



EUROPEAN CENTRE
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MINORITY ISSUES



Linguistic nationalism: legal status of languages/“languages” that emerged from Serbo-Croatian

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The Area of Serbo-Croatian



- - area where Serbo-Croatian language or Serbo-Croatian diasystem is spoken by the majority or plurality of speakers (as of 2005)
- - area where other languages are spoken by the majority or plurality of speakers

Language Demarcation



Ethno-political division of the Serbo-Croatian language - areas where Serbian, Croatian, Bosnian / Bosniak and Montenegrin are spoken by the majority or plurality of speakers (as of 2006):

- - Serbian language
- - Croatian language
- - Bosnian language (Bosniak language)
- - Montenegrin language
- PL - Municipality of Plav
- - areas where other languages are spoken by the majority or plurality of speakers

Note: Terms Bosnian language and Bosniak language are often used as synonyms and are presented as such in this map. In the official results of 2003 census in Montenegro, Bosnian and Bosniak are listed as separate languages and plurality of citizens of Montenegrin municipality of Plav declared in census that their language is Bosniak.



Legal Status: Croatia

- Article 12 of the Constitution:

The Croatian language and the Latin script shall be in official use in the Republic of Croatia.

In individual local units, another language and Cyrillic or some other script may be introduced in official use together with the Croatian language and Latin script under conditions specified by law.

- Protection of Serbian and the Cyrillic Script as a minority language/script, also through ratification of the European Language Charter (Part III)
 - Same status and protection measures for all minority languages in Croatia
- Cyrillic script as *diffrenetia specififica*; symbolic value of the script; incidents
- Census data of 2011:
 - Serbian ethnicity 186 633, Serbian language 52 879



Legal Status: Serbia

- Article 10 of the Constitution (2006):
 - Serbian language and Cyrillic script shall be in official use in the Republic of Serbia.
 - Official use of other languages and scripts shall be regulated by the law based on the Constitution.
- Language status in the Constitution of 1990 and the Constitution of the FRY of 1992.
- Status of Bosnian and Croatian (protected under Part III of the ECRML), and Bunjevac (covered with part II of the ECRML) as minority languages. The vague status of Montenegrin.
- Implementation difficulties with the Bosnian language
- Census data of 2011:
 - Bosniaks 145278, Bosnian language 138871
 - Bunjevac 16706, Bunjevac language: 6835
 - Croats 57900, Croatian language 19223
 - Montenegrins 38527, Montenegrin language 2519



Legal Status: Montenegro

- Article 13 of the Constitution (2007)
 - The official language in Montenegro shall be Montenegrin.
 - Cyrillic and Latin alphabet shall be equal.
 - Serbian, Bosnian, Albanian and Croatian shall also be in the official use.
- Legal situation prior to 2007, plus alternative proposals in drafting the constitution
- The vague status of Bosnian and Croatian as minority languages: Not covered with the ECRML, but nevertheless monitored by the Committee of Experts.
- Highly politicised status of the Serbian language. Strong opposition by the speakers to its “minority” status.
- Census data 2011
 - Montenegrins: 278865; Montenegrin language: 229251
 - Serbs: 178110; Serbian language: 265895
 - Bosniaks: 53605; Bosnian language: 33077
 - Croats: 6021; Croatian language: 2791



Legal Status: Bosnia and Herzegovina

- Dayton Agreement in Bosnian, Croatian, and Serbian; the three constituent peoples; language as part of the “vital interest” of the constituent peoples
- Article 7 of the Constitution of the Republika Srpska (as amended in 2002 by the OHR)

The official languages of the Republic of Srpska shall be: the language of the Serb people, the language of the Bosniak people and the language of the Croat people. The official scripts shall be Cyrillic and Latin.

In regions populated by communities speaking other languages, their languages and scripts shall also be in official use as provided by law.

- Article 6 of the Constitution of the Federation of Bosnia and Herzegovina (as amended in 2002 by the OHR)

The official languages of the Federation of Bosnia and Herzegovina shall be: Bosnian language, Croat language and Serb language. The official scripts shall be Latin and Cyrillic.

Other languages may be used as a means of communication and instruction.

- Bosnian or Bosniak Language (?)
- Bizarre language tripartism (?)



Smoking Kills

Pušenje ubija.

Pušenje ubija.

Пушење убија.



Outreach/Challenges of Minority Language Protection

- Instrumental aspect: mutual comprehension
 - Does mutual comprehension and the low level of differentiation justify minority language protection?
 - The definitions in the ECRML refer to languages different from the official language(s) of the state and exclude dialects of the official language(s)
 - However, the existence of different variations should not be ignored/blurred and speakers pushed into some sort of language uniformity
 - The scope of linguistic diversification: protection for other non-standardized dialects of the same language continuum?



Outreach/Challenges of Minority Language Protection

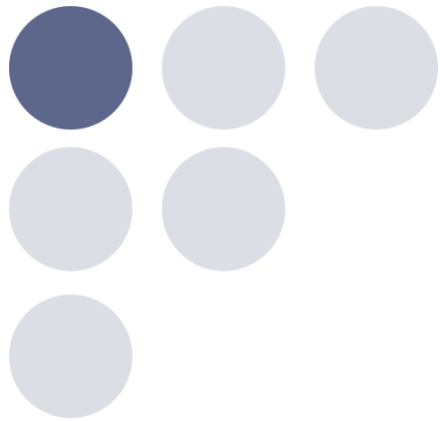
- Symbolic aspect: language and identity
 - The right of speakers to identify with their own language and script (language as cultural code); the relevance of negative identification: we are NOT *them*.
 - Language and hierarchies: providing for one variety/language the official status and degrading other varieties/languages to minority status.
- Practical implications of legal norms
 - Issues in education (school segregation; succession issues of common cultural heritage: „whose is Andrić?“)
 - Translation/Interpretation in official communication (public administrations and courts)



Inspiration from Slovakia?

- Any person whose mother tongue is a language that meets the criterion of basic comprehensibility in relation to the state language can use their mother tongue in official communication with the authorities and legal persons referred to in subsection (1). The authorities and legal persons referred to in subsection (1) shall be obliged to accept any document executed in a language that meets the criterion of basic comprehensibility in relation to the state language, insofar as such document has been issued or super-legalized by the competent authorities of the Czech Republic.

(Paragraph 3 (5) of the Act on the State Language)



Thank you for your
attention!

I look forward to your
feedback!

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