

Documents concerning the Language Law of Slovakia

On the 30th of June 2009 the Slovakian Parliament accepted the amendments of the 1995 Language Law concerning the state language use. The aim was to strengthen the status of the Slovakian state language, however, some rulings of the amendment are specifying the mandatory use of the official language in such a wide range that not only the interests of the minorities in Slovakia could be violated but it also contradicts Slovakia's international obligations towards the protection of minorities. This is why the acceptance of the amendment of the law resulted in an immediate international reaction.¹ Despite the fact that the amendment took effect only on the 1st of September, from the time of its acceptance by the Parliament it had called forth serious debates in Slovakia as well as in international forums. Of the responses the most important is the statement of the High Commissioner on National Minorities of the Organization for Security and Cooperation in Europe (OSCE) issued as the result of the tension evolving not only among the Hungarian minority of Slovakia but also between Slovakia and Hungary. Since his above mentioned intervention the Commissioner has actively mediated between the two countries in this matter with the result that the enacting clauses were not yet provided and the Slovakian government promised that its Cultural Ministry would publish them after having consulted both with the Hungarian government and the Commissioner.

One of the most controversial points of the amendment is the stricture on language use in the public sphere, e.g. between doctor and patient in the surgery; during the rescue operations between fire-fighters and the inhabitants of the house on fire, etc. in which cases legislation reinforced the exclusive use of the state language. It is equally problematic that the use of the minority language is allowed in public strictly within the limits described by the Law. This raises

¹ <http://www.nytud.hu/visszhang>

several problems: in settlements with less than 20% minority inhabitants public minority language use would not be possible, even though earlier it had been the usual custom – without being illegal, e.g. if the clerk and the customer spoke the same non-Slovak language. Moreover, the law narrows minority language use in the public sphere e.g. in advertisements and broadcasting.

The Law raised the interest of the scholarly world as well. In July the Hungarian Academy of Sciences (HAS) published a proclamation to condemn the regulations of the amendment of the Language Law as limiting human rights and free use of language. The petition was signed by well known scholars from many parts of the world, among others the famous linguist Noam Chomsky.² Initiated by the president of HAS, there was a major conference on the issues of minority language use and language rights in an international context. Another important event was the international expert conference jointly organized by the Frisian Academy of the Netherlands, the Mercator Network of Language Diversity Centres and the Research Institute for Linguistics of HAS in Leeuwarden/Ljouwert (Frisia in the Netherlands) on the 19th of September 2009. The conference published a statement proclaiming the protection of linguistic diversity and the freedom of language use.³

The international legal analysis of the amendment of the law also reveals the well foundedness of the concern and protestation of the learned world. In general every state may regulate the use of the state language in special laws, there is no limitation either by common law or international legal agreements; however, legislation has to comply with human rights and accepted international obligations. International legal standards restrict the protection and preference of the state language to be in balance with the measures of the protection of minority language rights. Considering the language rights of the minority people living in its territory Slovakia has the following international legal obligations: Slovakia is a member state of the European Charta of regional or minority languages as well as that of the general agreement on the protection of national minorities. The Slovakian Republic as a member state of the European Union is

² <http://peticio.nytud.hu>

³ <http://www.nytud.hu/program>

also bound by the regulations of the Union. In addition, the protection of the language rights of the Hungarian minority in Slovakia has been set down in the 1995 agreement between Hungary and Slovakia on neighbourly relations and friendly cooperation (§ 15.2 (g) 1995). Slovakia has accepted international legal obligations and thus the Law to limit minority language use gives cause for concern.

Vindicating the amendment of the Language Law the Slovak government argued that the aim was to facilitate communication among all the inhabitants of the state by reinforcing the status of the state language as a mediating language. There has also been reference made to the so called Oslo Recommendations of the High Commissioner of OSCE on minority language rights, advising that a sufficient knowledge of the state language would be desirable for social integration. However, it is also to be added that the Oslo Recommendation stresses that the unprejudiced and unrestricted use of native languages in private and public spheres is an integral part of basic human rights and dignity.

The international legal analysis sponsored by The Research Institute of Ethnic and National Minorities of HAS has found that by the amendment for the support and protection of the state language the Slovakian legislation has violated several basic rights even though the Slovakian government had pledged to protect them.⁴

The political debate over the Law would probably go on for a long time. The documents published below aim to help to learn about the text of the Law itself as well as the most important reactions to it trying to point out the aggravating legal, political and linguistic consequences of the Law.

⁴ http://www.mtaki.hu/hirek/szlovakiai_allamnyelv_torveny_mod_elemzese.html
1. Statement on the Amendment of the language Law in Slovakia <http://peticio.nytud.hu> downloaded 25.01.2010
2. Statement of the Conference on Managing Linguistic Diversity http://www.nytud.hu/archiv/statement_eng.pdf downloaded 25.10.2010
3. OSCE High Commissioner on National Minority issues <http://www.osce.org/item/23525.html> downloaded 25.10.2010

