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Tolerance and Non-discrimination Policies in the Multilingual European Union

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ABSTRACT

Since 2007, there are 27 member states in the European Union, and 23 official languages co-exist as the official languages of this unprecedented supra-national formation. If the other languages spoken within the EU borders – regional, minority, immigrant ones – are added, there are about 200 different idioms represented in the European language landscape. The project of European integration will be successful only if Europe's linguistic diversity is preserved and promoted. Many cultural achievements of Europe are closely linked to the achievements of specific languages and intellectual traditions. If these languages were no longer used, this would mean a serious depletion and loss of Europe's cultural diversity. European citizens will support the idea of an integrated Europe only if their own linguistic and cultural heritage, present and future, is part of it. Most European languages function in language contact situations, and in addition to people's mother tongues, other languages also have direct impact on the life of every citizen. Multilingualism refers to both person's ability to communicate in more than one language (individual multilingualism or plurilingualism) and the co-existence of different language communities in one geographic area (societal multilingualism). Multilingualism has been officially proclaimed an integral part of the present and future development of Europe. However, the mechanisms for full-fledged protection of languages under processes of European integration and multilingualism need further elaboration. Over the past two decades the protection of language rights has been increasingly associated with fundamental human rights thus creating the concept of linguistic human rights. Non-discriminatory language practices in the EU are still being developed. The basic principles have often been discussed – how the general EU documents should be improved in order to reflect economic and ethnodemographic diversity of the member states and ensure linguistic human rights for all citizens. This study analyses the sociolinguistic situation in the European Union against the background of the EU language policies. In order to demonstrate the impact of coordination of EU and national language policy the Latvian case has been chosen.

Kopš 2007. gada Eiropas Savienībā ir 27 valstis un 23 oficiālās valodas. Ja ņem vērā arī dalībvalstu teritorijās runātās reģionālās, minoritāšu un imigrantu valodas, ES lingvistiskajā ainavā pārstāvētas vismaz 200 valodas. Nepieciešams nodrošināt ikvienas valodas runātāju lingvistisko cilvēktiesību aizsardzību un izstrādāt pretdiskriminācijas politikas vadlīnijas. Gan politiskajā, gan zinātniskajā arēnā notiek plašas diskusijas par to, kā šāds pasaules vēsturē unikāls sociolingvistisks eksperiments ietekmēs Eiropas Savienības funkcionēšanu. Daudz mazāk tiek skarts pretējais aspekts - kā ES oficiālās valodas statuss ietekmēs konkrētas valodas situāciju - īpaši jaunajās dalībvalstīs. Filozofiskās vadlīnijas Eiropas Savienības valodas politikā attieksmē pret daudzvalodību un valodu saglabāšanas iespējām ir skaidras: valodas ir vērtība, Eiropas bagātība, nacionālās un arī eiropeiskās identitātes pamats. Vienlaikus gan tiek atzīts, ka valodu dažādība rada lielas problēmas gan ekonomiskā, gan politiskā ziņā. Eiropas Sa-

vienības valodas politikas koncepcijai vēl nav pielikts punkts. Joprojām risināšanas stadijā atrodas problēmu komplekss, kas saistīts ar valodu juridisko un faktisko statusu gan Eiropas Savienības institūcijās. Eiropas Komisijas "Darbības plānā lingvodiversitātes un valodu apguves veicināšanai" skaidri noteikts, ka dalībvalstīs ir atbildīgas par valodu dažādības saglabāšanu, par valodu apguves iespēju nodrošināšanu un par savu valodu popularizēšanu citās valstīs, it īpaši kaimiņvalstīs. Valstīs, kur dzīvo minoritāšu kopienas, jānodrošina arī valsts valodas apguve sabiedrības integrācijai. Šai ziņā īpaša nozīme ir ne tikai valodas apguves metodikai, bet arī motivācijai un stratēģijai. Valodas liktenis lielā mērā atkarīgs no valodas ekonomiskās vērtības konkrētajā valodu konkurences situācijā. Izšķirīga nozīme mūsdienu demokrātiskās valstīs ir juridiskajai valodu aizsardzības sistēmai (valodu statuss konstitūcijās, valodu likumi un normatīvi akti), kā arī ekonomiskiem faktoriem, kas lielā mērā rada motivāciju konkrētas valodas lietošanai valodas eksistencei svarīgākajās sociolingvistiskajās funkcijās. Valodas ekonomisko vērtību turpretim var paaugstināt vai pazemināt apzinātas valodas politikas ceļā. Lai parādītu Eiropas Savienības un atsevišķu dalībvalstu valodas politikas koordinācijas nepieciešamību, pētījumā analizēta valodas politika Latvijā, latviešu valodai nodrošinot sociolingvistiskās funkcijas gan savas valsts ietvaros, gan Eiropas Savienības oficiālās valodas statusā.

INTRODUCTION

During the second half of the 20th century, two contradictory tendencies took place. One was the intensification of the globalization of all aspects of human life and the second was the continuing affirmation of special human identities. These developments are clearly visible in two major areas: 1) the development of ethnic and national identities, and 2) the evolution of identities based on particular ideologies and religions. A great number of factors can challenge language as the backbone of identity: supranational corporations, free flow of goods, services and working-force, migration, international mass media etc. There is one more identity which is not mentioned very often among other identities – the identity of economic well-being. It has a direct impact on language. People who identify themselves with a particular language, which does not enjoy high economic value, are forced to use a language with higher economic value, at least in some spheres. However, the trends of globalization and linguistic imperialism have brought forth a counter phenomenon. The number of organizations and movements protecting local identity is growing dramatically despite the logic of the market. In this confusion of global networks and local identities language plays a critical role. Language is the last bastion of resistance and self-control, not just a tool of entrepreneurship. The preservation of the linguistic identity of a particular territory is the only way to ensure the protection of linguistic diversity in the world.

Over the past two decades the protection of language rights has increasingly been associated with fundamental human rights thus creating the concept of linguistic human rights. At an individual level language rights, imply the right of every person "to identify positively with their mother tongue, and to have that identification respected by others"¹. At the collective level it means the right of peoples to maintain their ethnolinguistic identity and alterity. These and other more specific standards are directed against the assimilation of communities using languages with less market value and against so-called linguisticism – ideologies, structures, and practices which are used to legitimate, effectuate, regulate, and reproduce an unequal division of power and resources (both material and immaterial) between groups which are defined on the basis of language.

PRINCIPLES OF NON-DISCRIMINATORY LANGUAGE PRACTICES

Aiming at realising a space of freedom, liberty and justice in Europe, the Union's objectives like democracy and solidarity, equality and non-discrimination, efficiency and good administration,

safeguarding cultural identities and protecting smaller linguistic communities have also to be recognised in language use between people (communication) in their daily fields of activities and to be guaranteed in a constitutional framework of the European Union.

Non-discriminatory language practices in the EU are still being developed. The basic principles have often been discussed (e.g. during European Parliament Hearing “Effects and Consequences of Linguistic Discrimination” on 2-3 July 2007). The eight main principles were proposed already in 2003²:

1. Everybody is free in the choice of the language for communication with others, “*but* in the communication with public services and authorities, everyone has to conform with the legal and linguistic provisions that are applied at the place concerned” (*territorial principle*).
2. In the private sphere, everybody has the right to communicate in the language of his/her choice, *but*, those standing for election to public office should master communication in the local language(s) and recognise the legal and linguistic provisions of the place concerned (*principle of integration*).
3. In the field of private activities, everyone can organise his/her communication in the language of his/her preference, *but*, in dealing with public authorities, everyone’s language use (communication) has to be in conformity with the legal and linguistic provisions in force at the place concerned (*principle of local self-government*).
4. In the internal organization of one’s own business, everyone is free to determine the language of communication, *but*, in applying for a job, everyone has to meet the professional requirements including the necessary linguistic qualification for communication required for the activity concerned by the employing firm, association or institution (*principle of professional qualification*).
5. Communication within public services and administration in Member States depends on the legal and constitutional framework of the country concerned (*principle of subsidiarity*).
6. Communication of the Institutions of the European Union should be non-discriminatory, rational and efficient; therefore, as general guideline it can be said that external communication towards the citizen and within the framework of a political mandate has to cover all official languages of the Union, while internal communication needs a common means of communication; as long as such a working language consists of a national language, discrimination in communication persists (*distinction between external ‘citizen’ communication and internal ‘professional’ communication*).
7. As long as discrimination in the internal communication of the institutions of the Union does exist, the competent bodies at the Union level and the education authorities in the Member States should undertake research in the field of a non-discriminatory system such as a universal language model (planned language), its conditions, capacities and limits, to support feasibility studies and to facilitate language experiments with view to ultimately resolving the remaining discrimination in internal and inter-ethnic communication (*principle of equality and non-discrimination*).
8. Finally, it is in the responsibility of the competent authorities in the Member States and of the competent bodies at the European level to co-ordinate best practices in this field, to organise the necessary language instruction in schools, to offer and guarantee diversity in language learning, and, finally, to safeguard the cultural and linguistic identities within this multilingual Union (*principle of diversity in unity*).

MULTILINGUALISM, LANGUAGE ACQUISITION, PERSONALITY DEVELOPMENT

The years 2000/2001 have become a symbolic watershed between past and present, and the ongoing processes of globalization and technological revolution urge humankind to find new models for interaction between economy and personality development. In this early part of the 21st century we find ourselves re-evaluating language policies in both EU and its member states – how they respond to the changing world. The Lisbon goals³ may be implemented only by developed personalities having multiple intelligences (not only intellectual, but also emotional, aesthetic, moral and

spiritual qualities) and high order cognitive skills. The key competences are necessary prerequisites to guarantee conditions favourable to the individual's personal fulfilment, active citizenship and social, cultural and professional integration. In "Recommendation of the European Parliament and of the Council of 18 December 2006 in key competences for lifelong learning (2006/962/EC)", these competences are defined as a combination of knowledge, skills and attitudes appropriate to the context. Key competences are those which all individuals need for personal fulfilment and development, active citizenship, social inclusion and employment.

The Reference Framework sets out eight key competences:

- 1) Communication in the mother tongue
- 2) Communication in foreign languages
- 3) Mathematical competence and basic competences in science and technology
- 4) Digital competence
- 5) Learning to learn
- 6) Social and civic competences
- 7) Sense of initiative and entrepreneurship and
- 8) Cultural awareness and expression

At least four of these core competences involve language and linguistic identity dimensions which are necessary to protect and to promote the humanistic values shared by our societies. The task of the European educational systems is to form linguistic personalities able to communicate in their mother tongue ("to express and interpret concepts, thoughts, feelings, facts and opinions in both oral and written form [listening, speaking, reading and writing], and to interact linguistically in an appropriate and creative way in a full range of societal and cultural contexts; in education and training, work, home and leisure") and in foreign languages, "according to one's wants or needs. Communication in foreign languages also calls for skills such as mediation and intercultural understanding. An individual's level of proficiency will vary between the four dimensions (listening, speaking, reading and writing) and between the different languages, and according to that individual's social and cultural background environment, needs and/or interests"⁴. In other words, the recommendations ask the educational systems to develop multilingualism and a harmonious balance between globalization, internationalization and European integration, on the one hand, and cultural and linguistic identity, and sovereignty of the member states, on the other hand.

The protection and preservation of the diversity of languages was first mentioned as a conceptual goal in the "Charter of Fundamental Rights of the European Union"⁵. Respect for the diversity of the Union's languages is a founding principle of the European Union. The European motto "United in diversity" includes a strategic approach which has to be incorporated to detail in legislative acts and programmes, e.g. *Guide for the Development of Language Education policies in Europe* (2002)⁶, the strategic plan *Promoting Language Learning and Linguistic Diversity: An Action Plan 2004-2006* adopted in July 2003⁷, *A New Framework Strategy for Multilingualism* (COM(2005)596 final⁸). The EU Commissioner responsible for multilingual issues identified languages as an integral part of lifelong learning enabling an effective intercultural dialogue⁹. However, the mechanisms for robust protection of languages under processes of European integration and multilingualism need further elaboration. Robert Phillipson clearly indicates this point in a recent study of European language policies: "One of the paradoxes of language policy in the EU institutions is that languages are often regarded as purely practical, technical matters, while at the same time they are fundamental to personal, group and national identity and national interests"¹⁰.

Language, or linguistic identity, occupies a special place in the complex structure of multiple identities. In order to describe this type of identity several questions have to be answered. Is linguistic identity identical or separate from ethnic identity? Are there significant differences among ethnic groups? What is the role of supranational organizations? New EU countries must be taken into account, giving rise to new needs in terms of specialised communication that makes speakers of not so widespread languages unsure of their future prospects. Europe has built its cultural identity on two instruments: Latin and the Christian religion. Is English as *lingua franca* becoming a new linguistic identity element?

Certain criticisms have been directed towards an overly general approach to languages that ignores their sociolinguistic differences (“ideal state” and “ideal language learner” concepts, which remind one of N. Chomsky’s “ideal speaker-listener” hypothesis). Are there grounds for such criticism, and how should the general documents be improved in order to reflect economic and ethno-demographic diversity of the member-states? Let us analyse the sociolinguistic situation in the European Union against the background of the EU language policies.

LINGUISTIC IDENTITY IN THE EU

According to one of the possible classifications the languages spoken in the EU can be divided as follows:

1. Official and working languages (23 since 2007, including the former “Treaty language”, Irish)
2. Language with special status in the programmes (Luxembourgish)
3. Regional and minority languages: 45 ‘less used languages’ in the old member states, and an unknown number in new member states
4. Non-territorial languages (Yiddish, Romani)
5. Diaspora languages of refugees and labour migrants

According to Robert Phillipson, in “principle, what happens to languages in each member state is exclusively their own concern ... However, it would be naive to assume that each EU state is a linguistic island, and that EU policies do not impact on all European languages¹¹. It is estimated that between 60 and 80 percent of national legislation in Europe has been harmonized with the EU and it is necessary to develop both dimensions: centralized EU activities and activities in the member states.

The actual positions of these languages depend on several factors, for instance:

1. Number of speakers (including second language speakers)
2. Development of economy in the country
3. Market for goods and services in the language
4. Regional status, traditional use and learning in neighbouring countries
5. Linguistic development (standardization, terminology, software etc.)

Most of the new member states’ languages have considerably fewer speakers than the old member states’ languages. The power of the most-spoken languages (English, French, German, Spanish and Italian) in the EU has been strengthened by great numbers of speakers worldwide and by developed traditions of teaching and learning these languages as second languages.

Of the new languages, only Polish, Romanian, Czech and Hungarian are more or less quantitatively competitive as concerns first language speakers. None of the newcomers’ languages have developed traditions of teaching as a foreign language abroad, as has been demonstrated in Eu-

robarometer surveys. The fact that only five 'major' languages have been chosen for creation of a "European Survey on Language Competence" as a means to collect the data necessary to construct a European level indicator tends to deepen the gap between the 'widely taught' and 'less widely taught' EU official languages¹². We also have to pay attention to the fact that several member states may share a common official language (therefore there are 27 member states, but only 23 official languages) and that not all the inhabitants of the respective states are native or even second-language speakers of the official language. The percentage of minorities also varies considerably among EU member states (e.g., it is 5 percent in Austria, Denmark, Greece, Portugal and Poland, while it is more than 40 percent in Estonia and Latvia). Thus, the inappropriate application of Western European minority language rights standards to post-imperial language situations in Eastern Europe has caused serious problems for some new member states' languages. "Small languages may find that to avoid being overwhelmed by outside intervention," argues Uldis Ozolins, "they need to have an articulated defence based upon a thorough appreciation of their own linguistic situation"¹³.

The main factors influencing perception of linguistic identity are the existence of supranational political and economic formations, the distribution of international mass media, an ideology which evaluates languages from the point of view of market economy, youth culture and sport, extensive foreign language teaching, humanitarian aid, especially in post-communist countries, and asymmetrical supranational cooperation. Most of these elements are present in the "new" member states whose languages mostly belong to so-called "less widely used" ones.

Taking into account all these aspects we could state that the small official languages of the EU form a special group which are insufficiently protected by market forces (as so-called international languages) or by international declarations, charters or conventions (as minority languages). This means that it is appropriate to raise the issue of their future prospects. Will the respective communities be able to continue to use their language in the most significant sociolinguistic functions and to transmit it to the next generation under new circumstances? What is the role of the national governments, EU institutions and market forces in language maintenance or shift? In order to demonstrate the impact of coordination (or lack of coordination) of EU and national language policy the Latvian case has been chosen.

LANGUAGE SITUATION AND LANGUAGE POLICY IN LATVIA: A CASE STUDY

Two interlinked processes are taking place now: the integration of society in Latvia (linguistic integration against the background of the Latvian language skills) and integration of Latvia into the European Union (involving individual plurilingualism). Therefore the language planning strategy proceeds from the following principles: 1) an official language is both the symbol of the state and an instrument for integration of society: learning and using the Latvian language is one of the main factors which ensures the stability of a multilingual state; 2) ensuring all inhabitants of Latvia the possibility to study and to use the Latvian language in order to promote the integration of the society; 3) supporting the learning and use of the minority languages in Latvia; 4) ensuring the possibility to study foreign languages in order to stimulate readiness for communication in a foreign language and integration into European structures¹⁴.

Education in national minority languages is a precondition for maintaining the cultural identity of national minorities in Latvia. The Latvian government provides education in eight national minority languages, even where only a small number of children are seeking instruction in a certain language. State financed secondary education in Latvia is available in these eight national minority languages: Russian, Polish, Hebrew, Ukrainian, Estonian, Lithuanian, Roma and Belarussian.

Courses in state financed universities are conducted in Latvian, while a number of private educational institutions have language(s) of instruction other than Latvian. In the 2006-7 school year, 727 schools use Latvian as the sole language of instruction, 148 schools use Russian (implementing a bilingual education programme), and in 92 schools the language of instruction is both Latvian and Russian (bilingual education programme; these are schools where there are both Latvian and national minority classes). In four schools instruction is given in Polish, at one in Ukrainian, and at one in Belarussian. In one Estonian and in one Lithuanian school some subjects are taught in the national minority language. In two schools Roma is taught as an optional subject.

The Government urges minority organizations to be socially active and to promote linguistic tolerance and understanding as essential elements for a future conflict-free development of the country. Realistic evaluation of the history and the present position of languages in Latvia would allow one to make the prognosis on the future perspectives in connection with objective ethno-demographic, economic, political processes in the country, Europe and the world.

EU LANGUAGE POLICY: PROBLEMS AND PROSPECTS

There is an urgent need for a more definite language policy in the European Union, taking into account sociolinguistic realities in the Union: different economic (market) value of the official languages, historically established unofficial linguistic hierarchies, competition among the 'major' languages and different position of languages among identity elements. Language, or linguistic identity, occupies a special place in the complex structure of multiple identities. In order to describe this type of identity several questions have to be answered. Is linguistic identity identical or separate from the ethnic identity? Are there significant differences among ethnic groups? What is the role of supranational organisations, including the EU? What will the effects of the expansion of the European Union be on EU language policy? And, above all, what will be the long-term effects of language and language policy on European citizens' future? Is English as *lingua franca* becoming a new linguistic identity element? The role of widespread bilingualism and multilingualism must be studied.

It is important to pay more attention to the language dimension of the European identity. More cooperation among sociolinguists, politicians, teachers, representatives of NGOs, journalists, etc., would be welcomed. It is also necessary to develop the principle of mutual responsibility: any restriction of the rights, for instance, of Latvian, would mean the precedent for restriction of Finnish, Lithuanian, Slovene and other smaller official languages. The task of educational systems is not only to teach languages, but also to debunk common myths (excessive costs of EU language services, the benefits of one or few EU languages, harmful effect of bilingualism etc.). The common citizenship of the Union, the freedom to move and to settle within the territory of the Union, the right of every EU citizen to participate, among others, at the place of their main residence in municipal elections and the principle of non-discrimination on the ground of nationality require a non-ambiguous formulation of communication rights and duties of the different actors in the European Union.

By 2010, Europe should be the world leader in terms of the quality of its education and training systems thanks to fundamental transformation of education and training throughout Europe. This process of change will be carried out in each country according to national contexts and traditions and will be driven forward by cooperation between Member States at European level. The philosophical guidelines of the European Union language policy towards multilingualism and language protection are evident – languages are an asset, the backbone of the national and European identity. The European Union is by definition a multicultural, multilingual and mul-

tinational Community of people. Non-discriminatory communication between citizens of different mother tongues is a crucial element of peaceful living together and of long-term political cohesion of the Union.

NOTES

- ¹ T.Skutnabb-Kangas, R.Phillipson, M. Rannut (eds.), *Linguistic Human Rights. Overcoming Linguistic Discrimination*, Berlin - New York 1994, p. 6
- ² H. Erasmus, M. Cwik "Declaration on the citizens' communication rights and duties in a multilingual European Union", (http://www.europe-citizen.net/documents_symposium/declaration.html). See also European Federation of National Institutions for Language (EFNIL), *Brussels Declaration on Language learning in Europe*, Amsterdam, 2006.
- ³ *The Lisbon Strategy*. (http://ec.europa.eu/education/policies/2010/et_2010_en.html). See also *Barcelona European Council*, 15 and 16 March 2002, Presidency Conclusions, part I, 43, 1.
- ⁴ *Recommendation on key competences for lifelong learning (2006/962/EC)*, see http://eur-lex.europa.eu/LexUriServ/site/en/oj/2006/l_394/l_39420061230en00100018.pdf.
- ⁵ See http://www.europarl.europa.eu/charter/pdf/text_en.pdf.
- ⁶ See http://www.coe.int/t/dg4/linguistic/Source/FullGuide_EN.pdf (revised version from 2003).
- ⁷ See http://ec.europa.eu/education/doc/official/keydoc/actlang/act_lang_en.pdf.
- ⁸ See <http://europa.eu/languages/servlets/Doc?id=913>.
- ⁹ L.Orban, "Multilingualism is in the genetic code of the Union", Meeting with the Cultural Committee, Brussels 27 February 2007; see http://ec.europa.eu/commission_barroso/orban/policies/doc/sp_070227_EN.pdf.
- ¹⁰ R.Phillipson, *English-Only Europe?: Challenging Language Policy*, London 2003, p. 21.
- ¹¹ *Ibid.*, p. 9. See also R.Phillipson, *English, a cuckoo in the European higher education nest of languages?* in "European Journal of English Studies", 2006, 10, 1, pp. 13-32.
- ¹² See "Framework for the European Survey on Language Competences", Commission of the European Communities, Brussels 13 April 2007; http://ec.europa.eu/education/policies/2010/doc/com184_en.pdf.
- ¹³ U. Ozolins, *The impact of European accession upon language policy in the Baltic States*, in "Language Policy", 2, 2003, p. 234.
- ¹⁴ I. Druviete, *The future of the Latvian language in the enlarged European Union*, in "Humanities and Social Sciences. Latvia", 34, 2002, pp. 34-46; G. Hogan-Brun, *The Baltic Republics and language ideological debates surrounding European Union Accession*, in *Language and Social Processes in the Baltic Republics Surrounding their EU Accession*, special Issue of "Journal of Multilingual & Multicultural Development", guest editor G. Hogan-Brun, 26, 2005, pp. 367-377.

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