

INTERNATIONAL EXPERIENCE IN REGULATING THE LEGAL STATUS OF A STATE LANGUAGE

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During debates concerning a draft of the commented Law № 53-FZ “On the State Language of the Russian Federation”¹, dated June 1, 2005, the legislators as well as the law proponents often alluded to the international practice in order to prove that a state language can be effectively protected by legislation. Indeed, there a lot of countries where the legal status of a language is subject to active and controversial legislative regulation.

The rivalry between the world languages is universal. Different languages can compete for dominance in a range of fields, varying from formal communication and science to mass media and songs broadcast by radio. The competition between languages echoes the competition between nations in their constant struggle for multifaceted dominance in economy, culture and politics, with legislative measures used as weapon of this struggle.

In the 21st century, the age of information technologies and globalisation of the world’s cultures, many languages are facing the threat of extinction and have to fight for their survival. Different countries, especially young national states (e.g. former republics of the USSR), have lately experienced a rapid development of their language-related legislation and enthusiastic promotion of the titular ethnic group’s languages in the public sphere. Language policy has become a part of the general national policy that is often associated with infringement of ethnic and language minorities’ rights. Actually, in some cases, the “protection”

¹ Sobraniye zakonodatelstva Rossiyskoy Federatsi. 2005. № 23. art.2199. Sobraniye zakonodatelstva Rossiyskoy Federatsi.

of the state language from attempts to belittle its social role can take a form of aggressive expansion.

Protection of non-governmental languages, i.e. languages of ethnic minorities whose positions in the cultural domain are getting weaker, is an increasingly pressing issue for many countries. The international community is making attempts to save such languages in conditions of pervasive dominance of state languages. In 1992, the European Council initiated signing of the European Charter for Regional or Minority Languages in order to support the cultural (as well as linguistic) diversity in Europe.

However, at present even the privileged languages (having the state status) frequently need protection. In the countries where the national integrity of the state is not a particularly urgent issue, law-makers often focus their language-related initiatives on struggle against globalisation. Nowadays, in fact, languages are competing with each other for global dominance and need to be protected from universal standardisation.

The Legal Status of a State Language. In most countries established by a single ethnic group and dominated by a particular national culture, only one language is recognised as the state language. The language may even not have the state status de jure, yet, since it prevails in politics, culture and economy, it does not need any legislative protection or

privileges as compared to languages spoken by ethnic minorities within the country.

This can be illustrated by the example of Sweden, a country where the status of Swedish has long been and still remains a subject for discussion and where laws related to the official status of the language are still being drafted, so it remains the official language only de facto, being in legal terms on a par with other languages. The same is true for Japan and a number of Arabic countries (e.g. Saudi Arabia or Yemen) where there is no need to support the dominant position of the country's main language by any legal measures due to the homogenous religious and cultural environment.

In Germany, the official status of German is regulated by various legislative acts (German is recognised as the official language in the Administrative Procedures Act (§23 VwVfG) as well as in the tax (§ 87 AO 1977) and social legislation (§19 SGB X)). In the country there is no general rule assigning the state status to the German language; however, the fact that the adopted Constitution of the Federal Republic of Germany is written in German justifies its use in the official, legal and rule-making spheres. The only exception from this common rule is defined in the Court Organisation Act (§184 GVG) that allows court proceedings in Sorbian in those regions where this language is used (Saxony and Brandenburg).

The legal recognition of one language as the only state language, which is meant to prove the national unity, is typical of states encouraging ethnic and cultural homogeneity, such as France, Turkey and some other states. According to Article 2 of the 1958 Constitution of France and article 3 of the 1982 Constitution of Turkey, French and Turkish are state languages and have this status on the whole territory of the countries. The unitary structure of these states as well as the vigorous policy of their governments aimed at the countries' cultural and linguistic homogenisation does not allow any minor languages to have a legally recognised official status. In recent years, some legal measures have been taken to guarantee individuals their right to study, develop and use other languages in non-official communication contexts; however, that does not mean the abandonment of the general policy of cultural assimilation.

Even if a language is designated as the only state language of a country (e.g. in article 10 of the 2006 Constitution of Serbia), other languages can still be used in official communication at the level of regional administration.

A single state language is usually recognised in former European colonies, where local vernaculars cannot function as languages of official communication because of their underdeveloped vocabulary and, not infrequently, totally un-

developed written language. Such countries have to recognise the language of their former parent state as their official language (e.g. English in Nigeria and Ghana; French in Mali, Guinea and Benin; Spanish in Mexico, etc.)

Multiple languages having equal state status are typical of (a) states which were poly-ethnic throughout their history, and of (b) states whose cultures were for a long time under influence of a parent state, but whose local languages are developed enough to be used in official communication.

With multiple languages designated as official ones, none of them has any privileges; they are used as equal in all official proceedings, and none of them (with rare exceptions, for example, India) is considered to be "major" or "main".

In Europe, the two typical examples of countries with equality of languages at the state level are Belgium and Switzerland.

In accordance with Belgium's political system, the country is divided into three regions, the population of which speaks different languages. These are Wallonia (a predominantly French-speaking region with a small German-speaking minority), Flanders (the Dutch-speaking region) and the bilingual Brussels-Capital region. Each of those regions has its own official language used by authorities in their proceedings; however, at the national level, Dutch, French and German are treated as equal.

It was Belgium's language legislation regulating the election of representative bodies in the country's language communities that gave rise to a controversy followed by the ruling of the European Court of Human Rights on March 2, 1987 (*Mathieu-Mohin case and Clerfayt v. Belgium*). The European Court concluded that the provisions of the national legislation that required the parliamentary oath to be administered in the region's official language restricted the right of language minorities to participate in the work of regional governmental agencies. This restriction, however, resulted from the ethnic and administrative divisions of Belgium and could not be regarded as a violation of the European Convention on Human Rights.

Another example is the Swiss Confederation where there are three state (or official) languages, namely German, Italian and French (article 70 of the Constitution), and four national languages, which are the same three languages and also Rhaeto-Romanic (article 4 of the Constitution). Moreover, the Constitution authorises cantons to designate their own official languages; and one of the three bilingual cantons, Graubünden, recognised Rhaeto-Romanic as its second official language, together with Italian.

There are bilingual states in other parts of the world as well. For example, in Afghanistan Farsi and Pashto are designated as state lan-

guages (see article 16 of the 2003 Constitution).

Often, the recognition of equality between two languages at the national level is the result of the colonial past of a state. Most commonly, one of these two official languages is the language of the former parent state, which secured its use in official communication during the time of colonial rule, and the other is the language of the ethnic majority of the new independent state.

In India, much controversy was raised after provisions on the use of Hindi in official communication at the federal level had been included into the 1949 Constitution (which was succeeded by the Official Language Act of 1963), with English retaining its official status during the whole transition period. Starting from 1956, states of the Indian Federation started to be established on the basis of ethnic and linguistic groups. Article 344 of the Constitution allowed the states to designate their own official languages. The 18 languages listed in Annex 8 to the Constitution get state support, with representatives of each language groups being included in a special-purpose federal commission for language-related issues, but none of those languages has a state status.

At the same time, article 350 of India's Constitution guarantees Indians the right to apply to any public authorities (both federal and state-level) in any language spoken in the country. In this regard In-

dia even got ahead of Switzerland, which gave its citizens the right to communicate with representatives of governing bodies in any of the officially recognized state languages.

It is common for many states to have two official languages — a local language and the language of the former parent state (English and Maori in New Zealand; English and Urdu in Pakistan; Spanish, Aymara and Quechua in Bolivia and Peru; Arabic and Somali in Somalia). In some countries there are several European languages recognised as state languages alongside with a local language (e.g. English, French and Malagasy in Madagascar; English, French and Kinyarwanda in Ruanda, etc.).

The Legal Recognition of the Official Status of Regional Languages.

The world practice shows that countries where the legal equality of several languages is recognised at the national level are by far outnumbered by countries where a single language is given explicit preference (including in terms of legal status) over the rest of languages spoken in the country, yet the other languages are also used and do not remain legally unprotected. They get the status of regional languages. These are languages of the subjects of federal states or languages of provinces or autonomies in unitary decentralised states.

Regional languages may be recognised as official regardless of whether or not there is any state

language designated at the national level. It may happen so that regions or subjects of a federation have their state languages, but there is no state language to be used throughout the country. This is exactly the case of Great Britain and the USA. In the United Kingdom, English is not recognised as the official language in any laws, while Scotland, Ireland and Wales have regional laws guaranteeing the equality of English with Scottish Gaelic, Irish and Welsh respectively. In 2001 the government of Great Britain joined the European Charter for Regional and Minority Languages and gave those languages the status of protected minority languages.

In the USA, the state status of English is an actively debated issue. The country witnessed very intense ethnic and linguistic conflicts associated with attempts of some ethnic groups to preserve their cultural identity in spite of the general policy aimed at creating a “united American nation” and disregarding the concept of “the melting pot”. Such conflicts were especially acute in the end of the 19th and the first half of the 20th century among the German community in Pennsylvania and Wisconsin and the French community in Louisiana and Vermont. In the end of the 20th century, the status of English as the main and only language started to be discussed by governments of Florida, California, Texas and a number of other states in the southwest part of the country

where many Spanish-speaking immigrants from Central and South America live. The rivalry between the languages and the fight against the dominance of English are further aggravated by the fact that Spanish is obviously the prevailing language among the minority languages spoken in the country.

At present, English is not recognised as an official language of the USA; however, it is granted the status of the state language in 30 states. In two of them it shares this status with another language (Hawaii has Hawaiian and Puerto Rico has Spanish as their second state language). In 2006, the Congress passed an act on recognition of English as the language of official communication and state unity (the English Language Unity Act); but the president vetoed it.

In practice, however, this does not mean that any other languages except English can be nowadays used in the official sphere. The English language still dominates in official communication, but the unchallenged hegemony of English in the USA is more and more threatened by the ever-growing influence of other languages in non-official communication contexts and culture.

A long-standing competition among languages and fight for preservation of minority languages and cultures may lead to recognition of one of those languages in the state status, with legal guarantees for preservation, protection and devel-

opment provided to the other languages. Such situation is typical of Spain and its language-related legislation. The Constitution of Spain (article 3) declares Castilian Spanish as the state language and permits the languages of autonomous communities to be granted the official status. According to the rulings of the Constitutional Court of Spain (Ruling № 82 of 1986 and Ruling № 147 of 1996), the use of languages can be regulated by the central government and regional administrations, whichever of them may have the authority to regulate such issues. Besides, in accordance with the ruling, only applicants for official positions are obliged to know the second official language spoken in the region, while ordinary citizens do not have s№ 46 of 1991).

The significance of regional languages can be proved by the example of Spanish Constitutional Court Ruling № 337 of 1994 which allows teaching children in public secondary schools in the regional language only (it was Catalan in this particular case), notwithstanding the fact that the children's parents were against this.

The authority to grant the official status to a regional language is normally given to the law-making bodies of regions (or provinces, or states, etc). This is true both for federal states (like the USA) and unitary though largely decentralised states (like Spain). Usually regional administrations are provided with

the fullest possible authority both with regard to the declaration of the regional official language and with regard to the drafting of regional laws regulating its status.

Based on the national law, regions determine when and to what extent the use of the regional official language is mandatory; they also provide legal guarantees for protection of regional languages and adopt, at their own expense, regional language study and development programmes. As for the central government, it usually authorises the regional legislators to exercise their law-making powers and work out the language-related legislation for their regions.

It is also interesting to see what happens to languages which get the official status according to a decision made by regional administrations without authorisation and legal recognition of the central government. This is the case of Ukraine, where since 1993 the local administrations in a number of regions and municipalities in the south and east of the country have granted the status of a regional language to Russian (in 2006 this tendency was particularly strong after the failure of the campaign for organising a referendum on the status of the Russian language). When making their decisions, the Ukrainian officials referred to the European Charter for Regional or Minority Languages, even though only central governments are allowed to determine the status of regional languages according to the Charter.

The reaction of legislators and judges to such decisions of local administrations was ambiguous. In some regions these regulations were repealed, while in others they continue in force. In Lugansk and Kharkov Oblasts, the decisions of regional councils concerning the status of Russian remained in force due to reluctance of courts to consider the prosecutors' claims. After hearing the case in several instances, the judges in Donetsk and Kharkov confirmed validity of the city council's decisions on the official status of Russian. In Nikolaev, Kherson, Zaporozh'ye and Krivoi Rog Oblasts, similar decisions were overruled by higher courts. In Donetsk Oblast, the court overruled the city council's decision and upheld the region council's decision; the Kharkov's court, by contrast, upheld the city council's decision. As a result, in some of parts of Ukraine, companies and organisations (including local administrations and courts) are permitted to draw up business and technical documentation and write street names in Russian, while in other regions, including regions where the majority of population speaks Russian, Ukrainian still keeps its dominant position. In 2006 in Odessa Russian as well as Hebrew, Bulgarian, Gagauz and Moldavian was recognised as the language of inter-ethnic communication; just a year later, in April 2007, Russian was declared the second state language.

Mandatory Use of State and Official Languages. The notion of “state language” is rarely used in foreign legislation. The term “official language” is much more common when the main language of a state is meant. In the UNESCO documents of the 1950s, it was proposed to differentiate the concepts of “national language” and “official language”. A national language is supposed to provide integration of the state in political, social and cultural contexts and be the symbol of the state, while an official language is a language of the administration, law and court.

This approach is adopted in most countries of the world, so that statutory regulation of language-related matters is not limited to the activities of the government, but includes a broad range of issues pertaining to economy, politics and culture. The functions of a national language, as they are formulated by the UNESCO, make us doubt the statement that there may be several such languages in a state and each of them can be used as a means of political and cultural integration in the country on a par with the others. It is obvious that the given definitions rather imply that there must be one language having the state status in the entire country (it can be referred to as national language) and several regional state (official) languages. Such a combination of languages ensures the protection of ethnic minorities’ rights and the necessary unity of the state.

The differences between a national language and an official language are demonstrated by the above example of Switzerland where the combinations of official and national languages do not match and where national languages mainly perform cultural functions, while official languages are used in communication with authorities.

Sometimes the official language enjoys a special status that can be very broad in the scope. One could hardly find a better example than Quebec — the Canadian province where the fight between English and French ended with the victory of French after enactment of the Charter of the French Language in 1977. In line with the Charter provisions, the use of French was made compulsory not only in official contexts, but also in labour relations at large and medium-sized enterprises as well as in trade, education, advertisements and even road signs. According to the Canadian legislation, official communication is understood as the use of a language in laws and administrative activities, while courts and federal-level bodies are obliged to use both of the state languages.

Another example is the draft version of the French Toubon (*Loi Toubon*) Law of 1994 “On the Use of the French Language”, which encouraged a broader use of the state language and which was challenged by the Constitution Council (*Conseil constitutionnel*) of France. The part of the law which mandated the use of

the French language in non-official communication (e.g. in private organisations), on radio and television was viewed as violating the freedom of speech and opinion in the Ruling of the Constitutional Council of 29 July 1994.

In most countries, the use of the official language, in addition to governmental activities, is mandated in education and interaction with state organisations and institutions. Regarding the right to use regional and minority languages in such communication contexts, it is guaranteed, for example, by the European Charter for Regional or Minority Languages.

In Spain, autonomous communities are protected by regional linguistic “normalisation” (*normalization*) laws, which are laws regulating the use of a language in the contexts where it has lost its ground, including education, public service or justice. For example, the Catalan Normalisation Law of 1983 provided the right to use Catalan in official communication (in published legal acts, correspondence between representatives of governing bodies and citizens) and also in education and mass media.

In official communication, there are also some spheres where the use of a state language is mandatory. In this regard, the legislative terminology of Germany is very illustrative, as it distinguishes several contexts for communication in the official language (*Amtsprache*), in-

cluding the language of the executive branch of the government (state administration), the language of court (*Gerichtssprache*) and the language of the parliament (*die Sprache der Parlamente*).

Among all spheres of mandatory use of the state language, courts are, perhaps, the most important, as the ability to understand what is being told during court proceedings is directly related to the ability to defend one’s rights in court. We know about the case of two Flemish workers who were sentenced to death by the court of the Hainaut province though they had not understood a word during the trial. This case swayed public opinion and provided a considerable impetus for the development of Belgium’s language laws.

It is because of the desire to allow participants of court proceedings to speak their native language that German law-makers decided to provide for an exception from the general rules concerning the language of court and authorise the use of Sorbian in court in some of the country’s regions.

Many countries, on the contrary, tend to ensure the unity of their legal and court system and introduce common legal terminology thus infringing the interests of participants of court hearings. In Spain, none of regional official languages can be used in trials. All over the country, court records are maintained and law proceedings are conducted in Castilian Spanish only.

Since 2005, the use of the state language has become mandatory in Ukraine. On April 22, 2008, the Constitutional Court confirmed the compliance of the Civil Procedural Code and the Administrative Procedural Code (which mandated the use of the state language in courts) with article 10 of Ukraine's Constitution guaranteeing the free development, use and protection of the Russian language in the country.

In addition to court proceedings, governing activities and communication between officials and citizens, the official language is normally required to be used in publication of legal acts, as well as during elections and referendums. In this rule, however, there are some exceptions. For example, the Voting Rights Act, which was enacted in 1965 and is still in force in the USA, guarantees access to election procedures regardless of the person's English language skills and even requires that ballots and other election-related papers be published in minority languages.

Speaking of official language use contexts, it is worth mentioning the requirement to have a basic knowledge of the state language as the condition for acquiring the citizenship of the USA (US Code Title 8, §1423), Switzerland, Belarus, Estonia and a number of other countries.

Besides the use in official communication and clerical work, in most countries the state language is also required to be used in educa-

tional institutions. Teaching young people in the main official language of a country is an effective tool of cultural assimilation of migrants' children which helps to provide the linguistic unity of the state. That is why education is the second most important sphere after governing activities where the state language is to be used.

The state, however, may have a limited right for legal control over public educational institutions, being unable to set any language requirements for private schools and universities. This provision was formulated and substantiated in the US Supreme Court rulings in 1920s. The state administrations are authorised to decide which languages to use in public schools, but they cannot do that for private schools (*Meyer vs State of Nebraska*, 262 US 390, 1923).

Active promotion of the state language in schools was typical for a number of republics within the former USSR. Since 2007, Estonia has implemented a school reform in order to introduce the mandatory teaching of all subjects in Estonian at all schools, including Russian ones; since 2009, the same measures are planned to be taken in nurseries and kindergartens. In Moldavia, 70% students of professional colleges and higher educational institutions are taught in Moldavian, and 30% — in Russian.

In many states, including the former USSR republics, the legis-

lation regulates the use of the state language not only in official communication and education.

In Ukraine (in its capital, Kiev), the officials have made many attempts to amend the laws so as to ban the teaching in Russian in all (not only public) educational institutions, to disallow fare collectors in public transport to speak Russian and to prohibit the publication of advertisements in Russian. However, those initiatives were not approved by the authorities, and in December 1999 the Constitutional Court of Ukraine issued a ruling in which it reaffirmed the right of citizens to use and learn ethnic minority languages in the course of study in public and municipal educational institutions, so the Russian schools were not closed.

In Latvia, the Ministry of Justice is expected to approve a list of occupations that require a minimum knowledge of Latvian; in Estonia, a special team of inspectors checks the language competence of state officials, representatives of public authorities and entrepreneurs: all of them have to pass an exam in Estonian and pay a fine if they demonstrate insufficient knowledge.

Such measures practiced in the former USSR republics aimed at aggressive promotion of the state language through its imposition as the only language to be used in different forms of communications usually go far beyond any similar requirements

introduced by law-makers in Western Europe.

In the EU states, there are EU acts that set mandatory quotas for the use of European products, which may be toughened with regard to languages in some of the member states. For example, France has increased the common EU's 50% quota for radio broadcasting of European music in order to protect its national interests. As a result, 60% of songs broadcasted by radio stations in France must be in European languages, while 40% of them must be in French or regional languages of France. Similar requirements are sanctioned by the Language Policy Law in Catalonia. Here, the state-sponsored radio stations and TV channels are obliged to broadcast 50% of their time in the language of the autonomous community; 25 % of all songs broadcast during music programs must be in the same language. However, neither France nor Spain imposes any such restrictions on films; the Constitutional Court of Ukraine, by contrast, concluded in its ruling of 24 December 2007 that all films must have subtitles or be dubbed in the state language. In Lvov, the city council enacted the "City Sound Environment Protection Law" in June 2000, in which it banned the broadcasting of songs in the Russian language in public places.

It is not infrequent that society resists the imposition of a state language. The limits of the use of a lan-

guage become a subject of discussion and controversy because the main context of its use is undoubtedly communication with state authorities. Hardly anyone would question the necessity to use the official language in this sphere of communication, yet the state status of a language does not justify the obligations to use this language in such spheres as culture, science, education and business communication.

The fight against restrictions on the use of non-official languages in cultural contexts is mostly motivated by the desire to protect the rights of ethnic minorities. With regard to the requirements applied to clerical work in non-state organisations, economic interests are the main reason for resistance. It is the business community that created the most notable opposition to the Toubon Law in France which required the French language purity. In the modern global economy and entrepreneurship, the only way to enable cooperation between international corporations and to support the use of universal financial instruments is to globally unify language. But as far as France is concerned, it pays much attention not only to identification of those contexts where the official language must be used, but also to the protection of the language from borrowings, deviations from the norm, etc.

Legislative Protection of State Languages. The first step in providing protection for a language is often

determination of an official language norm and official language standard.

Technically, this is achieved by publication of dictionaries and reference books approved by the main academy of the state which contain the standard lexis and show the normative spelling of the state language. Examples of such dictionaries defining the standard of a national language are *DUDEN* Dictionaries (*Standardwerk zur deutschen Sprache*) in Germany and *Standard Reference Books* in Great Britain. In France it is *Dictionnaire de l'Académie française* and orthographic standards published in *Journal officiel* and also available at the site of the French Academy.

The language standardisation helps to distinguish the official linguistic norm from the colloquial one and to differentiate native words from borrowed ones. Although publication of such dictionaries inevitably causes conservation of the official language, the standards they define are really necessary to provide legal certainty. In addition, the language standardisation allows getting answers to some difficult questions, for example, it helps to distinguish languages and dialects thus providing a legislative solution for the problem which still remains partly unsolved in linguistics. In 1923 the legislation of the State of Illinois (the USA) sanctioned the official status of the so called "American" language and defined its standard

which demonstrated its difference from the English language.

However, for example, in Belarus and Kirghizia the legal norms concerning the obligatory use of the literary norm of the state language remain uncertain from the legal point of view since there are no standards defined for these languages.

Standardisation implies making a choice of a graphical base for the language.

The contemporary world demonstrates an evident tendency for reduction in the number of alphabets. Some attempts to change alphabets have already failed, mainly due to economical reasons. The examples of successful transition are provided by Turkey (where in 1928 the Arabic alphabet was replaced by Latin) and some former republics of the USSR, such as Azerbaijan, Uzbekistan, Turkmenistan and Moldavia (these countries changed the Cyrillic alphabet for Latin). Yet, for example, Mongolia failed to replace the Cyrillic alphabet by Old Mongolian as this replacement turned out to be too expensive for the state.

At present, there are also some languages which are using two alphabets simultaneously: the traditional one is preserved as a symbol of cultural identity, which is necessary for protection of uniqueness of a national language.

For instance, the Serbian language is now using two alphabets: Cyrillic (the so called Vuk's Cyrillic alphabet, which appeared in the

beginning of the 19th century and formed a traditional graphic base for the Serbian language starting) and Latin (the so called Gaj's Latin alphabet which was introduced several decades later). According to the Constitution of Serbia, its only official alphabet is Cyrillic, yet in everyday life the two alphabets compete with each other. Some popular newspapers and magazines are published in Cyrillic, others use the Latin alphabet. The road signs are written in both of the alphabets. The governing authorities mostly prefer Cyrillic. This alphabet is also used by the Orthodox Church of Serbia, which is the biggest religious community in the country, with 90% of the country population being its members.

The struggle between opponents and proponents of an alphabet change is often a form of regional separatism or of a quest for independence. The most evident examples of this are presented by Transdniestria and Taiwan — two state-like entities, the independent political status of which remains unrecognised by most countries of the world.

In 1991, the Constitution of the Republic of Moldova confirmed the official status of the Moldavian language, with the Latin alphabet as its graphical base (and the Rumanian spelling as an orthographical standard). Yet, these norms were rejected by citizens of the Transdniestria Moldavian Republic who speak not

only the Moldavian language (which is considered official in accordance with the Constitution), but also Russian and Ukrainian and, when writing in Moldavian, they still use the Cyrillic alphabet, even in official documents.

In 2004 a reform of the writing system took place in Taiwan: the traditional Chinese writing in columns from top to bottom, with columns written from right to left, was replaced by horizontal writing in lines from left to right, like in European languages.

In some languages not only letters and hieroglyphs, but also numeric characters are viewed as an important part of the graphical system. For example, article № 343 of the Constitution of India confirms the state status of the Hindi language on the graphical base of Devanagari; but as for numeric characters, Arabic figures are recommended to be used in all official documents since they are internationally recognised.

In 2007 the Republic of Bulgaria entered the European Union and required recognition of the equal status of the Cyrillic alphabet among other alphabets of the organisation. Thus the Cyrillic alphabet became the third writing system of the European Union (alongside with Latin and Greek). This, in addition, resulted in introduction of an official name for the European currency written in the Cyrillic alphabet: “EBPO” (alongside with “EURO” and “EYPΩ”). It was also Bulgaria that initiated reg-

istration of the first Internet domain in Cyrillic: the idea was supported by other countries, including Russia.

International unification of alphabets is also important for standardisation of car numbers, which, in accordance with Appendix 2 to the Convention on Road Traffic of 1968, ought to consist either of digits only or of digits and letters. The digits must be Arabic and the letters must be either capital letters of the Latin alphabet or letters of any other alphabet coinciding with Latin in their shape.

The measures taken in support for national alphabets are less significant than those providing protection for vernacular lexis. Most European cultures have a long tradition of more or less violent struggle against borrowings. In Iceland, for example, the literary language is almost totally free of any borrowed words. Yet such purism was mainly provided not by legislative measures, but by specifics of the national history.

Nowadays, the most prominent example of language purism on the legislative basis is posed by France. The before-mentioned Toubon Law Relating to Usage of the French Language, dated 1994, continued the series of legislative acts introduced in the 1970s in France for protection of the French language.

The Toubon Law prohibited the usage of foreign words and expressions which could be replaced by their French equivalents. For implementation of the law there were

special commissions created at different ministries specialising in various fields of science, technology and culture. Their goal was to find French equivalents to be used instead of popular English words. One of the commissions, for example, approved the usage of such French words as *ordinateur* (for “computer”), *courriel* (for email) and more than 4,000 other modern words which are borrowed from English by most of contemporary languages. Thus, the government took all the necessary measures to control the development of the French lexis and only then introduced severe fines for violations of the Toubon Law.

The legislative measures aiming to protect a language from influence of other languages ought to be taken with due regard of perspectives of the language development. The state language can successfully fulfil its functions only if it goes on being developed and enriched in various spheres ranging from official to scientific communication. To have a state status, a language needs to be grammatically, lexically and stylistically developed so as to be able to assimilate borrowings from other languages. Many newly-established countries which appeared on the world map in the last decades have declared their independence on the basis of their national and cultural identity after proclamation of their local dialect in the status of their state language. For example, the struggle for inde-

pendence of the Montenegrin dialect of the Serbo-Croatian language started in the 1990s. At that time the Montenegrin language did not have a literary norm of its own and was not recognised as a self-standing language by most of native speakers. In spite of this fact, in 2007 the Montenegrin language became the state language of Montenegro and now needs to be further developed, so at this stage the language purism is hardly justified.

One can draw a conclusion that as soon as a language acquires the state status, it gets a lot of privileges as compared to other languages spoken in the country. In order to guarantee the rights of speakers of other languages to preserve their national culture and to use their native languages in official communication, such languages may be given a status of regional languages and be protected as minorities’ languages, in accordance with the legislative guarantees established by the European Charter of 1992.

In the countries divided by national and territorial principle these guarantees can be used for decentralisation of powers related to normative regulation of the status of regional languages, with all responsibilities for their maintenance and protection passed to the local governing bodies.

At the same time, the measures for protection of state (and official) languages sanctioning their mandatory use in non-official spheres

ought to be implemented very cautiously since, as it is demonstrated by examples of other countries, such requirements can be viewed as violation of rights of national minorities and individual citizens.

At the same time, the state language can be protected by means of its standardisation and prevention of any deviations from the established

norms. Yet one ought to remember that the language also needs to be further developed (sometimes even with the help of borrowings), of course, under constant control and in compliance with certain restrictions.

Translated by E. Tretyakova