

The Ruthenian and Slovak Languages in the Current Laws of Croatia

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Русинский и словацкий языки в современном законодательстве Хорватии

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The aim of the study is to determine the status of the Slovak and the Ruthenian (Rusin) languages in the laws of the Republic of Croatia of the state, regional and municipal levels from the proclamation of independence of the state from Yugoslavia to the present day: the Constitution laws on language and national minorities, international treaties, statutes of the provinces and municipalities densely populated by the largest part of the Rusin and the Slovak diasporas. The laws of the unrecognized Republic of Serbian Krajina (RSK) governing the use of languages and scripts in its territory during the existence of the self-proclaimed state are considered separately. Statistical data of the 1991, 2001 and 2011 censuses in Croatia on the absolute and relative number of Rusins and Slovaks, as well as on the number of those who had Rusin and Slovak as their mother tongue, are given.

Analysis of language rights of Croatian Rusins and Slovaks in one article is grounded by the common destiny of the diasporas: these peoples are close historically, culturally and linguistically; in addition, their migration from the north to the south of the Kingdom of Hungary (including the territory of modern Croatia) in the 18th – 19th centuries took place at the same time and largely for the same reasons: because of the lack of a sufficient number of allotments in the Carpathians and

their availability in the Middle Danube after the expulsion of Turks from there.

Totally, according to the 2011 census, Croatia has 4,753 Slovaks (0.11% of the total population) and 1,936 Rusins (0.05%). Comparison of the results of the three latest censuses shows a downward trend in their number (this is especially noticeable when specifying Slovak and Rusin as a mother tongue), due to both assimilation and emigration.

Despite this small size, Slovaks and Rusins are officially recognized national minorities, whose rights (including language ones) are recognized and protected by the state. Thus, according to the preamble of the Constitution, Croatia is declared a national state of the Croatian people and of autochthonous national minorities, Slovaks and Rusins among them. Thus, Croatia is the only country in the world that mentions the Rusin people in its Constitution. Also, the Basic Law of the country guarantees the members of all national minorities can freely use their languages and scripts.

In 1997, Croatia ratified the European Charter on Minority and Regional Languages of the Council of Europe and committed itself to the protection and development of seven such languages, including Slovak and Rusin.

In addition, Croatia has adopted a number of laws regulating the rights of national minorities to use their languages. The first of them is the 1992 Constitutional Law on Human Rights and Freedoms and Rights of National and Ethnic Communities or Minorities in the Republic of Croatia, which guarantees the freedom of use of languages and scripts of national minorities in the private and public spheres, and also allows the units of local government to grant an official status to these languages and scripts if a minority makes up the majority of the population of a municipality.

The issue in question is regulated in most detail by the special 2000 Law on the Use of the Language and Script of Ethnic Minorities in the Republic of Croatia, which fixes, among other things, the conditions for minority languages to obtain an official status and the spheres of their use. The following conditions are sufficient: predominance of representatives of national minorities in the population of a municipality, availability of appropriate obligations in international treaties signed by Croatia, fixation of the official status of a language in the fundamental laws (statutes) of a community, city or county (županija) at the time of the adoption of the law.

The 2002 Constitutional Law on the Rights of National Minorities supports the provisions of the above law regarding the official use of languages and scripts of ethnic minorities and states that this right is

guaranteed in the units of local government where the minority is at least one-third of the total population of the municipality.

Most Croatian Rusins live in the eastern region of Croatia, Vukovar-Srijem County, with 1,150 people (0.64% of the region's population) by the 2011 census, but Rusins do not constitute one third of the population necessary for the introduction of the Rusin language and script in official use in any municipality. However, despite this, the basic laws of two communities – Bogdanovci and Tompojevci – contain (or contained) mention of the Rusin language. Thus, the first 1994 Statute of the municipality of Bogdanovci indicated that the Serbs, Rusins and Ukrainians were entitled to use their languages officially. It should be noted that during this period the Croatian authorities did not control the territory of this newly formed community, because its settlements were part of the self-proclaimed Republic of Serbian Krajina. The Statute of the municipality of 2001 mentioned the Rusin language only, without providing it with any official status; the right to use it is claimed in one village – the village of Petrovci.

The 1994 Basic law of the community of Tompojevci (whose territory at that time was also part of the RSK) had no mention of the language, the 2001 Statute gave Rusins and Hungarians the right to use their languages in two villages, but in the 2009 and 2013 editions the mention of Rusin and Hungarian disappeared.

The majority of Croatian Slovaks live in Vukovar-Srijem County: 1,185 (0.66%) people and in Osijek-Baranja County: 2,293 (0.75%). Slovaks make up over a third of residents (666 (36.94%) people), which is necessary to declare their language official, in the municipality of Punitovci only. However, the statute of the community has no provisions on languages and scripts. In the reports on the implementation of its legislation on the language rights of national minorities, the Government of Croatia explains this fact by the lack of interest on the part of the Slovak minority in this matter.

The article draws conclusions about the unevenness and inconsistency of the Slovak and Rusin language rights reflection in modern Croatian legislation. On the one hand, despite the small number of Slovaks and Rusins in Croatia, their rights to preserve and develop their language and cultural identities are enshrined in Croatia's laws. This particularly applies to the Constitution of the state where they are listed as autochthonous national minorities that along with the Croats make up the Republic of Croatia. The Constitution also guarantees the free use of languages and scripts of all national minorities. In addition, the language rights of the Slovaks and the Rusins (as well as five other

peoples) are enshrined in much detail in the Law on the Ratification of the European Charter on Minority and Regional Languages.

On the other hand, the laws of the regions and municipalities densely populated by Slovak and Rusin minorities virtually do not reflect these rights. For example, the statutes of the two eastern counties contain only general provisions on the free use of their languages and scripts by representatives of unnamed national minorities. At the municipal level, such rights of Rusins are fixed in only one village of the Bogdanovci community. Similar provisions, previously part of the statute of the Tompojevci community, were deleted. The statute of the Punitovci community where Slovaks make up a third of the population has no mention of the Slovak language, the Croatian authorities explain this fact by the reluctance of the Slovaks themselves to give an official status to their language.

Keywords

Rusins, Rusinians, Ukrainians, Rusin language, Ukrainian language, national minorities, Slovak language, official language, Croatia, Serbian Krajina.