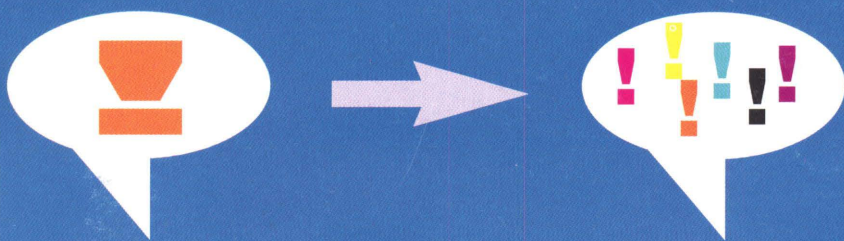


Living Languages 2



The European Bureau for  
Lesser Used Languages

# Language rights, individual and collective



THE USE OF LESSER USED  
LANGUAGES IN PUBLIC  
ADMINISTRATION

## LIVING LANGUAGES 2

The European Bureau for Lesser  
Used Languages  
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*Practically all of the documents which refer to lesser used (regional/minority/minorised) languages - documents emanating from the European Parliament, the Council of Europe and the CSCE - have identified certain critical domains of life in which our languages must be provided for if they are to survive and develop as living community languages. These domains include education, public administration, mass media as well as social and economic life.*

# Language rights, individual and collective

## THE USE OF LESSER USED LANGUAGES

**Silvia Carrel**

*Two years ago, the European Bureau for Lesser Used Languages decided to prepare a series of booklets on the use of our languages in various domains. This series was called the "Living Languages Series." The first booklet is entitled **The Sound of Europe** and deals with the advantages of bilingual and multilingual education. It has already proved to be very popular and it is intended to produce an accompanying video.*

The author would like to thank the following persons - Myriam Alkain, Aureli Argemi, Fernando Barrera, iñaki Basauri, Bojan Brezigar, Charles Castellani, Anna Vari Chapalain, Fabio Chiochetti, Filgi Claverie, Llinos Davis, Esther Happacher, Lucien Jacoby, Hubert Jenniges, Allan Wynne Jones, Wito Meškank, Peadar Ó Flaithhearta, Helen Ó Murchu, Dónall Ó Riagáin, Jean Pezzoli, Auke van der Goot, Koen Zondag and the Welsh Books Council - for having agreed to read the text and for having provided invaluable information as well as photographic material. A special thanks to John Walter Jones and Oriol Ramon i Mimó for drafting the texts regarding the cases of Wales and Catalunya.

**Language rights, individual and collective** deals with the broad area of our languages in public administration and has been prepared by Silvia Carrel, the Bureau's Information Officer.

*One hundred years ago, most of our forbearers had comparatively little contact with public authorities in their daily lives. With the urbanisation and socialisation of society, all of this has changed. As we drive to work, we see road signs of various kinds. Are they monolingual or bilingual? Hardly a day passes without our using postal and telecommunication services. We are obliged to complete numerous official forms in order to benefit from health and social security services....*



#17478

*In short, public administration impinges continually on our lives. If we cannot use our own language when in contact with public administrations, we are made to endure a form of linguistic marginalisation.*

*Using the European Charter for Regional or Minority Languages as a yardstick, the author gives us an overview of provision (or lack of provision) for our languages in public administration throughout the European Union. We get a rather mottled picture. The very existence of some languages is studiously ignored in certain States. In some instances, only minimal recognition is given. In yet other cases, there is a considerable gap between*

# Individual and collective LANGUAGES IN PUBLIC ADMINISTRATION

*the theoretic or legal status of the lesser used language and the de facto recognition given to it.*

*There are, however, many examples of creative thinking and admirable dedication. The normalisation of Catalan in all areas of public administration, the widespread teaching of Basque to public servants in the Basque country and the imaginative implementation of a bilingual policy in Brussels all spring to mind.*

*This little publication is a rich source of information and ideas. It shows what can be done and what has been done when the issue is addressed positively and in a planned manner.*

*We are indebted to the Member State committees of the Bureau and various organisations (public and private) throughout Europe for supplying a wealth of information. On behalf of the Bureau, I sincerely thank all. But I must reserve a special word of appreciation for my colleague, Silvia Carrel, who drew so much information together and wove it into a thoroughly readable and lively text, delightfully illustrated.*

*I hope that **Language rights, individual and collective** will be a source of inspiration and hope.*

**Dónall Ó Riagáin**  
Secretary General

COG/TBRM/6<sup>3</sup>

# The context





Europe and lesser used languages (minority, regional, minorised ...) began to develop bonds of solidarity some years ago. Important milestones have been reached towards achieving an awareness of the diversity and wealth of Europe's heritage. The first step in this direction was taken in 1981, when the European Parliament adopted its first resolution on this subject. In 1992, a new text, the European Charter for Regional or Minority Languages, supplemented and tied together the various ideas which had come to maturity in the course of time. Since then, but even before, the linguistic communities worked at State, regional and local levels to obtain full recognition of their right to use their own language. Various goals were targeted, and one of these remains of prime importance: giving a more important place to language in public administration - a sector which ensures the prestige and development of a language because it is the collective domain of a society.



# Why the public sphere?

As a result of the evolution of social and cultural situations, the vast majority of speakers of lesser used languages are bilingual and capable of using an official language when making contact with the authorities and the public administration.

But this is not the problem. The problem is to respect the identity, the roots and the cultural heritage of all citizens within a community, even of those who are different from the majority. This creates wealth and plurality. Making it possible to use regional or minority languages in administrative dealings is taking a step towards this respect because it means recognising the status and prestige of these languages. It means making them official to some extent. But more importantly, it means ensuring their survival, because confining a language to the sphere of private relations means denying it the opportunity to evolve. It will soon be lacking the terminology necessary for communication in all aspects of community life.

Mr Bruno De Witte, professor at the University of Limburg, Maastricht<sup>1</sup>, goes even further. He writes: "If a service is provided in a single language, all users are treated in the same way, but they are not necessarily treated equally; in reality, users who speak a different language do not receive a service which is equally valuable to them, even though they have contributed to financing this service according to the same criteria." And he goes on to say, "The money of the members of a linguistic minority contributes to providing a service which is culturally optimal for the majority alone."

This is true. Those who speak lesser used languages pay taxes and duties like all other citizens. Why deny them the right to make optimal use of public services?

Furthermore, using a language in official circles and making it visible - by means of road signs or signs in public institutions - is a cultural testimony which is offered not only to the inhabitants of a region but also to persons who do not live there but who pass through or visit it. It is an obvious reminder of the history and tradition of a community.

<sup>1</sup> Mr Bruno De Witte, "Le principe d'égalité et la pluralité linguistique" in *Les Minorités en Europe, Droits linguistiques et droits de l'homme*, edited by Henri Giordan, Editions Kimé, Paris 1992, pp. 57-58.

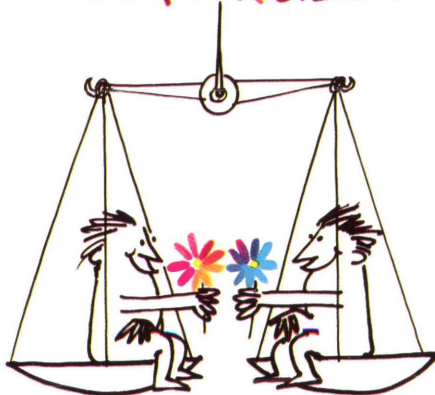
In a democracy, when citizens feel they are a part of their community, they express themselves through their participation, their collective spirit and their confidence in that community. Granting them the right to express



themselves in their mother tongue, without a feeling of self-consciousness or inferiority, increases their psychological well-being and develops their familiarity with their entourage and society. It also ensures harmony within a country because, despite their diversity, speakers of regional languages will not need to break their ties with the group in order for their rights to be respected and their cultural needs to be met. These people will be part of the whole.

# ITALIANI & SLOVENI

PER VIVERE  
INSIEME  
CON RECIPROCA  
STIMA E RISPETTO



**uguale dignità per tutti**

***There are texts which have become cornerstones for the recognition at European level of the lesser used languages, documents which make specific mention of the public sector and steps which must be taken in this area in order to continue and consolidate the development and use of a language beyond guaranteeing the respect of the historic roots and identity of a community.***

## Arfé Resolution

*on a Community charter of regional languages and cultures  
and on a Charter of rights of ethnic minorities  
(European Parliament, 16 October 1981)*

### **The European Parliament**

(...)

1. Requests national governments and regional and local authorities, despite the wide differences in their situations and having due regard for the degree of independence which they enjoy, to implement a joint policy in this field inspired by and designed to achieve the same objectives, and calls on them:

(...)

#### **(c) in the field of public life and social affairs:**

- to assign, in accordance with the Bordeaux declaration of the Council of Europe Conference of Local Authorities, a direct responsibility to the local authorities in this matter;
- to promote as far as possible a correspondence between cultural regions and the geographical boundaries of the local authorities;
- to ensure that individuals are allowed to use their own language in the field of public life and social affairs in their dealings with official bodies and in the courts.(...).



# Opportunities within the European Union

## Kuijpers Resolution

*on the languages and cultures of regional and ethnic minorities in the European Community*  
(European Parliament, 30 October 1987)

### The European Parliament

(...)

6. Recommends to the Member States that they carry out administrative and legal measures including:

- providing a direct legal basis for the use of regional and minority languages, in the first instance in the local authorities of areas where a minority group does exist,
- reviewing national provisions and practices that discriminate against minority languages as called for in Parliament's Resolution on the rise of fascism and racism in Europe,

- requiring decentralized central government services also to use the national, regional and minority languages in the areas concerned,

- officially recognizing surnames and place names expressed in a regional or minority language,

- accepting place names and indications on electoral lists in a regional or minority language.

(...)

9. Recommends to the Member States that they take social and economic measures including:

- providing for the use of the regional and minority languages in public concerns (postal services, etc.),

Charter  
of  
Regional  
Languages

Charte  
des  
Langues  
Régionales

1992

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- recognition of the use of the regional and minority languages in the payments sector (giro cheques and banking),
- providing for consumer information and product labelling in regional and minority languages,
- providing for the use of regional languages for road and other public signs and street names.(...).

## European Charter for Regional or Minority Languages

*(Council of Europe, 1992)*

### **Article 10 - Administrative authorities and public services**

1. Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below and according to the situation of each language, the Parties undertake, as far as this is reasonably possible:
  - a. I. to ensure that the administrative authorities use the regional or minority languages; or
  - II. to ensure that such of their officers as are in contact with the public use the regional or minority languages in their relations with persons applying to them in these languages; or
  - III. to ensure that users of regional or minority languages may submit oral or written applications and receive a reply in these languages; or
  - IV. to ensure that users of regional or minority languages may submit oral or written applications in these languages; or
  - V. to ensure that users of regional or minority languages may validly submit a document in these languages;



- b.** to make available widely-used administrative texts and forms for the population in the regional or minority languages or in bilingual versions;
  - c.** to allow the administrative authorities to draft documents in a regional or minority language.
- 2.** In respect of the local and regional authorities on whose territory the number of residents who are users of regional or minority languages is such as to justify the measures specified below, the Parties undertake to allow and/or encourage:
  - a.** the use of regional or minority languages within the framework of the regional or local authority;
  - b.** the possibility for users of regional or minority languages to submit oral or written applications in these languages;
  - c.** the publication by regional authorities of their official documents also in the relevant regional or minority languages;
  - d.** the publication by local authorities of their official documents also in the relevant regional or minority languages;
  - e.** the use by regional authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;
  - f.** the use by local authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;
  - g.** the use or adoption, if necessary in conjunction with the name in the official language(s), of traditional and correct forms of place names in regional or minority languages.
- 3.** With regard to public services provided by the administrative authorities or other persons acting on their behalf, the Parties undertake, within the territory in which regional or minority languages are used, in accordance with the situation of each

language and as far as this is reasonably possible:

- a.** to ensure that the regional or minority languages are used in the provision of the service; or
  - b.** to allow users of regional or minority languages to submit a request and receive a reply in these languages; or
  - c.** to allow users of regional or minority languages to submit a request in these languages.
- 4.** With a view to putting into effect those provisions of paragraphs 1, 2 and 3 accepted by them, the Parties undertake to take one or more of the following measures:
- a.** translation or interpretation as may be required;
  - b.** recruitment and, where necessary, training of the officials and other public service employees required;
  - c.** compliance as far as possible with requests from public service employees having a knowledge of a regional or minority language to be appointed in the territory in which that language is used.
- 5.** The Parties undertake to allow the use or adoption of family names in the regional or minority languages, at the request of those concerned.



# Killilea Resolution

*on linguistic and cultural minorities in the European Community  
(European Parliament, 9 February 1994)*

## **The European Parliament (...)**

- 2.** Points out again the need for Member States to recognise their linguistic minorities and to make the necessary legal and administrative provisions for them to create the basic conditions for the preservation and development of these languages;
- 3.** Believes, furthermore, that all minority languages and cultures should also be protected by appropriate legal statute in the Member States;
- 4.** Considers that this legal statute should at least cover the use and encouragement of such languages and cultures in the spheres of education, justice and public administration, the media, toponymics and other sectors of public and cultural life without prejudice to the use of the most widespread languages, when required to ensure ease of communication within each of the Member States or in the Union as a whole;(...)
- 6.** Supports the European Charter for Regional or Minority Languages, accorded the legal form of a European Convention as an effective yet flexible instrument for the protection and promotion of lesser used languages;
- 7.** Calls on the Member State governments which have not yet done so as a matter of urgency to sign and their parliaments to ratify the Convention choosing at all times to apply those paragraphs best suited to the needs and aspiration of the linguistic communities in question.(...)

# The role of the public authorities

The concepts introduced by the European Parliament's resolutions were supplemented by the text of the European Charter for Regional or Minority Languages. Article 10 sheds light on and distinguishes between the various levels of administrative competency.

Thus, there are three levels of public authority: the State, the region, and the local authorities. According to their level and competencies, these three monitor, encourage and guarantee the right to use the regional or minority language, so that it can actually be used within the public administration, both actively and passively. That is to say, either via direct expression - contacts with the public, official debates, oral or written questions - or via indirect usage - administrative forms, place names and family names. The last two also have a purely symbolic function because they are the visible expression of a personal and historic identity.

The European Charter also put forward measures which should be taken to satisfy the demands of the public, notably the creation of translation services and control over the recruiting and training of officials.

This means that public administration is almost completely "localised." The local authorities - the units which, by their very nature are those closest to the citizens - oversee the implementation of a political strategy on this subject, which is actually put into practice by the employees of the administration and which, lastly, is used by the citizens, and hence by speakers of the lesser used languages, in agreement with and with the support of the central government. Once this mechanism is operational, it will benefit the entire community: the citizens - through additional services - and political decision-makers - through an electoral consensus.

**It is the authorities' duty to safeguard the rights of the community. Promoting the right to express oneself in one's own mother tongue is**





# An exemplary case: Brussels-capital

## **one of the duties of the local authorities.**

While French and Dutch are not minority languages, at least not in Belgium, their use in the Brussels-capital region gives us a very significant example of a bilingual administration and public services - an example which works and where cohabitation and the respect of two different languages are facilitated.



The linguistic question in Belgium arose with the birth of the Belgian State. Legislators tried to make provision for this linguistic duality, and the result was regional unilingualism in the Flemish and Walloon provinces and bilingualism in the organisation of the central administration and that of greater Brussels. In addition, one must not forget the third official language of Belgium - German - which is the official language in the cantons of Eupen and St. Vith.

The new federal constitution adopted in July 1993 incorporates articles from earlier legislation defining the linguistic territory in Belgium: "Belgium has four linguistic regions: the French-speaking region, the Dutch-speaking region, the bilingual Brussels-capital region, and the Germanspeaking region." There is also an article which mentions the three different

communities: French-speaking, Flemish-speaking, and German-speaking.

In the administrative sphere, various laws coordinated by the royal decree of 1966 have governed the use of languages in these areas and the linguistic obligations of elected officials, and did away with the linguistic census. On the basis of this census, a system of facility was systematically applied once a linguistic minority reached 30%. Hence, there has not been a linguistic census of the population in Belgium since 1947.

In the Brussels region today, all public officials must know both French and Dutch. All forms, brochures and information are produced in both languages, and road signs





# Under the magnifying glass





# A common goal

For some time now, lesser used language communities have been working to strengthen their position in the public services. However, their degree of recognition depends a great deal on the Constitution, the laws and even the degree of sensitivity of the State in which they live.

There are countries which by nature are more open to the linguistic question. However, within the same State some languages are stronger than others and have managed to obtain more favourable conditions than the others. This depends on historical, cultural, social and economic factors.

In addition, the various linguistic groups are not all treated the same way. The Catalans and the Basques in France do not have the same status as the Catalans and Basques in Spain. Irish speakers in the Republic of Ireland are in a position of privilege compared to Irish speakers in Northern Ireland, which is part of the United Kingdom. This is not just a question of numbers, but also of social and economic position.

If one looks at the situation of various lesser used languages, one immediately sees that France and Greece grant them no official status, while in Spain, as a result of the creation of Autonomous Communities, the language of a region is an official language alongside Castilian.

Consequently, these languages have a place in public services. Minority or regional languages are used to varying degrees. But although their position varies from one situation to the next, the ultimate goal is the same: to make the lesser used languages working tools in everyday life.





# Ireland and Luxembourg: national language, but...

The situation of Irish and Luxembourgish is a very special one. They form a separate category in the list of lesser used languages: they are the national languages of two small Member States of the European Union but are not considered official working languages of the EU.

The 1937 Irish Constitution states that Irish, as the national language, is the country's first official language and that English is the second official language. But what position does Irish actually have within the public administration?

First of all, a distinction must be made between the region where more Irish is spoken - the Gaeltacht, which represents 2.3% of the total population or about 79,000 inhabitants - and the rest of Ireland. The Gaeltacht opted for Irish as the dominant language, and the evidence of this decision is that road signs and street names are in Irish only.

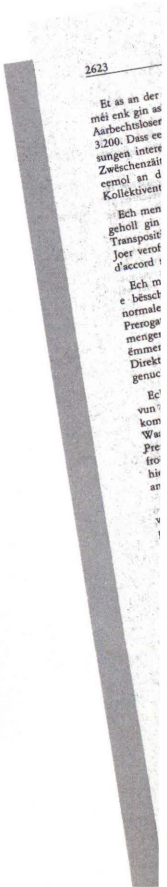
In principle, any citizen in the Republic of Ireland has the right to use Irish and to receive a response in this language in his dealings with the public administration. This has not always been possible in practice due to a lack of persons who know Irish. Since 1973, knowledge of Irish is no longer necessary for employment in



public administration. However, all official departments must have at least one official who can respond to questions asked in Irish.

Very recently, the Ministry of the Arts, Culture, and Gaeltacht asked Bord na Gaeilge - the official body for the promotion of the Irish language - to establish a four-year programme to develop bilingualism in Irish society in collaboration with the government. The goals are to improve public services, to provide further training for administrative personnel and to increase visibility of the Irish language.

This means that services offered directly to the public, by letter or telephone, must be provided in the two languages, Irish and English. In order to do this, there must be a sufficient number of bilingual people in the various offices. This means that language courses are necessary. Irish should eventually become a normal working language, both within and outside State bodies. The visibility of Irish should involve the development of informational material, stationery and advertising published in this language, and obviously bilingual signs, which already exist in most cases.







The example of Luxembourg is different yet. This small country wedged between Belgium, France and Germany has a trilingual situation, even a multilingual one, as a large part of the population is of foreign origin. According to the 1984 law on the language regime, Luxembourgish is the national language. However, the legal text reads, "The laws and their implementing regulations shall be written in French," and in the event that these texts are translated, "only the French text shall be considered authentic." In contrast, in administrative dealings - contentious or otherwise - and in judicial matters, French, German or Luxembourgish can be used." When a person making an administrative request uses one of these three languages, "the administration must, as far as is possible, use the language used by the person making the request when giving its response."

In the face of such a complex situation, what is the position of Luxembourgish? In point of fact, this language is used mainly for oral expression. A study by Mr Nicolas Als on the use of languages within the Chamber of Deputies reveals that "since the liberation, German has ceded to Luxembourgish, which has gradually gained ground over French. Today, the vast majority of speakers express themselves in Luxembourgish. However, French remains the language of written legislative work, parliamentary questions and motions, and of major political declarations by the government."

However, it should be noted that the minutes of parliamentary sessions - which are distributed free of charge to all families - are mainly in Luxembourgish, as the Parliament's discussions take place mainly in this language.

In contrast, in the public administration, although the law on languages recommends the use of Luxembourgish by officials, administrative forms are printed only in French and German.

Another interesting point: income tax forms - one copy of which is in French and the other in German - can be filled out either in Luxembourgish, French or German, or citizens can even feel free to mix the three languages!



# Majority language here, minorised language there: more advanced laws

The major categories of lesser used languages include the languages of peoples who are a minority in one State but a majority in other countries, such as German in Belgium and Italy, French in Italy or Danish in Germany.

As a general rule - which means that this is not always the case - these are languages which have received most legal recognition.

The case of Italy speaks volumes. After 1948, Valle d'Aosta, Trentino-Alto Adige, Friuli-Venezia-Giulia and Sardinia were declared Autonomous Regions with a Special Statute within the Italian State. The official regulations of the first two Autonomous Regions calls for bilingualism in the media, schools, and public offices, while in Friuli-Venezia-Giulia, bilingualism is called for in specific domains which vary from one geographic zone to the next. Mrs Augusta Cerruti of the University of Turin<sup>2</sup> observes, "However, this is a

<sup>2</sup> Augusta Cerruti, "Les minorités ethno-linguistiques de la République Italienne," in *Les Minorités ethniques en Europe*, edited by André-Louis Sanguin, Editions L'Harmattan, Paris 1993, p. 165.

bilingualism which concerns literary languages, i.e., French, German and Slovenian. Consequently, idioms such as French Provençal, Sud-Walserisch, Ladin, Friuli, and local Germanic and Slovenian dialects do not enjoy legislative protection in the bilingual regions nor, more importantly, in the regions having an Ordinary Statute but in which minority languages are present."

Bilingualism is a fact in the Valle d'Aosta area. Article 38 of the Special Statute of 1948 sets forth the principle that "the French language and the Italian language shall be on an equal footing in the Valle d'Aosta. Public laws may be written in either language, except for acts having judiciary authority, which shall be written in Italian. Within its services in the Valle d'Aosta area,



the State administration should, whenever possible, hire officials who are from the region or who know French.”

Therefore, as all legislative documents must be published in French as well as Italian, but also because most documents are drafted in Italian, the regional administration has set up an Office for the French Language. Public officials must know French and when hired must take an exam to test their knowledge of this language. In principle, place names are in one language, i.e., the original language. In this regard, the Regional Office for Ethnography and Linguistics is in the process of doing a study on place names in order to learn the exact spelling of the names of all hamlets, agricultural areas, streams, rivers, and so on. Road signs are mostly bilingual, as are the titles of the various bodies, associations and institutions.

German is handled in the same way in South Tyrol, where measures to protect the German-speaking minority were introduced by the Italo-Austrian De Gasperi-Gruber agreement in 1946. The German language enjoys official recognition.

This agreement - better known as the “Paris Agreement” - introduced ethnic proportionality into employment in the public sector. Article 1 states<sup>3</sup> that “German-speaking citizens will be specifically granted: ...d) equal rights for admission to public employment, with a view to achieving ‘a more appropriate proportion of employment’ (from the original English text) between the two ethnic groups (German and Italian).” Today ethnic proportionality also applies to local public authorities and to the State administration - the latter following the 1971 revision of the Statute of Autonomy.

After the last census of the population in 1991, the breakdown between the various linguistic groups was as follows: 68% for the German group, 27.6% for the Italian group, and 4.4% for the Ladin group. In comparison to the 1981 census, the size of the German group increased (+1.6%), and that of the Italian group decreased (-1.8%). On the basis of this ratio, quotas are established for the various linguistic groups. The introduction of ethnic proportionality into public employment opened new occupational horizons for the minorities in Sud Tyrol.

The situation is slightly different for the Slovenian minority in Italy living in the Friuli-Venezia-Giulia area. Steps to protect this language have been limited to the school system, and the recognition of the legal status varies considerably from one province to the next or from one commune to the next within the same province. The Slovenians

<sup>3</sup> See *L'Autonomia dell'Alto Adige*, Provincia Autonoma di Bolzano-Alto Adige, 1991.



of Trieste have received recognition of their linguistic rights via the Special Statute in annex to the London Memorandum of 1954. This statute makes it possible to use Slovenian in official dealings with the administrative bodies and to receive a response in this language - either directly or through an interpreter. However, this is applied only in four small communes in the region.

Travelling from Italy to Belgium, we find German as a lesser used language, although it is an official language alongside French and Dutch. It is a minority language because it is recognised in only nine communes of the Eupen and St. Vith region - which make up the German-speaking Community - but it is also spoken in the Montzen/Welkenraedt region and in the canton of Malmedy.

In the area where German is the official language, all public services are in German, as are documents - which are also available in French, as the German-speaking Community is located in the Walloon Region - and officials must know German.

In contrast, in the communes which are not officially recognised as German-speaking, French dominates, even though the public has the right to use another language in its dealings with the public administration.

# The case of Catalunya, an ex

*Because the Catalan language has different administrative statutes in different regions, the situation and usage of this language in the public administration varies considerably. Catalan is the only official language of the public administration in Andorra, while it is the official language alongside Spanish in Catalunya, the Valencia region and the Balearic Islands, i.e., in the three Autonomous Communities within the Spanish State where Catalan is recognised as a distinct language. Catalan has no official status in the Community of Aragon (Franja de Ponent), in Northern Catalunya (in France) or in the city of Alghero (in Sardinia, Italy).*

*But let us look at the position of this language inside Catalunya.*

## **The legal framework**

Article 3 of the 1978 Spanish Constitution states:

1. Castilian is the official Spanish language of the State. All Spaniards must know it and use it.
2. The other Spanish languages are also official languages in the respective Autonomous Communities, in accordance with their statutes.

Article 3 of Catalunya's Autonomous Statute of 18 December 1979 states:

1. The language of Catalunya is Catalan.
2. The Catalan language is the official language of Catalunya, along with Castilian, which is the official language throughout the entire Spanish State.
3. The Generalitat (government) of Catalunya must guarantee the normal and official usage of the two languages, must take the necessary steps to ensure that they are known and must create conditions which allow them to be completely equal in terms of the rights and duties of citizens.
4. Aranés (Occitan) will be taught, treated with special respect and protected.

## **Use in the administration**

Law 7/1983 of 18 April on Linguistic Normalisation, created the legal basis to permit the language of Catalunya to become the normal vehicle of communication between the citizens and the public administration. In Article 5 (Title I) of this law, it is stated that as an official language of Catalunya, Catalan is the language of the Generalitat and the Catalan territorial administration, local administration and other



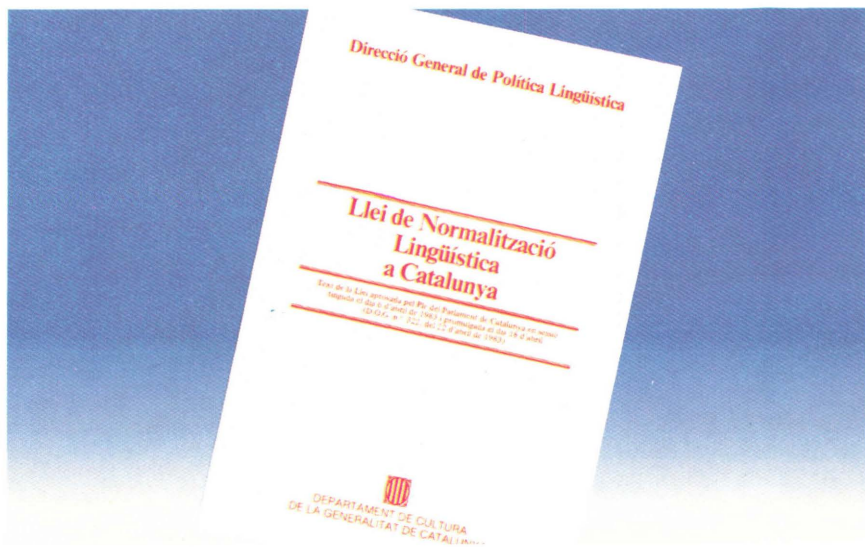
# Example of a dual official status

bodies dependent on the Generalitat. In addition, all official documents written in Catalan have legal validity (Article 6), as do administrative procedures written in Catalan (Article 7).

Citizens have the right to choose the language in which they deal with the administration within the territorial framework of Catalunya (Article 8). This means that citizens have the right to be dealt with in the language of their choice, including in their dealings with the State administration in Catalunya.

Decree 107/1987 of 13 March of the Generalitat of Catalunya on the use of official languages by the administration of the Generalitat of Catalunya guarantees the use of Catalan in official written documents, both public and private; in printed matter of the administration; in oral contacts between officials and the public; in contractual documents; in magazines, sign boards and publications of the Autonomous Administration; in opinions, public announcements and institutional publicity; in other areas which are the purview of the administration of the Generalitat.

The normalisation of Catalan in the peripheral administration of the State, notably in the military and legal sectors, is a slow and complicated process, and it is far from obtaining the results sought by the linguistic community.



## The use of place names

In accordance with Article 12 of the Law on Linguistic Normalisation in Catalunya and Articles 14 and 15 of the corresponding law of the Balearic Islands, Catalan is the only official language for place names in Catalunya and the Balearic Islands (except in the Aran Valley, which uses Occitan). According to these articles, the Catalan method of writing is the official one, and it must be visible on all signs, maps, lists of municipalities, telephone directories, and so on.

The use of a language in the administrative sphere is just one instrument for normalising the language: but this cannot be the only goal of linguistic policy. The effort to normalise a language within the public administration makes sense only if efforts are made at the same time to promote the use of this language in society. To state this more clearly: a language can be normalised only if its use becomes necessary in order to live on its historic territory. This is not yet a reality in Catalunya, and the problem still remains unresolved...





# The example of planning for normalisation

When the basic law for the normalisation of Basque was adopted by the Parliament of the Basque Autonomous Community in 1982, the administration was not able to guarantee the rights of citizens recognised by the new law. Therefore in 1986, a decree was issued establishing the use of the Basque language, so that it might become not simply a “service” language but also a normal working language for specific functions and administrative divisions.

In 1989, the Basque Civil Service Law was adopted, which contains linguistic profiles for each public office, i.e., the general level of linguistic competency required to carry out a given job. The law also states that “when a linguistic profile is not a mandatory condition, it will be used only to determine the value or worth to be attributed to the knowledge of Basque, both in the provision of jobs and in external selection.”

Thus, public administrations which so desire can sign agreements with the Basque Institute of Public Administration, which subsidizes language courses in sectors in which the linguistic profile is mandatory and provides financing for replacements while employees attend classes.

Currently, these courses - which are part of a programme of planning spread out over several years - are attended by some 4,000 persons each year.



## Initiatives to keep an eye on

"Scientifically established knowledge regarding minorities is as lacking in Greece as it is in France." With these words, Mr Panayote Elie Dimitras<sup>4</sup>, assistant professor of political science at the University of Athens, begins his speech on minorities in Greece. He continues in this vein: "In Greece, as in France, minority languages are not treated as such but as 'idioms' ('regional languages' in France), which implies that they are variations of the Greek language, even though no Greek speaker can understand them."

The central governments of France and Greece are impervious to the development and promotion of minority languages. However, in France, some changes are taking place. Although minority languages are not officially recognised, the lesser used languages are not as "hidden." The case of Alsace should also be noted, where in some ministerial texts the regional language is defined as "Alsatian dialects, of which the written expression is German. German is therefore one of the regional languages of France."

Although minority languages are on the upswing in the educational sector in France, their presence in the administration is negligible. The use of these languages is essentially oral; officials often understand the regional language and can, therefore, answer questions asked by persons who speak this language. But officially, no provision is made for the publication of bilingual documents.

The only exception is bilingual road signs which, in Alsace, are subsidized by the Regional Council in cooperation with the communes. This is a point in favour of both for the Corsican and Breton languages, because their defence and promotion are supported by the regional and local authorities.

<sup>4</sup> Panayote Elie Dimitras, "Minorités linguistiques en Grèce," in *Les Minorités en Europe, Droits linguistiques et droits de l'homme*, edited by Henri Giordan, Editions Kimé, Paris 1992, p. 301.

For example in Corsica, the idea of having two official languages is gaining ground. Today, much more consideration is being given to the possibility of instituting a system to make the Corsican language official in areas other than education. In particular, Corsica's Economic, Social and Cultural Council is examining proposals regarding place names.



In Brittany as well, the local and regional authorities are deeply concerned by this question. Since 1989, more than 500 Breton communities, the General Councils, the Regional Council and the EU Economic and Social Committee have been asking for a genuine statute for the Breton language. The Breton language services of the Institut Culturel de Bretagne provide scientific support for the authorities' efforts, so that these efforts will be based on concrete proposals for implementation in various spheres (place names, terminology, services to the community).

In January 1993 in Alsace, the Regional Council decided to set up a Regional Office on Bilingualism with a view to developing a genuine policy on linguistic planning in order to defend the regional language and culture and develop the bilingual competency of the territory.



# DYNAMIQUES

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SEPTEMBRE/OCTOBRE 1993

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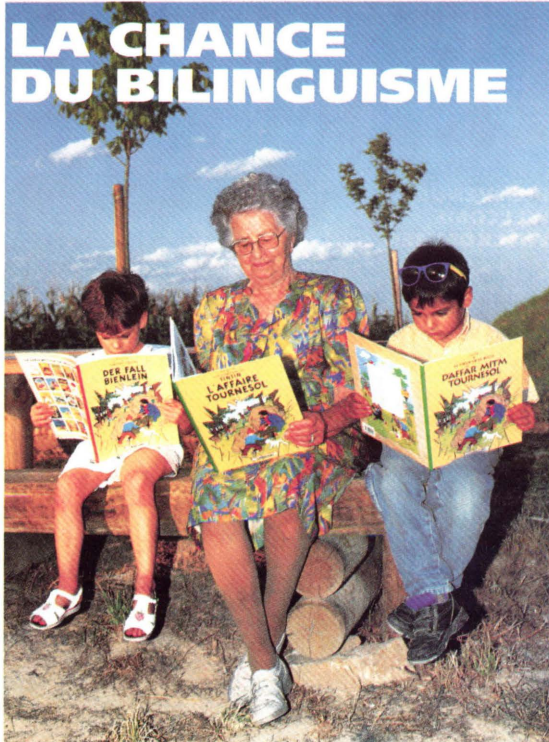
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## LA CHANCE DU BILINGUISME



**DOSSIER** Après des années d'incompréhension et de luttes passionnelles, le bilinguisme fait son chemin. Cette rentrée scolaire a vu 23 nouvelles classes bilingues ouvrir leurs portes à travers le département. Au cœur de l'Europe qui se construit, le Bas-Rhin profite de ses atouts culturels et géographiques pour se développer. Pages 4/5

# The polls tell us that...

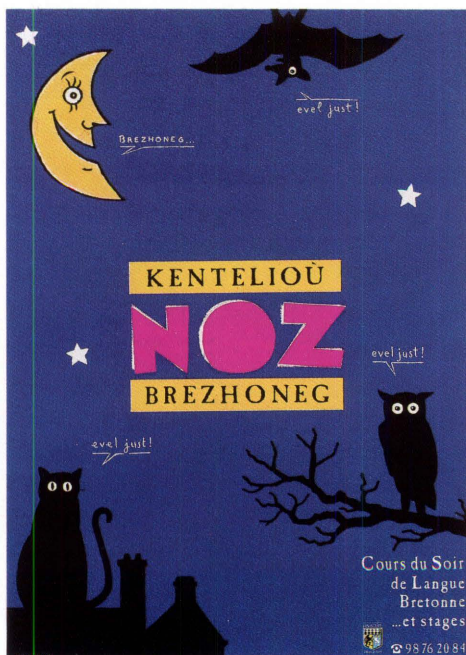
"View of a policy for the Breton language and culture" is the title of a survey done in August 1993 by TMO Ouest for the Conseil Général du Finistère. The purpose was to gather statistical data on the status of the Breton language and on what makes its specific character attractive. The sample was made up of 1,000 persons, 400 of whom were residents of Finistère and 600 of whom were tourists.

According to this study, the impact of French/Breton road signs is excellent: 92% of those surveyed had noticed these signs. There was broad acceptance of these signs, as three out of four persons interviewed admitted having had an immediate positive reaction. Very few people - only 4.5% - said they opposed the signs.

Quite predictably, these signs made tourists - particularly those who were foreigners - feel even more foreign, especially if they were visiting Brittany for the first time. However, this feeling of foreignness was a positive feeling for most persons surveyed (93.5%), and only a very small minority experienced them as misleading or confusing.

**More than three out of four persons surveyed were in favour of the principle of bilingual road signs.** These are felt to make the department more interesting to tourists and do not offend the locals.

**Conclusion: acceptance of bilingual road signs is not the result of an ideological position regarding the Breton language but of a problem of cultural and touristic identity...a change of tune which explains the positive evolution of opinions in the past two years (+18%).**





## Passive use

The situation of Occitan in France is a strange one. It is estimated that six to seven million French citizens live in a milieu where the language is used and that two million can speak it. However, Occitan is not used in the public administration.

Another language which, despite the Special Autonomous Statute of the region where it is spoken, is not used in the public administration is Sardinian in Italy. Numerous efforts have been made to this end, without success. And the Sardinian minority is the largest linguistic minority in Italy, with over one million speakers who have a strong feeling of regionalism. There are bilingual place names in Sardinia, but during the summer of 1993, the Italian government again rejected a draft bill - adopted by the Region of Sardinia - which recognised the defence of the Sardinian minority and could have given this language a broader official status. The application of Article 6 of the Italian Constitution ("the Republic protects linguistic minorities by means of appropriate laws") could provide a solution to the problem.

There is a similar situation in Germany, where Sorbian has practically no bilingual presence despite the fact it is protected by laws adopted in Saxony and Brandenburg in 1948 and 1950 and by the Treaty of German Unification of 1990. Although Sorbian has the status of an official language alongside German for dealings with the authorities and the public administration of Sorb communities, it is still not possible to use the language in this context due to a lack of personnel who are able to understand the language.

The only visual public presence is found on bilingual road signs, especially in Upper Lusatia in Saxony, notably in the Catholic region northwest of Budyšin/Bautzen, where High Sorbian is the language of most Sorbs today.

In these cases, the usage of lesser used languages remains at a passive, nearly contemplative level. All right of expression is limited to the oral form; use of these languages is unofficially permitted, but officially they are forgotten, or worse yet, hidden.



*Before and...*

*...after the German Unification*



# The polls also tell us that...

At the request of the Conseil Régional Languedoc-Roussillon, in April 1993 Média Pluriel Méditerranée published a study on Catalan, its practice and presence in the Eastern Pyrenees. Five hundred persons representing the population of this department were questioned.

The key data from the poll showed that:

- two persons out of three understand Catalan (63%);
- one person out of two can speak Catalan (48%);
- 83% of those questioned would like everyone to have the opportunity to learn Catalan at school;
- 86% of those questioned spontaneously said that Catalan was the language spoken in the region;
- two persons out of three are in favour of bilingual sign boards, street signs and city signs.

However: **only 35.6% of the population acknowledged having already seen signs in both French and Catalan in their department, and these were generally for advertising.**

While: **44.8% of persons questioned think that the use of Catalan alongside French will increase.**

**It is interesting to note that practically two persons out of three feel that learning Catalan is a factor that enhances daily professional integration.**

In addition, 30% of those interviewed feel that the Conseil Général des Pyrénées Orientales and the Generalitat de Catalunya will influence the development of the language within the department.



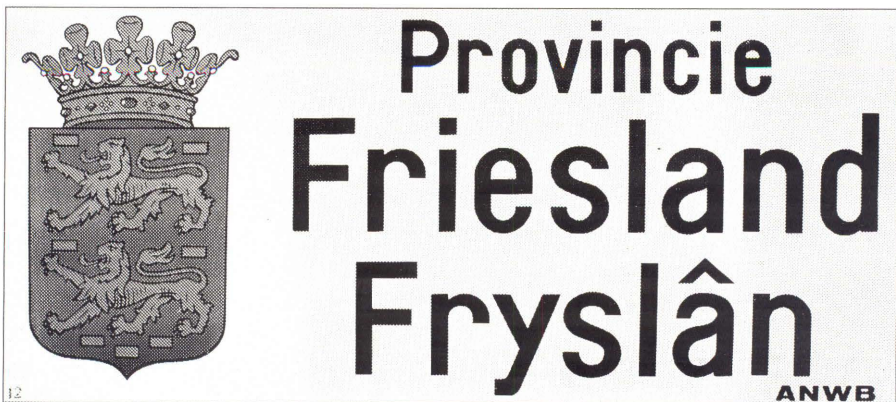


## "Common law" and development

Practice does not always correspond to what is written in the law. And custom can gradually gain the force of law. That is the case in some linguistic communities whose feeling of attachment to their language and culture is so strong that they have been able to impose their recognition despite regulations to the contrary. This is the case of the Welsh in the United Kingdom and the Frisians in the Netherlands, whose situation continues to change.

The official status of Welsh had no legal basis. And yet, a whole series of measures has gradually made it possible for Welsh to gain entrance into official circles. Today it can be said that in Wales, central authorities as well as local authorities largely use Welsh.

In December 1992, the government of the United Kingdom adopted a law on the Welsh language, with a view to making it "equal" with the English language. It should be noted that in Wales, a number of public and private establishments produce and distribute their printed material in Welsh.



The example of Friesland is also interesting from this point of view. The provincial administration has continually asked the Dutch government for equal rights, notably in the areas of language and culture. For years, the government and the province have had discussions to try to come up with a policy on the Frisian language. The principle of optional bilingualism is not felt to be satisfactory. Such a situation could result in texts in Frisian having only decorative value in annex to Dutch documents.

In 1989, an administrative agreement provided a provisional settlement to this question. This agreement was based on the collective responsibility of the central government and the Province of Friesland, and called for the creation of the conditions necessary to allow the Frisian language and culture to flourish.

The text proposes that administrative bodies in Friesland choose either Dutch or Frisian when drafting official documents. However, a translation into Dutch could be requested in certain cases, so that people who do not speak Frisian can have access to the texts. The only exception would be for laws on the Frisian language and culture.

This agreement is under discussion today. As there is no legal basis for the implementation of these provisions, the central government, in cooperation with the authorities of Friesland, is preparing legal provisions - notably for the use of the language in the public administration - so that practice can find written expression as well. "Scripta manent, verba volant."





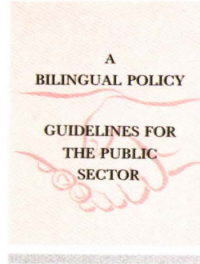
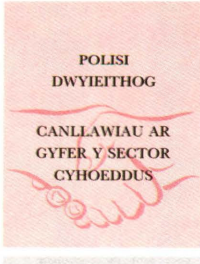
# The case of Wales: an evolving situation

These are exciting times for the Welsh language. A new Welsh Language Act has become law and a statutory *Welsh Language Board* will be established to implement the new legislation.

Till now, the *Welsh Language Board* has been an advisory body set up by the UK government in 1988. Its purpose was to render opinions and to assist and advise on the use and promotion of Welsh in all areas of public life - with the exception of education. Its achievements have been considerable.

The *Welsh Language Board* has developed guidelines for the use of Welsh in the public and private sectors; it has advised various bodies on the development of their own policies for the use of Welsh; it has advised the government on specific linguistic matters and on grants to promote the language. But its main achievement, without doubt, has been to persuade government to legislate to protect the rights of Welsh speakers and to promote the language generally.

So what will the new Welsh Language Act achieve and what will the statutory *Welsh*



*Language Board* do? First and foremost, the Act establishes the new Board, with the function of “promoting and facilitating the use of the Welsh language.” This wording is deliberately vague. As the government explained during the passage of the Welsh

Language Bill through Parliament: "The Bill does not define the promotional function in great detail, because it will be for the Board to decide how the functions should be exercised."

The Board's new function will therefore be an all-embracing one. It will extend to Welsh language education and it will also extend into the private sector. The new *Welsh Language Board* will certainly need a comprehensive strategy for the private sector in addition to voluntary guidelines, so that proper priorities may be established at the outset. For example, it will be more important that further progress is achieved in those areas of the private sector which have daily contact with large numbers of the public, such as banks and building societies, than in those areas where contact with the general public is minimal.

When we turn to the public sector, we find that the Welsh Language Act is much more specific. It says that the statutory Board will provide "for the preparation by public bodies of schemes giving effect to the principle that in the conduct of public business and the administration of justice in Wales, the English and Welsh languages should be treated on a basis of equality." In other words, every public body, whether it is based in Wales or not, which provides a service to the people of Wales will have to draw up a scheme to meet the needs and aspirations of its Welsh-speaking customers. These schemes will be firmly founded on the principle that Welsh and English should be treated on a basis of equality, and they will be based on guidelines drawn up beforehand by the statutory *Welsh Language Board* and agreed by Parliament.

Sir Wyn Roberts, the government Minister who has been the principal architect of this important legislation has expressed the government's vision nicely: "I see the Bill as establishing a framework for public bodies to provide services through the medium of Welsh, on the basis of equality of status between the two languages - and equal respect."

The statutory Board undoubtedly has its work cut out to transform this vision into a reality. Adequate and proper resources will be needed from the start. But the challenge must be faced, and with the proper resources, success will be guaranteed.

The 1991 census showed that the decline in the numbers of Welsh speakers in Wales has been stemmed. And Welsh has finally been established as a core subject in Welsh schools. A more recent survey has shown the percentage of young people who speak Welsh has grown to nearly one-third. This is the background against which the statutory *Welsh Language Board* will begin its work. Exciting times indeed!



# IAITH Cyf, or working bilingually

In the province of Dyfed in West Wales, a consortium of local government bodies and other bodies made possible the creation of IAITH Cyf. The purpose of this company is to encourage and facilitate the use of Welsh and of Welsh/English bilingualism at work and in the community. This body has consultancy and executive functions.

This structure offers services in various sectors of activity:

- preparing language schemes for use by specific enterprises;
- putting knowledge into practice so that workers do not just learn how to speak Welsh, but also understand their attitudes and those of others with regard to the use of Welsh and English;
- creating a resource centre so that persons wishing to work in Welsh or in a bilingual setting can find the necessary material;
- setting up a centre to provide the most needed information on the activities of other organisations;
- implementing specific projects, such as research on teaching in Welsh or conferences on Welsh and minority languages in general in the professional sphere.



# Between the one and the other

Between German language and culture and Italian language and culture, between Italian language and culture and French language and culture, between .... There are cases of communities which are a minority not only within the Member State in which they live, but also within another minority. This is the case of Ladin speakers in South Tyrol, speakers of Occitan in Catalunya and speakers of South-Walserisch in the Valle d'Aosta.

The Occitan language in Catalan-speaking areas is a good example of how speakers of a lesser used language can respect another language in a similar situation. However, the Occitan of the Aran Valley is in a very weak linguistic position due to pressure from the Spanish language (28.7% of the population of the Aran Valley are of Spanish mother tongue), which is a larger proportion than that of Catalan speakers (8.6%). In addition, the inhabitants of the Aran Valley who usually speak Occitan (58.6%) do not yet grant the use of their language the social importance it deserves.

Catalunya's 1979 Statute of Autonomy states that Aranès will be taught, respected and protected, but it says nothing about the official character of this language within its own territory. In contrast, the Law on Linguistic Normalisation in Catalunya (Law 7/1983, 18 April) states that "Aranès is the language of the Aran Valley" and that all citizens of this territory have the right to know and express themselves in this language in public life and in public laws. Based on this same law, the Catalan government made a commitment to make the necessary provisions to guarantee the use of Occitan and to promote its normalisation, notably in education and for place names.

Finally, the 1990 law on the Special Statute for the Aran Valley (*Estatut Especial d'Aran*) states that "Aranès, a variety of the Occitan language," is the official language of the Aran Valley, along with Catalan and Spanish. In fact, as a matter of principle the autonomous government of Catalunya respects the individual and collective language rights of the inhabitants of the Aran Valley.

5 André-Louis Sanguin,  
"Les Ladins des Dolomites, une  
minorité dans la minorité," in *Les  
Minorités ethniques en Europe*,  
edited by André-Louis Sanguin,  
Editions L'Harmattan, Paris, 1993,  
p. 187.

In contrast, the situation of Ladins in Italy is more complicated. Mr André-Louis Sanguin 5 of the University of Angers writes: "The great disadvantage of the Ladins is that they have no linguistic hinterland in which to find support. The German-speaking inhabitants of South Tyrol are part of



the German cultural world which is on their doorstep. In practice, this gives them access to an inexhaustible source of books, newspapers, audiovisual programmes and cultural institutions. Nothing of this sort exists for Ladins, who must defend a language that is spoken nowhere else."



In the immediate post-war period, the Ladins had to accept the division of their territory, which was parcelled out to three different provinces. While the first Special Statute of Autonomy of the Region of Trentino-Alto Adige granted but slight recognition of the Ladin community, the revision of 1972 guarantees representation within the Regional Council of Trentino-Alto Adige and within the Provincial Council of Bozen, as well as posts in the civil service.

However, even today, it must be admitted that it is mainly in the province of Bozen that these standards have been put into practice.

The applicable regulation for the Special Statute of Trentino-Alto Adige concerning the recognition of Ladin populations in the province of Trento is quite recent; it should soon be published in the Official Journal and has been approved by the competent parliamentary committee. The legislative decree mentions the right to use the Ladin language in oral and written dealings with the public services of the State, region, province, and local authorities in Ladin valleys. The regulation also introduced the criteria of knowledge of the Ladin language in order to enter the civil service. Article 4 concerning the census of the Ladin population of the province is very important because it eliminates a sort of "discrimination" which existed between members of the same community: up to now, only the Ladins in the Bozen valley were counted in the census.

The South Walsers are in yet another situation: in addition to being a minority within a minority, they speak German, while the other minority speaks French.

In 1993, the Italian Parliament passed a constitutional law amending the Special Statute for the Valle d'Aosta containing an article on the defence of the linguistic and cultural characteristics and traditions of the German-speaking population of the Lys Valley. This article aims to guarantee that this language is taught in the schools.

No provisions are made, however, for the public services. In contrast, there are numerous road signs, signs in shops, and local advertising throughout the countryside in these valleys. There is also a generalised law throughout the Valle d'Aosta area.

## Campanyes per a la Normalització de la Llengua Catalana



Generalitat de Catalunya  
Departament de Cultura  
**Direcció General de Política Lingüística**



which guarantees protection for place names.

*"Democracy, as I see it,  
should guarantee the weakest  
the same opportunities as the strongest."  
Gandhi*

The main point of the European Parliament Resolutions - adopted in 1981, 1987, and 1994 - and the European Charter for Regional or Minority Languages - adopted by the Council of Europe in June 1992 - is opportunity.

What is sought is the opportunity for all European citizens to have their cultural and linguistic diversity recognised. And many of the European Union's citizens speak a language other than the official language of the Member State in which they live. They are estimated at 50 million out of a population of 344 million.

However, these texts provide more than opportunity. They are instruments whereby any person who uses a regional or minority language can exercise his civic rights and duties while respecting his manner of self-expression. These initiatives will supplement the progress which the linguistic communities have already made through their own initiatives and means.

The objective is to guarantee the use of the lesser used languages in education, the media, the courts, in economic and social life and in the administrative sector. The goal is to achieve an officially recognised bilingualism which does not benefit the speakers of the lesser used languages alone. It will also help those who speak the so-called "majority" languages not to forget that Europe has an immensely rich historic, cultural and linguistic heritage. Preserving this heritage will depend on the development of respect, knowledge and awareness of it.





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**The European Bureau for Lesser Used Languages  
Europees Bureau voor Taalminderheden**

**Head Office**

**10 Sráid Haiste Íocht, Baile Átha Cliath 2, Ireland  
Tel.: (+353 1) 661.22.05 Fax: (+353 1) 676.68.40**

**Information Centre**

**rue Saint-Josse 49, 1030 Brussels, Belgium  
Sint-Jooststraat 49, 1030 Brussel, België  
Tel.: (+32 2) 218.25.90 Fax: (+32 2) 218.19.74**