

I R E L A N D

SECTION A

Capital

Dublin 1,050,000 (1995 est.)

Area

70,280 sq km (27,136 sq mi)

Form of government

Republic, parliamentary democracy

GDP—per capita

Purchasing power parity—\$20,300 (1999 est.)

Population

3,632,944 (July 1999 est.)

Ethnic composition

Celtic, English

Official language

Irish, English

Irish is spoken throughout the twenty-six counties of the Republic of Ireland. The 1996 census indicates that 1.43 million people or 43.5% of the population have the ability to speak Irish. These figures are of a self-report nature. Of that number 353,000 people speak Irish every day according to the census. The age groups with the highest indicated level of ability to speak Irish are the 10-14 and 15-19 age groups, each with 68% able to speak Irish. The Irish-speaking heartland areas (the Gaeltacht) are widely dispersed along the Western seabords and are not densely populated. They contain about 82,715 total inhabitants of the Republic. Of that number 76.3% are Irish speakers according to the census. However, English is still very much the dominant language in the country.

Minority languages

No significant ethnic minorities exist.

Legislation dealing with the use of languages

The Constitution, adopted on July 1, 1937 specifies that Irish, as the national language, is the first official language, and that English is also an official language. A separate government department is responsible for the Irish language. Two state boards function under its aegis, one for developing Irish-speaking districts and one for promoting Irish language throughout the country.

Mr. Éamon Ó Cuív T.D., as Minister of State with responsibility for matters relating to the Irish language and the Gaeltacht, is currently preparing an *Official Languages Equality Bill* which will set out the rights of citizens in relation to the use of the official languages in their dealings with the State. The legislation will also put in place a planning process whereby State bodies will be required to prepare plans, to be approved by him, setting out the steps that they intend to take to provide services in the official languages. A new office of the Official Languages Commissioner will also be established. While considerable preparatory work has been carried out, this Bill has not yet been published.

Here are some general indications on the Bill from the address by Éamon Ó Cuív, T.D., Minister of State at the Department of Arts, Heritage, Gaeltachta and the Islands, to the European Commission at the Centre Borschette, Brussels (Friday, October 1, 1999):

The Bill will endeavor to rectify the deficiencies that exist in terms of the provision of State services to Irish speakers. The key principle that will underpin the Bill is that of equality. Citizens must have equal access to State services irrespective of which official language they wish to use. It follows that the citizen will choose which of the official languages he or she wishes to use for the purposes of dealings with the State rather than having that choice made on his or her behalf as is by and large the case at present. The State and its agencies will have to respect that right and put in place arrangements to ensure that all “customers” are aware that they have the right and that, if they exercise it, it must be complied with. The question of signage, forms, notices being bilingual, etc., will also be addressed in the Bill.

One of the key elements of the Bill will be a requirement that official bodies and agencies must plan strategically for the provision of services through the Irish language and bilingually. The plans will have to be submitted to the Minister with responsibility for the Irish language to be examined and approved by him/her. Provisions will be made to deal with

cases where Departments, etc., fail to draw up plans or where their plans are considered by the Minister to be unsatisfactory. This is not unlike those procedures that have been introduced in Wales and which are working with a degree of success.

Another key issue that will need to be addressed is the scope of the Bill. Ideally it should extend to all elements of Irish society including the public and private sector, business, banking, etc. Ireland will not have a truly bilingual society unless all sectors adequately cater to the needs of Irish speakers.

Implementation and monitoring of the legislation, when enacted, will also be a key issue. At present Bord na Gaeilge monitors the implementation of the non-statutory guidelines regarding Irish and bilingualism but it has no powers of enforcement. An Ombudsman deals with individual complaints, although it must be said that he operates in somewhat of a vacuum given the absence of legislation in this area.

Mr. Éamon Ó Cuív envisages a role for the Government Minister with responsibility for the Irish language in the strategic planning process. Ongoing monitoring is a separate issue. In this regard he is looking at international models, particularly Canada which has an Official Languages Commissioner together with an Office devoted to overseeing the implementation of its official languages legislation. He also envisions that a Commissioner would focus on the adequacy of the services being provided in the official languages by governmental bodies.

A further issue that needs to be considered is that of enforcement and penalties. Strong powers will be needed to compel bodies to meet the requirements to be set down in the legislation. An appropriate system of penalties or admonishments will need to be formulated.

Background notes

Ireland is a country with strong influence of religion, which played a central role in the development of Irish culture and society.

Growing Irish nationalism resulted in independence from the United Kingdom in 1921, with six largely Protestant northern counties remaining within the UK. After World War II bloody strife between Catholics and Protestants over the status of Northern Ireland cost thousands of lives. In 1998, the British and Irish governments and the Roman Catholics and Protestants of Northern Ireland agreed to substantial steps toward peace.

Independence: December 6, 1921 (from UK)

SECTION B

Where does one observe language to be a problem in the country?

There are some glaring shortcomings in terms of the availability of services in the Irish language to the public. Despite the strong constitutional position of the Irish language (as the first official and the national language) the actual position of the two official languages, Irish and English, is very unequal. The level of service to Irish speakers and the general level of planning for the provision of such services are not satisfactory despite initiatives taken both in the Civil Service and in the larger public sector. It is virtually impossible to ensure that, for example, a person living in a Gaeltacht area can receive professional services through the medium of the Irish language in, say, the medical field, such as those of doctors, psychologists, speech therapists, etc. It is generally quite difficult for a citizen to deal with Government offices and public offices through the medium of Irish.

In Irish-speaking parts of Ireland, concern has been expressed over the lack of healthcare services in the community's language. Small children in families who raise their children through Irish in Gaeltacht areas do not usually master English until they reach primary school age. The biggest problem is with psychological tests on young children to determine at what mental age they are. There was one example when the parents of a child of six years of age were told that their child only had a mental age of two. Of course, the child had been asked questions in English, which it had simply not understood. Mrs. Mhic Con Iomaire made a case about it and the Health Board re-tested the child, and apologized. But if someone had not had the courage to take a stand, this child would have been assessed completely wrongly.

Returning emigrants' children who do not speak Irish are becoming a major problem in schools in the Gaeltacht (Irish speaking areas). Now that Ireland's economy is booming, large numbers of people who left the country in the eighties and early nineties are now returning. Because emigration from Irish speaking areas was traditionally high, the number of returning emigrants is also significant. Whereas returning emigrants to the Gaeltacht were brought up and received their education through Irish, the same cannot be said about their children. Born and raised in places like London, Boston or Glasgow, Irish served little or no use for them, and their parents often did not teach them the language. "It is a big problem, and nothing is being done about it," Helen Ó Murchú, spokesperson for Comhar na Múinteoirí Gaeilge, the Union of Irish Teachers, said. "First of all, there is no support system for children who have difficulties with Irish, and secondly, there is no support system for

the teachers who have to deal with it. For the Government it seems to be a question of “close your eyes and the problem is not there”, which is scandalous, especially if you look to Wales, where problems like these were identified and dealt with twenty, thirty years ago,” Ó Murchú said. In the school, there are at least one or two children in every class who cannot follow the lessons because they cannot speak Irish. Teachers do not want to teach their entire classes through English, because Irish is the language of the community. Although they do tend to spend some time with the children who have difficulties with the language towards the end of a class in order to go over the material with them in English. This, of course, takes valuable teaching time away from the rest of the class.

The use of language in everyday life e.g. education, broadcasting and other

Both Irish and English may be used in contacts with administrative authorities and public services in Ireland. This is a matter of right under law. Legally, all administrative documents should be bilingual. Anyone who wishes to receive a document in Irish, and who is presented with an English-only version, is entitled to demand an Irish version. Until 1973 knowledge of Irish was required for entry into the public service. This is no longer the case. However, all public offices are legally required to have someone available who is able to deal with the public through Irish. Judicial proceedings can be heard either in Irish or in English throughout the State. All laws of the state and local authorities are usually published bilingually. Street and road signs are mostly bilingual. In Gaeltacht areas (Irish-speaking districts) they are in Irish only.

Both Irish and English are compulsory subjects at primary and post-primary level and teachers in these schools must be competent in both languages. Under certain conditions, such as where a pupil has been partly educated abroad, or in the case of pupils with particular learning disabilities for whom Irish is not their first language, pupils may be exempted from studying Irish at either the primary or post-primary level. For the majority of the children, English is the mother tongue and Irish is studied as a secondary language.

At secondary level, a number of state-recognized schools provide education entirely or partially through Irish. Irish is taught as a subject in all other secondary schools. The five teacher-training colleges are expected to provide sufficient education to enable all students to become competent in teaching through Irish, as well as in teaching the language as a subject. One teacher-training college, three universities, and two institutes of technology use Irish as a medium of instruction for some courses. Irish is a compulsory subject for entrance to all constituent

colleges of the National University of Ireland and to all Colleges of Education. There is an extensive network of adult language classes in Irish. However, there is a considerably higher number of schools, which use the English language as the primary language of instruction.

Both Irish and English language radio stations broadcast throughout the country.

The state broadcasting service provides approximately four hours per week of Irish language television programs. A separate television service in Irish has been established since 1996 and broadcasts approximately ninety hours of Irish language programming per week. One national radio service broadcasts entirely in Irish for about seventy-seven hours per week. The other national radio services broadcast a total of less than three hours per week in Irish. There is no daily newspaper in the Irish language. There are three monthly magazines and two weekly newspapers published in Irish. One national English-language newspaper and a number of local papers regularly carry articles in Irish.

Did the country ratify any international treaty dealing with the protection of minorities?

The Framework Convention for the Protection of National Minorities signed on February 1, 1995, ratified on May 7, 1999 and enacted on September 1, 1999.

SECTION C

Legislation dealing with the use of languages

Updated (August 2001)

According to a press release issued by the Department of Arts, Heritage, Gaeltachta and the Islands, the Irish government approved on June 12, 2001 the general scheme for the elaboration of the Official Languages Equality Bill, whose drafting has been commissioned to the Office of the Parliamentary Draftsman as a matter of priority. The bill may be published throughout next autumn.

Updated (February 2002)

The Irish speakers are still waiting for the Irish Language Equality Act, an act which would ensure that Irish speakers could use their own language when dealing with State bodies and semi-state companies. The opposition claims that the Act “is as dead as a dodo”.

Five years ago, the Irish Government promised the Irish-speaking population a Language Equality Act. Although a draft bill for the Act is currently being worked on, it is highly unlikely that it will pass through the “Dáil” (the Irish Parliament) before it takes its leave before the general elections, which are expected to be held in May. Any draft bills that are not acted before that time will be the responsibility of the new Government, which may choose not to go ahead with the Language Equality Act at all.

The government legislation program for spring 2002 set up the new deadline for the language bill “the middle of 2002”.

Meanwhile, Irish-speaking Ireland still has to cope without the protective language legislation, which was promised by the Government five years ago, and without the employment this Act would provide in terms of translation industry. The Government itself estimated in 2000 that the Language Equality Act would provide over 1,000 new jobs. However, it is not the lack of employment that bothers Irish speakers most, it is the daily struggle to use their own language with State and semi-state bodies.

Where does one observe language to be a problem in the country?

Updated (January 2001)

In April, the Supreme Court in Dublin criticized the state’s failure to provide Irish translation of legislation and ruled that this failure was the offence “to the letter and spirit of the Constitution”, where it is stated that Irish as the national language is the first official language.

Following the ruling, there is now a clear onus on the State to provide the Irish language versions of laws as they are being signed by the President. The Court has made it clear that it will not countenance undue delays in this matter.

This historic decision of the Court was the response of “Comhdháil Náisiunta na Gaeilge” (The National Congress for Irish), an umbrella body representing the Irish language groups.

What else can be found about languages and minorities?

Updated (January 2001)

The Irish language in Ireland still remains a symbolic language, fondly taken off the shelf for special occasions (e.g. St Patrick’s Day), but not used in everyday life. Irish is an everyday language only for 2-5% (numbers vary) of the Ireland population.

Foreign visitors are amazed how an Irish person can go through 14 years of Irish classes not being able to put together a simple sentence.

But in spite of that, language is slowly finding its way into business, with pubs, restaurants running entirely in Irish in Belfast, Derry, Galway and Dublin.

Updated (February 2002)

A new on-line terminological resource for Irish was launched in Dublin.

The website www.acmhainn.ie will publish, in electronic form, all available terminological dictionaries for Irish. The government-sponsored Terminological Committee has approved the terms over recent years. Translators and others working professionally with Irish welcomed the new facility due to ongoing difficulties with terminology in Irish. The last major English-Irish dictionary was published in 1959 and has long been overtaken by technological advances in all areas of life.

The site will also contain advice and relevant links; exemplary texts already translated into Irish, opportunity for feedback and comment and it will be updated regularly.

APPENDIX A

MAP OF IRELAND



APPENDIX B

IRELAND - CONSTITUTION

(Adopted on July 1, 1937)

(Document Status in 1995)

(Editor's Note: The Amendments 1992 and 1995 have been included by help of G. Manten who also verified the consolidation of the ICL edition up to 1995)

Article 8 (Language)

(1) The Irish language as the national language is the first official language.

(2) The English language is recognized as a second official language.

(3) Provision may, however, be made by law for the exclusive use of either of the said languages for any one or more official purposes, either throughout the State or in any part thereof.

Article 18 (Senate)

(7.1) Before each general election of the members of the Senate to be elected from panels of candidates, five panels of candidates shall be formed in the manner provided by law containing respectively the names of persons having knowledge and practical experience of the following interests and services, namely:

(i) National Language and Culture, Literature, Art, Education and such professional interests as may be defined by law for the purpose of this panel;

Article 25 (Promulgation)

(4.3) Every Bill shall be signed by the President in the text in which it was passed or deemed to have been passed by both Houses of Parliament, and if a Bill is so passed or deemed to have been passed in both the official languages, the President shall sign the text of the Bill in each of those languages.

(4.4) Where the President signs the text of a Bill in one only of the official languages; an official translation shall be issued in the other official language.

(4.5) As soon as may be after the signature and promulgation of a Bill as a law, the text of such law which was signed by the President or, where the President has signed the text of such law in each of the official languages, both the signed texts shall be enrolled for record in the office of the Registrar of the Supreme Court, and the text, or both the texts, so enrolled shall be conclusive evidence of the provisions of such law.

(5.1) It shall be lawful for the Prime Minister, from time to time as occasion appears to him to require, to cause to be prepared under his supervision a text (in both the official languages) of this Constitution as then in force embodying all amendments theretofore made therein.

(5.4) In case of conflict between the texts of any copy of this Constitution enrolled under this section, the text in the national language shall prevail.

Note: The complete text of the Constitution and further information on the constitutional background of Ireland are provided by the International Constitutional Law Project at the University of Wuerzburg.

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