
Language Policy And Minority Rights In Ukraine



Gyula Fodor - István Cserniczkó

Ferenc Rákóczi II Transcarpathian Hungarian College

The presentation consists of 4 parts:

- ❑ Short Introduction: ethnic and linguistic otherness in Ukraine
 - ❑ Documents which deal with the status of minority groups and languages in Ukraine
 - ❑ The European Charter for Regional or Minority Languages in Ukraine
 - ❑ Conclusions
-

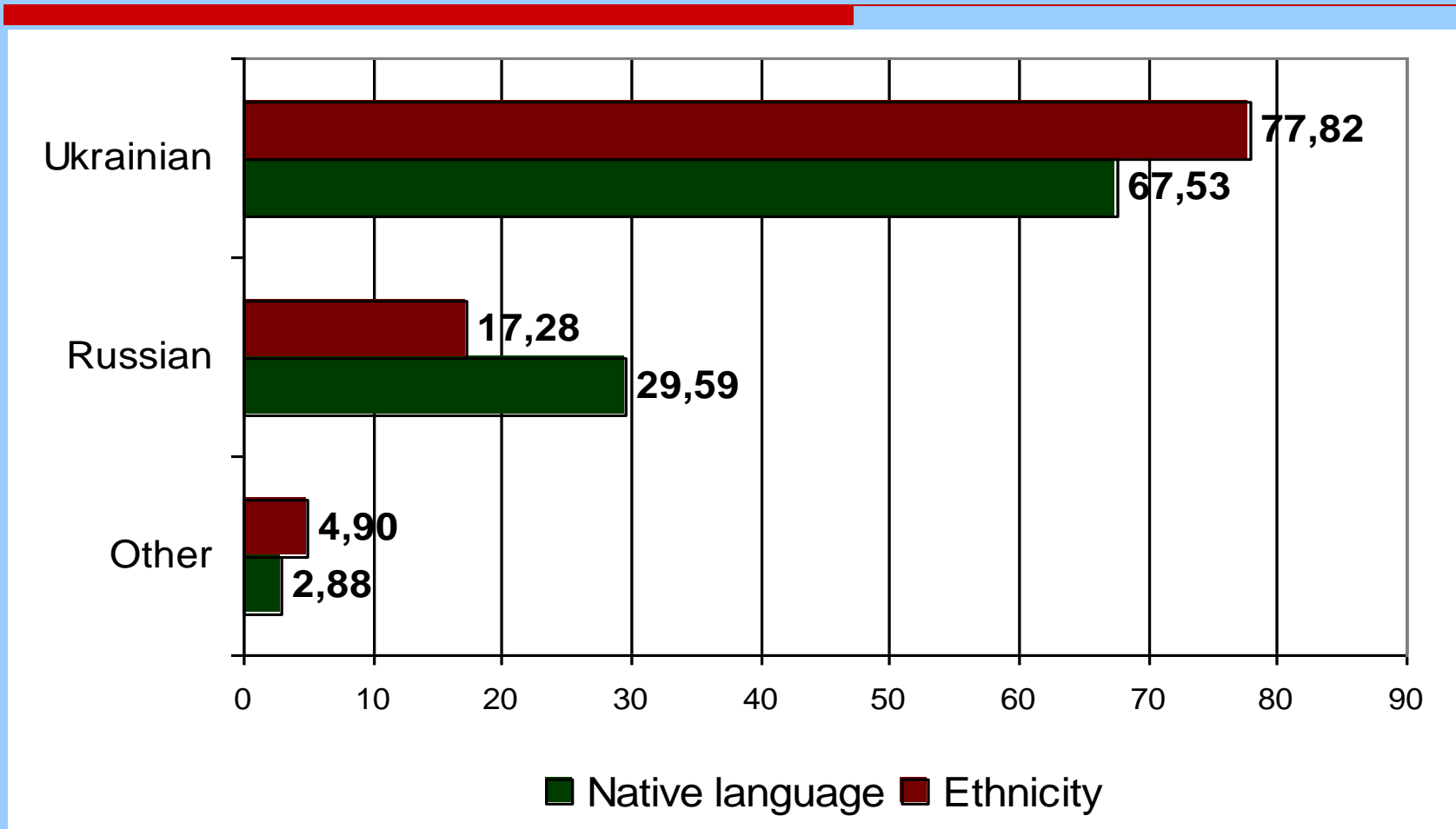
1. Introduction: ethnic and linguistic otherness in Ukraine

3 LINGUA-ETHNIC GROUPS IN UKRAINE

Some experts consider that Ukraine's population is made up of three lingua-ethnic groups:

- 1) Ukrainian speaking Ukrainians (about 40–45% of the country's population);
- 2) Russian speaking Ukrainians (about 30–34% of the country's population);
- 3) Russian speaking Russians (about 20%).

The coincidence of native language and ethnicity in case of the population of Ukraine (%)



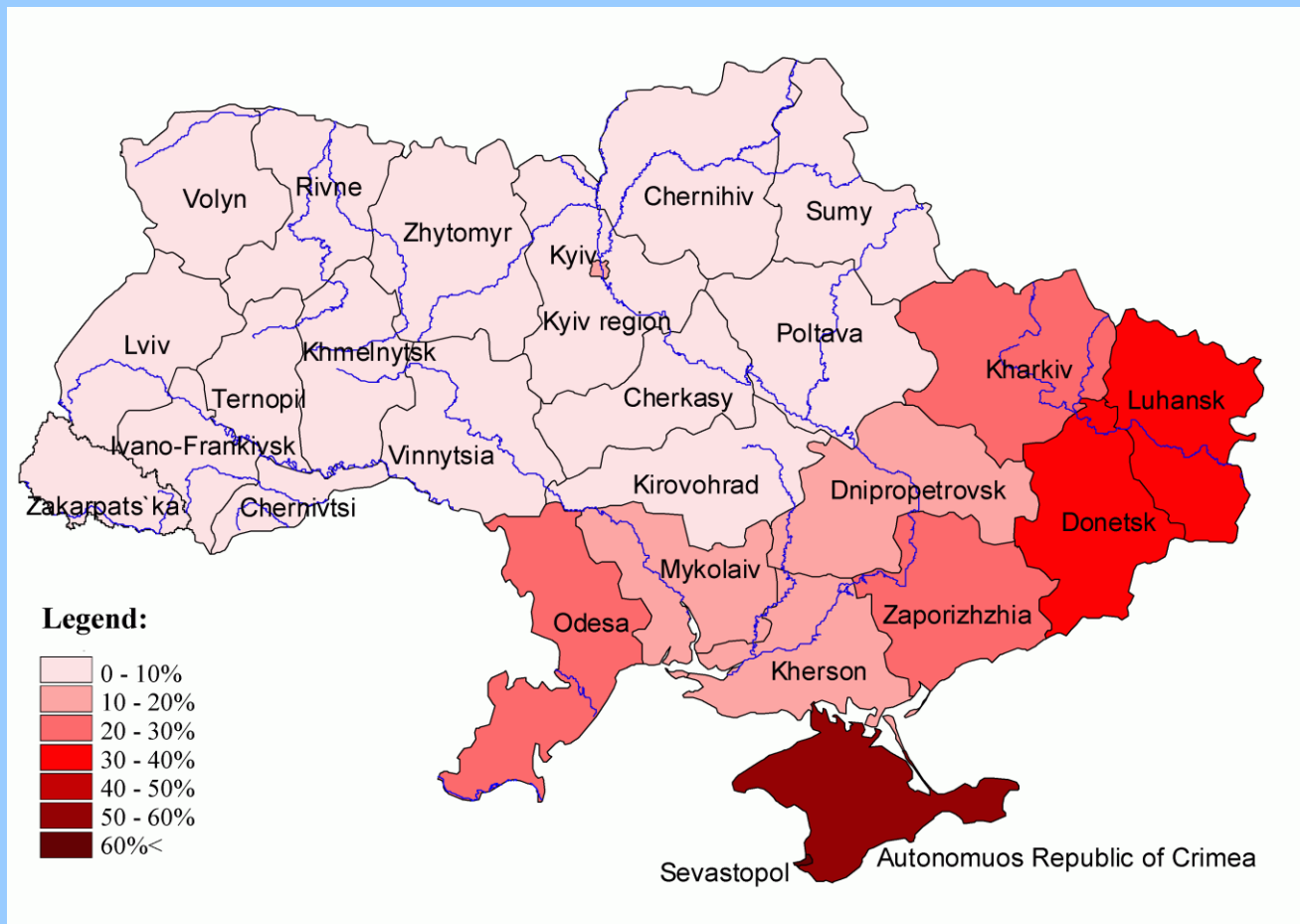
Census data, 2001

Consequences:

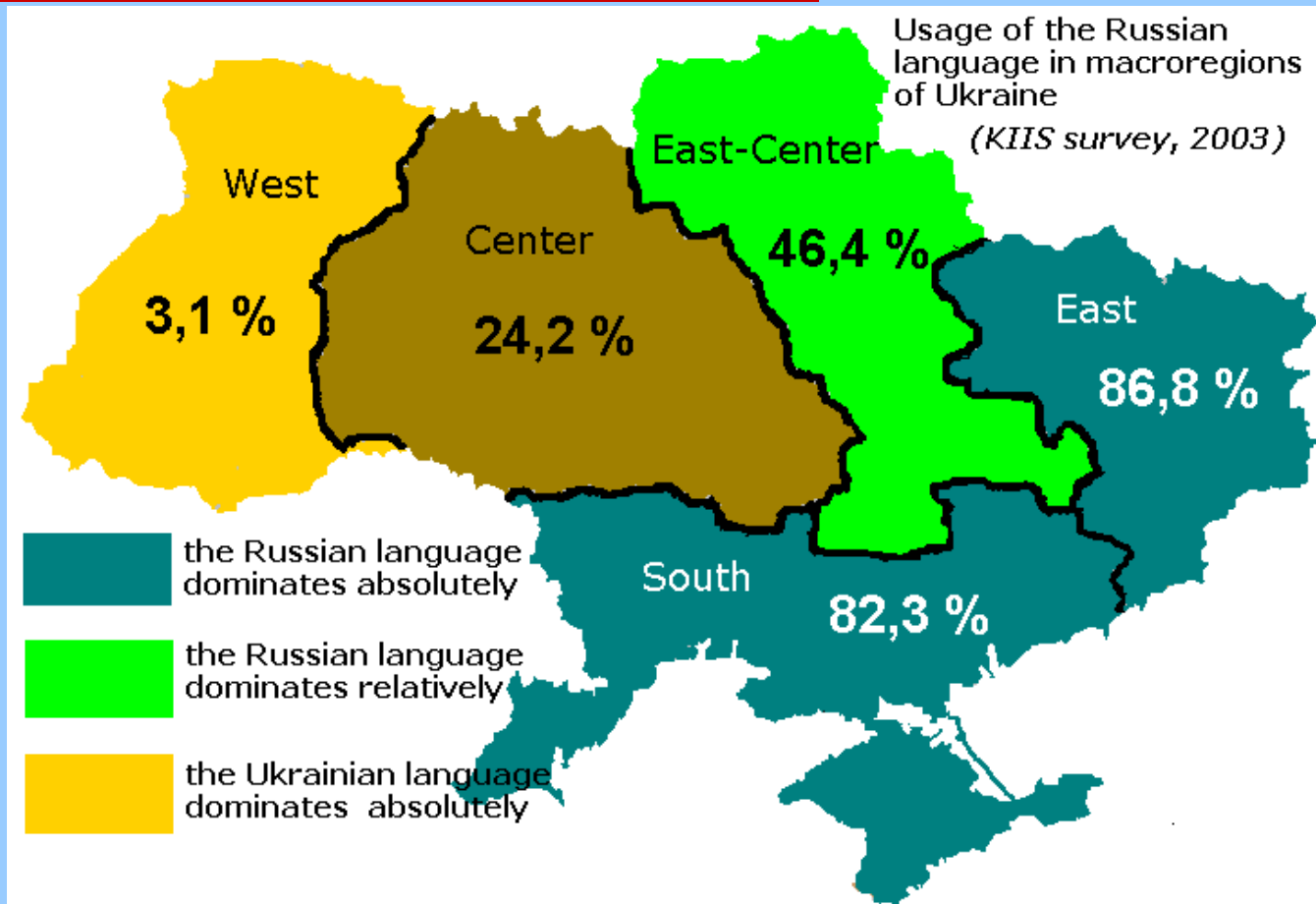
- ❑ The ratio of people whose ethnicity is Ukrainian is higher than the ratio of people who speak Ukrainian language.
 - ❑ The ratio of people who speak Russian is higher than the ratio of people who has Russian ethnicity
 - ❑ The Linguistic variety is not so vivid than the ethnic variety, because a lot of minority groups have begun to speak Russian or (less frequently) Ukrainian.
-

-
- Ukraine *de jure* is a monolingual state, but *de facto* it is multilingual.
 - Due to the high ratio of the Russian speaking people it is not surprising that the main problem of the ethnic and language policy is the Russian minority and language in Ukraine.
-

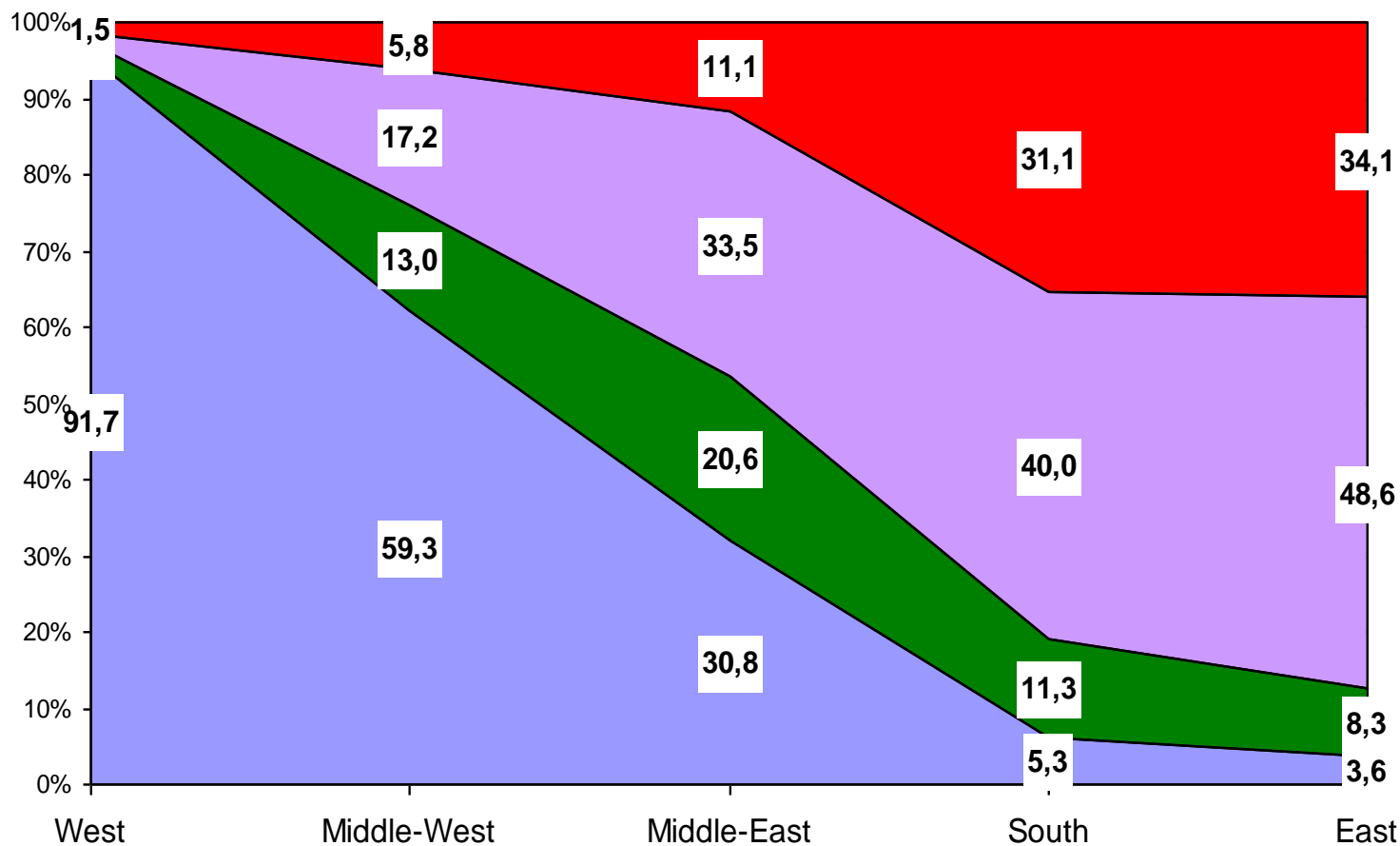
The ratio of the native speakers of Russian in Ukraine (data from the 2001 national census)



Usage of the Russian language in Ukraine



The distribution of the adult population of Ukraine according to their ethnicity and native language in different regions in 2003 in % (N=22.462)

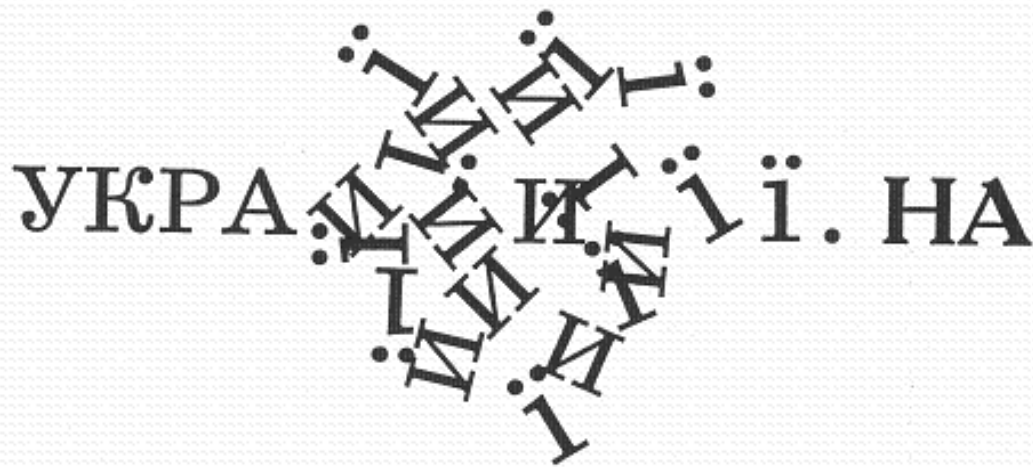


Surzhyk (Ukr.: суржик; originally meaning 'flour or bread made from mixed grains', e. g., wheat with rye) is currently the mixed language or sociolect.

It is a mixture of Ukrainian substratum with Russian superstratum.

- Ukrainians whose native language is Ukrainian
- Ukrainians whose native language is Surzhyk
- Ukrainians whose native language is Russian
- Russians whose native language is Russian

The conflict of Ukrainian and Russian, their relations in the works of Mykola Soroka:



УКРАїї. НА

“Ukraine has not died yet...” (Ukraine still lives on):
the first words of
Ukrainian national
anthem.

The name of the
country and its spelling
in Ukrainian:
Україна,
in Russian: *Украина*

The conflict of Ukrainian and Russian



The Ukrainians are afraid of Russianizing



The change of legal language status seems impossible

- ❑ The draft of the language law was put on a carpet before the October election campaign.
 - ❑ Both the parliamentary opposition and the intellectual elite of the western and central parts of the country had protested against the draft.
 - ❑ Whichever way will the state language policy move in Ukraine (i. e. strengthening the positions of the Ukrainian language or raising the status of the Russian), this provokes the opposition of one half of the local society.
-

The change of legal language status seems impossible

Kiev, May 24, 2012:
debate of the draft of the language law in the Ukrainian parliament



„Do you want bilingualism? Learn Ukrainian!” – sound the protesters against the state language status of the Russian language



2. Minorities and their languages in the Ukrainian legislation

The main factors:

- ❑ The codified state language of Ukraine is Ukrainian.
- ❑ Russian (according to both the Constitution and the Language Law of Ukraine), compared to other minority languages, is in **pole position**.
- ❑ Languages of national minorities and **not minority languages** are protected by the law (because the ratio of Ukrainians is roughly 78% by ethnicity, however it is only 68% by native language).
- ❑ Besides the state language minority languages can also be used in offices, but just in the case when the ratio of the national minority is above **50%**.

The main factors:

- ❑ Though the documents do not forbid the use of minority languages, they do not specify explicitly where and under which conditions these languages can be used.
 - ❑ The definition of some terms used in the wording of laws is often omitted or is not obvious.
 - ❑ No document specifies the protection of endangered languages of Ukraine.
 - ❑ The state does not apply positive discrimination.
-

3. The European Charter for Regional or Minority Languages in Ukraine

Ukraine has ratified:

- ❑ The Framework Convention for the Protection of National Minorities (year of ratification: 1997, came into force: 1995.02.01.);
 - ❑ The European Charter for Regional or Minority Languages (year of ratification: 2003, came into force: 2006.01.01.)
-

-
- The languages of 13 national minorities are protected by the Charter
 - The protected languages and their communities are in considerably different positions
 - Many really endangered languages (e.g. Krymchak, Karaim) did not get the protection of the Charter
-

The population of Ukraine (based on national census data, 2001)

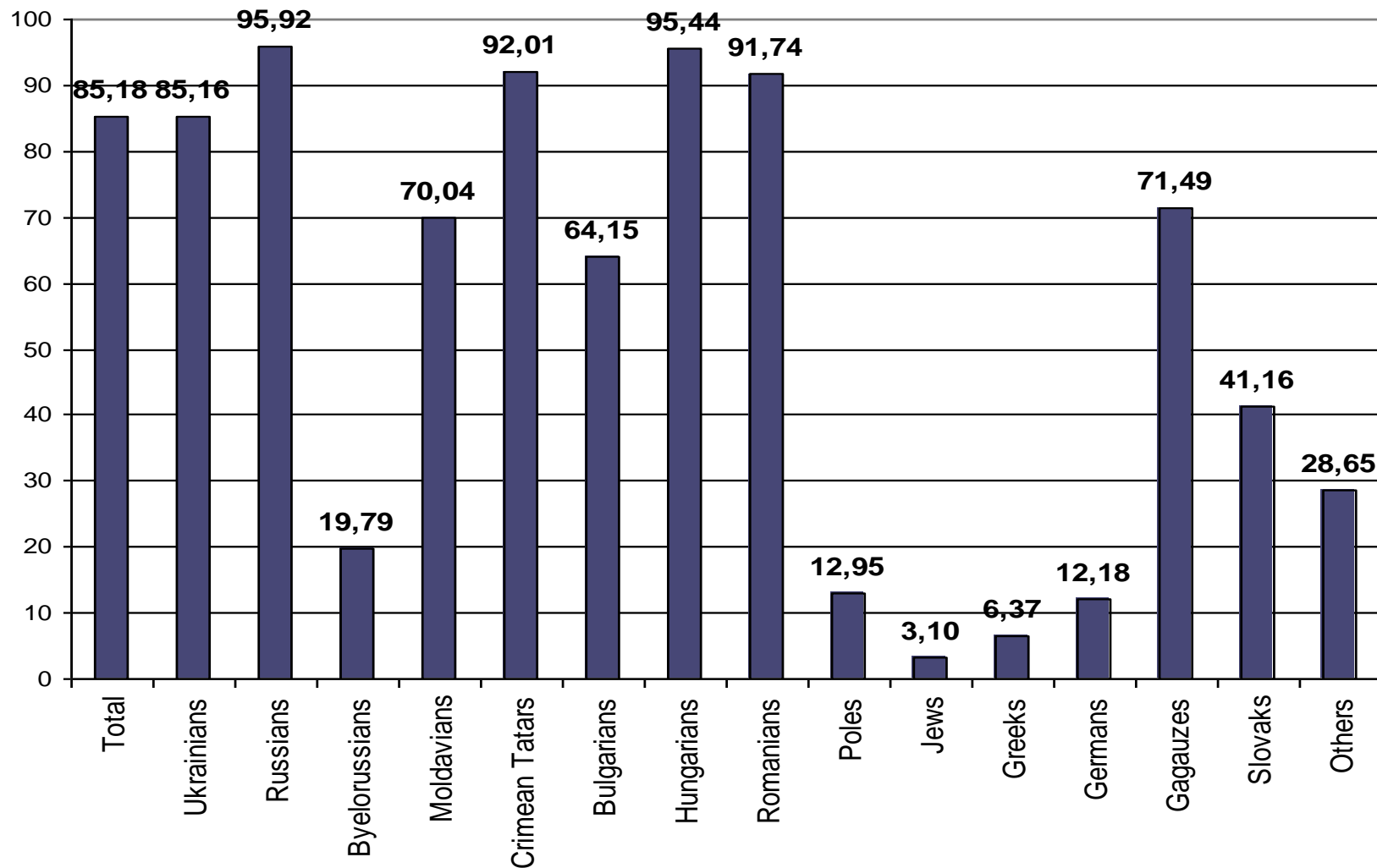
	Pupils	In %
Total	48240902	100
<i>Ukrainians</i>	37541693	77,82
Russians	8334141	17,28
Byelorussians	275763	0,57
Moldavians	258619	0,54
Crimean Tatars	248193	0,51
Bulgarians	204574	0,42
Hungarians	156566	0,32
Romanians	150989	0,31
Poles	144130	0,30
Jews	103591	0,21
Greeks	91548	0,19
Germans	33302	0,07
Gagauzes	31923	0,07
Slovaks	6397	0,01
<i>Others</i>	659473	1,37

The Charter protects the languages of the following 13 national minorities: Russian, Byelorussian, Moldavian, Crimean Tatar, Bulgarian, Hungarian, Romanian, Polish, Jewish, Greek, German, Gagauz, Slovak.

These two languages are not protected by the Charter:

	Pupils	The coincidence of nationality and native language	
Karaims	1196	24	2,01%
Krymchaks	406	21	5,17%

The coincidence of ethnicity and native language in different nationalities of Ukraine



The European Charter for Regional or Minority Languages: problems (1)

- ❑ In 1999, the Parliament of Ukraine ratified the Charter, but Constitutional Court suspended it.
 - ❑ The differences between the Charter of 1999 and the ratified Charter of 2003 are striking.
 - ❑ The Charter ratified in 2003 specifies more restricted rights.
-

European Charter for Regional or Minority Languages, by Ukraine

	Bill N 1350-XIV, 1999 (20% threshold)	Bill N 802-IV, 2003 (without exact ratio)
Part I: General provisions	In all	In all
Part II: Objectives and principles pursued in accordance with Article 2, paragraph 1	In all	In all
Part III: Measures to promote the use of regional or minority languages in public life in accordance with the undertakings entered into under Article 2, paragraph 2		
8. Education		
1.		
a) pre-school education	a (i), a (ii), a (iii)	a (iii)
b) primary education	b (i), b (ii), b (iii)	b (iv)
c) secondary education	c (i), c (ii), c (iii)	c (iv)
d) technical and vocational education	d (i), d (ii), d (iii)	–
e) higher education	e (i), e (ii)	e (iii)
f) adult and continuing education courses	f (i), f (ii)	f (iii)
g)	g	g
h)	h	h
i)	i	i
2.	2.	2.

The European Charter for Regional or Minority Languages: problems (2)

- According to a legal analysis made by the Ministry of Justice, the text of the Charter were translated incorrectly, that is why its aims were misinterpreted.
 - Due to the national parties of the political elite the Charter give too broad rights for the Russian language and in this way puts the positions of the state language at risk.
 - Under the nationally committed president, Yushchenko, the Ministry of Justice prepared an expertise, which contained, that the Charter cannot protect languages like Russian, Hungarian, Romanian, Slovak, German, etc., because there are states where the mentioned languages are used as an official language, so they are not endangered.
-

The emergence of language rights in practice (Transcarpathian outlook)

1. In jurisdiction



2. In administration and civil service



3. In mass communication and culture



4. In economy



Beszéljen még többet!

3 Kijevszár telefonszámra **0** kop.

«A mi családunk» szolgáltatás
Előfizetés **0,95** hrvnya naponta!

Képfővárosi szolgáltató központok:
Hegykő, Csérei Művelődési Ház, (0372) 9172 00
Kopácsfalva Művelődési Ház, (0372) 9172 06
Munkács, Puskin u. 44/1. sz., (0373) 315 98
Hévíz, Dórnok u. 2. sz., (03740) 917 62

KYIVSTAR



Az MTC megnyitja Európát az Ön számára!

Európába és Oroszországba irányuló hívások 1 UAI

Az MTC Európa szolgál

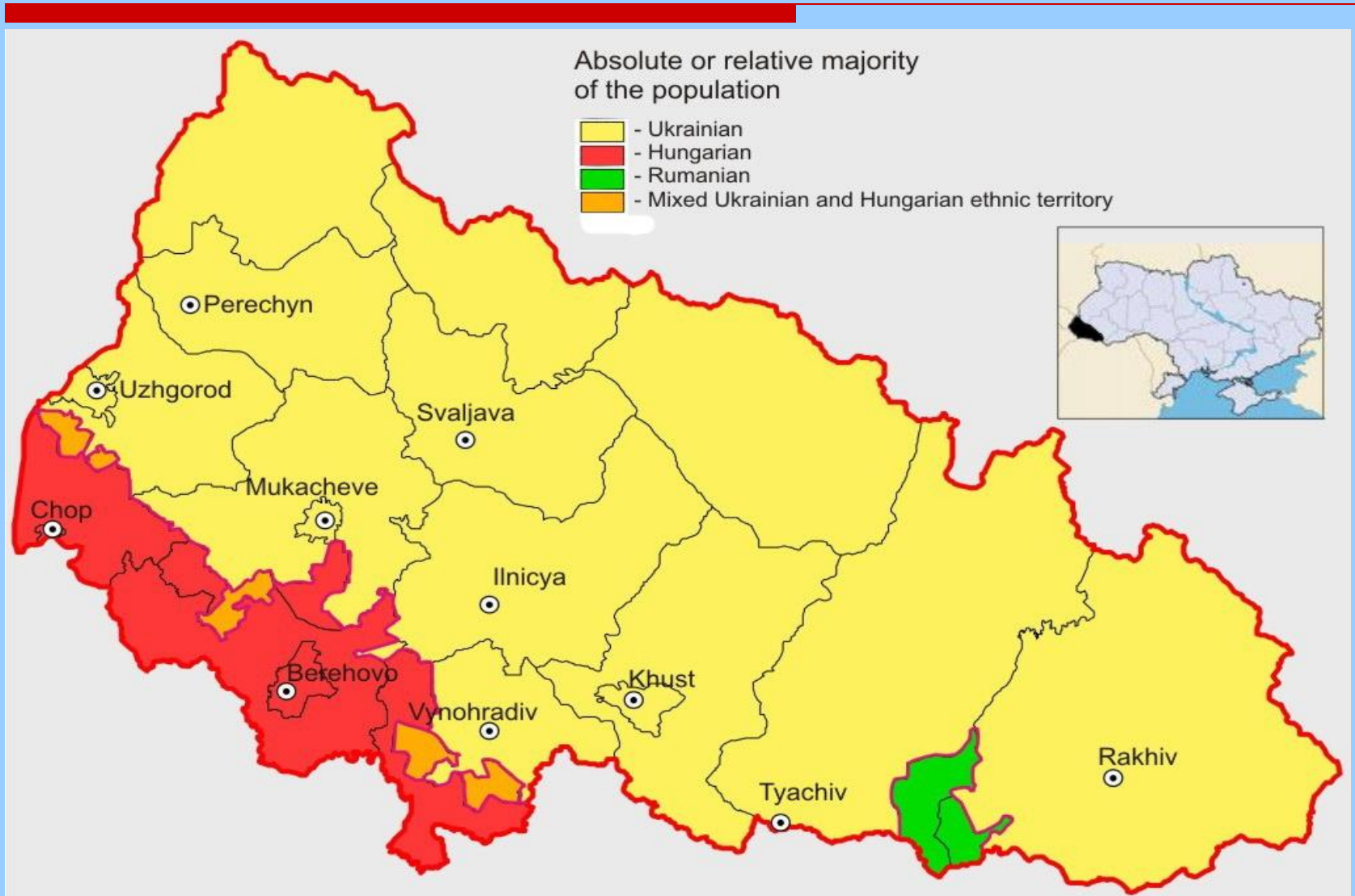


5. In education

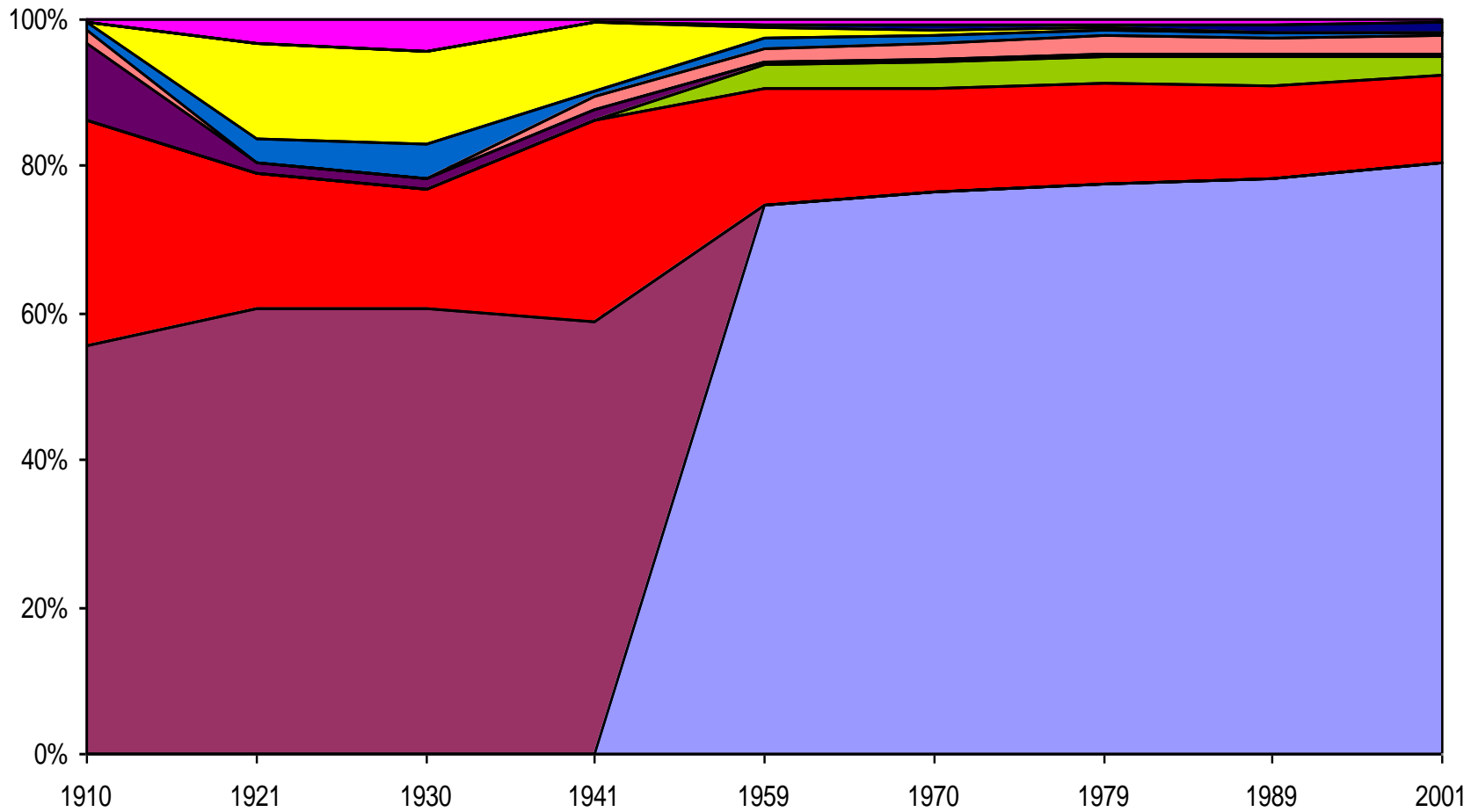


Are the Transcarpathians really bilingual?

The present area of the region and its ethnic relations

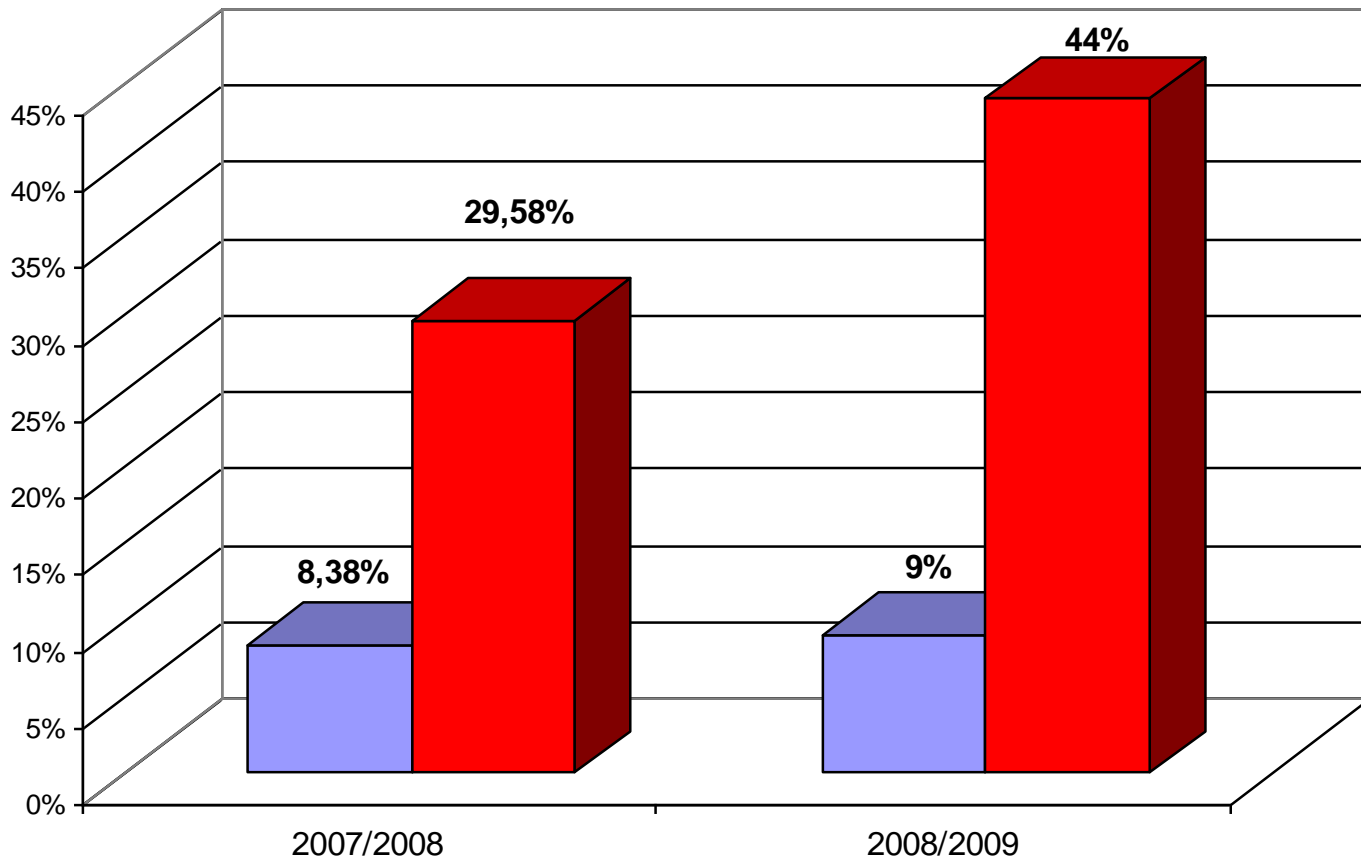


Shaping of lingua-ethnic relations converted to the present territory of Transcarpathia



- Ukrainians
- Rusyns
- Hungarians
- Russians
- Germans
- Romanians
- Slovaks
- Jews
- Romas
- Other

Is there an equality of chances for different ethnic groups?



■ Statewide failure rate

■ Failure rate of the graduates of Hungarian schools in Transcarpathia

**Results of the
school-leaving
examinations
in Ukrainian
Language and
Literature**

4. Conclusions

- On the surface a lot of rights are guaranteed for the minorities, however only symbolic rights are realized in practice.
-

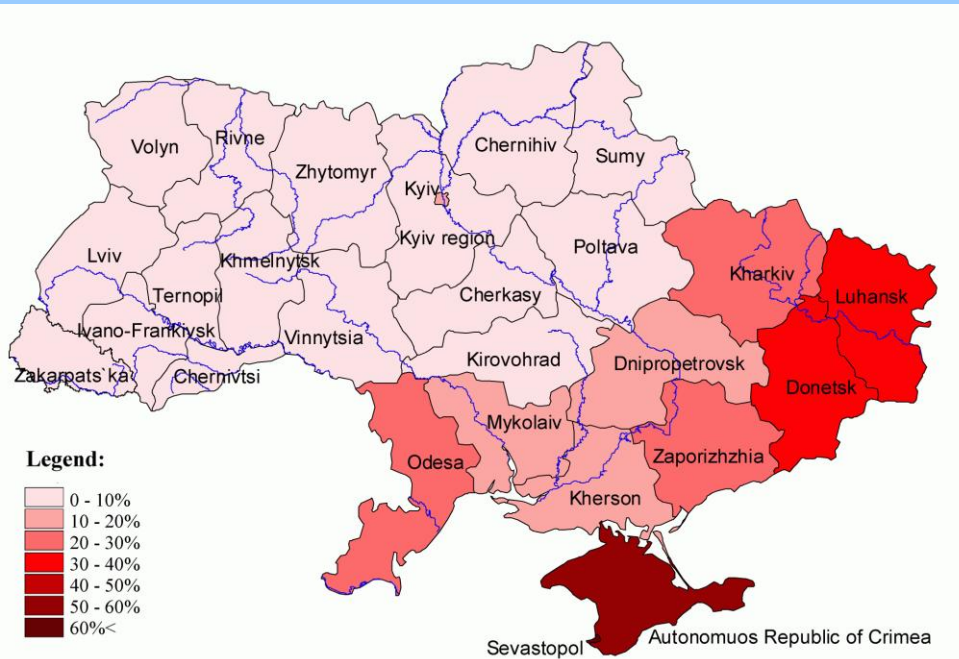
Basically there are two visions of language policy in the country

1. Ukraine could have only one official and state language (the Ukrainian). The positions of the Ukrainian language are threatened by Russian.
 2. Russian language should get the status of state language (or at least the status of official language).
-

Two visions of language policy

- ❑ Behind the two language policy conceptions we can find almost the same extent of political and social power.
 - ❑ From linguistic and political point of views the country has been torn in two parts.
 - ❑ As long as the political and social consensus is missing concerning the question of languages, the practical implementation of the Charter will meet many difficulties.
-

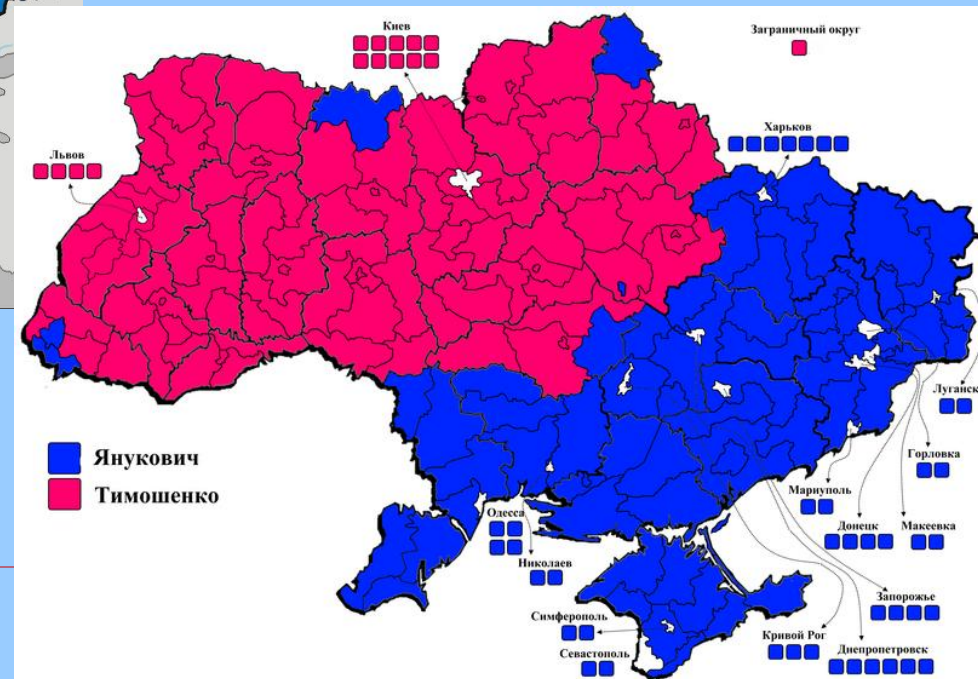
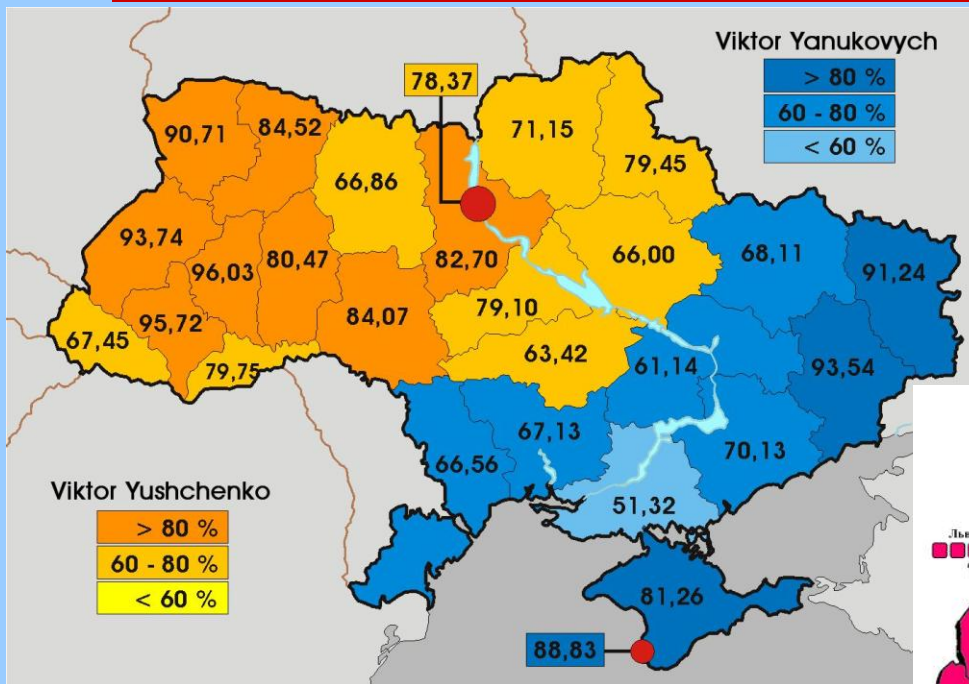
The linguistic split of Ukraine



The ratio of the native speakers of Russians in Ukraine data from the 2001 national census



The political split of Ukraine



What kind of consensus can be a possible solution?

- ❑ Ukraine has one state language: Ukrainian. Russian and other minority languages get official status in territories where the ratio of people with the given native language is above a certain threshold (20%?) based on consensus. However, by all means, the threshold should be lower than the actual 50%.
 - ❑ Language rights should be settled on the bases of native language and not on the bases of ethnicity.
 - ❑ This solution is not unprecedented in the territory of the present-day Ukraine (between 1918-1938 and 1939-1944 in Transcarpathia, in 1924 in the Soviet-Ukraine a resolution was passed on the assignment of ethnic regions and councils, where minority languages could be used as official languages).
-

However...

- ❑ ... establish the social consensus is not in the interest of the political powers.
 - ❑ The history of the independent Ukraine has shown that the question of languages is a strong mobilizing factor in presidential or parliamentary elections.
-

Thank you
for your attention!
