

TERRITORIAL IMPLEMENTATION OF ARTICLE 7 OF THE AUSTRIAN STATE TREATY, WITH SPECIAL EMPHASIS ON BILINGUAL TOPOGRAPHICAL TERMINOLOGY AND INSCRIPTIONS IN SOUTHERN CARINTHIA

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On 15 May 1955, the Austrian State Treaty (AST) was signed by US Secretary of State John Foster Dulles, Russian Foreign Minister Wjatscheslaw Michajlowitsch Molotow, Austrian Foreign Minister Leopold Figl, UK Foreign Secretary Harold (Earl of Stockton) Macmillan, and French Foreign Minister Antoine Piani. Article 7 of this treaty guaranteed the Slovenes of Carinthia and Styria and the Croats of Burgenland their rights as ethnic minorities in the fields of education, official language usage, and political self-representation. It is important to note that article 7 does not mention any “large numbers” or “significant percentage” of a minority population in any given administrative unit as a precondition for recognition of the minority’s existence and minority rights (Matscher 2005). Thus Austrian minority protection laws dealing with bilingual education, the administrative use of minority languages, and bilingual “topographic” signs should have been valid for all settlements in “...the administrative and judicial districts of Carinthia...and Styria, where there are Slovene... or mixed populations...”¹ (the so-called territorial principle).

After 1955, Austrian authorities stipulated the validity of minority protection upon percentage of minority residents in administrative units. They also manipulated population census data with regard to the language of communication (Klemenčič and Klemenčič 2008: 65–82, 115–28). Census-takers retained the practice of the 1939 Nazi census and differentiated among German, Slovene, and “Windisch”² languages and used all possible combinations of these categories. Austrian authorities divided Slovene speakers in Carinthia—who spoke the same Carinthian dialect of the Slovene language—into two linguistic/ethnic categories, “Windisch” and “Slovenes” (Priestly 1996).

¹ State Treaty for the Re-establishment of an Independent and Democratic Austria = Gosudarstvenij dogovor o vosstanovlenii nezavisimoj i dmokraticheskoj Avstrii = Traité d’Etat portant rétablissement d’une Autriche indépendante et démocratique = Staatsvertrag betreffend die Wiederherstellung eines unabhängigen und demokratischen Österreich. *United Nations Treaty Series* 217. New York: United Nations, 1955: 223.

² For an explanation of the development of the idea of “Windisch” as separate language and/or people, see Priestly 1996.

Thus, the censuses after World War II remained part of a general plan for gradual Germanization or for systematic, “statistical liquidation” of the Slovene and Croatian as well as other ethnic minorities in Austria. On the basis of this manipulation, more than half of the territory recognized in the 1945 decree on bilingual education as settled by Carinthian Slovenes was excluded from the jurisdiction of the minority protection laws. Carinthian Slovene leaders protested against this misuse of census data, but to no avail (Klemenčič and Klemenčič 2008: 83–98).

Anti-Slovene, German nationalist organizations that impeded the fulfillment of AST obligations were active after 1955. These nationalist organizations, which should have been forbidden according to article 7, paragraph 5 of the AST, were allowed to participate in political parties and lawmaking bodies.³ In the federal province of Carinthia, treaty provisions regarding the use of Slovene as an administrative language, as the language of instruction in education, and in bilingual inscriptions on signage in cities and villages were systematically thwarted (Stergar 1976).

These organizations still strongly influence policy in Carinthia; many of their ideas have been adopted by political parties in Carinthia and through them, by national parties, the Austrian government, and the Austrian parliament.⁴ Attempts to solve the situation of the Slovene minority have provided very good opportunities for politicians to collect popular support, which are then (mis)used by Austrian political parties in their political campaigns. In this way successive Austrian governments have failed to introduce minority protection laws that would carry out the provisions of article 7 of the AST.

Bilingual signs are important; they are visible testimony of the existence of a minority and, as such, a symbol of the historical presence of that minority in specific localities. Signs also confirm that the majority population recognizes the minority as an equal partner in shaping the culture in a given region. It is understandable, therefore, that the leadership of Carinthian Slovenes is so vehemently fighting for a just resolution of this question.

³ The most visible change in Carinthia after AST was signed was renewal of activities by German nationalist organizations to pressure Carinthian Slovenes to assimilate. Only a few days after AST was signed, one of the oldest German national and anti-Slovene organizations, Kärntner Schulverein-Südmark, resumed its activities. In mid-December 1955, Kärntner Abwehrkämpferbund (KAB) was formed, and in February 1956 Arbeitsgemeinschaft für Südkärnten was established, out of which, on 27 January 1957, Kärntner Heimatdienst (KHD) was formed.

⁴ The three main political parties in Austria were then Socialist Party of Austria, Austrian People's Party and Freedom Party of Austria.

The two attempts to solve the problem, in 1955 (to install a signpost in the commune of Moos bei Bleiburg/Blato pri Pliberku) and in 1972 (to implement the law on bilingual topographic signs), remained unfulfilled. The 1972 attempt by Carinthian governor Hans Sima and Austrian Chancellor Bruno Kreisky to install 205 bilingual signs ended with a “war against bilingual local signs” (*Ortstafelsturm*). A few days after the installation of the first fifty signs, German nationalists destroyed all of them (Stergar 2003).

The decree of 1977, mandating the posting of bilingual topographic signs in ninety-one of the 800 settlements in bilingual southern Carinthia,⁵ was only partially fulfilled. By 2000, about seventy bilingual signs were erected. Because the decree restricted the posting of bilingual signs to localities with a twenty-five per cent minority population, many Carinthian Slovenes complained to the Constitutional Court. In answer to one of those complaints, the Austrian Constitutional Court decreed in December 2001 that requiring a twenty-five per cent minority population was unconstitutional and suggested “approximately ten per cent” of the Slovene population “in the longer period of time” as an obligatory condition to erect local bilingual signs.⁶ It became clear that a new solution would have to be found.

On the basis of the decision of the Austrian Constitutional Court, the Carinthian Slovene leadership proposed erection of bilingual signs in 394 settlements in southern Carinthia. The Austrian government attempted to negotiate a solution with representatives of the Slovene minority, the provincial Carinthian government, Carinthian German nationalist organizations, and representatives of local authorities in southern Carinthia. These attempts of 2006 and 2007 did not result in a solution enabling bilingual “topographical terminology and inscriptions” in southern Carinthia. Both proposals, one by Chancellor Wolfgang Schüssel (Austrian People’s Party) and the other by Chancellor Alfred Gusenbauer (Austrian Socialist Party), allowed for far fewer bilingual inscriptions (141 and 162, respectively). Neither government proposal was passed, although minority representatives, under pressure from Austrian politicians, consented to Gusenbauer’s. There were additional demands on Slovene minority for this

⁵ Verordnung der Bundesregierung vom 31. Mai 1977 über die Bestimmung von Gebietsteilen, in denen topographische Bezeichnungen in deutscher und slowenischer Sprache anzubringen sind. *Bundesgesetzblatt für die Republik Österreich*, No. 69, Wien, 14 July 1977, p. 1007; 308. Verordnung der Bundesregierung vom 31. Mai 1977, mit der die slowenischen Bezeichnungen für Ortstafeln festgesetzt werden. *Bundesgesetzblatt für die Republik Österreich* 69, Wien, 14 July 1977, pp. 1008–1010.

⁶ Decision of the Constitutional court of Austria, No. G 213/01-18, V 62, 63/01-18, Wien, 13 December 2001, www.vfgh.gv.at/cms/vfgh-site/attachments/9/8/8/CH0006/CMS1108400716489/g213-01ua.pdf (17 December 2006).

law to be passed to be considered by anti-Slovene-oriented Carinthian governor, Jörg Haider. He also demanded that Carinthian Slovene leaders sign a declaration stating they would abstain from presenting any further demands regarding fulfillment of article 7 of AST (Klemenčič 2007).

A solution to the problem is still not in sight. Furthermore, bilingual signage applies not only to local settlements but also to other topographic features, such as the names of rivers, mountains, streets, and official government buildings. In some villages in southern Carinthia, local authorities are already putting up the signs, and there is hope that Slovenia's entry into Schengen Europe, where border guards no longer police frontiers, might also change the feeling of most German Carinthians. Although the bilingual topography will not change the attitudes of the majority population; the bilingual topography provides a degree of recognition or acknowledgment of existence of minority population in certain territories of southern Carinthia.

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