

Language Policy of Slovak Republic

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Abstract

The study „Language Policy of the Slovak Republic“ deals with the effects of language legislation in the Slovak Republic with the main emphasis on the status of ethnic and linguistic minorities. It provides an overview of the main minorities in the Slovak Republic and their development after 1945. The following part deals with the development of language legislation during the Communist period and during the period of an independent Slovakia after 1993. The following parts deal with the minority education system, media broadcasting in minority languages and the conditions of minority religious and cultural life. The final part deals with the objectionable items of language legislation.

Keywords

Slovakia, Language Policy, Language Rights, Minorities, Hungarian, Roma, Ukrainian, Ruthenian, Minority Education System, Media, Culture, Problems

Introduction

As opposed to the Czech Republic, the language policy in Slovakia is a topic that provokes very strong emotions. The main cause of it is the presence of two large minorities, which is an element not present in the homogenous Czech Republic. Strong emotions are stirred mainly over the position of the Hungarian minority in the southern part of Slovakia. In this paper, I intend to primarily address language legislation – i.e. with the official language legislation and legislation applicable to the use of minority languages and consequences arising thereof, including criticism. Given the limited scope of the paper, I will not be addressing the circumstances concerning the origin of the legislation on the background of birth of the independent Slovak Republic and Slovak nationalism or with the very tumultuous relationships among the Slovak political parties or relations between the Slovak Republic and Hungary.

Population and Languages within the Territory of the Slovak Republic

In 2001, nearly 85% of the 5,379,000 inhabitants of the Slovak Republic claimed Slovak nationality. Therefore, approximately 15% of the population belongs to ethnical minorities. The largest one is the Hungarian minority (520,000 - 9,7%) followed by the Roma minority (90,000 - 1,7%), Czech minority (45,000 - 0,8%), Ruthenian minority (24,000 - 0,4%), Ukrainian minority (11,000 - 0,2%), German minority (5,000 - 0,1%), Moravian minority (2,300), Polish minority (2,600), Bulgarian minority (1,100), Croatian minority (900) and Jewish minority (200). [Language Policy and language rights in Slovakia 2006, 5]. These numbers, however, require further explanation. In particular, the number of Roma citizens is questionable. The Roma often do not come forward with their nationality, and thus, multiple estimates even show various numbers. Vaňo considers the upper limit of the Roma numbers in

Slovakia to be 380,000 [quoted by Kohoutek]. There are also an unknown number of foreigners, mainly of Chinese and Vietnamese origin, living in Slovakia. Therefore, nearly 20% of the Slovak population may appertain to the minorities, which classifies Slovakia among the largely multi-ethnic states.

The Slovak majority speaks Slovak, which belongs to the West-Slovenian languages along with Czech, Polish and Wendish. In the period between the 15th and 19th centuries, it was actually Czech that was spoken as the literary language within the territory of today's Slovakia. The Slovak language is much differentiated in terms of dialects. It is basically divided into Western Slovak, Central Slovak and Eastern Slovak dialects. The unified Slovak literary language became settled only in 1840's on the basis of the Central Slovak dialect.

The Hungarian minority is concentrated particularly along the Slovak and Hungarian border. The largest part, i.e. almost 60% of Slovak Hungarians, lives in the South-West of Slovakia in the Bratislava, Trnava and Nitra regions. This minority does not socioeconomically fall behind the other parts of Slovakia. The Hungarian minority living in the regions of Kosice and Banska Bystrica has a dramatically worse economical position. The south-Slovakian Hungarian minority reaches at least a 10% share in the population in a total of 526 municipalities. A major part of the Hungarians lives in the country – all communities with more than a 90% Hungarian minority have less than 5,000 inhabitants. As per the cities, most of the Hungarians live in the Capital City of Bratislava (16,500 out of 429,000), Komárno (22,500 out of 37,000), Dunajska Streda (19,000 out of 24,000) and Nove Zámky (12,000 out of 42,000). A major part of the Hungarian minority is bilingual [Language Policy and language rights in Slovakia 2006, 8]. The area where the Hungarian language prevails has diminished dramatically since the 1920's. After the foundation of the independent Czechoslovakia, nearly 100,000 Hungarians left Slovakia, mainly government employees with their families. Another outflow of the Hungarian minority was caused by World War II. In addition to the displacement of Germans, the post-war Beneš decrees also included the displacement of Hungarians from southern Slovakia. However, the winning powers opposed the displacement of approximately 400,000 Hungarians and so only a partial exchange of population occurred. Nearly 90,000 Hungarians were expatriated to Hungary and approximately 70,000 Slovaks left in

the opposite direction. Another approximately 40,000 Hungarians were moved to Czech frontier regions. At the same time, the Hungarian minority was deprived of civic rights only to regain them during the 1950's. A part of the Hungarians that expatriated to the Czech frontier regions later returned to south Slovakia.

As we mentioned above, it is rather complex to determine the number of Slovak Roma. It is also influenced by the fact that Roma often do not understand the concept of nationality and identify it with citizenship. A part of Roma also does not want to be considered Roma for various reasons [Kohoutek]. Therefore, they declare themselves to be Slovaks, especially in regions with a Slovak majority, and to be Hungarians in regions with a Hungarian majority. Most of the Roma live in communities with a majority of Slovak (or Hungarian) population; however, a part of them also live in total segregation in purely Roma settlements. According to official statistics of persons claiming to be of Roma nationality, it is at least 10% of population in 158 municipalities, while in 5 municipalities, Roma form the majority. It is likely, however, that the actual number of municipalities with a Roma majority will be several times higher. Roma are mostly bilingual; in addition to Slovak and Hungarian, they also speak the Roma language. Roma in Slovakia do not speak one Roma language but Slovak (which belongs to the Northern-Central stem of dialects) or a Hungarian dialect (which belongs to the South-Central stem).

A majority of the Czech population came to Slovakia as government employees after 1918 and 1945. Most Czechs live in large cities, particularly in Bratislava, Košice, Prešov and Trenčín. Since Czech and Slovak are mutually understandable, a part of the Czechs who live in Slovakia speak only Czech. The Czechs are officially considered a minority; however, according to the author of the study [Language Policy and language rights in Slovakia 2006, 10], they cannot in fact be considered a minority as they are able to use their language in all aspects of life.

The Ruthenian and Ukrainian minorities live in North-East Slovakia along the Slovakian and Polish and Slovakian and Ukrainian borders. Since the 1950's, the Czechoslovak government acknowledged as the representative of the Ruthenians and Ukrainians only the Ukrainian minority with Ukrainian as the only official language of this minority. After 1989, the state eventually acknowledged the

existence of a larger Ruthenian and a smaller Ukrainian minority. The Ruthenian language was acknowledged as the minority language in 1995. Both groups are bilingual – they speak their language as well as the Slovak language. Both Ruthenians and Ukrainians live mostly in rural areas with a Slovak majority. The Ukrainians form 10% of the population in 17 municipalities and they do not form a majority in any municipalities; the Ruthenians form 10% of the population in 146 municipalities and in 20 municipalities they form a majority. The vast majority lives in the city of Medzilaborce (34% out of 6,700 people).

Language Policy After 1945

Although the Germans and Hungarians were to be expatriated from Czechoslovakia after 1945 and their fellowships and press ceased to exist, the law would not prohibit the public use of the German and Hungarian languages. The 1948 Constitution defined Czechoslovakia as a unified state of two equal Slavonic nations, i.e. Czechs and Slovaks; the existence of the national minorities was not mentioned at all. The „Socialistic“ constitution from 1960 provided the citizens of Hungarian, Ukrainian and Polish nationality with the right to use their mother tongue in education and culture.

Their rights were further extended by the Constitution from 1968. Based on that, the citizens of the aforesaid nationalities, including the German nationality, were granted the right to use their mother tongue in official communication at their place of residence, the right to establish their cultural organizations and the right to be informed and publish newspapers in the language concerned. These rights were to be specified in more detail by government decrees; however, most of the decrees were never adopted. The minorities might effectively exercise the right to communicate with authorities in their mother tongue only at places where an official was present who spoke the language, and only in an oral form.

None of the Constitutions from the Communist period mentioned the official state language. In fact, both dominant languages were spoken, i.e. Czech and Slovak.

Language Legislation After 1989

In the 1990's, several laws were enacted which related to the use of languages within the territory of the Federal, and consequently independent Slovak Republic. It mainly concerned the Official Language Act and Act on the Use of Minority Languages. The conditions for the use of languages were also provided for by other rules, such as the Education Act.

In 1990, the Slovak National Council enacted a law which determined the Slovak language as the official state language and requested that all official documents be published in Slovak. Minorities might use their language in official communication only in municipalities in which they formed 20% of the population, at a minimum. Slovak, as the official language of the Slovak state, was also mentioned in the declaration issued by the Slovak National Council on the national sovereignty of the Slovak Republic and in the preamble of the Slovak Constitution enacted in November 1992.

The conditions for the use of the official language are provided for by Act no. 270/1995 Coll., on the official language of the Slovak Republic. Slovak, as the official language, enjoys priority over the other languages spoken in Slovakia. The state creates conditions for the use of the official language by all citizens, looks after the research and announces its codified representation. Government authorities and organizations, including self-administration bodies, are obliged to use the official language in execution of their competence and a reasonable knowledge of the Slovak language is a precondition for being hired by some public bodies. The official language is the language of laws, government decrees and other generally binding legal regulations, deeds¹, proceedings held with public bodies and official agenda; the official names of the cities, their parts, streets and other geographical names are also stated in Slovak as well as the municipal chronicles. Education of the official language is mandatory in all elementary and middle schools in Slovakia. With some exceptions determined by law, radio and television broadcasting is also aired in Slovak. Any foreign audio-visual works designed for children under 12 years of age

¹ Except for the certificates issued by the schools where the lectures are conducted in a minority language.

had to be dubbed into Slovak.² It may be stated, with some limitation, that it is necessary to use the official language at all places, unless the law stipulates otherwise. The observation of the law is supervised by the Ministry of Culture, which could also impose a penalty for an infringement of the law; however, such a situation has never occurred and the provision was omitted upon the amendment of the law.

The law was sharply criticized in Slovakia as well as abroad. The European Council or OBSE also expressed their objections. A group of the opposition M.P.s addressed the Constitutional Court; however, to no avail as the Court did not find the law unconstitutional.

In 1999, Dzurinda's government enacted a law on the use of minority languages (Act no. 184/1999 Coll.).³ A minority language may be used in official communication by the citizens of a national minority who form at a minimum 20% of the municipality population. A citizen who belongs to a national minority has the right to file a written submission to a government body and self-administration in a minority language, whereas the answer is received in both the official language and the minority language. A proceeding held before a municipal authority may also be conducted in the minority language provided that all attendees agree so. The signage of streets and other publicly accessible places may be, in addition to the official language, made also in a minority language. The use of the Czech language in official communication meets the requirements of basic comprehensibility with the official language. Public administration bodies and their employees may apply a minority language under conditions stipulated by law; however, they are not obliged to speak it.

In September 2009, an amendment to the Official Language Act (no. 318/2009 Coll.) came into force, which had been prepared by Fico's government. The amendment sparked vigorous protests from the Hungarian minority. The most criticized part was the provision which allows the Ministry of Culture to impose a penalty amounting to 100 up to 5,000 Euro for infringement of the law. The penalty

² Amendment to the Act no. 318/2009 Coll. allows audio-visual broadcasting focused on children under 12 years of age in the minority languages along with subtitles in the official language.

³ Although the expressions „national minority“ and „ethnic group“ often appear in the Constitution, laws and other documents, their legal definition does not exist. The acknowledged national minorities are defined by the itemization thereof.

may be imposed upon enterprising natural entities and legal entities in the case that they fail to remove the infringement within a determined time period even after the preceding written notice.⁴ Therefore, a common citizen cannot be fined. In addition to the mandatory official language, the law newly enables to conduct written labor-legal acts, financial and technical documentation and constitution of the associations, fellowships, political parties and commercial companies also in the identical wording in any other language. The law brings in a slight improvement in the conditions of application of minority languages in radio and television broadcasting and in cultural activities.

Official names of municipalities are always in Slovak; in municipalities with 20% of minority population, the traffic signs in Slovak may be amended by the minority name also. This does not apply to the locations named after Slovak prominent figures.⁵ All signage in public places and in public transportation means must be stated in the official language on the first place followed by the translation thereof in character of the same size.

Except for the law applying to the use of minority languages, the language rights are being guaranteed by the international treaties Slovakia⁶ concluded with Poland, Germany, Hungary, Ukraine and the Czech Republic. Slovakia also acceded to the European Charter for Regional and Minority Languages. The use of minority languages is also subject to many other laws.

Minority Education

The citizens of the Czech, Hungarian, German, Polish and Ukrainian nationality have the right to education in their mother tongue „to an extent proportional to the interests of their national development.“ [Language Policy and language rights in Slovakia 2006, 21]. The Roma language is used as an auxiliary language in state schools with a large presence of Roma students. However, the

⁴ Penalty decision must contain a deadline for the removal of the infringement; if not observed, another penalty may be imposed in the amount equal to the double amount of the original penalty.

⁵ This restriction applies to the total of 12 municipalities with a Hungarian population. Their historical Hungarian names were replaced by the names of Slovak prominent figures in 1948 [Language Policy and language rights in Slovakia 2006, 20]

⁶ or preceding Czechoslovakia

education in Roma's mother tongue is not guaranteed. This inequality towards the other minority languages is being explained by a low interest of Roma parents in educating their children in the Roma language. Lectures in Roma are only conducted at the High School of Art in Košice and the Roma language is taught at the University of Konštantín Filozof in Nitra. In the school year 2004/2005, lectures in Ukrainian were conducted at eight elementary schools, one secondary school and one apprentice training school; education in Ruthenian in the school year 2001/2002 was conducted at four elementary schools [Language Policy and language rights in Slovakia 2006, 22]. The most widespread minority education occurs within the Hungarian minority. It is possible to study in the Hungarian language on all levels of education. In the school year 2004/2005, a total number of 52,000 students attended lectures in the Hungarian language.

Media

State television and radio are obliged by law to also broadcast in minority languages. For example, in 2007, Slovak Television broadcasted in minority languages for a total 264 hours, i.e. approximately 3.5% of the total broadcasting time, out of which 163 hours was in Hungarian, 49 hours in Roma and the maximum of 8 hours of broadcasting in other minority languages [Annual Report]. Compared to the preceding year, the share of broadcasting for minorities actually increased, specifically for the Hungarian minority. Slovak radio broadcasts for the national minorities by means of Radio Patria. The Hungarian language has the dominating share in the broadcasting plan.⁷ No regional radio or television can broadcast exclusively in a minority language and programs aired in a minority language had to be repeated in the official language. This regulation prevented "live" broadcasting in minority languages. After the amendment of the law in 2009, "live" broadcasting in minority languages is enabled and accompanied by simultaneous interpreting into the official language. Under the new law, the regional and local radio broadcasting

⁷ In 2004, 56 hours per week were broadcasted in Hungarian, 1 hour in Roma, 13.5 in Ruthenian and Ukrainian and 30 minutes in German, 60 minutes in Czech and 20 minutes in Polish [Language Policy and language rights in Slovakia 2006, 22]. In 2007, the broadcasting scheme was changed but the annual report of the Slovak Radio for 2007 does not contain any actual data.

designed for the members of the national minorities do not need to be repeated in the official language.

While both periodical and non-periodical publications may be published without limitations in any language, the occasional printed materials for public, such as catalogues issued by galleries or programs of cultural events, must be published in the official language and may be amended by translations into other languages.

Religious and Cultural Life

The use of languages in activities conducted by the Churches and religious associations is not regulated by law. The Constitution guarantees to language minorities the right to establish and operate cultural institutions. Minority culture is funded by the Ministry of Culture, mainly in the form of grants. In 2007, the state contribution to the minority culture amounted to nearly EUR 2 million. The Hungarian minority obtained EUR 1,098,000, the Roma minority received EUR 284,000, the German minority received EUR 100,000, the Czech and Ruthenian minorities received EUR 90,000 each and the Ukrainian minority received EUR 80,000. Smaller amounts were also granted to other acknowledged minorities [Kultúra národnostných menšín/National Minority Culture]. Self-administration bodies and private donors from Slovakia and abroad also granted some financial support to the minority cultures.

Questionable Points of Language Legislation

The method of implementation of the Charter for the Regional and Minority Languages is very much criticized by a study published by the Center for Legal Analyses and Kalligram Foundation. As the main issues, it states a low consciousness of citizens' rights, a high 20% threshold of their exercise and the fact that even in the municipalities with a given share of the minority population, the application of minority language rights in the official communication is not guaranteed as the public administration bodies are not obliged to be familiar with the respective law.

The use of minority languages in the official communication on the regional level is also questionable. Despite the fact that in some regions the Hungarian population does not exceed 20%, the conditions for the use of the minority language in the official communication are bound to the share of population in a given municipality. Given the fact that the minority does not reach a given share in any of the regional capitals, communication in the official language is not possible.

Authors of the study [Language Policy and language rights in Slovakia 2006, 29] also consider it questionable that the criteria for the application of language rights is not the number of citizens speaking the given mother tongue but the number of citizens endorsing the given nationality. The size of the first group is greater and this provision influences the execution of language rights in a negative way, particularly in the Roma and Ruthenian minorities.

Numbers of Hungarians, Romani and Ruthenians according to ethnicity and mother tongue [Language Policy and language rights in Slovakia 2006, 29]			
	Hungarians	Romani	Ruthenians
by ethnicity	520,528	89,920	24,201
by mother tongue	572,929	99,448	54,907
Difference in %	110%	110.6%	226.9%

The authors also see another issue in the study in the fact that the existence of forms printed in a minority language is guaranteed only locally. Public notices and provisions in minority languages are largely unavailable and the written official communication in minority languages is thus the minimum.

An amended version of the Act from 2009 is criticized by a report issued by the Hungarian Human Rights Foundation [Slovakia Curtails Free Speech through Restrictive Language Law]. It considers the Act as being launched against the local Hungarian minority and indicates Slovakia as being the only country that punishes citizens for using their own language. The Act is rather vague and flaws the daily communication by uncertainty and fear. The report is considered discriminating,

especially the superior status of the Slovak language as stipulated by law. The position of Czech as the language that meets the requirements of basic comprehensibility with the official language is indicated as an example of an unequal approach of the Slovak state towards minorities. The report also criticizes many other provisions of the law; these provisions, however, are mostly those which had been present in the Act before it was amended.

Conclusion

During the last twenty years, great progress was achieved in the area of language legislation in Slovakia. Despite certain questionable aspects of the law, a catalogue of language rights of minorities was created and the rights were embedded in law. Slovakia also acceded to the Charter for the Regional and Minority Languages. Some language rights, however, still remain to be rather theoretical; therefore, some of the provisions of language legislation should be reworked. It applies especially to the questionable provision concerning the penalization of infringement of the Official Language Act as the consequences of its application in practice are still impossible to estimate.

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