Ivan Kosnica

Citizenship in Croatia-Slavonia during the First World War

Introduction

Citizenship is a multidimensional concept which can be defined as a belonging of an individual to a state which he acquires and losses in a special way and which gives him special rights and duties. As a multidimensional concept the citizenship includes the dimension of acquisition and loss of citizenship, the dimension of rights and obligations of citizens and the dimension of loyalty of citizens.

Our main thesis is that the citizenship as a multidimensional concept is strongly connected with a society and that the changes in a society, especially a war, have big impact on each dimension of citizenship. We will elaborate our thesis on the case of Croatia-Slavonia during the First World War.

The constitutional position of Croatia-Slavonia in the Monarchy and citizenship

Croatia-Slavonia was according to the Austrian-Hungarian Compromise (1867) defined as a land which belonged to the lands of Hungarian Crown. By afterwards reached Croatian-Hungarian Compromise (1868) Croatia-Slavonia was recognized as a special autonomous part of these lands. According to the Compromise Croatia-Slavonia had autonomy in internal affairs, education, religious affairs and judiciary.

By Croatian-Hungarian Compromise the legislation about acquisition and loss of citizenship was common for all the lands of the Hungarian Crown. Contrary to legislation, according to the Compromise the executive in the matters of acquisition and loss of citizenship was reserved to Central Government in Budapest for the citizens who had belonged to Hungary and to Croatian-Slavonian ban for citizens who had belonged to Croatia-Slavonia.

The rights and duties of citizens were regulated by common Hungarian-Croatian laws as well as by autonomous Croatian-Slavonian laws. For example, the military duty was regulated by common laws but political rights in Croatia-Slavonia were regulated by autonomous laws.

Finally, the dimension of loyalty to the king and to the state was differently understood in Croatia-Slavonia than in Hungary. The main difference was that in Croatia-Slavonia the loyalty to Croatia-Slavonia as a special autonomous part of the Monarchy was emphasized.

Impact of the war on some aspects of citizenship

Loss of citizenship by dismissal. The loss of citizenship by dismissal was regulated by the Law concerning the acquisition and loss of Hungarian citizenship (1879)². There were two different types of dismissal according to the situation of peace or war. In the period of peace the dismissal could be granted by Croatian-Slavonian ban but even then the military conscripts could be dismissed only if the Ministry of war or in the case they were Home Guardsmen the Ministry of Home Defense gave special permission. Contrary, during the war the dismissal could be granted only by the king who gave it on suggestion of Central Government in Budapest.

The number of dismissals in the pre-war period varied. The data for the city of Zagreb for the year 1896 show that this year 6 applications have been positively solved. Later, the number of dismissals grew. In 1904 the data show 15 positively solved applications. Such practice has been changed in 1914, the first year of war, when there were only 4 dismissals. The practice finally changed in the year 1915 when the Ministry of Home Defense refused to issue the letters of dismissal informing Croatian-Slavonian ban Ivan Skerlecz that the requests hadn’t been considered because of the war. Since then there were no more possibility of dismissal for men. On the other hand women could have been dismissed.

Loss of citizenship by absence. Absence was also very important way of losing Hungarian-Croatian citizenship. According to the rule, citizens lost their citizenship if they have been absent ten year from the lands of Hungarian Crown. The rule had some exceptions and practically the most important was the emigration into the United States of America which was regulated by the agreement reached between the Monarchy and the United States (1871). By the agreement a citizen lost his citizenship if he had been residing in the United States of America (USA) for five years and acquired the citizenship of the USA. In other words, that meant that

² Law L.: 1879 of common Hungarian-Croatian Diet concerning the acquisition and loss of Hungarian citizenship, Sborník zakonah i naredbah valjanih za kraljevino Hrvatsku i Slavoniju (further: SZ), 1880., Komad VII.
³ See art. 21. of the Law of December 20, 1879, concerning the acquisition and loss of Hungarian citizenship
⁴ See art. 22. of the Law of December 20, 1879, concerning the acquisition and loss of Hungarian citizenship
⁵ See art. 25. of the Law of December 20, 1879, concerning the acquisition and loss of Hungarian citizenship
⁶ Report of the city of Zagreb for the year 1896. from 5. January 1897. in: HR Hrvatski državni arhiv, fond 79-Unutarnji odjel Zemaljske vlade (further: HDA 79-UOZV), kutija 1785, sv. 4-4/1897 (Br. 425/II. ex 1897.)
⁷ Report of the city of Zagreb for the year 1904. from 15. January 1905. in: HDA 79-UOZV, kutija 3146, sv. 4-4 14581/904 (7023/1905)
⁸ Report of the city of Zagreb for the year 1914. from 27. January 1915. in: HDA 79–UOZV, kutija 4062, sv. 4-2 3036/1915 (6599/1915)
⁹ HDA 79–UOZV, kutija 4065, sv. 4-2 15353/1915
¹⁰ HDA 79–UOZV, kutija 4066, sv. 4-2 21556/1915
¹¹ Article 31. of the Law L.: 1879 of common Hungarian-Croatian Diet concerning the acquisition and loss of Hungarian citizenship
¹² Article 1. of the Law XLIII: 1871 of common Hungarian-Croatian Diet on international agreement from 20. September 1870. with the United States of America in the issues of citizenship of emigrants, SZ, 1871., komad XXII.
the person lost its citizenship in the case of emigration in the USA even before the period of then years and despite the efforts of Croatian-Slavonian authorities to keep him under their jurisdiction. This rule was during the war under great pressure because the Croatian-Slavonian authorities called their former citizens who emigrated in the USA in the military service. In the Croatian National Archives there are many cases in which the former Hungarian-Croatian citizens who had previously emigrated in the USA ask Croatian-Slavonian authorities to leave them alone. 

**Freedom of emigration, military service and citizenship.** The modern emigration from Croatia-Slavonia abroad has begun in 1880ies. The emigration grew in the coming years and finally ceased before the War. The stop of emigration has been significantly influenced by the Balkan wars which provoked crisis in the Monarchy especially in Croatia-Slavonia where special Commissioner replaced the ban. Also, the stop of emigration was significantly influenced by the new Law on defensive force (1912). The article 62 paragraph 6 of the Law states that the men who have reached the age of 17 and all the others who are military conscripts need special permission to emigrate. The permission could be given only by the ban and the Minister of Home defense together. In that way previous regulation by which the Croatian-Slavonian counties had autonomous power to issue passports has been significantly changed.

Another regulation that further restricted the possibilities of emigration was the decree from January 1914 enacted by the Croatian-Slavonian ban on control of Austrian and the citizens from Bosnia and Herzegovina who want to enter the lands of Hungarian crown. The same decree was also enacted in Hungary and in Austria. These decrees strictly forbid the migration of male Austrian and Bosnian conscripts into the Hungarian lands and also Hungarian-Croatian conscripts into Austria and Bosnia which has an aim of further emigration from the Monarchy. The regulation provided the authorities to demand the explanation from citizens on their military service and to deport them back in the case they couldn’t prove the liberation from the military service.

---

13 HDA 79-UOZV. kutija 4611.
14 See more on emigration in: Čizmić, Ivan, O iseljavanju iz Hrvatske u razdoblju 1880-1914., Historijski žbornik, Zagreb, 1974-75.
16 Law XXX: 1912. of common Hungarian-Croatian Diet on military force, SZ 1912., komad VI.
17 Comp. art. 62. para. 6. Law XXX: 1912. of common Hungarian-Croatian Diet on military force; Comp. art. 1. of Decree of kings commissioner in the kingdoms of Croatia and Slavonia from 26. November 1913. nr. 82458, about granting of licenses for emigration to male persons from 17th year of life to the end of military obligation, in: SZ 1914., komad II.
18 Decree of ban of the kingdoms of Croatia, Slavonia and Dalmatia from 23. January 1914. nr. 371/Pr.
19 Comp. art. 3. of Decree of ban of the kingdoms of Croatia, Slavonia and Dalmatia from 23. January 1914. nr. 371/Pr.
Military service, citizenship and allocation of conscripts in the Austro-Hungarian Army. Before the war the basic principle in allocation of conscripts in the Austro-Hungarian Army was the citizenship of persons. So conscripts from the lands of Hungarian Crown were assigned to Hungarian part of the Army and conscripts from the Austrian lands were assigned to Austrian part of the Army\textsuperscript{20}. Nevertheless, during the war that basic principle was abolished in the case of Galicia and Bukovina. The reasons for that were heavy losses of the Army on the eastern front. So the common Hungarian-Croatian Diet enacted the Law which allowed allocation of the Hungarian-Croatian conscripts in the Austrian part of the Army (1915)\textsuperscript{21}. This indicates closeness of Austrian and Hungarian citizenship which in this case became explicitly evident as a direct consequence of war.

Loyalty and ethnicization of citizenship. Problem of loyalty of citizens has become very important during the war. The problem was closely connected with the ethnic belonging of citizens and with the process of weakening of citizenship as an ethnically neutral concept and shift to citizenship as ethnically defined concept. Such development was evident in Austrian part of the Monarchy where authorities included ethnic criteria in administrative practices\textsuperscript{22} and the same pattern can be seen in Croatia-Slavonia where the loyalty of citizens of Serbian ethnic origin was questioned. These citizens were suspicious due to the war with Serbia. The authorities implemented internalizations of suspicious Serbs\textsuperscript{23}. The usage of ethnic criteria can be also seen on the example of issuing documents such as passports. An example is a case of Anka Vrbanic ethnic Serbian woman who belonged to the municipality of Karlovac. The case arose when she asked the Provincial Government Department of Internal Affairs for a passport. The Provincial Government asked the police in Karlovac to report on her conduct and got the negative answer. According to the police the main reason for negative opinion was the fact that she is a daughter of a well-known Serbian woman who hosted a sister of assassin Cabrinovic. The Provincial Government repeated the request in which it asked for individualization of responsibility and finally got a positive answer. Although the repeated request was positively

\textsuperscript{20} Comp. art. 36, pt. 3. Law XXX: 1912, of common Hungarian-Croatian Diet on military force.

\textsuperscript{21} Comp. Law III: 1915. of common Hungarian-Croatian Diet about the allocation of Hungarian citizens who are obliged to popular uprising during the war in the Austrian military bodies from Galicia and Bukovina, SZ 1915., komad XI.

\textsuperscript{22} See for example Hirschhausen, Ulrike von, From imperial inclusion to national exclusion: citizenship in the Habsburg monarchy and in Austria 1867–1923., European Review of History, Vol. 16. (2009), nr. 4., 557. and further; Healy, Maureen, Becoming Austrian, Women, the State, and Citizenship in World War I, Central European History, Vol. 35. (2002), nr. 1., 13-19.; Mandić, Davor, Pulski Hrvatski list (1915.-1918.)-zapis o „evakuircima” s područja Pomorske utvrde Pula, Časopis za suvremenu povijest, 2010., nr. 3., 779 and 786.

\textsuperscript{23} About interment of Serbs see more in: Budisavljević, Srđan, Stvaranje države Srba, Hrvata i Slovenaca, Povodom četrdesetogodišnjice jugoslovenskog ujedinjenja, Zagreb, 1958., 11-12. and further.
solved the ethnic criteria in the process is more than evident. Evidently, the use of ethnic criteria indicates the weakness of citizenship as an ethnic neutral concept.

**Conclusion**

During the war the concept of citizenship in Croatia-Slavonia has changed. We can trace the change in each of three dimensions of citizenship. In the dimension of acquisition and loss of citizenship we can see that the war significantly influenced the practice of loss of citizenship by dismissal as well as the practice of loss of citizenship by absence. In the dimension of the right and obligations of citizens the basic change has happened just before the War when the freedom of emigration was abolished. Also, during the war the authorities strongly emphasized the importance of military service. The need for conscripts influenced the legal system in a way that meant break with the previous rule in filling the Austrian part of the army with the Austrian citizens and changing it into a rule by which it was possible to fill the Austrian troops for Galicia and Bukovina with the Hungarian-Croatian citizens. Finally, the war has influenced the concept of citizenship in a way that accelerated its change from ethnically neutral to dominantly ethnically based concept.

---

24 HDA 79-UOZV, kutija 4851, sv. 7-2 2679/1918