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**Research Report**

## Multilingualism and intercultural dialogue in the European Union: A Romanian perspective

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# **European Institute of Romania**

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## ***MULTILINGUALISM AND INTERCULTURAL DIALOGUE IN THE EUROPEAN UNION. A ROMANIAN PERSPECTIVE***

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## **1. THE EFFECTS OF EU ENLARGEMENT ON LINGUISTIC AND CULTURAL DIVERSITY**

### **A. The European linguistic landscape – a presentation**

Linguistic diversity in Europe is a reality of everyday life – 27 Member States, 23 official languages and 60 minority languages; a great variety of regional and minority languages, as well as the languages spoken by immigrant communities. The European linguistic heritage is a resource which should be valued.

In terms of area, most states on the European continent are medium and small size countries, the largest being, in this order, the Russian Federation, Ukraine, Turkey, France and Spain, of which the Russian Federation and Turkey have a great share of their territory in Asia. The European part of the Russian Federation accounts for one quarter of its area and that of Turkey – only 3%.

Strictly speaking, the greatest majority of European languages belong, from the point of view of their relatedness, to a single linguistic family: the large Indo-European family, which account for 95% of the population of the geographic Europe. In a narrow sense, this is what distinguishes Europe from the other continents (with the exception of Australia), where there is a large number of language families.

The greatest role in the final linguistic situation in Europe belonged to the migratory peoples which contributed to the fall of the Roman Empire, namely the Germanic and Slav peoples. The Indo-European family is the most important in the world, the only one which was spread on all continents in the modern era. Being also spoken in Asia through indigenous languages, it is represented on other continents through “imported” languages spoken in Africa and Oceania especially as secondary languages. It comprises about 150 languages, grouped in branches, of which some contain extinct languages: the Italic language (represented mainly by Latin, at the origins of the Romanic languages), the Iliric, the Traco-Dacian and so on. Among the Indo-European languages currently spoken in Europe there are two languages of the Baltic branch – the Latvian and the Lithuanian – and four of the Celtic branch: the Breton, the Gaelic in Scotland/ the Scottish, the Gaelic and the Irish. The languages of the Germanic branch, spoken in the Western and Northern parts of the continent (to the East of the Rhine and to the North of the Danube, as well as in the British isles and in Scandinavia) are reunited in the following groups: Scandinavian/Septentrional (the Danish, Feroise, Islandic, Norwegian, Swedish) and Occidental (English, Frisone - including its varieties – German, Yiddish – with a particular genesis and characteristics – Luxemburguese and Neerlandese/Dutch, as the Flemish variant). The Romanic languages, spoken mainly in the South and West of Europe, are reunited in the oriental group (including only the Romanian, the only Romanic language in Eastern Europe, as an “island” of Latinity in a mainly “Slav” sea, with its dialects from the southern bank of the Danube – Aromanian, Megleno-Romanian and Istro-Romanian), the Italo-Romanic group (Corsican, Italian, Monegasque, Sard), the Retoroman (Friuline, Dolomitic-ladine, Romansh), the Galo-Romanic group (French and its dialects Oil, Occitan – including Gascoigne – and the Franco-provence patois), the Ibero-Romanic group (Portuguese and Spanish with their dialects, the Gaelgue, the Iudeo-Spanish – with a special situation), the Catalane being a bridge-language

between the last two groups. The languages of the Slav branch, spoken mainly in Eastern and South-eastern Europe, are divided into three groups: the oriental one (the Byelorussian, Russian – which spread out to Asia too and the Ukrainian), the Southern one (Bulgarian, Macedonian, Serbian, Croatian, Slovenian) and the Western one (Cashube, Czech, Polish, Slovak, Sorabe) and the Pomak, Rusyn and Ruthene.

The non-Indo-European languages of Europe are enclaves within the Indo-European ones; besides a small number of “great” languages of culture, being state-languages, most of them are spoken in the Russian Federation (especially in its Asian part) by a small number of inhabitants, some of them almost extinct. Most of these languages are part of the Uralic family, named after the Ural Mountains, where probably a common language of origin had been spoken. The 20-30 languages in this family, spread out mainly in Northern Europe and the North-western part of Asia are grouped in two or three sub-branches: fino-ugric, samoede, possibly laponian (or sub-ordinated to the former one). In the fino-ugric branch there are Estonian, Finnish, Ingrian, Karelian Komi(-permiak), Komim(-zirian), Liuda, Livonian, Hungarian, Mansi, Mari, Mordvine, Ostiak, Ud-murt, Vesp etc., possibly Laponian too, Vota being almost certainly extinct. The Samoed branch of the family is represented by the Nenets and Selkup languages.

The Altaic family, spoken mainly in Asia and to a small extent in Europe, includes some tens of languages, grouped in two main branches: the Western or Turkish one and the Oriental one – the latter including the Mongolian and Tungus groups, as well as some isolated languages. Languages of this family are spoken in states included in Europe: Turkish-Altaic, Azeri, Balkar, Bashkir, Chiuvas, Gagauz, Hakash, Yakutian, Karachai, Karaim, Kara kalpak, Kazakh, Kumyk, Nogai, Sora, Tatar, Tatar of Crimea, Tofalar, Turkish, Tuvinian, Uzbek; of the Mongolian group only the Buriat and the Kalmuk, and of the Tungus group the Even, Evenki and Nanai languages<sup>6</sup>.

The approximately 40 Caucasian languages, spoken on the two slopes of the Caucasus Mountains (situated between the Black Sea and the Caspian Sea, at the geographic limit between Europe and Asia) are grouped in three or four families of separate languages: Southern/Kartvelian (the Georgian, Laz, Mingrelian, Svan and Zan languages), North-Western (the Abkhaz, Abkhaz, Circassian and Ubykh languages – the last speaker of the latter died in 1992) and Nakh-Dagestanese, grouping according to some sources the Centre-North/(Vainic) Nakh Caucasian (the Chechen and Ingush languages) and the North-Eastern/Dagestanese families (about 26 languages: Abkhaz, Abkhaz, Andi, Arci, Avar, Bagvalin, Bejtin, Boliq, Buduch, Chamal, Darghin, Chinalug, Hinug, Hunzib, Chvarshin, Krats, Lak, Lezghin, Rutul, Tabasaran, Tindin, Tsahur, Tsez, Udi). The Caucasian languages are spoken in Azerbaijan, Georgia (including the disputed territory of Abkhazia) and in the Russian Federation. Some do not have a written form or have relatively recently started being written (with the exception of the Georgian language, there had been only sporadic attempts to write in these languages before the 19<sup>th</sup> century). In the Soviet era, 11 Caucasian languages were granted the status of literary languages, the right to issue publications with a writing of their own and to have radio broadcasting, but not to be

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<sup>6</sup> Marius SALA, Ioana VINTILĂ RĂDULESCU, *Limbile Europei [The languages of Europe]*, Editura Univers Enciclopedic, București, 2001.

used in education. All Caucasians in the former USSR are bi-lingual or multi-lingual, speaking also Russian besides one or several local languages.

The Bask is a non-Indo-European language of uncertain origin, not included in any linguistic family (though being close to various other languages, including the Caucasian ones).

The Paleosiberian languages may form a possible phylunt or represent only a generic term, geographic rather than genealogic, including several families and isolated languages spoken in Northern Asia (in the Russian Federation – on the Yenisey, on the Tchiukotka Peninsula, in Kamcheatka and on Sakhalin Island) by the descendants of the ancient inhabitants of Siberia (hence the name of the family). It contains languages endangered by extinction, spoken by very few people (many of them bilingual; some have abandoned their language for the Russian), none of them having official status; several languages of the family are already extinct. The Paleosiberian languages, of which we mention Tchukot, Ghiliak, Ket and Koriak, do not seem to be connected to other language families, though they have been related to the Altaic and Sino-Tibetan families; according to certain opinions, they would include the eskimo-aleuth family (which includes languages considered Amerindian in a broad sense). Some centuries ago they used to be spoken by more people and occupied a larger area but they have been separated from each other by the Tungus and Turkic languages, becoming small enclaves. There are phonetic and lexical differences between the ways the males and females speak and distinctions between the language of the nomads and that of the sedentary inhabitants.

Of the Amer-Indian languages, the Eskimo of the eskimo-aleuth family is spoken in Europe, its Greenland variant being called Greenlandese. Of the three big Amerindian language families, only this one could belong to the big Eurasian family, related to certain Paleosiberian languages and represented in Europe by Maltese, Cypriote Arabic (the most important language of the branch as an immigrant language), Hebrew and Aramaic – languages of cult – and Syriac. The immigrant languages also represent the Lybic-Berber branches, which include the Berber and Cushitic, the Somali being part of the latter.

The Austrorai family, the Kam-tai branch, is represented in Europe as an immigrant language through one of its two important languages, the Laotian. The Austro-Asian family, spoken exclusively in South-East Asia and containing 100-150 languages reunited in twenty six branches, is represented in Europe exclusively through immigrant languages: the two more important languages of the Mon-Khmer – the Khmer and the Vietnamese.

The Austronesian family, formerly known as Malayo-Polynesian, has a considerable diversity, including according to certain authors approximately 10% of the world languages. Most of them (180-300) are spoken in Oceania where there are however quite a few speakers. This family is represented in Southeast Asia by 120-200 languages, with a very large number of speakers. The Austronesian family currently shows the largest geographic extension in the world after the Indo-European family. Its internal classification is still controversial: it is traditionally divided into two or three branches, of which the most important are the Indonesian (currently contested) and the Oceanic one. The Indonesian (Western) branch has 200-250 languages, the most important of which being the Javanese and Malayan (including the Indonesian variant), also spoken in Europe but only as immigrant languages.

The Dravidian family is spread exclusively in Asia (in the South) and contains over 20 Preindo-European agglutinated languages which were pushed southwards by the Indo-European languages of India which used them as substratum. Among the most important is the Amil spoken also in Europe as immigrant language.

The Sino-Tibetan family spoken through autochthonous languages exclusively in Asia (in the Centre and the Southeast) is the most important family of the continent and the world's second after the Indo-European one in terms of number of speakers; it contains, according to various estimations, 260-300 languages of which many are little known. The most important language of the family, spoken in Europe as immigrant language, is the Chinese.

Of the 1050-1350 languages generically known as Negro-African, certain languages belonging to the Nigerian-Kordofanian family namely to the Nigerian-Congolese group are spoken in Europe only as immigrant languages: of the Atlantic Occidental group, Bambara, Dyula, Maninka, Soninke, Soso of the Mande group and so on.

It results from the above that almost all of the world's language families are currently represented in Europe, certainly to various extents, with the exception of the Australian, Papua and Khoisan families.

From the typology point of view, most of the European languages belong to the two main types of the classic morphological classification of languages. Consequently, the languages of the Indo-European family are mainly flexionary languages; of these, certain modern languages – for instance the Romanic ones – are more analytical (expressing grammar values mostly with prepositions, auxiliaries etc.) than the classic ones (Latin, Greek), whereas other languages have kept their synthetic character (expressing grammar values mainly with fusing morphemes), such as the German – as compared to English, Russian etc.

The Afro-Asian languages are flexionary languages, as well as the Indo-European ones. Their main feature is the so-called tri-laterality – the skeleton of the word being a root consisting in most cases of three consonants (the only ones written down); the grammar values are expressed by internal flexion (vocal alternations). A number of languages are agglutinated – each grammar value being expressed by an affix that is attached to the root of words.

## **B. LOCAL, REGIONAL AND NATIONAL PROTECTION OF LANGUAGES IN EUROPEAN CONTEXT. PROTECTION OF REGIONAL AND MINORITY LANGUAGES.**

The official language of a state is not identical with the national language – which in the current socio-linguistic and legal terminology designates, as opposed to the current use, not the language of the whole nation living in a state, but the language of any nationality that is being legally recognized in the state in which its members live. In this meaning, a state may have not only one but several national languages.

As a matter of fact, in this terminology the word “language” has a meaning somewhat different from the linguistic one, due mainly to the social functions the respective idiom is endowed with and less to the position the linguists give to it in relation to other close varieties – being either related idioms or varieties subordinated to the respective language from the point of view of the dialectologist. The language, in this



sense, may be an idiom that the linguists consider just a variant of a language (e.g. Bosnian) or sometimes even a dialect or a patois (e.g. Greenlandese).

Some languages may be protected only locally/regionally, permitted in parliamentary debates or in court or may be “national languages”, the protection of which being stipulated by special provisions, not officially adopted; in certain cases the quality of official state language does not cover the same reality in all countries, especially in the case of states which have more than one official language: the co-official languages of the same state can be placed in principle on equal footing in terms of rights bestowed upon them or can be placed in an hierarchy, having somewhat different roles, either in terms of functions, or territorial coverage. In Belgium for instance, we have to deal with official languages at regional level, not at country level as a whole; in Switzerland, the Romansh language has a somewhat different status from the other official languages; in Luxemburg, the various languages are to a great extent specialized for certain functions and domains; in The Netherlands, Frizone is considered the second official language after Neerlandese etc. Therefore, the qualification of languages as official languages at state level or locally/regionally should not be understood in an absolutistic way, but relatively speaking and for guiding purposes. Further more, the date when a certain idiom has been granted the status of official language in a certain state is not always specified and sometimes it has a relative character, due *inter alia* to the fact that the notion of official language has varied in time.

There are 42 official or co-official languages in Europe (considering Bosnian, Croat and Serb as different official languages). A characteristic feature of the European countries which, despite the frequent historic changes or their recently (re)gained autonomy, are on the whole states of long-time tradition, is that the official language is in the same time the language of the majority of the native population (despite the forcible displacement of people with the aim to weaken the national native element, the consequences of which being visible in the former Soviet republics). This makes the difference between the European states and most states in Africa, America, Australia and Oceania- former colonies which have quite recently gained their independence and which have opted, out of various considerations, for an exogenous official language, mainly the language of the former colonial power(s).

12 of the official European languages have this status in several independent states of Europe: German in five states (Austria, Belgium, Switzerland, Germany, Liechtenstein); French in four states (Belgium, Switzerland, France, Monaco); English in three (Ireland, Malta, Great Britain and the un-autonomous territory the Normand Isles) and Croat in two states (Bosnia-Herzegovina, Croatia), Greek (Cyprus, Greece), Neerlandese/Dutch (Belgium in its Flemish variant, the Netherlands), Romanian (the Republic of Moldova - where it is also called Moldavian -, Romania), Russian (Byelorussia, Russia), Serb (Bosnia-Herzegovina, Serbia), Swedish (Finland, where it is currently “national”, Sweden), Turkish (Cyprus, Turkey).

There are 30 official languages in Europe, each in an independent country: the Albanese, Armenian, Azeri, Belarus, Bosnian, Bulgarian, Catalane (in Andorra, where it is also called Andorran), Czech, Croat, Danish (in Denmark, and also in the Faeroe Islands and in Greenland), Estonian languages.

The minority and regional languages of Europe are:

The Pomeranian language (*pòmòrsczi jāsëk*) is a group of the lehitic dialects which were spoken in the Middle Ages on the territory of Pomerania between the Vistula and the Oder rivers. Its close relatives are the Polab and Polish dialects. The Pomeranian language is part of the sub-group of the Western Slav languages known as “the *lehitic languages*”. The Cashubian (spoken in the Pomerania Voivodship of Poland) and the Slovincian (which disappeared in the early 20<sup>th</sup> century) languages are in fact its dialects. The Polish and Polab languages have also many common features. Distant relatives are other Western Slav languages: the Slovak, Czech, Inferior and Superior Sorab languages. Meanwhile, other Slav languages are related to the Polish language and can be understood to a certain extent.

Besides the languages from Ireland, Spain and Great Britain, there are some other regional languages spoken in the EU that are not officially recognized at EU level (although in some cases they have official recognition in the Member States). Some of them have more speakers than some less used official languages. The Frisone language (*Frysk* or *Frasch*) is a Germanic language spoken by a small ethnic group in the North-western part of Europe. The Frisian language contains several dialects, which some linguists consider separate languages. Most of its speakers live in the Frisia province (The Netherlands) and in the Schleswig-Holstein land (Germany).

The Frisian language is close to the Neerlandese and Danish languages. It is also closely related to the English language, but the reciprocal degree of intelligibility between the two is small.

The Mirandese language has a distinct grammatical corpus (independent phonetics, phonology, morphology and syntaxes) dating back to the period of the creation of Portugal (the 12<sup>th</sup> century). Its roots can be found in the Latin spoken in the North of the Iberian Peninsula (the Portuguese language originated in the North-West). It is a well preserved dialect of the ancient Leonese language of Northern Iberia, related today to the Asturian language, which in turn is considered by many as a dialect of the Spanish language. Currently, the Mirandese language is used more as a second language by some 15 000 persons (though for some it still is a primary language) in the villages of the Miranda de Douro municipality and in three villages of the Vimioso municipality, in an area of 484 km<sup>2</sup> with ramifications in other villages of the Vimioso, Mogadouro, Macedo de Cavaleiros and Bragança municipalities. There are three dialects: “Normal Mirandese”, “Frontier Mirandese” and “Sendinês Mirandese”. Most speakers also know Portuguese or even Spanish.

The Sard language (In Sard: *limba sarda*) is the main language spoken in Sardinia, Italy and is considered to be the most conservative Romanic language.

Due to the history of this island, for thousands of years being isolated from the continent and only in recent years establishing better communication with it, certain characteristics of the archaic vulgar Latin could be preserved, whereas in other areas they disappeared.

One of the characteristics of this language is the lack of words of Greek origin which are present in all other Romanic languages. Moreover, many words in the Sard language are closer to the Romanian language than to Latin or Italian, although these two languages exerted their influence on the Sard for hundreds of years.

The Retoroman language is one of the four official languages of Switzerland as of 20 February 1938. The Retoroman language is part of the Retsian Romanic languages together with Friulian and Ladin.

It is a Romanic language spoken by about 35.000 individuals in the Graubünden canton and contains several very different dialects: Sursilvan, Sutsilvan, Surmiran, Puter and Vallader.

A unified form of the language as standardized by the linguist Heinrich Schmied in 1982 is called the “Rumantsch grischun”. *Lia Rumantscha* (The Romansh Ligue) is an umbrella organization for all the Retoroman literary associations. But the standardized language enjoys a rather low level of acceptance and, as a consequence, the speakers of its various dialects address each other in German, which accelerates the decline of the Retoroman dialects.

The Friuline or the Friulian language (*furlan* or affectionately called *marilenghe* in Friulian, *friuliano* in Italian) is a Romanic language belonging to the family of Rhetsian languages, spoken in the Region of Friuli-Venezia-Giulia in North-eastern Italy. The Friulian has approximately 600.000 native speakers most of them speaking also Italian. The Friulian language is frequently called the *Eastern Ladine*, as Ladine and Friulian are closely related.

Unlike Ladine, spoken by a lot fewer people (about 30.000), but very conservative, the Friulian language departed from its initial source and was subject to multiple influences from the surrounding languages: German, Italian, Venetian and Slovene. Documents written in Friulian appear in the 11<sup>th</sup> century and the Friulian literature, both poetry and prose, date back to the early 1300. The 20<sup>th</sup> century witnessed an increasing reborn interest for this Rhetsian language which still continues today.

The Ladine language (*Ladine* native name in the Ladine language, *Ladino*, in Italian, *Ladinisch* in German) is a Rhetsian language spoken in the Dolomite Mountains in Italy, between the regions of Trentino-Alto Adige and Veneto. As a *Rhetsian language* it is very close to the Swiss Retoroman and the Friulian languages. The Ladine spoken in the Fassa Valley (in Ladine *Val de Fascia*, in Italian *Val di Fassa*) is further divided in two other subdivisions, “Cazét” spoken in the Northern half of the valley and “Brach” in its Southern part. In *Cazét*, water is “ega” and in *Brach*, it is “aga”.

The Ladine language is officially recognized as a minority language, having certain official rights in the Trentino-South Tirol region, but it does not have official status in the Belluno province.

Among the Indo-European languages, the Celtic languages are the most related to the Italic languages, forming the Celto-Italic branch.

The Breton language (in Breton: *Brezhoneg*) is a Celtic language spoken in the North of France in the Brittany Region (in French: *Bretagner*).

The *European Bureau for Lesser-Used Languages* – EBLUL – is a non-governmental trans-national organization cooperating closely with the EU, aiming at the promotion of linguistic diversity in Europe with special attention given to the regional and minority languages. EBLUL has offices in all the 15 EU Member States prior to the 2004 and 2007 enlargements and in many of the states which have joined recently. In the near future EBLUL intends to open offices in all 27 EU Member States<sup>7</sup>. EBLUL defends the rights of the 46 million minority and regional language speakers in Europe. According to Markus Varasin, Secretary General of the organization,

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<sup>7</sup> <http://www.eblul.org>.

“EBLUL will take care not only of the speakers of endangered languages, but also of the linguistic communities whose rights are not respected, such as the Russians in Letonia”. As concerns other minority languages, Varasin added: “a very important community is that of the Hungarians in Romania, Slovenia and Slovakia. There are several languages of this kind, spoken by millions of people. On the other hand, there are also other communities, such as that of the Sorbs, very small communities or that of the Italians in Slovenia”<sup>8</sup>. On the whole, EBLUL holds the view that where minority languages are concerned the situation in Eastern Europe is not worse than that in Western Europe.

Within the Council of Europe the protection of regional and/or minority languages is carried out through the European Charter of Regional or Minority Languages<sup>9</sup>. Since 15 Member States have already ratified this Charter (Austria, Cyprus, Czech Republic, Denmark, Finland, Germany, Luxemburg, Great Britain, The Netherlands, Romania, Slovakia, Slovenia, Spain, Sweden, Hungary), presenting its contents is important in the perspective of the protection of those languages by the EU. The Charter was signed in 1992 and came into force in 1998.

The aim of the Charter is to improve the use (both in private and public life) of regional and minority languages in the education systems, in court and in the media, to allow and to encourage the use of these languages in administrative and economic contexts, as well as in social life, in cultural activities and in cross-border exchanges. The Charter is based on the full respect of national sovereignty and of territorial integrity. The relationship between the official or co-official languages and the regional or minority ones is not seen as being antagonistic. The development of the former should not impede on the knowledge and promotion of the latter. The Charter does not establish a list of languages spoken in Europe that would match the concept of regional or minority languages. However, the terms used are defined (Article 1). The expression “regional or minority languages” means languages “traditionally used in a certain area of a state by the citizens of that state, constituting a group numerically smaller than the rest of the state’s population” or languages “different from the official language(s) of that state”. This expression does not mean the “dialects of the official language(s) of the state”, nor the “languages of the migrants”. The expression “area in which a regional or minority language is used” means, according to the Charter, “the geographic area in which this language is the mode of expression of a number of individuals which justifies the adoption of various measures of protection or promotion” - those stipulated by the Charter. The expression “non-territorial languages” means, according to the Charter, “the languages used by the citizens of a state which are different from the language(s) used by the rest of the state’s population, but which despite being used on the state’s territory cannot be associated with a specific geographic area of its territory”.

The objectives of the Charter are the following:

- to recognise regional and minority languages as the expression of the cultural wealth of Europe;
- to respect regional and minority languages in the geographic area they are spoken;

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<sup>8</sup> <http://www.divers.ro>.

<sup>9</sup> The European Charter of Regional or Minority Languages, Strasbourg, 5.12.1992, ETS No.194.

- to promote these languages through direct actions;
- to facilitate and encourage the use of these languages in written and oral form, in public and private life;
- to learn these languages at as many levels of education as possible;
- to promote cross-border exchanges with a view to promoting these languages;
- to ban all unjustified forms of distinction, exclusion, limiting and preference linked to the use of these languages which may thwart or even endanger their maintenance and development.

In November 2007 Romania has ratified the European Charter of Regional and Minority languages by Law no. 282/2007<sup>10</sup>.

According to the Charter each State has the obligation to specify in the ratification law each regional and minority language to which certain paragraphs of the Charter are applicable, as selected in accordance with the rules established by it. In the case of Romania these are the Bulgarian, Czech, Croate, German, Hungarian, Russian, Serb, Slovak, Turk, Ukrainean languages.

In Sweden there are five languages recognized as minority languages: the Finnish, Meänkieli, Sami, Romani and Yiddish languages.

### **C. The official languages in the EU Member States. EU institutions and the challenge of multilingualism – the case of the European Parliament**

There are single official languages and co-official languages (including *de facto* ones, even if they are not specified as such in the Constitutions of the respective states); in the category of official languages are also included the languages which hold this status in non-autonomous territories dependent on European states.

Figures available from certain sources for the number of speakers in other states than the states of origin are sometimes non-differentiated by languages, referring to a whole group, for instance to the Southern Slav languages (Denmark 39 000 speakers, Germany 1 190 000 speakers, Sweden 116 000) or to the Serb-Croat.

The first Regulation adopted by the European Community in 1958 established German, French, Italian and Dutch as official languages of its institutions – the languages of the founding states: Germany, Belgium, France, Italy, Luxemburg and the Netherlands<sup>11</sup>.

With each enlargement of the European Communities the languages of the new Member States were integrated. In 1973 English, Danish and Irish were added, the latter only as “language of the treaties”, meaning that only Ireland’s Accession Treaties and the fundamental texts referring to this state have been translated.

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<sup>10</sup> M.Of. nr. 752/6.11.2007.

<sup>11</sup> Regulation no. 1/1958 *determining the languages to be used by the European Economic Community*, OJP 17, 6.10.1968, p. 385.

The next languages gaining the status of official languages were Greek in 1981, Spanish and Portuguese in 1986, Finnish and Swedish in 1995, the Estonian, Hungarian, Latvian, Lithuanian, Maltese, Polish, Czech, Slovak, Slovene languages in 2004.

As of 1<sup>st</sup> January 2007, after the accession of Romania and Bulgaria, the EU has 23 official languages by adding Romanian and Bulgarian. On the same date Irish became official language.

The 23 official languages allow 506 linguistic combinations, as each language can be translated in the other 22. To cope with this challenge, the European Parliament has at its disposal complex services for interpretation, translation and checking of the judicial texts. In addition, strict standards have been adopted in order to guarantee the efficiency of these services and to maintain the budget costs within reasonable limits.

As a rule, the translators translate texts of an original version in their mother tongue. However, after the last enlargements and the increase of the possible linguistic combinations, it has sometimes become difficult to find the persons who master a certain combination of languages, especially when it comes to languages less spread out at EU level.

Therefore, to translate the texts drafted in these languages the European Parliament has created a “spindle” system, meaning that the texts are first translated into the most used languages (English, French or German). In the future, other community languages (Spanish, Italian and Polish) could become pivot languages.

The European Parliament has at its disposal:

a) *translation services*; they comprise about 700 translators whose task is to translate in all official languages several categories of documents, among which:

- documents of the meetings held during the sessions and of the parliamentary commissions; agendas, draft reports, amendments, adopted reports, opinions, resolutions, written and oral interpellations, minutes and shorthand reports, briefings to the MPs etc.;
- documents of other political bodies, such as the mixed parliamentary assemblies made up of members of the European Parliament and joined by nationally elected individuals or from third countries;
- decisions of the European Ombudsman;
- communications to citizens and the Member States;
- decisions of the European Parliament’s internal bodies (the Bureau, the Conference of Presidents, the College of quaestors).

b) *interpreting services*: the main task of the interpreters of the European Parliament is to transmit with fidelity in all official languages and in real time the speeches delivered by the MPs. There are interpreting services for all multilingual meetings organised by the official bodies of the institution. While the task of translators is to produce the various linguistic versions of written documents, the role of the interpreters is to smoothen the proceedings of the meetings so as if all spoke the same language. The European Parliament Interpretation Unit employs about 350 interpreting officers and may often resort, when in need, to a reserve pool of about 2.500 external interpreters (auxiliary conference interpreters) .

The interpreting services are called upon especially for:

- the plenary sessions;
- the meetings of the parliamentary commissions, of the parliamentary delegations and of the parity parliamentary assemblies;
- meetings of the political groups;
- press conferences;
- meetings of the internal decision making bodies of the parliament (the Bureau, the Conference of Presidents etc.).

During the plenary sessions when simultaneous interpretation is carried out into and from all the official languages of the EU a number of 800 – 1000 interpreters are mobilised. For the other meetings, interpretation is usually provided according to needs.

In principle, each interpreter works from the source language towards his/her mother tongue. However, as there are 506 possible linguistic combinations, it is not always easy to find a person capable to interpret by using a certain combination of languages. In this case, a relay system is used, namely interpreting from one language into another passing through a third one - the pivot language.

c) *legal text checking services*. The legislation adopted by the European Parliament addresses a number of about 500 million citizens; the legislation should be identical and without any ambiguity in all languages. Checking the linguistic and legal quality of texts is within the competence of the lawyer-linguists of the Parliament. The European Parliament has at its disposal about 170 lawyer-linguists with the task to ensure the conformity of texts in all community languages. Their activity consists mainly of:

- checking the linguistic quality and the judicial conformity of the texts to be adopted by the parliamentary commissions and subsequently in the plenary sessions;
- checking and registering the amendments submitted;
- informing and assisting the MPs in all theoretical and practical issues related to procedures, from the first draft of the texts to their adoption in plenary sessions;
- preparing the election lists for the plenary session.

#### **D. Standard and non-standard definition of common European values. Interpretation of terms that designate common European values depending on the linguistic context**

The debates in the European Convention for the Future of Europe during 2002-2003 and later in the Intergovernmental Conference from 2004 were somewhat different than those that took place each time when attempts were made to re-define the compromise which enables the European construction. The new approach is mainly related not to institutional matters or issues pertaining to the efficiency of communicating European policies. The specific difference is related to the values around which the European identity is being built, while the Treaty of the European

Union (TEU) includes only references to the “common values” of the EU without providing a list of those. Obviously there is a political will to define such an identity. Without an European identity endorsed by each of the actors in the community area, any political project aiming at harmonising the institutions of the European Union with the trans-national realities is doomed to failure. Any attempt to define European identity cannot provide a form which would take into account the national, regional, religious and linguistic identities which represent the unique character of a continent. The plurality of languages, cultures and religions, in a continuous dialogue excluding any radical position, is obviously the founding ground for defining a European identity. However, this plurality is the factor that reduces the chances to reach a compromise: the inter-cultural and inter-religious dialogue has often led to conflicting situations. Currently it is impossible to define a European identity since the respect of the different is the very essence of the European project.

A first step would be, as we have mentioned, the definition of a common set of endorsed values which allows the outlining of a European identity. This attempt to list the values has already taken place: according to the compromise reached during the Intergovernmental Conference of 2004, the Treaty establishing a Constitution for Europe included (in Article 2) a reference to the common European values. These are: respect of human dignity, freedom, democracy, equality, the state of law, and the respect of human rights. The same article contains an additional specification: “these values are common to the Member States in a society characterised by pluralism, tolerance, justice and non-discrimination”<sup>12</sup>.

The European Council of June 2007 decided to adopt a Reform Treaty which would include amendments to the TEU and to the Treaty establishing the European Community (TEC), the latter to be called the Treaty on the functioning of the Union<sup>13</sup>.

According to the Conclusions of this European Council, the compromise of 2004 for the definition of common European values will be maintained in the new form of the TEU (Article 2), as revised by the Reform Treaty after its ratification by the EU Member States. Moreover, at the same European Council it was decided that the new form of Article 3 TEU should stipulate that the EU respects “cultural and linguistic diversity”.

Standardization of a list of common European values is not sufficient to conclude that the new form of Article 2 TEU would lead to its endorsement by European citizens. In this context it is worth mentioning that in spring 2002 the President of the European Commission at that time, Romano Prodi, created a Reflection Group attached to the Commission with the aim to formulate recommendations related to the cultural and spiritual dimension of Europe. The Group was coordinated by Krzysztof Michalski of the *Institut für die Wissenschaften von Menschen* in Vienna and included cultural personalities from most EU Member States having extremely varied cultural and

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<sup>12</sup> For comments on the Article 2 of the Treaty establishing a Constitution for Europe, see Radu CARP, *Proiectul politic european – de la valori la acțiune comună [The European political project – from values to common action]*, Editura Universității din București, București, 2006, pp. 105-107.

<sup>13</sup> Council of the European Union, *Brussels European Council 21/22 June 2007 – Presidency Conclusions*, Brussels, 11177/07, CONCL 2.



religious experiences. The Report of this Group<sup>14</sup> was published in October 2004, after a compromise had been reached on the text of the Treaty establishing a Constitution for Europe. The Report pointed to the fact that the definition of a list of common European values is not sufficient for strengthening the European unity and the attempt to codify such a list inevitably faces a great variety of significances – national, regional, ethnic, sectarian and social. One of the conclusions of the Report was that “there is no fixed list of European values”. The Report did not deny the attempts to codify common European values, but it drew attention to the limitations of such an approach.

On the other hand, the Report stated that “there is no doubt that a European cultural area does exist”, but this area cannot be positively defined and delimited, because the European culture is not a fact, but a process.

The conclusions of the Report could not be taken into account in the process of drafting the Treaty establishing a Constitution for Europe. However, we cannot understand why they were not taken into consideration in June 2007, when at the European Council the entire standardised construction resulted from the compromise of 2004 was again analysed.

Coming back to the future form of Article 2 TEU, should we understand that the society in discussion is the European one? Or it is just an ideal model of social organisation, where the values in question enable the functioning of the institutions and the solidarity of citizens? In our opinion, it is not by chance that this ambiguity has been maintained. According to the logic of the future text of the TEU which will be part of the Reform Treaty, on one hand we have universal values which translate at European level the democratic foundations of the Member States and on the other hand, pluralism, tolerance etc., acting at national level. Do the latter have the same status of „values”? The answer can be only affirmative, provided that this assertion is placed within a text which is neutral from the normative point of view. However, if we take into account that we deal with a corpus of norms of political-legal value, the answer should be refined. At least some of the words included in the second part of the future form of Article 2 TEU have a religious component: pluralism, tolerance and solidarity.

As concerns the concept of tolerance and the possible interpretations associated to it depending on one or other of the linguistic contexts, some remarks should be made. According to Jürgen Habermas, the German term of *Toleranz* was borrowed from Latin and French in the 16<sup>th</sup> century in the period of religious wars. This term had a meaning restricted to the tolerance towards other religious denominations. Only later in the 17<sup>th</sup> and 18<sup>th</sup> centuries, tolerance gained a legal meaning and less a religious

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<sup>14</sup> Kurt BIDENKOPF, Bronislav GEREMEK, Krzysztof MICHALSKI, *Concluding Remarks on the Spiritual and Cultural Dimension of Europe*, Vienna/Brussels, October 2004; translation into Romanian of this Report: *Ce ține Europa la un loc? [What keeps Europe altogether?]*, Dilema veche nr. 56, 11-17 februarie 2005. For comments on this Report, see Cornelia GUȘĂ, *Rolul valorilor culturale în fondarea unei comunități politice europene [The role of the cultural values in the establishment of a European political community]*, in Radu CARP (ed.) *Un suflet pentru Europa. Dimensiunea religioasă a unui proiect politic [A soul for Europe. The religious dimension of a political project]*, Editura Fundației Anastasia, București, 2005, pp. 86-100.

one. The religious origin of the term explains, according to Habermas, why the English language makes a distinction between *tolerance* (as a form of behaviour) and *toleration* (with legal meaning)<sup>15</sup>.

To state that concepts such as pluralism, tolerance or solidarity are part of the category of common European values that enable the creation of a European identity would have been a great risk: the risk to recognise the religious, particularly, Christian, origin of certain concepts that define political action. Not to state them as such would also have been a risk, that of dissatisfying certain States which confer religion a significant role in public life. Finally, as was the case with the Preamble of the future form of TEU, a compromise was chosen. But is this compromise, reflected in a formula subject to multiple interpretations, the most suitable way to reach a European identity? For the time being we can only formulate hazardous hypotheses.

In conclusion, it is difficult to establish a list of common European values in a legal text accepted by all EU Member States, because there are differences in interpreting the nature of these values in one or other of the national contexts, and in some cases these differences are also determined by the linguistic diversity. Taking into account these limitations, how should Article 2 of the future form of TEU be interpreted so as to allow the implementation of these values when defining common European policies based on these values? To answer this question, we should notice in the first place that no need was felt to define the mentioned common values. The lack of definitions does not impede their interpretation. Usually the language of a legal act is a combination of everyday language and the specialised legal language. It does not mean that the terms used in the treaty concerning the common European values might be interpreted by their common meaning. Even in the absence of a legal definition of common European values, these terms should be interpreted in relation with the context – the whole *acquis communautaire*, because when it comes to a text of legal value the meaning of words is given by the legal context<sup>16</sup>. Interpreting in relation to the legal context may be carried out by two specific methods: *noscitur a sociis* (the meaning of a term is revealed through its association with other terms in a given legal context) and respectively *eiusdem generis* (a particular application of the previous method; according to this method of interpretation, the meaning of the generally formulated term which completes an enumeration is limited to terms of the same kind as those which are part of the enumeration)<sup>17</sup>.

Another issue arising in relation with the attempts to standardise the common European values and which is linked to the interpretation of these values in a broader legal context is whether the enumeration used by the future form of Article 2 TEU is a limiting one. There is no reference in the official EU documents to other common European values than those presented above, with a single exception. In a

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<sup>15</sup> Jürgen HABERMAS, *Intolerance and discrimination*, I. CON, vol. 1, no. 1, 2003, pp. 2-12 (French language version: *De la tolérance religieuse aux droits culturels*, Cités, 13, PUF, Paris, 2003, pp. 147-170).

<sup>16</sup> Mark VAN HOECKE, *Definițiile legale și interpretarea legii [Legal definitions and the interpretation of law]*, in (ed) Dragan STOIANOVICI, *Logica și dreptul [The logic and the law]*, Paideia, București, 2006, p. 106 and seq.

<sup>17</sup> For details on these two methods of interpretation see Pierre - André CÔTÉ, *Interprétation des lois*, 2ème édition, Yvon Blais, Montréal, 1990, pp. 293-314.

Commission Communication from 2006<sup>18</sup>, which reiterates a Decision of the European Parliament and of the Council concerning the European Year of Languages 2001<sup>19</sup> it is specified that “the respect for linguistic diversity is a fundamental value of the European Union”. This exception is only apparent, as a Commission Communication is not part of the legal context to which the provisions of Article 2 of the future form of TEU should be related. Consequently, linguistic diversity is not part of the common European values, in strict legal sense. It does not mean that the respect due to linguistic diversity should not be guaranteed by measures of equal intensity as those which would guarantee the values considered to be common European values.

### **E. Issues generated by the linguistic equivalence of terms used in official languages in the basic EU documents**

The effort of translation and linguistic adaptation of the European legislation into the languages of Member States, besides the costs of financing and of managing the complex procedures, encounters an immediate practical difficulty. Beyond the multiple meanings of words in various languages, the translator faces also a different historic evolution, an evolution stored in the connotative senses of the respective terms. Even the term “Constitution” used in the Treaty establishing a Constitution for Europe which was certainly not ratified also due to cultural perceptions, is a political concept differently expressed in the Member States, depending upon the historic evolution of the respective societies. The difficulties of translation and, hence, of interpretation of the common European values are also linked to the fact that what was called the European edifice is a set of concepts in permanent evolution: “Europe keeps changing over time, the European idea differing from one individual to the other, from one group to the other”<sup>20</sup>.

The concept *state of law* is rendered in various ways in different languages: *état de droit*, *Rechtsstaatlichkeit*, *stati di diritto*, but as *rule-of-law* in English, the translator of European legislation needing not only linguistic abilities, but also legal and historic knowledge, so as to integrate it in the legal context in which it is used and which obviously is different from one State to another. Thus the context may be a general legal one, of penal law, of European law, with reference to defence policies but also to the sources of law or to the concept of state, all of which requires the translator to apply sometimes complex cross references, a triangulation of the definitions in various sources, to be sure that he/she is rendering the correct meaning intended by the original text. For instance what in Romanian is “*misiunea integrată a Uniunii Europene de sprijinire a statului de drept în Irak*” in French becomes “*mission intégrée “Etat de droit” de l’Union Européenne pour l’Irak*”, in Italian “*missione integrate dell’Unione europea sullo stato di diritto per l’Irak*”, in German “*integrierte Mission der Europäischen Union zur Stützung der Rechtsstaatlichkeit im Irak*”, relatively similar variants judging from the linguistic point of view, but with different

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<sup>18</sup> Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions – *A new framework strategy for multilingualism*, Brussels, COM (2005) 596 final, 22.11.2005.

<sup>19</sup> Decision no. 1934/2000/EC of the European Parliament and of the Council of 17 July 2000 *on the European Year of Languages 2001* OJ L 232, 14.9.2000.

<sup>20</sup> Peter RIETBERGEN, *Europe – A Cultural History*, 2<sup>nd</sup> edition, Routledge, London, 2006, p. XXIX.

emphases, the English variant being very short: “integrated rule-of-law in Iraq”<sup>21</sup>. The differences are due to the particular historic development of the concept in the Anglo-Saxon world and in Europe. Thus, at general level “rule of law” means that nobody, irrespective of being a government representative, private citizen or representative of a group of interests, is above the law and therefore cannot claim special privileges. In other words, the “rule of law” clearly regulated in written public documents is opposed to the arbitrary whimsical “rule of people”. In the European continental approach the principle of “rule of law” has been frequently associated with the principle of state of law dominated by the German and French legal thought, while the modern Anglo-American approach implies separation of powers, legal security, the principle of legitimate expectation and equality of all before the law.

The difficulties in translating the texts of the documents of the EU institutions are a reality accepted and recognised as such by all stakeholders in this vital but very sensitive domain of the multilingual community mechanism of communication. Procedures have been developed which guarantee the quality of translation through revision, checking and supervision and in particular through a continuous mechanism of training and information of the translators. The consistency and unity in using the terminology is guaranteed by using an advanced technology which includes the memory of the translations performed in the entire institutional community system and data bases containing the core terminology of the EU. Although the Directorate-General for Translation (DGT) also uses on a large scale external translation services, the external translators are closely monitored with a view to ensure the quality and they are assessed as regards the quality of the product delivered. But the quality of translations is directly related to the issue of correct drafting of the source-text, which in most cases is the product of experts working in a language different from their mother tongue. The documents prepared by any public authority should be characterised by clarity and concision and by the use of an exact wording; in order to avoid the drafting difficulties of experts in various fields of activity, as they do not possess special linguistic or communication skills, the DGT has created a Drafting Unit with the task to correct and edit the language of source-texts after direct negotiations with the authors of the original text. Despite all these measures for ensuring the quality of translations, there still are problems of rendering the terms used by the EU institutions into the official languages, problems stemming naturally from the specificity of each language, the different evolution of societies from each Member State, and the cultural profile of the many groups which make up the population of the EU. In order to avoid translations which are linguistically correct but detached from the natural everyday reality of the official languages, the DGT created a mechanism for checking the quality of translations by the so-called “message localisation” test<sup>22</sup> through which the translators of the local offices of the DGT maintain contact with the live, local language, working with universities and other institutions of training, in order to cope with the rapid development of live languages, in evolution, reflecting in particular ways the excessive dynamics of life under globalization. This test represents the extent to which the messages drawn up by the European institutions are understood by the local public from the Member States,

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<sup>21</sup> IATE ID: 836800, <http://iate.europa.eu/iatediff/SearchByQueryResult.do>.

<sup>22</sup> Karl Johan LÖNNROTH, *Translation practices in the Commission*, CICEB Conference – Committee of the Regions, 21 September 2006.

the test becoming a measure of the legitimacy, transparency and credibility of the European project for the European citizens.

Another issue connected to the ones mentioned above is the use of the concept “foreign language” in the European discourse. The EU is striving to standardise the way the non-mother-tongues of citizens are called in the Member States, what until recently used to be called without negative connotation “foreign language”. It is obvious that inside the EU at community level there could not be “foreign languages”, because all the 23 official languages have the same status, therefore the term “languages” is used according to the portal *Languages and Europe*<sup>23</sup> (in French *Les Langues de l’Europe*) which is translated into Romanian as *Multilingvismul și Europa*<sup>24</sup>. In Romanian, the term *limbi* has *in se* pejorative connotations, and its neutral value appears when used in the phrase *limbi străine*. *Language learning and Language teaching* (in French *Apprentissage des langues and Enseignement des langues*) have as their Romanian equivalent on the portal *Învățarea limbilor străine și Predarea limbilor străine*. If at the EU level the term *languages* is constantly used when reference is made to persons, individual European citizens or to mobility, the phrase *foreign languages* continues to be used when describing key competences for lifelong learning<sup>25</sup>, where distinction is made between *communication in mother tongue* and *communication in foreign languages*. It is worth noting that only the Romanian version keeps the phrase foreign languages, the other linguistic versions preferring a variant without the qualifying “foreign” which is considered by certain persons as being unnatural within a community of Member States having official languages with equal status.

We think that there is a gap between Romanian and other European languages as regards the use of the term “languages” in many official neutral contexts, but the frequent use will make it accepted as we can also see from the Romanian version of the Report of the High Level Group in matters of multilingualism, where we have both variants of use. It can be seen from the example below<sup>26</sup> that the same text has different nuances in the versions presented in different languages, the Romanian version being less precise<sup>27</sup> from a stylistic point of view, though closer to the French version, taking into account the fact that the document had been drafted in English. A possible explanation is the fact that the group of Romanian translators from the DGT has only started to adapt themselves to the formal requirements of text drafting, without training sessions similar to the teams translators from traditional languages, among which English and French are also working languages and respectively languages for drafting the working documents and, consequently, the specialists who work in the respective languages constantly participate in training sessions on how to draft and edit texts. Training sessions on text drafting and editing are constantly

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<sup>23</sup> <http://europa.eu/languages/en/home>.

<sup>24</sup> *Ibidem*.

<sup>25</sup> Recommendation no. 2006/962/EC of the European Parliament and of the Council *on key competences for lifelong learning*, OJ L 394, 18.12.2006.

<sup>26</sup> Recommendation no. 2006/962/EC of the European Parliament and of the Council *on key competences for lifelong learning*, OJ L 394, 18.12.2006.

<sup>27</sup> Cf. [http://ec.europa.eu/education/policies/lang/doc/multishort\\_ro.pdf](http://ec.europa.eu/education/policies/lang/doc/multishort_ro.pdf), p. 3

organised for those who draft documents, which results in the production of a clearer and more coherent initial text, a text easier to translate in other languages.

Motivația este o cheie, dacă nu chiar cheia principală, pentru o bună stăpânire a limbilor străine. Motivația celor care învăț o limbă străină este elementul decisiv, indispensabil pentru realizarea performanțelor dorite în contextul învățării limbilor în spațiul european. (38 words)	Motivation is a key, if not the key, to successful <i>language learning</i> . Enhancing learner motivation is <i>the</i> crucial element in achieving the desired breakthrough in <i>language learning</i> across Europe. (29 words)	La motivation est une clef, voire la clef, d'un bon apprentissage des langues. Renforcer la motivation de l'apprenant est l'élément crucial pour réaliser la percée désirée de l'apprentissage des langues en Europe. (32 words)
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## **2. MULTILINGUALISM IN EUROPEAN CONTEXT**

### **A. Definition of multilingualism**

The multilingualism is defined in a strict sense as the alternative use of several languages; in a broad sense, the alternative use of several linguistic systems, irrespective of their status: separate languages, dialects of the same language or even varieties of the same idiom. Multilingualism is a consequence of linguistic contact. The term of multilingualism includes bilingualism and also tri-lingualism.

There are various typologies of multilingualism which take into consideration various criteria – sociological, psychological and linguistic. The following distinctions are frequent:

a) depending on the social scope of the phenomenon: *social multilingualism (collective)* of an entire community; *group multilingualism*; *individual multilingualism*;

b) depending on the genesis: *successive (sequential) multilingualism* – the second language is learned after the fixation of the first one (after 3-4 years) or *late multilingualism* – a distinction similar to the previous one, but which allows for the identification of sub-types according to the age at which the second, the third language and so on is learned. The multilingual speaker acquired at least one language during childhood, the so-called *first language* learned without a formal education. Children acquiring two languages since birth are called *simultaneous bilingual*. Even in case of simultaneous bilingualism there is one dominating language. As a rule this type of bilingualism appears in children raised by bilingual parents in a predominantly monolingual environment or in children raised by monolingual parents in countries where different languages are spoken.

c) depending on the relationship of languages as reflected in use: *compounded multilingualism* – languages are considered functionally similar, their units being in a relationship of correspondence (the case of languages learned in school). The speakers are usually fluent in two or three linguistic systems; *coordinated multilingualism* – the languages are functionally separated, considering that their units express partially or totally distinct significations (one of the languages is used in official situations: administration, school etc., the other one in family, among friends etc.; e.g. the case of Aromanians in Greece). The speakers use a different intonation and a different pronunciation for each language, associated with a different social behaviour;

d) depending on the degree of knowledge: *symmetrical multilingualism* – all languages are known to the same extent (a rarely encountered situation); *asymmetrical multilingualism* – there are differences in knowledge; *receptor multilingualism (passive)* – one of the languages is understood, but not spoken; *written multilingualism* – one of the languages is understood in reading, but not in hearing; *technical multilingualism* – one of the languages is known only to the extent required by strict professional need;

e) depending on the political situation in a State or in a super-state community: *impersonal multilingualism* – characteristic to the governance in a state with

monolingual citizens (the case of Belgium); *personal multilingualism* – characteristic in a State where governance is monolingual but its citizens are multilingual; in this case, multilingualism may be: *natural* – resulting from a mixed marriage, life in a frontier region or in a foreign-tongued environment; *voluntary* (promoting) – determined by the individual's wish to get promoted in a multilingual transnational society (the case of European Union); *decreed* (by concession) – based on the State authority, but contrary to the citizens wishes (the case of non-Hungarian minorities in Hungary before World War One).

The study of multilingualism allows the identification and description of the mechanism and structural consequences of the contacts between languages. Multilingualism induces the emergence of phenomena of interference at all levels of the structures of idioms that are in contact, bringing about reorganisation of the structural patterns. Albeit, usually, *composed multilingualism* is associated with permeability to interferences, while the *coordinated one* is considered impervious, interferences take place in both cases; within the process of formation of various languages; the multilingualism and the phenomena of interference it determines have played an important role.

Usually, multilingual persons are characterised by *code switching*. The concept of *code switching* designates the individual's capacity to switch from a language to another, from a dialect or style to others during a verbal dialogue or, as Carol Myers-Scotton formulated, the selection by the bilinguals of certain forms from the *embedded language* (EL) for the *matrix language* (ML) statement in the course of the same conversation<sup>28</sup>.

One can assume that the bilingual/multilingual speaker may intuitively identify matrix language as the one which allows mixing in elements belonging to another one (EL) and meantime there is always the possibility of shifting from ML to EL, depending on various external factors either synchronic, during the same conversation, or diachronic, resulting from a certain historical-political evolution of a community. The *shift* corresponds to the taking on of one or another of the identities motivated by various situations and is considered a “stable” phenomenon in multilingual communities.

## **B. Dissemination forms of multilingualism: education, the audio-visual sector**

The permanent interest of the EU for the dissemination of multilingualism is most clearly expressed by the European policies adopted and implemented over time. Thus, as early as 1989 the first comprehensive programme LINGUA for promoting language learning and teaching was launched. 2001 was declared the European Year of Languages, and at its end the European Commission was invited by the European Parliament and by the Council to undertake further actions with a view to promoting languages. In recent years, communication in other languages is included among the

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<sup>28</sup> Carol MYERS – SCOTTON, *Duelling languages: Grammatical structures in codeswitching*, Oxford University Press, Oxford, 1993.



eight main competences of lifelong learning<sup>29</sup>. In 2002 a Working Group for languages was set up<sup>30</sup>, including officials responsible in the Member States for policies in the domain of languages, a group having regular meetings for information exchange and definition of good practices.

The Commission will continue to support Member States in their efforts to enhance the quality of language teaching, to increase the number of languages taught and to promote linguistically oriented schools. As concerns learning, additional actions are necessary in order to increase awareness of the importance to learn several languages, along with the initiatives of motivating students and adults to acquire languages through informal learning, through means which reduce the pressure on formal learning programmes and meanwhile provide efficient alternatives for linguistic acquisition. While most measures recommended by the “Action Plan for promoting language learning and linguistic diversity” initially concerned primary education and training of teachers which would ensure the development of linguistic competences in other languages, currently emphasis is put on adult language learning, on the enlargement of its scope, including stakeholders from the business environment, on lifelong vocational training and on the informal learning of languages through the media and cultural activities<sup>31</sup>.

In the audio-visual field the EU has a specialised programme – MEDIA 2007<sup>32</sup> which continues four other MEDIA programmes (MEDIA I, II, Plus and Training) having as its objectives: to consolidate the audiovisual sector of the EU reflecting the European patrimony and cultural identity; to increase the circulation of audio-video products within and beyond EU boundaries and to transform the European audiovisual sector in a competitive one by facilitating access to financing and by using digital technologies. However, most probably the emblematic image of the EU in the audiovisual domain and in disseminating multilingualism in Europe and in the world is the television channel EuroNews<sup>33</sup>. EuroNews was created in 1993, but became the official channel of the European Community in February 2005, broadcasting simultaneously in 7 languages (English, French, German, Spanish, Portuguese and Russian) 24 hours a day and seven days a week. EuroNews reaches over 150 million households in 78 countries being watched daily by 8 million people, exceeding the audience of CNN and BBC and becoming the reference channel for news from the EU. Both the MEDIA programme and EuroNews are part of an indirect strategy, but nonetheless efficient, in promoting multilingualism through the so-called informal methods of language learning and of getting aware of the European cultural heritage. It is an important opening towards what English calls *edutainment*, i.e. achieving education through entertainment, a means more and more used to motivate people for language

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<sup>29</sup> Recommendation no. 2006/962/EC of the European Parliament and of the Council *on key competences for lifelong learning*, *op. cit.*

<sup>30</sup> Within the framework of the programme *Education and Training 2010*,  
[http://ec.europa.eu/education/policies/lang/policy/expert\\_en.html](http://ec.europa.eu/education/policies/lang/policy/expert_en.html).

<sup>31</sup> Commission working document, Report on the implementation of the Action Plan “Promoting language learning and linguistic diversity”, Brussels, COM (2007) 554 final, 25.9.2007.

<sup>32</sup> [http://ec.europa.eu/information\\_society/media/docs/overview/media-en.pdf](http://ec.europa.eu/information_society/media/docs/overview/media-en.pdf).

<sup>33</sup> Cf. <sup>33</sup> [http://ec.europa.eu/avservices/about/euronews\\_en.cfm](http://ec.europa.eu/avservices/about/euronews_en.cfm).

learning, for knowing other cultures, for the discovery of their own identity through knowing the cultural identity of others. Besides tourism, which in itself is a driving force for the development of multilingualism, education through entertainment seems to be one of the most powerful and efficient means of motivation, maybe also because people feel the need of a non-formal learning method avoiding the strict and inhibitive control of school. The use of Internet is part of the same type of strategies, which on one hand may provide the necessary support for language learning through the websites with pedagogical materials, the computerised learning activities on the Internet, the training books or educational portals but, on the other hand, provides access means such as YouTube adapted for the promotion of EU activities<sup>34</sup> under the slogan *Sharing the sights and sounds of Europe*.

Thus an interesting and also sensitive issue of the European linguistic diversity enters the debate: where does the interest for the promotion of this diversity stop and what should be the role of the community institutions in the provision of linguistic services to citizens of non-Member States residing in the EU and whose mother tongue is not one of the EU languages? How different should be the treatment of non-official EU languages? The Council of the European Union recognises the official languages which co-exist in certain countries of the EU (the regional languages). The Member States may finance within certain limits the provision of translation and interpretation services into these languages within the European institutions. Therefore, especially due to practical considerations, all non-official languages of the EU, including the almost 40 regional languages are treated at the same level as the languages from outside the EU. There are a number of exceptions for regional languages such as Catalane, Bask and Galician, which have an intermediate status through which citizens have the right to communicate with the EU institutions in the respective languages, but the costs of communication are covered by the Spanish Government most of the time with the translations it offers.

Another sensitive issue of dealing with linguistic diversity is the extent to which the knowledge or the lack of knowledge of the official language becomes a barrier for the resident whose mother tongue is not spoken in the Member States of the EU. In the context of the multilingual European society it is difficult to make recommendations that would cover all the actual situations. This aspect is mentioned and even stressed in the Recommendation of the European Parliament and of the Council on key competences for lifelong learning<sup>35</sup>, which notes, even if only in a footnote, that mother tongue is not always an official language of a Member State and that the ability to communicate in an official language is a pre-condition to ensure the individual's full participation to society. The same discussion is valid for learning other languages by persons living in bi-lingual or multi-lingual families and communities in a Member State having an official language which is different from their mother tongue. For these groups the competence to communicate in a language should be understood rather as a competence to speak an official language, and the necessity, motivation and social and/or economic reasons to develop this competence for integration purposes would be different from the reasons to learn another language for the purpose of practicing tourism or obtaining a job. The measures for solving

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<sup>34</sup> Cf. <http://www.youtube.com/eutube>.

<sup>35</sup> Recommendation no. 2006/962/EC of the European Parliament and of the Council *on key competences for lifelong learning, op. cit.*

these kinds of situations are left with the Member State which will decide on the individual approaches, according to its needs and specific circumstances.

### **C. Learning languages at various education levels (university, pre-university) and vocational training/retraining**

Tackling languages within the framework of the education systems of the EU Member States has always been considered important, but naturally there have been particular ways of including their learning in the curricula of education institution. A Report of the European Commission<sup>36</sup> describes the main features of the situation in the EU Member States, presenting the status of the implementation of policies for language teaching as issued from the action plan *Promoting language learning and linguistic diversity 2004-2006*. The study reveals that, though language learning is compulsory in almost all participating countries from increasingly lower ages, the variety of languages offered for study is, with some exceptions, limited, English being predictably the first. The most visible progress was achieved at the secondary education level, without reaching in all countries the objective of providing two languages. As concerns high education, this is not the period when the students would significantly expand their multilingual abilities in any of the countries included in the study. At adult education level, which is the most developed sector of multilingual education, an efficient structuring of specific actions has not been achieved yet, despite the significant funds allocated and the specific initiatives. The formal education, especially at tertiary level, does not include coherent programmes of adult multilingual education, the study of a language, when it takes place, being mostly limited to English as it is the language which offers the most chances for mobility and vocational retraining.

In Romania the study of languages has always been officially encouraged and, in particular, knowledge of as many languages at advanced performance levels has been an element of social prestige, a fact which could be explained mainly by the rather defined territorial use of the Romanian language. Anyway, as early as 1965 varied opportunities for language learning were introduced in the Romanian system of primary and secondary education from age 8 (second grade) for the first language and from age 12 for the second language (sixth grade), children and parents having the possibility to choose between English, German, French, Spanish and Russian, with the remark that the offering is larger in the urban areas and especially in big cities. English has been one of the most popular languages, and its teaching in public schools has been of the highest quality, with normal variations from one school to another<sup>37</sup>. Over the period 1996-2005, in Romanian pre-university education the offer for the first or second study language, for various segments of school population, included: English, French, German, Russian, Spanish, Italian, Greek, Japanese, Portuguese and

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<sup>36</sup> Commission working document, *Report on the implementation of the Action Plan “Promoting language learning and linguistic diversity”*, *op. cit.*

<sup>37</sup> Mariana NICOLAE, *Training and development in transition: A Romanian Perspective*, vol. IATEFL TDTR 3, Whitstable, UK, 1998, p. 41.

Norwegian<sup>38</sup>, which stresses once more the interest of both officials and students and parents for language study.

The multilingualism does not only mean the use and dissemination of working languages of the EU, but it is also, particularly in recent years, a strategy to promote the European regional languages as a reaction to the European layman's perception of loosing their own cultural identity. As we mentioned, the European Charter of Regional or Minority Languages, is currently ratified by 15 EU Member States, a fact which resulted in a better representation of these languages in an area where previously they were merely tolerated. However, the first generations of economic migrants in the new host-country do not always wish to request education in their mother tongue, and families do not always encourage multilingualism strongly enough. Despite the fact that there is not enough relevant data, we can mention the example of Romanian communities in Spain, requesting and being granted opportunities to learn in their mother tongue, an offering which was endorsed by the authorities in both states, Spain and respectively Romania.

#### **D. Public – private relationship for language learning**

The high demand for language speakers on the labour market in Romania and the increased mobility of the labour force after 1989 resulted in significant changes in the quality of language offers on the Romanian educational market. The chronic underfunding of the Romanian education system triggered an important migration of language teachers from education to other employers, usually in the business environment, leaving a rather huge gap of qualified personnel, a gap which is felt mostly in rural areas or in less developed urban areas<sup>39</sup>. A general overview of the institutional offer in Romania for language teaching reveals the following forms: in public and private pre-school education (kindergartens) (where language fees are paid by the parents); in state school education, in state-schools with bi-lingual profile of intensive language learning; in private high school education (the number of private high-schools increased significantly in the recent years – from 8 in Romania, 2 in Bucharest in 1997 to about 13 in Bucharest and over 50 at country level<sup>40</sup>), private schools set up by companies, organisations, embassies and foreign cultural institutes,

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<sup>38</sup> For statistical data which exceed the framework of this presentation see *Anuarul Statistic 2005 [The Statistical Yearbook 2005]*, chapter Education, <http://www.insse.ro/cms/files/pdf/ro/cap8.pdf>.

<sup>39</sup> „The crisis of teachers specialised in foreign languages continues. The number of teachers is totally insufficient, not only in Bucharest, but also in the entire country” (statement of Marian Banu, spokesperson of the Bucharest School Inspectorate, [http://www.gardianul.ro/2007/03/08/societate-c12/limba\\_straina\\_impusa\\_de\\_directorii\\_scolilor-s91162.html](http://www.gardianul.ro/2007/03/08/societate-c12/limba_straina_impusa_de_directorii_scolilor-s91162.html)); “A profound lack of teachers can be found in the area of foreign languages” (statement of Ladislau Konya, Deputy General School Inspector, [http://www.gazetanord-vest.ro/arhiva/2007/iulie/25iul/index\\_files/actualitatea.htm](http://www.gazetanord-vest.ro/arhiva/2007/iulie/25iul/index_files/actualitatea.htm)).

<sup>40</sup> Mariana NICOLAE, *Standards of Quality in Private Language Teaching – The Romanian Situation*, International Conference *Private Language Education in Europe. Its contribution to the multilingual and multicultural aspect of the European Union*, Thessaloniki, Greece, 1997 and [http://www.calificativ.ro/Informatii/utile/Lista\\_de\\_licee\\_particulare\\_authorized\\_187.html](http://www.calificativ.ro/Informatii/utile/Lista_de_licee_particulare_authorized_187.html).

private language schools. As concerns the number of these schools, it is difficult to have a complete picture due to the lack of studies in the area, but taking into account the offer of courses appearing on the various advertisement channels, it may be assumed that their number is very high.

Moreover, on the Romanian market, one of the favourite methods of learning or consolidating one's language knowledge is still the 1x1 system, i.e. with a private teacher.

Lack of data concerning providers of linguistic services in Romania, not only language courses, is obvious. Even when they exist, they are fragmented, usually according to the language and provider type, hampering the creation of a coherent overview on the diversity of offers on the market. A study should be initiated which on one hand would contribute to knowing the situation in Romania in order to adopt development strategies at national level and, on the other hand, would contribute to Romania's insertion in the European landscape through participation in the European programmes and collaboration with various European service providers.

### **E. The role of linguistic competence certificates on the European labour market**

Labour mobility on the European market and beyond results in an acute need for transparency and transferability of professional skills and competences. Certification of linguistic competences is an issue of great importance at individual level, but also sensitive at institutional and even national levels, the certification activity being an important source of revenue for the providing institution. In Europe there are currently about 300 certificates for 27 languages, with the exception of those acquired within the framework of national education systems<sup>41</sup>. The certificates were inventoried and described in 2006 in a study entitled *Inventory of Language Certification in Europe, A Report to the European Commission Directorate General for Education and Culture* carried out by the *National Foundation for Educational Research* in Great Britain

The European Commission was invited to develop a European indicator of linguistic competence (the European Indicator of Language Competence) using tests with scores based on the scale of the Common European Framework of Reference for Languages – CEFRL. This Framework, developed together with ALTE<sup>42</sup>, is a guideline used to describe the progress of language learners, its main objective being to provide a framework for evaluation methods applicable to all languages in Europe. CEFRL consists of a six level scale for various linguistic abilities, divided in three major groups: the basic user (A1-A2), the independent user (B1-B2) and the proficient user (C1-C2). The six levels of reference are largely accepted in the Member States as the standard for evaluating the linguistic competence of an individual.

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<sup>41</sup> Jenny BRADSHAW, Catherine KIRKUP, *Inventory of Language Certification in Europe, A Report to the European Commission Directorate General for Education and Culture*.2006, <http://ec.europa.eu/education/policies/lang/doc/inventory.pdf>

<sup>42</sup> ALTE – The Association of Language Testers in Europe is an association with 31 institutional members, representing 26 European languages.

The study on language competence certificates in Europe included 31 countries, among which also non-member states which participated in the Socrates and Leonardo programmes, revealing 37 national or regional languages with a potential to have language competence certificates. These are evaluation-based certificates issued to young people and adults from any country, not certificates issued to citizens as national diplomas. Therefore, these are certificates developed to evaluate the language competence of foreign individuals who enter a country and not certificates issued for the language exams in languages other than the official one which are learned as part of the education system of the respective country. Though Romania was among the countries included in the study, the research team could not find any information on Romanian as a foreign language<sup>43</sup>.

We believe that we need a programme for the development of a procedure to evaluate the language competence of foreigners who speak or wish to learn the Romanian language and for the issuance of a language competence certificate for the Romanian language as a foreign language. This is a purpose from an idea; point of view, part of the integration process of Romania in the EU and also in the perspective of international good practices which require – under the terms of the global market of capital and labour force – the existence of modern tools for evaluating and teaching a language, but also from a pragmatic point of view as means of generating income. In the years to come, Romania may presumably witness a growing number of foreign individuals who will wish to study or work<sup>44</sup> in organisations on its territory where the working language is Romanian. They will need modern interactive courses for learning Romanian. There still is a deficit on the Romanian market in both situations, albeit Romanian language courses have started to be prepared and published in greater number especially by foreign publishers or private language schools. However, certification is still a wish despite the great number of actors in universities, research institutes and private entities, who could initiate programmes for the study, description and preparation of tests for the Romanian language. Romania as a Member State of the EU should be in line with good practices in the field of multilingualism and drafting language competences for the Romanian language as a foreign language is hence an important condition.

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<sup>43</sup> Jenny BRADSHAW, Catherine KIRKUP, *op. cit.*, p. 10.

<sup>44</sup> It is estimated that currently there are 12.000 persons working in Romania with working permits, but the deficit on the labour market is estimated at nearly 200.000 foreign workers (<http://www.romaniailibera.ro/a101826/val-de-muncitori-straini-in-romania.html>); ([http://www.hotnews.ro/Arhiva\\_noiembrie\\_2007/articol\\_1086894/-\\_htm](http://www.hotnews.ro/Arhiva_noiembrie_2007/articol_1086894/-_htm)).

The entrepreneurs associations and the trade unions in building area, which is most affected by the lack of personnel, are looking for solutions to this situation; the trade unions even created a sectoral committee for migrant workers, to allow the potential construction workers to have legal working papers and possibly to be qualified in vocational schools. This clearly requires the opening of an important market of qualified linguistic services and the creation of certificates for the Romanian language as a foreign language, at various levels of language competence.

## **F. Promoting Romanian language as study language in the EU Member States**

The successive enlargements of the European Union, the high mobility of citizens and the globalisation process have contributed to the emergence of new waves of immigrants and increased the permutability of languages, cultures and religious beliefs in the EU. In order to cope with the challenges generated by the new realities it is necessary to develop an intercultural dialogue with an important linguistic component, the language being the most direct expression of each culture. Knowledge of languages is essential for the intercultural dialogue and it can be acquired mainly through education.

Languages are the focus of EU initiatives in encouraging education, because they reflect the different European cultures and, in the same time, they offer the key for understanding them. The *promotion of languages in the European educational systems is an important aspect of this portfolio*, declared the spokesperson of the European Commission Pia Ahrenkilde Hansen<sup>45</sup>. The communication of EU institutions with the citizens they serve is an exclusively supra-national competence, and “*according to the Communication of the European Commission, adopted in November 2005, Member States are recognized as having exclusive competence in the field of education, but they are invited to comply with the so-called rule of the EU ‘one plus two’, by which the EU recommends to the Member States the study of another two languages in addition to mother tongue*”.

The ministers of education from Romania and Italy decided, by signing a common Declaration of Intent,<sup>46</sup> to capitalise on the strategic role of the collaboration between the two States in the field of education. It is of strategic importance due to the need to further the European Union construction based on the reciprocal knowledge of its peoples. By this Declaration, the two ministers agreed that “it is desirable to subsequently develop, in a bi-lateral framework, the perspectives of collaboration between the two countries, especially stimulating the direct engagement of schools and students in any possible form of contacts and exchange of experience”.

With reference to the framework of the European Union, it is opportune to materialise any useful synergies towards the achievement of the Lisbon Strategy goals and, in particular, that of promoting in the education systems the objectives related to a more thorough reciprocal knowledge, this being a tool of education for democracy and active citizenship that should be also present in multilanguage learning.

Therefore, it has been decided to gradually introduce, as of the academic year 2007-2008, Romanian language, culture and civilisation courses at all school levels in Italy and Spain where there are students of Romanian origin. This initiative fully coincides with the orientation to promote in the Italian and Spanish school systems the full and authentic intercultural integration of students, irrespective of their origin.

The selection of teachers who will teach these courses was carried out based on a competition organised by the Ministry of Education, Research and Youth (MERY) and the Institute of Romanian Language (IRL) in August 2007, in accordance with a

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<sup>45</sup> <http://www.guv.ro/presa/integrare/afis-doc.php?idpresa=197>.

<sup>46</sup> <http://www.edu.ro>.

Methodology prepared by the MERY. The teachers selected in this competition signed a contract of collaboration with MERY and IRL and they are to be periodically evaluated during the academic year by a Monitoring Committee. The teaching norm of a teacher included in this programme is 18 hours per week and a gross salary of 2.196 Euros. MERY finances 32 full academic norms.

Romanian language classes will be available also to Italian and Spanish children who wish to learn Romanian. The textbooks will be provided by MERY; they will be special ones, having a new curriculum exclusively designed for the students studying abroad. The Romanian minister of education, research and youth declared that in 2008 new textbooks will be edited so as to include basic notions of Romanian language, history and geography.

The Ministry of Education and Science from Spain and the Ministry of Public Instruction from Italy designated the schools in which these courses will be taught. For the academic year 2007-2008 the courses will be carried out in 31 Spanish localities and in 3 Italian ones. In Italy the courses of Romanian language, culture and civilisation will be held in schools in Rome (12 hours/week), Torino (18 hours /week), Padova (8 hours/week), cities where there are numerous Romanians. In Spain, the courses of Romanian language, culture and civilisation will be held in schools in Madrid (24 hours/week), Guadalajara (16 hours/week), Alcanar (8 hours/week), Leida (24 hours/week), Azunquena de Henares (6 hours/week), Mollerusa (8 hours/week).

The Spanish and Italian authorities provide classrooms and computers in the respective schools and ensure training courses for the teachers selected by MERY and IPL.

In the Annex to the Order of MERY no. 1303 of June 2007<sup>47</sup> the syllabus of the optional course of *Romanian language, culture and civilisation* for Romanian students studying in schools outside Romania's borders was approved.

The syllabus is meant to facilitate the contact of students with the Romanian language, culture and civilisation with a view to practising and improving the communication in their mother tongue, to getting acquainted with the important episodes of Romanian history, to assimilating the values of Romanian culture and civilisation and to developing own identity in the context of European values. The major theme is related to the formation of the Romanian people, from the perspective of both historical information and popular mythology (popular or cult myths and legends). The interest for the origin of the Romanian people is combined with the interest for their place of origin or that of their parents, which they will be guided to discover from several perspectives through projects developed during the school years.

In the domain of Romanian language, the syllabus intends to deal with correct pronunciation and writing (having regard also to the similitude and the differences between the Romanian and Italian, respectively Spanish languages). The syllabus is also designed to stimulate the students to acquire and develop communicative skills and attitudes which will help them communicate efficiently in Romanian and be open to the dialogue with the others.

The syllabus also has in view to tackle a number of themes of current and cultural interest. The perspective of combining elements of traditional values or of the national

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<sup>47</sup> *Ibidem.*



patrimony with the contemporary aspects of Romania will be aimed at in all syllabuses of the optional course of Romanian language, culture and civilisation.

The use of the syllabus may be extended to other countries in Europe where there are Romanian student communities willing to attend this optional course.

This syllabus aims to support the affective links of these students with Romania, their country of origin, so that at the end of the pre-university education each graduate has an open cultural horizon, on which to rely in consolidating his/her capacity of oral and written communication in the Romanian language in order to gain direct access to information on Romanian culture and civilisation.

Moreover, this syllabus aims to increase the awareness of Romanian students regarding their own national identity and of their integration in the European cultural area.

The objectives of the syllabus are:

- to cultivate the Romanian language as language of communication in the Romanian and European area and as part of the body of Romanic languages;
- to ensure the preservation of the phonetic features specific to the Romanian language in oral communication and to eliminate possible contaminations from the language of the country of adoption;
- to ensure a correct and expressive written communication in Romanian in order to gain direct access to information about the country of origin;
- to understand the fundamental values specific to the Romanian cultural area;
- to get acquainted with the essential moments of the national history and to integrate them among the important events at European level;
- to correctly integrate Romanian values in the universe of general-human and European values;
- to get acquainted with the Romanian national specificity and to ensure the connexion with the defining elements of the culture of the country of adoption.

Subsequently, the Government of Romania approved the MERY project on teaching Romanian language, culture and civilisation in the Government Decision no. 857/2007<sup>48</sup>. In this legal act it is emphasised that this is a pilot project for academic year 2007-2008 and that later, depending on the results obtained, its follow-up will be decided.

Another way to promote the Romanian language and culture is through the Socrates and Leonardo programmes. These were the main programmes involved, but the programmes of localities twinning, on-line learning, of culture, for youth etc. have had also a significant contribution.

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<sup>48</sup> M. Of. No. 527/3.08.2007.

## **G. The issue of relocation in multilingual context**

The European Commission proposed in October 2005 in a Communication entitled “European values in the globalised world” the creation of a Globalisation Adjustment Fund<sup>49</sup> complementary to the structural funds, specifically to the European Social Fund. The initiative to set up this Fund was initially extensively described in the paper of Loukas Tsoukalis special councillor of the President of the European Commission, published in October 2005<sup>50</sup> later being made official in December 2005 at the summit of the European Council. 500 million Euros were allocated to this Fund with the aim to compensate the negative effects incurred by employees relocated each year (between 35.000 and 50.000 persons). The Fund became operational as of 1 January 2007. The initiative of setting up this Fund belongs to France, the country most afraid of the effects of relocation. Although we do not have studies and analyses on the various consequences of the relocation phenomenon, we believe that supporting this Fund by all Member States is a measure of social solidarity, until further clear actions will be taken to support the idea of multilingualism as a European way of existence.

France is the only Member State which applied to the Fund and requested 4 million Euros for the vocational training of 1.000 workers fired from the companies Renault and Peugeot.

One would have expected more states to apply to the Fund. The low performances so far cast doubt on the effects of globalisation on the EU. It seems that the dangers of relocation outside the EU have been exaggerated. Therefore a new approach is needed regarding the functioning mechanisms of the Fund, and its sources of funding. The amounts allocated to the Fund could be directed to supporting lifelong learning and vocational training, in the first place, both being dependent upon the degree of language knowledge; a direct and functional link could be created at the level of EU institutions between the issues of multilingualism and relocation.

“Culture is both an economic factor and a social integration factor”<sup>51</sup>, therefore in a multilingual context relocation cannot be seen as a mere outcome of globalisation with negative effects in the states where massive lay-offs took place. Even if at a first glance multilingualism is thought to enhance the negative effects of globalisation, we believe that they cannot persist on the medium and long term and even now they seem to have only positive effects in countries where the official language is not one of wide circulation. In a multi-linguistic context such as the European one where

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<sup>49</sup> Communication from the Commission to the European Parliament, the Council, The European Economic and Social Committee and the Committee of Regions, *European values in the globalised world – Contribution of the Commission to the October Meeting of Heads of State and Government*, Brussels, COM (2005) 525 final, 20.10.2005.

<sup>50</sup> Loukas TSOUKALIS, *Why we need a Globalisation Adjustment Fund*, <http://www.gov.uk/files/kfile/Loukas-final.pdf>.

<sup>51</sup> OJ L 63, 10.03.2000, p. 1.

promoting cultural and linguistic diversity is one of the main objectives of common actions in the cultural field, relocation is not one of the most frequent forms of mutual knowledge between cultures and lifestyles of the EU Member States. Thus, there are the internships which the employees of the branches of the companies set up in developed EU countries carry out in other countries. These internships sometimes involve learning another language or improving the knowledge of the respective language, as well as the contact with another work culture. If there is a risk involved by the relocation phenomenon this concerns the monopoly of a unique language, English, both on the European labour market and in the European public area<sup>52</sup>.

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<sup>52</sup> See Bernard CASSEN, *Revolta salariaților. Împotriva monopolului limbii engleze [The riot of employees. Against the monopoly of English language]*, *Le Monde diplomatique*, Romanian version, August 2007.

### **3. INSTITUTIONAL PROMOTION OF MULTILINGUALISM**

#### **A. Methods of promoting multilingualism at European level**

Multilingualism is one of the most dynamic concepts of the current EU speech that guarantees cultural and linguistic diversity, equal treatment for peoples and individuals of Europe, and to citizens and various entities the right to interact with the EU institutions in any of its official languages. Multilingualism is diffused throughout the entire philosophy of the European edifice and has been included, although not under this name, since 1954, in the European Cultural Convention of the Council of Europe<sup>53</sup>; today there is even a branch of the European Commission which manages the complex issues of communication at institutional and individual levels in an entity with 23 official languages.

At first glance, the term multilingualism seems very clear in the narrower sense of the EU context, being widely used in the media, documents and everyday language, being the focus of rather emotional public debates, as are most issues related to language and cultural identity; but pragmatically speaking the term has three levels of utilisation.

At the first level of use, multilingualism is the ability of EU citizens to communicate among themselves. Responsibility for teaching and learning languages stays with the education authorities of the Member States, an education policy in which the Commission has no actual competences although it is the obligation of these authorities to implement the initiative of the Commission supported by the Council stipulating that all citizens should learn at least two languages besides their mother tongue. The second level of use concerns the right of citizens and of EU stakeholders to communicate with the European institutions, with a view to knowing their rights and fulfilling their obligations. Finally, the third level is the intra-institutional one and refers to the interaction within the EU institutions. In order to limit the costs related to translations the Commission carries out its internal, routine, activities in the procedural languages, English, French and German respectively, resorting to total multilingualism only in its relationships with other EU institutions, with the Member States and with the general public. Karl-Johan Lönnroth, Director General of DGT stressed one of the paradoxes of the attempt to grant equal chances to all official languages, on one hand, and the need for a pragmatic approach of linguistic matters within the preparatory activities, on the other hand: as more languages are used in the everyday routine activities, the more lengthy and time-consuming the process, hampering actually the promotion of multilingualism. This is why most texts within the DGT are translated to and from the three procedural languages – English, French and German – in which the documents are drafted during the permanent activities of the Commission and only the adopted legislation is translated in all the official

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<sup>53</sup> *European Cultural Convention, Paris, 19.12.1954, ETS no.18, Article 2, Resolution no. 2/69, An intensified Modern-Language Teaching Programme for Europe, Recommendation no. 814/1977, Modern languages in Europe, Communication from the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions – A new framework strategy for multilingualism, op. cit.*

languages of the EU, which explains the significant difference between the number of pages translated in and/or from the two types of languages. Thus, in 2006 the DGT translated 1.541.518 pages of which, depending on the source language, 72% of the original texts had been drafted in English, 14% in French and 2.7% in German. Taking into consideration the target language, the percentage of texts drafted in each of the official languages is relatively equally distributed for the non-procedural languages (approximately 50.000 pages per target language), with the exception of English (about 185.000 pages), French (about 160.000 pages) and German (almost 145.000 pages) as procedural working languages within the Commission<sup>54</sup>.

In the EU, multilingualism is promoted directly, explicitly, but also in an indirect way through policies and programmes which primarily have another aim, but which can be carried out only on the presumption of knowing several languages. The direct promotion of multilingualism is performed by political decision as materialised in the opening on 1<sup>st</sup> January 2007 of the portfolio for multilingualism as a separate independent portfolio, aiming to reflect the political dimension of the concept within the EU, with regard to the importance of multilingualism in initial education, lifelong learning, job creation, justice, freedom and security. Further, the direct promotion of multilingualism is carried out through the preparation and implementation of a coherent long term strategy for the new domain that has been cut out of the portfolio for *Education, training, culture and youth*<sup>55</sup> of the European Commission. For the direct promotion of multilingualism the European Commission approved a global strategic framework on multilingualism regarding language learning, the relationship between knowing languages and the economy, and also the use of languages by citizens within the European institutions. This way the horizontal nature of the concept of multilingualism is stressed by its relevance for a large array of policies, in particular those which can be found at the core of the Lisbon Strategy.

The EU institutions the most involved in the use and direct promotion of multilingualism are the Directorate-General for Translations (DGT) and the Directorate-General for Interpretation (DG Interpretation – formerly known as SCIC). The Directorate General for Translations (DGT) is the largest public linguistic service in the world including, after the enlargement of January 2007, approximately 2.500 persons of which almost half work at the headquarters of the Directorate in Luxemburg, the other half in Brussels and about 50 persons in the local offices of DGT, with a production of “classical” printed translations of about 15 million pages. The costs of an activity of this size are very high and represent about 1% of the annual general budget of the EU (according to figures of 2005).

Besides the traditional translation of documents, the DGT also provides services based on the most recent technological developments such as web-translation, translating machines, written or oral summaries, translation of short texts, of slogans, linguistic consultancy, document drafting. The nature of translation and interpretation activity has radically changed over the last decade being almost completely computerised. Also, document drafting within the Commission has very much changed: from drafting 50% in French and 1/3 in English 15 years ago to the use of English with a share of 70% and less than 20% of French.

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<sup>54</sup> European Commission, *Translating for a Multilingual Community*, pp. 6-7, [http://ec.europa.eu/translation/bookshelf/brochure\\_en.pdf](http://ec.europa.eu/translation/bookshelf/brochure_en.pdf).

<sup>55</sup> Cf. [http://ec.europa.eu/commission\\_barroso/figel/index\\_ro.htm](http://ec.europa.eu/commission_barroso/figel/index_ro.htm).

The translation of European legislation in all official languages of the EU is only apparently a strategy of encouraging the use of the languages of the Member States. In fact, this is one of the most powerful driving forces promoting multilingualism, as it is an effort of translating and adapting the European legislation at the level of the Member States, for which specialist translators are recruited both at community and local, national levels. The actual result of this policy has been a significant increase of multilingual speakers, on one hand, and the enhanced professionalism and specialization of those providing this service, on the other hand. In Romania the translation of the *acquis communautaire* is performed under the coordination of the Romanian European Institute with the participation of a great number of translators, revisers, terminologists and jurists who in a complex effort of cooperation and harmonisation are expected to deliver a product with the same quality and style as the original and, meanwhile, with the unitary terminology of the Romanian language.

Another means of promoting multilingual dialogue at European level is the creation of *field offices of the DGT for translation*<sup>56</sup>. The complex character of translation activities, the need to be acquainted with the local situations of the new Member States were the reasons for creating these field offices, and also the need to recruit human resources of high quality both for the Member States and for DGT.

The relative scarcity of staff sufficiently well qualified to cope with the quantity and especially the quality of translation flows required by the multilingualism of the European institutions has led to exploring the idea of creating a master's programme for translators<sup>57</sup>. As of 2008 the European Commission will create a European masters degree for translators in order to provide a more adequate framework for the development of competences as diverse as possible, and to achieve a synergy between the knowledge fund and good practices which already exists in various European areas in the field of translation and interpretation. The EU is an important employer and a major player on the European market of translations which justifies its interest for the training of translators and for investing in this process.

Most likely one of the most visible ways of promoting multilingualism is the portal "Europe and multilingualism" announcing that "the choice of the EU to officially adopt multilingualism as a governing tool is unique in the world. For the EU, using the language of its citizens is one of the factors contributing to its transparency, legitimacy and efficiency"<sup>58</sup>. The portal provides essential and detailed information on the ways of promoting European languages, with a clear structure on thematic fields: Linguistic diversity, Learning languages, Teaching languages, Translation, Interpretation, Linguistic technologies; on each thematic field one can find policies, activities, publications, services and news provided by various relevant European institutions. On the other hand, this portal is also a simple and clear way to communicate with the lay unsophisticated citizen of the EU, who feels alienated by the European issues and not having a say in the community decision making processes<sup>59</sup>.

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<sup>56</sup> [http://ec.europa.eu/dgs/translation/external\\_relations/field\\_offices/maillist\\_en.htm#bucharest](http://ec.europa.eu/dgs/translation/external_relations/field_offices/maillist_en.htm#bucharest).

<sup>57</sup> [http://ec.europa.eu/dgs/translation/external\\_relations/universities/master\\_curriculum\\_en.pdf](http://ec.europa.eu/dgs/translation/external_relations/universities/master_curriculum_en.pdf).

<sup>58</sup> <http://ec.europa.eu/languages/ro/home>.

<sup>59</sup> Commission of the European Communities, *White Paper on a European Communication Policy*, Brussels, COM (2006) 35 final, 1.2.2006.

Another direct way of promoting multilingualism is through the development of projects that aim at researching and identifying certain aspects essential for teaching and learning languages as a means of getting acquainted with the European cultures and understanding and, subsequently, accepting diversity not only politically and as a programme but, especially, at the level of current, individual practice. These projects become visible in conferences and/or web-sites where outcomes, debates etc. can be accessed. The International Conference organised in Ljouwert/Leeuwarden (Fryslan, The Netherlands) between 21-23 November 2007 by the Research Centre Mercator on “The Future of European Policy towards Multilingualism and Language Learning” used a large array of approaches: multilingual language learning policies, comparing education models, developing European standards, the role of the Common European Reference Framework, innovative strategies for language learning, sustainable development of multilingualism, successful multilingual regions, promoting linguistic diversity and new technologies for language learning.

An initiative of the same framework of actions aiming to support the direct promotion of multilingualism is the project EMILL (*European Minority Languages Library*)<sup>60</sup> through which the Digiby – the *Digital Library of European Minority Languages* was created<sup>61</sup>, having as its goal to store and provide access to information related to minority languages in Europe. The project has a follow-up on another level by the development of a European framework for a digital library aiming to describe and inventory minority languages, with emphasis on documents and data produced in major European languages, preferably in English. The European library includes information on the respective languages rather than information in the respective languages, in order to transcend the vicious circle of minority languages in their struggle to survive despite the small number of speakers and the difficulties linked to the high cost of promotion.

A major driving force of direct promotion of multilingualism is the high scope and visibility project IATE<sup>62</sup>, an outcome of the collaboration between the European Parliament, the European Council, the European Commission, the European Court of Justice, the Economic and Social Committee, the Committee of Regions, the European Investment Bank, the European Central Bank and the Centre for translations, which developed a unique data base for the entire terminology regarding the EU in all 23 official languages. This data base contains the Interactive Terminology for Europe and combines the terminology data bases of individual institutions and bodies of the EU in a unique data base with 8.7 million terms, 500.000 abbreviations and 100.000 phrases in all 23 official languages of the Union. The development of IATE currently freely and easily accessible, but used by the translation services of the EU as early as 2005 is a significant success in ensuring quality standards in the written communication of EU institutions and bodies, meanwhile guaranteeing the coherence and reliability of terminologies in producing clear and unambiguous texts, necessary for ensuring the validity and transparency of the legislative process and of the efficient communication with EU citizens.

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<sup>60</sup> Cf. <http://www.emill.org/en>.

<sup>61</sup> For more information see: <http://www.dbfrysk.org/en>.

<sup>62</sup> IATE: <http://iate.europa.eu>, *Interactive Terminology for Europe*. The overall costs for developing IATE between 1999 and 2003 were of 1.41 million Euros, and the annual cost of maintenance for year 2007 is of 627.000 Euro covered by the budgets of all institutions and bodies participating in the EU.

As a multilingual database IATE enables the user to search a specific term in a source language and to find the corresponding terms in one or several target languages. The volume of content for each language varies, depending mainly on the length of time in which each language has been an official language of the EU, but in the long term the IATE administrators aim at reaching the same content value for all official languages.

The indirect ways to promote multilingualism are those through which policies and actions are proposed for the development of areas where the differences between the EU and its competitors, the USA in the first place, are perceived as being important. The Internet is one of the major engines in developing multilingualism at global level, through the visibility it grants to minority languages and cultures, on one hand, and by strengthening the status of the English language as the contemporary *lingua franca*, on the other hand. The degree of access and use of information technology (IT) within the EU is still rather low as compared to the USA, for instance, with dramatic regional differences<sup>63</sup>. The development of the European Higher Education Area (EHEA)<sup>64</sup> by 2010, established as a priority of the Bologna process for creating the synergy of research and teaching in European universities and not the uniformity of the higher education systems, is one of the main driving forces in promoting and disseminating multilingualism. Also, the knowledge society<sup>65</sup> and the 7<sup>th</sup> Framework Programme<sup>66</sup> are other very efficient vectors of indirect promotion of multilingualism.

## **B. Methods of promoting multilingualism in companies operating in EU**

Undoubtedly one of the essential driving forces for disseminating multilingualism was and still is the field of economy, especially the domain of commerce. Internationalisation of markets is a more and more obvious challenge not only for the big economic players which anyway have the material and human resources to cope with it, but mainly for the small and medium size ones which strive to provide goods and services to the whole world. Adapting the products to the demands of the local markets and to the consumers' profile in specific areas may sometimes be the test of the adapting capacity and flexibility of the respective company and therefore for its survival capacity. Language is the major working tool in this scenario, as communicating in local language regarded by most internationalised companies as a major factor for success. Multilingualism is therefore regarded as essential in

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<sup>63</sup> The degree of IT penetration was 54.2% for 267.458.327 users in September 2007, cf. <http://www.internetworldstats.com/europa.htm>.

<sup>64</sup> For more data on the conclusions and recommendations of the *European University Association – EUA* – see the thematic seminar *Strengthening Higher Education and Research in South East Europe: Priorities for Regional and European Cooperation*, [http://www.eua.be/fileadmin/user\\_upload/files/EUA1\\_documents/SEE\\_Statement\\_Vienna\\_030306\\_Final.1\\_141985288957.pdf](http://www.eua.be/fileadmin/user_upload/files/EUA1_documents/SEE_Statement_Vienna_030306_Final.1_141985288957.pdf).

<sup>65</sup> Cf. [http://ec.europa.eu/employment\\_social/knowledge\\_society/index\\_e.htm](http://ec.europa.eu/employment_social/knowledge_society/index_e.htm).

<sup>66</sup> Cf. [http://cordis.europa.eu/fp7/home\\_en.html](http://cordis.europa.eu/fp7/home_en.html).



guaranteeing success, being meanwhile a good business activity enabling the development of extremely profitable market niches.

The conclusions of a study initiated by the EU<sup>67</sup> on researching the ways in which small European companies could increase exports using a more proactive strategy for multilingual communication suggest that there is a substantial potential of international development for small companies in Europe provided they invest more in foreign language learning and they develop more competitive linguistic strategies. From a sample of about 2,000 exporting companies participating in the study, 11% declared that they lost at least one business opportunity due to an identified communication barrier. The average loss per company over a period of three years was of 325,000 Euros. This finding is significant not only in terms of the companies turnover, but especially in terms of economic growth and job creation, having in view that in Europe small and medium size enterprises provide 67% of the total number of jobs in the private sector, respectively about 75 million jobs, and in 2004 SMEs accounted for 58% of the total turnover of enterprises at the EU-25 level. Obviously, even a small improvement of their performance in terms of exports would have a tremendous impact on economic growth and number of jobs. A quarter of the Romanian enterprises which participated in this study estimated having lost business opportunities due to the lack of language competences.

This is how multilingualism undergoes a significant evolution, from a concept with a general education value to a riving force of economic development in a sophisticated economy with an important service sector and an opening to the global market.

The analysis of the results of the research emphasised the existence of a direct correlation between language competences and successful exports, revealing four factors in managing language competences with impact on successful exports: the existence of a language strategy in the company, use of native speakers, recruitment of staff with linguistic skills and use of translators and interpreters. These strategies are recommended by the researchers as leading, when applied, to significant results in the entire European economy.

Multilingualism is an industry in itself and creates a great number of jobs. The same study showed that although English keeps holding the first place as “lingua franca” in international trade, there is a increasing demand for other languages. While one quarter of the interviewed companies expressed the need to improve their knowledge of the English language, a similar percentage expressed the need to expand their knowledge of the German and French languages, and Spanish and Russian also hold an important place among the priorities. Numerous enterprises – especially the big ones – emphasised their interest for non-European languages, such as Chinese, Arab and Urdu, due to the fact that they try to enter non-European markets. There are areas where the *lingua franca* function is taken by other languages, as for instance Russian in several parts of Eastern Europe, French in certain areas of Africa and Spanish in

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<sup>67</sup> The ELAN study – *Effects on the European Economy of Shortages of Foreign Language Skills in Enterprise* – commissioned by the EU and carried out by CILT (*National Centre for Language in the United Kingdom*) in collaboration with InterAct International and an international team of researchers provides a practical analysis of the way languages are used in SMEs in the EU and of the effects of this use on business performances ([http://ec.europa.eu/education/policies/lang/doc/elan-final-report\\_en.pdf](http://ec.europa.eu/education/policies/lang/doc/elan-final-report_en.pdf)).

Latin America<sup>68</sup>. The re-emergence of the Russian language as language in continuous development as regards the demand on the European linguistic market is a natural phenomenon due to the evolution of economic relations with the Russian Federation. The importance of the relationships with this country, the third commercial partner of the EU, is stressed by the summit EU – Russian Federation of October 2007<sup>69</sup>. It is therefore to be expected that the need of specialised personnel in business-Russian will constantly grow in all EU Member States, including Romania, in the next years, and the traditional providers of specialists in the domain should include this consideration in their strategic development plan.

The study stressed an intuitive finding which most successful companies have used in their strategies to accede to international markets: the fact that long term partnerships in business depend on the establishment and the development of mutual relations between the parties involved, relations which cannot be established without a good cultural and linguistic knowledge of the target area<sup>70</sup>. Starting from this finding, many big companies emphasised the need to operate in languages other than the European ones, such as Chinese, Arab and Urdu, because on one hand these companies aim to expand on markets outside Europe and, on the other hand, labour force migration and search for new sales markets for the Asian economies, introduce changes in the European linguistic landscape with languages which were not long ago regarded as exotic.

In a speech delivered in Bucharest on 22 June 2007 at a conference organised by the European Institute of Romania and the Office of the European Commission in Romania, Leonard Orban, European Commissioner for multilingualism stated when referring to the promotion of multilingualism in companies: “Multilingualism may support our competitiveness and job creation. It is a fundamental tool for social cohesion and inter-cultural dialogue, and it creates an area for political dialogue at European level”<sup>71</sup>.

At the conference “Business languages and intercultural skills”<sup>72</sup> held in Brussels on 21 September 2007 it was shown that, though the English language will keep its role of *lingua franca* in the international commercial environment, additional language skills combined with intercultural skills may provide a competitive advantage. On this occasion a “Business forum for multilingualism” was launched which will examine the way in which multilingualism can be operationally used to maximize the achievements of enterprises. This Forum will be chaired by Etienne Davignon, chairman of the Board of *Brussels Airlines*. The business forum will include CEOs of

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<sup>68</sup> At the level of lay-citizen in the Western Member States of the EU there is a perception that in Romania, being a former communist country, Russian is being spoken as the main foreign language. Actually, Russian is currently a rather rare language in Romania from the point of view of available professional translators/interpreters and this situation is obvious particularly in the economy. For historic considerations related to the teaching/learning of foreign languages in Romania see Mariana NICOLAE, *Training and development in transition: a Romanian Perspective*, *op. cit.*, p. 42.

<sup>69</sup> Cf. [http://ec.europa.eu/commission\\_barroso/president/focus/eu\\_russia\\_102007/index\\_en.htm](http://ec.europa.eu/commission_barroso/president/focus/eu_russia_102007/index_en.htm).

<sup>70</sup> Cf. [http://ec.europa.eu/education/policies/lang/doc/elansum\\_en.pdf](http://ec.europa.eu/education/policies/lang/doc/elansum_en.pdf).

<sup>71</sup> Leonard ORBAN, *Multilingualism – a fundamental value of the European Union*, <http://www.ier.ro>.

<sup>72</sup> [http://ec.europa.eu/dgs/education\\_culture/businesslanguages/index\\_e.html](http://ec.europa.eu/dgs/education_culture/businesslanguages/index_e.html).

companies operating in the EU. They will identify the way in which companies can use language management operationally as part of their effort to maximize economic performance.

According to a study carried out in Great Britain, the number of persons around the world learning English would reach approximately 2 billion in the next 10-15 years. Contrary to what is commonly believed this is actually bad news for the monolingual English speakers. A previous study carried out by CILT on the impact of linguistic skills on the economy of Great Britain showed that British companies have the same volume of exports to Denmark with a population of 5 million inhabitants as to Central and South America with a total population of 390 million inhabitants.

### **C. Methods of promoting multilingualism in universities**

The creation of higher education area in Europe was and is an essential driving force for the dissemination of multilingualism in Europe, especially through the mobility programmes for students SOCRATES – ERASMUS, the mobility programmes for various categories of university academics<sup>73</sup>, the research programmes within the European area of research in particular through the Framework programmes, currently the FP7<sup>74</sup>.

ERASMUS<sup>75</sup> is the EU programme for higher education through which transnational cooperation between universities is encouraged with a view to enhancing the quality and to stressing the European dimension of tertiary education through increased mobility, transparency, full academic recognition of studies and qualifications, of BA and Masters programmes throughout the EU. As a programme focused on international mobility, both for students and academics, ERASMUS is one of the main driving forces for the promotion of multilingualism in universities. The scope of the ERASMUS programme is impressive if we consider that since its launch in 1987 1.2 million students benefited of the mobility grants provided by the programme, and at present 2,199 higher education institutions from 31 countries are included in it. As of 2007, ERASMUS became an integral part of lifelong learning<sup>76</sup>.

### **D. Methods of promoting multilingualism in EU institutions**

The multilingualism portfolio has a significant horizontal dimension, acting in close relation with other policies or directions of action of the EU, such as culture, education, communication, social policy, labour, justice, freedom and security etc., having a thorough contribution to the drawing up and outlining of EU policies, its benefits becoming immediately visible in particular at individual level. The benefits of multilingualism are obvious at institutional level too, in such a complex construction as the European Union.

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<sup>73</sup> The Marie Curie Programme for the mobility of young researchers,

[http://cordis.europa.eu/home\\_en.html](http://cordis.europa.eu/home_en.html).

<sup>74</sup> Cf. <http://cordis.europa.eu/era/>.

<sup>75</sup> Cf. [http://ec.europa.eu/education/programmes/llp/erasmus/erasmus\\_en.html](http://ec.europa.eu/education/programmes/llp/erasmus/erasmus_en.html).

<sup>76</sup> Cf. [http://ec.europa.eu/dgs/education\\_culture/publ/pdf/ll-learning/europe\\_en.pdf](http://ec.europa.eu/dgs/education_culture/publ/pdf/ll-learning/europe_en.pdf).

The promotion of multilingualism in EU institutions is achieved mainly through two general directorates: the Directorate-General for Translations (DGT) and the Directorate-General for Interpretation (DGI). The DGI is the interpretation and conference organising service of the European Commission, i.e. the service most directly involved in the current activities of the EU, providing interpreters for about 11,000 meetings each year, being the biggest interpreting service of the world. Therefore, the mission of DGI is to enable multilingual communication as a core element of the community decision making process, by ensuring high-quality interpreting services; providing efficient services for conference organisation which also include provision of technical assistance and management of modern infrastructure for conferences, as well as participation in the implementation of the new strategy of the Commission regarding multilingualism<sup>77</sup>.

The DGI has at its disposal the high performance technical means for completing its mission which include multilingual information technologies, such as multilingual chats, web casting which enable to attend from a distance the conference proceedings in any of the languages for which simultaneous interpretation is provided in the conference room. Multilingual chats are set up by the European Commission in order for political personalities to interact with European citizens on the Internet by means of a chat programme. These strategies aiming to increase the transparency of the Commission activities are meant to provide access for the European citizens to the political debates which directly concern them and, on the other hand, are ways of inter-institutional communication aiming at increasing the efficiency of the communication at European institutional level.

### **E. Expert groups in the field of multilingualism set up by the European Commission**

For a better understanding of the role of multilingualism in the EU, the European Commission set up by its Decision of 20 September 2006 a High Level Group on Multilingualism<sup>78</sup>. This Group includes 11 experts: Barbara Cassin (*Centre national de Recherche Scientifique*, Paris), Abraham de Swaan (University of Amsterdam), Rita Franceschini (Rector, Free University of Bozen – Bolzano), Branislav Hochel (Comenius University, Bratislava), Hanna Komorowska (University of Warsaw), Wolfgang Mackiewicz (Free University Berlin), Isabella Moore (Director – *The National Centre for Languages*, CILT), Barbara Moser-Mercer (University of Geneva), Josep Palomero (Vice-president of the *Academia Valenciana de la Llengua*), Ineta Savickiene (University Vytautas Magnus, Lithuania), Jaana Sormunen (YLE, Finland).

The creation of such ad hoc groups designed to provide consultancy to the Commission is a frequent practice (see the BEPA case, analysed below and that of the Reflection Group on the Cultural and Spiritual Dimension of Europe we referred to extensively).

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<sup>77</sup> [http://scic.cec.eu.int/jcms/j\\_8/pagin-de-pornire](http://scic.cec.eu.int/jcms/j_8/pagin-de-pornire).

<sup>78</sup> *High Level Group on Multilingualism*. Its creation had been announced for the first time in 2005 in the Communication *A new framework strategy for multilingualism* (*op. cit.*). It stresses the actual importance of the concept for the European edifice and the European Commission's concern to constantly and coherently promote the multilingualism.

The outcome of this Group activity was a Report published in 2007<sup>79</sup>.

Some of the recommendations of the Group are the following:

- Learning languages has an intercultural value; this activity generates benefits for the individual and also for the society as a whole;
- It is necessary to launch information campaigns at local, regional levels and at the level of the EU Member States in order to stress the role of language learning;
- Language learning should be included in the recreational activities just as sports are;
- Efforts should be deployed to attract adults in the language learning process;
- The media can motivate large scale language learning through methods going beyond formal education methods (edutainment); the Finnish example may be useful for other EU Member States too;
- Television programmes with dubbing can be very useful tools for an efficient language learning;
- The revival of interest for regional languages in Europe shows that languages can be learned if there is a strong motivation;
- The Commission should encourage the creation of local and regional networks for language learning in the EU Member States;
- Emigrants should be encouraged to learn the language of the EU State in which they live in order to become mediators between various cultures;
- The decision to finance the translation of European literary works by the Commission through the programme Culture 2007 will have a beneficial effect on promoting multilingualism;
- The EU should create an award to be granted to the best literary or non-literary translations;
- Commission should investigate the possibility to use the European Social Fund and the Structural and Cohesion Funds for supporting language learning;
- The Commission, preferably together with the European Parliament and the Council, should issue a European certificate to small and medium size enterprises which were successful exporters due to the use of several languages and through intercultural management policies, also through the promotion of multilingualism among their employees;
- The Commission should encourage and support the development of European/international programmes for the development of translation and interpretation qualifications.

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<sup>79</sup> *High Level Group on Multilingualism, Final Report,*

[http://ec.europa.eu/education/policies/lang/doc/multireport\\_en.pdf](http://ec.europa.eu/education/policies/lang/doc/multireport_en.pdf).

Taking into account the complexity of the issues under debate, after the publication of the Report, the Commission deemed necessary to set up another group of experts on multilingualism. The first meeting of this second group took place on 29 June 2007 and was presided by Commissioner Leonard Orban. The Group is expected to elaborate proposals and recommendations on the ways languages could support intercultural dialogue. The group should provide counselling on the contribution to the coming European Year of Intercultural Dialogue 2008. The group consists of 11 personalities: Amin Maalouf, president (writer, Lebanon), Jens Christian Grondahl (writer, Denmark), Tullio de Mauro (linguist, Italy), Jutta Limbach (chairperson of the Goethe Institute, Germany), Jan Sokol (philosopher, Czech Republic), David Green (former director of the British Council, Great Britain), Jacques de Decker (writer, journalist, standing secretary of the *Académie Royale de langue et de littérature françaises de Belgique*, Belgium), Sandra Pralong (communication expert, Romania), Jorge Semprun (writer, Spain), Tahar Ben Jelloun (writer and poet, Morocco) and Eduardo Lourenço (writer, philosopher, Portugal).

In accordance with its mandate, the contribution of the group will consist of:

- Debating the way in which language can facilitate access to other cultures and can contribute to the development of a European society based on integration;
- Identifying ways to support the intercultural dialogue in Europe, taking into account the ethical dimension of a multicultural society;
- Proposing communication strategies for the development potential of language learning and the reunification of languages and cultures, in the perspective of the coming European Year of intercultural dialogue 2008.

It was established that the Group will meet three times during 2007. The conclusions of these meetings are going to be communicated during a public event which will take place in 2008.

Analysing the mandate of the Group, it could be noticed that the Commission holds the view that there are two categories of issues for which the Group should provide solutions. The first category regards the necessity of a better understanding of the role the multilingualism can have in European integration. With reference to this category, the terminology might create confusions: we talk about “intercultural dialogue” but also about “multicultural society”. A more precise terminology is required, because multiculturalism<sup>80</sup> is the equivalent neither of intercultural dialogue, nor of multilingualism.

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<sup>80</sup> Multiculturalism refers to a diversity of identities, to an *identity politics*. The term is based on the concept of “cultural pluralism”, developed by Horace Kallen (for the first time in the article *Democracy versus the Melting-Pot*, published in 1915 in *The Nation*, later used in the book *Culture and democracy in the United States: Studies in the Groups Psychology of the American People*, published in 1924 (reprinted 1970, Anro Press, New York) and John Dewey, redefined in the 1980s in the American context, in an “immigration country” which is not a “nation-state”, but a “state of nationalities” and designating “a stronger pluralism, which could lead to a certain cultural separation”. See (réalisé par

This clarification is all the more necessary as concepts “circulate without their context”<sup>81</sup>, and according to the document<sup>82</sup> proposed by the “The church and society” Commission of KEK and the Commission of the Churches for Migrants in Europe (CCME)<sup>83</sup>, drafted as a reaction to the proposals of the Council of Europe which organised all through the year 2007 a number of public consultations in order to adopt a White Paper on intercultural dialogue, “various concepts have different connotations in different cultures and languages”<sup>84</sup>. In the light of the considerations related to the use of the term “multicultural society” – “understood as a description of a social reality rather than as a social phenomenon” – and of “the problems associated to the term [...] which in many cases involved a political programme”, preference is given for an alternative vision on society in European context, for terms such as “transcultural” society or “intercultural” society<sup>85</sup>. Therefore, the term “diversity” is regarded as more appropriate for the type of society based on equality, and “intercultural” is regarded as a vision aiming to demonstrate that individuals and cultures are in a dynamic process in which changes occur when they meet<sup>86</sup>. This confirms the point of view of Immanuel Wallerstein according to whom cultural and religious identities are not homogenous, but are the result of exchanges and interactions at various levels, pre-existent long before the emergence of globalisation and the end of the Cold War<sup>87</sup>. More than just managing diversity, it concerns the facilitation and promotion of dialogue in a society which aims at creating equal opportunities for an active and large participation in the public area. Currently we witness a gradually diminishing process of diversity at global level, as dominant forms are being adopted (traditions, languages etc.); even if diversity is more visible

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Riva KASTORYANO, Laurent BOUVET, Christophe JAFFRELOT, *Le multiculturalisme au Coeur. Entretien avec Michel Walzer*, Critique internationale, no. 3, printemps 1999, in particular pp. 55-57.

<sup>81</sup> See Pierre BOURDIEU, *Les conditions sociales de la circulation internationale des idées*, Actes de la recherche en sciences sociales, no. 145/2002.

<sup>82</sup> CSC/CCME response to the Council of Europe White paper consultation on Intercultural Dialogue <http://www.cec-kek.org/pdf/CSC-CCMERResponseCoEIntercultural.pdf>.

<sup>83</sup> Commission of Churches for Migrants in Europe (CCME) was set up in 1964 with the aim to ensure assistance to emigrants by the churches on the European continent.

<sup>84</sup> CSC/CCME response to the Council of Europe White paper consultation on Intercultural Dialogue, *op. cit.* p. 5.

<sup>85</sup> *Ibidem*, p. 2.

<sup>86</sup> *Ibidem*.

<sup>87</sup> Immanuel WALLERSTEIN, *Sistemul mondial modern [The modern social system]*, Meridiane, București, 1992.

at certain levels<sup>88</sup>, “the diversity is seen as a challenge” and is presented in the phrase “unity in diversity”<sup>89</sup>.

The same document offers explanations for the terms included in the concept of “cultural diversity” and in that of “intercultural dialogue”. The “dialogue” in its various forms and in various contexts (symbolic, academic, spiritual etc.) is defined as a process in which individuals and cultures meet, based on mutual respect<sup>90</sup>, to discover both similarities and differences. What makes dialogue different from any other form of interaction is the possibility given to each of the participants in the dialogue to get to know each other, creating the premise for self-reflection (“it can also change the perception of the other, as well as of the self”)<sup>91</sup>. In the “intercultural dialogue” the focus of interest is “the culture of the other as well as the own culture”, with the specification that any dialogue can be perceived as “intercultural”. We understand that it is a broad definition of culture, regarded as a “dynamic concept” which includes aspects such as life styles, working style etc. It is to be stressed that when defining the concept of “culture” various approaches of sociologists, anthropologists have to be taken into account, as well as those developed in “cultural studies”. Intercultural dialogue is considered in its “most universal” form which includes but goes well beyond the strictly intellectual dialogue.

The second category the Group has to provide solutions for is the emergence of a communication strategy related to the concrete actions of the Commission regarding multilingualism, starting from the assumption that the European Year of intercultural dialogue should have the multilingualism as its core element. In the future, for each category of issues, distinct consultative groups should be created. As the current composition of the Group reflects, persons with competences in multilingualism but also in communication were included. There is a striking disproportion between the first and the second category of persons, a fact which will relegate the communication strategy as a secondary objective of the Group’s activity.

The Group was set up at the initiative of the European Commissioner for multilingualism Leonard Orban, but on the other hand Commissioner Jan Figel has declared that the initiative of the European Year of intercultural dialogue is his and he intends to contribute to it<sup>92</sup>.

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<sup>88</sup> Cf. Gisèle SAPIRO (ss. la dir.), *La traduction comme vecteur des échanges culturels internationaux. Circulation des livres de littérature et de sciences sociales et évolution de la place de la France sur le marché mondial de l’édition (1980-2002)* Rapport de recherche, Centre de Sociologie Européenne (CNRS-EHESS) avec le concours du Ministère de la recherche, Paris, 2007.

<sup>89</sup> *CSC/CCME response to the Council of Europe White paper consultation on Intercultural Dialogue*, *op. cit.*, pp. 4 and 7.

<sup>90</sup> The preference for the notion „respect”, implying acknowledgement of the other, instead of „tolerance”.

<sup>91</sup> Jan FIGEL, *Developing a culture of cooperation in Europe: the role of the Churches*, 3<sup>rd</sup> European Ecumenical Assembly, Sibiu, September 2007, <http://www.eea.org>.

<sup>92</sup> Jan FIGEL, *Developing a culture of cooperation in Europe: the role of the Churches*, 3<sup>rd</sup> European ecumenical Assembly, Sibiu, 6 September 2007, <http://www.eea.org>.



As concerns the mandate of the Group, it is to be seen whether it still functions after the end of the European Year of intercultural dialogue. The definition of its mandate does not include references to the conclusions reached by the first Group of experts. Will the current Group be bound by these conclusions or will it be possible for it to refute them? The answer can only be affirmative in the absence of contrary explicit references.

The issue of inter-religious dialogue is not included among the objectives of this Group – the importance of it being recognised by the European Commission – as the European Council intends to devise its own strategy for the European Year of intercultural dialogue, based on the links between the intercultural and inter-religious dialogue.

In the mandate of the Group there is a mention on “the ethical dimension of a multicultural society”. As this objective is formulated one can assume that it is related to the European multicultural society and not to a certain multicultural society from the EU Member States. What is meant by “ethical dimension”? Is it about identifying some standards which allow the functioning of such a society and the absence of which leads to the impossibility of reaching this objective? On the assumption that it is difficult to define ethical standards for a society, the mission of the Group will be a very difficult one as regards the achievement of this objective of its mandate.

#### **4. THE RIGHTS OF THE EUROPEAN CITIZEN AND THE INFLUENCE OF MULTILINGUALISM**

##### **A. Exercising the rights of the European citizen in multilingual context: the right to elect and to stand as a candidate to local elections and in the elections to the European Parliament, the right to address the EU institutions and to receive reply in their own language**

Each citizen of the EU has the right to vote and to stand as a candidate in elections to the European Parliament and in the local elections in the EU Member State of his residence under the same conditions as the nationals of that State. These rights are part of the concept of European citizenship included for the first time in the Maastricht Treaty of 1992 (Article 8b). They are also mentioned in Article 39 of the EU Charter of Fundamental Rights, solemnly proclaimed at the European Council of Nice in 2000, integrated in the second part of the Treaty establishing a Constitution for Europe.

When the Reform Treaty comes into force, the rights mentioned above will be included in the Treaty and in the Charter of Fundamental Rights, both documents having the same legal value.

The terms of exercising the right to vote and stand as a candidate in elections to the European Parliament for EU citizens with residence in another Member State are defined in Directive 93/109/EC<sup>93</sup>. According to this Directive, EU citizens may exercise their right in the Member State of origin or in the Member State of residence. By opting for the place of exercising these rights in one State, they lose the possibility to exercise the same rights in another State. Therefore, Member States should exchange information about citizens wishing to exercise their right to vote for the European Parliament in another State than the State of origin. According to the principle of equal treatment, EU citizens wishing to exercise their right to vote in elections for the European Parliament in a State of residence should benefit from the same rights as the EU citizens which are nationals of that State of residence and implicitly the right of full participation in the political life of the State of residence, including the right to join a party in the State of residence or to create a party in the State of residence<sup>94</sup>. However, these rights are not guaranteed at the same level in all Member States. The Directive requests EU Member States to inform “in due time and due course” about the way the citizens can exercise the rights they have. A Member State has to comply with this obligation and provide the same information for residents as for its own nationals<sup>95</sup>.

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<sup>93</sup> OJ L 329, 30.12.1993.

<sup>94</sup> Communication from the Commission on the application of Directive 93/109/EC to the June 1999 elections to the European Parliament – *Right of Union citizens in a Member State of which they are not nationals to stand in elections to the European Parliament*, Brussels, COM (2000) 843 final, 18.12.2000.

<sup>95</sup> *Ibidem*.

Article 14 of Directive 93/109/EC allows derogations from the principle of equal treatment in case of specific problems in a State. For instance, in case the non-nationals residing in a Member State exceed 20% of the total population of a State, that State may require a minimum term of residence since the granting of the residence right.

The only Member State being granted such a derogation was Luxembourg, where the right to vote in the elections for the European Parliament of non-nationals residing in Luxembourg was limited to those who resided in Luxembourg 5 of the last 6 years preceding the registration on the voting lists. Luxembourg applies this derogation since 1979<sup>96</sup>, the year of the first elections for the European Parliament. At present, the share of EU citizens from another State of origin who meet the conditions to be registered on the voting lists for the European Parliamentary elections is 32.93% out of the total EU citizens residing in Luxemburg, according to the last Census of 2001<sup>97</sup>.

Nationals of Luxembourg are automatically registered on the voting lists for the European Parliamentary elections, but registration of residents coming from other EU Member States is subject to an agreement of will. Luxembourg adequately applies the Directive 93/109/EC providing information on elections for the European Parliament in French, German, Portuguese and Italian. In the 2004 elections for the European Parliament and in the communal elections of 2005, the Luxembourg Government deployed a vast campaign for informing community residents on their voting rights. As a result of this campaign, 11,680 community residents were registered on the voting lists, accounting for a 19% increase as compared to the previous elections in 1999<sup>98</sup>.

The system practiced in Luxembourg may be an example for the way in which community residents in an EU Member State can exercise the rights they are granted by European citizenship in a multilingual context. It is foreseeable that in the near future other EU Member States will face problems similar to those in Luxembourg and will have to initiate information campaigns in the languages spoken by residents. This assumption is based on the tendencies which appear from one election to the next. Thus, at the elections to the European Parliament of June 1999 the participation rate of non-nationals residing in a Member State was 9%, an increase from 4.9% in 1994. In all Member States, with the exception of Germany (where Directive 93/109/EC has not been fully applied) the number of non-nationals residing in these

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<sup>96</sup> Law of 25 February 1979 on direct election of representatives of the Great Duchy of Luxembourg in the European Parliament; this law was amended by the Law of 28 January 1994 as a result of Directive 93/109/EC.

<sup>97</sup> Report from the Commission to the European Parliament and to the Council *on granting a derogation pursuant to Article 19 (2) of the EC Treaty, presented under Article 14 (3) of Directive 93/109/EC on the right to vote and to stand as a candidate in elections to the European Parliament*, Brussels, COM (2003) 31 final, 27.01.2003.

<sup>98</sup> Philippe POIRIER, *Les élections européennes au Luxembourg*, in Pascal DELWIT, Philippe POIRIER, *Parlement puissant, électeurs absents ? Les élections européennes de juin 2004*, Editions de l'Université de Bruxelles, Bruxelles, 2005, p.132 and seq.

states has increased<sup>99</sup>. At the 2004 elections to the European Parliament the number of non-nationals residing in another Member State further increased, mainly as a consequence of the EU enlargement with 10 new Member States, reaching about 1 million. Before these elections the Commission set forth that “a substantial effort of information “is needed in the Member States on the possibilities of exercising the right to vote in the European parliamentary elections<sup>100</sup>. Moreover, the Commission deems that in addition to its own estimations of 2000, Member States should use a “system of letters addressed directly to residents with voting right”. The Commission considers also that these States should provide information on the elections to the European Parliament whenever residents come in contact with local or national authorities. These States should facilitate the registration of residents on the voting lists by simply sending out by mail forms to be filled in.

In the White Paper on a European Communication Policy of 2006<sup>101</sup>, the European Commission starts from the finding that there is a communication deficit between the EU and the citizens. According to this document, the communication is focused on conveying to citizens what is the EU; no attention has been paid to the points of view expressed by the citizens. By this White Paper the Commission proposed a new approach: the communication focused on the citizen and decentralisation of communication channels between citizens and EU institutions. The declared aim of the Commission is to create a European public sphere, since at present the public sphere in which the political life takes place in Europe has more of a national dimension than a European one.

The lack of a European public sphere, due among other reasons to linguistic diversity, was noticed by the specialised literature before being officially recognised by the European Commission. It was stated that “there is no European political infrastructure [...] there is no public debate at European level on possible alternative European policies”<sup>102</sup>. Another author states to the contrary that there is a European public sphere but it is made up of a multitude of national public spheres<sup>103</sup>. According to another point of view<sup>104</sup> the emergence of a European public sphere is constrained by

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<sup>99</sup> Communication from the Commission *on the application of Directive 93/109/EC to the June 1999 elections to the European Parliament*, *op. cit.*

<sup>100</sup> Communication from the Commission to the European Parliament and the Council *on measures taken by the Member States to ensure participation of all citizens of the Union to the 2004 elections to the European Parliament of an enlarged Union*, Brussels, COM (2003) 174 final, 8.4.2003.

<sup>101</sup> Commission of the European Communities, *White Paper on a European Communication Policy*, *op. cit.*

<sup>102</sup> Fritz SCHARPF, *Demokratie in der transnationale politik*, in Ulrich BECK (ed.), *Politik in der Globalisierung*, Suhrkamp, Frankfurt am Main, 1998, p. 232.

<sup>103</sup> Marianne VAN DE STEEG, *Does a public sphere exist in the European Union? An analysis of the content of the debate on the Haider case*, *European Journal of Political Research*, vol. 45, issue 4/June 2006, p. 610.

<sup>104</sup> Hans Jürgen ABROMEIT, *Möglichkeiten und Ausgestaltung einer europäischen Demokratie*, in Ansgar KLEIN et al. (eds.) *Bürgerschaft, Öffentlichkeit und Demokratie in Europa*, Leske & Budrich, Opladen, 2003, pp. 40-41.

the pre-eminence of the national character in the media and by the great variety of linguistic and political identities which exist in Europe. Empirical research conducted on the assumption that linguistic diversity hampers the emergence of a European public sphere<sup>105</sup> confirmed the validity of this perspective.

According to the 2006 White Paper of the Commission, EU citizens might learn about issues related to politics through the national education systems and through the national, regional or local communication means. The media are mainly national due to language barriers. European citizens have few places at their disposal where to discuss issues of common interest. The White Paper identifies certain solutions for creating favourable pre-conditions for the emergence of a European public sphere; the issue of citizens from another Member State exercising their voting right in the State of residence is not mentioned. However, it is obvious that the low rate of participation of this category of European citizens is due also to the existence of a language barrier, and the most efficient way to increase their participation rate, as demonstrated by the example of Luxembourg, is to inform them on their rights in the language of their State of origin. At present, many non-nationals which reside in other Member States are not registered on the voting lists, despite the recommendations of the Commission to simplify the procedures. From those registered on the voting lists only a few residents exercise their right to vote, because the electoral campaign is carried out in the respective State's language; political parties develop election campaigns focused on national issues rather than European ones, even in countries where there is a high number of non-national residents as compared to the total population; this explains the low interest of residents to participate in the elections for the European Parliament. Besides the information actions in languages known by the residents, other specific measures are necessary to eliminate language barriers, such as printing ballots in their languages, encouraging the development and diversification of means of information on the European Parliament elections in several languages by subsidies granted for this purpose by the European Commission and the European Parliament, etc.

## **B. Linguistic discrimination used for restricting access to the labour market in a EU Member State – exception to the principle of equal treatment?**

The principle of equal treatment is one of the basic principles of EC law<sup>106</sup>. The principle is included in the treaties, but only as exposition of the objective of eliminating inequalities between sexes (Article 3, para. 2 TEC) and of banning discrimination by nationality (Article 12 TEC). The most elaborate form of the principle is integrated in the EU Charter of Fundamental Rights. According to this principle, individuals being in the same situation should be treated similarly.

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<sup>105</sup> Marianne VAN DE STEEG, *op.cit.* pp. 609-634.

<sup>106</sup> See Anthony ARNULL, *The general principles of EEC Law and the Individual*, Leicester University Press, Leicester, 1990; Koen LENAERTS, *L'égalité de traitement en droit communautaire: un principe unique aux apparences multiples*, Cahiers de droit européen, 1991, pp. 3-41; Koen LENAERTS, Piet VAN NUFFEL, *Constitutional law of the European Union*, 2<sup>nd</sup> edition, Sweet and Maxwell, London, 2005, p. 123 and seq.

The EC Court of Justice has extended the banned discrimination forms in the community law despite the lack of an explicit provision in the treaties, stipulating that “banning of discrimination [...] is a specific form of the general principle of equality which is one of the fundamental principles of EC Law and according to which similar situations cannot be treated in different ways, except when differentiation is objectively justifiable”<sup>107</sup>.

This principle is also applied where access to a job on the territory of EU Member States is concerned. Therefore, any citizen has the right to carry out a profit making activity in another Member State under the same terms as the nationals of that State, this being a concrete form of banning discrimination by nationality.

Access to the labour market in a Member State cannot be restricted by quotas or by imposing discriminating conditions. According to the *acquis communautaire* only one discrimination is permitted: knowledge of the language of the State in which a job is requested. This exception to the principle of non-discrimination is admissible in accordance with Article 53 of Directive 2005/36/EC on the recognition of professional qualifications<sup>108</sup>: “individuals benefiting from the recognition of professional qualifications shall have a knowledge of languages necessary for practicing the profession in the host Member State” (on the territory of which they wish to be employed).

However, this provision does not tally with the EU Charter of Fundamental Rights. According to the Charter “Any discrimination based on any ground such as [...] language [...] shall be prohibited” (Article 21), and according to Article 22: “The Union shall respect cultural, religious and linguistic diversity”. It is for the first time that in a text with value of official document the linguistic discrimination between EU citizens is expressly banned. There is no mention of possible exceptions to this principle. Due to the fact that at the moment the Reform Treaty comes into force, the Charter will have the same legal value as the founding EU treaties, there will be a contradiction between the provisions of the Charter which ban any form of linguistic discrimination and the provisions of Directive 2005/36/EC which allow Member States to set as condition for the access to a job the knowledge of the language of the State where one wishes to be employed. Due to the hierarchy of EU legal acts, the provisions of the Charter will prevail over the provisions of the Directive 2005/36/EC.

The rights to vote and to stand in as a candidate in local elections and in the elections for the European Parliament are rights integrated in the concept of European citizenship. Due to the linguistic diversity of the European Union, these rights are increasingly exercised in a multilingual context, a fact which required the definition of specific solutions by the EU institutions. There is also another right subsumed to European citizenship, which unlike the ones mentioned above, is a direct form of respecting EU linguistic diversity: to address EU institutions in all official languages of the EU and to receive answer in the language in which the request was drafted. This right was included in TEC (Article 21) by the Amsterdam Treaty and included also in the EU Charter of Fundamental Rights (Article 41, par. 4).

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<sup>107</sup> Cases 117/76 and 16/77 Ruckdeschel, E.C.R. 1753, para. 7.

<sup>108</sup> OJ L 255, 30.09.2005.

## **5. PROMOTING INTERCULTURAL DIALOGUE IN THE EUROPEAN UNION**

### **A. Definition of intercultural dialogue**

There is no official definition of the intercultural dialogue accepted at the European Union's level, though the EU makes use of this phrase in its documents. The only way to reveal the significance of this phrase in the EU context is to resort to the definitions of intercultural dialogue given by the partner organisations of the Council of Europe or the UNESCO, organisations which do not use a definition of intercultural dialogue in their official documents.

A first definition is given by the International Association of Universities – IAU – founded in 1950 which reunites universities from 150 countries and which is a partner of UNESCO. IAU considers that the idea of intercultural dialogue stems from the “premise of recognising the differences and multiplicity of the world we live in”. These differences exist not only inside each culture, but also in the relations between cultures. For IAU, intercultural dialogue is “a process which encourages the identification of the limits which define the individuals and which makes them interact by overcoming these limits and even question them”. This definition is given by the IAU in order to stress the idea that the perspective of intercultural dialogue can be enhanced by granting a more important role to universities. Intercultural dialogue can be promoted by the subjects taught, the teaching methods and by turning to good account students' abilities<sup>109</sup>.

Another definition is given in the *Compendium of Cultural Policies and Trends in Europe*, a network of information exchange on measures and tools in the field of cultural policies and cultural trends. It is an initiative of the Council of Europe and the ERICarts (*European Institute for Comparative Cultural Research*) a non-profit organisation supporting research centres in Europe. According to the *Compendium of Cultural Policies and Trends in Europe* intercultural dialogue is “a process involving an open exchange of points of view, in mutual respect, between individuals and groups of different cultural origins”. The aims of the intercultural dialogue are: developing an understanding of different points of view and practices, increasing participation, ensuring equality; strengthening creative abilities. The measures to be taken for achieving these objectives are, according to the *Compendium* “strategic instruments which promote cultural diversity as the outcome of social interaction”. The *Compendium of Cultural Policies and Trends in Europe* considers that intercultural dialogue at national level should “involve public and private cultural initiatives designed to bring together individuals and groups from the immigrant communities and from the majority population, with a view to including them in a multi-directional process of communication”<sup>110</sup>.

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<sup>109</sup> <http://www.unesco.org/iau/id/index.html>.

<sup>110</sup> <http://www.culturalpolicies.net/web/intercultural-dialogue.php>.

We also find a definition of intercultural dialogue in a document quoted above<sup>111</sup> proposed by the “Church and Society” Commission of KEK and the Commission of Churches for Migrants in Europe (CCME), drafted as a reaction to the proposals of the Council of Europe which organised all through the year 2007 a series of public consultations in view of adopting the White Paper on intercultural dialogue. According to KEK and CCME intercultural dialogue is “a form of dialogue where the stake and the subject is the own culture and the culture of others”. The terms that enable this kind of dialogue are “opening up to the other and the wish to listen and share ideas”. The main characteristics of a successful intercultural dialogue are “respect, trust, equality, cultural curiosity and capacity for change”. The degree of success of the intercultural dialogue also depends on the relationships existing between the participants and the atmosphere of the dialogue, which should be one of mutual trust. According to KEK and CCME, intercultural dialogue between participants who share the same values as well as between those who do not share common values is important, this form of dialogue being essential in conflict solving.

## **B. EU programmes dedicated to the promotion of intercultural dialogue**

The first Framework Programme of the European Community for culture is a follow-up to the programmes Kaleidoscope, Ariane and Raphael, whose objectives it includes<sup>112</sup>, and it is one of the first attempts to “rationalise” community actions in the domain of culture and to “explicitly integrate culture in the community actions and policies<sup>113</sup>. However, the requirement of coherence and rationalisation implies a definition of the concept of culture based on which a cultural policy could be defined. It is the extension of the concept of culture which contributes to the innovation brought about by this programme as compared to the previous cultural actions. Culture is not merely the “educated culture” or “high culture”, it is no longer conceived of as a mere “subsidiary activity, but as a driving force for the society, a factor of creativity, of vitality, of dialogue and cohesion”. As a follow-up to the changes that occurred at national level in the 1980s in defining and adopting cultural policies, there is a broader view on culture involving recognition of cultural diversity and the necessity of communication and exchange between social groups<sup>114</sup>.

“Culture 2000” is the first programme aiming to enlarge the cultural dimension of the European edifice by creating “ a unique tool of orientation and funding for cultural

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<sup>111</sup> CSC/CCME response to the Council of Europe White Paper consultation on Intercultural Dialogue, *op. cit.* pp. 6-7.

<sup>112</sup> On the cultural dimension of the European edifice, on the statute of culture at European level before the adoption of the Programme “Culture 2000” and on the groundworks of this programme, see Maria GĂINAR, ‘Culture 2000’, *mise en place d’une politique culturelle*, Romanian Journal of European Affairs, vol. 7, no. 2/2007, pp. 75-83.

<sup>113</sup> COM (1998) 266 final, p. 5.

<sup>114</sup> Henri GIORDAN, *Démocratie culturelle et droit à la différence*, Documentation française, Paris, 1982 in Vincent DUBOIS, *La politique culturelle. Genèse d’une catégorie d’intervention publique*, Berlin, Paris, 1999, p. 280.



cooperation”<sup>115</sup> at European level. However, culture is not yet a category of community action, but just one of the dimensions of the European edifice. As it is stipulated in Decision 508/2000/EC of the European Parliament and of the Council of 14 February 2000 on the Programme “Culture 2000”, the latter is the first stage towards the development of a European policy in the field of culture<sup>116</sup>. The ultimate aim of the ideas on which the development of a framework programme for culture at European level is conceived is to contribute to the “integration of the cultural dimension in community policies, in accordance with Article 151 par. 4 of the Treaty (TEC)”<sup>117</sup> through the means provided by the domestic policies of countries and “in accordance with the principles of subsidiarity and proportionality stated in Article 5 of the Treaty”<sup>118</sup>. Therefore, the competences for implementing “Culture 2000” and other culture related “programmes and community actions” stay with the European Commission, but “in cooperation with Member States”<sup>119</sup>, with the possibility to include “complementary projects financed by other community programmes”. However, one should not overlook the fact that the subsidiarity principle “involves also a form of public-private partnership” which “does not exclusively belong to the private sphere”<sup>120</sup>.

It is our understanding that the crucial importance attached to the development of a “diverse and open common cultural area for Europe’s peoples” is a direct consequence of the European legislative framework in which the cultural actions take place, as the success of a common action in the cultural field depends on the implementation of new ways of actions in cultural cooperation – according to a vertical approach, in which the three cultural sectors benefit from separate actions suitable with their specificity, and according to a horizontal approach aiming either to initiate actions which concern various cultural sectors or to support cultural actions to which other community programmes or policies could contribute. The three cultural domains mentioned in the “Culture 2000” programme contribute to the understanding of the scope of a cultural policy at European level: a first cultural sector is related to the performing arts and visual arts, architecture and also to the culture for children or arts in unconventional spaces; another cultural domain is related to publishing, reading and translation; the third domain is concerned with the cultural patrimony “of European importance, including the intellectual and non-intellectual patrimony”. Despite the fact that different cultural domains are recognised according to their means of expression and to the cultural actors involved in each of the sectors in close relation with their degree of institutionalisation, a certain convergence can be noted in

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<sup>115</sup> OJ L 63, 10.3.2000. p. 2. At that time in the EU countries and the candidate countries of Central and Eastern Europe, Cyprus and other countries which signed association or cooperation agreements in the domain of culture.

<sup>116</sup> OJ L 63, 10.3.2000. p. 2, para. 10.

<sup>117</sup> OJ L 63, 10.3.2000. p. 1.

<sup>118</sup> In accordance with Article 5 TEU, competences of the Community are being developed in areas where the objectives of the intended actions may more efficiently be achieved at community level. See OJ C 321, 29.12.2006, p. 46.

<sup>119</sup> OJ L 63, 10.3.2000, p.3.

<sup>120</sup> Radu CARP, *Proiectul politic european – de la valori la acțiune comună [The European political project – from values to common action]*, op. cit., p. 92.

the way the three cultural sectors are promoted: cooperation between the various cultural actors (individuals and institutions); “a policy of dialogue” and exchanges with other world cultures; training, advanced training and facilitating the mobility of those engaged in a certain cultural domain; encouraging creation in a broad sense as means of social integration; granting access for the general public to various forms of culture<sup>121</sup>. As concerns cultural actions for publishing and translation, mutual knowledge of literary (cultural) productions and of the history of Europe’s peoples are encouraged<sup>122</sup>, by the support granted to activities of translating literary works and important works, in particular in European languages of limited circulation or belonging to the minority cultures in Europe<sup>123</sup>.

It is not by chance that emphasis is being placed especially on the development and valorisation of a “common cultural area”, the existence of which has been recognised as early as 1992<sup>124</sup>: “valorisation of the cultural area common to Europeans by emphasising the common cultural characteristics; respect and promotion of cultural diversity; creativity as a source of sustainable development within the common cultural area”<sup>125</sup>. The valorisation of the common European cultural area means that the objectives of the programme “Culture 2000” concern “facilitating the cooperation between creations, cultural actors, private and public developers, actions of cultural networks and other partners, as well as between cultural institutions of the Member States and of other states”. Therefore, the development of a common cultural area, as the main goal of the programme, is both the necessary context and the condition to achieve the objectives of the programme, such as: “promoting cultural dialogue and mutual knowledge of the cultures and of the history of Europe’s peoples”, “promoting creation, transnational dissemination of culture and mobility of artists, creators [...], and works, with emphasis on young people, socially disadvantaged individuals and cultural diversity”, “valorisation of cultural diversity and development of new forms of cultural expression”, “sharing and valorising at European level the common cultural heritage of European importance [...] preservation and safeguard of this cultural heritage”, “taking into account the role of culture in socio-economic development”, “promoting intercultural dialogue and mutual exchange between European and non-European cultures”, explicit recognition of culture as an economic factor and as a factor of social integration and citizenship”, “improving access to culture and participation to culture of the greatest possible number of EU citizens”<sup>126</sup>. Stating the social role of culture is closely related to valorising cultural diversity. The social vocation of the cultural project is reflected in actions aiming to enlarge the target public and facilitate access to culture (and to cultural institutions), and by including in the cultural area the less visible social groups. By its objectives and proposed actions the “Culture 2000” programme reconciles “democratisation of culture” (access for a large public to institutions and works, to the so-called “high

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<sup>121</sup> OJ L 63, 10.3.2000, Annex II, p. 8.

<sup>122</sup> OJ L 63, 10.3.2000, p. 2 and p. 8.

<sup>123</sup> OJ L 63, 10.3.2000, p. 1.

<sup>124</sup> See Maria GĂINAR, *art.cit.*, p. 75.

<sup>125</sup> COM (1998) 266 final, p. 11.

<sup>126</sup> OJ L 63, 10.3.2000, pp. 2-3.

culture”) and “cultural democracy”<sup>127</sup> (recognition and promotion of cultural diversity).

In order to reach these objectives, the Programme proposes three types of cultural actions: “specific, innovative and/or experimental” actions, related to events or projects developed “in partnership or as networks” and which include the representatives of several Member States (at least three); multi-annual, structured actions “within transnational cultural cooperation agreements” involving cultural actors from at least five states establishing a sustainable cooperation; cultural events with “a European or international dimension” aiming to valorise cultural diversity and to contribute to the strengthening of intercultural and international dialogue<sup>128</sup>”.

The novelty of the programme “Culture 2000” consists in matching the actions with the specificity of cultural activities they are applied to and in integrating other forms of cultural expressions than the traditional ones. Multi-annual cooperation between the cultural operators from the various Member States is the most suitable means for valorising cultural diversity and multilingualism, for disseminating ideas in the European area and for the development of intercultural dialogue. This way cultural operators from various Member States and different national cultural institutions can develop, by virtue of the support given by the European Community, transnational networks or intercultural relationships at least as important as the collaboration between the national cultural institutions or the framework provided by the cooperation between the European Community and other supranational institutions such as the Council of Europe or the UNESCO<sup>129</sup>. Projects developed over a sufficiently lengthy period of time bringing together culture professionals from several Member States can promote multilingualism also by using at least two European languages, one of which used in the passive mode. One specific measure should be favoured when evaluating and supporting this kind of projects carried out by cultural partners from several Member States; this measure concerns using as many European languages as possible even though in a passive way; thus the intercultural dialogue would focus not only on an exchange of ideas, but also on exchange between various linguistic traditions. Our understanding is that the European cultural area is based on common traditions, ideals and aspirations<sup>130</sup>, “common cultural characteristics, respect and promotion of cultural diversity, creativity”<sup>131</sup>; but, it takes shape in a dynamic way through a permanent intercultural dialogue between Europe’s peoples in the framework of the cooperation between “cultural bodies and operators and cultural institutions of the Member States”<sup>132</sup>. If the development of a European public area involves the risk of linguistic homogenisation throughout Europe, the diminution or disappearance of certain linguistic traditions

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<sup>127</sup> In COM (1998) 266 final, p. 5 it is stipulated that “each citizen of Europe should have the right to accede to culture and to express their creativity”.

<sup>128</sup> OJ L 63, 10.3.2000, pp. 5-6.

<sup>129</sup> Jacques RIGAUD, *Europe Horizon Culture, Revue du Marché commun*, no. 376, mars 1994 in Pamela STICHT, *Culture européenne ou Europe de cultures ? Les enjeux actuels de la politique culturelle en Europe*, L’Harmattan, Paris, 2000, pp. 60-61.

<sup>130</sup> Kurt BIDENKOPF, Bronislaw GEREMEK, Krzysztof MICHALSKI, *op. cit.*

<sup>131</sup> COM (1998), 266 final, p. 11.

<sup>132</sup> *Ibidem*, p. 5.

might be counteracted or at least alleviated by creating networks between cultural partners from different European countries or by a publishing policy that favours bilingual publications; this way texts conceived in a national, minority or regional language would have increased chances to be known and recognised beyond the area they primarily address. We could hope that such a publishing policy supported by cultural community programmes and by programmes of cooperation between different Member States might alleviate the domination of texts drafted in English in field of European publications.

### **C. The relation between inter-cultural and inter-religious dialogue. Methods for promoting inter-religious dialogue at European level**

The issue of multilingualism in Europe cannot be separated from the issue of intercultural dialogue, as linguistic diversity is closely related to that of cultures, being one of the means of producing/creating cultural diversity<sup>133</sup>. The European cultural diversity is strongly linked to the religious one, on the assumption that the wealth of the European religious heritage has had a positive influence on the formation of European Cultures, and religion today is still an important part of these cultures. There is a close link between religion and culture: religion is part of the culture, and culture exerts its influence on religious expressions<sup>134</sup>. For this reason there is an indisputable religious dimension to the intercultural dialogue.

The Preamble of the future form of the TEU confirms the link between religion and culture by inserting a reference to the cultural and religious heritage of Europe. The two heritages cannot be separated; a reference only to the cultural heritage would have been insufficient.

The dialogue between religions present in the European area has a long tradition. The European Union could not have ignored this dialogue and not treat religious cults as partners, whose consultation is necessary in all actions of the European institutions. For this reason the Treaty establishing a Constitution for Europe stipulated in Article I-52 that the dialogue between the EU and the religions shall be “open, transparent and regular”, a provision which will be included in the future form of the TEU as part of the Reform Treaty<sup>135</sup>. Taking into account that we talk about a norm that is not yet

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<sup>133</sup> Cf. Gisèle Sapiro in the international colloquium *Pour un espace européen de la production et de la circulation des produits culturels et scientifiques*, organised by the European Network ESSE (*Pour un espace des sciences sociales européennes*) and the Marc Bloch Centre, with the support of the European Commission, Berlin, November 2007.

<sup>134</sup> CSC/CME response to the Council of Europe White Paper on Intercultural Dialogue, *op. cit.*, pp. 6-7.

<sup>135</sup> For comments on Article I-52 see: Radu CARP, *Controverse teologico-politice în cadrul Uniunii Europene [Theologico-political controversies within the European Union]* in (volume coordinated by) Miruna TĂTARU – CAZABAN, *Teologie și politică. De la Sfinții Părinți la Europa unită [Theology and politics. From the founding fathers to the united Europe]*, Anastasia, București, 2004, p. 298; Gerhard ROBBERS (ed.), *State and Church in the European Union*, 2<sup>nd</sup> edition, Nomos, Baden – Baden, 2005, p. 586.

in force, the question is whether this dialogue already exists and what its actual forms of manifestation are.

At the level of the European Commission there is a Bureau of European Policy Advisers (BEPA)<sup>136</sup> an ad-hoc group which provides expertise to the President of the Commission and to different services of the Commission. The current President of the European Commission integrated the former Group of Policy Advisers (GOPA) into BEPA. One of the activities of GOPA was to provide expertise concerning the implications of the dialogue between religions and the EU. This line of action is not considered a priority for the present BEPA. We think that there should be a distinct group of experts within BEPA dealing with the issue of religion in Europe, starting from the positive results related to religion of the former GOPA and the necessity to give a concrete shape to a formalised dialogue as in Article I-52.

This provision represents the newest and comprehensive reference to the dialogue between the EU and religions. Its origin may be found not only in the debates of the European Convention on the Future of Europe of 2002-2003 or in the Intergovernmental Conference of 2004. The first official document in which religions were treated as partners of dialogue of the EU institutions was the White Paper on European Governance, launched by the European Commission in 2001<sup>137</sup>. According to this White Paper the concept of European governance makes reference mostly to the creation and guarantee of a general framework of consultation between EU institutions and the civil society organisation, including religions. The White Paper stated: “society plays an important role in enabling citizens to express their concerns and in providing the services they need. Churches and religious communities bring a specific contribution”.

After the publication of the White Paper, the Commission published a communication in which it stated the principles underpinning the relations between the Commission and its partners of dialogue and consultation<sup>138</sup>. Even if it is generally recognised that at European level there is no definition of the phrase “organisations of the civil society”, the document gives a number of examples of such organisations, among which the “religious communities”.

Besides the religious cults recognised in each EU Member State, there are at European level certain religious organisations involved in various forms of dialogue with the EU institutions. The most important are: the Conference of European Churches (KEK) which includes several Christian Churches (Anglican, Protestant, Orthodox, certain Catholic confessions – except the Roman-Catholic); COMECE – the Commission of the Bishops’ Conferences of the European Community reuniting the Roman-Catholic episcopates within the EU areas. Besides their affiliation to KEK and COMECE, certain Churches deemed necessary to have an intensified dialogue with the EU institutions, sending to Brussels their own representatives. Therefore, there is a Mission of the Evangelical Church of Germany, Representation of the

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<sup>136</sup> Data on BEPA may be found at [http://ec.europa.eu/dgs/policy\\_advisers/index\\_en.htm](http://ec.europa.eu/dgs/policy_advisers/index_en.htm).

<sup>137</sup> Commission of the European Communities, *European Governance, A White Paper*, Brussels (2001) 428 final, 25.7.2001.

<sup>138</sup> Communication from the Commission, *Towards a reinforced culture of consultation and dialogue – General Principles and minimum standards for consultation of interested parties by the Commission*, Brussels, COM (2002) 704 final, 11.12.2002.

Church of Greece (as of 1998), of the Orthodox Church of Romania (from 2006) and a Standing Bureau of the Ecumenical Patriarchy (from 1995). Beside COMECE, the Roman-Catholic Church acts in its dialogue with the EU institutions through the organisation Caritas Europa with an office in Brussels. Not only the Christian Churches have established dialogue with the EU institutions, but also organisations representing the Judaic and Muslim religions have also a concrete presence in Brussels: the Judaic Information Centre, the Rabbinic European Centre, the European Council of the Jewish Communities, the League for Mutual Help of the Muslim Associations of Europe, the Forum of European Muslim Youth and Students etc.<sup>139</sup>.

KEK together with the Council of the Bishops' Conferences (CCEE) reuniting the Roman-Catholic Bishops' Conferences from the European States (not only the EU Member States) have up to now organised three European Ecumenical Assemblies: Basel 1989, Graz 1997, Sibiu 2007. In 2001 KEK and CCEE adopted in Strasburg the document "Charta Oecumenica – principles of action for a consolidated cooperation between Churches in Europe"<sup>140</sup>.

The European Commission gives more and more consideration to the importance of the European Ecumenical Assemblies. The President of the European Commission José Manuel Barroso, and the European commissioners for Education, Training, Culture and Youth (Jan Figel) and for Multilingualism (Leonard Orban) who participated at the Assembly in Sibiu underlined in their speeches the role of religion in promoting intercultural dialogue at European level. The close link between religion and intercultural dialogue could be better valorised in the future. Other pan-European organisations are already aware of the importance of this desideratum. As we mentioned, the Council of Europe organised all through the year 2007 a series of public consultations on intercultural dialogue, with a view to adopting a White Paper on the issue, and religious organisations of European vocation were also involved in the consultations.

The European Union promotes dialogue with the religions present on the European continent, but does not have competences in promoting inter-religious dialogue. The latter is promoted by the religious organisations with which the EU maintains a dialogue. However, in practice, it is difficult to distinguish between the dialogue of the EU with religions and the inter-religious dialogue, in order to find out where the limits of the EU interventions are<sup>141</sup>. Anyway, it is easier to establish the line of

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<sup>139</sup> All these religious organisations are analysed in detail in Teodor BACONSKY, Radu CARP, Ioan I. ICĂ jr., Anca MANOLESCU, Elena ȘTEFOI, Bogdan TĂTARU – CAZABAN, *Pentru un creștinism al noii Europe [For a Christianity of the New Europe]*, Boltzmann series, vol. III, Humanitas, București, 2007, p. 305 and seq.

<sup>140</sup> The text of the *Charta Oecumenica* may be consulted on the web site of KEK (<http://www.ccc-kek.org>). For comments on *Charta Oecumenica* in Romanian see Ioan – Vasile LEB, *Reflecții privind Constituția Europeană și Charta Ecumenică [Reflections on the European Constitution and the Charta Ecumenica]*, in Sandu FRUNZĂ (coord.) *Pași spre integrare. Religie și drepturile omului în România [Steps towards integration. Religion and human rights in Romania]*, Limes, Cluj-Napoca, 2004, p. 107 and seq.

<sup>141</sup> Point of view presented by Michael Weninger (former counselor of the President of the European Commission and former director of GOPA) and Dieter Heidtmann (KEK) in discussions with Radu

demarcation in the case of the EU than in that of the Council of Europe. Religions are more ready to accept the involvement of the Council of Europe than of the EU in inter-religious dialogue; the reason is that the interventions of the Council of Europe are reduced to *soft law* tools and do not involve the establishment of imperative norms or public policies in the domain.

We believe that in preparing for the European Year of Intercultural Dialogue 2008 the European Commission should establish stronger relations with religious organisations which are recognised as dialogue partners of the EU institutions. The way the Council of Europe tackles relationship between intercultural and inter-religious dialogue can be a source of inspiration. The future development of this relationship is affected by a single constraint: the actions of the EU and of the Council should not overlap, while the present relation of complementarity should become stronger.

## 6. TOWARDS A EUROPEAN POLICY OF CULTURE?

### A. Cultural policies and the right to culture in national and European context. EU programmes for culture

The development of capitalism brought about a change in the relation to the cultural object and practices; new values of the mass society<sup>142</sup> induced the redefinition of the culture concept. The emergence and development of the information society (telecommunication and media), the increasing role of television (of image and sound) involving uniformity, might be countered by the promotion of cultural diversity and of an intercultural dialogue with access to other cultural forms and manifestations than those characteristic for television.

It can be stated that the delay with which various types of actions in culture were debated and developed at European level may be understood considering the ways in which these types of public interventions have emerged at national level. As the cultural policy developed in France is one of the main references in the domain, deemed to be one of the first cultural policies developed in Europe, but also one of the cultural policies which aroused most criticism due to the important intervention of the state, one of the few studies analysing the conditions in which culture becomes a category of public intervention can be the basis for understanding the idea of a common European cultural project. Before defining a certain type or types of actions in culture and in order to reach a definition of “cultural policy”, it is necessary to define the concept of “culture”<sup>143</sup>. The very subject matter of the intervention is sensitive and varies depending on national history and on the administrative and political system of each State: *Kulturpolitik* in German designates “a set of artistic, educational, sports and entertainment activities”; the French cultural policy has a strong social dimension and supports public cultural ecumenism; the Italian cultural policy is that of “public goods” aiming to preserve the cultural patrimony, culture not being a unified domain of public action; the British *cultural policy* together with other “cultural industries”; the Belgian cultural policy structured around linguistic concerns<sup>144</sup>, etc. Also, the way in which the social space dedicated to culture has been structured (the role and mission of creation) against any form of authority, any patronage, is reflected by the idea of developing a cultural policy in accordance with its original ideal, that is to contribute to the development of human values by encouraging creation and transforming culture in a tool of mutual understanding by bringing together various social groups.

The right to culture emerges in the broader framework of the formation of State-nations in Western countries and of the democratic movements in this area. The Declaration of Individual’s and Citizen’s Rights states principles such as political and social equality of all citizens, respect for opinions and faiths, and freedom of speech and press. Right to culture is considered as deriving from civic rights<sup>145</sup>, even if the

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<sup>142</sup> See Hannah ARENDT, *La crise de la culture*, Gallimard, Paris, 1972.

<sup>143</sup> Vincent DUBOIS, *op. cit.*, p. 227.

<sup>144</sup> *Ibidem*, p. 8.

<sup>145</sup> Alain RIOU, *Le droit de la culture et le droit à la culture*, ESF, Paris, 1993, p. 231.



concept of culture is grossly heterogeneous. Right to culture is proclaimed also in the Universal Declaration of Human Rights (1948) as “right to cultural life”<sup>146</sup>.

Even if the right to culture is guaranteed at international level, not all EU Member States recognise it as such. The reason behind it is that many constitutions were drafted in a period when the existence of this right was not recognised, and later amendments did not take into account the emergence and development of this right. Moreover, in certain countries culture is not a domain of state competence, being regulated at regional or local level or it considered that competences lie with the private sector and not with the authorities. This is mostly the case in states with federal structures (as is the case of Germany where the cultural associations of the 1960s and 1970s proved to be efficient, and also the case of Belgium where the only domain of state competence is that of copyright). We might also detect similar trends in East European countries in the 1990s with more emphasis in the 2000s.

Of the 27 constitutions of the Member States we can find references to culture only in 12. These references do not always relate to the right to culture in its most concrete form i.e. access to culture.

The right to culture is guaranteed in this form only in 5 constitutions: the Constitution of the Czech Republic guarantees “right of access to cultural wealth” as provided by law (Article 34); the Constitution of Poland guarantees the “freedom to enjoy cultural products” (Article 73); the Constitution of Portugal stipulates that “each individual has the right to culture”; the State is not the only one which must guarantee this right, but also the non-government organisations (“the cultural associations and foundations, cultural communities, associations for the preservation of cultural patrimony, citizens organizations and other cultural agents”) with which the State should cooperate (Article 73). This is the only constitution from the EU which states that the State is not the sole responsible in ensuring the right to culture. The Constitution of Romania guarantees also explicitly “the access to culture” by an amendment introduced in 2003 (Article 33). The Constitution of Slovakia guarantees also as provided by law “the access to cultural wealth” (Article 43). We could notice that the guarantee of this right is a rather recent provision, the earliest reference being made in the Constitution of Portugal in 1976. Due to this fact, one can assume that in the future more European Constitutions will include the right of access to culture among the fundamental rights.

Other constitutions of EU Member States contain no references to this right but include references to culture, usually to the protection of the cultural patrimony which is seen as an exclusive obligation of the State. The Constitution of Bulgaria, for instance, stipulates that “the state ensures preservation of all national historic and cultural monuments” (Article 23); the Constitution of Greece includes a similar provision (“the protection of the cultural environment is an obligation of the State – Article 24), and according to the Constitution of Lithuania the State supports “objects of the cultural patrimony” but also “culture” (Article 42).

There is one case in which guaranteeing culture at constitutional level is seen in correlation with the preservation of cultural identity of the nations that compose a state: according to the Constitution of Finland “public authorities ensure the cultural needs of Swedish speaking and Finnish speaking populations on equal basis” (Article 17).

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<sup>146</sup> *Ibidem*, p. 31.

The Constitution of Latvia considers culture in a way somewhat similar to that of Portugal, based on the idea that not only the State, but also the citizens and the society as a whole have constitutional responsibilities; the difference is that these common responsibilities are needed to ensure the protection of the “cultural environment” (Article 43) and not the access to culture.

The Constitution of Sweden is the only one from the EU which regards the right to culture as part of the freedom of information as guaranteed constitutionally (Article 13).

The Constitution of Malta is limited to a very general reference to certain obligations of the State in the area of culture, without naming them (the State promotes the development of culture” – Article 8).

The greatest number of obligations undertaken constitutionally by the State with reference to culture can be found in the Constitution of Romania. According to the already quoted reference, “the State shall ensure the preservation of spiritual identity, support of the national culture, stimulation of arts, protection and conservation of cultural heritage, development of contemporary creativity, promotion of cultural and artistic values of Romania in the world”. It is also stipulated that “the freedom of the individual to develop his or her spirituality and to have access to national and universal cultural values cannot be restricted”. It is to be noted that this is the only constitution making reference to the concept of “national culture”; the other constitutions of the EU Member States referring only to culture in general.

We believe that the intercultural dialogue in Europe may also be promoted by generalising the right of access to culture in the constitutions of the EU Member States. The dialogue between the cultures which are granted firm constitutional guarantees at national level can more easily develop than in the situation in which the various cultures of Europe are not given the proper attention by the constitutional legislator.

At European level, the intervention of the European Community in the area of culture was only stipulated in the Maastricht Treaty. However, even in the Treaty of Rome there were means for action in well defined sectors of culture, such as the fiscal regime of cultural foundations or the copyright; Article 36 stipulates the right to culture but strictly reserved to the domain of patrimony. During the 1980s, with a view to harmonising the internal market, a number of decisions were adopted related to book price, audio-visual rights and taxation of antiques. Inter-state cultural cooperation is declared as the most important dimension of the European Communities, in particular in the Single European Act (1987).

The Maastricht Treaty introduced an innovation by applying the principle of subsidiarity and co-decision in the field of culture. Article 128 dedicated to culture specifies that the new system provides the opportunity for the ministers of culture from the Member States, within the framework of the Council, to adopt measures of encouragement after having presented the projects to the European Parliament as participant in decision-making process, as provided by the co-decision procedure, and to the Committee of Regions. The European Commission has also the right to propose recommendations which have to be voted in unanimity by the Parliament and the Committee of Regions. Applying the principle of subsidiarity to culture has been often considered as an obstacle when developing common cultural policies. Nevertheless, the intention to create structures of the Union in accordance with the

principle of subsidiarity has been also expressed, in order to raise the awareness of Member States as to the importance of this principle, for the purpose of valorising the cultural dimension of the European edifice and to avoid any hindrance in decision making. Article 128 states the commitment of the European Union to safeguard and valorise the cultural patrimony, with emphasis on the diversity of national and regional cultures, within the framework of the cooperation of the EU with the Member States, granting the Union the possibility to intervene in certain sectors of culture, such as: knowledge and dissemination of European culture and history; preservation and safeguard of cultural patrimony; non-commercial cultural exchanges; artistic, literary and audio-visual creation. Another objective of the EU is related to facilitating cooperation with third states and with competent international cultural organisations. According to the Maastricht Treaty, the effects on culture of other decisions in other domains of community policies may also be checked. We understand, therefore, that aspects of culture emerge in other intervention domains of the EU without stating the necessity to protect the domain of culture (or at least the possible effects that could be incurred) from economic logics with negative impact on the functioning of its own mechanisms. It is worth noting that this commitment confirms the fact that at that time the cultural dimension did not possess a special legal framework. A Declaration of the European Commission in 1992<sup>147</sup> completes the provisions of Article 128 by establishing the priorities in the area of culture according to two axes. The first axis, the “horizontal”, means cooperation with experts and specialists in the domain at national or regional level aiming to facilitate integration of the European dimension of culture in the EU policies and in the policies of the Member States; to create new intercultural networks; to enhance intercultural dialogue at national, regional and local level, with emphasis on cultural diversity; to encourage artistic creation and the dialogue between artists; to encourage translations in order to facilitate, maintain and create new cultural exchanges. The second axis is related to specific and priority actions in the cultural area: drafting a document or a programme including all necessary measures for the conservation and safeguard of the cultural patrimony; drafting a programme for publishing and reading.

After establishing the objectives, the European Commission adopted programmes dedicated to precise cultural sectors stating the eligibility criteria and methods of selection of cultural projects, as well as the budgets allotted in accordance with the objectives to be achieved. Since 1993 a number of three-year programmes have been adopted, subsequently restructured in 1995 and 1996, aiming to enhance cultural exchanges between Member States and with other non-Member States, each programme being dedicated to a specific sector of cultural activities. The Kaléidoscope programme is applied in the domain of creation, promotion of knowledge and dissemination of culture and cultural life of European peoples, with emphasis on inter-state cooperation: partners from at least two Member States and from at least one non-Member State are required for artistic or cultural projects developed in partnership or as networks; for large projects partners from at least one non-Member State and from at least three Member States are required. The Ariane programme is dedicated to the domains of publishing and reading, and also translation. The Raphael programme is applied to safeguarding and valorising cultural

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<sup>147</sup> “Das neue Kulturkonzept der Gemeinschaft”, Mitteilung der Kommission an den Rat, das Europäische Parlament und den Wirtschafts und Sozialausschuss, Brussels, 1992 in Pamela STICHT, *op. cit.*, p. 54.

patrimony. All three programmes have been regrouped as of January 2000 in a single framework programme “Culture 2000” (initially for a period of four years, later extended up to the end of year 2006). As of 1998, at the initiative of the Council which adopted a decision on the future of actions in the cultural area, the Commission is requested to study the “possibilities to develop a direct, global and transparent approach for cultural action within the Community” and to present proposals leading to “establishing a single programming and financing tool”<sup>148</sup>. The consultations initiated on the creation of a Framework Programme on culture – the European Commission organised in early 1998 a Cultural Forum of the European Union which brought together representatives of the European Parliament, of the Member States, of the Commission and also of organisations operating in the cultural sector<sup>149</sup> – the debates on the intervention of the Community in cultural issues, bear witness to the differences between national cultural policies, and between ideas related to the recommended degree of intervention in cultural area.

The Treaty on the functioning of the Union as resulting from the amendment to TEC by the Reform Treaty will include in Article 6 the provision according to which culture is part of the category of “actions of support, coordination or complementary to the actions of Member States”.

## **B. European cultural heritage and European cultural patrimony**

From the first paragraph of Article 151 of TEU dedicated to culture we understand that the EU actions in the field of culture concern the “cultures of the Member States”, “national and regional (cultural) diversity” and “common cultural heritage”:

*„The Community shall contribute to the flowering of the cultures of the Member States, while respecting their national and regional diversity and at the same time bringing the common cultural heritage to the fore”.*

The objective of the first Framework Programme on culture “Culture 2000” is integrated in the above framework as a basis for a cultural policy at European level: national and regional cultural diversity, but also common cultural heritage<sup>150</sup>. The latter are often considered as an opportunity to define a European identity as resulting from the Report of the Reflection Group on the Cultural and Spiritual Dimension of Europe:

*“The European culture, an area always open to re-definition, does not by itself create European unity. This unity requires a political dimension and decisions there from. But*

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<sup>148</sup> OJ L 305, 7.10.1997, p. 1.

<sup>149</sup> Maria GĂINAR, *art. cit.*, p. 72.

<sup>150</sup> OJ L 63, 10.3.2000, paragraph 6, p. 1; Maria GĂINAR, *art. cit.*, p. 78. The author considers that “the great challenge of the “Culture 2000” programme seems to be the implementation of this fundamental and a priori paradoxical idea” (our translation).

*common European culture is what gives politics the opportunity to transform Europe in a unitary political entity*<sup>151</sup>.

What could be with certainty asserted is that this cultural diversity reflecting the plurality of national traditions and of certain regional traditions is one of the most important resources of Europe. In the present context of globalisation it should be treated as a wealth. But cultural diversity as a specific feature of Europe is in no way opposed to the common cultural heritage at European level. But neither the European cultural diversity nor the common cultural heritage could be fully valorised and preserved without a cultural policy at European level, without defining the terms which underpin the European cultural identity and without institutionalising the European cultural exchanges in the context of globalisation. The term of “cultural heritage” mentioned in Article 151 TEU included in the programme “Culture 2000” as one of its objectives<sup>152</sup> is still not defined in the community law. In the programme “Culture 2000” the term “common cultural heritage” is mentioned for the first time accompanied by a specification; when it comes to its preservation and safeguard this should be one of “European importance”<sup>153</sup>. Therefore, we may assert that “common cultural heritage” as well as “linguistic diversity” tend to be considered as common European values<sup>154</sup> even if they are not mentioned as such in the future form of TEU as part of the Reform Treaty.

We deem necessary to define the term “common cultural heritage” in the community law, as a measure for clarifying the terminology which underpins a future European cultural policy. One of the shortcomings of the programme “Culture 2000” is just the unclear meaning of this “common cultural heritage”, all the more so as the meaning of the term “culture” used in the programme is a lot broader<sup>155</sup>. The European cultural

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<sup>151</sup> Kurt BIDENKOPF, Bronislav GEREMEK, Krzysztof MICHALSKI, *op. cit.* Here „culture” in a broad sense is regarded as „the necessary foundation to substantiate the political construction” and defined as the „European civil society” which is „at the core of political identity”.

<sup>152</sup> OJ L 63, 10.3.2000, p. 3: „Le partage de la mise en valeur au niveau européen, l’héritage culturel commun d’importance européenne; la diffusion du savoir-faire et la promotion des bonnes pratiques en ce qui concerne la conservation et la sauvegarde de cet héritage culturel”.

<sup>153</sup> Maria GĂINAR, *art. cit.* p. 79. The author states that the phrase „cultural patrimony of European importance” is used with a view to creating a feeling of belonging to the same past.

<sup>154</sup> Dominique POULOT, *Le patrimoine culturel, une valeur commune de l’Europe*, Relations internationales, „Division et unité de l’Europe”, printemps 1993, no. 73, Institut Universitaire des Hautes Etudes Internationales, Genève, pp. 43-62 in Maria GĂINAR, *art.cit.*, p. 79. The cultural patrimony is defined here as „what we claim as being ours” and by virtue of the conception of the „persistence of a corpus of traditions, ideas, memories etc. linked to natural sites and human artifacts within a community”, implies an intervention when it comes to „ensuring the preservation and intelligibility” of this heritage.

<sup>155</sup> We note the association of current themes such as natural and urban environment in events concerned mainly with the cultural patrimony. See <http://www.patrimoineculturel.com> on the Fair of the Cultural Patrimony which took place in Paris between 8-11 November 2007.

identity based on a “common cultural heritage”<sup>156</sup> in the broad sense of sharing a common past and also on cultural and linguistic diversity can remain only a utopia, a desideratum, if those terms are not defined and are not included in a set of common European values. The European identity is currently defined only on the basis of European political values and not on the cultural ones: individual rights, democratic values, value of human life, social solidarity. The concept of “European identity” was included in the Maastricht, Amsterdam and Nice Treaties as part of the provisions dedicated to freedom, security and justice, as well as of the provisions related to foreign and security policy: the European identity is defined as opposed to third countries and the emphasis is put on the “national identity” of the Member States. The cultural dimension does not participate in the definition of the European identity; the *Solemn Declaration on the European Union* adopted in Stuttgart in 1983<sup>157</sup> on culture emphasises inter-state cooperation for asserting and valorising the “cultural heritage”<sup>158</sup>. In 1973 the first declaration on the common European identity of national cultures (at that time there were nine Member States), the Declaration on European identity, was adopted; the European common identity should be built upon “common values and principles”, similar “life philosophies” in Member States, and “any European nation which shares these ideals” is invited “to participate in the European edifice”<sup>159</sup>.

The development of a “common cultural area of Europe’s peoples” by emphasising cultural values as “key elements of their identity and their belonging to a society based on freedom, democracy, tolerance and solidarity” would allow the active participation of European citizens. Even if the European identity is built in close relation with the fundamental principles and rights mentioned in the treaties and in the EU Charter of Fundamental Rights, the cultural values are poorly defined and despite the emphasis put on the importance of diversity and expressed in Article 22 of the latter document – “the Union respects cultural, religious and linguistic diversity”; the Charter has a symbolic value, as long as no reference is made to this text in the existing treaties<sup>160</sup>. The situation will be different after the Reform Treaty comes into force. The future form of the Treaty on the functioning of the Union, resulting from the revision of TEC by the Reform Treaty, will include among other changes the provision according to which “the Union recognises the rights, freedoms and principles set out in the Charter of Fundamental Rights of the European Union, which shall have the same legal value as the Treaties”. This means that, as the Reform Treaty comes into force, the respect of the cultural, linguistic and religious diversity shall have the same legal value as the other provisions of this Treaty.

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<sup>156</sup> Just as the national identity, which implies sharing, among other things, of a common past. Cf. Anne-Marie THIESSE, *La création des identités nationales. Europe XVIIIe-XXe siècle*, Seuil, Paris, 1999.

<sup>157</sup> [http://www.franceurope.org/pdf/declaration\\_solennelle.pdf](http://www.franceurope.org/pdf/declaration_solennelle.pdf).

<sup>158</sup> Maria GĂINAR, *art. cit.*, p. 82.

<sup>159</sup> Parlement Européen, Bulletin 1973/74, no. 46/73, pp. 8-9 in Pamela STICHT, *op. cit.*, p. 46.

<sup>160</sup> Cf. Dominique REYNIE, Bruno CAUTRES (dir.), *L’Opinion européenne*, Presse de la Fondation Nationale des Sciences Politiques, Paris, 2001; also Radu CARP, *Proiectul politic european – de la valori la acțiune comună [The European political project – from values to common action]*, *op. cit.*, p. 10 and pp. 66-68.

The European cultural heritage or the common European culture is based on the values and principles common to all national cultures of the European Union. It is, however, impossible to define the European cultural identity; it can only be symbolically stated. Yet, it is regarded as one of the fundamentals of the European political identity. However, the use of the term “identity” is avoided, in particular due to the specificity of the European edifice, to the existence of common cultural features, as a result of a common history and to the existence of cultural diversity.

It is not justifiable anymore to use and apply the term “cultural patrimony” as defined by UNESCO when speaking about the contribution to the identification of a European cultural area. The phrase “European cultural patrimony” is already circulating in official documents<sup>161</sup>, further needing a community legal framework. However, the European cultural patrimony should include also the linguistic diversity as a wealth of Europe and in doing so it could start from the definitions and provisions established by UNESCO regarding the natural and cultural patrimony and from those related to non-material cultural patrimony<sup>162</sup>, taking into account that the cooperation with supra-national institutions such as UNESCO and the Council of Europe contributed to the harmonisation of national policies on culture. In the programme “Culture 2000” particular emphasis was placed on “valorising cultural diversity” with the express mention that “a special attention should be given to safeguarding the position of minority cultures and languages with a limited circulation in Europe”, and to the collaboration and coordination of cultural actions with the actions of international organisations of culture<sup>163</sup>.

If the programme “Culture 2000” creates the framework for the coordination of the common actions of the Member States in the cultural field at European level in order to contribute to the “development of a common European cultural area” and to the “integration of the cultural dimension into Community policies”<sup>164</sup> in accordance with “the respect and promotion of the diversity of its cultures”<sup>165</sup> it does not exclude the cultural dialogue with other cultures from the non-member states of the EU<sup>166</sup>. In

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<sup>161</sup> “Greece and France are at the origin of an initiative aiming to propose a new vision on the European cultural patrimony, contributing to the development of a Catalogue of Monuments of the European Cultural Patrimony” (our translation). See <http://canalacademie.com/Le-patrimoin-europeen-revisite.html>.

<sup>162</sup> See <http://portal.unesco.org> for the definition of „world cultural heritage” and for the definition of the „immaterial or living cultural heritage”. To be more precise, from this perspective, see the *Convention on the world cultural and natural heritage* (Paris, 16 November 1972), *Convention on the safeguard of non-material cultural heritage* (Paris, October 2003) and *Convention on the protection and promotion of the diversity of cultural expressions* (Paris, 20 October 2005).

<sup>163</sup> OJ L 63, Article 7, p. 3.

<sup>164</sup> Decision no. 508/2000/EC of the European Parliament and of the *Council establishing the Culture 2000 programme* OJ L 63, 10.3.2000, paragraph 7, p. 1.

<sup>165</sup> Article 151, paragraph 4 TEU.

<sup>166</sup> OJ L 63, Article 7: „Pays tiers et organisations internationales”, p. 3 and p. 8: „encourager la coopération internationale en vue du développement de nouvelles technologies et de l’innovation dans

order to avoid any form of autarchy, the European cultural policy should have in view not only to develop the European intercultural dialogue but also to facilitate cultural exchanges with countries outside the EU.

### **C. A European Institute of Culture – the failure of an original idea**

In 1995 an initiative aimed to set up an institute for bring together all national institutes in Brussels, a “Declaration of intent for the creation of a European house of culture” being drafted with the intention to be signed by all the directors of national institutes in which partnership was regarded as priority with direct consequence on the autonomy of these institutes<sup>167</sup>. The initiative to regroup in the same building (Place Plagey, Brussels) the national cultural institutes belonged to the president of the Foundation for Arts in Brussels. The institution created was named *Maison Européenne de la Culture* (European House of Culture). Despite the reluctance expressed by the directors of the national institutes, the cooperation in the cultural area proved efficient; this is how the proposal to sign a Charter by all directors with the agreement of their respective Governments came to the fore. But what should have been a “*Declaration of intent for the creation of a European house of culture*” was never signed. The failure to formalise such a promising initiative did not thwart the continuation and strengthening of the cooperation between the cultural institutes on certain projects and occasionally in collaboration with other partners than the national institutes. The federation of the national cultural institutes would have involved managing a common budget, and a rotating leadership by one of the directors of the national institutes, similar to the principle applied by the Council of European Union, the decisions concerning actions and events being made by the representatives of the national cultural institutes in common meetings. It should be mentioned that the domains of language and information would have stayed with the national cultural institutes<sup>168</sup>.

The initiative to create a European institution for culture and the continuation of close cooperation between certain national cultural institutes (sometimes even their cohabitation)<sup>169</sup> can be the basis for the creation of a future European Cultural Institute which should represent European culture outside Europe, having as its objectives the preservation of European cultural and linguistic diversity as wealth of the European culture and of the intercultural dialogue and creating the premise for the

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les différents domaines relevant du patrimoine culturel”; „encourager la coopération avec les pays tiers et les organisations internationales compétentes”.

<sup>167</sup> Pamela STICHT, *op. cit.*, pp. 109-111. The author mentions an interview given by the director of the Goethe Institut in Brussels, which enabled her to obtain information for evaluating the possibilities to implement a project such as the creation of a European Institute for Culture.

<sup>168</sup> *Ibidem*, p. 110.

<sup>169</sup> Discussion of Camelia Runceanu with Vincent Dubois at the international colloquia *Pour un espace européen de la production et de la circulation des produits culturels et scientifiques*, organised by the European Network ESSE (*Pour un espace des sciences sociales européen*) and the Centre Marc Bloch with the support of the European Commission, Berlin, November 2007.



development of a European cultural area<sup>170</sup>. A progress in creating a European Institute for Culture is the development of “cooperation between the cultural institutions of the EU Member States established in third countries, including the cultural institutes and their equivalents in those countries, as an objective in promoting culture”<sup>171</sup>. Once more, culture is viewed from the perspective of the external relations of the EU, as long as such a structure establishes common objectives and actions aiming “to promote Europe”<sup>172</sup>. In the Communication from the Commission entitled “A European agenda for culture in a globalised world”<sup>173</sup>, in the section dedicated to the external relations of the EU, it is stated that the recent initiatives of the Commission pursue “a cooperation with and between the cultural institutions of the Member States, with a view to disseminating important messages about Europe, its identity and experience in creating means of communication between different cultures”, which involves a cultural diplomacy<sup>174</sup> regarded as contribution of the EU to culture<sup>175</sup>.

Community programmes, pilot projects, symbolic and specific projects, common actions in the cultural area (including information, communication and audio-visual sectors), all these form the contents of a future cultural policy; however, this cannot exist without an efficient coordination of common cultural projects with long term effects. Without institutions we could not talk about policy, not even a cultural one. Therefore, “facilitating intercultural dialogue and interaction between the civil societies of Member States” – one of the specific objectives of the European agenda of culture – should be taken into consideration not only as “an indispensable element in international relations”, but also in the perspective of coordinating national actions in the cultural area in the EU and of establishing the fundament of a cultural policy at European level.

In order to understand the possibility to create such an institution coordinating cultural activities at European level, a prior legal framework should be created, including a clear definition of common cultural values and a set of common cultural objectives or

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<sup>170</sup> According to the conclusion of the Report of the Reflection Group on the spiritual and cultural dimension of Europe (analysed above), there is a European cultural area, therefore it is all the more likely to bring together the cultural initiatives of cultural institutes in the Member States and also other bodies, „cultural actors” or „representative discussion partners in the domain” from the EU Member States.

<sup>171</sup> OJ L 287/2, 29.11.2007.

<sup>172</sup> François ROCHE, *La crise des institutions nationales d'échanges culturels en Europe*, L'Harmattan, Paris, 1998.

<sup>173</sup> Communication from the Commission to the European Parliament, the Council, The European Economic and Social Committee and the Committee of Regions, *on a European agenda for culture in a globalised world*, COM (2007) final, 10.5.2007.

<sup>174</sup> We should note the emergence of the term „cultural diplomacy” often criticised as being used only under certain terms, depending on the bodies dealing with cultural policy. See François ROCHE, *La diplomatie culturelle dans les relations bilatérales*, mars 2006, [http://www.sen-public.org/article.php3?id\\_article=235](http://www.sen-public.org/article.php3?id_article=235).

<sup>175</sup> COM (2007) 242 final, p. 7.

“shared” at EU level, demonstrating the existence, beyond national, regional or local interests, of common interests closely related to the political and social evolution in the context of globalisation. All the above would induce the re-evaluation of the objectives of the national cultural policies and of the role of nation-state in the area of culture.

## **7. CONCLUSIONS**

**The first chapter** presents extensively the contemporary linguistic landscape, ways of protecting languages, the challenge addressed by multilingualism to the EU institutions, normative and non-normative definition of common European values and issues generated by the linguistic equivalence of terms used in official languages in basic EU documents. Chapter one proposes several conclusions:

(a) at present, it is practically impossible to define the concept of European identity, the very essence of the European project being the respect of difference.

(b) from a strictly normative point of view, linguistic diversity is not part of the common European values, but the respect of linguistic diversity should be stressed by measures of the same intensity as those that guarantee the values considered to be common European values.

(c) despite the complexity of the multilingual institutional communication mechanism, procedures have been developed which guarantee the quality of translations by revision, checking and supervising, the mechanism of continuous training and information of translators playing a significant role in this process.

**Chapter two** presents forms of disseminating multilingualism in education and the audio-visual sector, reviewing aspects related to language learning in pre-university and university education, references being made to the relation public – private in language learning and stressing the role of language competence certificates on the European labour market. The conclusions are the following:

(a) the importance for the EU of communicating in other languages is due to its inclusion among the eight main competences of lifelong learning;

(b) within the EU, multilingualism is promoted directly, explicitly, through the portal “Europe and multilingualism” and also indirectly through policies and programmes which have other primary objectives, but cannot be carried out without knowledge of several languages;

(c) in Romania there is a real and evident lack of data on linguistic service providers, a situation requiring the initiation of a study of the Romanian situation; the study will contribute to the adoption of a development strategy at national level and to the integration of Romania in the European landscape, contributing to European programmes and facilitating the collaboration between various providers at European level.

(d) Romania as an EU Member State should be in line with the good practices in multilingualism by generating a programme describing language competences for Romanian as a foreign language and developing/adopting an internationally recognised language competence certificate.

**Chapter three**, *Institutional promotion of multilingualism*, reached the following conclusions:

(a) multilingualism is diffused in the entire philosophy of the European edifice, having been stated as a principle as early as 1954 in the European Cultural Convention of the Council of Europe;

(b) practical ways to promote multilingualism in the EU were developed over the years on three levels of using the term multilingualism—citizens’ level, institutional level and intra-institutional level.

**Chapter four** presents the rights of the European citizen and the influence of multilingualism, proposing two conclusions:

(a) linguistic discrimination used in a Member State to restrict access to the labour market can be an exception to the principle of equal treatment;

(b) the lack of a European public sphere leads to the lack of knowledge and lack of interest for European citizens rights. The proposal of the Commission for a citizen centred communication and decentralisation of communication channels between citizens and EU institutions is presented.

**Chapter five**, *Promoting intercultural dialogue in the European Union*, provides a brief review of the difficulties linked to the definition of intercultural dialogue, presents EU programmes dedicated to intercultural dialogue and analyses methods to promote inter-religious dialogue at European level, with emphasis on the relationship between the intercultural dialogue and the inter-religious one. The proposed conclusions are:

(a) the common cultural European area is developing in a dynamic way on the basis of a permanent intercultural dialogue between Europe’s peoples;

(b) the development of a common cultural European area takes place not by linguistic homogenisation, by the diminishing or extinction of linguistic traditions in Europe, but through the creation of networks between cultural partners from different European states, through publishing policies aiming to favour bi-lingual publications which would alleviate the domination of texts published in English language;

(c) the European Union promotes dialogue with the religions present on the European continent without having competences to promote inter-religious dialogue;

(d) the religions are more inclined to accept the involvement of the Council of Europe in inter-religious dialogue than that of the EU, due to the fact that in its interventions the Council of Europe uses *soft law* tools of influence and does not act by establishing imperative norms or public policies in the domain.

In **chapter six**, *Towards a European policy of culture?*, the authors stress the changes which have occurred in the world as result of the development of the information society. A discussion for the definition of the concepts “culture” and “cultural heritage” and of the ways to address the policies that guarantee the right to culture in the Member States is proposed. The chapter proposes the following conclusions:

(a) European cultural diversity is a plurality of national traditions, and also of certain regional traditions, being one of the most important resources of Europe that has to be treated as a wealth in the present context of globalisation;

(b) it is necessary to define in the community law the concept of “cultural heritage”, as a measure to clarify the terms that underpin a future European cultural policy;

(c) currently, cultural values are poorly and rather symbolically defined but, when the Reform Treaty comes in force, respect due to cultural, linguistic and religious diversity will have the same legal value as the other provisions of the Treaty;

- (d) though the European cultural identity underpins the European political identity, it is still impossible to define and it is only symbolically stated;
- (e) the attempt to create a European Institute of Culture was a failure, but without institutions no policy can be devised, not even in the cultural area;
- (f) it is necessary to have a legal framework stipulating a clear definition of common cultural values and formulating a set of cultural objectives at the level of the EU, which will demonstrate the existence of common interests closely related to the social and political evolutions in the context of globalisation.

## **8. RECOMMENDATIONS**

1. For a better promotion of linguistic diversity in the European Union it is necessary to strengthen collaboration between EU institutions and the European Bureau for Lesser-Used Languages (EBLUL). Minority and/or regional languages are in the attention of the Council of Europe, but the European Union will have to get more involved in protecting these languages, keeping the complementary relation between the two institutions. A concrete way of collaboration between EBLUL and European institutions is the creation of a dictionary of regional and/or minority languages spoken in the EU Member States, and the institutionalisation of this collaboration.

2. The signing on 10 October 2007 of two agreements between the Republic of Moldova and the European Community – Agreement on facilitating visa conditions and Agreement on re-admission of individuals with illegal residence – generated diverse reactions in Romania and also in the European Parliament during the debates, due to the mention that the documents were drafted in “the Moldovan language”. The European commissioner for multilingualism was blamed for not combating the recognition of this language which in fact does not exist; the mention that the respective agreements were signed in Romanian would have been sufficient. Lack of such a reaction is generated by the fact that at present it is not sufficiently clear from a normative point of view whether the competences of the EU are actually limited to the official languages of the Member States or extend to the extra-community states too, as far as there are bilateral agreements with these states, implying the obligation to specify what kind of linguistic versions have judicial effects. The European Commission should reflect on the relationship between its official languages and the languages of extra-community states with which it established various types of partnerships and on forms taken by these relations, especially knowing that some of the languages of extra-community states are recognised as minority and/or regional languages by many EU Member States. We recommend the drafting of a study exclusively dedicated to this issue, commissioned by the European Commission, a study that would underpin the subsequent definition of an official position of the EU in the matter.

3. It is to be expected that in the coming years Romania, as many other EU Member States, will face a growing number of foreign nationals wishing to learn or to work on its territory in public or private organisations in which Romanian is the working language. These individuals will need modern, interactive courses for learning Romanian language, as well as tests for evaluating their competence of communication in Romanian. Both options are still in an early phase. We deem that it is necessary to develop a procedure for the evaluation of language competence of foreign nationals who speak or want to learn Romanian. In order to define this procedure an inter-institutional effort is needed that will involve the ministries concerned (Ministry of Justice, Ministry of Internal Affairs and Reform of the Administration, Ministry of Education, Research and Youth, Ministry of Culture and Religious Affairs), as well as the university centres, which should dedicate more efforts to study the impact of linguistic diversity on the labour market. It is also necessary to define the elements subsumed to a certificate of language competence for the Romanian language. This desideratum is necessary both in the perspective of assimilating the successful solutions practiced in other EU Member States, and in the perspective of being in line with good practices on international level, which require –

in terms of a global market and freedom of movement of labour force – the development of modern tools of evaluation and language teaching. This recommendation is also valid for other EU Member States in search of solutions for evaluating the language competence of foreign nationals – both EU nationals and extra-community nationals.

4. Considering the high mobility of Romanian citizens within the EU, the protection of the Romanian language cannot be pursued by exclusively national means. The existence of numerous communities of Romanian citizens in EU Member States, such as Spain or Italy, resulted in the identification of solutions through which the Romanian language would be studied in these countries as part of the school curriculum. The study of the Romanian language at this level will not result in linguistically separating Romanian communities from the linguistic environment in which they live, but will strengthen the intercultural dialogue, providing that the teaching tools prove adequate. The solution to study an official EU language which is not of international use (the case of Romanian, but not only) in another EU Member State is in an early stage as yet; EU intervention mechanisms not being yet defined, there are only bilateral agreements (between the responsible ministries). We believe that as labour force movements on the EU territory expand, EU institutions should find a means to facilitate teaching courses in mother tongue, in parallel with efforts made by their States of origin. The intervention of the EU in this issue should be subsidiary to the action of these Member States, but for the implementation of the principle of subsidiarity in this case an effort of deep reflection is needed.

5. Although language learning in Romania is an activity yielding positive results, there is no integrated, scientific, accessible study as yet on the actual situation, clearly identifying the linguistic service providers, the profile of the consumer and, in particular, the potential of the market for this type of services. This finding is also valid for other EU Member States. Taking into account that the High level Group for Multilingualism recommended to the European Commission in its Final Report to encourage the creation in the Member States of local/regional language learning networks consisting of a variety of providers and to support their collaboration at European level, we recommend the preparation of such a study at national level, to identify providers in Romania as part of a broader evaluation of the existing situation at European level. The study made accessible on the Internet also in other languages would provide data on Romania to potential language service providers willing to attract Romania in project partnerships. Among these projects, priority to the EU financing should be given for projects that emphasise education through *edutainment*.

6. The most concrete and visible form of education for the European citizen by which the EU promotes multilingualism as a common European value is the recognition of 23 official languages. Multilingualism has been at the basis of the creation of the European Communities, due to the fact that from the very beginning of the European edifice the alternative of a defined and obligatory procedural working language has not been adopted, as was the case with other supra-national organisations. The promotion of this attribute should further stay at the basis of all common actions at European level aiming to ensure the respect of linguistic diversity. At present, managing multilingualism has become more and more difficult and costly, the translation and interpretation activities involving an impressive number of employees working within the EU institutions. To cope with this challenge, the use of procedural working languages has precedence in many situations (English, French, German). EU

officials stressed today's paradox of multilingualism: the greater the number of languages used in the relations between EU institutions and in the relations of those institutions with citizens, the more difficult and time consuming becomes the management of the whole process, which ultimately results in a real difficulty to promote multilingualism. Currently, it is difficult to draw the separation line between efficiency and respect of linguistic diversity within the EU. However, it is imperiously necessary to draw such a line of demarcation. To reach such a result, we recommend as a first measure, that the European Commission initiates a monitoring process establishing the situations in which to the use of the procedural working languages is absolutely necessary and the cases in which the strict respect in practice of the equality of all 23 official languages of the EU is mandatory.

7. The issue of multilingualism in the European Union cannot be separated from that of intercultural dialogue, for linguistic diversity is closely linked to that of cultures. In turn, cultural diversity within the EU has strong correlation with the religious one. The wealth of European religious heritage has had a positive influence on the development of European national cultures, and on the creation of a common European cultural area. The preamble of the Treaty of the European Union, in the form integrated in the Reform Treaty, confirms these links by referring both to the cultural heritage and the religious heritage of Europe. We recommend that the relationship between multilingualism, intercultural dialogue and inter-religious dialogue is valorised in the actions which will mark 2008 as the European Year of Intercultural Dialogue, noting that other pan-European organisations such as the Council of Europe, are aware of the importance of promoting both types of dialogue at compatible parameters. The fact that by the Reform Treaty dialogue between the religions present on the European continent and the EU will be institutionalised should generate concrete actions through which the link between intercultural dialogue, inter-religious dialogue and multilingualism will gain more visibility. The actions of the EU and of the Council of Europe should not overlap each other, but the existing complementarities should be strengthened. The European Year of Intercultural Dialogue should not be promoted by formal actions bringing to the fore institutional actors with no willingness to be engaged in a real dialogue, but should be an occasion for a deeper reflection on the origins and future of cultural, linguistic and religious diversity in Europe.

8. The promotion in the community and extra-community area of the national cultures of EU Member States, as well as of the official languages used in these States is performed at present by the national cultural institutions (the British Council, the Cervantes Institute, the Goethe Institute, the French Institute, the Romanian Cultural Institute, etc.). There is no institutional form to promote all official languages of the EU by cultural institutes. The EU considers culture as being an intervention domain, meaning that EU Member States have the right to establish their own promotion lines for their national cultures; meanwhile, at EU level there are sufficient means of action (such as the programme Culture 2000). Therefore, we deem it necessary to define a common European strategy, establishing the possible competences of the national cultural institutes and promoting them in common. The failure of the initiative to create a European Institute of Culture does not mean that the project should not be in the attention of those who manage national cultures and of those responsible for culture within the European Commission. In the future all initiatives should start from the conclusion expressed in the Report of the Reflection Group on the spiritual and cultural dimension of Europe, which considers that there exists a common European



cultural area. To give for the European citizen a concrete connotation to this area, initiatives such as a European Institute of Culture should be based on grounds different from the former ones, starting from the need to promote in common, at the level of national cultural institutes, linguistic diversity and implicitly multilingualism; only later should they proceed to the next stage (depending on the possible success of stage one): creating the tools for the promotion within and beyond the EU the common European features of national cultures.

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