

Croatian citizenship and EU accession: changing perspectives on inclusion and exclusion

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Challenges of Europe: the Strength of Soft Power

Inclusion and Exclusion in Contemporary European Societies

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Introduction

State formation and development of the citizenship regime in the 1990s: citizenship as a tool for ethnic engineering; debate over the status dimension of citizenship (Joppke 2007)

Democratic changes following 2000 and introduction of EU accession as the primary political goal: debate over the rights dimension of citizenship (Joppke 2007)

The concept of citizenship regime (Shaw and Štiks 2010)

Croatia established a distinctive citizenship regime:

- A) stable citizenship legislation (nationhood conceived as a transnational community of ethnic Croats)
and
- B) changing boundaries of recognized rights to different categories of Croatian citizens.



Hungary

Romania

Slovenia
★ LJUBLJANA

★ ZAGREB

Croatia
Slavonia

Vojvodina
(autonomous province)
Novi Sad

Belgrade

Bosnia and
Hercegovina

★ SARAJEVO

Serbia

Montenegro

Pristina

Kosovo
(autonomous province)

Bulgaria

Adriatic
Sea

Podgorica

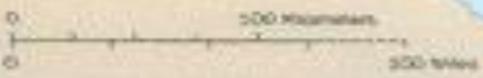
Skopje

Macedonia

Albania

Greece

Italy



Analytical framework for the study of the Croatian citizenship regime

“Culturalist” approach: nationhood conception and legal traditions of citizenship (Brubaker 1992)

“Instrumentalist” vision on the developments in citizenship policies (Joppke 2003)

Triadic configuration model (Brubaker 1996).

The evolution of Croatian citizenship regime from independence till the present day 1

Croatia in Former Yugoslavia:

Political community defined according to amalgam of ethnic principles and constructed workers self-managing identity

Constitution of SR Croatia: Croatia is a national state of Croats, a state of Croatian Serbs and a state of its other nations and minorities

Croatian republican citizenship regime within the Yugoslav Federative citizenship regime: Republican citizenship assigned according to *ius sanguinis* principle not according to residence (*ius domicilii*) or place of birth (*ius soli*)

The evolution of Croatian citizenship regime from independence till the present day 2

Critical juncture in 1990s following the victory of Croatian Democratic Union (HDZ) in the first democratic elections:

1990 Croatian Constitution: Croatia defined as a national state of Croatian people – transnational conception of Croatian nation

1991 Law on Croatian citizenship:

- a) Legal continuity
- b) Ethnic principle

Citizenship as a tool for ethnic engineering (Štiks):

- 1) Included (Former citizens of SR Croatia)
- 2) Invited (Ethnic Croats regardless their residency)
- 3) Excluded and Self-excluded (Serb minority in Croatia, particularly following the military operation *Storm*) discriminatory policies following the Operation Storm

The evolution of Croatian citizenship regime from independence till the present day 2

By 2000 fundamental issues of Croatian statehood were mostly resolved.

EU integration as the new national priority

The new demographic reality as the outcome of the policies in 1990s: Serb minority share in total population dropped from 12,5 per cent in 1991 to 4,5 per cent in 2001

Inclusion of Croat ethnic 'diaspora' in 1990s

Stretched understanding of the term 'Diaspora'

Close ties between HDZ and Croatian emigration in the eve of the 1990 elections: instrumental role for financing the campaign and later support for the development of the Croatian political institutions

The bringing together of the "Homeland" and "émigré Croatia" the cornerstone of President Franjo Tudjman's nationalist project

Diaspora discourse and nationalist goals:

- a) Ethnic homogenization of the existing polity
- b) Territorial aspirations for the provinces in the neighbouring BiH (Croatian citizenship granted to more than 800,000 applicants from BiH: Croatian *de facto* sovereignty over significant portion of citizens of this republic)

Diaspora and rights dimension of citizenship following 2000

Debates over the 'diaspora' voting rights between the Left and Right wing political parties:

- 1) Electoral calculations of political left: diaspora voters (mostly from BiH) developed into the HDZ's stable constituency
- 2) Introduction of 'civic' argumentation to the debates on the scope of rights for non-resident citizens
- 3) Emphasized need to differentiate separate categories of non-resident citizens: Croats in BiH are constitutive nation of BiH, not diaspora

Constitutional changes in 2010: None of the parties have since challenged the constitutional provisions that establish the special duties of the state to protect and provide care for Croats residing abroad (Art 10).

2011 Strategy on relations of the Republic of Croatia with the Croats outside of the Republic of Croatia

Croatian citizenship regime and Serb minority

Gradual developments in Serb minority protection regime (Djuric 2010):

1. 1998-2000: Openly discriminating provisions of the laws removed
2. 2000-2003: Coalition centre-left Government: several constitutional laws granting cultural autonomy, education, political representation and official use of languages. Implementation was problematic
3. 2003. HDZ coalition with minority representatives. Improvements in implementation of the policies

Five reasons that enabled the liberalization towards the Serb minority

1. Defeat of HDZ's policies of the 90s in the 2000 elections: development of the civil society, ICTY → alternative interpretations possible in the public
2. EU accession process: external pressure towards the Serb minority issue
3. Victory in the 'Homeland War' and demographic changes
4. Institutional changes: minority representatives in the proportional electoral system and Parliamentary government
5. Radical changes within the three entities of the tridactic nexus (Brubaker): Croatian state, Serb minority in Croatia and Serbia as an external homeland

EU integration and EU citizenship as the new stage of the development of Croatia citizenship regime?

- Serb refugees and ethnic Croats abroad → Croatian citizens outside the EU
- No EU pressures during the negotiations for alterations of the LCC
- Croatian citizenship and “Fortress of Europe”
- Restrictive Law on Aliens and low asylum rates
- Possible migratory patterns