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Planning policies for language diversity: the weight of national realities in applying international conventions.

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Never before has “cultural diversity” been such popular topic, not just among international institutions, but also in the field of cultural industries or for the defenders of world cultures. According to Armand Mattelart, who analysed the genesis of “Cultural diversity”, it has become a real hotchpotch with, as time goes by, a loss of its meaning and heuristic scope, thus making it difficult to understand the main issues at stake when dealing with the relationships between cultural matters, public policies and economy. [Mattelart, 2005] “Cultural diversity” includes “language diversity” which is similarly subjected to contradictory and paradoxical discourses.

Indeed, as linguistic minorities and researchers already know, the variety of the languages spoken in the world is declining [Crystal, 2000; Hagège, 2000; Moseley, 2010]. The hegemony of two or three international languages (above all the Anglo-Saxon/varieties of English) leading to a language market [Calvet, 2002]; the globalization of media and cultural industries; economic exchanges; and, population flows due to mass tourism and migrations, are some of the majors factors that contribute to marginalizing linguistic idiosyncrasies.

These main trends keep on developing and therefore threaten language diversity, all the more so when minority languages are only spoken within the scope of the private sphere and kept away from media, education, justice and administration.

At the dawn of the XXI^e century, the awareness that language diversity is a precious heritage is grudgingly be faced by many State authorities throughout the world in planning linguistic policies for minorities. Even though many countries signed the international conventions promoted by the ILO (International Labour organization), UNESCO or the European Union, and sometimes supported these decisions through constitutional changes, concrete measures to promote and foster minority languages usually go unheeded.

This is the situation we would like to analyze from a socio-political viewpoint, comparing the case of European and Latin-American countries, on the basis of

inquiries¹ and a critical survey of legal texts in order to point out how national realities are reluctant to go beyond the balance of powers inherited from domination and colonialism. Special attention will be paid to printed and audio visual media; in this particular field, more than constitutional frameworks securing the right to information, what linguistic minorities need to exist within the democratic public sphere is the right to communicate: this challenge is presently becoming a reality in some Latin-American countries like Argentina.

1- Minorities from guardianship to domination.

1- 1 What etymology and law tell us about the notion of minority.

For many people, a minority is often defined as a situation of numerical inferiority. It can of course be the case and the UNESCO report gives many examples of such groups composed of a small number of people, generally elderly, and whose future is in great danger. [Moseley, 2010] However, this way of defining a minority is a dead end as it depends on the counting criteria. A linguistic group can be, on the one hand a majority at a regional level and on the other hand a minority when integrated to national census; the Romanis, scattered in many European countries represent more than 10 million people, just like the Kurds who have no state and live in Iraq, Iran, Syria and Turkey;² to say nothing about groups that are dominant in one country and become minorities in the next-door country. [Guyot, 2006] Other factors may be determining: insularity keeps small communities from external linguistic influence, the intergeneration transmission rate may be high, even among very small groups of people, ... Quite often, the reason to focus on numerical inferiority comes from the difficulty to precisely define what a minority is. [Leclerc, 2001]

However, in a socio-political perspective, etymology and law give precious clues about the legal status of the “minor”, as being a class of individuals put under guardianship and therefore deprived of their freedom of choice and autonomy. In this respect, children are considered as “minors” and under their parents’ guardianship until they reach legal majority, a situation nobody would reasonably question in terms of child protection. On the other hand, women and slaves were – and in many countries still are – denied full responsibility, depending respectively on

¹ Interviews carried on in 2010 and 2011 in Argentina, Chile, Ecuador and Peru with Mapuche and Quechua community leaders, researchers and educational authorities (Ministry of Education).

² That is to say, more or less the same number than the Danes or the Catalans.

their husband or masters to lead their lives. The abrogation of such status in order to free oneself from subjection goes through the dynamics of social movements and political resistance. [Guyot, 2006]

As far as language communities are concerned, they are also in a position of political inferiority because they are excluded from the public sphere; confined within the private space, language practices have no official character and face different forms of exclusion: tolerated in some media, they have no significant presence in education, *a fortiori* in administrative forms or procedures. Indeed, most endangered languages owe their fragile existence to the obstinacy of associations and minority groups.

Claims from minorities, particularly those expecting some kind of recognition in the public sphere, are not just a mere cultural issue, but a real political challenge. In this respect, the theory of domination offers a conceptual framework for a thorough analysis of the stakes related to language planning policies.

1- 2 Minority as defined by sociology and political sciences.

As a promoter of a general theory of power where the mechanisms of domination play a central part³, Pierre Bourdieu stressed the social nature of language, with its relations of symbolic power deeply fixed in a *linguistic market unified and dominated by the official tongue*. The French sociologist questioned the purely objectivistic and communication-oriented conception of language proposed by Ferdinand de Saussure and more recently Noam Chomsky: indeed, the socio-political stakes are a central issue in producing a legitimate language, in a context where *this State language becomes the theoretical standard through which all the linguistic practices are objectively measured*. [Bourdieu, 1982 : 27] This legitimate language imposed itself through a historical and often conflictual process, subordinating and excluding other idioms or dialects.

For the French sociologist Pierre-Jean Simon, “domination” is also the main feature to describe a minority : *The concept of minority [...] is not associated to less numerous collective wholes but to “dominated” collective wholes*. [Simon, 2006 : 155] Therefore, what are important are the different forms taken by the process of domination in order to define a minority as : *An ethno-cultural autonomous structured community, being minoritized on the spot or at distance, of variable dimensions, at large or*

³ Pierre Bourdieu had a major impact on the left-wing intellectuals in South America, for example the sociologist and Bolivian Prime Minister Álvaro García Linera.

small scale, inside its own national territory, or beyond in different States where its members have lived for generations [...] in a vulnerable position and who, in spite of internal or external exile, marginalization and oppression, maintain a collective conscience of their identity. [Yacoub, 1998 : 127]

In short, being a minority supposes a *deliberate action, a policy aimed at marginalizing groups, at keeping their practices or activities within the private area, at denying specific rights in the public sphere (education, administration, justice, media).* The expression “minoritized languages” used by the European Bureau of lesser-used languages seems to be appropriate to describe the situation. [Guyot, 2004 : 16]

When analyzing the expansion of nationalism described as *imagined communities*, Benedict Anderson also pointed out the correlation between the emergence of a nation and the choice of a language *that exclusively belongs to it*, generally drawn from the old tongues in order to build new models around what he calls *the vernacular print capitalism*. [Anderson, 2002 : 77-78]

This is how national languages dominated: since linguistic unity was the keyword in building a national identity, the variety of idioms were doomed to disappear. A “sole and universal language” was the motto that accompanied the commencement of E.U. construction, way before cultural diversity became a political issue in the early 90s.⁴

The political history of empires and nations also led to the creation of borders, splitting peoples from their former homelands, redistributing them in different national territories or purely seizing their lands. Such geopolitical configurations produced new minorities and had consequences for the way they were taken into account by government authorities. In all cases, members of minorities are second-class citizens and subalterns.

2- Minorities at the frontiers of socio political marginalization.

There are many degrees in categorizing minorities, between those whose claims may more easily get forms of official recognition and those who are likely to remain in the margins of the public sphere and therefore be condemned to forced integration. Two distinctions can be made that can be applied heuristically to understand the status of minoritized communities.

⁴ At that time, European linguistic diversity was considered as a main obstacle to political unity and many people, like the writer Julien Benda, wanted to promote French as a supranational language in the E. U. [Benda, 1933 ; 1947]

2- 1 *Autochthons versus allochthons.*

A first line can be drawn between the autochthons or natives, and the allochthons, *i.e.* the immigrants, nomads or diasporas. Long-established communities stand a better chance to get official rights than populations coming from the outside, like the Maghrebis, Africans, Turks or Indo-Pakistanis who migrate to Europe. Legal texts are quite edifying with a recurrent notion appearing under different terms (national minorities, historic minorities), thus giving more legitimacy to groups that have been living on the national territory for centuries.

This is what a keen supporter of multiculturalism points out when writing that claims to get administrative and/or political rights should be met by government authorities, especially in the case of “national minorities”, like “the American Indians, the Bretons or the Catalans”. [Kymlicka, 2011]

When dealing with the recognition of allochthonous languages rights, national planning policies generally failed to cope with the ever-increasing flows of immigrants over the last 25 years. Indeed, a few countries chose multicultural policies, like Canada with specific measures for the French speakers. However, the recognition of language rights, or the access to media generally left aside the American Indians. This goes to show that one minority can hide another. As for the immigrants, in a general context of international economic crisis and geopolitical conflicts, their desire to integrate into their host country usually drives them to quickly adopt the official language, mainly to find a job, while restricting the use of their mother tongue at home or within their community. Regarding media practices, they usually turn towards the papers and audiovisual networks from their mother countries. [Guyot, 2007]

2- 2 *Internally colonized versus externally colonized.*

A second important dividing line has to do with on the one hand the *internally colonized*,⁵ *i.e.* the populations speaking a vernacular language who were acculturated in the process of building Nation-States (the Bretons, Catalans, Corsicans or Basques in France; the Frisians in the Netherlands; the Catalans, Galicians and Basques in Spain; or the Welsh and Scots in Great Britain), and on the other hand, the *externally*

⁵ The expression *internally colonized* is a much-discussed term, as it would supposedly be perilous to compare the situation of peoples integrated to the Nation-States to the fate met by those who were subdued, often violently, by forces coming from other continents. [Barré, 2007 : 136-138] However, on thinking it over, if we agree on defining colonization as a relation of domination, including what has to do with the division and exploitation of labour, the term is quite relevant, particularly when opposed to the *externally colonized*.

colonized, that is to say the peoples conquered by Empires (France, Great Britain, the Netherlands, Portugal, Spain).⁶

It really is a matter of socio-historic context. Indeed, in both situations, if the vernacular tongue has been supplanted by the official language imposed by administrative and political authorities, in the first case, the adoption of the dominant culture and language through compulsory education was accompanied by the promise of full access to citizenship: hence the feeling that this acculturation process was occurring of free will. [Giordan, 1992 : 130] On the other hand, the subjects of empires were forced to adopt the colonist's language, most of them remaining totally illiterate and therefore discredited as second-class citizens. The Algerians were for example widely acculturated to the French, but through a segregated school system. As for the peoples stuck in the colonial relations of domination and exploitation, the socio-economic situation often hides the ethnic side and simply cancels out the linguistic issue. This is what happens in South America where the gap between white colonists and natives quickly took place on the basis of racism, discrimination and inequalities of rights. Thus, the return of minority claims works on other mechanisms than in the European countries. *For America, the awareness of indianness is what caused the indigenous thought.* [Yacoub, 1998 : 65] The effect of domination is far more complex in countries where the indigenous are doubly subalterns, as colonized peoples and as exploited workers. In Bolivia, *a country composed of more than 50% of American Indians (Quechua and Aymara), the indigenous always represented an important category, demographically speaking. However, in the period characterized by the union-form, the social question concealed the ethnic issue.* [Keucheyan, 2010 : 273]

This is mainly thanks to large-scale social struggles against inequalities and racism that a *policy of equality* could be established in Bolivia: demonstrations against the privatization of water in the city of Cochabamba in 2000 prepared the ground for the election of Evo Morales as the president of the Republic. Indeed, as pointed out by the vice-president, *one of the most striking features in the social mobilization, through the statements of its spokesmen or in the collective movements of its members when running the blockades, was the symbolic collapse of the prejudice of inequality between the Indians and*

⁶ The Maghrebis or the Africans are a hybrid case since they were first colonized by the French before migrating towards the colonizing country as cheap labour for the industries. They simultaneously hold the two experiences, which even add further to their marginalization.

the Q'aras, between the Aymaras and the Mis'is ⁷ [...] The symbolic colonial structure that had accustomed the colonized and colonizers to integrate the idea that the Indians had to address the Q'aras by means of submission, genuflection and tearful request suddenly exploded under the impulse of a native who no longer feared them and was even saying he could govern them. [García Linera, 2008 : 107-108]

Among the symbols of the rebellion, the linguistic claim was one of the main concerns, as a means to exist in the public sphere: *using the Aymara or the Quechua to publicly account for the texture, density and advances of the uprising, in the media, the meetings and the debates.* [García Linera, 2008 : 109]

The split between autochthonous minorities and allochthonous groups coming from immigration, diasporas and nomadism as well as inequalities in principle between internally and externally colonized populations are some of the factors that considerably slowed down the awareness that language cosmopolitanism was neither a divine curse inherited from Babel, nor an obstacle to a common political project.

3- Taking into account language diversity.

The policies intended for promoting language diversity arrived quite late in the agenda of States. *Undoubtedly, the 19th century was the springtime of peoples in Europe. Nowadays, the issue comes up at a world-wide level and day after day, minorities resurface,* says Joseph Yacoub who listed some 7500 ethnic groups and minorities, as well as 6700 languages claiming official recognition of their cultural and linguistic idiosyncrasies. [Yacoub, 1998 : 25-29] Until the end of the 19th century, the Nation-States as imagined communities built around a unique vernacular language, throwing aside, and sometimes plainly eradicating the other local or regional tongues.

What we are presently witnessing is the *revenge of cultures*, with a variety of situations according to particular countries and continents. [Mattelart, 1992] Minorities do not exist as such, but are the outcome of the accidents of History. [Yacoub, 1998 : 105] Wars, inter-ethnic conflicts, political alliances, waves of immigration, nomadism, diasporas, and colonial empires reshaped the borders, drawing new linguistic cartographies, therefore marginalizing those who found themselves isolated from their original territory or community.

⁷ Q'aras : aymara word for Whites ; Mis'is = person of mixed-race.

3- 1 Main legal frameworks on minority rights.

Being aware of the emergency to protect minorities, on behalf of peace and democracy, international and supranational organizations started producing a succession of treaties, covenants, charters, directives and conventions. We now briefly recapitulate some of those founding texts advocating measures to get minorities out of exclusion and promote what can make them “visible“ in the public sphere.

After the two warlike tragedies that destroyed Europe and had a devastating impact for the rest of the world in the first half of the 20th century, the Council of Europe considered it essential to guarantee national minorities’ rights within a mosaic of peoples speaking some 200 languages, in order to preserve peaceful coexistence. The Council is quite explicit about the prohibition of any form of discrimination in Article 14 of the *European Convention on Human Rights* voted in November 4th 1950: *The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or any status.*⁸ Additional protocols amended the text in order to extend the rights for minorities to the field of education or the use of the language.

At world-wide scale, the UNO also offers a legal framework intended to protect minorities, assimilating, among other things, the practice of one’s mother tongue to political and civil rights. Article 27 of the Universal Covenant signed in 1966 says: *In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with other members of their group, to enjoy their own culture, to profess and practise their religion, or to **use their own language**.*

In the same spirit, UNESCO worked for the rights of minorities, particularly with the Convention against discrimination in education, adopted in 1960 and recommending *to recognize the rights of members of national minorities to carry on their own educational activities, including the maintenance of schools and, depending on the educational policy of each state the use of teaching of their own language.*⁹ Moreover, the international organization contributes significantly to investigating the endangered

⁸ http://www.echr.coe.int/NR/rdonlyres/D5CC24A7-DC13-4318-B457-5C9014916D7A/0/CONVENTION_ENG_WEB.pdf

⁹ In article 5 (c) of the Convention which, however, carefully brings reserves allowing the States to assess the standards of education and to ensure intercultural dialogue and bilingualism. http://www.unesco.org/education/pdf/DISCRI_E.PDF

languages of the world with the publication of a regularly-updated atlas. [Wurm, 2001; Moseley, 2010]

On the south American continent, a number of countries belonging to the *American Convention on Human Rights* got together on November 1969 to sign the Pact of San José de la Costa. One important chapter is related to the equality of rights: the struggle against all forms of discrimination, prohibition of slavery, freedom of conscience and religion, freedom of expression ... However, even though some of the measures directly concern the first native inhabitants, there is no explicit reference to language minorities as such. Indeed, it is not until 1989 that the International Labour Organization (ILO) produces the *Indigenous and Tribal Peoples Convention - C169* ¹⁰ whose article 28 mentions linguistic rights: 1- *Children belonging to the peoples concerned shall, wherever practicable, be taught to read and write in their own indigenous language or in the language most commonly used by the group to which they belong. When this is not practicable, the competent authorities shall undertake consultations with these peoples with a view to the adoption of measures to achieve this objective.* 2. *Adequate measures shall be taken to ensure that these peoples have the opportunity to attain fluency in the national language or in one of the official languages of the country.* 3. *Measures shall be taken to preserve and promote the development and practice of the indigenous languages of the peoples concerned.* Let us note that the scope of the recommendation is considerably reduced by the expression “wherever practicable”. Besides, article 14 of the Convention emphasizes the rights over traditional lands and article 15 holds that natives can fully participate to the use, management and conservation of the natural resources.

Two European conventions take into account the minorities of its member states. The *European Charter for regional or minority languages*,¹¹ adopted in 1992 and applied in 1998, proposes a series of measures designed to protect and promote languages of minorities in the fields of education (Art. 8), judicial authorities (Art. 9), administrative authorities and public services (Art. 10), media (Art. 11), Cultural activities and facilities (Art. 12), Economic and social life (Art. 13) and Transfrontier exchanges (Art. 14). Each ratifying party undertakes to apply a minimum of 35 paragraphs or sub-paragraphs of the Charter, with at least 3 chosen in articles 8 and 12, and one from articles 9, 10, 11 or 13. As for the *Framework Convention for the*

¹⁰ http://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100_INSTRUMENT_ID:312314

¹¹ <http://conventions.coe.int/treaty/en/Treaties/Html/148.htm>

Protection of National Minorities signed in 1995 and ratified in February 1998, it offers a general contract supposed to protect national minorities like the Romanis, but also the Hungarians living in Romania, or the German community in Poland.¹²

3- 2 Main issues at stake.

To sum up the main advances offered by international or supranational organizations, 5 elements may be pointed out:

1. All measures intend to fight against discrimination, racism, exclusion from the public sphere; recognizing minorities is considered as a sign of democracy and social peace.
2. On the whole, practicing one's mother tongue is based on the principle that linguistic rights are part of the human rights and fundamental freedoms.
3. In all cases, there is an attempt to define the notion of "minority", at least "National minorities" with the obvious risk of forgetting the languages spoken by immigrants or diasporas.
4. The European Council is the only organization offering, through the *Charter for regional or minority languages*, a real project aimed at revitalizing minority tongues in everyday-life activities.
5. In the case of ILO directives, the rights that are put forward expressly intend to fight against the exploitation and despoilment natives were the victims of.

In short, since the Second-world war, the future of minorities is a real concern for most democratic countries. However, the international conventions and treaties do not have force of law; the States can use the recommendations to conduct their language policies or stick to a minimum in term of minority rights.

4- Planning language diversity : the weight of national realities.

Of course, all the conventions and treaties have been signed and often ratified by the official representatives of the member states; this should guarantee a quick implementation of language planning policies by the concerned countries. As a matter of fact, this is far from being the case.

¹² <http://conventions.coe.int/Treaty/en/Treaties/html/157.htm>

4- 1 *The socio-political context.*

The first obstacle is the reluctance to grant minoritized languages an official status. The constitutional texts in force in most countries give an interesting perspective on the situation minority languages have to face.

As seen before, most countries elected one unique official language when they emerged as Nation-States or developed as Empires. Such choice was seen as a condition to guarantee political unity and communication between the central power and its periphery. In the field of education and media, this centralized tradition long shaped the relationships between government policies and minority languages.

Historically speaking, language planning is the result of each country's cultural and political heritage. In this respect, the French case is representative in terms of the fate of regional languages during the Revolution. French became the official language of the new nation on behalf of Universal Reason and Enlightenment. As analyzed by three anthropologists, this was made possible thanks to the equivocal attitude of the Revolutionaries towards the idioms and dialects spoken in the French countryside, viewed as a "rural matrix" populated by *a humanity remained on the edge of history and whose life would be governed by nature [which is] at the same time the original garden and the dark reserve of animality*. [De Certeau and al., 2002 : 151] The Barère Report, produced in January 1794 by the *Committee of public security* to assess the different tongues spoken in France, clearly illustrates this bias in the middle of the age of enlightenment when the author associates regional tongues to clericalism, irrationality, cultural backwardness and counter-revolutionary ideas : *The idiom called lower-Breton, the Basque idiom, the German and Italian languages perpetuated the rule of fanaticism and superstition, secured the domination of priests, nobility and men of law, stop the Revolution from getting into nine important "departments" and may favour the enemies of France*. [De Certeau, 2002 : 123] Nowadays, the same stigmas are applied to minorities, with an extension to the immigrants – especially when they come from former colonies – and nomads.

Reluctance to plan the coexistence of different languages may come from a more recent but traumatic history. This is what happened when former communist countries gained their independence after 1989: Russian was usually banned and each country went back to its original vernacular idiom, viewed as the cement of the

new national identity and political unity, just like the Nation/States that emerged in the 18th century.

More recently, in another context, Peru officially instituted bilingual and intercultural education (Art. 17 of the 1993 Constitution)¹³. The project was carried on by the Ministry of education¹⁴ and led to so paradoxical results that one might say that the spirit of the law has been corrupted. As commented by Jacques Leclerc: *Intercultural bilingual education is not designed to preserve native tongues, but to teach children so they can quickly read and write Spanish. It is a bilingualism of transition, not a bilingualism of preservation. Moreover, parents have no choice, except for private schools (for the rich) where bilingualism concerns Spanish and English, or Spanish and French, etc. In reality, the true intercultural bilingualism is only worth for rich children attending private or international schools that offer bilingual classes in Spanish and in English, sometimes in French.* [Leclerc, 2011] In other words, the bilingual programme keeps on acculturating the natives to the Spanish language and culture while it is profitable to the upper-class children who are linguistically prepared to enter a globalized economic market and get the best jobs.

In many ways, language is a new socio-political issue. In fact, multilingualism became a chapter of the European policies only in the 1990s¹⁵. As for the devolution or decentralization processes launched in countries like Great Britain and Spain, they undoubtedly were the example to follow and minorities claims appeared to be more legitimate than ever: why would it be impossible to do what some other countries managed to set up without threatening their institutional organization.

But, the weight of national realities is still strong and when dealing with the situations minority languages have to face, three typical models may be found:

1. One official language is mentioned in the Constitution: France since 1992, Mexico and the former eastern countries that recently joined the E. U. (Poland, Bulgaria, Estonia, Lithuania, ...),
2. Coexistence of different official or national languages : bilingualism in Ireland or Paraguay, Multilingualism in Spain, in many African

¹³ http://www.congreso.gob.pe/_ingles/CONSTITUTION_29_08_08.pdf Besides, Article 48 says : *Official languages of the State are Spanish and, wherever they are predominant Quechua, Aymara and other native tongues in accordance with the law.*

¹⁴ Interview with Modesto Gálvez, director of *Educación Bilingüe Intercultural*, Ministry of Education, Lima, June 10th 2010.

¹⁵ See note 4.

countries or in Bolivia since the new 2009 Constitution¹⁶, juxtaposed unilingualism in Switzerland and Belgium¹⁷,

3. No reference whatsoever to an official language, either because the issue is an explicit one like in Argentina and Chile where Spanish is the *de facto* the language of the country [Leclerc, 2011] or in the US for the same reason, or because the other languages have no legal status (The Baltics are quite reluctant towards Russian speakers).

Let us say that the socio-political situation has a major impact on the presence of minority languages in the media, especially on radio and television.

4- 2 *The audio-visual models.*

When comparing European and Latin-American countries, one feature deserves special attention regarding audiovisual media. Indeed, most European countries have a public-service-broadcasting tradition, which means that radio stations or television channels must, one way or another, dedicate some air time to different groups of people belonging to civil society, in accordance with the set of obligations voted by MPs: unions, religious groups and of course language minorities. Radios started hosting programmes in Irish on *Radio Éireann* (late 1920s), in Sami in Norway (1946) and Finland (1947), in Welsh on BBC (1950s), in Frisian on *Omrop Fryslân* (1950s) [Moragas, Garitaonandía & López, 1999], or in Breton in 1959. Following radio a few years later, television opened “windows” to minority languages : Irish in Ireland (1960), Welsh in the United Kingdom (1964), Breton (1964) and Basque (1971) in France, Frisian in the Netherlands (1979)¹⁸. [Guyot, 2007] Even if important changes occurred in the 1980s, especially with the deregulation of audiovisual systems, the arrival of private channels or the digitalization of broadcasting, the PSB model is still strong in Europe and guarantees a minimum of visibility for minorities, at least on television¹⁹.

¹⁶ Bolivian civil servants have to know a second native tongue in addition to Castilian, considered as the administrative language.

¹⁷ This classification belongs to Jacques Leclerc, a specialist of language policies. See bibliography.

¹⁸ During Franco's dictatorship, minority languages were not present in audiovisual media. The situation changed when Spain became a democracy and voted a new constitution in 1978, leading to a policy of decentralization. As for Italy, things changed more recently with a regional law voted in 1996, followed by two others in 2007 and 2010; they aim at encouraging the protection and promotion of Italian minority languages : Friulan, German, Sardinian, Slovenian ...

¹⁹ Television is an expensive media for small groups. But, it also confers a strong legitimacy on any linguistic cause. [Guyot, 2007]

Outside Europe, audiovisual media are usually a matter of private business. In South America, most countries inherited the American model where financing the production industry and the broadcasting logistics is entrusted to commercial investors. Indeed, private-owned media are hegemonic and many prosperous television companies are based in countries like Brazil or Mexico. After decades of dictatorship and censorship, there is no real public-service tradition and television owners are more concerned with selling air time to advertisers than offering slots to minority programmes. No need to say that minority culture and languages are invisible on television. The production of contents is left to the initiative of associations and independent institutions that have to negotiate with private channels to get air time. This is the case in Peru where the Association *Tarpurisunchis*, founded in 2003, developed an integrated environmental and educational project in the region of Apúrimac combining a school for Quechua children with a television programme called *Saqrakuna*.²⁰ The first series of six 26-minute episodes, produced in 2009, includes short subjects on music, craft, history, natural or historic sites that are commented in Quechua and subtitled in Spanish. *Saqrakuna* was awarded several prizes in festivals and extended its activities to the production of radio programmes in Quechua. The main obstacle the association has to face is to convince television owners to grant free slots on private channels whose sponsors are local enterprises and big advertisers targeting Spanish-speaking audiences – including in region like Apúrimac where there is a majority of Quechua speakers.

5- Minority language media : the issues at stake.

The previous example shows that the increase of television channels thanks to digital networks mostly benefited private companies, making it almost impossible for minorities to promote their culture and language in the media. The Peruvian case is not an exception.

5- 1 Restricted access to media and broadcasting.

Access to audiovisual media is linked to the general situation of minorities at the national level and therefore is a socio political problem. On the whole, few

²⁰ <http://www.tarpurisunchis.org.pe/>; interviews with the director Javier Malpartida and two producers of *Saqrakuna*, Dennis Quispe Salas and Hernán Ramírez Condori in June 2010. To view the programme, go to <http://www.isuma.tv/hi/fr/members/tarpurisunchis>

countries actually recognize their language minorities. Some sign conventions they never ratify: of the 47 member-states belonging to the European Council, 33 signed the *European Charter for regional or minority languages* and 25 ratified it, slowing down the application of concrete measures to protect endangered tongues. Although many European countries still have PSB systems, minorities feel the access they have to specific slots is far too limited.

On PSB televisions, minority languages only get a few hours every week with no real hope of development. The low volume of programmes cannot efficiently contribute to revitalize language practice. Two reasons account for this situation. First of all, when dealing with minority languages, national statutes applying to public service media are limited: in the list of obligations assigned to public media, linguistic issues are one of the many obligations and no quotas are fixed. This means that in order to ensure political and social cohesion, priority is given to content with a common cultural background, thus leaving aside language diversity. Secondly, it is always difficult to promote a “regional” language within a national media system. If most countries have a regional network, few give their regional or local channels real autonomy. This is why many minority-language production units suffer from endemic lack of funding or, at least, from drastic dependence on subsidies and public institutions (Guyot, Ledo & Michon, 2000: 73).

Two other factors need to be underlined as they clearly play against full access to audiovisual media, in particular to television channels: the development of cultural industries and the increase of media concentration. As a matter of fact, within the last 20 years, in a context of internationalization of media and information flows, the production and circulation of cultural goods have been widely monopolized by a small number of big international companies. [UNESCO Report, 2009] Now, the market for audiovisual programmes is a globalized one; this means that language diversity is usually considered as a main economic obstacle to the circulation of content that needs to be dubbed or subtitled. In other words, minority language programmes are viewed by cultural industries as a niche market, i. e. a less lucrative activity with high-cost productions and small audiences.

5- 2 The role of associations in audiovisual production and broadcasting.

The only alternative left for minorities is to take their destiny in hand, in order to make up for the political shortcomings. As seen before, producing television

programmes remains quite feasible for a group of determined and creative people having light digital video equipment and modest means resulting from sponsoring with public institutions like ministries, or NGO. The series *Saqrakuna*, produced by *Tarpurisunchis*, is composed of 10 highly-motivated youngsters: two producers holding concurrently the jobs of director/cameraman for the first one and presenter for the second, the others presenting the subjects. Post-production is made at the Catholic University of Lima (PUCP).²¹ Of course, the main problem for the association is to get free slots to broadcast the series on regional and national television channels, but the producers of *Saqrakuna* also explored other solutions: public screenings are organized in the villages of the Apúrimac, DVDs are distributed within the association's network, episodes are available on YouTube, the team participates in film festivals to promote their project. In the end, the work done begins to bear fruit and is being recognized. *Tarpurisunchis* project is a new approach to socio-political issues in a region where the guerrilla movement *El Sendero luminoso* was dominant until recently. The association is ideologically on the left, but has a different strategy based on the idea that social advances can be obtained thanks to small-scale experiences, integrating the local population and developed at a local or regional level; the initiatives intend to set an example of what could be done in terms of public policies. Far from the radical change advocated by the guerrilla movement, the *Tarpurisunchis* association is in line with the work of the philosopher John Holloway whose book *Change the world without taking the power* is inspiring many political activists in Latin America. [Holloway, 2002]

However, television projects are usually harder to handle, contrary to radio. Indeed, the situation is quite different. Thanks to low-operating and production costs, cheap transmitters and receivers, a broadcasting range perfectly fitted to the local and regional dimension, light mobile equipment, the independent radios launched by minorities constitute the most equally-distributed and developed media in Europe [Guyot, 2007] but also in the rest of the world.

In Europe, there are radio stations in all countries; they are usually bilingual, alternating programmes in the minority language and in the official dominant tongue. This strategy is interesting as it is a good way to attract newcomers, whether they know the language or not. In Latin America, radios are also widespread and are often called "community radios" as they also fulfil social purposes: advice on health,

²¹ Interview with the two producers in June 2010 and screening of the series.

agricultural techniques, rural development, food safety, gender equity, etc ...²² The linguistic issues are present but not necessarily a priority. Here again, in a context of domination of native inhabitants, the main issue at stake is to help people to get out of poverty and to promote education and social equality.

A few clues to conclude.

Undoubtedly, the awareness that protecting language minorities is a central issue is not just a passing fad. For the last twenty years, international institutions have clearly been legislating in that sense. However, applying international recommendations depends on the level of mobilization of minorities. Indeed, the measures taken by governments are directly related to the initiatives, experiences and struggles organized by minority groups, associations, collectives of activists or NGOs. It is a matter of relations of power.

Of course, one can argue that the existence of rights designed to protect minorities, as well as freedom of expression, as defined in most international texts and national constitutions should now be enough to guarantee full access to media. But, as we pointed out, national socio-political backgrounds, media concentration plus the worldwide development of cultural industries show that freedom of expression can be an illusory right. This is why another type of legal principle is more and more referred to as a necessity by those who fight for the democratization of audiovisual media: communication rights. Indeed, what is the sense of having the freedom of expression when it is impossible to share the means or channels of communication?

To take the example of *Digital Terrestrial Television* in Europe, most channels were allocated to private multimedia companies to the detriment of small or local community groups. In June 2011, the *European Audiovisual Observatory* surveyed 19 E.U. countries. The results are conclusive: free DTT accounts for 47% of the almost 1800 channels available. Free DTT channels are shared between the private (60%) and the public (40%), but 92% is private when dealing with Pay DTT platforms. There are 54% of local and regional channels, 37% of national and 9% of international television.²³ Let us underline that when the survey talks about local or regional channels, these are in fact private-owned media whose financing comes mainly from

²² Interview with Leonidas Casas Ballón, former director of the radio programme *Tierra Fecunda*, Lima, June 2010.

²³ http://www.obs.coe.int/about/oea/pr/mavise_juin2011.html?print

advertising. In short, if three criteria are mixed – public, free and local –, almost no place is reserved to minority groups.

In the field of radio, the *World Association of Community and Radio Broadcasters* (AMARC), an NGO founded in 1983 gathering 130 countries, is trying to democratize the access to radio and to limit the monopoly of private companies over wavebands.

But, until now, only one country has taken the plunge in terms of communication rights: Argentina. In 2009, the law for audiovisual services of Argentina (LSCA 26.522) was enacted. According to the spirit of the law, communication rights go beyond the principle of freedom of expression because they alone can guarantee democratic access to all citizens. The law states that 33% of TV and radio frequencies are reserved to non-profit organizations: cooperatives, universities, indigenous people, communities and the State. In an international context of media concentration, this text is an essential part to prevent the means of communication from falling under the control of commercial interests. As for minorities, the law can have a positive impact on the defense and promotion of their cultural and linguistic idiosyncrasies. It is, at least, a useful and essential element to complete the other legal measures and rights.

Following the Argentinian example, Bolivia should soon introduce communication rights into law. Let us hope than other countries will be inspired by this courageous decision to rehabilitate the idea that communication means are a common good.

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