welfare	1
community building	1
damage limitation	1
rules of address registration	1

### 2.5.3. The quantity and type of documents gathered in the small towns of South-Transdanubia (Siklós, Sásd)

The number of documents gathered in small towns: 6

Type of documents	The number of documents
development plan, plan, programme	3
decree	2



submission	1
<b>Total</b>	<b>6</b>

The distribution of documents gathered in small towns based on the date of origin

Year	The number of documents
2003	0
2004	0
2005	0
2006	1
2007	1
2008	0
2009	1
2010	2
2011	0
2012	0
2013	1
<b>Total</b>	<b>6</b>

The distribution of documents gathered in small towns based upon political party affiliation

Political party affiliation	Number
Right	0
Left	0
Independent	0



missing data	6
<b>Total</b>	<b>6</b>

The number of documents from small towns indicating specific financial sources aiming directly at the Roma population: 0

The number of documents from small towns aiming exclusively at the Roma population: 0

The concerned topics in documents gathered in the small towns of the Transdanubian region

Topics	The number of documents
settlement rehabilitation	5
rehabilitation	2
environmental pollution, waste	2
rent of flats	1
modernization	1
rules of coexistence, crime, police, traffic wardens	1

#### 2.5.4. The quantity and type of documents gathered in the small towns of Northern Hungary (Edelény, Encs)

The number of documents gathered in the small towns: 11

Type of documents	The number of documents
resolution	5



submission	2
decree	2
regulation	1
development plan, plan, programme	1
<b>Total</b>	<b>11</b>

**The distribution of documents gathered in small towns based upon the date of origin**

Year	The number of documents
2003	0
2004	0
2005	0
2006	0
2007	0
2008	1
2009	0
2010	2
2011	1
2012	5
2013	2
<b>Total</b>	<b>11</b>

**The distribution of documents gathered in the small towns of Northern Hungary based upon political party affiliation**



Political party affiliation	Number
Right	5
Left	0
Independent	6
missing data	0
<b>Total</b>	<b>11</b>

The number of documents from small towns indicating specific financial sources aiming directly at the Roma population: 2

The number of documents from small towns aiming exclusively at the Roma population: 3

The concerned topics in the documents gathered in the small towns of Northern Hungary

Topics	The number of documents
tasks of officers, local governmental regulation	2
development	2
settlement rehabilitation	2
public services	2
video surveillance system	2
debt	1
health education	1
rules of address registration	1



### 2.5.5. The quantity and type of documents gathered in villages (Gordisa, Mágocs – South Transdanubia, Szakácsi, Szendrőlád – Northern Hungary)

The number of documents gathered in villages: 5

Type of documents	The number of documents
development plan, plan, programme	2
decree	2
regulation	1
<b>Total</b>	<b>5</b>

The distribution of documents gathered in villages based upon the date of origin

Year	The number of documents
2003	0
2004	0
2005	0
2006	0
2007	1
2008	0
2009	1
2010	1
2011	0
2012	0
2013	2



Total	5
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**The distribution of documents gathered in villages based upon political party affiliation**

Political party affiliation	Number
Right	1
Left	0
Independent	3
missing data	1
<b>Total</b>	<b>5</b>

**The number of documents from villages indicating specific financial sources aiming directly at the Roma population: 0**

**The number of documents from villages aiming exclusively at the Roma population: 0**

**The concerned topics in the documents gathered in villages**

Topics	The number of documents
housing benefit	2
equal oppurtunities	1
rules of operation	1
development	1

### **3. General view on social rented housing**



As we can see in the documents gathered on local level, one of the most important questions related to the housing situation of the Roma is the situation of social rented housing in general. The Hungarian social housing system can be criticised in many aspects. Among others the general quality of the flats is poor and the number of available flats has been decreased significantly after the transition period due to the privatisation of former state-owned properties and to the decreased number of constructions. Although the housing policies were changed in accordance with the political guidelines during the years, but the general tendency shows that the housing policies are focusing mostly on the middle- or high- income families. Most of the Hungarian families are intending to own a private property. This situation together with all the structural problems of the rental sector (including the private sector as well) resulted in a vicious circle. The lack of coherent framework in the housing policies as well as the defective interventions combined with the impact of the crisis have resulted in a tremendous situation in general that is even more dramatic as far as the social housing tenants are concerned: among them the Roma population is overrepresented.

The most typical form of the social rented housing is that if the proprietary is the municipality itself or a public company owned mainly by the local or national government. We can declare that the municipalities had a key role in housing issues of the social housing tenants including a large number of Roma persons/families as well due to the fact that the local governments had a relatively wide autonomy and as decision makers played a role in the redistribution of social and housing benefits during the major part of the examined period. We are able to state in general that this situation enabled several forms of direct and indirect discrimination against the Roma as it was listed in the „RAXEN Thematic Study about the Housing Conditions of Roma and Travellers in Hungary” (Kőszeghy 2009).

A recently established public institution, the National Asset Management Agency (NAMA), which was set up by the government to support those people who have mortgage in foreign currency, seems to offer a new approach to the question of





social rented housing, however due to its recent introduction we could not analysed it in our research.

Returning to the question of social rented housing, beside the quantitative decrease, these flats have a very poor quality, are often situated in underdeveloped, isolated areas lacking certain infrastructures. The presence of the Roma population in these low-quality rentals contributes to their segregation and exclusion. As far as the power of the municipalities is concerned we have to note that it includes the control on access to social rented housing. The recent scandals about the criminalization of homelessness have raised several questions on the discriminative measures of the local authorities again.

#### **4. Institutions and their authorities (as well as their different Acts) involved in the juridical frame**

The national-level documents related to housing are “produced” by the National Assembly in form of legislative acts, governmental decrees, ministerial decrees and prime minister’s decrees that all belong to the governmental level.

From the aspect of the legal system the Hungarian regions and sub-regions can be considered as territorial scopes of the national administrative authority’s competences. The strategies that most likely emerge on these levels are closely connected to the national legislation/decrees, but are non- binding for the local municipalities.

The county-level assemblies produce decrees and regulations, however this level was not significantly present in our research.

The local municipalities play a more important role which is realized in mayor’s ordinances, regulations and municipal decrees or resolutions of the general Assembly. The Committees are involved in social rented housing and even into “Roma” issues since they can make such proposals.



Regarding the planning and implementation of interventions related to housing there were several changes in terms of the responsible institutions during the examined period. We can declare in general that the coordination of the housing policies does not have an unique central institution, it is fragmented between different ministries and authorities which reduces the transparency of housing strategies as well. The different programmes aiming at social rented housing, social support for construction or purchase of property, spatial development programmes, desegregation or urban development programmes, the support of “bank loan” victims – which has been an important issue since the crisis -, the policies regarding homelesses, immigrants and former state-fostered persons, furthermore several other measures on housing are carried out separately and without a common strategy.

Until recently the local municipalities in Hungary have had a relatively strong autonomy in certain questions, even if the Hungarian municipalities never had a high degree of autonomy in comparison to some other European countries. However, as it was often highlighted by researchers during the years, in several cases this autonomy served as the basis of interventions that finally led to discriminations against the Roma or indirectly to segregation of territories, schools, etc. The situation has changed as recently certain institutions have been centralised and the system of districts has been established. However in the current research we haven't examined the impact of these changes yet.

Beside the enumerated authorities, it is important to highlight the role of the European Funds with the related decisions and strategies. Apart from the most important interventions of the local municipalities which are strongly connected to the local power and responsibilities, it is apparent that the other group of significant interventions is made up of projects implemented as the result of EU-directives and funds. This caused a significant change in the language of certain documents as well. We have found some key documents which are between the national and international level, for example answers for the European Commission's reports on the housing situation/Roma in Hungary. These documents are important links to the



language of the discourse between the EU and the nation on certain topics. We noticed a kind of duplicate communication (internal-external), but also the entire adoption of certain concepts which appears on the level of local municipalities as well. Furthermore the programme of the European Capital of Culture led to the adoption (or at least to the intention) of several key concepts of the EU which has fundamentally formed a part of texts produced on the urban development for a while. The connection between the European Funds and the language of documents is also affected by the municipality using these EU funds. To be able to apply and implement projects successfully the municipality has to acquire the language of requests (including the language of the EU and the actual national phrases as well that are often contrary to each other).

But mostly – and this is also true for the national documents – the different discourses are present parallel, therefore we find several contradictions on explicit level, concerning the labelling of the target group as well.

Although the analysis of the Fundamental Law was not the scope of the current research but it has to be mentioned that due to its introduction and its multiple modifications the housing rights of certain groups have been directly affected in some cases (e.g. homeless persons).

## **5. Keywords about the goal of the documents (Roma, nomads etc.)**

### **5. 1. Lingual limbo of the policy-makers – documents for who?**



In Hungary most of the general documents and directives do not contain explicit references to Gypsy/Roma people, do not support ethnically but socially on the basis of means test. So does the housing policy. These directives are often directed to Gypsy/Roma people, but they are not directly named. Thanks to the different projects the local municipalities learnt to communicate excellent in a politically correct way. During the major part of the examined period there was an extraordinary strong intention on the part of the national politics to establish a consistent, correct usage where the disadvantages mean only the social ones and the ethnical affiliation has a meaning only in a cultural sense. These all appeared on legislative level as well.

The other interesting aspect is the language of the programmes targeting colonies/poverty or even Roma and the process of balancing between the different definitions of the target group. Although these types of non-Roma documents target Roma (as well), in one part of these documents there is a strong intention on part of the policy-makers to avoid focusing explicitly on Roma. Therefore these documents represent well that the national policies try to set out the characteristics of the target group without mentioning ethnic categories. Parallel to this there are Roma-specific documents, mainly as the result of international expectations (for example Roma Decade), in which Roma are defined expressively as a special target group. The best example for the lingual limbo of the policy-makers is the Hungarian National Roma Strategy that contrary to the EU framework or the practice of other countries is called National Social Inclusion Strategy – Deep poverty, child poverty, Roma. The document itself reflects on the problems of definition.

In general, contrary to some other policy fields where the 'discourse of recognition' emerges at least in elements, in case of the housing documents whether the word Roma is explicitly used or not, it becomes the synonym for persons/communities characterized by deprivation, poverty, disadvantages, unemployment, low-qualification or as beneficiary of subsidies. Of course, the game of the



categorization can be also regarded as an endeavour on the level of discourse to maintain social peace between different groups that share the same situation

Just one example to make it more comprehensible: during the times as several programmes used the category of ‘disadvantaged people’, it became a synonym for the Roma in the public communication (and as well as in the everyday conversations). Therefore the change in the requirements of the disadvantaged status is important on the discourse level. In general if we look at the political shifts in discourses, we see the ‘competition of terms’ like ‘equal rights’, ‘equal chances’, ‘inclusion’, then later the increased use of terms related to ‘deservedness’.

## 6. Explicit topics and keywords/phrases

The topics of the national-level documents can be categorized in the following ways:

There are important general documents on housing that include articles related to social rented housing, housing benefits, support of construction or purchase of property and contain different types of categorization implicitly applied to the Roma people. These categories are including the requirements of disadvantages and/or the characteristics of unsatisfactory housing circumstances. Another related topic is the social care in general in which the requirements of housing benefits appear. These two types of documents are serving in certain questions as background for the local “autonomy” of municipalities as we are going to see it in the analysis. Another group of the documents are about spatial initiatives - including spatial and regional development of disadvantaged regions- which contain the requirements for “disadvantages” and “segregation” as well, but in this case this is not applied for persons, but for regions, settlements, neighbourhoods, etc. Presumably these types of documents target or partially target areas where the Roma people are overrepresented. The desegregation programmes in the frame of the urban development focusing on deprived areas are belonging to these topics as well.



A significant group of the national-level documents are dealing with the “social integration’ which is based also on different categories like for example “disadvantages” – mostly determined by “sociological” factors like the level of education, unemployment rate, income, etc. - but is also including “segregated housing environment” and similar aspects. Further significant categories are the poverty and as a special topic the child poverty.

The documents that explicitly target the integration of the Roma people also include articles on housing. These documents are mainly strategies and answers for the external expectations like in the case of the Roma Decade Programme and NRIS.

The group of documents which is related to the rights of equality or is supposed to combat discrimination (like the reports of the ombudsman) is including housing issues related to the Roma people.

We think that it is important to include in the research the documents on special groups in which the Roma people are overrepresented. These groups are exposed to a possible “housing” discrimination. The documents which are belonging to this category are about the child protection with articles on housing support for young adults leaving the state care; or about asylum and migration with articles on housing benefits. As it is evident from the statistical analysis the following topics appear in larger number in the documents examined by us. Especially overrepresented are – both on local and regional level- topics related to the development of different underdeveloped regions, segregated areas and disadvantaged settlements: ‘spatial development’, especially ‘development of disadvantaged regions’ or in other words ‘desegregation/development of segregated areas’. On national level themes like ‘social integration’, ‘Roma integration’ or ‘poverty/child poverty’ appear the most often. We would like to point out that the content of the expression ‘integration’ has been transformed, or is changing continuously as it can be observed in the worldwide discourse as well. We are able to observe the degradation of the concept that often leads to its substitution of the expression ‘inclusion’ which is often diversely



interpreted as well. In the course of time the physical proximity as significant element occurred in the concept of integration for which the term “integration” or “desegregation” is applied. So this technical, physical meaning is important from the housing aspect. The word ‘segregation’, which is an expression of the settlement sociology and symbolizes spatial, physical isolation, has become the synonym for discrimination, later a curse and finally the category of the criminal law (see Pankucsi 2012: 36). The other fundamental point is the actual naming of the problematic areas, inclusions and segregated settlements: - in relation to the chosen settlements- Avas, Lyukóvölgy (Miskolc), furthermore the György-settlement in Pécs. Beyond the themes and topics mentioned above the expressions like abuse related to the housing or to the ‘Nest-building’-programme; the ‘rules of coexistence’, ‘crime’, ‘police’, ‘traffic wardens’, ‘transferring’, ‘new flat’, ‘change of flat’, ‘environmental pollution’, ‘waste’ came to the front in many documents. Thus the problems and stereotypical views appeared, as well as the different proposals for their solution.

Analysing the gathered documents we researched within the housing system how the created identities of **renters, owners, squatters, illegal inhabitants** or the categories of **ghetto, segregated settlement, home** were determined by the housing policy.

### **6.1. Representation of segregated districts: ghetto, social closure (‘zárvány’), slum (‘szlöm’, ‘szlam’), disadvantaged areas**

In the national-level documents which aim to implement desegregation measures, integration or development, these districts emerge as ones that have to be integrated or developed. Considering the different documents from the different periods and even from the different political sides we can observe the presence of very similar words. These sociological categories which often include statements about “lifestyle”, and quite dramatic expectations like “irreversible processes” seems to become a common assent to refer to neighbourhoods inhabited mainly by the Roma people, at the same time avoiding the direct ethnic determination. Comparing the documents,



however, the Strategy of the Roma Decade stands out in terms of defining the separation itself as a key problem. In comparison to this, the NRIS rather addresses the symptoms or results of this ghettoisation.

Stereotypes are often attached to the areas inhabited by the Roma people, and these stereotypes may extend as well as to the major structural unity (quarters) that includes these segregated areas. So some local documents determine the disadvantaged areas on the basis of the ethnical affiliation of the locals and of the infrastructural circumstances. The authors of these texts often use the terminology of the social sciences (mostly sociological terms) to legitimate their statement scientifically. The key instrument to strengthen our position in battles fought in different fields is if we refer to categories, descriptions used by sociologists as these are the politically correct expressions. In the fight for the right to use the naming 'politically correct' or to legitimate the applied vocabulary, the scientific legitimization is one of the major legitimating power. The adoption of the language of the EU is also a strong factor in legitimising the language of the documents. In the documents, these real or imagined areas are presented as ghettos, social closures, slums, disadvantaged areas (e.g. in Pécs: György-settlement /segregated settlement, slum/, the so-called 'eastern district' /including some "ghetto"/, the northern part of the industrial town, the Vágóhíd segregated district; in Miskolc: Avas, Lyukó, Szondytelep /segregated area, slum/; Cserehát as lagging region). In the following we are arguing that stereotypes are attached to the 'created' disadvantaged areas. What are these stereotypes we are talking about?

## **6.2. "Troublemakers" (breach of peace, dirt, rats, violence, and criminalization)**

By 1996 a new term had entered the political lexicon: *town rehabilitation* (then structural developing, complex developing etc.). This became the catchword for politicians and housing specialists wishing to rid the town of certain "sick and ulcerous" spots in the name of development (see VIII. "apparatus"). In fact this meant





the destruction of buildings inhabited mainly by Roma people. In political sense it allowed the local governments to resolve "interethnic conflicts" in certain neighborhoods. However no reference to an ethnic dimension ever appeared publicly, despite the fact that the great majority of affected people in the razed houses was Roma (see Vidra 2001). Indeed, by using the term "rehabilitation", any adverse effects suffered by the Roma population appeared as unfortunate "collateral damage" (this stereotypes appear in the documents in Miskolc, in Cserehát and in Pécs as well). The ethicized manners are the follow:

### 6.2.1. Theft (tapping the electric wire / water / wood / metal)

The stereotype of theft emerges in many document types (mostly in official correspondence, proposal, official reports, development plan, plan, programme, proposal for a resolution, call in local and national-level documents as well, but these stereotypes are overrepresented in the documents gathered in Miskolc).

The most often this is seen in the presentations about circumstances of life in the disadvantaged areas (report, supervision, feedback, professional presentations during the preparation of laws or draft of laws e.g. characteristics of slum, definition of circumstances or bad economical situation), another time we find them as topic of public announcements: **the construction of space, or the experience of space** (announcements, letter of complaints to the local authorities). *Some examples:* In many local public announcements the stealing of agricultural products from gardens, damaging houses and the intimidations of the residents are common in the segregated districts of Miskolc (2005, I-70. 105/2005). So in many cases the crime ("subsistence crime") is a common stereotype (approximately in 10 documents). Other documents from 2012: According to a public announcement: in Lyukóvölgy the wire was stolen by the locals (it is clear from the context of the text that the thieves were Gypsies).



### **6.2.2. Deviant lifestyle (littering, dogs without vaccination documents, noisy behavior)**

The expressions 'invalid', 'deviant lifestyle' are presented in the documents mentioned above (are present in documents of Pécs as well as of Miskolc). The use of stereotypes can be linked to the fact that the 'authors' of the texts wish to justify for example the importance of the developments, the necessity of the interventions or the attributes mentioned above are presented in the letter of complaints. For example the following expressions are included in one document of Miskolc from 2011: illegal dumps; illegal woodcutting till waist-high (ethnic feature) in Tatárdomb area; cesspit in Lyukóvölgy district. In an another document (2009, indictment) of Miskolc/ Avas the following expressions appear: illegal drawing of social allowance and illegal occupation of flats in Avas area; or in an expert's opinion from 2011 (expert's opinion, no. 20134-2/2011.): proposal for stopping the illegal sewage diverting and the improper use of flats in Lyukóvölgy district. In a report on the work of the police office (27 May 2010, report): the district Lyukóvölgy became segregated, the crime pushed out the people living a 'normal lifestyle', the police is almost helpless.

### **6.2.3. Bad housing conditions: rats, bugs, stink, rubbish, no toilet or bathroom etc.**

According to the examined documents stereotypes related to the poor housing circumstances could be linked to the lifestyle and eventually to the culture of the Roma people, in other cases it is explained by the structural circumstances of the major society. Some examples: In an official report (its subject was the exchange of municipal flats) from Pécs in 2008 we can read the following text: the client said that bugs and snakes were crawling from the former building construction. In an areal



development plan from 2013 (its subject was the development of the segregated Lyukóvölgy district and included demographic details, environmental conditions and circumstances of the area etc.) we are able to read about the housing circumstances of Roma people: that people are not living "in holes in the ground" but in most cases in outhouses, hovel-like buildings without lavatory. According to a document from Miskolc (2012) the illegal dumping grounds are typical of the districts populated by Roma people.

## 7. Implicit: Metaphors (and analysis/exploration of them)

As we previously noticed the presentation and analysis of the housing circumstances of the Roma (physical and mentally) are figured as explicit topic in the documents related to the housing of the Roma- in most cases they are described as deviant outsider living in a kind of social inclusion, segregated settlement, ghetto. The naming are in connection with the goals of the documents in every case. The implicit factor is linked to the housing policy. We are able to find many implicit metaphors in the topics of the housing policy: first of all in relation to the abuses and ethno-business.

### 7.1. Corrupt practices: scandal of housing benefit abuse (social tenement flat, housing benefits, welfare policies ("szocpol", "félszocpol"), "Nest-building"-programme / Scandal on 'Nest-building', "ethno-business", "Roma-business"

The '**ethno-business**' will refer to any practices that seek to take unfair advantage of the existing legal framework for the protection of national minorities in order to obtain material, financial or political gain. Other terms which are used to describe the phenomenon include '**ethno-corruption**', defined as 'the abuse of remedial measures for private gain in a manner contrary to the legislators' intentions' (Pap 2008: 114), and '**minority business**', emphasising the misuse of people's –



sometimes only alleged – minority identity for the sake of political or economic ambitions (Hungarian Helsinki Committee 1999: 27). In our corpus we found clichés about **ethno-business and minority business**’ (we can talk about implicit and explicit stereotypes).

### 7.1.1. Scandal of housing benefit abuse (social tenement flat)

After surveying the gathered documents we are able to formulate the hypothesis that the Roma-question, the Roma housing in Hungary can not be separated entirely from the policy on social rented housing. The implicit factors are the local and national-level documents of the policy on social rented housing (question of the housing benefits). In most of the related documents the abuse of public housing turns up in connection with the privatization of municipal and state-owned flats. In these documents the definitions and 'constructions' of renters, owners, squatters, illegal inhabitants are well apparent. There are many documents in Pécs and Miskolc which are aiming to manage the legal relations between the renters, squatters and the social rented flats. The signing of housing contracts or the eviction of illegal inhabitants are urged by many documents. Through the micropragmatical analysis of some documents from Miskolc and Pécs we become acquainted with public discourses related to the social housing (decrees, submissions): In a document of Miskolc from 2013 we can read the following things: The number of squatters in Lyukóvölgy keeps on rising. In a consortium agreement from Pécs (November 5, 2009. /valid: 2010–2011) we could read about the goals of a Residential Counselling and Support Programme (aiming to help for squatters and illegal inhabitants living in the György-settlement). Beside the public discourses we are able to find some registered official letters as well among the documents of Pécs. So for example the correspondence between the competent social, housing authorities and the Roma clients, official correspondence, rejection, financial aid, eviction, application – in otherwords, in the official language of law: refusal. In the legal procedure (the discussion and approval of housing decrees and decisions) every legal act **takes**



**place on linguistic level** which is characterized by a kind of duplicity: **the specialist** who 'speaks' the language of the authority **are facing the usage of the unprofessional**. The specialist who is representing the authority submits the usage of the unprofessional to the language of the authority. Whatever the reason (social, cultural, situational) for the different usage is, after a certain distance we are approaching to the interlinguistic translation. In these cases it is not merely about interpreting, but about cultural mediation as well. A document from Pécs (2004) serves as the certification of an application for a housing contract (the applicant was a Roma squatter). According to an official report (2010): a squatter made an application to settle the legal status of housing after the former tenant's death- the partner was the Group of Social Management of Housing of the Major Department of Social Welfare. The decree 4/2006.(III.31.) of the local council of Sásd can be mentioned here as well (*Decree on the rules of the rental and alienation of municipality flats and rooms not serving for housing; on the social administration and on the natural and material benefits*)

Finally we found a very interesting document, an official report in which the squatter reflected on her circumstances of life (for example she told that she had lived in a wood-shed with her children earlier, but now she's living in a flat illegally) and tells that she has to move away. It is an emic text.

### **7.1.2. „Nest-building”-scandal, “ethno-business”, “Roma-business”**

If we are searching for the symbolic 'product' of the socialist governments after the millennium, we have to point out the so-called 'Nest-building' programme. The programme was finally launched by the governmental decree 3/2005. (I.12.), furthermore by the governmental decree (4/2005. (I.12)) on the detailed rules of the state guarantee programme related to the housing loan of young adults.

The programme consisted basically of four parts of which two parts were focusing expressively on young adults. The four major measures were the following: State guarantee programme related to the housing loan of young adults. By this time



the the foreign currency-based credits had become increasingly popular because the instalment of these credits was in many cases (especially in case of buying an old property) lower than in the case of the assisted HUF-credits (Mádi 2008: 96–98). The most significant scandal on housing in Miskolc/Avas was the 'Nest-building'-programme. There are several local, municipal and national decisions which aim to manage the abuses and help the residents. The phenomenon is followed by a significant political discourse (as an argument of the political right wing against the bad decisions of the political left-wing related to the housing and the Roma people). Reflections on solving the problem of 'Nest-building'-programme (Fészekrakó- a housing support) were made in numerous documents (e.g. in an invitation, proposal) in Miskolc (2012). In a parliamentary resolution (2012, H/87776) we can read the following: the Parliament decided to intervene in the abuses of the 'Nest-building'-programme in the administrative area of Miskolc and Avas and ready to help the victims to minimise the damage. According to another submission there are need for more policemen and traffic wardens in the area of Avas inhabited mainly by Roma supported by state loans.

## **8. Decisions adopted by the documents: order, advice, “taking time”, delegate to other; instruments, devices, apparatus (Foucault)/practices**

### **8.1. Bad housing conditions – decree on the local rules of address registration (2009, Encs, Miskolc)**

The decree made in 2009 is connected with the 'Nest-building' scandal in 2008. The decree was adopted by several neighbouring settlements (e.g. by the local council of Encs) . So the decree on the local rules of the address registration (38/2009 (XII.2) was still in force. It was approved in 2009 and reviewed in 2011 (**the head of the Administrative Office of the County Borsod-Abaúj-Zemplén** found it anti-constitutional, are contrasting with higher-level rules). It is interesting to examine who



are the addressees of the **document**: **Explicitly** Hungarian citizens who possess domicile in the administrative area of the city Miskolc or intend to establish a permanent/ temporary residence there, furthermore **citizens**, **'immigrated persons'**, **'persons with permission to reside'** and **'persons acknowledged as refugee'** falling under the force of law 2007. I. on the entry and stay of persons having the right to freedom of movement and of residence. Implicitly: first of all the former 'Nest-builder' in Avas, the **Roma squatters** and **illegal inhabitants**. The goal of the decree: the **decree defines the concept of the flat, temporary accomodation, 'housing part'** which is 6 m<sup>2</sup> per capita (defines the minimal technical requirements, lavatory, bathroom, etc.). The **temporary accomodation** consists of room (or rooms) a.) which has a basic area (at least the basic area of one room) of more than 6 square metres b.) which has an external wall that is at least 12 cm thick and is made of concrete or another material equivavelent to this c.) which has windows or glazed door d.) which can be heated e.) where the use of water toilet and the access to water are ensured. The professional argument of the decree is very important: The reason for the decree was that it ocured more and more often in the city that on one hand citizens moved into **agricultural buildings, structures** situated in the **outskirts, allotments**, and on the other hand the number of these squatters was beyond the capacity of the flat. This phenomenon went together with the worsening of the public security in these areas and the **number of stealing, hooliganism and breach of the peace increased**. Parallel to this the **market value of the properties decreased significantly**. **To stop the illegal moves** the local rules of the address registration were established. Complementing the related central regulation the **local decree defines** the concept of the **'minimal flat', 'housing part'**, needed for the registration, furthermore the **technical parameters** the flat needs to have. If the flat does not meet this requirement, the registration will be rejected. The decree had a great success and **other settlements were interested in it** as well. It served as a model for other settlements that wanted to **use the same instrument in their local regulation**. It means that the **problem** described above is **present in other settlements as well** or the other settlements did not find more efficient solution to



tackle this problem. For example in Cserehát, in county Pest, in 2010 in Encs (4/2010. (III. 23.) decree on rules of adress registration (adopted the model of Miskolc).

## **8.2. Inhabitant living in a segregated district (they aren't mobile) – pilot project, integration, reintegration projects on behalf of housing mobilization (Pécs, Miskolc)**

The Housing and Social Integration Programme of Residents of Colonies started in 2005, which is indicated as 'Programme for residents of Roma colonies' on the website of the Ministry, is connected to the Governmental Programme for Roma Integration launched in 2004, but it is indicated in the law 1036/2005. (IV. 21.) on crime prevention as a measure to reach the objectives, however this connection emerges only implicitly in the documents.

The lack of modernization, the segregated lifestyle are often mentioned as professional arguments, the related projects strive to establish a social inclusion by developing the area. So these were the goals of the model programme in 2005 or these are found among the explicit targets of the local city-development: for example the application of „the renewal of the city center of Miskolc' (the city won 1,5 billion HUF as non-refundable funds in the framework of the Regional Development Operative Programme). Implicit target is to stop the establishment of slums and to prevent the area from becoming valueless. **Some outer areas of Miskolc, like Lyukóvölgy as well are often presented in the related documents like criminalized areas which would be a continuous crime scene.** It was told that beside the Roma people homelesses, Slovakian, Ukrainien and Romanian criminals were hiding among the bushes in Lyukóvölgy. It was tried to **be ethnicized, Lyukóvölgy was regarding as a huge Gypsy colony.** Programmes: Integrated City Development Strategy Antisegregation Plan (2010) – to improve the circumstances of housing. The Antisegregation Plan proposes the differentiated wind up of the area on the long run. Between 2002-2004 at the south-eastern border of the settlement, in





the organization of the minority local government **18 terraced houses with all modern conveniences, mansard and front garden were built with the help of municipality benefits and the 'szocpol' of the families.** The reintegration strategy of the city of Sásd in which the local Roma residents were described as following: The Roma (Boyash Gypsy) population are affected by the unemployment as a consequence of their culture and un-education. The local housing developments (technically) are followed by other social measures: lifestyle, family-helping and educational programmes which help the residents of the area to be integrated in a housing environment of a higher level. The documents in Sásd are arguing: The segregation and the low qualification level prevent the Roma people from getting a job, furthermore they are promoting the development of the environmental conditions, the establishment of the environmental safety.

### **8.3. Security in the ethnicized segregated districts (crime as stereotype see above) – strategies for the restoring of the public security, inspecting, protection (Miskolc, Edelény)**

#### **8.3.1. Control: Installation of the video surveillance systems in the segregated districts**

In many regions (as well as in Miskolc and Edelény) submissions were dealing with the improvement of the public security in the segregated districts populated by the Roma people, later decrees ordained it with the help of technical measures. The video control devices were set up in parts (Vas, Diósgyőr,) of Miskolc, furthermore in the Martin suburb and in several settlements of Cserehát. The topic (installation of video surveillance system and the designation of scenes) turned up the first time in 2005, then in 2009, 2010 and 2011 in Miskolc. In Avas district the installation of the video surveillance system started in November 2005. In the second phase 2 pieces of new cameras were installed. The County Council determined their scene in November 2010. In the same year the third phase of the development was launched.



5 pieces of video cameras were installed in Martin-suburb in August 2009 which were entirely operated by the Police. The subject of the proposal for resolution (2011) is: designation of the controlled area and installment of video surveillance system in the districts of Avas, Diósgyőr and in Martin-suburb. The proposal for the resolution pointed out that the installation of the video surveillance system is necessary in certain districts (Avas, Diósgyőr, Martin-suburb), because they may suggest that these are stressed public places from law enforcement aspects. This statement presupposes that crimes against persons, propriety and society occur more often in the designated areas compared to the other parts of the city. This statement is explicitly expressed in other segments of the text. But we should consider the implicit element of the presupposition as well. By the direct identification of the districts, the 'speaker' would like to refer not only to the number of crimes, but he presupposes the common background knowledge that the mentioned public places are the segregated districts of the city where most of the residents are Gypsy. Beyond Miskolc, other settlements like Edelény decided to install a video surveillance system (62/2012. (III.29.) to improve the public security.

### **8.3.2. Control: Police stations in the segregated districts**

As a preventive measure (to improve the public security) the police station of Lyukóvölgy was enlarged by several bureaus in 2012, a resolution was accepted on this (VI-116/4909/2013.), later a new submission was made in 2013.

### **8.3.3. Protection / Prevention: providing Jeeps for health visitors working in segregated areas**

The submission from 2013 (IV-4234-7/2013.) is especially interesting, later a decree was adopted. According to it they wanted to provide jeeps for the health visitors on duty in order to arrive safe to the segregated settlements.



## 9. Case studies

### 9.1. Miskolc Avas – ghetto, segregated settlement, 'Nest-building'-scandal: social reality created and legitimated by the housing documents

In the first case study we endeavour to examine the documents (issued in relation to the first and second phase of the Avas-settlement, approved or rejected documents) which are related to the housing of the Roma population. In the examined documents of Miskolc, in many cases Miskolc-Avas means an explicit topic on its own with numerous cases (10 documents). For this reason we treat the documents related to Miskolc-Avas as a coherent corpus and we contextualize the cases. In the background of the cases, even if it is not directly expressed, we find the 'Nest-building'-programme, the influences of the special abuses on the housing (it is explicitly presented as part-topic in 5 documents, in case of the other documents of Avas implicitly). In the research we used the different resolutions, proposals for a resolution, submissions and decrees (on local level, but we examined a parliamentary decree as well) as primary sources. As secondary sources we examined the protocols of the General Assembly which illustrate the preparation and formulating phase of the decrees, furthermore we scrutinized an indictment which was made in connection with the 'Nest-building' abuse.

First of all we overview the context of the Avas-documents, especially the cases related to the 'Nest-building' scandal: what characteristics does the mentioned segregated district have? How are the Gypsies represented if they are represented ever? What are the explicit topics emerging related to this case, what are the key words (in single cases they could be explained more detailed), or the lack of certain key words could be essential as well. Within the actual cases the analysis of these topics belongs to this. The next step is the examination of the implicit factor, these are those certain metaphors, the deep texture. Finally we tried to trace the future of



these documents: how are these decrees implemented, who implements them: which institutions with which instruments. It is an important point of view what is done and why.

Nearly 20 % of the city's population is living in Avas-south. The housing estate was built in the 70's using a new technology (panel of Soviet model), first of all for the working class. Both ten-storey buildings and four-storey buildings, blocks of flats were built. The housing estate is inhabited mainly by young families and lower middle class families. Mainly the local municipality owned these flats which were bought by the inhabitants after the change of the regime. There is a big contrast between Avas I., II. and III. (this division shows the year of the construction as well and the area is still divided upon these categories). In Avas III., which was the latest phase of the construction, we find the most organized public places and stairways, in total, it is in a better state of preservation than Avas I. and II. where the stairways are run-down; the mechanical apparatus is out-of-date; the corridor lighting is missing; the elevators are out-of-date, in some stairways almost life-threatening. The major part of the playgrounds are not EU-conform – however the rate of them has improved recently – there are no promenades, public parks, there are a few sport grounds. The pavements and the inner part of the roads are fragmented. Avas I. and II. is the scene of the examined document type. In the previous years a stressed problem emerged which influences significantly the quality of life in the housing estate: the 'Nest-building'-programme. From 2005, families with several children - mainly from the country- moved in Avas-south in the framework of the 'Nest-building'-programme. These families, who are having a very low income and living from social benefits, moved from a flat of poor housing circumstances in a flat equipped with all modern conveniences. They can not pay the instalment of the bank loan, the heating and lighting costs, so they were evicted from these flats. There are continuous conflicts with the other residents, the previously good housing communities are breaking up because of the moves in and away. In most cases Gypsy families are involved which is worsening the arisen conflict situation. Thus the preconceptions makes the situation unmanageable. The arisen conflict situation is worsened by the fact that



mostly are about families of Gypsy origin. Many decrees were adopted to manage the problems related to the coexistence. Although the naming of the programme 'Nest-building' was remarkably attractive and there was no doubt that the participation in the 'Nest-building'-programme could be an efficient instrument leading to a scientifically legitimated integration. Hundreds of **criminal procedures** are going on, because many people obtained a flat by fraud and abuse in the framework of the 'Nest-building'-programme. There are thousands of accused (900 million HUF loss, 278 suspected persons). **Among the accused persons** there are not only credit administrators, lawyers, real estate agents, value assessors and bank officers **but the majority are those who previously lived in the segregated settlements mentioned above**. Whoever can escape from here, are escaping or has already escaped. Many families are evicted because of their huge public utility debts and bank debts. A part of the evicted families stayed in Avas – they found a shelter with friends and family members -, some other families moved to the country, **in Lyukóvölgy** other to other outer areas. A larger number of them **emigrated to Canada** seeking asylum. The biggest disadvantaged settlement of Miskolc was established very quickly **in Lyukó** in the past years. Many families moved into the former weekend cottages of the mineworkers. There are no bathroom, water closet and gas pipeline in the 'flats' which have a low comfort class. There are no institutions and services in the settlement. The parents in Lyukóbánya have their children enrolled in schools situated in different points of the city for the reason that the rate of the Gypsy students do not become high in none of the schools (Pankucsi 2012: 32).

As we highlighted previously, many local and national-level documents intend to manage the different problems of the presented area (2012, H/87776) (so do several decrees from 2012 as well). Several documents concern Avas, Diósgyőr and sometimes Lyukóvölgy as well. But what are the problems which could be only managed by the intense presence of the police? First of all, breaches of rules of coexistence (brawl, fight), improper use of flats (amortisation, dirt, squalor, impurity) are the common topics of the public announcements. The related decrees intend to



tackle these problems on technical level, furthermore the rules of coexistence are established by laws and decrees as well. The deterioration of the public security, the increased number of crimes against property led to the adoption of several other decrees. As we previously mentioned the problem was managed by the installation of video surveillance system and by the enlargement of police stations. It is important to emphasize that the contemporary problems of the settlement are not regarded as the result of a historically determined process (transferring of the Roma, construction of low-comfort class flats, arrangement of Roma housing problems, lack of the infrastructure's development, existence of slums, lack of community development) but rather the mass appearance of the 'Nest-builder' – and the mass presence of the Roma among them- is seen as the background of the problems. So as the consequence we see the appearance of the Roma in large numbers – according to the case studies of the documents. This goes together with the phenomenon that **the number of people moving in was beyond the capacity of the concerned flats**. This was accompanied by the **deterioration of the public security** and the **number of crimes against person, public and property increased**. Parallel to this **the market value of the flats decreased significantly**. By the establishment of the **rule 38/2009 (XII.2.) on the local address registration** the roots of this problem were tried to be managed: the **stop** of the **moving in**. The new decree determines the concepts of the '**minimal flat**' and '**housing part**' and **technical parameters** which has to be suited by the building, structure. If the flat does not meet this requirement, the registration will be rejected.

The actual situation brought a new change in the life of the Avas-settlement, and basically in the life of the former residents as well. After complicated procedures the eviction from the real estates whose owners were indebted could start. The evictions were executed by bailiffs. The local municipality purchased previously the distrainable real estates from the credit institutes by bidding. By this time almost 12 real estates from the 'Nest-building' programme had been bought by the local municipality of Miskolc. These real estates are situated mainly in the Avas-settlement (furthermore in Szilvás, Gesztenyés, Áfonyás and Mednyánszky road, and in



Felsőruzsín boulevard) One flat has been already renovated completely, but the reconstruction of the other real estates are in progress as well. The legal procedures continue against the 'Nest-builder' in winter. Until now the local municipality has managed to obtain 51 further real estates, till the middle of February 10 additional real estates. After the expiry of the eviction moratorium the city obtains about 80–90 real estates from the former 'Nest-builder'. The flats will be renovated by the real estate manager company called MIK Zrt. that is owned by the city. The renovated flats can be obtained later by competition to be the home of 'honest citizens' (mainly lecturers and PhD. students of the University of Miskolc, young couples). According to the municipality the solution of the housing problem of the young professionals helps to persuade them to carry on with their academic work in Miskolc, so the city put a part of the 'Nest-building'-flats at their disposal under favourable conditions. The PhD. students of the University of Miskolc are able to occupy three flats soon.

## **9.2. Pécs: György-settlement – arrangement of the situation of the squatters**

In our next case study we are focusing on a typical settlement as well, we examine the documents related to the illegal inhabitants of the György-settlement in Pécs. First of all, we introduce briefly the formation and the other important characteristics of the Buda city part of Pécs, and inside this the ones of the segregated György-settlement:

The urban development of Pécs is characterized by the so-called “dual development”. It refers to the presence of an important industrial company (Duna Gőzhajózási Társaság) that as the proprietary of coal mines was an important actor in constructions at the Eastern quarters since the 19th century parallel to the “organic” development of the city. Later the period of the state-socialism, also strongly connected to the uranium mining, made a significant impact on the housing question in Pécs as well. Regarding the settlement of the Roma population, during the 60-70's several Roma groups have settled or have been forced to settle in the outskirts of villages and cities. „The city part Buda is a traditionally built up quarter



where there are houses, block of flats as well as estate houses. Most typical are the 2 bedroom flats which have a basic area of 50-60 m<sup>2</sup>, the social rented flats play only a minor role. Previously the colonies of the mineworkers were regarded as the segregated parts of Pécs – thanks to the near mines. Among the social layers concentrating in the segregated city parts the rate of the Roma population is high, in case of the segregated areas is prominent. The economical and social changes after 1990 moreover the start of the **municipal privatisation of flats at the end of the 80's and the real estate policy launched significant processes in the formation of the city's spatial construction. With the reviving of the real estate market the purchasing and renovation of the run-down buildings, the utilization of the empty buildings started.**<sup>6</sup> On the contrary the condition of the flats still owned by the city has deteriorated significantly because no renovations happened during the decades. As a consequence the decline of certain outer areas has started or accelerated, the ghettoisation of some area has started as well (**István-shaft, György-settlement, Rücker-shaft, stb.**). **As the result of the increased costs of living a significant number of owners, who purchased their flat in the estate houses, piled up huge debts, so their situation became defenceless.** As a consequence of the market effects the devaluation of some estate houses has started as well. There are considerable differences within the city part regarding the qualification of the local society, integration of the labour market, comfort class of the flats, the composition of the households related to the labour market. **„In Pécs five segregated areas, two areas on way to the segregation were delimited in 2001, furthermore some inclusions with lower population corresponding the segregational indexes.** In the past 12 years the social indexes of these areas are presumably decreased. In the past decades the local authorities converted some real estates – originally not for housing purposes – into temporary accommodations to solve the problem of housing. These temporary accommodations still exist and play a role in the placing of the disadvantaged families.”<sup>7</sup> See for example: Pécs: Somogyi

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6 Source: Integrated City Development Strategy, Pécs

7 Source: Integrated City Development Strategy, Pécs





Béla street where a former military building was converted into flats; Előd street where workmen's home, later temporary accommodation was established in a stable; Edison street barracks; Komló: buildings of former processions converted into flats in Sportvölgy and Szállásfalu.

There is still 'recruitment' nowadays. The temporary accommodations occupied by the squatters in Pécs are mostly municipality properties which are either a cold water flat or remarkably run-down, quoting the words of Otília Solt these are „holes sentenced to liquidate” and buildings to be renovated (Solt 1992).

A significant group of the examined documents of Pécs is in connection with the management of the squatter's situation and with the clearing of their legal status; most of them are eviction or warning. The explicit definition of the topic is: „unauthorized use of flat”. The unauthorized use of flat is a temporary state which can have several antecedents: in most cases the former tenant becomes illegal inhabitant after piling up huge debts toward the municipality. There are several orders for payment among the documents of Pécs that request the tenant to settle his debt. In other cases the housing contract concluded for a certain period of time has expired (the tenant was notified). In these cases the local municipality considers the tenant as illegal inhabitant and calls him upon to leave. The following text is the part of an official warning originating from 2009: „I declare that in case of the one bedroom flat situated in Pécs, György-settlement, ground floor 2., the leasing contract of Sándor Orsós has expired on the 31th of December 2009 – with reference to 23 § /2/ of the law (1993/78) on regulations of the rental and alienation of flats and rooms. At the same time I qualify Sándor's use of flat as an unauthorized use of flat. I oblige Sándor Orsós, Pécs, György-settlement, ground floor 2. to leave the flat within 30 days and return its keys to the Real Estate Management Department of Pécs Holding Zrt (Pécs, Búza square 8/b.). If he fails to fulfil the requirement within the appointed time, we will file a suite against him in the Court of Pécs.” So the document declares the fact of unauthorized use of the flat, and the lessor serves the illegal inhabitant with a notice to quit the flat within 30 days; finally the notice 'announces' the



consequences as well: if the tenant does not leave the flat, the lessor enter a suite against him in the court.

There is another frequent group of documents: the official answers, groups of answers which are mainly rejections or start to clear up the legal relationship. Let us see a detail of a rejection made in 2009. The applicant's legal status had been uncleared since 2007, his application was made in 2007: „Answering your housing question was sent to our local representative per e-mail and forwarded to our department, I notify you again that your application on social rented housing made in 2007 can not be accepted unfortunately. We understand your problem, but I would like to inform you that we have registered 3400 applications on social rented housing, and the low number of flats are at our disposal does not allow to rent you a flat out of turn.” Another text of a rejection from 2010 where the reason for the rejection was that the flat had to be given to another 'person in need' who was in „danger of death”. Because of the obscure formulation, it is not fully clear what is about, but analysing other documents it is clear that the lack of electricity or water access may cause a direct or indirect danger of life. (So was the case in Pécs, in Aknai road 41. in February 2010. In the property an electrical pump provided the circulation of hot water, so the heating was not supplied.) The text of the temporary rejection: „I understand your problem, but the municipality flat situated in Pécs, György-settlement, ground floor 2. can not be rented now, regarding the fact that the requested flat had to be temporary allocated by our Department because of danger. Furthermore I notify you that you are having a housing agreement which does not entitle you to change the flat.” Example for the practical realization, execution of the notices: The municipality of Pécs evicted illegal inhabitants - among them 7 adults and 5 children - from 4 municipality flats after 7 days of grace (in Hársfa road, April 2011). According to the law the illegal occupancy is the committed offence of the „illegal move in' which can be realized in case of municipality flats. The perpetrator can be sentenced to custody or be fined to the tune of 150. 000 HUF. In case of private property this is regarded as trespass or the breach of domicile. The squatter could be sentenced to two years' imprisonment, to public work or could be fined in



this case. Some years ago in a municipality building - situated in Pécs, Ó-temető street 30.- squatters followed each other apart from two families living permanent there. After transferring the inhabitants somewhere else – but not to better places- the building was protected from the squatters by walling up the doors and windows. Let us see the wall up in the documents as well: in the official answer for the complaint letter the municipality writes the following related to the wall up (2010): The flats of György-settlement referred by you were walled up in the framework of the so-called Housing Counselling Programme in György- settlement - corresponding its principle and professional programme- these flats will function later as municipality flats. As far as we know you never stayed under number X. in György-settlement that was walled up as well.”

The following reply from 2009 clears up the conditions of a long-run lease agreement with the applicants, the application was sent in for a cold water flat. The municipality gives the one bedroom cold water flat situated in Pécs, György-settlement, no. X., till 31 May 2011 to use. The amount of the charge of use is equivalent to the rent can be fixed to the flat. Krisztina and Ferenc undertake to maintain the flat, and provide for the decorating – if needed- and the eventually reparations on their own.”

There are a large number of official replies in which the municipality of Pécs reflects on the public announcements related to the squatters: for example there are several complaints about that the squatters make the flats run-down, there is stink, rats are all around the flats, they make a noise, quarrel or very often brawl. In many cases these are followed by a denouncement and sometimes Roma legal representatives start to act on the behalf of the accused or denounced Roma persons. The addressee of the next letter we are quoting from is the President of the *Gypsy Social and Educational Methodological Basis* who formulated a letter together with a complainant : in the official reply (secondary source, 2010) the details of the case came to light: The condition of the building deteriorated dangerously in 2008 as the result of continuous damaging by strangers - despite the fact that permanent residents were staying in the building – and soon the building became uninhabitable.



To protect the human life – although it would not fall within the sphere of the municipality – the municipality ensured homes for the families still living in the building, so did for you as well. Judit and her family left the flat that was offered to them and occupied illegally another municipality flat in Pécs, Kórház street X. Beside their illegal actions they **disturbed the everyday life of their housing environment** also by their lifestyle. **The residents of the neighbourhood continuously expressed their opinion on the problems having with Judit and her family in writing, over telephone and as well as personally asking the municipality to manage the intolerable situation.** As a result of this –following many written warnings- our municipality turned to the Court of Pécs. After personal notification and warning, the legally binding order of the court on the eviction was executed by the assigned judicial bailiff. It is known also by you that the family was not evicted because their personal properties were transferred to the vacant two bedroom flat of Gyula.”

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