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The minority language debate: The case of Yiddish in the Dutch language landscape

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Abstract.

November 1992 the Council of Europe accepted a Charter of Regional and Minority Languages, in which the countries of Europe promised to recognise, to defend and to support the ‘national’ minority languages in use at their territories. The Charter took effect from March 1998 on, after eight member states had ratified it.

It is worth while noticing here that the Council of Europe is not one of the institutions of the European Union. In the Council of Europe, a Strasbourg based organisation, 46 countries co-operate, whereas the EU has only 25 members. Among others the Russian Federation, Liechtenstein, Switzerland, Turkey and all the countries of the EU take part in the deliberations and the activities of the Council of Europe. One of the fields of interest of the Council of Europe is monitoring the state of democracy, the human rights and the position of minorities in the affiliated countries.
The EU, formerly the EC and EEC, started as an economic community, although at the background concerns about peace and welfare played an important role. Nevertheless the common market was the main issue of the EC, until recently. Now the EU describes itself as a community of values in which the respect of human rights, democracy, civil state, rights of minorities etc. are theoretically as important as the free flow of goods, services and persons.

1. Universaliser

It was not the first time minority languages became an issue in a political setting. For example the French abbé Gregoire, member of the revolutionary Comité d’instruction publique was interested in the language situation of France already as early as 1790. He conducted a survey which was called ‘Une série de questions relatives au patois et aux moeurs des gens de la campagne,’ of which the conclusion was (from 1794) that one should “anéantir les patois et [. . .] universaliser l’usage de la langue française” (Van Montfrans 2004: 246). This is not only an evidence of contempt for the peasant’s language usage of the French countryside; it followed even more from the ideas of the Enlightenment. The French philosophers of that period thought that mankind and society should organise themselves along rational patterns and should follow only rational arguments as opposite to divine revelation. Progress and modernism were seen as consequences of rational, scientific and technological operations. The State, as the form of organisation of the nation, had the leadership in the new developments. This led to a centralist approach and the well-known Jacobin system of administration, which is so typical for France and which has been questioned only recently (cf. Poignant 2000; Poignant 2000b).

In this approach a central, standard language had to be promoted and supported. As a consequence regional or minority languages should be discouraged and disadvantaged. So they became marginalized, as Nelde, Strubell and Williams (1996: 1-5) showed. The belief that some languages were more apt for reasoning and logical thinking, whereas other languages were considered as less rational or even thought as being without any logic (cf. Calvet 1974), endorsed this attitude.

2. Dialects

In less centralistically oriented and more romantic circles scholars accepted dialects and minority languages, since these languages might shed a light on the origin and the family ties of groups of languages. Especially when there was a
certain ‘Abstand’ (cf. Kloss 1966) between a minority language and the mainstream languages this minority language was considered as possibly interesting in terms of historical grammar and comparative linguistics. This interest did not lead to promotion of regional or minority languages but to description of dialects or dialect phenomena; thus to dialectology or dialect geography. Especially since one realised in the second half of the 19th century that the ‘Abstand,’ the distance between dialects and the standard language, changed because of modern means of transport (and later of communication) and because of migration, one felt the need to make an inventory of dialects and dialect features. Before the dialects could coincide with the standard language, or with more prestigious dialects, they should be described. This is why the first dialect surveys were conducted in the last quarter of the 19th century; in Germany by Wenker (1876) and in the Netherlands by het Aardrijkskundig Genootschap, the Geographical Society (1879) (Boves and Gerritsen 1995: 82-85). In the Romance language area it was the Swiss dialectologist Jules Gillieron (1854-1926), who was a pioneer in this field (Koerner 2001: 9). The protection of minority languages and dialects never became a topic for linguistic research. It simply was a pity that languages disappeared. Before that they should be documented as part of the national heritage and because their features could shed a light on the origin of the linguistic family and of the development of the standard language. In their own the value of regional languages turned out to be limited.

Minority languages got less attention. One of the firsts who wrote extensively on language groups was the Dutch linguist Jac. van Ginneken (1913). It might be possible Van Ginneken was influenced or inspired in this research by his French colleagues Bally and Meillet (Boves and Gerritsen 1995: 89-90). Van Ginneken described the usage of more than 300 different Dutch language groups. However he never aimed at any official recognition or promotion of these ‘registers.’ His main interest was linguistic and descriptive.

3. Difference

Later on, in the late sixties and the seventies of the last century, when Labovian sociolinguistics gained the lead over the deficit theories of Bernstein and others, dialects, regiolects, non standard languages and other minority languages became accepted as systems in their own, having their own values and equivalence to the major standard languages.

Bernstein distinguished between a restricted and an elaborated code. The language of lower social classes is characterised by restricted means, whereas speakers of higher social classes use a more complicated and elaborated language.
By this deficit speakers of a restricted code are not only handicapped in their social opportunities, but also in their ways of logical reasoning. In this respect Bernstein’s ideas resemble the Sapir-Whorf hypothesis, as well as the Enlightenment philosophy mentioned before.

The Sapir-Whorf hypothesis claims among other things the structure of the mother tongue speakers use, determines the way these speakers perceive the world surrounding them and the way they interpret reality. This means for instance that languages in which double negation takes place should force their speakers to a non-algebraic system of reasoning; for speakers of the ‘most logical language of the world,’ French, a very poor perspective.

The Sapir-Whorf hypothesis results from anthropological linguistics, a discipline wherein linguistic fieldworkers try to record and describe native languages of the American inland, the Australian outback and so on. It goes without saying that in this branch of linguistics conservation, promotion and nowadays sometimes even revitalisation of minority languages are less unpopular than in mainstream linguistics. See for instance the recently published Green Book of Language Revitalization in Practice (Hinton and Hale 2001).

Because of the disadvantages speakers of Bernstein’s restricted codes encountered, educationalists and psychologists developed so called compensation programs. The best known approach is that of Bereiter & Engelmann from 1966 (cf. Dittmar 1976).

The compensation approach became popular not only because of the equal opportunities the backward groups should be offered, but even more because of military and economic reasons. After the launching of the first Sputnik by the Soviet Union, the United States of America realised the Soviets had picked up a technological lead. That is why all hidden talents should be traced and mobilised. Therefore the Kennedy and Johnson administration supported the construction of compensation programs lavishly.

This method was not exclusive to the US only. In 1969 the Dutch psychologist Dolf Kohnstamm delivered an inaugural lecture at the University of Utrecht in which he discussed the linguistic deficit theory. He did an appeal to introduce compensation programs into the Dutch school curriculum. Although the deficit theory and the compensatory approach turned out not to be successful, almost ten years later the ideas of Bernstein and Kohnstamm were still very influential in the Dutch educational policy (Dittmar 1978: 9-10).

The ideas of Bernstein did not remain unchallenged. William Labov wiped the floor with this deficit theory and the linguistic inferiority ideas of minority languages and other-lects. In the UK it was Harold Rosen (1972, 1978), who opposed Bernstein from an educational and applied linguistic perspective. In Germany critics like Ehlich, Oevermann and Utz Maas put the ideas of language compensation in a political, Marxist, context, as the title of one their contributions
to the debate makes clear immediately: *Spätkapitalismus—Soziallinguistik—kompensatorischer Spracherziehung* (Ehlich et al. 1971) (cf. Dittmar 1978: 107-133). Although Bernstein’s and his colleagues’ main concern was to try to catch up the disadvantages, even an accusation of racism was heard within a context of equal rights, especially in the German and at times in the American debate; this seems to be almost an automatic consequence whenever deprivation and equal chances come under discussion.

In a Unesco report from 1950 specialists made clear that, although there are clearly different human races, there is no proof for the traditional view there is a genetic difference in intelligence between the races. On the basis of this report it became politically correct in the sixties and seventies to deny almost the existence of different human races. Anybody, who explained differences in behaviour on the basis of difference in race, was a racist and should not be taken seriously. As a consequence of these political ideas Bernstein and his school were considered as being ‘on the wrong side.’

The most influential critique was that of William Labov. Labov’s criticism was based on extensive linguistic data. Nevertheless his objections received considerable social and political attention. William Labov, founding father of modern sociolinguistic research, is a pupil of Uriël Weinreich, who studied with Martinet, who in turn had Meillet as his supervisor (cf. Calvet 1999: 27; Koerner 2001: 13). In this way American sociolinguistic research and Labov data oriented work go back to a European, continental tradition.

Although strictly linguistic in character Labov’s work fits well into the socio-political pattern of the late sixties and seventies: “In the North American context, where over 10% of the population s of African ancestry, we should not forget the importance that was attached by the Kennedy and Johnson administration to the study of ‘Black English,’ research in which Labov was very prominent” (Koerner 2001: 18).

In his famous *The Logic of Nonstandard English*, Labov (1969) showed that Black English, later called Black Vernacular English ‘BVE’ and now politically even more correct African American Vernacular English ‘AAVE,’ is not inferior to standard English nor does it lack logical possibilities. “We came to the conclusion that there were big differences between black and white speech patterns, but that the main cause of reading failure was the symbolic devaluation of African American Vernacular English that was a part of the institutionalized racism of our society, and predicted educational failure for those who used it” (Labov 1969: 200). Labov showed that and how languages are different and that all -lects in a sense are equal and are languages in their own right. This result gave way to respect for regional and minority languages. Even so far that the value of standard languages became doubted (Trudgill 1974). It is not difficult to imagine how US civil rights movement and leftist theoreticians welcomed Labov’s ideas and success (cf. Joseph 2002: 66).
4. Endangered

In this period the concern for language maintenance and language death came up as well, culminating in a special issue of *the International Journal of the Sociology of Language* [sic!] (Dressler and Wodak 1977), “the first and definitely not the last collective volume on the subject” (Janse 2003: XIV). This interest was mainly a consequence of the new insights in sociolinguistics but also partly of the work done in descriptive, anthropological linguistics. These two factors together caused respect and concern for the linguistic world heritage just in a way, which might be compared with that of environmental policy. “The 1980s witnessed the start of a veritable explosion of workshops, conferences and publications on language death” (Janse 2003: XIV). An encyclopaedia on endangered languages appeared, as well as a special journal and some popular books on the subject. In the nineties committees, foundations etceteras for the preservation of endangered languages were founded (cf. Janse 2003). Hinton and Hale’s extensive *Green Book of Language Revitalization in Practice* (2001) has been published.

This concern for language maintenance went so far that the president and the secretary-general of the Comité Permanent International de Linguistes, CIPL, were asked to produce a volume on Endangered Languages (Robins and Uhlenbeck 1992) to prepare a special plenary at the 15th International Congress of Linguists (1992, Laval University Quebec). These activities resulted in a Unesco *Red Book on Endangered Languages* of a year later.

In this decade linguists started to speak about ‘linguistic imperialism’ (Phillipson 1992) and ‘linguistic genocide’ (Skutnabb-Kangas 2000) as well, making clear that according to their opinion ‘the linguistic identity’ of speakers of not only endangered languages was under attack but also of other languages that lost ground to English in education. In their terms the influence of English on speakers of other languages, especially youngsters, actually is a matter of linguistic colonising. Although this discussion mainly concentrates on the negative effects of global English, it sets the tone in debates among non-specialists when it comes to the defence and preservation of other languages, whether they are small or not (cf. Joseph 2004).

5. Charter

Although the term ‘endangered languages’ was mainly used as synonymous with the indigenous languages of America, Africa, Australia and Asia, linguists realised there were ‘lesser used languages’ in Europe as well. These languages
and their speakers are held low esteem in comparison with that of the national standard languages.

This development in linguistics corresponds with a political liberation movement for minorities. In December 1992 the General Assembly of the United Nations adopted a ‘Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.’ This declaration has been inspired by the provisions of the ‘International Covenant on Civil and Political Rights,’ which had been adopted in 1966 but only went into force in 1976. In the 1992 declaration the right to use your “own minority language in private and public, freely and without interference or any form of discrimination” (Art.2) has been stated clearly and explicitly for the first time.

An OSCE Report of 1999 states that the right to use your own language is a condition for an open and pluralistic society. The OSCE is the Organisation for Security and Co-operation in Europe.

In this perspective the initiative of the Council of Europe for the 1992 Charter should be understood. The Charter is of course in the first place a political and not a linguistic instrument and has as much to do with identity, human rights and anti-discrimination as with language policy.

The Charter did not come out of the blue. It has a long history, in which the Council of Europe and the European Union, especially the European Parliament play a prominent role. In the Appendix a few important dates and facts are listed. Given the differences between the Council of Europe and the EC/EU it will be not a surprise to see the Council of Europe has taken the first initiatives with respect to the linguistic rights of minorities.

As early as 1957 and 1961 the Parliamentary Assembly, formerly the Consultative Assembly set the first steps. The resolutions and recommendations concentrated on the rights of minorities, especially on their civil rights and their identity. This point of view, in which human rights and identity play a central role, remained the main argument in the discussion for a language policy for years.

In linguistics the identity theme only became a topic recently, as for instance in Bennis (2003: 31-32). Bennis stresses how consciousness of groups often is related to language. In his terms: the corporate identity of groups in society is a result of the language variety spoken by that group. Because of social reasons we better respect the identity of groups, so we should respect their languages as well.

As John Joseph (2004: 19) clarifies it, it is not only a matter of group identity. The mother tongue a speaker speaks defines his/her own linguistic identity. This identity is as inalienable as all other aspects of somebody’s individual or group identity and therefore should be protected.
6. Bill of Rights

Politicians, especially figures who themselves had to do with the situation of minorities, understood the relation between mother tongue and identity and thus of civil rights earlier. The idea that minorities should be given equal rights and therefore their languages and cultures as well, formed the background of John Hume’s 1979 proposal for a Bill of Rights of the Regional Languages and Cultures of the Community.

The Community here is the EC. John Hume, former social-democratic member of the European Parliament (MEP) but better known as Nobel Price winner because of his actions for peace in Northern Ireland, had just been elected in the first direct elections for the European Parliament.

The initiative taken by John Hume, who left the European Parliament July 2004 after 25 years of service, was the first step to language policy of the EU, twenty years after the first appeals of the Council of Europe.

Hume’s call lead to a series of initiatives, mainly taken by representatives of linguistic, ethnic or cultural minorities and quite often from the left part of the political spectrum, where equal rights are more a commonplace than at the right. For instance: the unofficial Intergroup of the EP for Minority Languages and Cultures which was founded in 1983 was an affair of mainly communists and socialists in the first days of its existence. Recently the group has been reorganized and got a new name, structure and goal: Intergroup for Traditional Minorities, Constitutional Regions and Regional Languages. Because of this the Intergroup becomes now more a platform for nationalist voices.

The parliamentary ‘rapporteurs,’ drafters of reports on minority languages, were quite often from a linguistic minority or from a region where language discrimination plays or played a role and therefore have some special interest in this matter. Willy Kuipers (1987) for instance was from Flanders and represented the rightist Volksunie in the parliament, a movement that found its origin in the Belgian linguistic conflicts. Pere Esteve (1990) and José Muñoa Ganoza (2001, Committee of the Regions) were speakers of Catalan, a language which was forbidden under the Franco regime. Mark Killilea (1994) and Tony McKenna (2001, Committee of the Regions) are from Ireland, whereas Eluned Morgan (2001) is Welsh and Michl Ebner (2004) is a South Tyrolean and so from a part of Italy where the colloquial language is a German dialect. Bábara Dührkop Dührkop (2003), being the widow of an ETA victim, suffered from nationalistic Basque violence.

The first official step taken by the European Parliament, so by the EC/EU, was the 1981 resolution on a Community Charter of regional languages and cultures and a Charter of rights of ethnic minorities prepared by Gaetano Arfé, an Italian historian and social-democrat who made his name in language policy. Notice that
this resolution calls upon a charter of *regional* languages, not *minority* languages together with a separate charter of rights for ethnic minorities.

The 1981 resolution of the EP has its counterpart in Recommendation 928 of the Parliamentary Assembly of the Council of Europe. The two parliaments worked closely together in this respect.

It took the Ministers in the Council of Europe another ten years to agree upon a European Charter for Regional and Minority Languages. As mentioned before only in 1998 the Charter entered into force. The charter has been ratified by 17 states now and signed by another 13 already.

### 7. Lesser used

As a result of the joint action of the two parliaments in 1981 a European Bureau for Lesser Used Languages has been founded in Dublin in 1982, which is a Non Governmental Organization, a so called NGO, that receives financial support from the EU; notice the euphemistic formulation lesser used in the name of the bureau. This bureau stressed and keeps stressing the role language plays for the awareness of smaller groups and minorities and the dangers the languages of these small groups live in.

This is not at all surprising. As we have seen in the linguistic world the threats smaller languages encounter became a topic from the seventies on. It is quite clear the situation in Europe can not be compared with that of Australia or America where the native languages of the continents hardly survive. Nevertheless a great deal of the lesser used languages in Europe and even in the EU are in danger or suffer from discrimination. In the enlarged EU almost 45 million people speak a language which is not considered an official language of the Union. These languages lack official support and are in trouble therefore. The European Bureau for Lesser Used Languages monitors the linguistic situation in the EU and concentrates on the position of possibly endangered languages.

In doing so the Charter turns out to be a very useful instrument. The Charter distinguishes between two categories of lesser used languages, chapter ii and chapter iii languages. Chapter iii languages are languages, which should be given active support by the national authorities. For instance in education, mass media, court and in using double names of cities. Languages of this category are Frisian and Basque. Category ii languages should be recognized by the authorities as languages only. Examples are Limburger and Norman.

“The charter does not deal with the situation of new, often non-European languages which may have appeared in the signatory states as a result of recent migration flows often arising from economic motives. In the case of populations speaking such languages, specific problems of integration arise” (European
Charter, Explanatory Report 1992: 15). Thus the languages of recent groups of immigrants, such as Turkish or Moroccan Arabic, are not considered minority languages in the sense of the Charter.

“The charter covers only historical languages (italics CH), that is to say languages which have been spoken over a long period in the state in question” (ibid.: 31). From this point of view it follows as well that the charter does not deal with dialects (European Charter 1992: Art.1), although some regional authorities now try to get recognition for their regional dialects as well.

The authorities of the Dutch province of Zeeland even announced they would go to court to get recognition for their dialects in case the Dutch national authorities should not want to recognize these dialects as a regional language. Linguists in the Netherlands argue against this recognition, since the dialects of Zeeland have been important constituents of the Dutch standard language (cf. Bennis 2003: 32). Therefore the Dutch government did not recognize the dialect of Zeeland, but as far as is known now the authorities of the province did not take the step and went to court yet.

On the other hand the charter recognizes non-territorial minority languages such as Yiddish and Romany.

8. Polyglotte

In the publications of the Bureau for Lesser Used Languages but also in the annual reports of the Council of Europe on the European Charter the actions taken by national and regional authorities to promote regional and minority languages are described in detail. This way of monitoring turns out to be very successful in encouraging authorities to outline language policy.

Nevertheless the situation is not positive everywhere. In France a parliamentary report by Bernard Poignant has been published in 1998. In this report Poignant, also mayor of the Breton town Quimper, proposed recognition of dialects in terms of the Charter. Although the then Prime Minister Lionel Jospin called on “Vive la France polyglotte” when accepting Poignant’s report (Montfrans 2004: 248), the report did not result in the effect that regional and minority languages in France receive active support. Prime minister Lionel Jospin proposed to ratify the Charter, but the Conseil constitutionnel, the institution which guards the French Constitution, held the opinion the text of the Charter was not in conformity with the national constitution. The French president Chirac for his part did not want the constitution to be changed because of this reason. In France the idea is still vital that there exists only one national and at the same time standard language. This is of course French and all the other languages, even if they have no family relation with French whatsoever, are only dialects, patois. Speakers of minority
languages, linguists nor politicians seem to be able to change this dominant French attitude: “Dozens of parliamentary bills have been tabled but never debated. The only one ever actually to have been debated was tabled in 1951 by Joseph Deixonne, a member of parliament from the department of Tarn (Occitan)” (Poignant 2000b: 49; see also Poignant 2000; about the debate in France see also Charte 2003). It is of course not an accident that both Poignant and Deixonne are from regions in which the regional languages Breton and Occitan are not yet completely extinct.

27 January 2005 the three main political groups in the French Parliament tabled a few amendments to assure the rights of regional languages or to ratify the Charter. The outcome was not different from all the prior ballots: negative (Eurolang 2005).

9. Poland

France with its well-known centralist attitude is not the only European country in which this view is still dominant. In Poland the existence of minority languages has been denied or at least doubted during the whole communist period. At the Third International Conference on Minority Languages in 1986 at Galway University in Ireland a prominent Polish linguist claimed that Poland being a homogeneous country there were no minorities in Poland and therefore no minority languages as well. He was not the only one who claimed Poland did not have minorities: “Communist propaganda had claimed that the Polish state was a homogeneous country in terms of the national structure. Representatives of other nationalities, inhabitants of Polish territories for several generations, were perceived in terms of ethnic relics. The problems of minorities in Poland were invisible till 1989” (Moskal 2004: 5). “In the Polish People’s Republic (the Communist regime, CH) the government used a policy against the language and culture of minorities that was very typical of the whole of Eastern Europe policy. It was one element of a very restrictive and discriminatory Stalinist practice” (ibid.), although some might think that denying the question of ‘nationalities’ could be considered as an extreme consequence of the theories of equality which were typical for that period.

A few years later, April 1997, when Poland adopted a new Constitution after the fall of the communist regime, Polish was still called the only official language of the Republic according to article 27, but on the other hand all Polish citizens belonging to national minorities were given the freedom to maintain and develop their own language according to article 35. The Educational System Act of 7 September 1991 regulates the issue of teaching minority languages.
At the moment of the accession of Poland to the EU, May 2004, the following minorities or groups have schools providing lessons of or in their respective mother tongues: Germans, Jews, Lithuanians, Russians, Slovaks and Ukrainians. Belarussian, Lemkish/Ruthenian and Kashubian are taught in some state schools as an additional language. Altogether now 16 indigenous minority languages are recognized in one way or another (Moskal 2004: 2-7).

Poland signed the European Charter for Regional or Minority Languages on May 12, 2003, but still has to ratify the Charter (Moskal 2004: 7).

10. Copenhagen

Because of this post-Stalinist attitude of denying the existence of minorities or at least of not granting them rights the Copenhagen Summit of 1993, where the criteria have been discussed applicants for membership of the EU had to fulfill, called upon protection of minorities in the enlargement countries. The language situation of minorities in these countries was not yet mentioned explicitly, but a few years later, in 2001, the European Parliament asked for attention for the linguistic situation in the new member states straightforwardly.

To fight these negative opinions and to promote the value of people’s own mother tongues Unesco for its part initiated Mother Language Day, February 21, which has been celebrated in the year 2000 for the first time. The European Year of the Languages might be seen in the same perspective, although the year did not aim at linguistic diversity only. It also was meant to promote language learning. In 2001 at September 26 the First European Day of Languages has been celebrated.

“Linguistic diversity including the promotion of lesser-used regional and minority languages is a democratic and cultural cornerstone of the Union, and recognized in Article 22 of the Charter of Fundamental Rights of the European Union,” notes the Final Document of the European Bureau for lesser Used Languages, EBLUL, Extraordinary Council Meeting of February 2003. This Charter, which has been adopted in 2000 and forms now chapter two of the proposed European Constitution, says in Article 22: “The Union shall respect cultural, religious and linguistic diversity.” At the Barcelona summit of 2002 the European leaders, while discussing language learning and linguistic diversity, stressed the equal rights and dignity of all European languages once more. In this way defense, preservation and promotion of minority languages has become a topical political item, just as environmental policy, women’s rights or gay and lesbian rights.

In the 2004 new European Commission under the presidency of José Manuel Barroso the Slowak Ján Figel was appointed as Commissioner with a portfolio that explicitly includes responsibility for multilingualism for the very first time.
In his policy most stress will be put on foreign language learning within the European Union, however the position of the 60 indigenous languages next to the 20 official languages of the EU seems to be an important aspect of Figel’s activities in terms of linguistic and cultural diversity and values as well. In his first Communication on this subject ‘A new Framework Strategy for Multilingualism’ (COM 2005: 596 final) Commissioner Figel states:

Language is the most direct expression of culture; it is what makes us human and what gives each of us sense of identity. Article 22 of the Charter of Fundamental Rights of the European Union states that the Union shall respect cultural, religious and linguistic diversity. Article 21 prohibits discrimination based on a number of grounds, including language. Together with respect for the individual, openness towards other cultures, tolerance and acceptance of others, respect for linguistic diversity is a core value of the European Union. Action by the Union and the Member States to uphold multilingualism therefore has a direct impact on the life of every citizen. (par. 1.1)

11. Frisian

The Dutch government welcomed the Charter wholeheartedly: “By ratification of the charter the government wanted to provide a solid legal basis for the position of the Frisian language within the province of Friesland” (Van der Goot 2000: 30), or Fryslân, as the official Frisian name for Friesland reads from 1997.

Historically and actually Frisian is different from Dutch. In linguistics Frisian always has been recognised as a separate language, just as the other West Germanic languages English, German and Dutch, because of its own linguistic characteristics and history, but even more because of the existence of an own literature and because of the fact there is a modern standard language. In comparison with the Dutch and German languages, Frisian only lacks its own state. When compared to Low German, which traditionally is called a dialect and not a language, the decisive argument is that there is a standard modern Frisian whereas there is no standard Low German language (cf. Van der Wal 1992: 91-92).

In the Middle Ages the present Dutch province of Fryslân was completely Frisian-speaking. At that time Frisian was also spoken in what is now known as the province of Groningen and in East-Friesland in Germany. In the Middle Ages Frisian served not only as the language of oral communication but also as the official language of government and the courts. (Van der Goot 1999b: 6)
There was no discussion about the status of Frisian, it was the language of the region, “über die friesische Sprache wurde erst gar nicht diskutiert” (Feitsma 1998: 40).

In 1498 Fryslân lost its independence and became part of the Netherlands (ibid.). From that moment on Dutch has gained increasing influence in Fryslân. In the course of the sixteenth century, the public administration, judiciary, schools and church switched to using only Dutch. Frisian was in fact squeezed out of the domain of public life and largely ceased to be used in written form. Furthermore, Frisian disappeared almost entirely outside the province of Fryslân, even as a language of oral communication. This happened first in the province of Groningen and later in East-Friesland in Germany. (Van der Goot 1999b: 6)

Although Frisian disappeared from the public domain, the seventeenth century renaissance poet Gysbert Japicx wrote his works in Frisian and showed in this way that Frisian could function as a language of culture and could be used in a written form too (cf. Feitsma 1998: 53).

Nevertheless it took till the nineteenth century before “[f]risian regained access to more areas of life and was once again used in writing. It was not until the twentieth century, however, that Frisian regained a place in the public administration, judiciary, schools and church” (Van der Goot 1999: 6).

The first unofficial recognition came in 1937 when the Dutch Parliament accepted an amendment to the Primary Education Act of 1920. From then on regional language was permitted as an optional subject in Dutch primary education. However Frisian was not explicitly mentioned in the Act (Van der Goot 1999: 81; Van der Goot 1999b: 85). The same applied to the 1948 amendment to the Secondary Education Act.

It was only after the Second World War and especially after the Frisian riots of 16 November 1951, known as ‘Kneppelfreed,’ literally ‘club-Friday’ (Feitsma 1998: 50), that the Frisian ‘problem’ received real attention. At ‘KnepperlFreed’ Frisian activists, students, writers and journalists protested against the ban on Frisian in court.

From 1952 Frisian could be chosen as a major subject in higher education. In 1953 the Committee Kingma-Boltjes published a report on the use of Frisian language in legal matters. This committee had been installed because of the protests after ‘Kneppelfreed.’ Some years later (1970) the Dutch Minister of Culture, Recreation and Social Works commissioned a report on Frisian Language Policy for the first time. This report is known as the Van Ommen Committee Report. From that moment on each few years a new report, policy document or government measure was published, culminating in three Administrative Agreements on the Frisian language and culture, 1989, 1993 and 2001 (cf. Van der Goot 1999b: 85-90; Second Periodical Report 2003: 9).
Administrative Agreements, later called Covenants, have been adopted between the central Dutch government and the Provincial Executive of Fryslân.

In 1983 a provincial Frisian working group still had to produce a report under the bilingual Frisian Dutch title “Fan geunst nei rjocht/Van gunst naar recht,” “From favour to justice” (Van der Goot 1999: 85), from 1989 on the Dutch and the Frisian authorities cooperated in linguistic matters on a small but joint legal basis.

Since the Dutch authorities realized they had to pursue a language policy because of the Frisian case, they welcomed the Charter. This Charter offered a European legal framework and context for the discussion with the provincial authorities of Fryslân or for the initiatives the two authorities were planning to take.

The Dutch government recognised Frisian as a chapter 3 regional language, which means that the government and the authorities have to support the language actively. As Van der Goot (2000) confirms this is what happened: “It is hardly an exaggeration to state that the ratification of the charter in 1996 pushed the government into taking several initiatives in accord with the objectives and spirit of the charter [. . .].” (2000: 35). The Second Periodical Report of 2003 endorses this result.


12. Low Saxon

“At the time of the parliamentary debates on the Bill to ratify the Charter, the Dutch government was asked to consider the Low Saxon languages as regional languages within the meaning of the Charter” (Second Periodical Report: 2003 183).

The charter itself does not provide clear-cut guidance as it does not list the regional or minority languages of Europe. Section 32 of the explanatory report remarks only that “it will be left to the authorities concerned within each state, in accordance with its own democratic processes, to determine at what point a form of expression constitutes a separate language.” (Van der Goot: 2000 32)
Initially the State Secretary for Home Affairs reacted negatively. He claimed the Low Saxon varieties to be dialects of the Dutch language. Against this idea the well known Dutch dialectologists Anton Weijnen argued:

a. the Low Saxon dialects never formed a basis for the Dutch standard language
b. the Low Saxon dialects did not originate in or come from the Dutch language
c. the dialects spoken in the North East region of the Netherlands form a unity with the West Low German dialects spoken at the other side of the border in Germany. No one would claim these dialects to be called Dutch. The same applies to the Low Saxon dialects in the Netherlands. These two groups together form a separate category, with a character of their own, next to Dutch and High German. (Oostendorp 2002: 3)

The State Secretary accepted Weijnen’s arguments.

In consultation with philologists from universities and research institutes, such as the Royal Netherlands Academy of Arts and Sciences, it was agreed that the varieties of Lower-Saxon spoken in the Netherlands should not be considered dialectal forms of the Dutch language. By contrast, they should be denoted as variants of a distinct language category which in the Netherlands is called Lower-Saxon and which in Germany is called Low German. (Van der Goot 2000: 32)

But Lower Saxon did not receive the same status as Frisian, it got recognition as a chapter ii language in terms of the Charter. Chapter ii languages are only recognized by national authorities, whereas chapter iii languages should be supported actively and financially.

The regional authorities in the North Eastern provinces of the Netherlands did not stop defending and promoting their regional language. For instance in 2001 the Provincial Executive of the province of Groningen published an official letter concerning the Groningen language and culture in which they announced to aim at chapter iii recognition for the Low Saxon language (Brief 2001).

The Minister for Home Affairs stood firm and refused to recognise Low Saxon as a chapter iii language. He wrote the regional authorities it was their duty to take care of their regional language (Brief 2003).

13. Limburger

The discussion about the status of Low Saxon was not the only one within the ratification process of the Charter. Shortly after the recognition of the Low Saxon language the provincial government of the Dutch province of Limburg, which is in the South East of the country, requested the dialects spoken in this province to
be recognised as a regional language according to chapter ii as well. The Dutch government agreed on 14 February 1997 and “submitted an additional declaration to the Council of Europe (on 19 March 1997) concerning the official recognition of Limburger as a regional language within the meaning of Article 2(1) of the Charter. In doing so, the Netherlands has also undertaken to apply the principles contained in Part II of the Charter in relation to Limburger” (Second Periodical Report 2003: 5).

The Dutch authorities could easily have used arguments similar to these of Weijnen in the case of Low Saxon (cf. Streektaal.net: n.d.). The dialects of Limburg share some characteristic features with dialects across the German border. These dialects, which are called Lower-Franconian or Lower-Frankish or Middle Rhinelandic by Weijnen have some peculiarities which are rare in Germanic languages. They show tonal accents (cf. Gussenhoven 2004). This is one of the linguistic reasons these ‘former Limburger dialects’ are now considered a separate regional language or even as a ‘foreign’ language (Streektaal.net: n. d.).

Limburger is spoken in the Belgium province of Limburg as well. Belgium has not signed the Charter and so Belgium can not recognize Limburger as a regional or minority language in terms of the Charter. In spite of that two years after the Dutch recognition of Limburger the Flemish authorities asked the Dutch-Flemish Language Union, which is an international Treaty Organization for the protection and promotion of the Dutch language, for an opinion on the recognition of Limburger and on a possible subscribing to the Charter. The Secretary General of the Taalunie, the Flemish sociolinguist Koen Jaspaert argued Limburger should not be considered as a language in terms of the Charter. As he understood article 1 of the Charter only languages such as Frisian in the Netherlands, Albanian and German in Italy, Breton and Corsican in France should be accepted as languages. No other varieties could have a claim to the title language; they are only dialects, which does not mean their speakers should not have rights.

For the case of Belgium this implies there exist only three, official, languages Dutch, French and German, according to Jaspaert. All other varieties have the status of dialects only (Taalunieversum 1999).

In 2000 a staff member of the Taalunie Johan van Hoorde, also a Flemish scholar, went a step further. When discussing the status of the province of Zeeland, in the South West of the Netherlands, he qualifies the decision of the Dutch government to recognize Limburger and Low Saxon as regional languages as an awkward choice (Taalunieversum 2000).

The Council of Dutch Language and Literature of the Taalunie, a group of Flemish and Dutch specialists, discussed the application of the province of Zeeland for the recognition of their dialects under the Charter in 2001 (Taalunieversum 2001). In its report the Council following a definition of dialect given by the Flemish dialectologists Jan Goossens, comes to the conclusion that the Charter is
not designed to recognize varieties as Low Saxon and Limburger or the dialects of Zeeland as regional or minority languages. According to the Council of the Taalunie only Frisian should be accepted as a separate language under the Charter.

As an extra argument the Council adduced the fact the Dutch Government had not examined the question whether Limburger should be considered as a special variety of Dutch or as a separate non-Dutch language linguistically. Only because the Provincial Executive of the Dutch province of Limburg valued the recognition highly, Limburger has been recognised, the Council quotes from the parliamentary proceedings (Taaluniversum 2001).

The Dutch government did not change its position the consequence being that the same variety is called a language in the Netherlands and one or more dialects in Belgium.

May be the well known Belgium linguistic conflicts play a role in this matter. One should not forget that Belgium is one of the few Western European countries which even did not sign the Charter. The only explanation for this must be found in the recent linguistic conflicts in the country and the political consequences thereof.

The Committee of Experts of the Council of Europe on the Charter, which reported on the situation of regional and minority languages in the Netherlands, concluded: “there seems to be uncertainty as regards the position of the Limburger language. It is recognised as a language under the Charter by the Dutch authorities, but is not so far recognised by the Dutch Language Union (Taalunie). The Committee considers that this in no way affects the obligations of the Dutch Government under Part ii of the Charter” (Application 2001: 27).

14. Dutch

With the acceptance of Low Saxon and Limburger alongside Frisian the debate about the Charter of Regional and Minority Languages did not come to an end in the Netherlands. Before there has been referred already to the unsuccessful discussion about the status of the dialects of the province of Zeeland. These dialects are dialectal forms of Dutch according to the linguistic common opinion in the Netherlands. Rightly Johan van Hoorde (Taaluniversum 2000) argues that the dialects of Zeeland should be enclosed within the history of the Dutch language. The Minister for Home Affairs followed the Taalunie at this point, but at the same time he criticised the stand the Taalunie took in the debate about Low Saxon and Limburger. The dialects of Zeeland always have been dialects of the Dutch language, whereas Limburger and Low Saxon never were (Remkes 2004).
Next to these three regional languages, the Dutch authorities also recognised two non-territorial languages as minority languages of the Netherlands, the Romanes languages and Yiddish. With the Romanes languages (Application 2001: 30) the Dutch authorities mean the language of the Roma and the Sinti, usually and elsewhere called Romany or Romani.

According to Van der Goot (2000: 32) Yiddish and the Romany languages could be recognized next to Frisian because the definition in Article 1 of the Charter does cover this type of languages. Not in the same way as the territorial minority language Frisian but as non-territorial minority languages.

Since there live around 4.500 Sinti and approximately 750 Roma in the Netherlands it is quite reasonable to classify their language(s) as non-territorial minority language(s). Already in the bill of the adoption of the Charter, the Dutch government conveyed that the Roma and Sinti languages should be regarded as non-territorial languages within the meaning of the Charter (Second Periodical Report 2003: 216).

The Committee of Experts of the Council of Europe which visited the Netherlands in February 2004 was informed that “as regards the Roma group, the figures provided by the Dutch authorities in their second periodical report are probably lower than the actual number of Roma persons in the Netherlands. During the last decade a number of Roma persons emigrated from Eastern Europe to the Netherlands” (Application 2004: 6). A more accurate number would be probably around 6000 persons (ibid.).

This figure makes it even more evident that the languages of the Sinti and Roma should be recognized as non-territorial minority languages in the Netherlands. Actually this recognition does not have much effect. For instance in 2004 the Committee of Experts established “the Romanes language has not received any significant attention or support from the central government” (Application 2004: 31).

The Committee of Experts concludes that the level of action is far from satisfactory. The Committee of Experts encourages the authorities to adopt a more pro-active attitude, in particular by establishing contacts with the Sinti/Roma groups, and to be open to support any educational initiatives that may be proposed by the Sinti/Roma organisations. (ibid.: 14)

The answer of the Dutch Ministry of Education is revealing: “There are no known initiatives in relation to Roma and Sinti. If such initiatives should arise, it will be considered whether and in what way these initiatives can be supported” (ibid.: 40). For Yiddish the situation is a different.
15. Yiddish

This anti-discrimination and pro-diversity character of the present-day attitude towards minorities explains why the Dutch government recognised Yiddish as one of the minority languages of the Netherlands, although West-Yiddish died out in Western Europe in the 19th century already. Yiddish was not mentioned in the original bill of adoption of the Charter. During the parliamentary proceedings of the bill Yiddish was added, just as Low Saxon, but of course in a different category: that of non-territorial minority languages (Second Periodical Report 2003: 211).

Yiddish has a rich and impressive history in the Netherlands, which goes back to the seventeenth century. In that period Amsterdam, or Mokum as the Yiddish name for Amsterdam reads, became the centre for Yiddish and Jewish book printing. From the French time on, which started in the Netherlands in 1795, Jews got civil rights, which resulted in a movement for assimilation. Furthermore the language policy of the Dutch king, William I (1813-1840), forced the Jewish community to give up their own language in public. The language of education in Jewish schools had to be Dutch. Also in the synagogues Dutch should become and became the main language slowly.

These two forces, the internal ambition of the Jewish elite and the external pressure by the official Dutch language policy, resulted in the decline and disappearance of Yiddish in the Netherlands. Written Yiddish faded away around the middle or at the latest in the second half of the 19th century, the last spoken Yiddish disappeared at the end of this century or in the first decade of the 20th century (Pach 2005; Van der Sijs 2005; Zwiers 2003).

In their survey article on linguistic diversification of Dutch through language contact Den Besten and Hinskens (2005: 290-291) quote a review by Prins from 1916, in which this author discussed the then recent handbook of Van Ginneken and a study by Voorzanger and Polak. As noted before Van Ginneken (1913) described the usage of more than 300 different Dutch language groups, among others the ‘Jewish Language.’ Voorzanger and Polak (1915) is an etymological lexicon of ‘Jewish’ in Dutch, which means it presents the origin of Dutch Jewish words and expressions. Both Van Ginneken and Voorzanger and Polak actually do not discuss Yiddish but a language variety which might be called ‘Jewish Dutch.’

Prins states explicitly that Yiddish was disappearing but not without leaving traces in a Dutch only known to Jews and in a kind of Yiddish, which would be accepted as Yiddish nowhere except in the Netherlands. According to Den Besten and Hinskens this jargon should be called ‘Jewish Dutch.’ This variety disappeared with the Second World War and the Holocaust (Kisch 1968, in Den Besten and Hinskens 2005).
The Yiddish, which was spoken in Amsterdam and the rest of the Netherlands, was Western-Yiddish, a language that was also spoken in Western and Central Germany, the Alsace and Switzerland. The language still exists in the Alsace, although it does not flourish. This Western-Yiddish differs considerably from Eastern Yiddish (Zwiers 2003; Jacobs 2005).

However, the language that has been recognised by the Dutch government as a non-territorial minority language is in fact Eastern-Yiddish. This language has been brought to the Netherlands by recent immigrants, orthodox or may be even Chassidic Jews from Eastern-Europe. The rapporteur of the Second Periodical Report (2003), Auke van der Goot, states clearly that there are no official and reliable figures of the use of Yiddish in the Netherlands.

There are thought to be a few hundred Yiddish-speakers in the Netherlands, most of them in Amsterdam and a few in The Hague. In this context Yiddish-speakers means people who use Yiddish as the medium of domestic or scholarly communication [. . .] It should be noted, however, that they are not derived from surveys or other systematic research, but are based on estimates by the Cheider in Amsterdam. (2003: 211)

The Cheider is a traditional, orthodox Jewish combined school, some people in the Dutch Jewish community would call the Cheider ultra-orthodox. Most of the pupils of this school have a Central- or Eastern-European family background, sometimes via an American detour or via Antwerp, nowadays the centre for Jewish orthodoxy in Western-Europe.

The Yiddish, which is in use at the Cheider as a language of communication and of instruction, alongside Dutch, is Eastern-Yiddish. “The school is a centre both for everyday Yiddish and for Yiddish as a language of scholarship. The Cheider works with those members of the Jewish community who, whether from background or persuasion, use Yiddish as a language of communication in their private and scholastic lives” (Second Periodical Report 2003: 213). As the Council of Europe’s Committee of Experts noted in 2000, when they did an at the spot check, “Yiddish is the language of communication, even for those pupils who have not grown up speaking it at home” (ibid.). During their second on the spot visit, February 2004, the Committee noted the Yiddish language to be taught then outside the regular school hours since the Cheider must respect the national Dutch curriculum. The Committee of Experts appeared not to be very happy with this and encouraged the Dutch authorities to allow Yiddish to be taught as an optional part of the national curriculum (Application 2004: 13).

The response from the Dutch Ministry of Education is abundantly clear:

For the purposes of the reception and integration of students with a non-Netherlands cultural background into the Dutch educational system, the language of the country of origin may also be used as medium of instruction [. . .] the Committee of experts has determined that Yiddish is
not commonly spoken among the students of the Cheider school, all of whom have a Dutch cultural background. Viewed from this perspective, it is not reasonable to justify the use of Yiddish during educational activities or during school hours. (Application 2004: 39)

The question now remains what happened in the few years between the two reports. Did the population of the Cheider, whose secretary is one of the two main informants for the reports (Second Periodical Report 2003: 211), change dramatically or did the staff of the Cheider only give up their attempts to teach their non-Yiddish speaking pupils in Yiddish because of the requirements of the Dutch curriculum. Or did they realise their pupils might have a Yiddish family background but no or almost no knowledge of the language themselves and that therefore it might be little effective to teach them in Yiddish, how successful their ‘immersion method’ might have been (ibid.: 213). Or may be the 2000 statement should be seen more as a marketing statement than as a scholarly observation. The reports do not give any answer about this.

Van der Goot (Second Periodical Report 2003) sums up what kind of financial and moral support the Cheider and a few other organisations for the study of Eastern-Yiddish receive from the Dutch government because of the recognition of Yiddish as a non-territorial minority language. Among the organisations and initiatives which receive support one finds the ‘Jiddisjer Kraiz’ which “promotes the speaking and reading of Eastern Yiddish” and the ‘Hachnoses-Orchim’ organisation which is dedicated to the study of the history and language of the East European Jews who emigrated to the Netherlands in the interwar years” (Second Periodical Report 2003: 212-213).

The Dutch Government is not the only one that recognises Yiddish as a non-territorial minority language. Sweden for instance does the same. From a report on the application of the Charter in Sweden (2003) one might conclude that the status of Yiddish in Sweden is even more obscure than in the Netherlands. When the Council’s Committee of Experts tried to contact the Jewish or Yiddish community in Sweden, the committee did not receive any reaction.

Of course there are good reasons to recognise Eastern-Yiddish as a non-territorial minority language in some countries of Central and Eastern Europe, as for instance Poland and the Ukraine. For the Netherlands this seems a bit odd, especially where the Charter and the explanatory report stipulate that languages of immigrants should not be recognised (see also Van der Goot 2000: 32). As one of the reasons therefore the specific problems of integration have been mentioned. A school as the Cheider which used as means of communication and instruction a language which is not familiar to quite a part of its pupils, can not be sketched as a moving spirit behind integration.

It might be clear from what have been observed here that it is the Cheider, which used the opportunity and the facilities offered by the Charter. Un-
fortunately the Dutch government did not scrutinise the linguistic facts behind the application. Otherwise it would have become clear immediately that the Yiddish which the Cheider promotes is not the same language as was in use in the old days among minority groups in the Netherlands.

16. Conclusion

This outcome is typical of the politically correct atmosphere in which the discussion on the rights of lesser used languages landed. A linguistic discussion, which goes together with a political debate on such sensitive topics as equal rights, dignity, guilt and discrimination, does not invite to a down to earth manner of arguing. In such a setting it is nearly impossible to stick to the facts.

Bibliography


Appendix

The Minority Language Debate
Some data and names

1957 Resolution 136 of the Consultative Assembly Council of Europe
1961 Recommendation 285 of the Parliamentary Assembly of the Council of Europe
1966 United Nations: International Covenant on Civil and Political Rights, article 27
1979 Proposal for a Bill of Rights of the Regional Languages and Cultures of the Community by John Hume MEP
1981 16 October: Resolution of the EP on a Community Charter of regional languages and cultures and a Charter of rights of ethnic minorities (Gaetano Arfé)
1981 Recommendation 928 of the Parliamentary Assembly of the Council of Europe (Charter)
1982 European Bureau for Lesser Used Languages (Dublin till 2001/Brussels) EP-initiative
1983 11 February: Resolution of the EP on measures in favor of minority languages and cultures (Gaetano Arfé)
1983  Intergroup of the European Parliament for Minority Languages and Cultures

1987  30 October: Resolution of the EP on languages and cultures of regional and ethnic minorities in the European Community (Willy Kuijpers)

1988  Resolution 192 of the Standing Conference of the Council of Europe Opinion 142 of the Parliamentary Assembly of the Council of Europe

1990  11 December: Resolution of the EP on languages in the Community and the situation of Catalan (Pere Esteve)

1991  The European Charter for Regional and Minority Languages adopted by the Ministers in the Council of Europe

1993  Copenhagen Summit EU Criteria for enlargement: protection of minorities


1998  1 March: European Charter for Regional or Minority Languages of the Council of Europe entered in force (two categories, no dialects or languages of immigrants Chapter iii: active support e.g. Frisian, Basque Chapter ii: recognition e.g. Limburger, Norman)

2000  21 February: First International Mother Language Day, Unesco

2000  Charter of Fundamental Rights of the European Union (Article 22) “The Union shall respect cultural, religious and linguistic diversity.”

2001  European Year of the Languages (linguistic diversity language learning)

2001  13 June: Opinion of the Committee of the Regions on the promotion and protection of regional and minority languages (Tony McKenna & José Muñoa Ganuza)

2001  26 September First European Day of Languages

2001  30 November- 1 December From Theory to Practice - The European Charter for Regional or Minority languages (Third International Conference on the European Charter) Noordwijkerhout, the Netherlands

2001  13 December: Resolution of the European Parliament on regional and lesser-used European languages (Eluned Morgan)

2002  14 February: Barcelona Summit Council Resolution on the promotion of linguistic diversity and language learning (because of economy, mobility & education) two foreign languages

2002  The European Union and Lesser-Used Languages working paper EDUC 108EN
2003 3 March: Oral question by Bárbara Dührkop Dührkop, MEP, about EU policy on lesser used languages

2003 4 September: Resolution of the EP on European regional and lesser-used languages – the languages of minorities in the EU - in the context of enlargement and cultural diversity (Michl Ebner). Called on the Commission to submit by 31 December 2003 legislative proposals on language diversity and language learning (to include European regional and lesser-used languages)

2003 Action Plan linguistic diversity and language learning (inclusive approach)

2005 13 June Council Meeting Luxembourg.“The Council gave Irish full status as an official and working language under the rules governing the languages of the institutions of the European Union, and decided to authorise limited use at EU level of languages recognised by Member States other than the official working languages”. (for instance Catalan, Basque, Galician)