

Memorandum

Ukraine's Law No. 5029-VI: "The Principles of the State's Language Policy"

Since its inception as an independent post-Soviet state in 1991, Ukraine has striven to create a democratic system of governance, a free-market economy, and a foreign policy directed toward integration with the rest of Europe, in particular the European Union. One indication of Ukraine's commitment to democratic values are its policies toward the various peoples (national minorities) other than ethnic Ukrainians who comprise its citizenry.

An important aspect of the "nationality question" has been the status of the Ukrainian language. Independent Ukraine's first constitution, adopted in 1996, proclaimed Ukrainian as the state language. This decision was not greeted with enthusiasm by many of the millions of Ukraine's citizens who continue to use Russian as their primary means of communication. At the same time, some supporters of the Ukrainian language felt that, despite its constitutional status, the Ukrainian language had not yet overcome the secondary status (in comparison to Russian) that it has historically had in many spheres of civic and cultural life.

In an effort to address the sometimes conflicting concerns surrounding the country's two main languages, Ukrainian and Russian, the Parliament of Ukraine (Verkhovna Rada) adopted a bill, "The Principles of the State's Language Policy" (July 3, 2012), which was signed into law, No. 5029-VI (August 8, 2012), by President Viktor Yanukovich. The law addresses ways to protect and enhance the development of the country's second main language, Russian, as well as 17 "regional" languages used by Ukrainian citizens of various ethnolinguistic backgrounds. Included in the list of 17 recognized regional languages is Rusyn.

In response to criticism, mostly on the part of persons concerned with the status of the Ukrainian language, President Yanukovich convened a "working group" of advisors to

propose amendments to Law No. 5029-VI. The working group is about to submit its revisions in the expectation that Parliament will pass a new law in accordance with its recommendations.

Among the working group's recommendations is the deletion of one language from the list of regional languages. That one deletion is Rusyn. The explanation given by some members of the presidential working group is that Rusyn does not exist as a language but is merely a "dialect of Ukrainian."

We the undersigned, Members of the World Academy of Rusyn Culture, vehemently disagree with this assessment and wish to register our strong opposition to any revision that would remove Rusyn from the list of legally approved regional languages in Ukraine. Removal of Rusyn from the list would be a violation of the European Charter of Human Rights to which Ukraine is a signatory.

The Rusyn language and nationality are officially recognized by all neighbouring countries of the European Union – Poland, Slovakia, Romania, and Hungary – as well as by Serbia and Croatia, where Carpatho-Rusyn populations continue to thrive. The Rusyn language has been codified, is taught in schools, and is used in the civic and cultural affairs of all these countries. Only in Ukraine are Carpatho-Rusyns denied recognition as a distinct nationality; only in Ukraine is the official status of Rusyn as a distinct language insecure.

We, the undersigned, sympathize with the need to enhance through affirmative action the status of the Ukrainian language as the foremost language of Ukraine. This should not be done, however, to the detriment of languages spoken by those Ukrainian citizens who are not ethnic Ukrainians.

The argument for proposing the exclusion of Rusyn from the language law, allegedly because it is a "dialect", is not only politically motivated, but also intellectually dishonest. Imagine trying to use nineteenth-century German "scholarly" arguments to tell

Luxembourgers today that their officially recognized language should not have official status because it is a “dialect” of German. Analogously, some authoritative voices in Bulgaria still argue that Macedonian, the official language of Macedonia, is merely a dialect of Bulgarian. Ukrainians – in particular language patriots – should reflect on the fact that in the nineteenth-century autocratic Russian Empire their language was outlawed, based on the explanation of tsarist government officials and scholars that it was merely the “Little Russian” dialect of Russian.

For political, civic, and cultural leaders from powerful countries with a long tradition of independent statehood – the United States, Great Britain, and France, among others – it may be difficult to understand why language is so important. For Europe’s stateless peoples – Catalans, Welsh, Basques, Carpatho-Rusyns – it is not difficult to understand. They know their native language, or mother tongue, is at the core, is the very essence, of their identity.

We support Ukraine’s efforts for greater integration within Europe, but it should not do this while disregarding basic human rights and, in particular, denying the language and identity of its Carpatho-Rusyn citizens.

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