

Linguistic Planification and Legislation. Study of its Principal Aspects and Research Tools

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ABSTRACT

In this article we try to carry out, in its first part, a research in which we analyze why certain languages acquire preponderance over others. We have come to the conclusion that, in part, it is due to the kind of language policy that is followed in different countries. Thus, it is quite common that the languages that acquire a certain preponderance over others, is because they do not limit the use of the same to the exclusively national scope. On the contrary, they are open to all kinds of people, from all breeds, may have the opportunity to communicate with the inhabitants of the country where the language is native. This also generates that people of different races and backgrounds use the language of the country in which they live.

In the second part of the article, we carry out a study of the type of language policy that is accomplished in Spain. The Constitution of 1978 establishes that Castilian is the official language of the State, but in certain Autonomous Communities the use of other type of dialect from Latin is also validated. At the international level, we have come to the conclusion that a good policy has been followed, since they have gradually accepted the changes that, the use of the same language, have been occurring in different parts of the world, taking into account the variants that have been produced in the language, mainly by being spoken in the countries of Central and South America.

Keywords: *language, culture, identity, speakers, multilingualism.*

INTRODUCTION

This research focuses on the study of linguistic planning and mutual legislation, with special emphasis on European (and, particularly, Spanish), focusing on the study of legislative law, taking into account the main aspects regulated and the tools that exist to modify it.

Bearing this in mind, we give a brief importance to multilingualism, since, due to its existence, it is possible to study the way in which the languages of the world undergo changes and are affected by the influence of the rest of the languages that surround them.

It is quite frequent, in society, to observe people who are marginalized by the language they use. This happens, mainly, due to the effects that the massive migration that is taking place from the countries of the East to the countries of the West is having.

In the West, certain people have a somewhat arrogant attitude and believe that the language spoken in their area should prevail over the rest of the languages. They do not take into account

that all languages fulfill a communicative function and, in many cases, they look down on the rest of the world's languages only because they do not understand them.

However, multilingualism generates great evidence that allows students of language to investigate what are the elements that unite and which are the different languages of the world. In this way, we can trace a path that leads us to try to determine which aspects are the ones that have generated the changes that are produced, nowadays, between the different languages.

In this sense, as Fernández Martorell (2008) conveys in her article "Language as a treasure trove", "language is the [...] depository of everything human beings have been able to think and know, it is the 'treasure heritage of human experiences', the historical archive of what humans have been, keeps a memory of all their knowledge, of all their experiences.... To know the language is to know how the human being understands reality and creates a world around him, and how this construction is always in process, open to the new contributions that

each generation will place on the inherited language. The knowledge that our culture possesses, like any other, are, therefore, related to it; on the one hand it is essential to learn them to be part of it and to understand the world as other members of society, but it is also necessary to recognize that they are mental orthopedics that belong to the strict "way" of thinking of our culture. [...] It is necessary, from a critical point of view, to leave other possibilities open”.

From all this arises the importance of the defense of plurilingualism. And as Manuel González Piñero, Carmen Guillén Díaz and José Manuel Vez point out in their book, *Didáctica de las lenguas modernas. Competencia plurilingüe e intercultural* (2010) the importance of assuming this multilingualism "also connects with the need to promote an ecology of languages and the survival of linguistic diversity in a world dominated by the greed of a Language (others would say, by a predatory language) that has become a threat to the rest of the languages: English or, better, globish. " And the call is clear: "we all have the task of maintaining plurilingual ecosystems that allow the survival of linguistic and cultural diversity".

To achieve this, it is necessary to propose alternatives to the model of the world we have given ourselves. Faced with unscrupulous economic globalization, which extends prototypes and imposes standardized modes of behavior, among which is the support for the spread of English as a lingua franca, which has led us to the distortion of the perception of the value of languages And the emergence of hierarchical linguistic attitudes (which affect the linguistic loyalty of speakers), the *Universal Declaration of Linguistic Rights* (1996) reminds us of the urgent need for universalism to be based on "a conception of linguistic and cultural diversity that Overcomes at the same time homogenizing tendencies and trends towards exclusivist isolationism".

With this objective, the *Declaration...* proposes as fundamental axes:

"In the political perspective, to conceive an organization of the linguistic diversity that allows the effective participation of the linguistic communities".

"In the cultural perspective, make the global communicative space fully compatible with the equitable participation of all peoples, all linguistic communities and all people."

"In the economic perspective, base a sustainable development based on the participation of all and respect for the ecological balance of societies and for a fair relationship between all languages and cultures."

Let us now analyze whether the linguistic policies in Europe and Spain fulfill these objectives.

ASSESSMENT OF THE EUROPEAN LANGUAGE POLICY

Let us go back in time. In his most interesting article "Languages and Identities in the Beginnings of Modern Europe", P. Burke develops the idea of the symbolic importance of language as a sign of belonging to a community, and relates how, at the end of the eighteenth century, governments of the different countries of Europe "became increasingly involved in the everyday language of the people of the town," because language not only expresses but also helps to create national communities. Thus, the language was "nationalized", becoming an "instrument of the cult of the nation".

Today the European Union is made up of a conglomeration of countries, with different official languages, as a result of those political interventions to which Burke refers, and in which many other languages are spoken. "Conscious of the linguistic and cultural richness of the peoples of Europe and the need to preserve it, the Council of Europe has long promoted all kinds of educational linguistic policy which, linked to the principle of multilingualism and interculturality, To contribute to the construction of a democratic and socially cohesive citizenship, and which, as stated in the 2006 document "Plurilingual Education in Europe: 50 years of international co-operation of the Language Policy Division " aims to:

- Multilingualism, with objectives oriented to the development of a degree of communicative competence in several languages throughout life according to the needs.
- The care of linguistic diversity, since Europe is multilingual and all its languages are forms of communication and expressions of identity with equal validity; The right to use and learn their own language or languages is protected by the Conventions of the Council of Europe.
- Ensure mutual understanding, favoring the opportunity to learn other languages, which is an essential condition for intercultural communication and acceptance of cultural differences.

- Encouraging a democratic citizenship, since participation in democratic social processes in multilingual societies is facilitated by the multilingual competence of individuals.
- Cultivating social cohesion through equal opportunities for personal development, education, employment, mobility, access to information and cultural richness, which depend on access to language learning throughout life.

In addition, "as part of its efforts to promote mobility and intercultural understanding, the European Union (EU) has designated language learning as an important priority and funds numerous programs and projects in this field" (Ana Mari Nogueira, 2013). The Charter of Fundamental Rights of the EU, adopted in 2000 and to which the Treaty of Lisbon is legally binding, obliges the Union to respect linguistic diversity (Article 22) and bans any discrimination based, among other things, in the language (article 21). As we see, respect for linguistic diversity is a fundamental value of the EU.

Thus the Strategic Framework "Education and Training 2020" sets the priority of language learning. Communication in foreign languages is one of eight key competences aimed at improving the quality and effectiveness of education and training, and in it, in addition to the main capacities of communication in the mother tongue, it includes intercultural mediation and understanding. And they are organized and financed: mobility programs such as Comenius (school education), Erasmus (higher education), Leonardo da Vinci (vocational training) or Grundtvig (adult education); multilateral projects for the development of teaching materials for language teaching; awareness campaigns, etc.

Let us see if these principles of respect and promotion of multilingualism are given in an effective way in the functioning of its institutions.

Do you Agree with the Consideration of Spanish in The European Institutions?

In the European Parliament, all parliamentary documents are translated into all the official languages of the EU and all members of the European Parliament have the right to speak in the official language of their choice.

The European Union has 23 official and working languages: Bulgarian, Czech, Danish, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian,

Maltese, Polish, Slovak, Slovenian, Spanish, Estonian, Portuguese, Romanian and Swedish.

The status of official and working languages entails two rights: documents can be sent to and received from the EU institutions; and regulations, other legislative documents and the Official Journal of the EU are published in all official and working languages. Due to the time and budget, relatively few working documents are translated into all languages. In general, the European Commission uses English, French and German as procedural languages, while the European Parliament provides translations into different languages according to the needs of its members.

In his analysis of the situation, David Fernández Vítóres (2011) argues that "the situation of Spanish in the EU is determined fundamentally by three factors: its status as an official language, its high number of native speakers and its strong projection as a language of communication International relations outside the Union". For him, the fact that Spanish is, alongside the Polish, the fifth language of the European Union by number of native speakers is a strong argument when "to demand a greater linguistic coverage for this language in the translation of the documents produced by the institutions and in the interpretation of the multilingual meetings that take place in them".

However, the general tendency is "to limit as far as possible the number of languages used in the Community institutions and to avoid that multilingualism becomes a hindrance to its functioning", which "harms Spanish, at least in the institutional sphere"(D. Fernández Vítóres, 2011).

Having said all that, and after much thinking, I find it almost impossible to give the answer that is required. I agree that, with such a high number of languages (not counting unofficial ones), it is almost impossible to apply a policy of fair treatment towards all languages, and I consider that the current model of operation is susceptible to improvement, but Including Spanish as another procedural language or increasing its coverage in the translation of documents? Even taking into account the weight of Spanish in the world or that 6% of Europeans have chosen it as a second language, would that be a fair measure for all speakers of other languages in the Union? Or should it be accompanied, at least, by other readjustments?

Are you Satisfied with the Status of the Spanish Regional Languages?

According to David Fernández Vítóres (2007), in the process of shaping the EU there have been two linguistic events that he considers to be of particular importance: the rise of English as a lingua franca (in which I totally disagree) and the "transference of management of the language policies from the European institutions to the different Member States in an attempt to guarantee the linguistic diversity that the EU proposes and to protect and revitalize the regional and minority languages in a Europe that tended to monolingualism in its supranational communications and that ran the risk of losing their linguistic and cultural heritage". Because of this, there has been a growing recognition of regional and minority languages, which has a tangible expression in the creation of different agencies and institutions responsible for preserving and promoting these non-official languages and in signing agreements such as that of the European Charter for Regional and Minority languages.

I believe that the European Charter for Regional and Minority Languages (1992) has led to the establishment of a legal framework ensuring respect for and protection of the non-official languages of the Member States, ensuring their promotion and use both in the private sphere as in the public. Therefore, since Spain has signed the agreements of the Charter..., the Spanish minority languages benefit from the support of the European language policy.

As for the issue of the representativeness of co-official languages and minority languages in institutions, I believe that it is not necessary. Since Spanish is the common language, which every citizen has the right and the duty to know, Spanish citizens of the bilingual territories can interact with the European institutions in the official language without any problems.

Would you Change the Current Linguistic Model of the European Union?

The EU's policy option of official multilingualism as a deliberate instrument of government is a unique phenomenon in the world. And I fully share the conviction on which it is based, that the use of the languages of its citizens is one of the factors that guarantees its transparency, legitimacy and effectiveness. I also understand that the enormous infrastructure necessary to carry it out is complex and costly, and that it is impossible to apply a policy of equal treatment of all languages.

So, while recognizing all the benefits of European policy, I think it is possible to make improvements. And I only dare to state a few, since I realize that to give an opinion on a matter as complex as that of language planning would require both extensive training and a rigorous study of the situation, to which this work can not aspire.

The model that is being imposed is that of an asymmetric multilingualism marked by political pressures linked to territorial issues, as can be seen by the systematic exclusion of the political agenda from a fourth category of languages, composed of non-territorial languages, Those that can not be circumscribed to the physical borders of a State, such as Roma or Yiddish, along the lines of the Universal Declaration of Linguistic Rights: "They are also considered, as linguistic communities within their own historical territory, nomadic peoples in their areas of displacement or dispersed settlement peoples." If we really want equality and peaceful and democratic coexistence, both languages should be included in the language policy of the EU.

Another possible measure that I can think of is that the socio-cultural commitments and respect for the fundamental rights of the people involved in the European Charter for Regional and Minority Languages (1992) are not optional for the Member States. Otherwise, it is not surprising that sometimes we feel that, despite so many good intentions (in this and other areas), the European Union sometimes appears to be operating on the basis of taxation only in the economic sphere.

A third suggestion would be a decided institutional support of the "sesquilingüismo", concept coined by Moreno Cabrera. This author, in his Plurilingualist Manifesto (2006), "proposes, in addition to an exquisite respect for minority languages, which must undoubtedly form part of the multilingual competence of citizenship, a proposal established on the basis of passive knowledge of a group of languages of the same family that facilitate communication between people who express themselves in different languages and who, however, are able to understand precisely because of that passive knowledge. This conception of plurilingual competence is what Moreno Cabrera (2006) calls "sesquilinguism" and what other authors call "receptive plurilingualism" (Manuel González Piñero, Carmen Guillén Díaz and José Manuel Vez, 2010).

I suppose that the application of "sesquilinguism" to the normal functioning of European institutions would avoid the need for translation in some cases, and could even be considered as one of the criteria, together with others such as the number of speakers, to choose the languages of process. Why not choose one from each language family if it is to facilitate understanding and not a struggle for power?

And I am convinced that its real application to education would strengthen the links between citizens and favor dialogue and tolerance.

VALUATION OF SPANISH LANGUAGE POLICY

From a strictly philological point of view, Spanish language emerges as a Romanesque peninsular variety of the same rank as the others that emerged in the Peninsula resulting from the fragmentation of Latin. Its privileged situation has been and is the result of certain historical circumstances, among which the role of the Reconquista (Garcia Mouton, 2006) stands out. In a land of transition, where people from different backgrounds were mixed, created the perfect environment for the emergence of a koiné (theory of Angel Lopez) that facilitated the understanding between those disparate and uprooted speakers.

"Over time, the cultivation of the Castilian romance, the fixation of its script, the exercise of Alfonso X and its environment to convert it into a language of the translations they promoted, were reducing their instability and contributed, without a doubt some, to its internal leveling. The Castilian identified with models of prestige and influence, which made him prevail over others, and the speakers were adopting it as a variety of prestige.

As Eberenz (1992) rightly points out, "the geographic and social spread of Spanish and its surprising normalization as a linguistic structure correspond, up to the enlightenment, to an internal sociocultural dynamic that could well dispense with legislative support. And when the state interventions began to take place, they were rather counterproductive, in the wake of animosities that would ultimately lead to modern regionalist thinking. "

"The first legislative measures in favor of Spanish language were taken in the sixteenth century." The maxim of Nebrija according to which "always the language was companion of the empire" takes on an eminently political meaning, aimed at promoting the integration of

the different kingdoms by means of the diffusion of the language of the court.

Would you Change the Current Linguistic Model Described in the 1978 Constitution?

It is in the Constitution of the Republic of 1931 where the first explicit reference to the officiality of the Spanish is found. In article 4 it can be read: "Castilian is the official language of the Republic. All Spaniards have an obligation to know and have the right to use it, without prejudice to the rights recognized by the laws of the State in the languages of the provinces or regions. "

Then came the measures of linguistic repression under the Franco regime, which relegated to all languages except Spanish to the family.

The Spanish Constitution of 1978 marks a new change, thus, states in Article 3 of the preliminary Title that:

- Castilian is the official Spanish language of the State. All Spaniards have a duty to know it and the right to use it.
- The other Spanish languages will also be official in the respective Autonomous Communities according to their Statutes.
- The richness of the different linguistic modalities of Spain is a cultural heritage that will be object of special respect and protection.

Therefore, officialdom of Spanish (called "Castilian") is maintained, but other co-official languages are declared in their territories, while recognizing linguistic diversity, considering it a heritage that must be protected.

We have seen that the situation of privilege of the Spanish respect to the other peninsular languages has been due to diverse historical circumstances and to the repeated supports that it has received from the different power structures. But the current Constitution lays the groundwork for the recognition of the rights of those linguistic communities that suffered marginalization.

"In Spain a wide space is granted to the linguistic diversity (much more than in Germany, France or Italy, for example), but it is left in the hands of the autonomous communities the regulation of the linguistic situation and this fact, along with historical factors, makes the situation of the

other languages of Spain present important differences between them" (Sara Gómez Seibane, 2009).

"On the one hand, Galicia, País Vasco, Navarra, Cataluña, Valencia and the Islas Baleares possess co-official languages and linguistic policies designed to achieve the same status as Spanish, although the speed of this process is different depending on each community. For this purpose, they can count with academies of language: Real Academia de la Lengua Galega, (1905), catalana (Institut d'Estudis Catalans, 1907) y vasca (Euskaltzaindia, 1919), that were founded in the first decades of the 20th century as a result of a long social and intellectual process, as well as nationalism and the recovery of one's own. On the other hand, different academies have arisen in the hands of the state autonomous system, which in regions without co-official languages [...] (Aragón, Asturias or Canarias, among others) seek to regulate and protect their linguistic varieties" (Sara Gómez Seibane, 2009). All this from my point of view, are compensatory measures, which try to favor the linguistic rights of speakers of minority languages.

In view of the current situation, I do not think it necessary to introduce any changes to the language policy provisions of our current Constitution. What I do think should change are certain political attitudes (of one and another sign), which use the linguistic question to face the citizens. As pointed out by Peces Barba, it is necessary to find constructive and mediating postures. It is not logical that the catalan educational system pretends to be imparted only in this language, as it is not that, from the own government of Galicia, the use of Galician is not favored. Personally, I consider that a Nation should be considered, in line with what Ortega and Gasset said, a project of life in common, and that any kind of nationalism (including Spanish) only encourages the creation of dichotomous structures of confrontation with "the other". And all this has its repercussion in the linguistic policy, as has denounced Moreno Cabrera (2008).

Thus, from the knowledge of the political circumstances that have led the spaniard to occupy his present place in our country and in the world, and I mean a rigorous and critical knowledge with linguistic injustices - and, unfortunately, also of other types - committed in the name of Spanish nationalism, we should accept in a positive way our reality as a diverse

people with a common history, that has achieved a peaceful and democratic coexistence (with all the defects that one wants, and that one has to work for improve) and share the same language, Spanish, which also allows us to communicate with millions of people from other places and enjoy a beautiful literary heritage.

ASSESSMENT OF REGIONAL LINGUISTIC POLICY

Do you Consider it Appropriate to Include in our Future Reform of the Statute of Autonomy of the Region of Murcia our Dialect Linguistic Peculiarities?

As Ángel Custodio Navarro Sánchez and Pedro Jesús Sánchez Galindo (2010) point out, the Statute of Autonomy of the Region of Murcia (1982) contains neither in its original wording nor in its last reform of 1998 any express reference to the protection, recognition and respect to the spoken of the region, although indirectly can be derived from article 8: "The Autonomous Community ... will protect and promote cultural peculiarities, as well as the collection of popular traditions of the same, respecting in any case The variants the local and regional variants".

Taking into account the normative-linguistic panorama in other autonomous communities whose only official language is castilian, in whose legislation they make explicit reference to the protection of their linguistic heritage, granting them protection, recognition, promoting their use in the media, guaranteeing its transmission and study, I think it would be advisable to include in a future reform a mention of the category of Murcia as a dialect that encompasses different speeches, since perhaps this would stop the linguistic nonsense of the panocho, and help to alleviate the complex language of the speakers of the region.

Of course, I do not think there is an urgent need for reform, nor that Murcia should qualify for the category of minority language provided for in the European Charter for Regional or Minority Languages (1992), since it is not a language other than Spanish, one of its geotopic varieties. And, of course, I do not think it necessary that the Murcian be declared "Well of Cultural Interest".

But if the inclusion in the Statute of the Region favored a rigorous study of the linguistic peculiarities of the Segura watershed and the dissemination of such investigations, and thus counteracted the current disinformation of the population, it could have very serious

consequences. Positive, beginning by favoring a linguistic conscience more adjusted to the reality of the inhabitants of the Region, and the hope that one day they will be able to overcome the linguistic complexes that weighed them in their communicative work.

Although the fundamental thing in the change of mentality should be based on the education. An equation that, as proposed by Pilar García Mouton (2006), favors the development of curiosity and respect for other linguistic varieties through knowledge, awaken the dialectal speaker consciousness of the students, by explaining where their features come from, so that they learn to identify and value them, thus reinforcing their self-esteem of dialectal speakers.

And that greater presence in the legislation could also favor the achievement of the objectives by Jiménez Cano (2004):

- Incorporation of the results of the studies of the linguistic varieties Murcia to the attitudes of defense of the vernacular.
- The provision of resources for the attitudinal training of teachers.
- The preparation of training materials.
- Creation is an institution of regional linguistic standardization.
- What name do you use to describe the use of Murcia's peculiar way of speaking?

What Name do you Use to Describe the Use of Murcia's Peculiar Way of Speaking?

I refer to him as "Murcian", and I explain to all who are patient (students, friends and family) that this is a dialect of transition from Spanish and what are their basic characteristics.

CONCLUSIONS

I hope that the digressions of a historical, political and economic nature of this work have not been cumbersome, since in no case did they pretend to serve as a landfill, but with them I have tried to capture the complexity of factors that must be taken into account when issuing a judgment about a given language planning policy.

To conclude, and even at the risk of overlapping, I want to express that in this world where "a small number of languages of international influence struggle to gain as much influence as possible in a frantic race that finds an effective ally in the economic imperialism of multinationals and of

global financial and political institutions "(Moreno Cabrera, 2008), it is worth gauging plurilingualism. If the knowledge and respect of other cultures is not considered a waste of time, it should not be considered a superfluous expense for knowledge and protection of other languages, but an investment in social justice.

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