

Citizenship in Croatia-Slavonia during the First World War

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Abstract

The paper deals with the concept of national citizenship in Croatia-Slavonia, a land within the Austro-Hungarian Monarchy, during the First World War. Citizenship is analysed as multidimensional concept that includes status, rights and identity. The research question concerns influence of war on each dimension of citizenship. Therefore, in the status dimension, analysed are practices of acquisition of citizenship by naturalizations, and practices of loss of citizenship by dismissals and absence. In the dimension of rights analysed are passports and changes in migration regime. In the dimension of identity analysed is the issue of loyalty of citizens. The paper shows that the war significantly influenced all three dimensions of citizenship. The research bases on relevant literature, legislation and in great part on archival sources available in the Croatian State Archive.

Keywords: citizenship; Croatia-Slavonia; Austro-Hungarian Monarchy; First World War; naturalization; dismissal; absence; passport; migration; loyalty.

1. Introduction

War has always influenced citizenship, although these influences could vary and could have different effects.² The influence of war on citizenship one can see in each dimension of citizenship, namely status, rights and identity.³ For instance, the war can influence citizenship status in the issue of naturalizations, specifically in the matters of regulation of naturalisations and in practice of naturalisations, in regulations and possible restrictions of loss of citizenship etc. The war could also influence citizenship as rights in restrictions of citizen's rights etc. Influence of war on citizenship as identity one can see in intensified efforts of state authorities to build common identity, in issues of loyalty/disloyalty of citizens etc.

Closer look at specific experience of First World War indicates that the war significantly influenced citizenship in European states. The war influenced all dimensions of citizenship. For

example, the war influenced policy of naturalisations although not always in the same direction. In France, this policy was restrictive⁴ while in Germany it was more generous since German authorities tried to attract Jews, Russians of German origin and German-Americans.⁵ Another important influence of war was restriction of freedom of movement. As part of this scheme, many countries introduced obligatory photographs on identity documents, namely on passports and identification cards.⁶ During the war, the authorities of many European states influenced citizenship as identity in a way that introduced ethnic criteria in administrative practice and in this way destabilized civil concept of citizenship.⁷ One can especially see that in multinational empires where authorities extended measures against aliens on internal ethnic and religious minorities.⁸ An example is the Russian Empire where authorities interned Russian citizens, dominantly Germans and Jews, because of their ethnicity, religion or former citizenship.⁹

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¹ FEVERT, Ute, „Citizens at war: Traitors and internal enemies“, in: PELED, Yoav, LEWIN-EPSTEIN, Noah, MUNDLAK, Guy (et. al.), *Democratic Citizenship and War*, Routledge, London and New York, 2011, p. 100.

² About status, rights and identity as dimensions of citizenship see: JOPPKE, Christian, „Transformation of Citizenship: Status, Rights, Identity“, *Citizenship Studies*, 11(2007)/ 1, p. 38; Similar division of the concept see in: JENSON, Jane, „Place-Sensitive Citizenship: The Canadian Citizenship Regime until 1945“, in: HOERDER, Dirk, HARZIG, Christiane, SHUBERT, Adrian, *The Historical Practice of Diversity: Transcultural Interactions from the Early Modern Mediterranean to the Postcolonial World*, Berghahn Books, New York, Oxford, 2003, p. 225-226.

³ WEIL, Patrick, *How to Be French: Nationality in the Making since 1789*, Duke University Press, Durham and London, 2008, p. 60-63.

⁴ FAHRMEIR, Andreas, *Citizenship: The Rise and Fall of a Modern Concept*, Yale University Press, New Haven and London, 2007, p. 121.

⁵ *Ibid.*, p. 120.

⁶ FAHRMEIR, *op. cit.*, p. 121; CAGLIOTI, Daniela L, „Why and How Italy Invented an Enemy Aliens Problem in the First World War“, *War in History*, 21(2014), p. 151.

⁷ CAGLIOTI, *op. cit.*, p. 143.

⁸ LOHR, Eric, *Nationalizing the Russian Empire: The Campaign against Enemy Aliens during World War I*, Harvard University Press, Cambridge, Massachusetts, and London, England, 2003, p. 129-45.

⁹ MILNER, Emanuel, *Die österreichische Staatsbürgerschaft und der Gesetzartikel L:1879 über den Erwerb und Verlust der ungarischen Staatsbürgerschaft*, Verlag und Druck von Franz Fues, Tübingen, 1880, p. 1-4.

The First World War also influenced citizenships in the Austro-Hungarian Monarchy. Here the complex structure of the Monarchy, which included Austrian and Hungarian part, and Croatian-Slavonian limited autonomy within Hungarian part, had reflection in the matters of citizenship. Namely, there were two national citizenships, Austrian and Hungarian.¹⁰ In Hungarian part, this citizenship was the same for all the lands of the Hungarian Crown, but Croatia-Slavonia had executive autonomy in the matters of citizenship, including autonomy in naturalizations.¹¹ In Croatia-Slavonia, the name of this citizenship was Hungarian-Croatian citizenship.¹²

Previous notions give us starting point for research of the concept of Hungarian-Croatian citizenship in Croatia-Slavonia in the period of the First World War (1914–1918). Here it is necessary to note that in the research we deal only with the Hungarian-Croatian citizenship, and not with other forms of public belonging that were also relevant for someone's legal position in Croatia-Slavonia, such as local citizenship (*zavičajnost*) and Croatian-Slavonian membership (*hrvatsko-slavonska pripadnost*).¹³

The research focuses on all three dimensions of Hungarian-Croatian citizenship in Croatia-Slavonia. In the dimension of citizenship as status, we research the issue of naturalizations, specifically the matter of regular naturalizations as the most common type of naturalizations in which the autonomous Croatian-Slavonian institutions were fully competent. Further, we analyse the issue of loss of citizenship by dismissal and loss of citizenship by absence as two most important possibilities of loss of citizenship. In the dimension of citizenship as rights, we research the issue of passports and possibilities of migration during the war. At the end, we research the issue of citizenship and loyalty.

Finally, we should give some methodological remarks about the research conducted in the Croatian State Archive. The main problem we met in the research concerns the study of naturalizations and loss of citizenship by dismissal. The problem is that centralized records of naturalizations and dismissals do not exist. In other words, each county and each

bigger city, i.e. Zagreb, Varaždin, Osijek, and Zemun, recorded naturalizations and dismissals individually. Additional problem are improper-sorted materials nowadays so it is hard to collect data for each year. However, despite mentioned problems, we collected data for the city of Zagreb, the capital of Croatia-Slavonia, and for the Požega County. The reason why we decided to analyse naturalizations and dismissals in these two jurisdictions is relevant number of naturalizations and dismissals in pre-war period but also during the war.¹⁴ In the research, we will compare naturalizations and dismissals in war years 1915, 1916 and 1917 with naturalizations and dismissals for available pre-war years. For simplicity, we will analyse the number of naturalization and dismissal procedures and not number of naturalized or dismissed persons.¹⁵ Additionally, in cases of naturalizations we will analyse share of Austrian citizens in total number of naturalizations and the number of women as applicants. In case of dismissals, we will analyse only the number of women as applicants. This because records do not give us always information about new citizenship of dismissed person.¹⁶

2. Naturalization

The naturalization in Croatia-Slavonia regulated the common Hungarian-Croatian citizenship law of 1879.¹⁷ The law enacted Croatian-Hungarian Diet in which Hungarians had dominant position.¹⁸ Nevertheless, the law recognized autonomous competences to the Ban of Croatia-Slavonia in the matters of naturalization and this was completely in accordance with the Croatian-Hungarian Compromise of 1868 and with the legal practice established in the period before the citizenship law of 1879 entered into force in 1880.¹⁹

According to the citizenship law of 1879, foreign citizens could acquire Hungarian-Croatian citizenship in Croatia-Slavonia in the process of regular naturalization by the act of the Croatian-Slavonian Ban. By this kind of naturalisation citizenship could acquire foreigner if proved legal capacity, if proved that he will be accepted in a municipality in Croatia-Slavonia, if continuously lived in the country for five years, if he was of

¹⁰ VARGA, Norbert, „The Framing of the First Hungarian Citizenship Law (Act 50 of 1879) and the Acquisition of Citizenship“, *Hungarian Studies*, 18(2004)/2, p. 136-137; MILNER, *op. cit.*, p. 27.

¹¹ KOSNICA, Ivan, „Naturalizacija u Hrvatskoj i Slavoniji od 1848. do 1918.“, *Zbornik Pravnog fakulteta Sveučilišta u Rijeci*, 34(2013)/2, p. 713.

¹² About concepts of local citizenship and Croatian-Slavonian membership see: KOSNICA, Ivan, „Hungarians and Citizenship in Croatia-Slavonia 1868-1918“, in: FRENKEL, David A. and VARGA, Norbert, *Law and History*, ATINER, Athens, 2015, p. 62-65; KOSNICA, Ivan, „Hrvatsko-slavonska pripadnost u Hrvatskoj i Slavoniji u nagodbenom razdoblju“, *Hrvatska i komparativna javna uprava – Croatian and Comparative Public Administration*, 14(2014)/2, p. 470-485; ČEPULO, Dalibor, „Pravo hrvatske zavičajnosti i pitanje hrvatskog i ugarskog državljanstva 1868–1918 – pravni i politički vidovi i poredbena motrišta“, *Zbornik Pravnog fakulteta u Zagrebu*, 49(1999)/6, p. 811-822; ČEPULO, Dalibor, *Prava građana i moderne institucije: europska i hrvatska pravna tradicija*, Pravni fakultet Sveučilišta u Zagrebu, Zagreb, 2003, p. 77-78, 85.

¹³ It would be more difficult to illustrate pattern of naturalizations and dismissals on the example of smaller units in which the number of naturalizations and dismissals was lower.

¹⁴ The total number of naturalized was always higher. It was so because naturalized were also applicant's women and children if any.

¹⁵ However, from the records it is evident that in most cases persons acquired Austrian citizenship.

¹⁶ „Zakonski članak L: 1879. zajedničkog Ugarsko-hrvatskog sabora o stjecanju i gubitku ugarskoga državljanstva“, *Sbornik zakonah i naredbah valjanih za kraljevinu Hrvatsku i Slavoniju* (hereafter cited as *Sbornik*), Zagreb, (1880)/7; About process of enactment of the law see more in: VARGA, *The Framing of (...)*, *op. cit.*, p. 128-139.

¹⁷ ČEPULO, Dalibor, „Building of the modern legal system in Croatia 1848-1918 in the centre-periphery perspective“, in: GIARO, Tomasz, *Modernisierung durch Transfer im 19. und frühen 20. Jahrhundert*, Vittorio Klostermann, Frankfurt am Main, 2006, p. 64-65.

¹⁸ KOSNICA, *Naturalizacija (...)*, *op. cit.*, p. 713-718.

¹⁹ Besides this, there was exceptional naturalisation given by the king on suggestion of the Central Government. More about types of naturalisations see in: KOSNICA, *Naturalizacija (...)*, *op. cit.*, p. 718-722; VARGA, *The Framing of (...)*, *op. cit.*, p. 141-143.

good moral conduct, if he had adequate earnings or wealth, and if he had paid taxes for five years (§ 8, 11).²⁰

The number of positively solved naturalization procedures in the capital of Zagreb for pre-war years is as follows. In 1904, there were 15 such naturalization procedures. All applicants were former Austrian citizens and they were all men.²¹ In 1907, there were 17 naturalization procedures. In fifteen procedures naturalized were Austrian citizens. In one procedure naturalized were members of Bosnia and Herzegovina and in one procedure naturalized were Serbian citizens. In one, a woman independently submitted a request.²² In 1909, there were 17 naturalization procedures. Sixteen applicants were former Austrian citizens and one was former Prussian citizen. In only one procedure, a woman submitted a request.²³ In the year, 1910 there were 36 naturalization procedures. In thirty-three procedures naturalized were former Austrian citizens, in two procedures naturalized were former Serbian citizens, and in one procedure naturalized was a former Ottoman citizen. All applications submitted men.²⁴

The number of positively solved naturalization procedures in the war years in the city of Zagreb is as follows. In 1915, there were 16 naturalization procedures. In fourteen procedures naturalized were former Austrian citizens and in other two members of Bosnia and Herzegovina and an Italian. The authorities naturalized this Italian in the period before Italy entered the war. In one case a woman submitted a request.²⁵ In 1916, there were 14 naturalization procedures. In eleven procedures naturalized were Austrian citizens. In one procedure naturalized were citizens of Württemberg, in other Bulgarian citizens and in one naturalized were persons of unknown citizenship. In four procedures, applications submitted women.²⁶ In the year, 1917 there were 11 naturalization procedures. All naturalized were former Austrian citizens. In one procedure, an application submitted a woman.²⁷

If we look at naturalization in the Požega County during pre-war years, the data are as follows. In 1907, there were 15 naturalization procedures. In fourteen procedures naturalized were Austrian citizens and in one procedure naturalized were

Italian citizens.²⁸ In 1909, there were 8 naturalization procedures. In seven procedures naturalized were Austrian citizens, and in one procedure naturalized were Italian citizens.²⁹ In 1910, there were 15 naturalization procedures. In twelve procedures naturalized were former Austrian citizens. In other procedures naturalized were citizens of Italy, Prussia and Württemberg.³⁰

In Požega County during the war in 1915 nobody acquired citizenship.³¹ In 1916 there were 6 naturalization procedures. In five procedures naturalized were Austrian citizens and in one procedure naturalized were Italian citizens. In the last case, the head of household was born in 1861 so he was no longer a military conscript. The authorities naturalized him with his wife Ana and with five children. They issued the naturalization decree on 19 August 1916. Although he died before the oath, his wife and children acquired citizenship.³² In 1917 there were 3 naturalization procedures. All naturalized were Austrian citizens.³³

Previously exposed data show decline of naturalizations during the war. As regards to the structure of naturalized one can see that before as well as during the war most of naturalized were former Austrian citizens. In most cases, men submitted requests for naturalization. During the war, the authorities in principle stopped to naturalize citizens of enemy states. An exception to this was the case of naturalization of Italian citizens in Požega County.

3. Dismissal

The common Croatian-Hungarian citizenship law of 1879 prescribed two regimes of dismissals from citizenship. The first regime applied during peace period. In this regime, the Croatian-Slavonian Ban could dismiss a citizen (§ 21).³⁴ The power of the Ban was limited only in cases of military conscripts. In these cases the Ministry of war or, in the case of home guardsmen, the Ministry of Home Defence had to give special permission (§ 22).³⁵ The second regime was for the case of war. In this regime a king dismissed a citizen after suggestion of the Central Government in Budapest (§ 25). In practice, the minister of Home Defence submitted applications to the king on final solution.³⁶ This regime was in force during the First

²⁰ HR Hrvatski državni arhiv, *Zemaljska vlada za kraljevine Hrvatsku, Slavoniju i Dalmaciju. Odjel za unutarnje poslove (fond-79)*, (hereafter HR-HDA-79), the box 3146, IV-4 14581/904 (7023/1905)

²¹ HR-HDA-79, the box 4062, IV-2 3036/1915 (46184/1917)

²² HR-HDA-79, the box 4062, IV-2 3036/1915 (46184/1917)

²³ HR-HDA-79, the box 4062, IV-2 3036/1915 (46184/1917)

²⁴ HR-HDA-79, the box, 4062 IV-2 3036/1915 (32744/1916)

²⁵ HR-HDA-79, the box 4062, IV-2 3036/1915 (25787/1917)

²⁶ HR-HDA-79, the box 4062, IV-2 3036/1915 (V-2 24906/1918)

²⁷ HR-HDA-79, the box 4062, IV-2 3036/1915 (46184/1917)

²⁸ HR-HDA-79, the box 4062, IV-2 3036/1915 (46184/1917)

²⁹ HR-HDA-79, the box 4062, IV-2 3036/1915 (46184/1917)

³⁰ HR-HDA-79, the box 4062, IV-2 3036/1915 (32744/1916)

³¹ HR-HDA-79, the box 4062, IV-2 3036/1915 (46184/1917)

³² HR-HDA-79, the box 4062, IV-2 3036/1915 (V-2 24906/1918)

³³ KOSNICA, Ivan, „Gubitak državljanstva u Hrvatskoj i Slavoniji od Bachovog apsolutizma do raspada Monarhije“, *Pravni vjesnik*, 29(2013)/3-4, p. 69.

³⁴ See also art. 62 of „Zakonski članak XXX: 1912 zajedničkog Ugarsko-hrvatskoga sabora o vojnoj sili“, *Sbornik*, Zagreb, (1912)/6; See art. 10. of „Zakonski članak XXXI: 1912. zajedničkog Ugarsko-hrvatskog sabora o domobranstvu“, *Sbornik*, Zagreb, (1912)/6; See art. 1. of „Naredba kr. povjerenika u kraljevinama Hrvatskoj i Slavoniji od 26. studenoga 1913. broj 82458. o podjeli iseljeničkih dozvola muškim osobama od 17. godine života do svršene vojnostavne ili vojnoslužbovne obvezanosti“, *Sbornik*, Zagreb, (1914)/2; KOSNICA, *Gubitak (...)*, op. cit., p. 70.

³⁵ HR-HDA-79, the box 4064, IV-2 12506/1915

³⁶ HR-HDA-79, the box 3146, IV-4 14581/904 (7023/1905)

World War. Below are data about successful dismissals in Zagreb and in Požega County.

The data for the city of Zagreb for the year 1904 show 15 dismissal procedures.³⁷ In the year, 1907 there were 11 dismissal procedures.³⁸ In 1909, there were 7 dismissal procedures. Here, in five procedures, applications submitted men and in two, a woman.³⁹ In 1910 there was one successful dismissal.⁴⁰ In 1915, there was only one dismissal.⁴¹ In 1916, there were no dismissals.⁴² In 1917, the authorities dismissed a woman.⁴³

In Požega County in 1907, there was one dismissal procedure.⁴⁴ In 1909 there were two dismissals.⁴⁵ In 1910, there were also two dismissals.⁴⁶ In 1915 and 1916 there were no dismissals.⁴⁷ In 1917, there was one dismissal. Dismissed was Grgur Mišević with his wife and two daughters. Mišević was born 1854 and was no longer a conscript.⁴⁸

The previous data indicate decline of dismissals during the war. The reason of decline was the ban of dismissals to military conscripts. Crucial change happened during 1915 when the Minister of Home Defence informed the Ban Ivan Skerlec that he did not consider requests because of the war.⁴⁹ Since then, only men who were not military conscripts and women had possibility of dismissal.⁵⁰ In these cases the Minister of Home Defence instructed the Ban to submit more dismissal requests at once so he could give them all at once to the king on final solution.⁵¹

The analysis of legal practice also indicates unwillingness of authorities to give dismissals to citizens in cases of emigration in enemy states. As part of this scheme, the authorities kept an eye on citizens abroad and investigated did they lose citizenship in regular procedure.⁵² The authorities recognized new

citizenship to these persons only if they dismissed them in regular procedure.⁵³ An exception to this was emigration in United States of America (hereafter USA). In these cases, relevant was international agreement according to which formal dismissal was not necessary.⁵⁴

4. Absence

The Hungarian-Croatian citizenship law of 1879 stated that a citizen would lose citizenship if he were continuously absent ten years from the lands of the Hungarian Crown.⁵⁵ This rule had few exceptions, which enabled a citizen to retain citizenship (§ 31).⁵⁶ The Provincial Government in 1893, having in mind similar order of the Central Government, expanded list of exceptions. The decree enabled the Provincial Government to retain someone's citizenship, independently of citizens will.⁵⁷ The practice during the war indicates that the Croatian-Slavonian authorities extensively interpreted the norms of the citizenship law of 1879 and the order of 1893 on retention of citizenship in cases of military conscripts. For instance, the fact that a man was in military evidence was enough to classify him as Hungarian-Croatian citizen.⁵⁸

The exception to the previous regulation was an emigration in USA. In these cases, the authorities should apply international agreement reached between USA and the Austro-Hungarian Monarchy in 1870. The agreement contained a rule according to which a Hungarian-Croatian or Austrian citizen lost citizenship if he had been residing in the USA for five years and if he had acquired citizenship of the USA. In other words, that meant that a citizen could lose citizenship by emigration in the USA even before the expiration of the period of ten years and

³⁷ Additionally, one person lost citizenship by absence. HR-HDA-79, the box 4062, IV-2 3036/1915 (46184/1917)

³⁸ HR-HDA-79, the box 4062, IV-2 3036/1915 (46184/1917)

³⁹ HR-HDA-79, the box 4062, IV-2 3036/1915 (46184/1917)

⁴⁰ HR-HDA-79, the box 4062, IV-2 3036/1915 (32744/1916)

⁴¹ In the report was mentioned only Hermina Petrović (worker in Wien). She lost citizenship by absence. HR-HDA-79, the box 4062, IV-2 3036/1915 (25787/1917)

⁴² Recorded was also one person that lost citizenship by absence. It was a man born in 1859. He was not anymore a military conscript. HR-HDA-79, the box 4062, IV-2 3036/1915 (V-2 24906/1918)

⁴³ HR-HDA-79, the box 4062, IV-2 3036/1915 (46184/1917)

⁴⁴ HR-HDA-79, the box 4062, IV-2 3036/1915 (46184/1917)

⁴⁵ HR-HDA-79, the box 4062, IV-2 3036/1915 (46184/1917)

⁴⁶ HR-HDA-79, the box 4062, IV-2 3036/1915 (32744/1916); In 1916 one dismissal was recorded but since this dismissal happened before the war we did not count it. HR-HDA-79, the box 4062, IV-2 3036/1915 (46184/1917)

⁴⁷ In the record for the year 1917 mentioned are also Matija Hatze, born in 1849, with his wife and three children. We did not count this dismissal because the authorities dismissed them before the war by the decree issued on 27 June 1914. HR-HDA-79, the box 4062, IV-2 3036/1915 (V-2 24906/1918)

⁴⁸ HR-HDA-79, the box 4064, IV-2 8471/1915; HR-HDA-79, the box 4065, IV-2 15353/1915

⁴⁹ See a case of dismissal of Paulina Resanović in: HR-HDA-79, the box 4066, IV-2 21556/1915

⁵⁰ HR-HDA-79, the box 4064, IV-2 12506/1915

⁵¹ HR-HDA-79, the box 4061, IV-2 1776/1915

⁵² HR-HDA-79, the box 4067, IV-2 35774/1915

⁵³ The international agreement reached between USA and the Austro-Hungarian Monarchy in 1870 contained a rule according to which a Hungarian-Croatian or Austrian citizen lost his citizenship if he had been residing in the USA for five years and if he had acquired citizenship of the USA. KOSNICA, *Gubitak (...)*, *op. cit.*, p. 67.

⁵⁴ VARGA, Norbert „The Pretences of Loss of Hungarian Citizenship in the 19th Century“, *Forum historiae iuris*, p. 39-50, Source: <http://fhi.rg.mpg.de/media/zeitschrift/1008varga.pdf> (18.01.2017).

⁵⁵ KOSNICA, *Gubitak (...)*, *op. cit.*, p. 70-71.

⁵⁶ *Ibid.*, p. 74.

⁵⁷ See the report of the Provincial Government to the Minister of Home Defense: HR-HDA-79, the box 4068, IV-2 37684/1915

⁵⁸ KOSNICA, *Gubitak (...)*, *op. cit.*, p. 67, 74-75.

despite the efforts of Austrian, Hungarian or Croatian-Slavonian authorities to keep him under jurisdiction.⁵⁹

Among many cases, specifically intriguing are cases of persons of Croatian-Slavonian origin who emigrated in USA, there acquired citizenship of the USA, and later came back in Croatia-Slavonia. In these cases, in first years of the war, Croatian-Slavonian authorities, many times on incentive of the army, questioned and investigated citizenship. The authorities in principle researched did these persons acquire citizenship in accordance with the international agreement of 1870 reached between the Monarchy and the States. Disputable could be continuous five-year residence in USA, tax debt, and previous criminal investigation. However, if everything was in accordance with the international agreement, the authorities treated these persons as citizens of USA.⁶⁰ The basic benefit of US citizenship in first years of the war was exemption from military service. Although sometimes happened that the army enlisted some of these naturalized Americans, after intervention of the consulate of USA the Croatian-Slavonian authorities exempted these persons from military service.⁶¹

The situation changed after USA entered the war in 1917. As before, the Croatian-Slavonian authorities investigated citizenship of naturalized Americans but now interpreted rules in a different way. Apart from the international agreement, the authorities also in great measure used citizenship law of 1879 particularly its rule about presumption of Hungarian-Croatian citizenship of all born in the lands of Hungarian Crown (§ 19).⁶² On that basis, the authorities denied American citizenship to children of naturalized Americans if born on the soil of the lands of Hungarian Crown. For illustration, we can mention the case of Ivan Ružić, born in Hreljin in Croatia-Slavonia in 1899. His father during emigration in United States in 1893 acquired US citizenship. So on the basis of the principle of *ius sanguinis* Ivan Ružić should acquire US citizenship. However, during 1917 and 1918 Croatian-Slavonian authorities denied him American citizenship and provisionally treated him as Hungarian-Croatian citizen. Their main argument was that Ivan Ružić was born on the soil of the lands of the Hungarian Crown.⁶³ Here it is interesting to note that initial purpose of the norm about *ius soli* was to give national citizenship to persons of unknown citizenship. However, significant was that during the War the authorities interpreted this norm in a very extensive

way and implemented it on persons whose foreign citizenship was not disputable earlier.

5. Passports and Migration

The Law of 1903 about passports in its first article stated that for residence and travel in the lands of Hungarian crown as well as for the cross of state border passports are not necessary.⁶⁴ This was similar to development in other European countries. In this spirit, Frenchman Charles Sée in 1906 in his doctoral thesis predicted demise of passports “in a world of unrestricted travel”.⁶⁵ This liberal regime of migration resulted in a massive emigration from the Monarchy, including Croatia-Slavonia, towards the United States. The emigration was especially intensive in the period from 1900 up to 1910.⁶⁶

However, this partially changed on 30 November 1912 during the First Balkan War when the king's commissioner for Croatia-Slavonia Slavko Cuvaj, on the ground of decision of the Central Government, introduced obligatory passport regime for traveling in the Kingdom of Serbia and for travellers from the Kingdom of Serbia.⁶⁷ The introduction of such regime had legal basis in the Law of 1903 about passports which authorized the Central Government to order obligatory passport regime in the case of war or in the case of emergency (§ 2). In addition, on 9 December 1912 the Provincial Government proclaimed the order of the Central Government about restriction of issuing passports to military conscripts without consent of the Minister of Home Defence.⁶⁸ From then on, the Minister of Home Defence gave such permissions to persons who needed passports for educational, medical and business purposes.⁶⁹

The order of 15 January 1914 introduced new restrictions of movement. The order was result of agreement reached between the Austrian Government, the Ministry of Common Finances, and the Central Government in Budapest. The order aimed to establish better migration control of military conscripts within the Monarchy. According to the order, Austrian military conscripts and military conscripts from Bosnia and Herzegovina who enter the lands of Hungarian Crown were obliged to show to authorities adequate documents on regulation of the military service. The same regime was in force for Hungarian-Croatian military conscripts who enter the Austrian part of the Monarchy or Bosnia and Herzegovina.⁷⁰

⁵⁹ HR-HDA-79, the box 4061, IV-2 2277/1915; HR-HDA-79, the box 4061, IV-2 3025/1915; HR-HDA-79, the box 4066, IV-2 24395/1915; HR-HDA-79, the box 4067, IV-2 32900/1915; HR-HDA-79, the box 4064, IV-2 7749/1915

⁶⁰ One such case see in: HR-HDA-79, the box 4071, IV - 2 4171/1916

⁶¹ HR-HDA-79, the box 4611, V-2 44/1918

⁶² The case of Ivan Ružić see in: HR-HDA-79, the box 4611, V-2 353/1918; Similar cases of Nikola and Andrija Ružić see in: HR-HDA-79, the box 4612, V-2 3877/1918

⁶³ „Zakonski članak VI: 1903. zajedničkog Ugarsko-hrvatskoga državnoga sabora o putovničkom poslu“, *Sbornik*, (1903)/ 4.

⁶⁴ FAHRMEIR, *op. cit.*, p. 118.

⁶⁵ ČIZMIĆ, Ivan, “O iseljavanju iz Hrvatske u razdoblju 1880-1914”, *Historijski zbornik*, 27-28(1974-75), p. 29-32.

⁶⁶ “Naredba kraljevskog povjerenika u kraljevinama Hrvatskoj i Slavoniji od 30. studenoga 1912. broj 5390 pr. kojom se proglašuje putovnička obvezanost prema kraljevini Srbiji“, *Sbornik*, Zagreb, (1913)/1.

⁶⁷ The Central Government issued this order based on the article 2 of the *Law article VI: 1903 about passports*. HR Hrvatski državni arhiv, *Zemaljska vlada za kraljevine Hrvatsku, Slavoniju i Dalmaciju. Predsjedništvo (fond-78)*, (Hereafter HR-HDA-78), the box 861, 6-22 5583/1912

⁶⁸ HR-HDA-78, the box 861, 6-22 5583/1912; HR-HDA-78, the box 864, 6-22 5583/1913

⁶⁹ HR-HDA-78, the box 865, 6-22 371/1914

⁷⁰ HR-HDA-78, the box 854, 6-14 2999/1914

On 25 May 1914, the Provincial Government issued an order about obligatory photographs on passports. *Ratio* of the order was prevention of illegal trade with passports and prevention of illegal emigration from the country. Here, the Provincial Government followed development in the Austrian part of the Monarchy where photographs on passports were obligatory while in Hungary this was not the case still.⁷¹

The next measure was restriction of migration from the Monarchy to Serbia and Montenegro and *vice versa* in July 1914 because of crisis after the assassination in Sarajevo. On 17 July 1914, the Provincial Government explicitly banned subordinated jurisdictions to issue passports and permissions for emigration to military conscripts who wish to travel or emigrate to Serbia and Montenegro. In other cases, the Provincial Government instructed subordinated jurisdictions to collect data about wealth, family members, about *citizenship behaviour* of an applicant etc. After this, they should deliver the data to the Provincial Government on final solution.⁷²

After the war broke out, as a reaction on similar measures of other European states, i.e. Netherlands, the Central Government issued an order about obligatory passport regime. The Ban Ivan Skerlec proclaimed this order in Croatia-Slavonia on 20 January 1915. According to the order, all persons who pass the border of the lands of Hungarian Crown should have passports. Exempted from this measure were only persons who travelled in and from the Austrian part of the Monarchy. Foreigners, with the exception of Austrian citizens and members of Bosnia and Herzegovina, should have passports during they stay in the lands of Hungarian Crown. All passports should have photography and signature of a holder. Foreigners should validate their passports before entrance on the territory of the lands of Hungarian Crown.⁷³ After proclamation of the order, the next day the Ban issued an implementing order. The order mostly dealt with procedure of issuing passports and treatment of foreigners without passports. The order contained clause about removal of foreigners without passports from Croatia-Slavonia.⁷⁴

Previous regulations indicate transition from liberal towards restrictive regime of migration. The transition happened gradually. At first, it was only obligatory passport regime for traveling in Serbia. Later, the authorities restricted issuing passports to military conscripts, introduced control of migration of military conscripts, and introduced obligatory photographs on passports. Finally, when the war began, the authorities imposed additional measures of control of migration and introduced general obligatory passport regime.

6. Citizenship and Loyalty

During the First World War, the issues of citizenship and loyalty were strongly interwoven. Even before the beginning of the War, during the Balkan Wars (1912-13), the authorities in Croatia-Slavonia carefully looked at loyal conduct of citizens. Among many cases, we can mention the case of police officer Gjoka Vukobradović, Hungarian-Croatian citizen and ethnic Serb, released from service for being disloyal. The concrete reason was hanging portrait of the Serbian king on the wall in the military base in Zemun.⁷⁵ After the assassination in Sarajevo on June 28 of 1914 the issue of loyalty of citizens got primary importance in the whole Monarchy, including Croatia-Slavonia.⁷⁶

Very important aspect of citizenship and loyalty would be reactions of citizens on the assassination and declarations of loyalty toward the king after it. These reactions varied although, if we look at political parties, all of them condemned the deed of assassination. However, some of them "adopted a hostile attitude towards Serbia", such as the Frank Pure Party of Right.⁷⁷ Along with reactions on the assassination came declarations of loyalty towards the king.⁷⁸ For example, in the beginning of July 1914 the Croatian-Slavonian Diet prepared declaration of loyalty toward the king and the Monarchy.⁷⁹ On 3rd August 1914 Serbian orthodox parish from the city of Petrinja declared loyalty to the king.⁸⁰ During first months of the war, some citizens returned medals given by the Serbian king in the pre-war period and in this way declared loyalty.⁸¹ All these declarations, although sometimes given under pressure, supported his

⁷¹ HR-HDA-78, the box 834, 4-1 3894/1914

⁷² HR-HDA-78, the box 834, 4-1 117/1915

⁷³ HR-HDA-78, the box 834, 4-1 117/1915

⁷⁴ HR-HDA-78, the box 829, II 4555/1912; Some other cases emerged in April of 1914 see in: HR-HDA-78, the box 831, II 2082/1914.

⁷⁵ For development in Austrian part of the Monarchy see: HIRSCHHAUSEN, Ulrike, "From imperial inclusion to national exclusion: citizenship in the Habsburg monarchy and in Austria 1867-1923", *European Review of History – Revue européenne d'histoire*, 16(2009), p. 557-562; HEALY, Maureen, "Becoming Austrian, Women, the State, and Citizenship in World War I", *Central European History*, 35(2002), p. 13-19; MANDIĆ, Davor, "Pulski Hrvatski list (1915.-1918.) - zapisi o „evakuircima“ s područja Pomorske utvrde Pula", *Časopis za suvremenu povijest*, 42(2010), p. 784-786.

⁷⁶ PLETERSKI, Janko, "The Southern Slav Question", in: CORNWALL, Mark, *The Last Years of Austria-Hungary: A Multi-National Experiment in Early Twentieth-Century Europe*, Liverpool University Press, Liverpool, 2015, p. 133.

⁷⁷ Mark Cornwall points out that the "dynasty continued to be the main ideological glue for the Empire". CORNWALL, Mark, "Disintegration and Defeat: The Austro-Hungarian Revolution", in: CORNWALL, *The Last Years (...)*, *op. cit.*, p. 168.

⁷⁸ AGIČIĆ, Damir, "Civil Croatia on the Eve of the First World War: The Echo of the Assassination and Ultimatum", *Povijesni prilozi* 14(1996), p. 307.

⁷⁹ HR-HDA-78, the box 855, 6-14 5001/1914

⁸⁰ During the first months of the war Vjekoslav Heinzl, the director of Croatian Chamber of trade and crafts, and Ivan Bojničić, the director of Croatian State Archives, returned their orders to the Serbian king and in this way declared loyalty to Habsburgs and to the Austro-Hungarian Monarchy. For Vjekoslav Heinzl see: HR-HDA-78, the box 837, 5-3 6024/1914; The case of Ivan Bojničić see in: HR-HDA-78, the box 837, 5-3 6268/1914. Interesting was that after the war Ivan Bojničić in the letter sent to authorities of the Kingdom of Serbs, Croats and Slovenes declared that in 1914 the Ban of Croatia-Slavonia forced him to return the order.

⁸¹ CORNWALL, *Disintegration and Defeat (...)*, *op. cit.*, p. 184.

majesty and were unconditional. However, this changed in the following years when demands for reorganization of the Monarchy came up along with declaration of loyalty to the king.⁸²

Another aspect of citizenship and loyalty was determination of someone's loyalty in practice. During the war, the authorities monitored citizens, conducted searches of houses, interrogations, investigations of citizens conduct prior and during the war etc.⁸³ For instance, the authorities classified as expression of disloyalty statement of one Serb from eastern Croatia-Slavonia that he lives on the Serbian land.⁸⁴ Incriminated was also possession of weapons, Serbian flags, portraits of the Serbian king, Serbian literature, but also possession of all other foreign flags, coat of arms, portraits of foreign rulers etc. Among many cases that aimed to determine loyalty of citizens, as very illustrative we can mention the case that emerged in the Western Slavonia in Novska and in the village of Raić near Novska. There the Provincial Government in Zagreb and military authorities ordered investigations on October 26 of 1914. The investigation aimed at "orthodox population living in Novska and in its surroundings including village of Raić". Special investigator with circa twenty soldiers from Zagreb conducted searches in the period from 26th October 1914 up to 3rd November 1914. During searches, the investigators found incriminating things, guns, rifles, Serbian flags, etc. After the searches, the authorities fined involved persons, and arrested some of them. Among arrested was also teacher Sofija Knežević. The authorities arrested her because of statements: "King Petar (the king of the kingdom of Serbia) is my king because I am Serb". The authorities pointed out that she named the Austro-Hungarian king as "the old Franjo or Austro-Hungarian ruler" and she never used words "our king".⁸⁵

After determination of someone's disloyalty repressive reactions followed. The measures included money fines, arrests, sentences to prison, internments, house arrests, repositions of officers, dismissals from service etc.⁸⁶ Very widespread and significant measure toward potentially disloyal citizens was internment. It consisted in deportations from border areas of the country to camps in interior. Here we would like to mention internment of citizens from Zemun to Pleternica, Požega County. According to the report from 26 October 1914, the authorities interned 114 persons. In the case, interned were all Hungarian-Croatian citizens. In the report, there was no ethnicity but just religious affiliation. According to the religious affiliation, there

were 106 Orthodox, 6 Nazarenes and 2 Catholics, and that in practice related to ethnic Serbs.⁸⁷

Besides in the country, the authorities tried to control Hungarian-Croatian citizens living abroad, especially in the USA. The Provincial Government during December of 1914 instructed government commissioners to warn citizens of Serbian ethnic origin who have relatives living in the USA that it will not tolerate participation of citizens in Serbian forces. In such cases, the authorities will ban them entrance in the country and the authorities will confiscate their property. The Provincial Government also pointed out that many citizens of Serbian ethnic origin are fighting in the Austro-Hungarian army.⁸⁸

Except repression, the authorities used propaganda to strengthen desirable loyalties. If we look at Austria-Hungary as a whole, one can say that because of lack of social or national consensus possibilities of general "patriotic propaganda" were limited.⁸⁹ However, on regional level, in Croatia-Slavonia the authorities took measures which aim was strengthening of desirable loyalties, mostly toward the king and the country. For this purposes the authorities used annual ceremonies such as ceremony held on August 18 on occasion of birthday of the king Franz Joseph I.⁹⁰ On these occasions promotion of loyalty toward the king sometimes went hand in hand with promotion of loyalty towards the country. For instance, on the king's birthday on August 18 of 1915 the newspapers *Ilustrirani list* on its front-page put the image of the king Francis Joseph I and below there was the Croatian coat of arms. Under the illustration states: "Living God, keep our king and our home!"⁹¹ The picture of the king and below only the Croatian coat of arms could implicit that he is primarily the Croatian king. It could also have deeper meaning of interconnection of loyalties towards the king and Croatia-Slavonia, no matter of the rest of the lands of the Hungarian Crown. Such tendencies symbolically weakened the concept of one national Hungarian-Croatian citizenship.

As part of efforts to strengthen desirable loyalties toward the king and the court, some municipalities changed names of streets and squares. For example, local authorities in the city of Bjelovar changed names of one street and one square in their town. They renamed the "Serbian street" (*Srpska ulica*) in the "Street of the duchess Sofija". They also renamed the square of "Zmaj Jovan", a Serbian writer, in the square of the archduke Franz Ferdinand.⁹² In Virovitica, local

⁸² HR-HDA-78, the box 857, 6-14 848/1915; HR-HDA-78, the box 854, 6-14 3632/1914; HR-HDA-78, the box 854, 6-14 3639/1914; HR-HDA-78, the box 854, 6-14 3810/1914; HR-HDA-78, the box 854, 6-14 3863/1914

⁸³ HR-HDA-78, the box 831, II 3701/1914.

⁸⁴ HR-HDA-78, the box, 878, 6-22 7546/1914

⁸⁵ Some repositions of officers see in: HR-HDA-78, the box 842, 6-8 5251/1914.

⁸⁶ HR-HDA-78, the box 841, 6-5 740/1914

⁸⁷ HR-HDA-78, the box 856, 6-14 8912/1914

⁸⁸ CORNWALL, *Disintegration and Defeat (...)*, *op. cit.*, p. 185.

⁸⁹ About ceremonies and building of loyalty in the Austrian part of the Monarchy see: COLE, Laurence, "Military Veterans and Popular Patriotism in Imperial Austria, 1870-1914", in: COLE, Laurence and UNOWSKY, Daniel L, *The Limits of Loyalty: Imperial symbolism, popular allegiances and state patriotism in the late Habsburg Monarchy*, Berghahn Books, New York, Oxford, 2009. p. 46-47.

⁹⁰ Source: http://ss-primijenjenaumjetnostidizajn-zg.skole.hr/upload/ss-primijenjenaumjetnostidizajn-zg/images/static3/2574/attachment/PRILOZI__1-5.pdf, (15.I.2017.)

⁹¹ HR-HDA-78, the box 844, 6-13 6530/1914

⁹² HR-HDA-78, the box 855, 6-14 4863/1914

authorities' renamed one street in the street of the archduke Franz Ferdinand.⁹³

Finally, an important aspect of the issue of citizenship and loyalty are politics concerned with flags. As part of this the head of Croatian-Slavonian autonomous executive, the Ban Ivan Skerlec, on 21 November 1914 promulgated the order about usage of flags in Croatia-Slavonia. The order prescribed almost exclusive usage of Croatian-Slavonian flag in the autonomous affairs. It was red-white-blue flag, in the order called "the people's flag" (*narodna zastava*). The order in this way repeated the provision of the Croatian-Hungarian Compromise of 1868 about official flag in the autonomous affairs in Croatia-Slavonia. Additionally, in ceremonial occasions the order permitted use of Hungarian and Austrian flags and official flags of subordinated jurisdictions, i.e. cities and counties. On contrary, the Ban forbade use of flags of other states and the use of national and political flags, with the exception of flags of friendly states. Order particularly aimed at Serbian national flag.⁹⁴ The order in this way changed previously established practice that tolerated use of Serbian flag in Croatia-Slavonia.⁹⁵

7. Conclusion

The analysed data for the city of Zagreb and for the Pože-ga County show decline of naturalizations during the war. The war also influenced the structure of naturalizations in a way that the authorities did not naturalize citizens of enemy states anymore. As regards to dismissals during the war, analysed data indicate decline of dismissals. The reason of decline was result of order that forbid dismissals to military conscripts.

The practice of loss of citizenship by absence during the war indicates that Croatian-Slavonian authorities and the Central Government in Budapest extensively interpreted the norms of the citizenship law of 1879 and the order of 1893 on retention of Hungarian-Croatian citizenship. Exception to that was trea-

atment of US citizens in first years of the war. In these cases, the authorities applied the international agreement between the Monarchy and the States. However, after the entrance of USA in the war, the practice changed. Since then, the authorities, besides the international agreement, used the article 19 of the citizenship law of 1879 about presumption of Hungarian-Croatian citizenship of all born in the lands of Hungarian Crown. On that basis, they denied American citizenship to children of naturalized American citizens if born on the soil of the lands of Hungarian Crown.

Important influence of war on rights of Croatian-Hungarian citizens was abolishment of liberal system of migration. The process began during the First Balkan War with the order about obligatory passport regime for travelling in the Kingdom of Serbia and the order about restriction of issuing passports to military conscripts. After this, followed new restrictions about control of migration of military conscripts within the Monarchy and the order about obligatory photographs on passports. At the beginning of the war, the Provincial Government followed the Monarchy policy and restricted migration in and from Serbia and Montenegro. Another measure was introduction of obligatory passport regime for all travel and this significantly reduced possibility of migration.

The war bring significant changes in the matters of citizenship and loyalty. More than ever before the authorities questioned loyalty of citizens, looked at their behaviour, their political attitudes, used ethnic criteria in legal practice, especially of Serbian ethnic origin etc. All this destabilized civil concept of citizenship and helped in its transition from ethnically neutral toward ethnically determined concept. Also, efforts of authorities that aimed to strengthen preferable loyalties, especially towards the king, strengthened loyalties toward Croatia-Slavonia as well. Apart of this, authorities in Croatia-Slavonia did not adequately support the identity dimension of the concept of Hungarian-Croatian citizenship.

⁹³ One can see this from the correspondence of the Ban with the Hungarian Minister of Internal Affairs in late November 1914. The Hungarian Minister contacted the Ban on the use of Serbian flag and the fact that the Kluen's Government (1883-1903) tolerated use of Serbian flag. In the response, the Ban explicitly declared ban of Serbian flag in Croatia-Slavonia. HR-HDA-78, the box 856, 6-14 8378/1914

⁹⁴ Kluen's Government tolerated the flag under explanation that this is not Serbian national flag but the flag of Serbian Orthodox Church. RACKO, Ljerka, „Pozadina sukoba oko isticanja srpske zastave u Hrvatskoj na prijelazu iz XIX. u XX. stoljeće”, *Radovi (Zavod za hrvatsku povijest)*, 27(1994), p. 120-124.