

## NATIONALISM TODAY: CARINTHIA'S SLOVENES

### Part II: The Story of Article Seven

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The protection of an "endangered species" in the animal or plant worlds is normally justified on one or both of two grounds. The first is that it performs an irreplaceable or at least important ecological function. The other is that somehow, even if it is a matter of a minor subspecies that only experts can distinguish from other subspecies and that serves no discernible ecological purpose, it would be sad for it to disappear and improper for man to be the agent in its disappearance. But what if the "subspecies" in question is a human community, an ethnic group—particularly, as in Carinthia, a politically or geographically dislocated piece of an elsewhere unendangered ethnic group—which is threatened with assimilation, not physical destruction, and most of whose members seem to want it that way? And what if they want it that way, not because positive discrimination or legal inequality drives them to it, but because they value improved economic or social status more than the culture of their ancestors and feel that in a competitive world they can achieve these things more easily if they speak and think in the language and culture of the majority with whom they must compete? Or if a large part of the answer offered by the minority that opposes such assimilation can be reduced to an arbitrary assertion that their benighted brethren have got their values wrong and so should not be permitted to choose freely which nationality they aspire to belong to? What if it can also be demonstrated that the choice is not so free after all, that even without formal inequality or legally sanctioned discrimination there is *sub rosa* economic and social discrimination as well as other, subtler forms of social and psychological pressure to assimilate, including historical memories and a slyly inculcated belief that their ancestral culture is inferior? Would that alter the picture and our judgment? And what of the argument, again based on ultimately unarguable basic values, that cultural

homogenization is in principle undesirable—that it does do ecological damage, at least metaphorically—because cultural variety is aesthetically preferable, stimulates openmindedness, freedom, and progress, and is in this and other ways preferable and actually a "higher" culture?

These questions constitute a reasonably accurate description of the situation of the Carinthian Slovenes today, and with it the reasons why their story is a case study of wider interest. With the important exception of certain German nationalist circles in Carinthia—the only organized and voluble representatives of an undetermined number of German Austrians throughout the republic who are in some degree offended by the fact that some Austrians are not German—there are few Austrians who *actively* want the minority to disappear. Nor has any Austrian regime in history—with the awful exception of the Nazis from 1941 to 1945—*deliberately* sought to promote their assimilation.<sup>1</sup> But the "statistical genocide" of which the Slovenian nationalists so dramatically complain is not only a matter of manipulated censuses (although, as we shall see, they *have* been manipulated). By any reasonable definition, there are fewer Carinthian Slovenes today than there were 30 years ago, and there were proportionately far fewer then than a century or two earlier—declines in no way attributable to a lower birthrate than that of their German neighbors. Perhaps the most absurd of all the claims made by Carinthian German nationalists is that "Slovenization" of the province has been occurring since the Slovenian "national awakening." On the contrary, a century and a half of valiant efforts by Slovenian nationalists have failed to stem the tide of gradual Germanization. Carinthian Slovenes are not listening to their own "nationally conscious"

minority. The question is, why not? And does it matter?

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Although the clues are all there in pre-1945 history and a full understanding is not possible in ignorance of that history, another good place to begin is with the contemporary dispute over implementation of Article 7 of the Austrian State Treaty of 1955, which obligated Austria to undertake specific measures to guarantee both the survival and the equality of the Slovene and Croat minorities who live in the federal provinces of Carinthia, Styria, and the Burgenland.<sup>2</sup> The provisions of Article 7 that have not been fulfilled, or only partly and provisionally fulfilled, concern the school system, the use of Slovenian (and in the Burgenland of Croatian) as a second language in the bureaucracy and the courts, and bilingual topographical terminology and inscriptions. All are supremely sensitive issues for any linguistic minority anywhere.

There are many reasons for more than two decades of delay and improvisation, including opposition and diversionary strategies by German nationalists and others who simply do not want to see these provisions implemented. The most recent dramatic demonstration of such opposition came in 1972, when Austria's first noncoalition socialist government, representing the Austrian party traditionally considered to be more sympathetic to the minorities and their problems, attempted to install bilingual town limit signs in some southern Carinthian districts with predominantly Slovene populations. The signs were promptly torn down by German Carinthian vigilantes, to the applause of many of their fellow-countrymen. The province's socialist governor—Carinthia is the only province other than Vienna with a traditionally socialist majority—was hounded from office for having supported their installation. Chancellor Bruno Kreisky promptly retreated and with the agreement of all three parliamentary parties (both government and opposition) took refuge behind the one excuse for continuing delay that most non-nationalistic German Austrians and most outside observers have considered reasonable since it was first advanced 20 years ago. This is the argument that the unfulfilled provisions of Article 7 cannot be fulfilled without some form of head count (*Minderheitenfestellung*, literally "a determination of the minorities") to determine how

many Carinthian Slovenes and Burgenland Croats there are and where they live. But for two decades, as noted in Part I of this series, the two organizations officially recognized as representing the Carinthian Slovenes, seconded by a similar but less significant Croatian organization in the Burgenland, have opposed such a head count as neither necessary nor legitimate. Three basic arguments have been invoked in defense of this attitude: the results of such a census would be a lie; in any case, everyone knows *where* the minorities live, as successive governments have confessed in proclamations and laws designating specific districts, townships, or villages as ethnically mixed; and the *number* of them is irrelevant, both legally and morally, since neither the State Treaty nor internationally accepted principles of human rights make the protection and equality of this or any other minority dependent on its size. In fact, minority spokesmen point out, the authors of the State Treaty had implicitly agreed with this third argument when they considered and rejected the use of the phrase "a relatively significant proportion," which had been in similar provisions of the 1919 Treaty of St. Germain and had appeared in early drafts of Article 7.

The *Minderheitenfestellung* was first and most vociferously urged by the principal German nationalist organization in Carinthia, the Kärntner Heimatdienst (literally "Carinthian Homeland Service"). Such authorship, given the history and ideological coloration of the Heimatdienst, inevitably suggests that there may be more to minority opposition to a head count than curious bloodymindedness or stubborn determination to demand more than their due. The Heimatdienst is a roof organization covering, among others, the Karntner Ländsmannschaft ("Association of Countrymen," a traditional form and name for nationalist clubs in the German-speaking world), the Kärntner Sängerbund (Choir League), the Abwehrkämpferbund (League of Resistance Fighters, a society of veterans—and their children—who resisted the Yugoslav invasion of 1919, and the Bund der Kärntner Windischen (League of Carinthian Wends, a pseudo-ethnic category "invented" by German nationalists, as described in Part I). It was founded in February 1957 as a revival—originally with much the same membership—of the prewar Heimatbund, an organization (also described in Part I) which was created to oppose the Yugoslavs in 1919-20 and which later constituted an important

recruitment pool for Carinthian Nazism and the Nazi program of racial purification in the province after 1941. Earlier efforts to refund it, during the occupation years 1945-1955, were because of this background repeatedly vetoed by the Occupying Powers, which in Carinthia meant the British. Since 1957 the Carinthian Slovene organizations and the Yugoslav government have with equal constancy demanded its dissolution by appealing to the State Treaty, which requires the banning of racist or fascist organizations in general and in Article 7 specifically prohibits "the activity of organizations whose aim is to deprive the Croat or Slovene population of their minority character or rights."

That there has been no response to these demands is only partly for the morally challengeable domestic political reasons pointed out by minority spokesmen and the Yugoslavs. It would be hard to prove, to an objective court, that the Heimatdienst is in a legally strict sense an organization prohibited by the State Treaty. Its declared purposes and publications scrupulously avoid statements that could reasonably be interpreted as racist or fascist, it claims to be in favor of implementation of Article 7 (as strictly interpreted by itself), and it probably contains no higher a percentage of ex-Nazis than can be found among the members of any of the three Austrian political parties in Carinthia. The Heimatdienst's leadership now freely admits, for example, that *all* Carinthians are the products of a mixture of Slavic, Germanic, and Celtic ancestors—witness, they say, the Slav names of many of their own leaders and the German names of many "nationally conscious" Slovene ones. What they say they are defending is the historic but now allegedly threatened dominance of a superior German *culture*, not German blood. Their appeal to democratic principles is also passionate. Democracy, they point out, means majority rule, which they are quite willing to qualify through special measures, including those set forth in Article 7 of the State Treaty, to protect the separate group identity and individual equality as citizens of those who voluntarily and democratically declare themselves to be members of a (culturally inferior) minority. What they object to is the tyranny of the minority and the Slovenization of Carinthia that they claim are inherent in Slovene demands that go further than this. It is not the Heimatdienst that is racist, they say, but rather its opponents, the Slovene organizations, which insist that the way to tell a Slovene is by his ancestry, language, and other

"objective criteria" (*objektive Merkmale*) and not, as the Heimatdienst would have it, by his voluntary and democratic "confession" that he wants to be one (*Bekennnisprinzip*).

The Slovene organizations they have in mind are two in number, but they have a common parent. This was the World War II Osvobodilna Fronta za Slovensko Koroško (Liberation Front for Slovenian Carinthia), described in Part I as the first and only militarily significant anti-Nazi resistance movement on the soil of the Third Reich itself but essentially an Austrian branch of the Osvobodilna Fronta (OF)—Tito's Partisans—in Yugoslav Slovenia to the south.

As a unified political party, the Carinthian OF did not last out the first postwar year. Before they would permit its participation in the first postwar Austrian elections in November 1945, the British occupation authorities demanded that its leaders sign a pledge that they would in no way campaign for a change in the existing Austro-Yugoslav frontier. OF chairman Dr. Jože Tischler, who represented the minority in the Provincial Carinthian Government approved by the British the preceding summer, signed such a pledge, was repudiated by a plenum of his party, and resigned as its chairman and from the provincial government. The movement split, has remained divided ever since, and no Carinthian Slovene has since been elected to an office above the community level.

Today the "Christian" faction, headed by Tischler until last year, calls itself the Narodni svet Koroških Slovencev (Council of Carinthian Slovenes). The other faction, headed in 1945 and today by a leading OF veteran, the Klagenfurt lawyer Dr. Franci Zwitter, now calls itself the Zveza slovenskih organizacij (League of Slovene Organizations); it, too, is no longer a political party but "a union of socialist, that is, Titoist Slovenes," as Zwitter described it to me in 1960. The Narodni svet is close to the Catholic Church, financially and otherwise, and in its early years received funds and advice from Slovenian emigrés in the United States and elsewhere; the Zveza freely admits to subsidies from Yugoslavia. Each has its own publishing house, newspaper, and local organizations, but they tend to speak with one voice (the Heimatdienst used to refer to Tischler and Zwitter as "Jekyll and Hyde") on minority matters. After early fiascos in

running their own lists, the Narodni svet traditionally advised its followers to vote for the Christian-democratic Austrian People's Party, while the Zveza supported the Austrian Socialist Party. Disillusionment with the policies of both these parties led to an abandonment of this practice in the 1960s. Since then the supposedly "Titoist" Zveza has occasionally spoken well of the minuscule Austrian Communist Party, one of the Soviet Union's remaining loyalist parties outside Eastern Europe and therefore a somewhat curious and obscure flirtation that is worrying the Yugoslavs as well as the Austrians.

### The Boycotted Census

The test on the issue of a minority head count finally came on November 14, 1976, when the Austrian government, at last defying boycott threats at home, Yugoslav official and press protests, and mass demonstrations south of the border, carried out what it called "a census of a special kind." That it was called this rather than a *Minderheitenfeststellung* and the form it took were compromises that attempted, unsuccessfully, to disarm some Slovene objections. The "special census" was by secret ballot, as in a political election, in deference to Slovene claims that intolerable economic and social pressures would be invoked against those who confessed to being Slovenes in a normal census procedure, "with someone looking over their shoulders, so to speak," as Chancellor Kreisky put it. (The Slovenes and others who opposed the census responded that a secret ballot was no solution, since in small rural communities it would be clear to everyone, from a cursory analysis of the results, who had "voted" Slovene.) It was carried out countrywide and not only in parts or all of Carinthia and the Burgenland, as originally proposed. (It is unclear how this was supposed to help, and very few people bothered to "vote" in the other seven provinces of the Federal Republic.) It did not ask for ethnic self-identification, the *Bekennnisprinzip* advocated by the Heimatdienst and abhorrent to the Slovenian organizations, but for "mother-tongue," defined as "the language in which a child grows up" and with five possible answers listed on the form: German, Slovenian, Croatian, Hungarian, or Other (with a space to write in which Other). And while "voting" was formally obligatory, as in regular censuses and Austrian political elections, it was announced that penalties would not be invoked for failure to do so. Finally, it was stipulated that the results would merely be treated as "an orientation help," whatever that meant.

On the other hand, the government's contention that it was being sympathetic to the minority's sensitivities in the matter of the special census was undermined by at least one provision in a related legislative act, a Law on Ethnic Groups (*Volksgruppengesetz*) which was adopted on July 7, 1976, the same day that the Federal Census Law was amended to permit the special census to be held, and which was designed to implement some of the hitherto unimplemented clauses of Article 7 after and on the basis of the disputed head count. On the sensitive question of topographical inscriptions the Law on Ethnic Groups stipulated, for the first time, that bilingual signs should be erected only in communities where a minority constituted 25 percent or more of the population. The Slovene organizations had other objections to the act, but their propagandists seized on this provision as the clearest evidence that the regime had succumbed to German nationalist pressures. For reasons that will be examined in Part III of this series, 25 percent or more Slovenes would probably have been recorded, even had the Slovene organizations supported the census, in only 6 sparsely populated Carinthian rural communities. In any case a high threshold by the standards of most minority-protecting legislation in other countries and higher than even the Heimatdienst had earlier demanded, the 25 percent provision inevitably weakened the Austrian government's credibility as being genuinely interested in protecting the minorities and fulfilling the spirit as well as the letter of Article 7.

The Slovene organizations called on the minority to stay home or to spoil their ballots on November 14. The Heimatdienst mounted a vigorous campaign on the other side. German Carinthians were urged to turn out and "vote" because Slovene nationalists would claim that all abstentions represented Slovenes boycotting the census, and pro-Austrian Slovenes were urged to put themselves down as German-speakers because, they were told, to check "Slovenian" would be to vote for Yugoslavia and communism.

Of about 496,000 Carinthians on the voting rolls for the special census, only 3,816—fewer, ironically, than in Vienna—recorded Slovenian as their "mother-tongue."<sup>3</sup> In the four counties (*Bezirke*) of southern Carinthia in which most of the Slovenes live—Völkermarkt, Klagenfurt-Land, Villach-Land, and Hermagor, with 187,622 people registered as eligible to "vote"—2,711 put themselves

down as Slovenian-speakers while 15,911 did not turn in "ballots" and another 5,094 turned in spoiled ones. These figures do not count Zell-Pfarre (Sela Fara), a sparsely inhabited mountain community with an almost purely Slovenian population of 845 (in the 1971 regular census), where the ballot boxes were seized and burned by a Slovenian youth.

These results were ambiguous enough for both advocates and opponents of a boycott to claim victory, but the Slovenian claim was the more credible. However disputed the total number of Slovenian-speakers or even "nationally conscious" Slovenes in Carinthia, 3,816 is certainly only a fraction of that total. How many of the rest had abstained or spoiled their forms and how many had registered as German mother-tongue was harder if not impossible to prove. The usefulness of the results was also subject to varying and conflicting interpretations. Some federal officials suggested that the number of spoiled ballots and perhaps also the number of abstentions might simply be added to the number of those who actually registered as Slovenian-speakers in each southern Carinthian community and considered the total number of Slovenes for purposes of calculating which communities were over 25 percent Slovene and thereby eligible to enjoy all the benefits of Article 7 and the 1976 Law on Ethnic Groups. The Heimatdienst predictably yelled treason, maintaining that the Slovenes had had their chance and that only those who had declared themselves as Slovenes should be counted as such. The Slovene organizations naturally insisted that the success of their boycott constituted a rejection of the entire government plan; one must go back to square one, meaning negotiations between their representatives and the Federal government leading to implementation of Article 7 throughout the territory that the British occupation authorities and the Provisional Carinthian government had defined as ethnically mixed in 1945. They also refused to send representatives to a Minorities Consultative Commission in Vienna, which Federal Chancellor Bruno Kreisky said was the right forum for further talks, because its creation was part of the 1976 Law on Ethnic Groups which had stipulated the 25 percent threshold and other details unacceptable to them.

The government's response, to many observers typically Austrian and typically Kreisky, was to wait three months for tempers to cool, announce an arbitrary compromise of its own, and then wait another

three months for tempers to cool again before beginning to implement it. On July 1, 1977, new village-limit signs in both German and Slovenian were put up around the first of 91 localities (*Ortschaften*) designated to receive bilingual topographical inscriptions, after which there was still another pause to await reactions. The 91 *Ortschaften* that will eventually have such signs are those in which the total number of those registering as Slovenes plus the total number of spoiled ballots plus the number of abstentions in excess of 13.7 percent of all those eligible to participate in the census equalled more than 25 percent of the *Ortschaft's* total population. The 13.7 percent threshold represented the average level of abstentions in the rest of Carinthia and therefore a presumed level of abstaining German-speakers. However arbitrary and curious the formula, it was probably as reasonable as any that could have been devised. The admissibility of Slovenian as a second official language (*Amtssprache*) in courts and local government offices, for which the Law on Ethnic Groups does not specify a 25 percent minimum, is to be required in 13 townships (*Gemeinden*), including those containing the 91 *Ortschaften*, and in 3 court districts (this last "provisionally" the case since 1959); in certain other offices with wider jurisdiction, including federal offices, Slovenian will be admissible in a still larger area, including the cities of Klagenfurt and Villach.

Unlike 1972 and at least for the time being, no one attempted to tear down the first bilingual village-limit signs. In fact, as satirized by a cartoon in the Vienna daily *Die Presse*, no one was there when the first ones went up except police and press photographers standing by for disturbances that did not happen. The federal government's strategy had worked, at least to the extent of defusing one point of potential public and physical conflict. The Heimatdienst retreated to an insistence that bilingual signs might be reluctantly accepted in the 91 *Ortschaften* on condition that the use of Slovenian as an *Amtssprache* should be restricted to the same area. Its use in the wider area specified by the government, they insisted, would lead to a "Slovenization" of the bureaucracy throughout southern Carinthia and in the provincial capital, since only members of the minority know both languages and would therefore be eligible for government employment in offices where an ability to communicate in Slovenian is to be required.

As for the minority's spokesmen, they welcomed the regime's compromise as a partial fulfillment of

their rights while vehemently contesting the official view that Article 7 had now been fully implemented. Their further objections concerned not only the formula used to limit the area of bilingual topographical signs (which they, too, now agreed was a marginal issue), but the way it was all done, without full consultation and their prior agreement, and several alleged lacunae or unacceptable provisions in the 1976 Law on Ethnic Groups. Some of their objections were on matters of detail, such as the composition and powers (or lack of them) to be attributed to the minority Consultative Commissions foreseen by the law. Others were matters of principle—to the way in which the law now referred to “ethnic groups” (*Volksgruppen*), for example, rather than “minorities” and did not specifically mention Slovenes and Croats—which they interpreted as efforts to downgrade their international legal status and deny their relationship to their kinsmen in Yugoslavia. But even more important, in their eyes, was the omission of present or contemplated revisions of the school system.

#### For and Against Bilingual Education

The school system is not mentioned in the 1976 Law on Ethnic Groups. At the time the law was adopted spokesmen of all three parliamentary parties declared that present arrangements in this sector, which date from 1958-59, more than fulfill paragraph 2 of Article 7 of the State Treaty and the legitimate needs of the minority.<sup>4</sup> Such a view sidestepped the fact that the problem of education in the Slovenian language—how much, for whom, and whether compulsory or elective—had been the central and most hotly disputed aspect of the entire minority question until public and political attention was distracted by the secondary issue of bilingual place signs in 1972, and has still not been resolved to the satisfaction of either the Slovene organizations or the Heimatdienst.

In the autumn of 1945, at a time when expressing even mildly German nationalist sentiments seemed unwise and when it still seemed possible that the Allies might support Yugoslav territorial claims against Austria, the Provisional Government of British-occupied Carinthia introduced a system of bilingual elementary schools throughout the southern part of the province. The area, nearly as large as maximum Yugoslav claims (2155 km<sup>2</sup> of the 2470 km<sup>2</sup> claimed at the end of the war), included

many almost purely German communities. Instruction in the first three grades throughout this region was to be in the respective mother-tongues of the children, with an equal number of class hours in each language wherever children of both mother-tongues were together in one class. The “second language of the province”—meaning Slovenian for German-speakers and German for Slovenian-speakers—would be taught to all children at least six hours a week. Transition to German as a language of instruction in all subjects except religion was to take place in the fourth grade, but Slovenian would continue to be taught as a compulsory subject—four hours per week in the fourth and three hours per week in subsequent grades. Religious instruction, in Austria a required subject that is a sensitive and important question for priests and Catholic laymen generally and for traditionally nationalistic Slovenian priests in particular, was to be taught in the mother-tongue of the individual pupil in all grades. Finally, all pupils who had attended such a bilingual elementary school and who went on to a secondary school in the district or in Klagenfurt or Villach were required to continue Slovenian as a compulsory subject at that level as well. To implement these regulations 98 elementary schools in 62 southern Carinthian townships became bilingual schools (there should have been 108, but bilingual instruction was never introduced in 10 schools in the Klagenfurt area), and Slovenian became a compulsory subject for some or all pupils in 9 secondary schools in the area.

For ten years, until the State Treaty was signed and ratified in 1955, Austrian and Provincial officials boasted of these arrangements as a model for other multinational communities and as evidence of particular Austrian benevolence toward its minorities.<sup>5</sup> From the beginning, however, the bilingual schools were attacked by German-speaking Carinthians as undemocratic because of the compulsory aspect of bilingualism and on other grounds that were seldom and in the early years never openly nationalistic. The most common objection was that bilingual instruction was not only expensive but inefficient, especially where Slovenian- and German-speaking children shared the same class, so that all lessons had to be repeated in two languages if even one Slovene-speaking child was enrolled. Under these circumstances, opponents of the bilingual schools claimed with some a priori credibility, education in the district was inevitably

inferior to that offered in other Austrian schools; the system was therefore a form of discrimination against southern Carinthian children of both nationalities. As for the German-speaking majority, while it was admittedly a good thing to learn a second language at an early age, why in heaven's name should that language be Slovenian, which is spoken by less than two million people? (Slovene spokesmen replied that Slovenian provided a good basis for learning Russian or other Slav languages, to which German parents and later the Heimatdienst responded by asking why it would not then be better to learn Russian itself.) Resentment based on these and similar grounds—incidentally the same arguments used by English-speakers in Wales who oppose bilingual schools there—was and remains widespread even among non-nationalistic German Carinthians who are willing to accept all other demands made by the Slovene organizations.<sup>6</sup>

When the Heimatdienst was refounded in 1957, its organizers capitalized on such sentiments and made the allegedly discriminatory and undemocratic nature of the bilingual schools their first battlecry. In the preceding months, since the State Treaty was signed and Allied occupation ended in 1955, there had already been a steady increase in pressure for a reform which would make instruction in Slovenian and Slovenian language courses elective and confine the number of bilingual schools to townships where the minority accounted for a considerable portion of the population (20 percent was then commonly suggested as a threshold). Which communities thereby qualified for such schools should be determined by a special census which was then also demanded for the first time and for this purpose. At the end of the 1957-58 school year and when two years had passed without any response to these demands on the part of the federal government or parliament—whose only action in this period was to found a federal *Gymnasium* for Slovenes in Klagenfurt, a partial fulfillment of paragraph 2 of Article 7 of the State Treaty and a further provocation in the eyes of German nationalists—parents in the affected districts and the Heimatdienst organized an impressively successful school strike, an action they threatened to repeat the following autumn. Perhaps because he was doubly exposed to political accusations of softness toward the minority because of his Ljubljana-born Slovene wife and own Slovene name, Provincial Governor Ferdinand Wedenig succumbed to this pressure. On September 22, 1958, acting in his capacity as ex officio

president of the Carinthian School Board and justifying his act by reference to "my responsibility for peaceful and effective instruction in the elementary and high schools of the Province," Wedenig issued an Executive Proclamation permitting parents to deregister their children from bilingual instruction. By October 6, the deadline for such an application to be effective in the school year that had already begun, deregistration petitions for 10,375 out of 12,774 pupils attending the first 4 grades in bilingual schools had been turned in. The following month, after protests by minority spokesmen concerning alleged economic, psychological, and other pressures on Slovene parents to deregister their children were taken up by some newspapers outside the province, the School Board issued a supplementary order permitting reinstatement if requested, but only 213 pupils were reregistered for bilingual instruction under this provision. Thus only 2,399 pupils—43 percent of Slovene first- to fourth-graders in the affected school districts, according to minority sources—remained in bilingual classes. In subsequent years the number declined still further: to 1,990 in 1959-60, 1,820 in 1960-61, and 1,538 by 1967-68.<sup>7</sup> Meanwhile the difficulties faced by teachers in ethnically mixed districts as a result of this mass deregistration is indicated by another supplementary order issued by the Provincial School Board on October 27, 1958, which authorized "oral instruction in the child's own dialect for those [deregistered] pupils who do not know German or whose German is inadequate." As minority spokesmen promptly pointed out, this was in effect a return to the "ultraquist" schools favored by German nationalists as a device to Germanize "Windisch" children under the Monarchy and the First Republic.<sup>8</sup>

Faced with this fait accompli, the Federal Parliament in March 1959 adopted a "Minority School Law for Carinthia" which described itself as "instructions for implementing the minority school provisions of the Austrian State Treaty" but which in fact legalized what even proponents of the Carinthian Governor's proclamation admitted had probably been an illegal act. The Federal law actually went a step further than Wedenig had, for it specified that Slovenian or bilingual instruction should be given to children whose parents registered them for it rather than to those who did not deregister. It thus became necessary to perform a positive rather than a passive act—involving a written application and thereby a public stand—in order to enjoy a right

guaranteed by the State Treaty, whereas Wedenig's proclamation had required such a positive act in order to waive the same right. In the atmosphere prevailing in Carinthia—documented in evidence of pressure on parents by employers and local authorities collected by the Slovene organizations—this was an important difference. The law also stipulated that religious instruction for pupils registered for bilingual instruction should be in both German and Slovenian; the 1945 law, as noted, had stipulated that in bilingual schools this particularly sensitive subject should be taught in the mother-tongue of the individual students. Finally, while the Minority School Law specified that the right to Slovenian or bilingual instruction should continue to be available on demand in all schools in which such instruction had been offered in September 1958 (i.e., just before Wedenig's proclamation), this was now termed a provisional arrangement which should be revised on the basis of "a general *Minderheitenfestellung* to be carried out under Federal law." The same qualification also appeared in another law, approved the same day, which provisionally named three southern Carinthian court districts (out of nine demanded by the Slovene organizations) as those "in which the Slovenian language is to be admissible on the basis of the State Treaty of May 15, 1955." In these two laws the regime for the first time committed itself to the minority head count that German nationalist organizations in the province were demanding and that was finally carried out more than 17 years later.

The 1959 Minority School Law for Carinthia is still in effect, and both government and opposition spokesmen have called it adequate and definitive, as noted above and despite the 1959 law's stipulation that the schools to which it applies should be redefined once a *Minderheitenfestellung* had been completed. Neither the Slovene organizations nor the Heimatdienst is satisfied with this arrangement. Spokesmen for the latter like the voluntary principle which requires the positive act of registration for bilingual instruction, but insist that the number of schools that may offer bilingual classes should be limited to the territory in which bilingual topographical signs are now being installed, that is, those with 25 percent or more Slovenes as determined by the 1976 special census. (Ostensibly this is because of the cost of providing bilingual instruction where only a few pupils are registered for it.) The Slovene organizations are happy that the territorial principle as proclaimed by the 1945 regulations is apparently

to be retained and the results of the special census ignored as far as schools are concerned, but they are publicly still demanding a return to the 1945-1958 system (when bilingual education was compulsory for all pupils throughout the larger territory defined as ethnically mixed by the 1945 provincial school law). Privately some of their spokesmen have indicated eventual willingness to accept the present system with some amendments. The most important of these would require a return to the principle of requiring a deregistration from rather than registration for bilingual instruction, which would in effect mean a return to the situation created by Wedenig's 1958 Proclamation and would therefore constitute a major concession on their part.

### Why Won't They Be Counted?

An even cursory examination of this story as a whole and of the minority school question and the dispute over the *Minderheitenfestellung* in particular seems to indicate that the Heimatdienst, however otherwise dubious many of its members and motives may be, is making some valid and reasonable points. The principal and central of these is epitomized by a cartoon in the Viennese daily *Die Presse* which showed workers replacing a Vienna city limits sign with a bilingual one reading "Wien - Dunaj" (Dunaj being the Slovenian name for Vienna). There are indeed some Carinthian Slovenes in Vienna today. Moreover, ethnographers generally agree that the Vienna Basin was also inhabited by Western Slavs, the ancestors of the Slovenes and Czechs, before it, too, was Germanized by Bajuvarii migrations in and after the eighth century. Although no Slovene spokesmen have carried their claims to this extreme and Article 7 of the State Treaty specifically mentions only Carinthia, Styria, and the Burgenland, both of the principles they invoke in demanding implementation of Article 7—a territory of "autochthonous" Slovene settlement and one in which some Slovenes are present today—apply to Vienna as well. This thought, however flippantly suggested, is a reminder that surely there must be some minimum number of Slovenes present before anyone could reasonably expect bilingual signs and schools, bilingual bureaucrats and judges, and other measures to protect and promote the existence of an ethnic minority as a group (not to be confused with the human and civic rights of its members as individuals, a separate but equally important question). Therefore, momentarily begging the question of



how many or what percentage must be present on what size territorial unit—and that German nationalist and Austrian government views on this question have lately hardened—it seems equally reasonable to insist on some kind of head count to indicate where the minority is sufficiently concentrated to warrant special, expensive, and often inconvenient and unpopular measures. And what could be more democratic, or more consonant with generally accepted principles of human rights, than the kind of self-identification foreseen by the Austrian “special census,” duly protected against improper influence or the prying eyes of prejudiced and powerful members of other nationalities by a secret ballot?

This, indeed, has been the view of most Austrians, including many untainted by German nationalism or by more ethnic prejudice than Andrew Young would have us believe lies buried in the bones of each of us. Why, they ask with varying degrees of puzzlement or suspicion, do the minority’s spokesmen so adamantly oppose an appropriately protected head count? Why do they so adamantly insist that Article 7 must be implemented throughout a territory which they once inhabited in larger numbers but in parts of

which almost no one now admits to being a Slovene? Why to they even maintain that being or remaining a Slovene cannot be a matter of personal choice but is a cultural attribute that both society and the individuals concerned have a duty to preserve? And is not the last of these more appropriately classified as “nationalistic” or even “racist” than is the German nationalist Heimatdienst’s present line, which holds that all Carinthians are a mixture of Slav, German, and other antecedents and that their current or desired future cultural nationality should be a matter of individual free choice?

The answer of the “nationally conscious” Slovenes, summarized in their argument that the results of a *Minderheitenfeststellung* would under any conditions be a lie, has been either too subtle or too badly formulated to persuade any except the most sophisticated and those whose own ideological or psychological bias inclined them to accept any such claims by a self-proclaimed “discriminated minority” on principle and uncritically. But to know why and in what sense it is true that the results of any ethnic census in southern Carinthia are bound to be “a lie” is the key to understanding the problem of the minority and also its wider significance.

#### NOTES

1. This contention is disputed by most Yugoslav and Carinthian Slovene writers on the subject. But note the emphasis on “regime” and “deliberately.” Even the “Germanizing” policies of Maria Theresa and Joseph II in the eighteenth century, unlike the Magyarizing policies of the post-1867 regime in the Hungarian half of the Dual Monarchy, were not inspired by desire to assimilate other nationalities as an end in itself or to create an Austro-German nation-state. Their goals were centralization and modernization, in which a single language for administration and for communication among (ethnically diverse) elites was obviously a useful instrument. Since the core of these elites was German-speaking and the House of Hapsburg a German family in origin, the Hapsburg “Enlightened Despots”—although themselves often more comfortable speaking French or even Italian—naturally opted for German. Later Hapsburg emperors and most of their ministers were ready, even eager, to save their multinational empire by permitting individual provinces to be self-administering in a local tongue—if only the Diet of an individual province, itself often multinational, could decide which tongue it should use.

2. For pre-1945 Carinthian history, the text of Article 7, and other background factors reiterated in summary in the following paragraph, see Part I of this series.

3. Of the 452,436 special census forms actually turned in, 439,937 recorded German as the mother-tongue; there were 6,338 spoiled ballots; while 2,345 had the Croatian, Hungarian, or “Other” boxes checked. (Figures here from the *Kleine Zeitung*, Klagenfurt, November 27, 1976; other Austrian

newspapers reported slightly different figures, all still officially “preliminary results.”)

4. Cf. statements made on Austrian television on July 17, 1976, by Chancellor Kreisky, Dr. Willibald Pahr (then responsible for minority questions in the Chancellor’s Office, now Austrian Foreign Minister), and representatives of the opposition parties (ÖVP, FPÖ), printed in *Volksgruppen in Österreich—Eine Dokumentation* published by the Federal Chancellor’s Office, Vienna, 1976).

5. Statements of this kind—by Foreign Minister Gruber during negotiations for the State Treaty, by the Carinthian Assembly in a “solemn declaration,” by the Governor, et al.—are regularly quoted in minority and Yugoslav publications, e.g., *Rasprave in gradivo* (“Treatises and Documents,” occasional papers published by the Institut za narodnostna vprašanja in Ljubljana), 1960, No. 2, pp. 59-64 and passim.

6. An observation confirmed by my own conversations with parents and teachers in the bilingual district in 1960 and 1976.

7. Official Austrian school statistics, as cited by Drago Druškovič, *Carinthian Slovenes: Some Aspects of Their Situation* (Ljubljana, Institute for Ethnic Problems, 2nd ed., 1973), p. 34.

8. Wedenig’s proclamation, this and other supplementary instructions and the Federal laws described below are all reproduced (in the German original) in *Rasprave in gradivo*, 1960, n. 2, pp. 71-90. For “ultraquist” schools, see Part I of this series of Reports.