

F R A N C E

SECTION A

Capital

Paris 2,152,423 (1990 est.)

Area

543,965 sq km (210,026 sq mi) including the island of Corsica in the Mediterranean

Form of government

Republic

GDP—per capita

Purchasing power parity—\$23,300 (1999 est.)

Population

58,978,172 (July 1999 est.)

Ethnic composition

French	93.6%
German (mostly Alsatian)	2.6%
Breton	1.0%
Catalan	0.4%
Arabic	2.5%
Other	3.9%

Official language

French

Minority languages

Rapidly declining regional dialects and languages (Provençal, Breton, Alsatian, Corsican, Catalan, Basque, Flemish, Occitan, Oïl)

Legislation dealing with the use of languages

Constitution adopted on October 4, 1958, and modified through June 25, 1992.

The Law of August 4, 1994 relative to the use of the French language was completed by the addition of several regulations. The Decree of March 3, 1995 notably defined breaches of the law and the related penalties. As well as the order of May 3, 1995, which authorized five associations for the defense of the French language with full legal capabilities.

The Law of August 4, 1994 relative to the use of the French language replaced the law of December 31, 1975, extending its scope and strengthening its provisions.

This text is the tangible rendition of the constitutional principle recognized in 1992 according to which the language of the Republic is French. It lays down the mandatory, but non-exclusive use of the French language in specific areas defined so as to guarantee the right of citizens to use their language in certain circumstances of their daily lives. However, the aforementioned text neither includes nor provides for a list of terms or expressions which may be prohibited or whose use may be made compulsory.

The law concerns private persons as well as public persons. However, some of these provisions are more restrictive for public corporate bodies and for private persons undertaking a public service assignment.

The circular, dated March 19, 1996 supplements these regulations by defining the scope of the law. In particular it defines the use of the French language for the marketing of goods and services, during seminars and conventions, in companies and in education as well.

Background notes

Although ultimately a victor in World War I and World War II, France lost many men, much wealth, its extensive empire and its rank as a dominant nation state. France has struggled since 1958 –arguably with some success – to construct a presidential democracy resistant to the severe instabilities inherent in the parliamentary democracy of early 20th century France. In recent years, its reconciliation and cooperation with Germany have proved central to the economic integration of Europe, including the advent of the Euro in January of 1999.

SECTION B

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

10 lesser-used languages are spoken on the French territory

BREZHONEG (Breton)

Approximately 450,000 people understand Breton, 300,000 of whom also speak the language. Breton is spoken mainly in its historical region in the west, which comprises all of Finistère and the western part of Côtes-d'Armor and Morbihan. Breton speakers are also found in the cities of Rennes and Nantes, and in Paris.

Although the language has no official legal status it can be sporadically used in dealings with public administration. Administrative documents are not available in Breton and there is no legal requirement for civil servants to know the language. Only local and departmental administrations have made efforts in recent years to introduce Breton language road signs and information signs in several towns. The regional public television service broadcasts 90 minutes per week in Breton. The public service radio station broadcasts about 30 hours per week in the language. The number of radio stations broadcasting in Breton is currently growing. In the written media, several different associations publish magazines every month in Breton. A growing number of articles and supplements in the Breton language appear also in the main regional newspapers published in French.

As for education, three groups are involved in the promotion of Breton through its use in primary and secondary education curriculums. The oldest and biggest group involves Catholic-run state-funded schools. State-assisted Catholic schools account for up to 45% of pupils, roughly 200,000. Many of these learn Breton as part of the school curriculum. The organization promoting the use of Breton in the public-funded Catholic school system is known as "Dihun" and has 1,450 students in the program from kindergarten to high school.

"Diwan" is the oldest group operating outside the state-funded education system. Founded in 1976, the organization is associative in nature and depends largely on funds from parents of pupils to run its schools in the primary and secondary levels. It also has the largest number of students, 2,250. "Diwan" (meaning a seed in the Breton language) opened its first two kindergartens in 1977, in Ploudalmézeau and Kemper/Quimper. The organization's schools practice the total immersion method, teaching exclusively through the medium of the Breton language.

The second-largest organization, "Div Yezh", with 1,950 students, was founded in 1982 and has 35 schools across Brittany. "Div Yezh" differs in

approach from “Diwan”, putting the emphasis on bilingual French-Breton education at the primary and secondary levels. It also differs in the fact that it is state-funded.

CATALA (Catalan)

Catalan is spoken in North Catalonia (Department of Pyrénées -Orientales) in the south of France by a total of 102,000 people. It has no official legal status and the state services depend totally on the official status of French (Article 2 of the Constitution: “the language of the republic is French”). However, local authorities such as in the town of Perpignan have started to develop projects to promote the language (street names, municipal bulletins etc.).

Catalan is offered as a subject in the private and public education sectors, but in a very discontinuous fashion. It is taught as a subject at pre-primary and primary level for 1.5 hours per week to 20% of children.

The regional public television station (regions of Midi- Pyrénées and Languedoc-Roussillon) broadcasts about 10 minutes every two weeks in Catalan. These broadcasts are partially funded by the respective regions. Public radio provides a few minutes everyday in Catalan. Since 1981 a private radio station run by a voluntary association has been broadcasting entirely in Catalan.

CORSU (Corsican)

Corsu is the native language of the island of Corsica. According to a 1982 survey, 96% of the island’s inhabitants who are of Corsican origin (about 170,000 people, or 70% of the total population) understand Corsican and 86% regularly speak the language. As the language has no official status, its administrative and legal role is minimal. It is occasionally possible for the public to use Corsican in its dealings with the administration and in court, because the administrative and legal officials themselves speak the language, though never in their official capacity.

Corsican is used on a voluntary basis by teachers at pre-primary level. At primary level the language can be taught three hours a week and teachers are urged by the regional education service to integrate Corsican into their courses. Some attempts have been made by individual teachers to teach some subjects through Corsican. At the secondary level, Corsican is offered as an optional living language. The University of Corsica offers a course in Corsican Studies.

The regional service of State radio broadcasts several programs and five news bulletins in Corsican daily (between 6 am and 11 am) of 5 to 10 minutes duration. One private radio station broadcasts entirely in Corsican. The regional TV service, France 3 has been making great efforts to increase hours in the language and has resulted in an increase in programming in Corsican from 20 minutes a week to two hours.

CREOLE

The different varieties are based on Portuguese, English, Spanish, Dutch and French. “Creole” stems from the Spanish term “criollo” which was used in the 17th and 18th centuries to describe people of European ancestry born in the colonies. Creole is ignored by the institutions and receives little if any official recognition. The different varieties of the language are not included on the official list of regional languages in France.

In the French territory of Reunion there is only one secondary school offering subjects on regional language and culture but the language has hardly any presence in teacher training colleges. In Martinique the language is more prevalent throughout the educational system.

DEUTSCH (German)

German is one of France’s regional languages. Alsatian (Elsaesserdeutsch) a dialectal variant of German is spoken in two forms in Alsace. Rhenish Frankish in north Alsace, and Alemanic and its variants in the north and south. Neither of these variants of German enjoy any official legal recognition.

All correspondence and all dealings with public administration take place through the medium of French. However, since many public officials are themselves speakers of the language, it is often possible for members of the public to be served in the minority language on an informal basis. Some municipalities have introduced bilingual street signs, with the support of the region of Alsace.

At the primary education level (6 to 10 years of age) German is taught a few hours per week. In 1990 parents came together and initiated up bilingual classes, 50% German, 50% French, with help from local and European bodies. Since 1992, the education authorities have been opening bilingual schools with an equal amount of hours for each language; 13 hours French and 13 hours German.

EUSKARA (Basque)

Basque is spoken in the western region of Pyrénées-Atlantiques in the historical provinces of Labourd, Bas-Navarre and Soule.

The language is not represented in public administration or in the judicial system. Some local authorities and public services still use it very inefficiently when dealing with tourists and providing them with information. Local communities are slowly but surely erecting bilingual road signs. There are some monolingual road signs in Basque only.

Since the Deixonne Law of 1951, the regional languages and cultures can be taught as optional subjects from the pre-primary to the third level of the education system.

French state television broadcasts only one or two minutes of Basque daily. State radio provides one hour of programming. Three community radio stations broadcast in Basque all day. Since 1994 there has been a weekly newspaper in the language. However, one daily and two weeklies regularly publish articles in Basque.

The survival of this language in France only counts on the users' good will as well as on community actions. Two major claims seem to have a general agreement in the French Basque country: the creation of a Basque department, and the promotion of Basque by the public institutions. According to the majority of town mayors and councilors in the area, the creation of a Basque department should not only be understood as a nationalist claim, but also as a proposal bound to a greater administrative effort towards the promotion of Basque.

LETZEBUERGESCH (Luxembourgish)

Luxembourgish is spoken in the region of Thionville/Diddenuewen (Lorraine) by between 30,000 and 40,000 speakers. The language has no public presence.

NEDERLANDS (Dutch)

Apart from the Netherlands and Flanders, Dutch is also spoken in the extreme north of France (Westhoek). The language is spoken in the Westhoek by about 80,000 people (rough estimate) out of a total of 350,000 inhabitants.

There are no television services in the language. There is one private local radio station, which broadcasts in the two languages (about 10 hours per week in Dutch or the dialectal variant). There are no newspapers, or periodicals published in the language.

OCCITAN

Occitan is spoken in the south of France, in an area comprising 31 "Départements". There are no official data on the number of speakers. Of some 12 to 13 million inhabitants of the area, it is estimated that 48% understand Occitan and 28% can speak it. About 9% of the population use it on a daily basis, while 13% can read and 6% can write the language.

The Occitan language cannot be used by the public in their dealings with the administration, nor can it be used in court. No official documents are published in the language, and there are few public signs in Occitan.

Occitan is used in some bilingual state schools as the language of instruction at the pre-primary and primary levels. The language is also taught, albeit rarely, as a subject in French language schools. At the secondary level, it is not used as a teaching medium, but is offered as an optional subject. At the university level, Occitan is used as a teaching

medium in studies of the Occitan language and literature. The language is also taught as a subject.

The public television channel FR3, broadcasts about 40 minutes per week in Occitan on Sundays. One weekly periodical is published in Occitan: La Setmana.

Oïl

The Oïl language varieties (Picard, Norman, Gallo, Poitevin-Saintongese, Champagne and Morvandiau) have no presence throughout the public service in France. There are no official data on the number of speakers.

Gallo is taught as an optional subject and is accepted by the educational authorities in Rennes. In regards to the other languages, some secondary schools offer after hours instruction.

From January 1985 to March 1986 FR3 Limousin-Poitou-Charentes broadcast a weekly 30-minute television program. Some local radio stations throughout the Oïl regions also broadcast weekly programs in the regional language. Some regional newspapers also publish or have recently published articles in Oïl.

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

European Charter for Regional or Minority Languages was signed on May 7, 1999 and it has not yet been ratified.

This document specifically involves 39 paragraphs in the fields of education, the administration authorities and public services, the media, cultural activities and equipments, economic and social life and cross-border exchanges. The Charter contains 95 paragraphs. According to the government, the ratification will be fulfilled next year.

What else can be found about languages and minorities?

Paris, April 15, 2000- "In the colloquium organized by UNESCO in Paris in the framework of the European Day of Languages, representatives from Breton cultural associations and federations –together with others from Occitanie, Corsica, Alsace, the Basque Country, the overseas departments and Poitou Saintongeais- devoted themselves to the discussion on the refutation of the French Constitutional Council's decision to block the ratification of the European Charter for Regional or Minority Languages considering this would contravene the second article of the French Constitution. The colloquium focused mainly on the fact that the ratification would not imply any change in the juridical regulations as regards the role of lesser-used languages in France, as it is stated in the general principles of the document's preamble." (<http://www.troc.es/ciemen/mercator/index-gb.htm>)

According to the results of a survey carried out by an institute of research on public opinion in April 2000, 83% of the polled population would agree with the French ratification of the European Charter for Regional or Minority Languages of the European Council. While 79% proved to be in favor of a constitutional modification, in case it was necessary.

The French government and the President of the Corsican Assembly have finally agreed on a proposal to be presented before the Corsican Assembly on July 28. This text deals with the future status of the island. A first phase should be observed between 2000-2002 in which there would be a large transfer of elementary power from the State to the Corsican Assembly. Within those new guidelines there is an important measure concerning the Corsican language. It is to be taught in elementary school, as part of the compulsory national program, with a possibility of withdrawal if the parents do not wish such languages classes. But above all, the relevance of the proposal is to allow for, in a second phase (2003-2004), a transfer of legislative power, which would require a constitutional reform. (<http://www.troc.es/ciemen/mercator/index-gb.htm>)

SECTION C

Legislation dealing with the use of languages

Updated (December 2002)

THE PARLIAMENT REFUSES AN AMENDMENT TO THE CONSTITUTION

Within the framework of the debate of French decentralization, on November 21, several initiatives to reform the Constitution in regard to regional languages were refused (50 votes against, 39 in favor).

One of the proposals by a Brittany UMP deputy (Union for a Popular Movement) suggested modifying of Article 2 of the French Constitution. This article, in force since 1992, proclaims that "the language of the Republic is French." This amendment proposed to add: "within the respect for regional languages, which are a part of its heritage."

Since Article 2 has served for the past ten years as a pretext to avoid any legislative developments in favor of the regional languages in France, organizations from all regions working to promote minority languages demand its change. Two other proposals recommended to add the words "fostering the development and the protection of those languages."

According to what was said during the parliamentary debate, the initiative detractors fear for the Republic's integrity, while its defenders bet on reinforcing it with more tolerance doses.

Source: Mercator News, December 2002,
<http://www.ciemen.org/mercator/index-gb.htm>; Eurolang News, Lescar,
November 29, 2002, by Estève Crès,
<http://217.136.252.147/webpub/eurolang/pajenn.asp?ID=3986>

Updated (March 2003)

MAIN OFFICIAL TEXTS REGULATING TEACHING OF REGIONAL LANGUAGES

Deixonne Law (51-46 of January 11, 1951) allowed optional courses (one hour per week) at pre-primary, primary and secondary level, depending upon the will of teachers and parents.

Directive 66-361 of October 21, 1966: Academic Commissions for Regional Languages and Cultures

Haby Law (75-620 of July 11, 1975) Article 12 said that teaching of regional or minority languages may be done throughout school career.

Circulaire Savary (76-123 of March 29, 1976)

This circular allowed employing pedagogic advisers for regional/minority language teaching. Since 1982 (circular 82-261) Savary confirmed that teaching of the regional languages remains on voluntary basis. According to this circular, a bilingual class could be set up for a minimum of 12-15 children in rural areas and 20 children in urban areas.

Circulaire Bayrou No. 95.086 (April 7, 1995) determined the regulations, which made regional languages teaching official.

Decree 85-88 of January 22, 1985: Primary school teachers teaching regional languages and cultures

Directive 96-134 of May 14, 1986

Departmental order of April 15, 1988

Departmental order of June 23, 1994: Regional language for the Brevet des Collèges

Source: Mercator Education, Regional Dossiers, the Breton language in education in France

http://www1.faknaw.nl/mercator/regionale_dossiers/regional_dossier_breton_in_france.htm

Updated (July 2003)

**AN APPEAL LODGED WITH THE EUROPEAN COURT OF HUMAN RIGHTS
AGAINST THE FRENCH STATE**

Several Breton organizations (Conseil Culturel de Bretagne, Diwan (the Breton immersion school network), UGB (Breton Teachers' Union), Diwan parents, Dihun (the catholic bilingual school system), the Occitan language schools (Calandretas)) and others, who claim the right to use regional languages in education, started an initiative against the French state.

They argue that France has refused to recognize linguistic and cultural diversity within the framework of the French Constitution and has failed to ratify international conventions which guarantee minority rights, mainly the European Charter for Regional or Minority Languages.

In particular, the action appeals against a decision of the French Council of State, issued on November 29, 2002, making immersion teaching of regional languages illegal, what allegedly restrains the freedom of expression and the right to education without discrimination based on language.

According to the organizations, the French State violates the right of students to use regional languages at school so that they could learn French and their regional language on an equal basis. It also denies the development of the youth through their own culture, as well as the access to true bilingualism.

Source: Mercator News, July 2003,
<http://www.ciemen.org/mercator/index-gb.htm>

Background notes

Updated (March 2003)

BRETON

Breton, or Brezhoneg, is an indigenous Celtic language spoken mainly in the West of Brittany, but also in the cities of the Eastern part, called Upper Brittany. Linguistically, Breton belongs to the same (Brythonic) branch of the Celtic languages, as Welsh and Cornish. Even though the languages have been isolated for more than thousand years and have been influenced in the last centuries by French and English, Welsh and Breton are still very similar. It is commonly agreed, that the Breton language is made up of four dialects: Kerneveg, Leoneg, Tregerieg and Gwenedeg. A modern unified form without a particular geographic basis evolved in the last fifty years.

At the beginning of World War I, in the Breton speaking parts of Brittany, some 900,000 people spoke only Breton, some 400,000 were bilingual and 50,000 did not speak Breton at all.

Recently the number of speakers has significantly decreased. Several factors have contributed to this decrease:

- ❖ Social and economic developments: as people speaking Breton were very often farmers and fisherman living mainly in the rural areas, Breton was affected by the economic changes such as migration to the cities during the last 30 years.
- ❖ The Breton language has always suffered from oppressive measures. The attitude of the French authorities has been very clear about this. In 1925, for example, the French Minister of Education declared: "For the linguistic unity of France, the Breton language must disappear."

In 1972, Mr Georges Pompidou, then President of France, stated that there was no place for regional languages in France.

- ❖ The exclusion of Breton from the media, administration and education caused that Breton is a threatened language at present. Although the official attitude has already changed and it is no longer politically acceptable to belittle regional languages, state representatives declare that now it is too late to save them.

Source: Mercator Education, Regional Dossiers, the Breton language in education in France

http://www1.faknaw.nl/mercator/regionale_dossiers/regional_dossier_breton_in_france.htm

BASQUE

Basque, or Euskara, is a language completely surrounded by the Indo-European languages and yet it is totally different.

Nowadays, the area where Basque is spoken is called Euskal Herri or Basque Country. This area comprises seven historical provinces: four in Spain (called Southern Basque country or Hegoalde), and three in France (Lapurdi/Labourd, Nafarroa Beherea/Basse Navarre and Zuberoa/Soule).

Source: Mercator Education, Regional Dossiers, the Basque language in education in France

http://www1.faknaw.nl/mercator/regionale_dossiers/basque_fr.htm

GERMAN

Alsatian dialect, or Elsässer-Ditsch as the Alsatians call it, is the traditional language of Alsace. In fact, there is a number of different dialects, which can be roughly divided into Fränkisch (Francique) in the extreme north and Alemanisch (Alémanique) in the rest of the region.

Notwithstanding its importance in Alsace, neither Elsässer-Ditsch nor German has an official status in France. In Alsace, however, those languages have a special status in education, which was conferred on them in 1985.

EDUCATION

Until 1870, not only French but also German was the language of education. However, after 1840 (when school education became compulsory) the use of French at schools started to be more common. Over the Reichsland period the situation changed again and the standard German replaced French as the language of instruction. After World War I, French took over again, this time even in primary education. All pupils, irrespective of their mother tongue, were submersed in French medium schooling. This direct method was introduced to help Alsatian pupils assimilate quickly.

In 1927, German was re-introduced as a school subject for two or three hours a week, but its teaching was far from satisfactory. During the German occupation it became the only language of instruction again. After World War II, conversion to French took place even more fiercely than after the First World War. German was completely banned from the education system and the promotion of French, as the sole language of the country, reinforced the neglect of the local dialects.

Only in 1953, the optional teaching of German, carried out by peripatetic teachers, was legally allowed in primary education. Nevertheless, it took another nineteen years (1972) to introduce a program, in which dialect-speaking children were no longer treated as beginners in the German language. German was introduced in primary schools to pupils aged 9 to 11 (the 4th and 5th grade of a primary school) who spoke some German dialect. The teaching method, called the "Holderith method" used manuals originally designed for older pupils (aged 11 to 14) in the lower secondary cycle (collège). Pupils speaking a dialect were able to learn standard German more quickly.

With the 1982 Circulaire Savary, the Ministry of Education legally set up the optional teaching of German on 30 minutes a day, starting in the 3rd grade of primary school.

Thus the Circulaire Savary legitimated the teaching of German in Alsace without any regulatory basis and proposed to teach the regional languages and to conduct the teaching of some other subjects through the medium of a regional language. Though erroneously believed it was Savary, only the Circulaire Bayrou introduced the regulatory organizational and educational framework of bilingual teaching.

In 1991, a new German language education plan for bilingualism was launched. An increasing number of children no longer spoke Elsässer-

Ditsch so creation of bilingual classes was considered necessary. Since the beginning of the 90s, associative initiatives have been set up to offer bilingual teaching.

The first initiative of this kind was undertaken in 1991, by the ABCM-Zweisprachigkeit (Association for Bilingualism in Infants' Schools). ABCM-Zweisprachigkeit associative schools have the status of private schools and use Elsässer-Ditsch together with "Hochdeutsch" (standard form German) as the medium of instruction (a few hours a week). This private association plays two roles: it manages bilingual classes and acts as a parents' association in state bilingual education. One important difference between ABCM schools and state bilingual schools concerns the qualification of teachers: ABCM employs German native speakers while the state schools have French teachers for German lessons in bilingual classes.

Bilingual education became official as a result of the rectorial circulars published in 1991, 1993 and 1994 according to which the teaching of German contributes to a threefold endeavor: support of the regional language and culture, learning of the neighbor's language and acquisition of the European and international attitudes.

The 1994 Joint Convention between the General Councils of both Alsatian departments and the Regional Council with the Rectorat established introduction of an early German language education, structured Elsässer-Ditsch as a school subject at pre-primary schools and, above all, it allotted a financial support for production of the educational manuals and tools.

Since 1994, the region and the state have co-operated in setting up a bilingual education scheme. A full bilingual model favored by the Rectorat rested on three principles:

1. Early learning (from 3 years)
2. Equal exposure time to both languages (13 hours of German, 13 hours of French)
3. Alternating system: one language, one teacher. The languages used are French (13 hours a week) and German (13 hours a week). There are also a few schools, which use Alsatian as a medium of instruction.

The 1995 Bayrou Circulaire revealed a plan for teaching regional languages and cultures for all the regions where Breton, Basque, Corsican, Catalan, Occitan and also Elsässer-Ditsch are spoken.

Besides these specifically designated bilingual schools or sections, all other schools teach 2-3 hours of German a week. In December 1994, the Rectorat stopped a previous six-hour program of German teaching.

In June 2000, then Minister of Education declared that a language other than French should be taught nationwide from the age of five (the last class of pre- primary school). Moreover, he stated that the possibility should exist for children to learn a second foreign language at the age of eleven. For Alsace this could mean that children would start with German at the age of five (from the age of 3 in bilingual classes).

Source: Mercator Education, Regional Dossiers, the German language in education in Alsace, France,
http://www1.faknaw.nl/mercator/regionale_dossiers/regional_dossier_german_in_france.htm

Updated (June 2003)

OCCITAN

Occitan, or the Oc language, is a Romance language. It is spoken in seven regions (Provence-Côte d'Azur, Aquitaine, Auvergne, Dauphiné, Limousin, Languedoc-Roussillon, and Midi-Pyrénées) in the South of France. This area is inhabited by 15 million people. Occitan is subdivided into four main dialects: Languedocien, Provençal, Gascon and Northern Occitan.

From the 11th until 14th Centuries the Occitan language was a language of culture used by troubadours (minstrels). In the 16th Century, Occitan was banned from official documents; however, it remained the main language of communication until the beginning of the 20th Century. An intellectual elite continued to write Occitan.

Nowadays, the language is less and less spoken, particularly among young people. According to the last two surveys in the regions of Montpellier and Pau, out of the total population in this area, 55 percent do not know the language; 40 to 50 percent understand it; 25 percent can speak it; about 10 percent speak it daily or often; and 6 percent claim to be able to write Occitan.

Source: Mercator Education, Regional Dossiers, The Occitan language in education in France, 1996,
http://www1.faknaw.nl/mercator/regionale_dossiers/regional_dossier_occitan_in_france.htm

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

Updated (February 2002)

BRETON

On December 27, 2002 the French Constitutional Council published the Financial Legislation Act for 2002. In this act the council touches question of regional languages in France stating that according to the Constitution,

the language of France is French and therefore no other languages should be “imposed” as means of education in the French public education system.

This statement follows the decision of the Council of State from last autumn to suspend the agreement with the Breton Diwan schools to be integrated in the national education system.

Diwan responded that this is a frontal attack against the whole pedagogical system and education through immersion, because it effectively rules out any other language than French as means of teaching.

“The situation is now worse than ever,” comments Anna-Vari Chapalain, Director of Diwan.

In a press release Diwan assures that it will use all possible juridical measures to fight for linguistic democracy in France and states that the only way to reach their goal is to achieve a change in the French Constitution. In the coming weeks Diwan will appeal to all candidates of the presidential elections and to the post of deputy in Bretagne.

CORSICAN

The French Constitutional Council refused to approve a vital part of the law which would have granted certain legislative powers to a proposed Corsican Assembly. Instead, Corsica will only have the right to modify some existing parliamentary law. The Corsican language can be taught in elementary schools, but only on a voluntary basis.

According to the Financial Times (FT) “analysts believe the council's decision to stand by the principle of a strong centralized administration over regional devolution will have significant consequences for the nature of the French state.”

Surprise from various parties over the fact that Corsica was being granted new powers while other French regions could not benefit from such advantages was already voiced last summer, after the Matignon accords (the draft autonomy laws for Corsica) were announced in May last year.

France remains the only large EU nation not to have pursued a degree of regional devolution of central powers. Concern that the new Corsican law breached this principle was the main reason behind the rightwing opposition's move to refer the legislation to the constitutional council, reports FT.

To what extent are minority groups in this country disadvantaged by their language?

Updated (December 2002)

TEACHING IN MINORITY LANGUAGES ILLEGAL

The recent decision of the French Council of State to annul all decrees and legal texts foreseeing integration of regional languages' teaching into the public educational system was a big shock for schools like "Diwan," where children follow the immersion method (most subjects are taught in the Breton language). According to the Council of State, they are not in line with the Law of August 4, 1994 stipulating that "the language of education is French." The Council believes that teaching by immersion reduces education in French to such an extent that it goes beyond the exceptions that are authorized by the law.

However, this verdict also affects schools using the so-called "à parité horaire" method, where education is partly in French and partly in the minority language. As the ministerial decree does not make clear how many lessons are taught in French and how many in the regional languages, it is impossible to ensure that at least a part of teaching is done in French.¹ Thus teaching of "à parité horaire" offers an opportunity to learn the regional language that exceeds the necessary minimum."

The decision of the Council of State causes that these schools also lose their legal status. The only minority language in France that is not affected by the verdict is Corsican. Since January 2002, this island has had a law, which defines clearly the development of Corsican teaching including the "à parité horaire" method.

Bilingual education was introduced by the French Ministry of Education twenty years ago, following the success of the first immersion classes for regional languages in France. The method has developed greatly particularly over the last few years. According to latest figures 8,679 pupils follow this method in Alsatian, 3,509 in Occitan, 3,600 in Basque, 2,944 in Breton and 766 in Catalan.²

Originally the legal process against the teaching in regional or minority languages was initiated by the French teacher unions FCPE (Fédération des conseils de parents d'élèves des écoles publiques), UNSA (Union Nationale des Syndicats Autonomes) and SNES (Syndicat National des Enseignements de Second degré). They all opposed the integration of the Diwan Breton-language immersion schools into the national education system. By annulling the legal basis also for "à parité horaire" schools the verdict thus has been far harsher than expected by the unions.

¹ The Council of State criticizes in its ruling the texts published in 2001 by Jack Lang, then Minister for Education, where the reasons for the immersion and "à parité horaire" method were legally defined.

² Figures by FLAREP (Federation for Regional Languages in Public Education)

Source: Eurolang News, Lescar, December 4, 2002, by Estève Cròs,
<http://217.136.252.147/webpub/eurolang/pajenn.asp?ID=3994>, &
Brussels, December 2, 2002, by Margret Oberhofer and Hannah McGlue,
<http://217.136.252.147/webpub/eurolang/pajenn.asp?ID=3988>

Updated (January 2003)

**FRENCH EDUCATION MINISTRY GIVES REASSURANCE ABOUT
TEACHING OF MINORITY LANGUAGES**

The Federation for Regional Languages in Public Education (FLAREP) met at the end of December with the representatives of the French Ministry of Education to discuss the impact of the recent Council of State's verdict (see Update for December, 2002).

Thierry Delobel, president of FLAREP, stated that the outcome of the meeting was positive: "We felt that they were very embarrassed by what had happened."

The 1995 circulars written by Xavier Darcos, currently the French Minister delegated for Schools, serve as the legal basis for bilingual education 'à parité horaire.' It means that this form of education is not completely illegal. However, it is also true that legally, without alterations to the law and the French Constitution, the opponents of minority languages can launch attacks very easily.

At the meeting the Ministry wanted to reassure the delegation that despite what everyone thinks, bilingual education has never been made illegal. However, in order to make the circulars complete, the Ministry would need to propose new texts, particularly for secondary education, precisely defining, which subjects are to be taught in the minority language.

"Things are a bit clearer for us now," said Felip Martel, president of the Federation of Teachers of the Oc Language and Culture (FELCO), "but we have to remain vigilant even if the situation is not as bad as we had previously thought when we first learned of the Council of State's decision."

Source: Eurolang News, Lescar, December 20, 2002, by Estève Cròs,
<http://217.136.252.147/webpub/eurolang/pajenn.asp?ID=4021>

Updated (March 2003)

BRETONS PREPARE FOR MASSIVE DEMONSTRATION IN RENNES

On March 22, defenders of the Breton language and culture protested in Rennes, Brittany's administrative capital, against the French government's refusal to support minority languages. This demonstration should draw attention to the need for devolution of control over education and culture.

The Cultural Council of Brittany launched a large media campaign to gain support for the day of protest. A twelve-page tabloid paper was prepared focusing on the linguistic and cultural challenges, which Brittany is currently facing.

However, according to Patrick Malrieu, a new President of the Cultural Council of Brittany,¹ it is pointless to ask for support without changing the French Constitution.

Following a decision of the Council of State in November, both “immersion” method and bilingual teaching in minority languages are under threat in France. Diwan (the Breton-medium school organization) in particular, is facing one of the most severe financial crises since its creation in 1977.

Source: Eurolang News, Douarnenez, March 7, 2003, by Yann Rivallain, <http://217.136.252.147/webpub/eurolang/pajenn.asp?ID=4132>

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

Updated (September 2000)

In September 2000 the Breton TV channel “TV Breizh” began to broadcast. Since then it has been broadcasting every day from 7:30 to 12:30. With the budget of 80 million French francs (12.2 million Euro) it is the first such a channel in France.

At the beginning the priority was given to the programs for young people so two hours of cartoons are broadcasted every day.

The success, however, is not satisfactory for the Breton activists trying to save the language from extinction. Representatives of five Breton cultural, linguistic and human organizations have accused the French government of failing to protect the language.

The representatives of minority languages (Occitan) see the problem in Article 2 of the Constitution 1992, which states that French is the language of the Republic. They consider this Article as a part of the governmental policy not to recognize other languages in the state and to make them disappear.

Updated (April 2001)

CREOLE

Around 750,000 persons live in *Ile de la Reunion*, which is French overseas department. French is the official language on the island, while Creole can be seen as a minority language even spoken by the majority of the population.

¹ An umbrella organization for numerous Breton linguistic and cultural associations

The first step to raise the status of this language is to launch TV news in Creole. The twenty-five minutes long program is broadcasted weekly each Saturday.

Updated (May 2001)

As a result of co-operation between four linguistic communities in the French Basque Country, Occitans, Breton, Corsicans and Basques a new magazine "Pika" in Basque aimed at children from 7-13 years started to be published. This project originated with the magazine "Plumalhon," a children's monthly in Occitan, which was established five years ago and later followed by "Lournig," a version in Breton and the monthly "Aiò" in Corsican.

Updated (June 2002)

OCCITAN

In 1951, the Deixonne Law allowed teaching of minority languages in French secondary schools; however, neither a special training was required nor a diploma was asked from the teachers of this subject. Besides minority languages the teachers taught other disciplines as well.

In 1991, according to the ministerial order of the national education, the ability of the Occitan teachers was for the first time examined. In 1992, 14 posts were created. Between 1992 and 2002, from 13 to 24 posts were added annually. Currently a total of 180 Occitan teachers have passed the examination for teaching in secondary schools.

However, even ten years later, the Occitan language has not reached the same standard level as education in the other minority languages. It seems like the administration or some people do their best to block the Occitan teaching progress, says Mr. Salles, the Occitan teacher. For instance, the administration council can prevent parents from being informed about the possibilities for their children to get Occitan courses in their school. The Occitan language is often treated worse than foreign languages.

In national education, the number of teachers teaching Occitan has raised from zero in 1991, to fifty in 2002.

Source: Eurolang, <http://www.eurolang.net/>, Lescar June 6, 2002, by Estève Cròs

Updated (October 2002)

EDUCATION

Schooling in minority languages in France shows a continuous increase. In total, the number of children and adults studying in Breton, Catalan, Occitan, Alsatian or Basque has raised between 5 to 15 percent, depending

on the regions concerned. However, a lack of teachers and a lack of infrastructure and financial means are the major difficulties influencing this positive development.

For the Breton Diwan school network this year is especially difficult. Its efforts to be integrated to the public school system were stopped after the French Council of State suspended the draft contracts last July. According to the Council of State, integration of immersion schools to the public system would breach the law from August 4, 1994, which states "French is the language of public education system in France." With the suspension comes also the cancellation of the promised financial support (300,000 Euro). As Anna-Vari Chapalain, the director of Diwan commented the state makes it impossible for school associations to receive funds and it also refuses to give them public status. Currently, Diwan has 2,800 students in 33 primary and 5 secondary schools.

The number of students studying in the minority languages is increasing but compared to the total number of students in the regions concerned it is still small. The Occitan school association "Calandreta," for example, will increase its student population from 1,890 in 2001 to 1,994 this year. Furthermore, four new schools – two in Pau, one in Montpellier and one nearby Nice were established. The President of Calandreta, Joan-Lovs Blenet, said that the schools have a potential to increase the number of students about 20 percent every year but a crucial point is to convince students that they enrich their lives with Occitan and to show teachers that it is interesting to work at schools. This year, Calandreta created eighteen positions for teachers. All of them should have signed a contract by now, but so far only seven have done so.

The Catalan Bressoles schools are in a better situation. They benefit from an important support from Catalonia that can provide means more easily thanks to the federal system in Spain. Even though no new school was opened this year while in the past five years, four new schools have joined the Catalan school network.

In total there are 472 children in seven Catalan immersion schools, without counting those 60 that could not be taken in because a lack of space. "Our aim is to be able to face the increasing interest of the parents, but we do not have means to satisfy these demands," says Joan-Pere Le Bihan, the head of the Bressoles schools.

Also in the Basque immersion schools "Ikastolak," the demands have multiplied. This year the student population reached 1,981 pupils, while last year it was about 101 students less.

Source: Eurolang News, Lescar September 30, 2002 by Estève Cròs & Margret Oberhofer, <http://217.136.252.147/webpub/eurolang/pajenn.asp?ID=3849>

Updated (March 2003)

THE BRETON LANGUAGE

EDUCATION

According to the Deixonne law (1951) and subsequent implementation measures, the Breton language and culture may be taught for 1 to 3 hours a week in public schools if a teacher is willing and able to do so. Extra teaching hours are offered outside the curriculum. Besides, there are some public and catholic schools, which are partly or totally bilingual. These bilingual sections at public schools are promoted by two organizations: Div-Yezh and Dihun, which have worked out their own bilingual education schemes.

Bilingual sections at the public education institutes can be created upon the request of at least 15 parents and with the consent of the mayor. The most favorable authority concerning the promotion of Breton is the Finistère Département, allotting FRF 5 million every year to maintain bilingual classes and develop learning materials.

DIWAN

Diwan (literally meaning “germ”) is an organization of parents and teachers who wish to create cultural surroundings favoring the Breton language by means of schools. In practice it can be compared with the Ikastola in the Basque Country or the Calandretas in Occitania. The network started in 1977, providing education at pre-primary and primary levels, and later on, in 1988, also at secondary level.

The educational practice used at these schools is based on a pedagogical principle, called “immersion education.” Children start their schooling in Breton and French is gradually introduced afterwards.

In 1994, Diwan signed a contract with the state and since then Diwan schools have had the status of private schools (according to the Debré Law). The State pays only the salaries of primary school teachers but it does not cover the costs connected with the other staff members, such as administrative personnel. If Diwan would like to establish a new school, the State will start to support it only after five years of running, what makes the opening of new schools very difficult.

PRE-SCHOOL EDUCATION

In nearly all pre-schools in Brittany French is the medium of instruction. Only several nursery schools take advantage of the legal possibility to spend one to three hours a week on regional language and culture. Due to the fact that Breton is a home language for only a small percentage of pupils its use is lower, even at schools with a particular attention to Breton.

At pre-primary classes of public bilingual schools children have 15 hours of activities in French and 12 hours in Breton. There are also classes with more Breton in use. All activities directed towards reading are done in French. More recently, analogous bilingual pre-primary classes were also created in catholic schools.

In Diwan pre-primary schools, where Breton is used as a medium of instruction, a child is immersed in a totally Breton language environment, so it can understand the language quickly and speak it effectively. Reading activities leading towards literacy training are also conducted in Breton.

PRIMARY EDUCATION

Primary education in France is governed by the framework Law on Education of July 10, 1989 and by the Decree No. 90-788 of September 6, 1990.

Even though most elementary schools use only French, there are some public and private schools with bilingual sections. Diwan schools use Breton almost exclusively.

Teaching through the medium of Breton makes up half of the teaching time in bilingual public and catholic schools (usually 6-12 hours a week). As for the public bilingual schools, two systems have been adopted: either pupils of a bilingual section spend a part of a day with a Breton speaking teacher or with a bilingual teacher, who uses alternatively Breton and French according to a fixed time schedule. Some bilingual schools use Breton for teaching Mathematics; others chose different subjects. In catholic schools, Breton is commonly used for teaching Religion, but there are no fixed rules.

The significant difference between catholic and public bilingual schools is in a number of teachers involved. While in catholic bilingual schools normally one teacher uses only one language, at public schools teachers use both Breton and French. In Diwan schools there is a strict rule that one teacher uses only one language, even if this implies sharing of the teachers between different classes. The number of lessons taught in Breton varies from 14 in the lowest class to 18 in the highest.

A survey from 1994 showed that some 5 percent of parents in the Département Finistère wished to send their children to a bilingual school if the opportunity was given.

SECONDARY EDUCATION

Bilingual sections in "college" include 15 hours of teaching in French and 12 hours in Breton per week. In "lycée" 6 to 7 hours a week are taught through the medium of Breton (History and Geography, Music, the Breton language). Since 1997, it is possible to sit for the exam of History and Geography in Breton (as an experiment in Lannion).

At Diwan schools Breton is the main teaching medium. It is used in some two thirds of teaching time, esp. for History, Geography, Natural Sciences and Mathematics, Drawing, Sports, Music and Computer Sciences. English is also introduced as a teaching language in some classes or courses. The Breton language surrounding is strengthened by the fact that Diwan collèges function as boarding schools.

In lower secondary schools, there are five options how to study the language:

- 1) Breton culture - aspects of Breton culture taught with other subjects (a less demanding subject)
- 2) Initiation - this affects some 2,500 pupils at public and 500 at catholic secondary schools (there are no official figures and no exams at this level)
- 3) Optional subject – can be studied up to the limit of three hours per week, but usually it is only one hour per week from the first grade of collège (there is no systematic evaluation of the results of this teaching)
- 4) Second/third modern language – is studied in the third and fourth grade of collège, normally 2-3 hours per week (in this case a real exam takes place)

In the last years the number of colleges offering Breton has declined.

- 5) Breton in bilingual education - the schools themselves decide about the amount of Breton taught.

HIGHER EDUCATION

In Brittany the traditional university towns are Brest, Rennes and Nantes.

The general diploma of university studies (DEUG) for Breton can be obtained at the Departments of Celtic Studies at the Universities of Rennes and Brest. Those who want to specialize further in Breton can for a year participate in a research leading to an advanced studies certificate and then towards a doctorate. At the University of Rennes students can specialize in the Breton language alone. In Brest students can study Breton together with some other subject (English, History, etc.). There are also catholic universities in Brittany offering basic courses in Breton for students at two levels.

Source: Mercator Education, Regional Dossiers, the Breton language in education in France

http://www1.fa.knaw.nl/mercator/regionale_dossiers/regional_dossier_breton_in_france.htm

THE BASQUE LANGUAGE

EDUCATION

According to the Deixonne law (1951) and subsequent implementation measures, such as the Savary circular (1982), the Basque language and culture may be taught for 1 to 3 hours a week in public educational institutions, if a teacher is willing and able to do so. Also extra teaching hours are offered outside the curriculum.

The Savary circular guarantees that bilingual sections in public education institutes can be set up upon the request of at least 15 parents and with the consent of the mayor.

Either in public or catholic and ikastola schools, the initiatives for introducing Basque have been encouraged by parents and teachers, rather than by officials.

The Seaska Association (which literally means “cradle”) was set up in Iparralde as an initiative of parents and teachers, who wish to recover the Basque language by immersion education. In 1969, it launched its first Basque medium school. Nowadays these ikastola schools can be found all over Iparralde and their number is still growing. The advantages of immersion teaching are that children are able to express themselves in Basque and to receive instructions through this language. Both school and after school activities are carried out in Basque.

Seaska had to wait until 1982 to receive funding from the State. The Ministry of Education took over the teachers’ salaries, took care of their training and established the conditions and the contents of teaching. Although formally private schools, the ikastolas receive also funding from local authorities. Parents have to contribute financially as well.

Besides the Seaska Association, there are other voluntary associations, promoting teaching of the regional languages.

- Ikas-bi (which means “learning two”) assembles parents of the children who receive bilingual education in public schools. The aim of Ikas-bi is to create positive awareness about the Basque language and to set up bilingual sections in public education.
- Euskal Haziak, the organization linking parents of children in the bilingual sections of confessional schools, works along the same lines.
- The organization Ikas for the teachers of Basque aims at creating good conditions for the Basque teaching and organizes monthly meetings in a teacher training college in Eskoriatze (in the Basque Autonomous Community). The meetings promote contacts between Basque teachers and facilitate the exchange of teaching methods.

Ikas has set up the Center for Educational Information in Ustaritze where teachers from Iparralde may consult their teaching materials.

The Basque Cultural Institute in Ustaritze is set up to promote the Basque language through the publication of literary works, theatre, youth magazines, etc., but has no primary responsibility over educational matters.

PRE-SCHOOL EDUCATION

Ikastola pre-primaries have appeared since 1969 practicing the method of linguistic immersion. In these pre-primary schools (ama eskola) all activities are carried out in Basque.

A less demanding place for Basque is in bilingual public and catholic schools where teaching is carried out half of the time in French and half in Basque, depending upon the subject. The pre-reading activities are in French but those preparing for Mathematics are in Basque. However, still in some 80 percent of the pre-primary sections in Iparralde only French is used.

ELEMENTARY EDUCATION

Categorization according to the language use:

- ≈ In the most Basque schools (ikastola schools) Basque is present almost everywhere, also in outdoor activities (model D).

Most of these immersion schools are situated in the coastal Lapurdi/Labourd area, where the level of basquization is lower than in the mountain areas. After finishing ikastola primary school children can attend either French language collèges or ikastola collèges.

- ≈ There are also public and private schools, which have bilingual streams (model B).

- ≈ In some schools Basque is taught as a subject (model A).

Iparralde elementary schools are allowed to teach Basque. The ikastolas teach most Basque per week, up to the same level as French (3-9 hours). In bilingual schools Basque is taught as a subject at least one hour per week, and it is also used in teaching other subjects. Since the 70s, there have been some schools where Basque is offered only as a subject, for 3 hours per week. However, it should be noted that it only functions to create a certain awareness of the language and not to develop full bilingualism. Since 1992 this possibility has been suppressed for catholic primary schools.

The ikastola primary schools have mainly Basque as a medium of instruction. French is introduced at the age of 7 for three hours per week, steadily increasing to 9 hours at the end of primary schooling. It is the aim of ikastola schools to develop a balanced bilingualism. At the ikastolas the special attention is paid to geography and history of the Basque Country.

Bilingual education is offered at Basque medium streams at public and catholic primary schools. In the public bilingual streams Basque is used for 12 hours a week (almost half of the teaching time) for Mathematics (6 hrs/week), Geography (1), Sciences (2), Physical Education (1), the Basque language (1) and partly for Arts (1). The classes normally split, when the pupils in the French language section remain with the same teacher, while those in the bilingual section are taught by a Basque teacher. In the bilingual streams at catholic schools an analogous teaching scheme is used, except that it is more a competence of a teacher to decide about the teaching language for each subject.

An interesting phenomenon is the stage called "intensif," organized by both Ikas-bi and Euskal Haziak. During summer children from the bilingual streams visit centers in a completely Basque speaking village (Azkarate/Ascarat or Arrangoitze/Arcangues) to play and to spend their free time. Outdoor activities make the children aware of their cultural environment as all village people speak only Basque. The stage intensif also fosters communication among peers participating from all over the Basque country. Moreover, during a school year, the whole classes are transferred into these centers where they follow a more traditional Basque immersion scheme for 3-5 days. The number of children participating annually in this activity is around 800 in the center of Ikas-bi.

SECONDARY EDUCATION

Secondary education in France is divided into two levels. The lower level, or collège, has four grades for 12 to 15 years old students. It is compulsory for everyone and gives an access to either vocational education or lycée. The lycées (from the age of 16 to 18) form the upper level of secondary education.

Basque may be chosen to be studied either as a second/third modern language or as an optional subject. It taught at least 3 hours in collèges and 2.5 hours in lycées. Since 1995 pupils can decide in which dialect of Basque they would like to do their baccalauréat (Navarro-Souletin, Labourdin or Euskara Batua (unified Basque)).

The ikastola collège "Xalvador" in Kanbo/Cambo offers Basque as a vehicular language for various subjects (Mathematics, Sciences, History). In the bilingual streams at collèges 15 hours per week are taught in French and 12 hours in Basque, with a different teacher for each language. Some important subjects are also taught in Basque (like History and Geography).

Since 1997 the baccalauréat for history and geography can be written in Basque.

HIGHER EDUCATION

Teaching of Basque is provided by the Departments of Basque at the Universities of Bordeaux (since 1948), Toulouse and Pau (since 1966). These three universities are situated outside Iparralde. Of course, the University of the Basque Country situated in Bilbo/Bilbao, Gasteiz/Vitoria and Donostia/San Sebastian also offers this teaching. Furthermore, Basque is taught at several other universities abroad (the University of Reno, Nevada (USA)). The study of Basque includes subjects as Basque civilization, language and literature as well as other modern languages.

Source: Mercator Education, Regional Dossiers, the Basque language in education in France, particularly in the North Basque country (Iparralde) occupying about two fifths (3,060 km²) of the French department Pyrénées-Atlantiques

http://www1.faknaw.nl/mercator/regionale_dossiers/basque_fr.htm

THE GERMAN LANGUAGE

PRE-SCHOOL EDUCATION

Instructions in infants' schools are given in French. Children can participate in a bilingual program, which means to have 13 hours of German and 13 hours of French. In the areas where is a large presence of dialect-speaking children, the medium of instruction may be Elsässer-Ditsch and later also German for the more formal activities, such as reading.

At all ABCM schools, except in Strasbourg, Elsässer-Ditsch is taught for 2-3 hours a week, while German is the medium of instruction for 13 hours. French makes up the remaining 10 hours.

In 2000, out of a total of 66,916 pre-school pupils in state schools, 1,736 (2.6 percent) had German for a few hours a week, 3,883 (5.8 percent) were in a bilingual program and 474 children followed a bilingual program at the ABCM associative schools.

PRIMARY EDUCATION

In elementary schools (from 6 to 11 years) instruction is given in French. In bilingual education, French is used as the medium of instruction in History, Geometry and French, while Mathematics, the Sciences, Geography and German are taught through the medium of German. Music, Sport and Arts and Crafts can be taught in either language.

Literacy training is generally first completed in French before switching to reading competence in German. As a rule, children learn to read in German and in French almost simultaneously. Alongside bilingual teaching, all students can study a regional language through the medium of German for 3 hours per week.

SECONDARY EDUCATION

Pupils have to study a first foreign language from the 1st year at collège (age 11 to 12). At the age of 13 (the 4th grade) they can choose either to begin a second foreign language or to intensify their knowledge of the first one.

German is usually studied as a foreign language with an average of three hours per week.

Trilingual Section

Trilingual sections were created in Alsace in 1986. In each school (collège), there is a so-called trilingual program, in which a student receives instructions in two foreign languages (mostly French, German or English). In the first grade of collège, pupils can begin with the simultaneous study of two foreign languages, generally German and English, taught for 3 hours per language per week. There are also some schools offering German-Italian or English-German sections. All collèges have at least one trilingual section per grade.

In 1985, a special program was introduced at collèges in order to enable Alsatian children to go on learning German based on the knowledge already acquired, and to start English simultaneously. Since the 2000 school year, all pupils who learned the regional language at primary school have been able to continue their education in the trilingual sections.

In the lycée all students learn two foreign languages. But in the baccalaureate it is only possible to choose one foreign language, and not two.

European Section

European sections at the collège level, where both German and French are used to an equal extent, were opened in 1992. This section could replace the bilingual sections for pupils who did not participate in a primary bilingual learning program. One or two subjects are taught in another language and in comparison with the trilingual sections, studying English is not compulsory. It is offered only from the 4th grade of collège onwards.

Bilingual Section

Since 1998, there have also been bilingual streams in collèges to receive children who emerged from first level bilingual teaching. The number of these bilingual classes is increasing every year.

Unlike the situation in elementary schools, bilingual classes at collèges are supposed to get 12 hours of teaching in the German language as follows:

- ★ 4 hours of German teaching (speaking, reading and writing)
- ★ 2 hours of Mathematics (a third hour is taught through the medium of French)
- ★ 2 hours of History and Geography (two other hours are taught through the medium of French)
- ★ 4 remaining hours are left for the school to choose among the sciences or other disciplines (Sport, Music, etc.)

At the end of their secondary schooling at the age of 15 or 16, children should acquire a competence in German comparable to that of French, especially in textual competence and oral communication.

“Abi-Bac”

Moreover, in several lycées, a stream called the “Abi-Bac” prepares pupils in the European sections and the bilingual streams for the French baccalaureate and the German Allgemeine Hochschulreife (Abitur).

In 1999/2000, the teaching of German concerned 69,356 students at collèges and 44,188 at general and technological lycées. The trilingual sections took in 21,028 pupils. The traditional bilingual program in the European groups (European sections) involved 6,766 students. Equal bilingual teaching time was given to 345 students.

HIGHER EDUCATION

There are four universities in Alsace, one of which, namely the University College for Journalism, has a specific policy for German. German philology can be studied at two universities. In 2000, 550 German students were enrolled and the number of students seems to be increasing. Except for Applied Foreign Languages, no other courses are taught in German.

Source: Mercator Education, Regional Dossiers, the German language in education in Alsace, France,
http://www1.f.a.knaw.nl/mercator/regionale_dossiers/regional_dossier_german_in_france.htm

Updated (June 2003)

OCCITAN

CALANDRETAS

One of the cultural organizations operating in France is the Association of Calandretas, which serves as a network of Occitan-medium schools. The

Calandretas started in 1979, providing education for children aged 2 to 6 in Occitan only. Later on they also provided education at primary level. The educational practice of these schools is based on a pedagogical principle called "immersion education," which means that children are first educated through the medium of Occitan and after several years also through French.

PRE-SCHOOL EDUCATION

The language used depends on the institution. At most play groups, nursery schools, and infant classes in state schools French is the medium of instruction. Some 5 percent of these state nursery school teachers make use of the legal possibility to spend up to three hours a week on regional languages and culture. Depending on the ability and dedication of the teacher, activities vary from awareness games, songs, stories, or nursery rhymes to specific language teaching.

In nursery classes of public bilingual schools or bilingual sections, children have 15 hours of activities in French and 12 hours in the regional language.

Occitan is used as the medium of education in Occitan playgroups, called calandretas. They are based mainly in towns where it is difficult to find any trace of Occitan in public life or in families. A child is immersed so that it can quickly understand the language and speak it effectively.

PRIMARY EDUCATION

In the académies of Bordeaux, Montpellier, Nice and Toulouse, which make up half of the relevant area, about 2,500 teachers (0.5 percent of their total number) include the Occitan language and culture into their lessons (up to a maximum of three hours a week). This teaching affects 49,000 pupils, what is 0.3 percent of the total number of pupils. Furthermore, there are eleven bilingual classes in public primary education catering for 280 pupils, and ten calandretas for 450 pupils. In the Occitan regions, private education represents some 11 percent of the total for primary schools (210,000 pupils).

Following the initiative of bilingual classes in public nursery schools, the teaching of Occitan also begins to develop in state primary schools. The official instructions of the Ministry of Education encourage this development. Since 1985, a project called "Projet pédagogique d'Occitan," which aims at introducing Occitan in various disciplines such as theatre and excursions has been organized in the Académie of Montpellier.

SECONDARY EDUCATION

Secondary education consists of two levels, each again subdivided into various learning cycles.

In the Occitan area (except the académie of Limoges, for which statistics are not available) there are 1,350 public schools for lower secondary education

and 510 private schools. For the second cycle of secondary education there are 680 public schools and 650 private schools.

Thirty percent of schools for lower secondary education offer Occitan as an optional subject only (académies of Bordeaux, Clermont-Ferrand, Montpellier, Nice and Toulouse). From the first year, there is the legal possibility to offer Occitan as an optional subject for a maximum of three hours a week. In some schools Occitan can be chosen as a second modern language in the third and fourth year (4th and 3rd class).

An increasing number of schools intend to include Occitan in their educational program, or to offer Occitan as the second language in an optional course. As a result, the number of pupils involved has increased.

In 1995, two schools for lower secondary education began a bilingual education program, which means that two subjects (Language/Literature, and History/Geography) are taught through the medium of Occitan for eight hours a week. In contrast to the development, which can be noticed in the schools for lower secondary education, the number of pupils choosing Occitan in these schools is decreasing. The notable increase, which took place in the 1970s, was slowed down by the various reforms, which emphasized the importance of compulsory and optional subjects, therefore reducing interest in other subjects, such as Occitan.

Occitan is offered as an optional subject at 60 percent of the schools for upper secondary education (lycées) in the académies of Bordeaux, Montpellier, Nice and Toulouse.

HIGHER EDUCATION

The general diploma of university studies (DEUG) in Occitan can be obtained in two years at the Departments of Literary Studies at the Universities of Bordeaux, Montpellier, Pau and Toulouse. A higher degree, called "the licence" (Bachelor of Arts) can be obtained in three years at the University of Montpellier. "The maîtrise" (Master of Arts) in Occitan can be obtained in Montpellier and Toulouse.

Still, the position of the Occitan language is fragile, as it depends heavily upon the goodwill of teachers and parents.

Source: Mercator Education, Regional Dossiers, The Occitan language in education in France, 1996,
http://www1.faknaw.nl/mercator/regionale_dossiers/regional_dossier_occitan_in_france.htm

Updated (July 2003)

CATALAN SECONDARY SCHOOL TO OPEN IN SEPTEMBER IN FRENCH CATALONIA

In 1976, the first Catalan primary school was opened in Perpinyà (Perpignan), the capital of the French part of Catalonia. Over the last 27 years, the Catalan schools movement called “Bressola” has set up seven educational centers with around 400 students studying through the linguistic immersion method.

Another step forward will be opening of the first Bressola secondary school in September in the town of El Soler, located a few kilometers from Perpinyà.

The reasons why this town was chosen are:

1. The town is strategically located, and many children from other towns can be easily brought there
2. The city council of El Soler has always shown a great interest in Catalan education and has made great efforts towards the realization of the project

In September, the first group of 17 students will begin their course. The educational strategy of Bressola prefers starting with a small group what makes it easier to adopt Catalan as the main language in class. In the following year the group is enlarged.

The Bressola network relies mainly on parental financial support, but also gets some financial aid from the Spanish part of Catalonia. More than 160 city and town councils support the schools, and so does the Catalan autonomous government, the Generalitat. Many Catalan citizens support an organization called “Friends of Bressola Association.”

On the other hand, the French government gives very little. The General Council of the Department of the Pyrénées Orientales, which covers the French part of Catalonia, gives only FRF 40,500 (6,174 Euro) per year, while the general budget of the Bressola reaches five million francs (over 762,000 Euro) per year.

This financial problem causes difficulties because according to official surveys, around 40 percent of the families living in the French part of Catalonia want their children to learn Catalan, but only 2 percent have an effective access to this education.

Source: Eurolang News, Bilbao, July 16, 2003, by Jaume Clotet, <http://217.136.252.147/webpub/eurolang/pajenn.asp?ID=4330>

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

Updated (April 2001)

The debate about non-ratification of the European Charter for Regional or Minority Languages has at least resulted in fruitful consequences. Despite the lack of their recognition in the French Constitution languages other than French are presented at schools.

The main goal is to establish the recognition of the diversity of cultural identities, to guarantee the instructions in lesser-used languages (through parental consent), to create public centers where these languages shall be taught and to train teachers. Languages such as Occitan, Basque, Breton, Catalan, Alsatian or Corsican will thus be able to be a part of the public educational service.

What else can be found about languages and minorities?

Updated (March 2002)

In February, the National Institute of Surveys and Economic Studies (INSEE) published the results of its survey about the linguistic situation in France. The INSEE survey was conducted as a part of the population census questionnaire in 1999. This is the first survey of its kind in France and the results are clear: The French environment is very unfavorable to multilingualism and regional languages are endangered. There is a lack of encouraging policy for conservation and use of regional languages.

26 percent of the respondents said that his/her parents (one or both of the parents) spoke another language than French. This percentage represents 11,5 million people. Half of them quoted a minority language as the language spoken, and the other half quoted it as a foreign language. In other words, around 5,5 million people had daily contact with a minority language at the age of five. In 60 percent of the cases, the minority language was used simultaneously to French. But as consequence of the lack of a linguistic, educational and media policy for minority languages, these languages are now used seldom. The situation is worse for minority languages than for foreign languages.

610,000 people said they had Occitan as a customary language, and as first language in his/her childhood. Another 1,060,000 people said they had Occitan as their second language. The problem is to practice the language because only 37 percent of those who inherited it from his/her family speak it now.

Regarding Breton, 280,000 respondents had it as a customary language and 400,000 people had it as a second language. For Alsatian speakers, these numbers are 660,000 and 240,000.

INED's final conclusion was that there were currently

548,000 Alsatian speakers,

526,000 Occitan speakers,

304,000 Breton speakers,

and 204,000 people speaking the Oil dialects.

There are 132,000 Catalan speakers, 122,000 Corsican speakers, 78,000 Francic-Lorrain speakers and 44,000 Basque speakers. All these were considered to be daily speakers. The use of the languages within the families seems to be closely connected to big political events. A decline of regional languages can be noticed during the whole 20th century, and at the same time an acceleration of the "Francisation" phenomenon is noticed during fifteen years since the World War II.

Updated (May 2002)

The outcome of the presidential election in France on May 5, 2002, giving Jacques Chirac an overwhelming 82 to 18 percent victory over Jean-Marie Le Pen, has caused positive reactions throughout Europe and is also called a victory of democratic values. However, for the speakers of French regional or minority languages, Chirac's victory still means no change to the current wording of the French Constitution, declaring that French is the language of the Republic. Jacques Chirac stated that he is in favor of regional languages, but he made it clear that he is not prepared to neither change the Constitution, nor to ratify the European Charter for Regional or Minority Languages.

"Everybody says that they are in favor of regional languages - even the extremists - because they can't say that they're against them. But in reality they are," minority representatives commented after the first round of the presidential elections two weeks ago. *Freedom and Equality for our Languages*, a coordinated group of over twenty regional and minority language organizations in France, has however declared a firm intention to pursue their work aimed at changing the Constitution and ratifying the charter.

Source: Eurolang News, <http://www.eurolang.net/>

Updated (January 2003)

USE AND TRANSMISSION OF ALSATIAN IN DECLINE

According to the results of the INSEE (the National Institute for Statistics and Economic Research) survey for the Eastern region in France, 545,000 persons over the age of 18 speak Alsatian, and around 500,000 of them do actually also live in Alsace. However, most likely they are not settled in the

urban areas of Strasbourg, Colmar and Mulhouse, where few people speak the regional language.

Based on the latest information, 51 percent of Alsatian speakers were born in Alsace. Only 16 percent of those born outside Alsace speak Alsatian.

Age also plays an important role when 60 percent of people born before 1945 speak Alsatian, compared to only 40 percent of those born after 1970. This drop in the language use started after World War II, when French was given priority and French men from other parts of the country settled in Alsace.

Only 8 percent of Alsatian speakers have not learned the language at home. The transmission of Alsatian is mainly carried out from parents to their children, but this trend has clearly declined since the beginning of the 20th Century – from 90 percent to only 50 percent in 1970s. Nowadays, 25 percent of children learn the Alsatian language from their parents.

Source: Eurolang News, Brussels, January 8, 2003, by Margret Oberhofer, <http://217.136.252.147/webpub/eurolang/pajenn.asp?ID=4025>

A NEW REPORT CONFIRMS SHARP DECLINE IN INTER-GENERATIONAL TRANSMISSION OF BRETON

With 257,000 people claiming to use the language regularly, Breton is by far the top contributor to linguistic diversity in the region. It comes well ahead of English (111,600), Gallo - the other minority language spoken in Brittany (28,300) and Spanish (24,300).

According to the official report by INSEE (the French National Institute for Statistics and Economic Research), 12 percent of adults speak Breton regularly overall ranging from 20 percent in Finistère (West) to 0.7 percent in Loire-Atlantique (South). This study clearly indicates that Breton is a territorial language, spoken nearly exclusively in Brittany.

However, more alarming is the age structure of the Breton speaking population and the sharp decline in the rate of transmission of the language. Half of the speakers are over 65 years old and seventy-five percent are over 50. Today, only 6 percent of children learn Breton from their parents as opposed to 60 percent in the 1920s. Interestingly, 19 percent of people who were taught Breton by both parents transmit the language to their own children as opposed to 8 percent of those who spoke Breton only with one parent.

Strikingly, 90 percent of the current speakers learnt the language from their parents. Only one out of eight learnt it with friends or in evening classes. However, according to the survey, 50 percent of those who have learnt Breton do not speak it anymore.

The Breton language is now in such a critical situation that without political willingness to support its fight for survival the language will be extinct soon.

Source: Eurolang News, Douarnenez, January 23, 2003, by Yann Rivallain,
<http://217.136.252.147/webpub/eurolang/pajenn.asp?ID=4056>

APPENDIX A

MAP OF FRANCE



APPENDIX B

FRANCE - CONSTITUTION

(Adopted on September 28, 1958 - Fifth Republic)

(Amended in 1962 - presidential elections)

(Amended in 1992 - Maastricht Treaty)

(Amended in 1993 - immigration law)

(Amended on July 26, 1995 - referendum)

(Document Status on June 25, 1992)

Article 2 (State Form and Symbols)

2) The language of the Republic is French.

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

LAW NO. 94-665 OF 4 AUGUST 1994 RELATIVE TO THE USE OF THE FRENCH LANGUAGE

Be it enacted, by the President of the Republic of France, by and with the advice and consent of the Constitutional Council through its decision No. 94-345 DC dated 29 July 1994, and the authority of the National Assembly and the Senate as follows :

This version incorporates the changes made in compliance with the decision of the Constitutional Council dated July 29, 1994 as well as the change made to the second paragraph of Article 5 by Law No. 96-597 of 2 July, 1996 on the modernisation of financial activities.

Article 1

Established by the Constitution as the language of the French Republic, the French language is a key element in the personality and the heritage of France. French shall be the language of instruction, work, trade and exchanges and of the public services.

It shall be the chosen bond between the States comprising the community of French-speaking countries.

Article 2

The use of French shall be mandatory for the designation, offer, presentation, instructions for use, and description of the scope and conditions of a warranty of goods, products and services, as well as bills and receipts. The same provisions apply to any written, spoken, radio and television advertisement. The provisions of the present article shall not apply to the names of typical products and specialities of foreign origin known by the general public. Legislation relative to brands shall not prevent the application of the first and second paragraphs of the present Article to the remarks and messages recorded with the brand.

Article 3

Any inscription or announcement posted or made on a public highway, in a place open to the public or in a public transport system and designed to inform the public must be expressed in French. If the inscription drafted in breach of the foregoing provisions is posted by a third user on a good belonging to a public corporate body, the latter must serve a formal notice on the user demanding him to cease the observed irregularity at his own expense and within the deadline set by the public corporate body. If the formal notice is not complied with, depending on the seriousness of the breach, the use of the good may be withdrawn from the offending party, irrespective of the stipulations of the contract or the terms of authorisation granted the said offending party.

Article 4

Where inscriptions and announcements referred to in Article 3 hereabove and posted or made by public corporate bodies or private persons on a public service assignment are the subject of translations, the translations must be at least two in number. In all cases where the remarks, announcements and inscriptions referred to in articles 2 and 3 of the present law are completed by one or more translations, the presentation in French must be as legible, audible and intelligible as the presentation in the foreign languages. A decree enacted by the Council of State specifies the cases and conditions for dispensation from the provisions of the present Article in matters concerning international transport.

Article 5

Whatever the substance and form, contracts signed by a public corporate body or a private person on a public service assignment must be drafted in French. Such contracts may neither contain expressions nor terms in a foreign language where a French term or expression with the same meaning exists and is approved under the conditions provided for by the rules relative to the enhancement of the French language. These provisions do not apply to contracts entered into by a public corporate body managing activities of an industrial and commercial nature, the Banque de France or

the Caisse de dépôts et consignations when such contracts are to be wholly performed outside the national territory. For the application of the present paragraph, those contracts considered to be wholly performed outside France are loans floated under reservation of Article 131 quater of the French General Tax Code and contracts relative to the provision of investment services as defined by Article 4 of Law No. 96-597 of 2 July 1996 on the modernisation of financial activities which come within the remit of a foreign jurisdiction for their performance. The contracts referred to herein, which are entered into with one or more foreign contracting parties may include, in addition to the French version, one or more versions in a foreign language that shall equally be taken as authentic. A party to a contract entered into in breach of the first paragraph may not avail itself of a provision in a foreign language which may be detrimental to the opposing party.

Article 6

Any participant in an event, seminar or convention organised in France by natural persons or corporate bodies of French nationality has the right to express himself in French. Documents distributed to participants before and during the meeting for the presentation of the programme must be drafted in French and may include translations in one or more foreign languages. Where an event, seminar or convention involves the distribution of preparatory documents or work documents to participants, or the publication of proceedings or minutes of work sessions, the texts or papers presented in the foreign language must be accompanied by at least a summary in French. These provisions apply neither to events, seminars and conventions exclusively organised for foreigners, nor to events designed to promote France's foreign trade. Provision must be made for translation services when the events herein referred to are organised at the initiative of a public corporate body or private corporate body carrying out a public service assignment.

Article 7

Publications, reviews and papers distributed in France and drafted in a foreign language, shall include at least a summary in French when the said publications, reviews and papers are issued by a public corporate body, a private person on a public service assignment or a private person subsidised by public funds.

Article 8

The last three paragraphs of Article L. 121-1 of the labour code are replaced by four paragraphs drafted as follows: "The employment agreement expressed in writing must be drafted in French. "Where the position covered by the agreement can only be designated by a foreign term without an equivalent in French, the employment agreement must include an explanation in French of the foreign term. "Where the employee is a

foreigner and the agreement is put in writing, the said contract must be translated, at the employee's request, into his native tongue. Both documents shall be considered as authentic and receivable in court. Should any inconsistency be observed between the two texts, only the agreement drafted in the native tongue of the foreign employee may be used against the latter. "The employer cannot invoke the provisions of an employment agreement concluded in breach of the present article against an employee prejudiced thereby."

Article 9

I. -

Article L. 122-35 of the labour code is completed by the paragraph below: "The company rules shall be drafted in French. Translations in one or more foreign languages may be attached to them."

II. -

Article L. 122-39-1 herebelow is inserted after Article L. 122-39 of the labour code: "Article L. 122-39-1. - Any document containing obligations for the employee or provisions which the employee needs to know for the proper execution of his work shall be drafted in French. Translations in one or more foreign languages may be attached to it. "These provisions do not apply to documents received from abroad or written for foreigners."

III. -

In the first and third paragraphs of Article L. 122-37 of the labour code, the words: "articles L. 122-34 and L. 122-35" are replaced by the words: "articles L. 122-34, L 122-35 and L. 122-39-1".

IV. -

Article L. 132-2-1 herebelow is inserted after Article L. 132-2 of the labour code: "Article L. 132-2-1. - Labour agreements, union contracts and corporate or institution agreements must be drafted in French. Any provision drafted in a foreign language shall be non-invocable against the employee at which the grievance is directed"

Article 10

The third paragraph of Article L. 311-4 of the labour code is as follows: "3° A text written in a foreign language. "Where the employment or position offered can only be designated by a foreign term without an equivalent in French, the French text must include a sufficiently detailed description to avoid any misleading interpretation as defined by paragraph 2 above. "The provisions of the two preceding paragraphs apply to services to be carried out on French territory, whatever the nationality of the author of the offer or employer, and to services to be performed on non-French territory when the

author of the offer or employer is French even though perfect knowledge of a foreign language may be one of the conditions required for acquiring the position offered. Nonetheless, in France, directors of publications written entirely or partly in a foreign language may accept job offers drafted in this language."

Article 11

I. -

The language of instruction, examinations and competitive examinations, as well as theses and dissertations in State and private educational institutions shall be French, except for cases justified by the need to teach foreign and regional languages and cultures or where the teachers are associate teachers or guest teachers. Foreign schools or schools specially set up to teach Foreign nationals as well as institutions providing instruction of an international nature are not bound by this obligation.

II. -

The following paragraph has been inserted after the second paragraph of Article 1 of the education framework law No. 89-486 of July 10 1989: "The command of the French language and the knowledge of two other languages are part of the fundamental goals of education."

Article 12

Article 20-1 herebelow has been inserted before Chapter 1 of Section II of law No. 86-1067 of 30 September 1986 relative to the freedom of communication: "*Article 20-1.* - The use of French is compulsory in all the programmes and advertising messages of radio and television broadcasting organisations and services, whatever their mode of dissemination or distribution, with the exception of motion picture and radio and television productions in their original language version. "Subject to the provisions of point 2b of Article 28 of the present law, the foregoing paragraph shall not apply to musical works which contain text written wholly or partly in a foreign language. "The obligation laid down in the first paragraph applies neither to programmes, parts of programmes or advertisements included in the latter which are designed to be fully broadcast in a foreign language or which aim at the teaching of a language, nor to broadcasts of religious ceremonies. "Where the broadcasts or advertising messages referred to in the first paragraph of the present Article are accompanied by translations in a foreign language, the presentation in French must be as legible, audible and intelligible as the presentation in the foreign language."

Article 13

Law No. 86-1067 of 30 September 1986 referred to above is amended as follows:

I. -

The following paragraph has been inserted after the sixth paragraph of Section II of Article 24: "- respect of the French language and influence of the French-speaking community."

II. -

Point 4b has been inserted after point 4 in Article 28 as follows: "4b. Provisions capable of ensuring the respect of the French language and the influence of the French-speaking community;"

III. -

Point 2b has been inserted after point 2 in Article 33 as follows: "2b. Provisions capable of ensuring the respect of the French language and the influence of the French-speaking community;"

Article 14

I. -

It is strictly forbidden for public corporate bodies to use a trademark, trade name or service brand made up of a foreign expression or term when an equivalent French term or expression with the same meaning exists and is approved under the conditions defined by the provisions of the rules relative to the enhancement of the French language. This proscription also applies to private corporate bodies on a public service assignment during the performance of this assignment.

II. -

The provisions of the present article are not applicable to brands used for the first time before the present law came into force.

Article 15

Beneficiaries of all types of grants and subsidies from public authorities and institutions are required to comply with the provisions of the present law. Non-compliance with the foregoing may lead to the total or partial refunding of the subsidy or grant, after the concerned party has been summoned to provide explanations.

Article 16

In addition to the officers and agents of the criminal investigation department acting in compliance with the rules of criminal procedure, the agents listed in points 1, 3 and 4 of Article L. 215-1 of the consumer code are empowered to seek out and report breaches of the provisions of texts drafted for the application of Article 2 of the present law. To this end, agents are authorised to enter, during the day, the premises and vehicles listed in the first paragraph of Article L. 213-4 of the same code, and other places where the activities mentioned in Article L. 216-1 are carried out, with the exception of places which are also used for residential purposes. They may ask to consult documents necessary for carrying out their task, make copies of them and collect the information and proof required for fulfilling their task either directly on the suspected party's premises or by summons to the agents' premises. They may also take a sample of the goods or products implicated under the conditions provided for by decree of the Council of State.

Article 17

Whosoever shall directly or indirectly impede the work of the agents mentioned in the first paragraph of Article 16 and consequently prevent them from carrying out their task, or refuse to place at their disposal all the means required for this purpose, shall be liable to the penalties provided for in the second paragraph of Article 433-5 of the criminal code.

Article 18

Breaches of the provisions of the texts drafted for the application of the present law shall be notified by reports which shall be considered as authentic documents unless the contrary is proved. Under penalty of becoming null and void, the reports must be addressed within the five days following their drafting to the *Procureur de la République* (French chief prosecutor). A copy shall also be provided to the interested party within the same time frame.

Article 19

Article 2-14 drafted as follows has been inserted after Article 2-13 of the rules of criminal procedure: "*Article 2-14.* - Any association constituted in compliance with relevant laws and declaring in its articles the defence of the French language and approved under the conditions defined by decree of the Council of State may exercise the rights of a plaintiff in matters concerning breaches of the provisions of the texts drafted for the application of articles 2, 3, 4, 6, 7 and 10 of law No. 94-665 of 4 August 1994 relative to the use of the French language."

Article 20

The present law is a public policy law. It shall apply to contracts entered into after it comes into force.

Article 21

The provisions of the present law apply without prejudice to the legislation and regulations relative to regional languages in France and is not against their use.

Article 22

Each year, the Government shall communicate to the assemblies before 15 September, a report on the application of the present law and provisions of international agreements and treaties relative to the status of the French language in international institutions.

Article 23

The provisions of Article 2 shall come into force on the date of publication of the Council of State decree, which defines breaches of the provisions of this Article, no later than 12 months after the publication of the present law in the *Journal Officiel*. The provisions of articles 3 and 4 of the present law shall come into force six months after Article 2 comes into force.

Article 24

Law No. 75-1349 of 31 December 1975 relative to the use of the French language is repealed, with the exception of articles 1 to 3 thereof, which will be repealed when Article 2 of the present law comes into force, and Article 6 thereof which will be repealed on the date Article 3 of the present law comes into force. The present law shall be enforced as a State law.

Drafted in Paris, on this day of 4 August 1994

François MITTERRAND

Par le Président de la République :

Le Premier ministre, Édouard BALLADUR

Le ministre d'État, ministre de l'intérieur, et de l'aménagement du territoire,
Charles PASQUA

Le ministre d'État, garde des sceaux, ministre de la justice, Pierre Méhaignerie

Le ministre des affaires étrangères, Alain JUPPÉ

Le ministre de l'éducation nationale, François BAYROU

Le ministre de l'économie, Edmond ALPHANDÉRY

Le ministre de l'équipement, des transports et du tourisme Bernard BOSSON

Le ministre du travail, de l'emploi et de la formation professionnelle, Michel GIRAUD

Le ministre de la culture et de la francophonie, Jacques TOUBON

Le ministre du budget, porte-parole du Gouvernement, Nicolas SARKOZY

Le ministre de l'enseignement supérieur et de la recherche, François FILLON

CIRCULAR OF MARCH 19, 1996 CONCERNING THE APPLICATION OF LAW NO. 94-665 OF 4 AUGUST 1994 RELATIVE TO THE USE OF THE FRENCH LANGUAGE

(Journal Officiel of March 20, 1996)

The Law of August 4, 1994 relative to the use of the French language was completed by several regulations : the decree of 3 March 1995 notably defining breaches of the law and related penalties, and the order of 3 May 1995 authorising five associations for the defence of the French language to take legal action.

This circular, dated 19 March 1996, supplements these regulations by defining the scope of the law, particularly as regards the use of the French language for the marketing of goods and services, during seminars and conventions, in companies and education.

Paris, 19 March 1996

From the Prime Minister to the ladies and gentlemen, the ministers and secretaries of State.

Article 1 (Purposes of the Law)

The law of 4 August 1994 relative to the use of the French language replaces the law of 31 December 1975, extending its scope and strengthening its provisions. This text is the tangible rendition of the constitutional principle recognised in 1992 according to which the language of the Republic is French. It lays down the mandatory, but non-exclusive use of the French language in specific areas defined so as to guarantee the right of citizens to use their language in certain circumstances of their daily lives. However, the aforementioned text neither includes nor provides for a

list of terms or expressions which may be prohibited or whose use may be made compulsory. Nevertheless, lists of terms recommended for use have been drawn up by terminology commissions. These lists are regularly published in the Journal Officiel. They may also be consulted on France Télécom's Minitel server. (36-17 NORMATERM)

Article 2 (Scope of the Law)

The law concerns private persons as well as public persons. However, some of these provisions are more restrictive for public corporate bodies and for private persons undertaking a public service assignment (see point 2.6).

2.1. The use of the French language for the marketing of goods, products and services

2.1.1 Articles 2, 3, and 4 of the law provide for the mandatory use of the French language in the designation, offer and presentation of goods, products and services as well as in general public information inscriptions and announcements. The following are concerned:

1. All documents designed to inform the user or consumer: labels, prospectuses, catalogues, brochures and other informative documents, purchase orders, delivery notes, warranty certificates, instructions for use, menus and wine lists, bills, receipts, till receipts, playbills, transport tickets, subscription agreements (insurance agreements, financial service offers, etc.). Instructions for use programmed into computer software programs and video games and displayed on screens or other audio announcements shall be considered to be instructions for use. Consequently, instructions for use concerning application software and operating programs must be written in French, whether they are written on paper or programmed into the software. Bills and other documents exchanged between professionals, French and foreign private corporate bodies which are not the consumers or end users of the goods, products or services are not concerned by these provisions.

2. Inscriptions on products, on their packing or packaging. In the case of goods and products with inscriptions which are engraved, moulded or woven in a foreign language, terms or expressions can be accepted without a translation, if they are terms or expressions that have become part of everyday usage or stem from the application of international conventions (e.g. on/off, made in, copyright).

3. All written, spoken or broadcast advertisements concerning the marketed goods, products or services. Considering the exceptions provided for in Article 12 of the law in favour of motion picture, radio and television and musical productions in their original language version, the provisions of articles 2, 3 and 4 are not applicable to excerpts from the original work in a foreign language included in an advertisement broadcast by the television and radio services. This rule also applies to all advertisements broadcast in

a public place. Advertisements included in programmes or parts of a programme designed for the learning of a foreign language or which are designed to be fully broadcast in a foreign language (for example, advertisements which are part of programmes from foreign channels transmitted by cable or satellite or part of a foreign language radio or television programme broadcast by national operators for foreigners living in France). It is obvious that advertisements placed in press publications which are printed entirely in a foreign language are not concerned by the foregoing.

4. Public information inscriptions or announcements. The foregoing comprises information of a non-business nature provided in the form of inscriptions or announcements posted or made on public highways or in places open to the general public belonging to either private persons or to the public (railway stations, airports, bus stops, bus and coach stations, theatres, music venues, cafés, restaurants, museums, shopping centres, shops, etc.) and in public transport vehicles be they private or state operated.

5. Remarks and messages recorded with the brand. The provisions of the law apply neither to corporate names nor to signs, business names, trademarks, trade names or service brands. Brands and offshoots of brands comprising one or more foreign terms may therefore be filed, registered and used in France without a translation. Nevertheless, considering the provisions of the last paragraph of Article 2 of the law, the remarks and messages attached to the brand in a foreign language must, when used in France, include a translation in French which is as legible, audible or intelligible as the presentation in the foreign language. This rule shall also apply even when these remarks and messages have been registered as part of a brand in compliance with copyright law. Remark shall be understood to mean all descriptive remarks used to designate a characteristic of a good, product or service as well as all generic remarks or remarks usually designating, in everyday or professional language, a good, product or service. Message shall be understood to mean any message designed to inform the public or draw its attention to one or more characteristics of a good, product or service. The mandatory use of the French language is applicable immediately after the coming into force of the law to all remarks and messages attached to the brand or registered as part of a brand whatever the date on which the latter was filed or registered or came into service.

2.1.2. In all cases, a translation in one or more foreign languages may be attached to the French version. However, the presentation in the French language must be as legible, audible or intelligible as the presentation in the foreign language. This principle implies that a remark, inscription or announcement made in another language must not because of its size, script, colour, sound volume or any other reason be better understood than the French version. Announcements or inscriptions used to impart information to the public should preferably be formulated first of all in the

French language. However, it is not required that the two presentations be similar or that the means of expression used by the two versions be parallel. Furthermore, the translation is not required to be a word for word translation, so long as the meaning and nuances of the original text are successfully conveyed. The same rules apply to instructions for use whose presentations in the French and foreign languages must all be as comprehensible and as complete as each other. A text is considered to be incomprehensible if the reader is obliged to consult a version in another language to understand it.

2.1.3. The above provisions are applicable at the time of the marketing in France of goods, products or services whatever their origin. The aim is to ensure the protection of consumers to enable them to buy and use a product or enjoy services after having obtained full knowledge of the nature, use and warranty conditions of the said product or service. Nevertheless, the provisions of Article 2 of the law are not applicable to typical products and specialities of foreign origin: names of certain specific widely-known products (for example, chorizo, cookie, couscous, gin, hot dog, jeans, paella, pizza, sandwich, etc.) as well as the foreign names protected in France subsequent to international agreements (i.e.: gorgonzola, scotch whisky, etc.) may be used without translation. During customs clearance, only the customs declarations must be made in French. Customs services may, wherever necessary, request a French translation of the documents attached to these declarations. Export and re-export transactions or transactions carried out before the marketing of goods, products and services introduced into France are not concerned by the foregoing. Thus semi-finished products of foreign origin or products exhibited at trade fairs, shows and exhibitions exclusively reserved for professionals and which are not the direct object of transactions may be presented in a language other than French.

2.2. The use of French during events, seminars and conventions Article 6 of the law defines the obligations binding on French nationals who organise an event, seminar or convention in France.

2.2.1 Scope The organisers concerned are the actual organisers. Those considered as such include: the client and any other French body participating in the financing or organisation of the event, for example, a national organisation committee in France acting on behalf of a foreign company. A person governed by French law and charged with the scientific organisation, mainly in the form of gathering, selecting and evaluating contributions, is also considered to be an organiser. However, service providers called on for the logistics of the event (travel agencies, hotels, equipment rental businesses, etc.) are not organisers within the meaning of the law. The law is drafted to cover all public meetings ranging from those organised to discuss scientific, economic, technical and cultural questions to those making a public presentation of an activity. However, the law does not apply to private events or in-house corporate events, on the condition

that the provisions set forth in Article L. 122-39-1 of the labour code are complied with (see point 2.3 hereafter).

2.2.2. Four categories of obligations are mandatory for the organisers: All French-speaking participants must be able to express themselves in French. It is therefore a breach of the law to provide for all papers and discussions to be presented and held in a foreign language only. Notwithstanding the foregoing, except for cases where the event is initiated by a public corporate body or a person performing a public service assignment, the right of participants to express themselves in French does not necessarily imply the provision of a simultaneous or consecutive translation service. Programme presentation documents distributed to participants before and during the meeting must be available in French. These documents concern mainly leaflets and posters announcing the event and registration documents or invitations addressed to prospective participants. Preparatory documents or working documents distributed in a foreign language to participants must be at least summarised in French. Papers or speeches presented in a foreign language and included in the published proceedings or minutes of the work sessions must be accompanied by at least a summary in French.

2.2.3. The foregoing provisions do not apply to:

1. Events, seminars and conventions exclusively aimed at foreigners irrespective of the nationality of the organiser.
2. Events to promote France's foreign trade.

2.3. The use of the French language in companies

Articles 8, 9 and 10 of the law amend the labour code in order to enable all French employees to use French as the working language. The said articles also stipulate that a foreign employee has the right to a translation of his employment agreement into his native tongue.

2.3.1. Scope The use of the French language is mandatory for:

1. The employment agreement. This concerns written employment agreements, whether they are performed in France or abroad. Agreements outside the scope of this law include: - Non-written agreements, such as certain long-term agreements; - Agreements signed abroad even if they are to be fully or partly performed in France. Where the position covered by the agreement can only be designated by a foreign word, without an equivalent in French, then a description in French of the said position must be attached to the document.
2. Company rules: Given the provisions of Article L. 122-39 of the labour code, service memoranda and all other documents concerning general and permanent stipulations covering issues governed by company rules (hygiene and safety rules, rules relative to discipline) must also be drafted in French.

3. Labour agreements and union contracts and corporate or institution agreements.

4. Any document including obligations for the employee or provisions which the employee needs to know for the proper performance of his work. Such essential documents include particularly accounting or technical documents required for the performance of a job (for example, maintenance manuals used by a maintenance department). Furthermore, compliance with safety rules within the company means that user manuals and instructions for use concerning hazardous substances or machines of foreign makes destined to be used in a company in France must be drafted in or translated into French. The documents referred to in paragraphs 2 and 4 hereabove may include a translation into one or more foreign languages.

5. Advertised vacancies or announcements for home work: These concern offers published in newspapers, reviews or periodical publications concerning services to be performed on the French territory irrespective of the nationality of the author of the offer or employer, and services to be performed outside the French territory when the author of the offer or employer is French. Author of the offer shall be understood to mean the recruitment agency or person whose address is on the advertised vacancy or position.

2.3.2. The following are exempted from the foregoing obligations:

1. Documents received from abroad or destined for persons of foreign nationality, particularly documents relating to the international activity of a company;

2. Advertised vacancies or contracts to be performed outside French territory, where the authors or employers are foreigners;

3. Advertised vacancies or contracts inserted in publications drafted entirely or partly in a foreign language such as publications drafted in border countries or designed for foreigners living in France.

2.4. The use of the French language in education Pursuant to the terms of Article 11 of the law, French shall be the language of instruction, examinations and competitive examinations as well as theses and dissertations.

2.4.1. The law is applicable to both State and private (under State contract or not) educational institutions, and to all levels of education and all courses.

2.4.2. Nevertheless, the following are exempted from the obligations laid down by law: - Foreign schools or schools especially set up to receive foreign pupils; - Institutions providing instruction of an international nature. For example, institutions offering courses in foreign languages and in French

and made up for at least 25% of foreign pupils or students; - Instruction provided in foreign languages by associate teachers or guest teachers. This instruction may result in an assessment in a foreign language. Furthermore, according to the procedure of thesis co-supervision, defined by a decree of 18 January 1994 from the Minister in charge of Research, the thesis shall be written in one of the national languages of the two countries concerned and complemented by a summary in the other language; - Courses carried out as part of a programme to teach regional or foreign languages and cultures; areas concerned involve courses taught in regional or foreign languages in the European or bilingual section of an institution and representing at the most 50% of the total volume of teaching in these sections.

2.5. The use of French on radio and television Articles 12 and 13 of the law amend the law of 30 September 1986 relative to the freedom of communication so as to encourage all services broadcasting from the national territory to use the French language and thus contribute to the development of the French-speaking community. The *Conseil supérieur de l'audiovisuel* (the French television and radio supervisory council), which is responsible for the application of the law of 4 August 1994 in the radio and television sector, is responsible for ensuring the mandatory use of French in all programmes and advertising messages deriving from radio and television agencies and services, apart from the exceptions allowed by law. In the event of observed breaches in this field, the council may enforce penalties laid down by the law of 30 September 1986.

2.6. The use of the French language by public persons In certain cases, the law lays down for public corporate bodies and private persons undertaking a public service assignment more restrictive obligations than those defined for private corporate bodies.

2.6.1. Concerned bodies The law is aimed at public corporate bodies, i.e., the State, regional and local authorities and public institutions placed under the supervision of the former, as well as private corporate bodies in charge of a public service assignment for the activities they carry out within the framework of this assignment.

2.6.2. The particular mandatory obligations for these persons are as follows:

1. Where inscriptions and announcements referred to in Article 3 of the law stem from public persons or persons charged with a public service assignment and a translation is deemed necessary - for example, if these registrations and announcements are intended in particular for travellers or foreign visitors - there must be at least two translations. A decree shall specify the exemptions if any in the field of international transport, taking into account the technical and financial constraints connected with making the infrastructures and means of transport comply with standards.

2. Pursuant to the terms of Article 5 of the law, only contracts entered into by public corporate bodies managing activities of an industrial and commercial nature which are to be wholly performed outside the national territory may be written in a language other than French or contain foreign expressions or terms which have French equivalents. All other contracts, whatever their substance and form, to which a public corporate body or a person responsible for a public service assignment is party, shall include an original version in the French language.

3. Public corporate bodies or persons on a public service assignment who organise an event, seminar or convention shall be subject to the obligations laid down by Article 6 of the law relative to private organisers. They are further required to make provision for a translation service to enable, first, people speaking in French to be understood by all the participants, and second, those members of the audience speaking only French to understand the speeches made in a foreign language. A simultaneous translation service is not mandatory.

4. Article 7 of the law extends to private persons receiving public subsidies the obligation imposed on public corporate bodies or private persons in charge of a public service assignment to include at least a summary in French of publications, reviews and papers drawn up in a foreign language and which they distribute in France. The summary must be representative of the text in question and must not, for example, be limited to a repetition of the chapter headings.

5. With the exception of trademarks, trade names and service brands already in use before 7 August 1994, brands made up of a foreign expression or term cannot be used by public corporate bodies or persons undertaking a public service assignment. This applies to brands chosen by these entities to designate a good, product or service of which they are holders and which they use during the performance of their public service assignment. The proscription does not apply to brands made up of a foreign expression or term for which there is no equivalent in the French terms approved within the framework of the rules relative to the enhancement of the French language.

Article 3 (Ensuring Compliance with the Law)

3.1 - Role of the *Délégation générale à la langue française* The *Délégation générale à la langue française*, in charge of co-ordinating and promoting the policy in favour of the French language, is responsible for ensuring compliance with the law of 4 August 1994. Consequently, it directs informative activities required to ensure the compliance of professionals and users with the legislation in force. When cases concerning breaches of this law are referred to it, it sends warnings to the entities at fault. It participates in monitoring measures taken by the departments entrusted with seeking out and reporting breaches of the law and ensures implementation of this text by public officers and agents. Together with the

Ministry of Justice, it examines authorisation requests filed by associations(see point 3.3) and monitors the activity of authorised associations. Furthermore, it prepares each year before 15 September for Parliament, the report provided for by Article 22 of the law concerning the application of the law and texts concerning the status of the French language in international institutions. To this end, the different administrations and public agencies involved send to it each year before 1 July, information concerning the implementation of the legislation relative to the use of the French language in their services.

3.2 - Sanctions incurred and administrations in charge of identifying breaches. Decree No. 95-240 of 3 March 1995 set down for the application of the law (published in the *Journal Officiel* of 5 March 1995) defined breaches of articles 2, 3, 4, 6 and 9-II of the law and fixed the corresponding penalties. They concern class 4 offences. Breaches of articles 9-I and 10 of the law are respectively punished on the basis of articles R. 152-4 (class 4 offence) and R. 361-1 (class 3 offence) of the labour code. Breaches of Article 12 of the law come within the remit of the *Conseil supérieur de l'audiovisuel*. Non-compliance with the provisions of articles 5, 6 and 9-IV leads to the non-invocability of the texts or provisions drafted in a foreign language. Further, any public subsidy may be withdrawn, in whole or in part, from a beneficiary who does not comply with the law. In the particular case of inscriptions exclusively posted in a foreign language on a good belonging to a public corporate body, the use of the good may be withdrawn from the offender. Empowered to seek out and report breaches of articles 2, 3, 4, 6, 9-I, 9-II and 10 of the law are officers and agents of the criminal investigation department and, solely for breaches of Article 2, agents of the *Direction générale de la concurrence, de la consommation et de la répression des fraudes* (the directorate-general for fair trading, consumer affairs and fraud control), the directorate-general for customs and excise, the general tax directorate, inspector veterinarians, public health employees and technical staff, and regional medical health inspectors.

3.3 - Role of authorised associations An order of 3 May 1995 by the Minister of Culture and the French-speaking Communities and the Minister of Justice (published in the *Journal Officiel* of 12 May 1995) gave authorisation to five associations for the defence of the French language so as to enable them to exercise the rights of plaintiff in matters concerning breaches of the provisions of articles 2, 3, 4, 7 and 10 of the law.

Article 4 (Coming into force of the law)

Pursuant to the terms of Article 23 of the law, the provisions of Article 2 were to come into force on the date of publication of the application decree and those of articles 3 and 4, six months after this date. Considering that decree No. 95-240 of 3 March 1995 set down for the application of the law was published in the *Journal Officiel* of 5 March 1995, the whole of the law of 4 August 1994 has been applicable in France since 7 September 1995. Goods and products introduced into the national territory before 7 March

1995, date on which Article 2 of the law came into force, may continue to be marketed under their initial presentation until depletion of stocks and no later than 7 March 1996.

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