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*Selected Proceedings of the Language Legislation and Linguistic Rights Conference,  
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## LANGUAGE LEGISLATION AND LINGUISTIC RIGHTS

*Selected Proceedings of the Language Legislation and  
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Edited by

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## Language Rights Arguments in Central Europe and the USA : How Similar Are They?\*

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### 1. Introductory Caveats

It is a curious feature of the various discourses on language rights and bilingualism that one can come across arguments which seem to be identical but are used for diametrically opposed purposes. For instance, it has been claimed that failure to provide basic bilingual services, that is services in the L1 of a group of people whose mother tongue is different from the state language of the country in which they live, can block the adaptation of such people to the majority population (see, e.g., Nicolau and Valdivieso 1988/1992: 320). But failure to provide basic bilingual services has also been cited as a possible cause of assimilation to the majority population. For instance, the second position, that lack of bilingual services enhances or promotes assimilation, has been argued by Hungarians who live in Slovakia. The former position, that lack of such services blocks adaptation, has been argued with regard to some Spanish speakers in the USA. Such apparent paradoxes seem to be an unfortunate characteristic of much of the popular and political discourse about language rights, but perhaps linguists' discourse also suffers from it to some extent.

I personally have recently come to the conclusion that the implicit dangers of misunderstanding between, say, a Central European scholar and a

West European or North American scholar are considerably greater than it is usually assumed and therefore special care needs to be taken by scholars to hopefully minimize any possible misunderstanding. Part of the problem may be that the scholars engaged in scientific communication are native speakers of different languages and their unequal competence in the language they happen to be using with each other or in their research leads to undetected miscommunication. But, perhaps more importantly, miscommunication may also result from differences in shared basic knowledge and assumptions, which may also go undetected, even with the best of intentions on the part of the communicators. For instance, the English word *democracy* is most likely to cause problems if it is used by, say, a Hungarian and an Englishman since they use them in very different ways. English and Hungarian social scientists engaged in a conversation may do their best to avoid or minimize misunderstanding and yet they may dismally fail.

Misunderstanding can also result from inaccurate printed information, and the more prestigious the publication in which the information occurs, the more likely it is to be believed. For instance, until recently I had been using publications by the Minority Rights Group (London, UK) with great benefit and with little suspicion of possible inaccuracies. But recently I read the following in a paper on Czechoslovakia:

In September 1992 the Slovak National Council (SNC) endorsed a constitution for an independent republic based on principles of parliamentary democracy. ... The Slovak language is the official language and the use of other languages will be regulated by separate law...

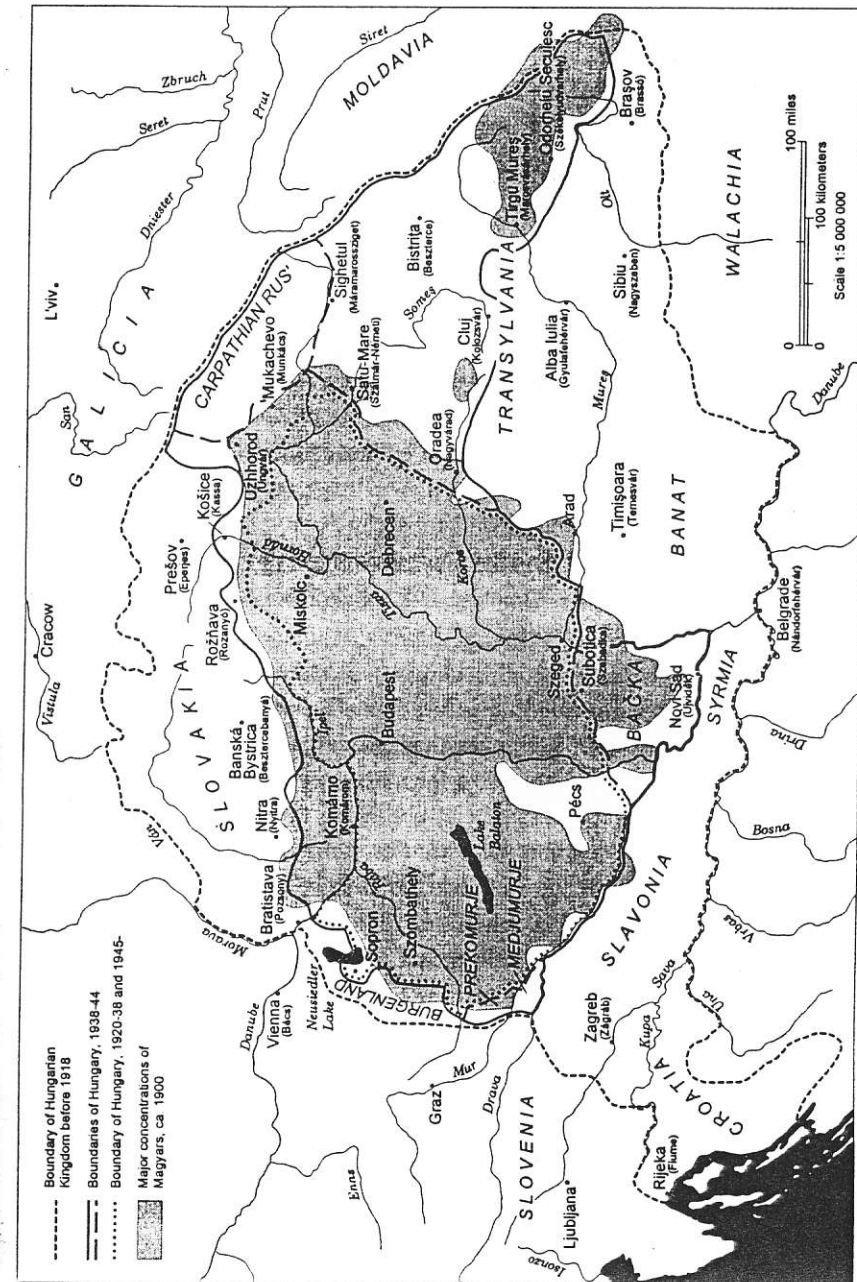
The applicable Language Act in Slovakia grants the status of official language to a minority language if an ethnic minority in a given region exceeds 20 per cent of the population. (Plichtová 1993:17)

Unsuspecting readers of this text would be much surprised to learn that the second occurrence of the phrase *official language* denotes here a situation in which, if a minority exceeded 20% of the local population, its language could be used in official contacts orally but not in writing, and that local government officials were not required by law to know and use the minority language. This was the case in Slovakia while the Slovak Official Language Law adopted in October 1990 was in force. It is Section 6, Paragraph 2 of this law which states that national and local government officials are not required to know and use the minority languages, and that official documents are written in the

official language, which is earlier defined in the law as Slovak (see, e.g. Zalabai 1995: 324).<sup>1</sup> In short, the term *official language* is used by Plichtová to denote widely different referents: for instance, government officials were required to know and use *official language(1)* but not *official language(2)*, and official documents were always written in *official language(1)* but never in *official language(2)*.

A comparison of the kind I will attempt to make here is bound to fail or be badly misunderstood if some of the basic historical and political differences between the regions compared are not clearly stated and constantly borne in mind. I will try to avoid these traps by briefly stating what seem to me the major pertinent differences between Central Europe and the United States.

The relations of minorities to majorities radically changed in Central Europe following the Treaty of Versailles after World War I. The Austro-Hungarian Monarchy collapsed, new borders were drawn and new states created, such as Czechoslovakia and Yugoslavia. Former minorities became majorities and vice versa (see Slapnicka 1993). Hungary's new borders were drawn without regard to ethnic boundaries and thus about one-third of Hungarian speakers became citizens of another neighboring country (see, e.g. Magocsi 1993: 134-5).



Map of Hungary in the Twentieth Century was reproduced based on *Historical Atlas of East Central Europe*. Paul Magocsi. 1993. Seattle & London: University of Washington Press, by permission of the author.

The situation in which millions of Hungarians found themselves after WW I seems to be somewhat similar, for instance, to the plight of the Mexicans who "woke up one morning to find themselves citizens of the United States" (Marshall 1986: 40) when the US annexed New Mexico following the Treaty of Guadalupe Hidalgo in 1848.<sup>2</sup> The first important point to bear in mind is that Hungarian minorities in Slovakia, Ukraine, Romania, Yugoslavia, Croatia, Slovenia and Austria are *indigenous minorities* like the Spanish speakers who became US citizens after the territory of New Mexico changed hands. They are not immigrants in any sense of that word. (There is no emigration from Hungary to any of the neighboring countries,<sup>3</sup> not even Slovaks living in Hungary emigrate to Slovakia.) From this it follows that the aim of Hungarian minorities outside Hungary is *language and culture maintenance* rather than assimilation to the majority nations in whose countries they live.<sup>4</sup> It should also be noted that assimilatory pressures on the Hungarian minorities in the successor states of the Austro-Hungarian Monarchy have tended to be much greater and certainly more direct than the pressures on immigrant minorities in the United States (see, e.g. Janics/Borsody 1982, Schöpflin & Poulton 1990, and *Destroying Ethnic Identity* 1989).

At the risk of gross oversimplification I will attempt to characterize the current foreign policy situation in the Carpathian Basin. For about a decade now, but certainly since 1988, Hungary has been arguing that ethnic Hungarians living in the neighboring countries form an integral part of the Hungarian nation and that Hungary has a special obligation toward them (see e.g., Oltay 1992). At least three neighboring countries, namely Slovakia, Romania and Yugoslavia (Serbia), reject the idea that the Hungarian Republic has any obligation toward the Hungarian minorities living in their countries (c. 600,000 in Slovakia,<sup>5</sup> c. 2,000,000 in Romania, and perhaps 300,000 in Vojvodina, Serbia). Official propaganda in those countries often describes Hungarians in Hungary as well as in the neighboring countries as striving for territorial revisions, and a "Hungarian threat" is part and parcel of the extremist propaganda in those states. At least for half a century no Hungarian government has made any territorial claim on any neighboring country. The second important point to bear in mind is that minority and language rights issues in Central Europe are by definition *intimately tied to foreign policy*.<sup>6</sup>

Following the collapse of communism, Central European countries have been taking steps to join the Council of Europe (CE). An important precondition for these countries to be admitted to the various organizations of European integration is that they settle all their differences and sign bilateral treaties. Hungary has been attempting to follow a policy of internationalizing minority grievances (see Oltay 1992), i.e. expressing grave concern over the Hungarian minorities' human rights and language rights in Romania, Slovakia and Serbia at CSCE (now: OSCE = Organisation for Security and Cooperation in Europe) and other international conferences. Slovakia, Romania and Serbia, however, claim that the Hungarian minorities enjoy equal rights with other citizens, and the only problem is the threat of Hungarian separatism. Hungary and Slovakia, but not Romania or Yugoslavia, gained associate membership in the European Union in December, 1991. As a consequence, minority rights and language rights often form part of the agenda for negotiations between European organizations and Hungary, Slovakia, Romania, and to some extent Yugoslavia (Serbia). While a certain European influence on the fate of Hungarian minorities can be detected, by and large it is unclear how the international political forces are going to affect their future. The third point of difference to remember is that - at least theoretically - the various European organizations such as the CE and OSCE might influence the language rights of these minorities in some general European way.

A final caveat concerns the term *democracy*. In my opinion the American political scientist Barany (1992: 47) is right in his claim that:

It appears that in contemporary Eastern Europe "democracy" frequently denotes majority rule, accompanied by a neglect of, or even discrimination against, unprotected minorities.

## 2. Method

The sources for this study are not many. A comparative examination of X-Only legislation as promised in the title would only be possible in a book or several books. Thus what I will do in this paper is to glean X-Only arguments from five books and some auxiliary sources of information, mainly newspapers. The books are the following:



Crawford 1992a (*Hold Your Tongue*);

Crawford 1992b (*Language Loyalties*);

Berényi 1994 (*Nyelvországlás*, a book about the social and historical causes of the Slovak Official Language Law of 1990, written by a Hungarian member of the Slovak Parliament);

Zalabai 1995 (*Mit ér a nyelvünk, ha magyar?*, a collection of documents in the Hungarian press in Slovakia concerning the "placename-sign war" and the "personal-name war" in 1990-1994);<sup>7</sup>

*The Slovak State Language Law and the Minorities: Critical Analyses and Remarks.* ISBN 963 04 6102 1. This book contains an English translation of the State Language Law of 1995, the Justification (= commentary explaining the purpose of the law) attached to the draft-law submitted to the National Council of the Slovak Republic on 24 October, 1995, and critical analyses. (In this paper, this book will be abbreviated as SSLL.)

A further restriction should be admitted at the outset: not only do I limit my analysis to the listed sources, I also use them in a selective manner. The number of X-Only arguments in these books runs into the hundreds, which has forced me to select just a few of them for this paper. Space limitations have also forced me to concentrate on Slovakia and exclude Romania and Yugoslavia from this discussion.<sup>8</sup> A major reason for selecting Slovakia is that in less than six years two official language laws were passed in that country: Law No. 428/1990 on the Official Language of the Slovak Republic, and the Law on the State Language of the Slovak Republic adopted on 15 November, 1995 (see Appendix 1). The latter has revoked the 1990 law and came into force on 1 January, 1996.<sup>9</sup>

I will classify the arguments into similar (Section 3) and dissimilar (Section 4), keeping in mind which argument is for X Only, and which against it.

### 3. Similar Arguments

#### 3.1. *The Right to Be Free from Discrimination Based on Language*

The claim has been made that English speakers are discriminated against, for instance, in Dade County, Florida (see Crawford 1992b: 104-5). A member of the Slovak Parliament, Eva Garajová claimed in the debate on the draft of the state language law of Slovakia that the law "would halt the lingual discrimination and national assimilation of Slovaks," it threatens nobody, and "provides an opportunity for the creation of lingual and social equality of every inhabitant in Slovakia." (SSLL:18)

The argument that people have the right to be free from language-based discrimination has been used both by proponents of X-Only legislation and its opponents. On the one hand, English-Only advocates and Slovak-Only advocates have used this argument, and on the other hand, the Mexican American Legal Defense and Education Fund (see Crawford 1992a: 151) and Hungarians living in Slovakia have used it. It seems that everybody supports this argument and everybody claims that they alone are discriminated against.

Clearly, what is needed for this argument to be used in a reasonable way is some procedure to establish which group of people in a given linguistic situation is really discriminated against. The right to be free from language-based discrimination can thus be cited *for* X Only as well as *against* X Only. In what follows I will try to separate the arguments for restrictive language legislation from those against it.

#### 3.2. *Similar Arguments for X Only*

##### 3.2.1. *Equal Access to Education and Equal Chances to Participate Fully in the Country's Political, Economic and Social Life*

It has been argued both in the US and Central Europe (e.g. in Slovakia and Romania) that X Only creates social equality, hence X Only is good.

Among others, U.S. secretary of education William J. Bennett claimed that "alternative," nonbilingual approaches in teaching limited-English-proficient speakers would prepare children to participate fully in the opportunities and challenges of American society (Crawford 1992b: 358). In his view English is the common language that enables everybody to participate fully in American society.

The Justification of the Slovak law claims that the Slovak Republic

"offers bilingual education in multi-lingual inhabited regions, which would allow members of national minorities to master the state language to a sufficient degree, thus contributing to a deepening of mutual understanding." (SSLL:15) Such "equal opportunity" is provided for Hungarians in Slovakia and Romania whether or not they wish to be beneficiaries of it. They usually do not, as can be demonstrated by a recent press report (Vonyik 1996), in which an ethnic Slovak citizen argues that<sup>10</sup>

Hungarians are not discriminated against if they learn the state language. It allows them to get on in the entire territory of the country and they will not be tied to this region.

The response to this argument simply asks the rhetorical question:

Why do you think Hungarians would like to move away from here? They have their houses and lands here...

This kind of argument has been aptly summarized by Joshua Fishman (1988/1992b: 169) as the "We only want to liberate them from their ethnic self-imprisonment" syndrome. A recent use of this argument is found in a letter by the Slovak Foreign Minister to the OSCE High Commissioner on National Minorities.<sup>11</sup> In it the Minister explains to Max van der Stoep that after the recent failure of the Slovak version of "alternative education"<sup>12</sup>

this form of education will not be introduced for lack of parental consent (thus fully respecting by the Government of the SR the proclaimed principle of voluntary option) and different methods of instruction of the Slovak language as the state language will be applied in order to achieve - above all in the interest of the future of the children of Hungarian minority - adequate standard of the Slovak language command.

### 3.2.2. *X Only Fosters Social Harmony*

It has been asserted in the USA that an English-Only rule in a workplace "is necessary to promote racial harmony" (see Crawford 1992b: 279-80). However, a Circuit Court of Appeals judge ruled in 1988 that prohibiting the use of the employees' native tongue may contribute to racial tension and that the argument that it fosters racial harmony is unsupported.

The preamble of the Slovak State Language Law states that the law has been enacted to secure citizens' "freedom and equality in their dignity and their rights as well" (SSLL, p. 7).

The argument that X Only fosters social harmony seems to be a popular one.

### 3.2.3. *Minority-Language Instruction Carries Anti-Majority Ideology*

The argument has been made for X Only that elimination of minority-language instruction can reduce if not eliminate anti-majority ideology.

In the 1920s in *Meyer v. Nebraska* the Nebraska Supreme Court found that "permitting foreigners to rear and educate their children in the language of their native land" was to "inculcate in them the ideas and sentiments foreign to the best interests of this country" (Crawford 1992b: 235).

The Justification to the Slovak law makes the allegations that "A large volume of textbooks and instructional tools from Hungary containing irredentist material appears in the schools of Southern Slovakia," and that "the students are not taught to respect the Slovak homeland in which they live." (SSLL:15)

### 3.2.4. *Minorities Do Not Want to Learn the Language of the Country They Live In*

This is a frequent argument used in support of English Only (see Crawford 1992a and 1992b). It is also used in the Justification of the Slovak law, but the Slovak argument also contains an element that is unheard-of in the English-Only debate, namely that native-speaking teachers of the majority language have an insufficient competence in their own mother tongue:

A consequence of the neglect in nurturing the State language is that in the regions of Southern Slovakia having a mixed population, persons teaching the young generation of the Hungarian minority find mastery of the state language to a sufficient degree to be unnecessary, in fact, it occurs that ethnic Hungarian, and even ethnic Slovak teachers are not familiar with the state language to the necessary degree. (SSLL, 15)

### 3.2.5. *The Unwanted Minority Should Have Completely Assimilated by Now, or the Similarity of Insults*

Denying the use of the name of an indigenous people in a territory is an effective

tive insult found in both the U.S. and Central Europe. The implicit argument behind such insults may be something like this: the unwanted minority should have completely assimilated to the majority by now.

When California's constitution was revised in 1878-79, minority (Spanish) language rights were also debated and a Mr. Tinnin lamented the fact that tons of documents were "published in Spanish for the benefit of foreigners." This provoked the following exchange:

Mr. Rolfe: Do you call the native population of this State foreigners?

Mr. Tinnin: They had ample time to learn the language. (Crawford 1992b: 53)

As recently as June 1994 some Slovak politicians claimed that "there are no Hungarians in Slovakia, but there are Hungarian-speaking Slovaks," who are "Magyarized Slovaks who speak Hungarian" (see Zalabai 1995:202 and 211).

In 1993 an ethnic Hungarian indignantly voiced his opinion about language choice as shown in the following translation from a newspaper article:

Everything depends on the point of view one looks at it from. ... For us, Hungarian is not a foreign language, for us it is our mother tongue and - strange though this may sound to some - for us, Slovak is a foreign language.

I respectfully submit this: the fact that we speak Hungarian is not because we have not (yet) learned Slovak, it is because we are Hungarians. Is this too hard to understand? (Zolczer 1995:118-9)

### 3.3. *Similar Arguments Against X Only*

#### 3.3.1. *X Only Insults and Alienates Minorities*

In his examination of Official English arguments, Leibowicz (1985/1992:111) states that:

Based on undocumented fears of separatism and cultural fragmentation, passage of the E.L.A. would insult and alienate a significant portion of our society in the name of national unity.

A possibly dramatic alienating consequence of Slovak-Only legislation has been indicated by a Hungarian mayor in Southern Slovakia in a recent newspaper article. Since 1 January 1996 there has been a controversy about the legality or otherwise of the use of Hungarian along with Slovak in official contacts with local governments in Southern Slovakia. Some Hungarian mayors passed local ordinances to make Hungarian coequal with Slovak in official use

within their municipalities. This has become necessary, the mayors claim, because the State Language Law revoked the previous law which allowed restricted official use of minority languages in localities with at least a 20% minority population. Excerpts from the article by the Hungarian mayor of Zsitvaudvard/Dvory nad Žitavou, József Száraz, follow:<sup>13</sup>

What we did [when we passed an ordinance that Hungarian can also be used in official contacts in the municipality] was simply to pass an ordinance which reflects the reality of our lives, with which we have been happy all along. Everybody has spoken the language in which they can best - and most intelligibly - express themselves. ... We have respected and will continue to respect the language of the state. All documents prepared by members of my local government are written in impeccable standard Slovak and with perfect orthography.

All we did was to reflect reality. This reality has always meant a perfect symbiosis of plants, animals and humans (Slovaks, Hungarians, Roma, and Jewish people) in the most dear spot on Earth for us, in our hometown in Southern Slovakia.

So far I haven't met anybody who taught dogs to meow, cats to bark, or who wanted to paint the beautiful green grass on the banks of the Danube blue. Times have changed and a lot of things are extremely hard to get accustomed to. Many of us are unable to come to terms with such anomalies. They are unnatural and try to incite us to reject something that has until now been natural for us. For well-intentioned, peace-loving people nothing has changed, not even now.

I would hope that nobody who continually makes declarations about Europeanness, democracy and tolerance can in future demand that I don't use the language most intelligible for us, our mother tongue, when I talk to my elderly parents, neighbors or most other visitors who come to my mayor's office to seek my advice. I would hope that nobody can demand that I use the state language to these people. ... What they would say to me in that case is unprintable - and for a good reason. ... (Száraz 1996)

#### 3.3.2. *X Only Causes Cultural Dislocation and Social Rootlessness*

One of the strongest arguments against restrictive language legislation is that it can cause a group of people to lose their identity. In his classic article "The Curse of Babel" Haugen (1973/1992:407) declares that:

Language is not a problem unless it is used as a basis for discrimination, but it has in fact been so used as far back as we have records. The trend in Sweden,



as in the United States, is clearly toward a language shift on the part of the minorities as they are more fully integrated into the national life. But this is a process that promotes cultural dislocation and social rootlessness, that deprives the minorities not only of their group identity, but even of their human dignity.

In his fight against the consequences of Slovak-Only legislation, Pál Csáky (1996), a Hungarian member of the Slovak Parliament, has stated that:

Safeguarding our identity has recently become a primary issue. I might as well say that it has again become a primary issue. I could also say: unfortunately, it has become a primary issue. The reason is the frontal attack on us by those who wield the power.

What Csáky calls a frontal attack on the Hungarian minority in Slovakia can be instantiated by the continued attempts to ban the use of Hungarian placenames, i.e. to legislate the mandatory use of placenames in Slovakia in Slovak only. This means Slovak only placenames in maps, school textbooks, newspapers, sometimes in the speech of radio and TV announcers, but so far not (yet?) in the speech of interviewees (see Zalabai 1995:82). In a 1993 newspaper article the ethnic Hungarian lawyer József Gyönyör (1993/1995: 101-2) wrote:

I think it is also impossible to imagine that geographic names should be learned only in Slovak and as a consequence ancestral Hungarian names would all sink into oblivion. It is quite unthinkable that the [Hungarian] names *Csallóköz*, *Bodrogköz*, *Mátyusföld*,<sup>14</sup> as well as the names of innumerable mountains, hills, creeks and fields should remain unknown to future generations. If this were to happen, it would make Slovakia, but Europe too, poorer.

This argument simply says that X Only causes cultural dislocation, rootlessness and loss of identity and is, therefore, wrong.

### 3.3.3. *X Only Makes Communication Inefficient and Generates Resentment*

It can be argued that if people are forced to use their weaker language, communication may be less successful than it would be in the speakers' stronger language. An extreme but not at all unusual case is when monolingual speakers of L1 are offered certain vital services only in L2. Having to use one language rather than another when both could be used can generate resentment and can lead to a violation of linguistic human rights. Hopefully, I am not reading too much into the first principle of the Linguistic Society of Amer-

ica's recent statement on language rights when I assume that the motivation behind it may be similar to what I have said here. This first principle states that:

At a minimum, all residents of the United States should be guaranteed the following linguistic rights:

A. To be allowed to express themselves, publicly or privately, in the language of their choice. (LSA Bulletin, No. 151, March 1996)

The city of Šamorín/Somorja in Southern Slovakia, in a recent ordinance which made Hungarian coequal with Slovak in official communication in the city where about 70% of the 12,000 inhabitants are ethnic Hungarians, used language which comes close to the principle that one should have the right to use the language of one's choice:

All citizens and representatives of the city of Somorja have the right to use the language in which they can better express themselves in oral and written official communication. (*Új Szó*, 29 January, 1996, p. 3)

This ordinance makes it mandatory for the city council staff to use the same language with a citizen as the citizen first uses with them.

## 4. Dissimilar arguments for X Only

In looking for arguments which are different in Central Europe from those in the U.S.A., one can find (a) arguments which simply do not seem to exist in one or the other context, and (b) arguments which are superficially similar but, in reality, different.

### 4.1. *Past Historical Wrongs Must Be Righted*

Although one can claim that the U.S. and the Republic of Slovakia are similar in the sense that both the majority of the U.S.-born population and ethnic Slovaks in Slovakia constitute a powerful majority in their respective countries, there are enormous historical differences which make the U.S. and Slovakia very different. Most of all, for most of their history, Slovaks did not have their own independent country (see, for instance, Karpát 1993). Slovaks and what is Slovakia today belonged to the multinational Hungarian



Kingdom or the Austro-Hungarian Monarchy until 1920. Then, for most of the next seven decades they were part of a federation with the Czechs. Ethnic rivalry and tensions of varying intensity having been a characteristic of the Carpathian Basin for centuries, it is unsurprising to find frequent references to "historical justice" and past injuries in a great deal of political discourse.

The first part of the Justification of the Slovak State Language Law of 1995 (SSLL, pp. 12-3) has been written in this spirit:

From the end of the 18th century, the Slovak language had to withstand the increasingly aggressive pressure of the Hungarian language. ...

Forced Magyarisation during the time of historic Hungary, as well as between the years 1938 and 1945 when Hungary occupied a large part of southern Slovakia,<sup>15</sup> inflicted wounds that remain open to this day. ...

This *historical argument* seems to be the basic rationale cited for the law on the protection of the state language in Slovakia, a country with a population which is made up of over 80% Slovaks,<sup>16</sup> about 11% Hungarians, and smaller communities of Roma, Czechs, Ruthenians, Ukrainians, Germans and Poles. However, as Jouko Lindstedt (Helsinki) pointed out in an electronic mail discussion on 30 April 1996, "The oppression of the Slovak language in the Austro-Hungarian Empire has obviously nothing to do with the linguistic rights of present-day Hungarians in Slovakia. If the official Slovakia thinks it does, the result is bound to be unsatisfactory from the vantage point of human rights."<sup>17</sup>

In the U.S., English has been alleged by some to be under attack from other languages, but as far as I am aware, nobody has cited historical wrongs which befell Americans as the justification for English-Only legislation.

#### 4.2. *Language Proficiency as Prerequisite for Citizenship*

One of the guiding principles of U.S. English states that:

All candidates for U.S. citizenship should be required to demonstrate the ability to understand, speak, read, and write simple English, and demonstrate basic understanding of our system of government. (Crawford 1992b:145)

When the Slovak State Language Law was passed in November 1995, a news article and a reader's letter in *The New York Times* prompted the Slovak ambassador in Washington, D. C. "to present the Slovak view of this legislation." I quote the first substantial paragraph from the ambassador's letter:

Its [The law's] main purpose is to preserve the historically developed form of the language, as is common in many European countries, such as France, Belgium or the Netherlands. *Knowledge of a state language is a basic requirement for obtaining citizenship in countries around the world.* [Emphasis added, M.K.] To live effectively and to participate in the social and economic life of the Slovak Republic it is necessary to speak Slovak and to speak it well. Minority citizens will and should retain also the language of their original culture and heritage. (Lichardus 1995)

The reference to obtaining citizenship seems odd here since relatively few people immigrate to Slovakia and seek Slovak citizenship these days. The national and ethnic minorities in the Slovak Republic have been citizens of the country and its predecessors since the Trianon Treaty (with the exception of 1945 to 1948 when Germans and Hungarians were deprived of all civil rights and their citizenship, see, e.g. Janics/Borsody 1982).

If the ambassador's reference to language proficiency as a prerequisite for citizenship is not solely to be understood as only relevant to foreigners who seek Slovak citizenship now or in the future, then we have an argument here which is extremely different from the U.S. English argument. U.S. English simply says that one has to know *simple English* if one wishes to *become* a citizen of the USA. The Slovak ambassador says that one has to speak Slovak *well* if one *is* a citizen of Slovakia. If U.S. English were to adopt this logic, they would surely have to campaign for federal programs which would teach all citizens of, for instance, New Mexico to speak English well. A conquered people would be forcibly taught to speak the language of the conquerors *well*.

#### 4.3. *"Language is Law above the Law"*

X-only legislative attempts, at least in the USA, concern *what language* one should use in speech and writing. As far as I know, they have not concerned themselves with areas beyond language choice such as *how* one should use a language. In other words, Americans have not concerned themselves with issues that come under corpus planning, i.e. what words, phrases, spellings etc., must be used and what must not. In this respect some Central European countries are different. There have been attempts not only to legislate the

mandatory use of X Only in certain communicative situations, but also what particular linguistic forms must be mandatorily used.

In the years before the Law on the Registration of Births, Marriages and Deaths was adopted in Slovakia in 1994, a vociferous debate went on, among other things, about whether ethnically non-Slovak women should be allowed to use their names according to the rules and traditions of their mother tongue or they should mandatorily add the Slovak suffix *-ová* to their names.<sup>18</sup> In the debate the argument was made that "language is law above the law" (*jazyk je zákon nad zákonom*), that is that "the law of the Slovak language," namely the use of the suffix *-ová* at the end of women's names, should overrule any European requirements such as:

Every person belonging to a national minority shall have the right to use his/her surname and first names in his/her mother tongue and to official recognition of his/her surname and first names. (Article 7, Paragraph 2 of Recommendation 1201 [1993] of the Parliamentary Assembly of the Council of Europe)

According to Jernudd, such an attempt, if carried out successfully, would constitute a violation of linguistic human rights. Jernudd (1994: 130) has convincingly argued that "mandatory adjustment of name is a means to deny a group's existence *qua* group" and "states wishing to forcibly assimilate visible ethnic groups require names to be changed." According to newspaper reports (see, e.g. Zalabai 1995: 199-201), some Slovak linguists assisted their government in its attempt to forcibly assimilate visible ethnic groups.

In this case Slovak-Only attempts have failed because the Council of Europe requirement quoted above has been observed and ethnically non-Slovak women now have the right to register their names and their daughters' names without *-ová* if they so request.

In other cases, however, there are instances where recent Slovak language planning reaches beyond the boundaries of the Slovak language itself, and Slovak linguists are playing an active role in such planning. Perhaps the most conspicuous example is found in the rules of Slovak orthography (*Pravidlá slovenského pravopisu*), written by linguists in the Linguistics Institute of the Slovak Academy of Sciences and issued in 1991. According to these rules, the spelling of personal names originally written in a Latin alphabet is retained in Slovak, with one exception. Certain Hungarian historical names have to be respelled, e.g. *Rákóczi* as *Rákoci* and *Pálffy* as *Pálfi*. Such

respelling of names is mandatory if the name's bearer is officially regarded as belonging to "the Hungarian era of Slovak history." Since *William Shakespeare* is not so regarded, his name should not be respelled as *Viliam Šekspir* (see Zalabai 1995:193). To me this constitutes a clear instance of linguistic discrimination. It is all the more deplorable because the rules written by Slovak linguists and published in 1991 will now become the legal basis for the activities of the linguistic police following the adoption of the State Language Law in 1995. According to Section 2, Paragraph 2 of this law, "the codified form of the state language is decreed by the Culture Ministry of the Slovak Republic on the basis of proposals made by specialist Slovak language institutes." The next paragraph states that "Any form of interference with the codified form of the state language which is not in line with its rules is inadmissible." Under a strict interpretation of this law, if a memorial plaque on a building has a Slovak text containing a Hungarian name spelled in Hungarian, e.g. *Pálffy*, rather than *Pálfi*, the owner of the building can be fined by the Slovak government's "language consultants" (see II. Rákóczi Ferencböl-František Rákoci II.).

## 5. "The Supreme God of Slovak Grammar"

Since the American (and generally the Anglo-Saxon) tradition of language codification is different from the traditions in Hungary, Slovakia or Romania (there is no central institution to codify English), American linguists cannot possibly play a role similar to Slovak linguists. For instance, they cannot write rules of orthography which can become the legal basis for the implementation of English-Only policies, discriminatory or not. Their linguistic expertise cannot possibly be used by their government as "scientific justification" for English Only.

Slovakia is a very different country and Slovak linguists play very different roles from Americans. Recent Slovak history has produced a situation in which the enforcers of language legislation, the linguistic police (see Appendix 2), are supervised by professional linguists. This semi-legal role of linguists was clearly articulated by Minister of Culture Dušan Slobodník in July

1993. When the Slovak government decided to return the law on personal names to the Slovak parliament, the minister told a press conference that:

Under no circumstances was it a breach of the requirement by the Council of Europe (CE) regarding the freedom of names, but this institution simply cannot impose certain things on us, said Slobodník. He pointed to the demand by the Hungarian ethnic minority not to attach the ending *-ová* (a grammar rule in the Slovak language - ed). The Slovak language painlessly accepts some elements from other languages. But there was a certain limit which no language could cross and no one can force this on us under any pretext, said Slobodník.

He added that the Slovak Government's decision stemmed from the necessity to preserve the principle of Slovak grammar. The EC cannot impose grammar on us, as it is not within its competence. It is within the competence of the supreme god in terms of the Slovak grammar, L'udovít Štúr Linguistics Institute, stressed Slobodník. (FBIS-EEU-93-133)

What Slobodník called "the supreme god in terms of the Slovak grammar," the L'udovít Štúr Linguistics Institute of the Slovak Academy of Sciences, is the major research institute for Slovak. It was the linguists of this Institute who wrote the discriminatory rules of Slovak orthography published in 1991. And it is this Institute whose current and former directors are among the members of "The Central Linguistic Council" which was appointed by the Slovak government in March 1996. The Hungarian daily *Új Szó* reported on 22 March, 1996, that:

Yesterday Culture Minister Ivan Hudec appointed the members of The Central Linguistic Council in Bratislava. The members are Ján Dovul'a, Ján Kačala,, Milan Majtán, Ivan Masár, Jozef Mistrík, Jozef Mlacek, Simon Ondruš, Mária Pisárčiková, Matej Považaj, Ivan Ripka, and Ján Sabol. It will be their duty to take measures to help observe the law on the protection of the state language, and to form an opinion on the proposals to modify the codified form of the state language. Further, it is their task to produce expert opinions on contentious issues in the use of the state language, to monitor the activities of the various terminological committees in public administration bodies, and to supervise the work of the language consultants.<sup>19</sup> (Nyelvтанács született)

Such close cooperation between legislators, politicians and academic linguists in creating *linguistic practices*<sup>20</sup> is probably an exception rather than the rule today in most countries in the world. Although a detailed examination of the Slovak case would certainly offer many an insight into novel applications of linguistics, space limitations make it only possible here to point to the major

theoretical foundation of current Slovak language policy and legislation. The book has been written by a former director of the L'udovít Štúr Linguistics Institute, Ján Kačala, (1994) and is entitled *Slovenčina-vec politická?* (The Slovak language - a political matter?). A random and very cursory look at this book follows.

Chapter V/3 (162-168) deals with "linguistic sovereignty." Among other things, we learn here that linguistic sovereignty is closely related to the sovereignty of a state and national sovereignty. Linguistic sovereignty manifests itself in filtering borrowed items from other languages as well as how the names of other countries are formed in the language. The vulnerability of such a "theoretical stance" was abundantly demonstrated to the Slovak Prime Minister V. Mečiar in January 1996 when he attempted to influence the government of unified Germany in their choice of their country's self-designation in Slovak. According to a recent report (*OMRI Daily Digest*, 22 January, 1996), the Slovak Prime Minister "told German Foreign Minister Kinkel that Germany can decide for itself what its official name is to be in Slovak, thus settling a dispute that has blocked the signing of several bilateral treaties. Mečiar's government previously insisted on the Cold War name - the German Federal Republic - rather than Germany's preferred name: the Federal Republic of Germany."

According to Kačala, national and linguistic sovereignty also imply that a nation can responsibly decide when the solution of problems concerning the situation and use of the national language requires linguistic legislation.

Chapter V/5 (172-176) deals with the notion of literary language and its political implications, laying much of the groundwork for the preamble of the State Language Law of 1995, where Slovak is called "the most valuable piece of the cultural heritage and expression of sovereignty of the Slovak Republic and the general means of communication for its citizens, which guarantees them freedom and equality in dignity and rights in the territory of the Slovak Republic".

Chapter V/7 (178-185) gives a historical background to the law of 1995. The first-ever draft of an official Slovak language bill was published by the then director of the Štúr Institute in the daily *Pravda* on 8 May, 1968. The need for language legislation, says Kačala, was increasingly felt not only by linguists but also by ordinary users of Slovak, especially those who felt a



threat to their Slovak identity. We are told that in ethnically mixed (Hungarian and Slovak) regions Slovaks are discriminated against and are subject to assimilatory pressures. Therefore legislation is needed to protect Slovaks in their own homeland against foreign linguistic and national pressures.

The claim that Slovaks are forcibly assimilated to become Hungarians in today's Southern Slovakia serves much of the ideological foundation of the Law of 1995 but has never been substantiated by any serious research. In fact, the number of Hungarians within Slovakia has decreased from 650,600 (21.7%) in 1921 to 566,700 (10.8%) in 1991 (see Plichtová 1993: 18). But, exactly like in the English-Only debate,<sup>21</sup> in the current Slovak political discourse about language *facts do not matter*.

## 6. Whence All These Similarities?

There are striking similarities in the arguments for English Only and Slovak Only. At least in part they have come about through direct contact between representatives of U.S. English and the drafters of the Slovak State Language Law of 1995. The only Hungarian daily published in Slovakia, *Új Szó* reported on 5 October, 1995 that a delegation from U.S. English visited Slovakia to meet drafters of the law and Hungarian opposition members of the Slovak parliament. According to the newspaper reports, the chairman of U.S. English, Mauro Mujica, tried to convince his listeners that in the United States: "the academic performance of pupils in bilingual education programs is poor; such children are left behind in social competition and are stuck in ghettos."<sup>22</sup>

The U.S. English delegation was also able to lead at least one Hungarian member of the Slovak parliament to believe that "As an organization, U.S. English was mainly founded to help immigrants to America" (for details see Kontra, 1995/1996).

Soon after the U.S. English visit to Slovakia, the Justification attached to the draft-law submitted to the Slovak National Council on 24 October, 1995 contained the following text:<sup>23</sup>

In drafting the law on the state language, we took into consideration regulations having the force of law in several European states, primarily France, Lithuania, Belgium and Holland.

The following information from the USA is characteristic:

Republican Congressional Representative Tobi Roth submitted a bill to Congress whereby the official language of the USA would be English. The law aims to simultaneously terminate bi-lingual education in elementary and secondary schools, as well as multi-lingual election materials. In his opinion, transactions related to obtaining American citizenship also have to be conducted in English. The proposal already has 150 supporters, and should be debated and voted still [better: voted on during, M.K.] this year. In addition to proclaiming English as the official language, the bill also states that English is the preferred form of contact [better: communication, M.K.] for USA citizens, which the government will also support. Employee contact with citizens [better: employees' communication with citizens, M.K.] will also occur in English. It is the compulsory task of citizens to learn to write, read and speak English to the best of their physical and intellectual abilities. Institutions dealing with naturalisation will demand that applicants for citizenship have a standard knowledge of English [sic, M.K.<sup>24</sup>]. (The Slovak State Language Law and the Minorities, 14)

However, all these evident contacts with and references to English Only should not be taken to suggest that Bill 101 passed by Quebec's National Assembly in 1977 did not or could not provide many an idea for the drafters of the Slovak law of 1995. The similarities between those two laws are often glaring, despite the enormous differences in history and power relationships between francophones in Quebec (a powerless majority in the Province of Quebec in 1977 and a minority in Canada) and Slovaks in Slovakia (a powerful majority in a nation-state).

## 7. Conclusions

Restrictive language legislation and linguistic human rights have come to the center of international attention and scrutiny. As all too often happens, information that is not readily available in English or another world language is oftentimes left out of consideration. In this paper I have attempted to bridge some of the information gap in international discourse on language rights by comparing a few X-Only arguments in the USA and Central Europe. I have



tried to point out some of the potential pitfalls of such a comparison between language rights arguments and legislation in different countries and cultures. I also believe that there is a great need to broaden the international knowledge base concerning language rights and linguistic human rights.

### Appendix 1

Text of the Law on the State Language of the Slovak Republic Adopted on 15 November, 1995

As I have no access to an official English translation of the law, I will present an unofficial translation. The text below is based on two unofficial translations: (1) the one released by the CTK news agency in Prague on 13 December 1995, and (2) the one published in *The Slovak State Language Law and the Minorities* (pp. 7-11; see References). Both English versions have been checked against the official text of the law in Slovak by Professor István Lanstyák. The text published here has been freed of the mistranslations and omissions of the translations in (1) and (2) and is, as far as Lanstyák and I can tell, a more accurate English rendition of the official Slovak text than either (1) or (2). (Miklós Kontra)

### LAW OF THE NATIONAL COUNCIL OF THE SLOVAK REPUBLIC, OF 15TH NOVEMBER 1995 ON THE STATE LANGUAGE OF THE SLOVAK REPUBLIC

The National Council of the Slovak Republic, proceeding from the fact that the Slovak language is the most important distinctive feature of the uniqueness of the Slovak nation, the most valuable piece of the cultural heritage and expression of sovereignty of the Slovak Republic and the general means of communication for its citizens, which guarantees them freedom and equality in dignity and rights<sup>25</sup> in the territory of the Slovak Republic, has approved the following law:

### SECTION 1

#### Introductory provisions

- (1) The state language in the territory of the Slovak Republic is the Slovak language.<sup>26</sup>
- (2) The state language takes precedence over other languages used in the territory of the Slovak Republic.
- (3) The law does not legislate the use of liturgical languages. The use of these languages is determined by the regulations<sup>27</sup> of the Church and re-

ligious communities.

(4) The law does not legislate the use of languages of national minorities and ethnic groups. The use of these languages is determined in other laws.<sup>28</sup>

## SECTION 2

The state language and its protection

(1) The state

a) Provides the necessary conditions in the educational, academic and informational systems to enable each and every citizen of the Slovak Republic to learn and use the state language orally and in writing.

b) Takes care of the scientific study of the state language, its historical development, of the study of regional and social dialects, of the codification of the state language and of the raising of linguistic culture.

(2) The codified form of the state language is decreed by the Culture Ministry of the Slovak Republic (henceforth "the Culture Ministry") on the basis of proposals made by specialist Slovak language institutes.

(3) Any form of interference with the codified form of the state language which is not in line with its rules is inadmissible.

## SECTION 3

The use of the state language in official contacts

(1) State organs and state organizations, organs of local government and public statutory organs<sup>29</sup> (henceforth "statutory organs") are obliged to use the state language in the performance of their tasks in the entire territory of the Slovak Republic. Proving an adequate level of competence in writing and speaking the state language is a condition for employment or similar work relationship and a condition for the performance of work agreed upon in a particular work activity in a statutory organ.

(2) Employees and functionaries of statutory organs, employees of public transport and communications, members of the armed forces, armed security services and other armed units and the fire department use the state language in official contacts.

(3) The state language is used in

a) laws, government directives and other generally binding legal regula-

tions, including regulations of organs of local government, rulings and other public documents.

b) sessions of statutory organs.

c) all official written material (registers, minutes, announcements, statistics, files, accounts, official records, information for the public, and so on) and written material of the Church and other religious communities intended for the public.

d) official names of towns and parts of towns, signs denoting the names of streets and other public areas, other geographical names, such as names on state maps including maps of land registries; denoting the names of towns in other languages is legislated by a separate law.<sup>30</sup>

e) chronicles of communities. Occasional, foreign-language versions must be translations from the state language.

(4) Statutory organs and organizations established by them are obliged to use the state language in all information systems and mutual contacts.

(5) All paperwork submitted by citizens to statutory organs is in the state language.

(6) Every citizen of the Slovak Republic has the right to have his/her first and last names adjusted according to the rules of Slovak orthography free of charge.<sup>31</sup>

## SECTION 4

The use of the state language in education

(1) The teaching of the state language is obligatory at all elementary and secondary schools. Languages other than Slovak are used as the languages of instruction and testing to the extent determined by other regulations.<sup>32</sup>

(2) Pedagogical workers in all schools and educational facilities in the territory of the Slovak Republic, with the exception of foreign pedagogues and language assistants, are obliged to master and use the state language in its written and spoken forms.

(3) All pedagogical documentation is in the state language.

(4) Textbooks and texts used in the teaching process in the Slovak Republic are published in the state language, except for textbooks and teaching materials in the languages of ethnic minorities, ethnic groups and other foreign languages. Their publication and use is covered by other

laws.<sup>33</sup>

(5) The provisions of paragraphs 1, 2 and 4 do not apply to the use of the state language in teaching at universities, the teaching of other languages or teaching in other languages than the state language, or the use of textbooks or teaching materials in teaching at universities.

## SECTION 5

Use of the state language in the mass media, at cultural events and at public meetings

(1) Radio and television broadcasting is in the state language throughout the Slovak Republic. The exceptions are

(a) foreign-language radio broadcasts and foreign-language television broadcasts composed of audiovisual works and other picture-and-sound recordings with subtitles in the state language or which in some other way meet the criteria of basic comprehensibility with regard to the state language,

(b) Slovak Radio's international foreign-language broadcasts, television and radio language courses and other programs with related aims,

(c) musical programs containing original texts.

The broadcast in national minority and ethnic group languages is regulated by separate provisions.<sup>34</sup>

(2) Other-language audiovisual works aimed at children under 12 years must be dubbed into the state language.

(3) Radio and television operators, presenters, announcers and editors are required to use the state language in broadcasts.

(4) Broadcasts by regional and local television channels, radio stations and radio facilities take place basically in the state language. Other languages may be used before the broadcast and after the broadcast of a given program in the state language.

(5) Periodical and non-periodical publications are published in the state language. Press publications issued in other languages are regulated by a separate provision.<sup>35</sup>

(6) Occasional publications designed for the public, catalogues for galleries, museums and libraries, programs for cinemas, theaters, concerts and other cultural events are issued in the state language. If necessary they

may contain translations into other languages.

(7) Cultural and educational events take place in the state language, or in another language which meets the criterion of basic comprehensibility with regard to the state language. Exceptions are cultural events by national minorities, ethnic groups or with foreign guests, and musical works with original texts. The presentation of such programs must first take place in the state language.

(8) All participants in meetings or lectures in the Slovak Republic have the right to make their speeches in the state language.

## SECTION 6

The use of the state language in the armed forces, armed units and in the fire department

(1) In the Army of the Slovak Republic, in the troops of the Interior Ministry of the Slovak Republic, in the Police Force, in the Slovak Intelligence Service, in the Prison and Justice Guards Corps of the Slovak Republic, in the railroad police of the Slovak Republic and in the municipal police forces the state language is used in official contacts.

(2) All the official written material and documentation of the armed forces, armed security units, other armed units and fire departments is in the state language.

(3) Paragraph (1) does not relate to the air force during air operations and to the international activity of armed forces.

## SECTION 7

The use of the state language in court and legal proceedings

(1) Dealings between the courts and citizens, court cases, legal proceedings, decisions and the minutes of court and legal organs are carried out and published in the state language.

(2) The rights of people belonging to ethnic minorities and ethnic groups or the rights of foreigners who are not competent in the state language, as set down in separate laws,<sup>36</sup> remain unaffected.

## SECTION 8

The use of the state language in the economy, in services and in health care

(1) In the interest of consumer protection the use of the state language is compulsory in the indication of the contents of domestic or imported products, in instructions for the use of products, especially foodstuffs and medicines, in the conditions for guarantees and in other information for the consumer.<sup>37</sup>

(2) Legal documents relating to employment or similar work relationships are drawn up in the state language.

(3) Financial and technical documents, Slovak technical norms, the statutes of associations, societies, political parties, political movements and commercial enterprises are drawn up in the state language.

(4) Health care institutions conduct all their administration in the state language. Contact between health care employees and patients takes place usually in the state language; if the patient is a citizen or foreigner unfamiliar with the state language, then also in such a language in which they can understand each other.

(5) Proceedings before statutory organs regarding contracts shall take place in the state language.

(6) All signs, advertisements and announcements designed to inform the public, especially in shops, sports grounds, restaurants, in the streets, along and above the roads, at airports, bus and railroad stations, in railroad cars and in public transport must be in the state language. They may be translated into other languages, but the foreign-language texts must follow the state-language texts of the same size.

#### SECTION 9

##### Observance

The Culture Ministry monitors the observance of the obligations ensuing from this law. If it finds non-compliance, it alerts the legal entities or individuals in whose activities the non-compliance has occurred, and is authorized to call upon them to correct the illegal state of affairs.

#### SECTION 10

##### Fines

(1) If an illegal state of affairs is not corrected (section 9), the Culture Ministry can levy a fine of

a) up to 250,000 Slovak crowns for legal entities in breach of obligations in Section 4, Paragraph 4 and Section 8, Paragraphs 1, 3, 5 and 6.

b) up to 500,000 Slovak crowns for legal entities in breach of obligations set down in Section 5, Paragraphs 2 and 4.

c) up to 50,000 Slovak crowns for individuals licensed to carry out private business activities in breach of obligations set down in Section 4, Paragraph 4, Section 5, Paragraphs 2 and 4, and Section 8, Paragraphs 1, 3 and 5.

(2) In determining fines, the Culture Ministry considers the seriousness of the breach of legal obligations.

(3) Fines can be levied up to one year at the latest from the day on which the Culture Ministry discovers breach of legal obligations, but up to three years at the latest from when the breach of legal obligations occurred.

(4) Fines levied under this law are payable within 30 days after the decision determining a violation has gone into effect. General public administrative regulations<sup>38</sup> apply to the procedure on levying fines.

(5) Fines levied under this law are revenues of the state culture fund Pro Slovakia.<sup>39</sup>

#### SECTION 11

##### General and interim provisions

(1) The law does not pertain to the use of commonly used foreign words, specialist terms or new expressions for which there are no equivalent terms in the state language.

(2) The heads of statutory organs and other legal entities and individuals (Section 10, Paragraph 1) are responsible for complying with the provisions of this law.

(3) The costs for all changes to public signs and other texts according to this law are covered by the authorities concerned and other legal entities and individuals. These changes must be carried out within one year of the day the law comes into force.

(4) The state language for the purposes of Section 2, Paragraph 1, letters a) and b), Section 3, Paragraphs 1, 2 and Paragraph 3, letters a), c), d) and e), Section 4, Section 5, Paragraphs 5 and 8, Section 6, Paragraph 2, and



Section 8, Paragraphs 1 to 5 is understood as being the Slovak language in its codified form (Section 2, Paragraph 2).

## SECTION 12

### Revoking provisions

This law revokes the law of the Slovak National Council (no. 428/1990 Zb.) on the official language of the Slovak Republic.

## SECTION 13

This law takes effect on 1st January 1996 with the exception of section 10 which takes effect on 1st January 1997.

The President of the Slovak Republic

The Speaker of the National Council of the Slovak Republic

The Prime Minister of the Slovak Republic

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To understand the severity of the fines in Section 10 of the above law, readers should note, for instance, that the maximum fine which can be levied on a violator (legal entity) of Section 5, Paragraph 4 for failure to air a minority-language TV or radio program in its entirety in Slovak as well is 500,000 Crowns, which is equivalent to half the maximum fine for endangering Slovakia's nuclear safety (see Paragraph 17 of the law Zb.zak. 28/84 adopted on 22 March, 1984). If a private businessman produces an audiovisual program in Hungarian for children under 12 and it is not dubbed into Slovak (violation of 5, 2), the maximum fine for that, 50,000 Crowns, is almost 17 times as much as the maximum fine for desecration of the Slovak national flag, a mere 3,000 Crowns according to law 372/1990. 50,000 Crowns equals about seven times the monthly salary of a tenured associate professor at a university. (Miklós Kontra)

## Appendix 2

The following is a translation of Kamoncza 1996, an article published in the Hungarian daily *Új Szó* [Bratislava, Slovakia], 12 March, 1996, Pp. 1 & 2.

### THE LANGUAGE POLICE GOES TO THE CHURCHES AS WELL

When Parliament debated the law on the protection of the state language last year, retired internist Dr. Andrej Šuják was among the crowd in front of the Parliament building and when the House passed the law he rejoiced with those around him. At that time he could not suspect that he too would play an important role in observing the law. At the beginning of this year he and three other colleagues had the honor of being appointed language consultants by Minister of Culture Ivan Hudec. The appointment is from 1 February through 31 March, or a mere two months. Now that almost a month and a half have gone by, we interviewed Dr. Šuják about his experiences.

Dr. Šuják: Let me begin by stating what my tasks are. I have to check that all the provisions in the law on the protection of the state language, in force since the beginning of this year, are observed. I have made the rounds in several mostly Hungarian-populated villages in the Galánta/Galanta and Dunaszerdahely/Dunajská Streda districts. Generally my experiences have been good. Most people know the provisions of the law and observe them. Shopkeepers greet customers in Slovak first, and official documents are written in the state language. But, of course, there are exceptions, such as a village where the village chronicle is written in Hungarian alone. I called the mayor's attention to this and he promised that in the future they would write the text in the village chronicle in both languages. The other day I saw a business sign "Boutique" in Galánta/Galanta, which is wrong - it should be "Butik". And the Galánta CSEMADOK [Hungarian Cultural Association in Slovakia, M.K.] posters inviting people to a cultural event were written in Hungarian only. When I called their attention to this, CSEMADOK officials said they did not have the money to print bilingual posters. This, of course, is no ex-

cuse because the law applies to everybody without exception. In a village near Galánta/Galanta a tavern had the Hungarian sign "Vendéglő" [Restaurant] but not the Slovak sign, despite the law which says that the names of businesses are first written in the state language and then in the minority language. For the time being we cannot enforce the law since enforcement begins only on 1 January, 1997. All I can do is to warn the owners of such businesses. Generally it has been my experience that people follow my advice.

Reporter: It is your job to report to the Ministry of Culture the deficiencies observed, right?

Dr. Šuják: Yes, I prepare monthly reports about the breaches of the law for the Ministry.

Reporter: Your appointment ends at the end of March. What do you think will happen afterwards?

Dr. Šuják: I believe there will be a language consultant in each district in Slovakia. If the country will be divided in eight districts, there will be eight language consultants. But this is merely my personal opinion.

Reporter: During the rest of this month where else will you be going?

Dr. Šuják: I would like to visit the Érsekújvár/Nové Zámky district, and especially the city Párkány/Štúrovo and its vicinity. I have observed that in some churches the inscriptions, the prayers and the names of fallen soldiers are written in Hungarian only. This is against the law. I wonder if such breaches of the law are found in other villages as well. It has also been brought to my knowledge that in some churches the Hungarian Anthem is sung [the Hungarian Anthem is a church song as well, M.K.], which, I think, should not be sung in such places. I would like to make sure personally that these things are as reported to me; I have much to do yet.

Reporter: We interviewed Dr. Andrej Šuják in the Galánta/Galanta district library. His fee and travel costs are paid by the library using the special

funds received from the Ministry of Culture. If anybody has questions regarding the language law, they can meet the language consultant in the library building where he has office hours from 9 am to 3 pm every Monday, Wednesday and Friday.

#### Notes

<sup>1</sup>The writing of this study was supported by the American Council of Learned Societies whose fellowship I enjoyed at Michigan State University in 1995-96, and by the Research Support Scheme of the Higher Education Support Programme, grant no. 582/1995. I owe a special debt of gratitude to Professor István Lanstyák of Comenius University, Bratislava, for providing a good deal of the information contained here and for calling my attention to errors of fact and interpretation in earlier versions. I alone am responsible for any infelicities that remain.

<sup>2</sup>My translation of the Hungarian text of Law 428/1990 (X. 25.) on the Official Language of the Slovak Republic. This law was in effect until 1 January 1996, when the Law on the State Language of the Slovak Republic came into force. The new law contains no reference to any language rights for minorities that exceed 20% of the local population.

<sup>3</sup>A Mr. Csukás's life story, reported by *The New York Times* on January 25, 1993, encapsulates the shifting fortunes of Hungarians as well as other nationalities in Central Europe. Born in 1918, Mr. Csukás was a citizen of Austria-Hungary. A few months later he became a citizen of Czechoslovakia, when Hungary lost substantial territory as a penalty for siding with Germany in WW I. When the Nazis dismembered Czechoslovakia in 1938, they gave a piece to Hungary, and Mr. Csukás became a Hungarian again. After WW II, the territory was restored to Czechoslovakia. On January 1, 1993 that country broke up, and Mr. Csukás took up his fifth citizenship, this time as a Slovak. Although he has been a citizen of five different countries, he has never left the narrow strip of villages along what is now the border between Hungary and Slovakia. Similar stories of Romanians, Serbs or others could easily be cited.

<sup>4</sup>It can be assumed that some citizens of Hungary would emigrate to Austria if it were possible.

<sup>5</sup>This is true with one exception: the Hungarians in Burgenland, Austria, see Gal (1979).

<sup>6</sup>Slovaks and Hungarians have lived together in the territory that is today called the Republic of Slovakia for about a millennium. Constituting over 10% of Slovakia's citizens, Hungarians mostly live in the southern part of Slovakia where in over 400 villages and towns they are the local majority of the population.

<sup>7</sup>Bailey (this volume) notes "the conflict between two ideologies about minorities" on the international political scene. One has been termed "the non-discrimination/equality/individual rights approach" (which protects minorities from oppression but does nothing to further their interests), and the other "the positive measures/heightedened participation/self-rule group rights" approach (which presumes some sort of

affirmative action to strengthen minority languages and cultures). The member states of the Conference on Security and Cooperation in Europe, says Bailey, "split along predictable lines": France, the United States and the United Kingdom favored the former approach (subordination and assimilation), Hungary, Italy, the Nordic countries and pre-civil war Yugoslavia the latter (favoring equality and interdependence). Using the same polarization to describe the Carpathian Basin in 1996, one can say that Slovakia, Romania, and Rump Yugoslavia (Serbia) favor the "non-discrimination" approach (subordination and assimilation), while Hungary champions the cause of the "positive measures" approach (equality and interdependence).

<sup>7</sup>For a review of Berényi (1994) and Zalabai (1995) see Kontra 1996.

<sup>8</sup>A recent example of language restrictionism in Romania is the Law on Education passed on 28 June, 1995. In civil war-torn Rump Yugoslavia (Serbia) a Law on the Official Use of Language and Writing was passed in 1991 (see Bozók 1995: 242-250). The Hungarian transcript of the parliamentary debate of this law was published as "A nyelvtörvény képviselőházi vitája", see References. While Hungary has no law on official language use, a Law on the Rights of National and Ethnic Minorities was adopted in 1993 (see Kontra in press and Bugajski 1994: 404-406). Bugajski (1994) is the best English-language summary of Hungarian minority policies concerning non-Hungarian minorities in Hungary and Hungarian minorities in the neighboring countries.

<sup>9</sup>Casual reference will also be made in this paper to two other Slovak laws: Law No. 154/1994 on the Registration of Births, Marriages, and Deaths, and Law No. 191/1994 on Bilingual City-, Town-, and Village-limit Signs.

<sup>10</sup>My translation of the original Hungarian text published in Slovakia.

<sup>11</sup>Dated Bratislava, October 20, 1995; Ref. No.: 201.707/95 KAMI; signed by Juraj Schenk.

<sup>12</sup>The overwhelming majority of Hungarian parents rejected it in 1995 and the Slovak government could only introduce it in a handful of schools in September 1995.

<sup>13</sup>My translation.

<sup>14</sup>These names denote larger geographic areas, one of which, *Bodrogköz*, is the name of a region cut across by the post-WW I Slovak-Hungarian border.

<sup>15</sup>In Magocsi's words (1993: 134), "In cooperation with Hitler and with the backing of Mussolini, Hungary received the so-called Vienna Award (November 2, 1938), which was a strip of what the Hungarians called their *Felvidék*, or Highlands, including southern Slovakia and southern Carpathian Rus' ... ." By mid-1941 "Hungary regained about two-fifths of what it had lost through the Treaty of Trianon.

With the end of World War II in 1945, Hungary was again on the losing side. Therefore the Allies stripped the country of all its post-Munich (1938) acquisitions and, in 1945, returned the country to its Trianon boundaries. This meant that once again there were significant Magyar minorities living in Czechoslovakia, Romania, and Yugoslavia."

<sup>16</sup>According to the Justification (SSLL, p. 13), Slovaks "comprise the only state-forming element of the Slovak Republic." There is no reference in the Justification to what ethnic non-Slovaks, at least 15% of the citizens of Slovakia, are if they are not a "state-forming element". The Justification explicitly states that "The role of the Slovak language as the

unifying language of all citizens of the Slovak Republic also arises from the position of [the Slovaks as the] state-forming element." Article 1, Paragraph 2 of the Law declares that Slovak enjoys "precedence over other languages" used in Slovakia.

<sup>17</sup>Quoted with permission of Jouko Lindstedt, from the posting on the Kitu list (Finland).

<sup>18</sup>To give an English example, actress *Elizabeth Taylor* could only be *Elizabeth Taylorová* in Slovak, and, if Americans were to follow the same logic, the American tennis star *Martina Navratilova* would be mandatorily called *Martina Navratil* in English.

<sup>19</sup>My translation of the original Hungarian news report. "Language consultants" are the government's employees doing the job of the linguistic police (for a report of such activities see Appendix 2). In common Hungarian parlance in Slovakia these people are called *nyelvvendörök* 'language police'.

<sup>20</sup>The term *linguicism*, an analogous concept to *racism*, *sexism*, *classism*, has been defined as "ideologies, structures and practices which are used to legitimate, effectuate and reproduce an unequal division of power and resources (both material and immaterial) between groups which are defined on the basis of language" (Skutnabb-Kangas 1988: 13). See also Phillipson & Skutnabb-Kangas 1995: 497.

<sup>21</sup>This point is emphatically made by Crawford (this volume) and Nunberg. Cf. also Crawford's assertion (1992a: 31) that "Myths, not facts are generating strong feelings about bilingualism today, and these myths do not involve language so much as tradition."

<sup>22</sup>My translation of the original Hungarian news report.

<sup>23</sup>The following quote is a verbatim quote from the SSLL. For the benefit of readers, I have attempted to improve the English text by a few insertions in square brackets.

<sup>24</sup>In the original Slovak: *štandardná znalosť angličtiny* 'standard knowledge of English'.

<sup>25</sup>Constitution of the Slovak Republic: Article 12.

<sup>26</sup>Constitution of the Slovak Republic: Article 6, Paragraph 1.

<sup>27</sup>Law No. 308/1991 on Freedom of Religion and the Situation of Churches and Religious Associations.

<sup>28</sup>For example, Law No. 141/1961 on Criminal Procedure, according to its newest amendments, the Law on Civil Procedure, Law No. 81/1966 on Periodical Press and Other Telecommunication Instruments, according to its newest amendments, Law No. 29/1984 on the System of Elementary and Secondary Schools (School Law), according to its newest amendments, SNC Law No. 254/1991 on Slovak Television, according to its newest amendments, SNC Law No. 255/1991 on Slovak Radio, according to its newest amendments, Law No. 191/1994 on the Designation of Localities in National Minority Languages.

<sup>29</sup>For example, SNC Law No. 254/1991, according to its newest amendments, SNC Law No. 255/1991, Law No. 273/1994 on Health Insurance, the Financing of Health Insurance, the Creation of the General Health Care Insurance, and the Creation of Sectoral, Company and Civilian Health Insurance Companies, Law No. 274/1994 on Social Security, according to its newest amendments.

<sup>30</sup>SNC Law No. 191/1994.

<sup>31</sup>SNC Law No. 300/1993 on First Names and Surnames: Article 7, Paragraph 1.

<sup>32</sup>Law No. 29/1984: Article 3 and Article 3A in light of the modifications of SNC Law No. 171/1990 and No. 230/1994.

<sup>33</sup>Law No. 29/1984: Article 40, according to its newest amendments.

<sup>34</sup>SNC Law No. 254/1991: Article 3, Paragraph 3, according to its newest amendments. SNC Law No. 255/1991: Article 5, according to its newest amendments.

<sup>35</sup>Law No. 81/1966 on Periodical Press and Other Telecommunication Instruments, according to its newest amendments.

<sup>36</sup>Civil Procedure: Article 18. Law No. 141/1961 on Criminal Procedure Article 2, Paragraph 14. Law No. 36/1967 on Experts and Interpreters. Decree No. 37/1967 of the Ministry of the Interior of the Slovak Republic on the Implementation of the Law on Experts and Interpreters, according to its newest amendments.

<sup>37</sup>Law No. 634/1992 on Consumer Protection: Article 9, Paragraphs 1, 2 and Article 11. SNC Law No. 152/1995 on Food Products.

<sup>38</sup>Law No. 71/1967 on Public Administrative Procedure.

<sup>39</sup>SNC Law No. 95/1991, on the Pro Slovakia State Cultural Fund, according to its newest amendments.

## What Happens After English is Declared the Official Language of the United States?

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### 1. Introduction

As a means of speculating on the future, this paper considers the probable consequences of restrictive official English legislation on language minority groups by briefly reflecting on the historical consequences of prior official English policies at the state and territorial level. This approach necessitates a comparative study of the impact of official English and restrictionist policies on different groups in distinct historical contexts (cf. Tollefson 1991). As Leibowitz (1969, 1971, 1974, 1976) noted many years ago, in order to understand the impact of official language policies, it is necessary to study them in a variety of social domains such as (a) within the educational system, (b) in terms of citizenship and voting requirements, or (c) in terms of economic activities.

As Baron (1990a) has noted the official designation of a language may be merely a symbolic act. California's Proposition 63 (1986) so far appears to be a good example of this. More salient than an official designation--from the standpoint of language rights--is (1) the extent to which restrictive measures limiting the use of other languages accompany any official English designation, and (2) the differential impact of those restrictions on various ethnolinguistic groups. The task of analyzing these issues is complicated by the difficulty of sorting out the relationship between language and race. Some