

Protection of National Languages in Media Comparative Perspective

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1. Introduction

Europe is a linguistically infertile continent. There are approximately seven thousands living languages throughout the world, only 239 of which are European¹. The process of nation-state formation in the 19th century in this area drove the innumerable minority languages and dialects away, leaving linguistically homogenised artificial States. For example, it is reported that there were only 160 thousands people speaking “Italian” out of the total 20 millions in the peninsula except Rome and Tuscany at the time of Italy's establishment, 1861². Various minor tongues vanished away along with the unification steps that created “Italian” nation. Today most of European States have their own “national” languages titled similarly as the States' names. It means that language is closely connected with the sense of national identity and statehood there. The European Community has twenty three official languages³ now, which can be considered as the manifestation of the strong nationalism of every State on linguistic matters.

Since mass media have been the most significant source of the sense of *Imagined Communities*, and broadcasting often have great influence on the linguistic behaviour of the receivers, certain nation-states have been particularly sensitive in the treatment of language in media. In this short paper, we will review the linguistic regulations on media of some European States; Belgium, France, Switzerland and Ireland. I selected these four States for they represent typical situations respectively; bilingual, monolingual, multilingual and *symbolic* bilingual. Firstly we will see the general legal framework that defines the latitude of States' policies. Then the situation of each State will be described.

2. General Framework

2.1. Human Rights

The history of right to language in media is as long as that of international human rights law itself⁴. Freedom of expression, one of the most principal and fundamental liberties among others, has been interpreted to contain the right to language choice⁵. The speaker has not only the right to choose the

1 R.G. Gordon, Jr. (ed.), *Ethnologue: Languages of the World*, 15th ed., Dallas, Texas (2005).

2 T. de Mauro, *Storia dell' Italia unita*, Laterza (1995).

3 Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish. The national language of Luxembourg, the Letzeburgesch, is not included in the list, although it is one of the subjects of the Community language-education programmes such as SOCRATES and LINGUA.

4 Certain articles of Minority Treaties of 1919 were dedicated to linguistic rights. For example, the Treaty between the Allies and Poland stated in Article 7 that “[n]o restriction shall be imposed on the free use by any Polish national of any language in private intercourse, in commerce, in religion, *in the press or in publications of any kind*, or at public meetings.” [emphasis added]

5 Barendt, *Freedom of Speech*, OUP, Oxford (2005), pp.98-100.

content of his/her discourse, but also the right to choose the *language* of it. It is also significant to note that international human rights law has obligated sovereign States to take measures to prevent discrimination for linguistic basis. The Universal Declaration of Human Rights of 1948, the first milestone of human rights conception of global application, declared in Article 2 that:

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, *language*, religion, political or other opinion, national or social origin, property, birth or other status.[emphasis added]

Convention for the Protection of Human Rights and Fundamental Freedoms adopted in 1950 soon after the Declaration contained similar provision in Article 14. Therefore we could *prima facie* conclude that the right to choice of language in media is guaranteed on both international and European layers.

However, Article 10 of the same Convention permitted the State Parties to adopt licensing system on broadcasting media. It provided that “[t]his article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.” European Court of Human Rights told in *Groppera*⁶ that the purpose for the paragraph to state the licensing powers of States was “to make it clear that States are permitted to control by a licensing system the way in which broadcasting is organised in their territories, particularly in its technical aspects.” The Court also added that “[i]t does not, however, provide that licensing measures shall not otherwise be subject to the requirements of paragraph 2, for that would lead to a result contrary to the object and purpose of Article 10 taken as a whole.” States are entitled to regulate the broadcasting through licensing subject to the three conditions provided in paragraph 2, Article 10 of the Convention; prescription by law, necessity in democratic societies, and such legitimate aims as:

in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health and morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary⁷.

2.2.Community Interests

The European Community, with its mandate for the establishment of the common market and the requirement that goods, services, and persons should have freedom of movement within the Community, made it inevitable that broadcasting would be brought within the framework. The first treaty establishing the European Economic Community, the Treaty of Paris 1957, did not include provisions concerning information services like broadcasting media. It was Maastricht Treaty of 1993 that brought the cultural aspects into the EC scope. Article 128 of the Treaty, now renumbered as Article 151 by the Amsterdam Treaty of 1999, provided as followings:

1. 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.
2. Action by the Community shall be aimed at encouraging cooperation between Member States and, if necessary, supporting and supplementing their action in the following areas:
 - improvement of the knowledge and dissemination of the culture and history of the European peoples;
 - conservation and safeguarding of cultural heritage of European significance;

⁶ *Groppera Radio AG and Others v. Switzerland* (1990), 12 EHRR 321.

⁷ Article 10, Paragraph 2 of the Convention.

- non-commercial cultural exchanges;
- artistic and literary creation, including in the audiovisual sector.

3. The Community and the Member States shall foster cooperation with third countries and the competent international organisations in the sphere of culture, in particular the Council of Europe.

4. The Community shall take cultural aspects into account in its action under other provisions of this Treaty, in particular in order to respect and to promote the diversity of its cultures.

Article 87 of the same Treaty also guaranteed that “aid to promote culture and heritage conservation” shall be compatible with the common market “where such aid does not affect trading conditions and competition in the Community to an extent that is contrary to the common interest.” To sum up, Community Treaties treat the cultural matters rather in a self-restraint and respectful way than to expand the free-trade principle into cultural areas.

Community Council and Commission have published several policies in accordance with the principles set by the constitutional treaties. The Council Directive 89/552/EEC of 1989, the first comprehensive media regulation of European application, obligated Member States to take appropriate measures to ensure that “broadcasters reserve for European works [...] a majority proportion of their transmission time, excluding the time appointed to news, sports events, games, advertising and teletext services.”⁸ Although the Directive required that “Member States shall ensure freedom of reception and shall not restrict retransmission on their territory of television broadcasts from other Member States for reasons which fall within the fields coordinated by this Directive”⁹, States remain free to take measures to regulate media for other reasons. Restriction on media for consideration of cultural sovereignty was not prohibited by the Directive. The successive Directives 97/36/EC and 2007/65/EC amending the first Directive did not change the basic attitude.

3. Belgium

3.1. Linguistic Situation

Belgium is particularly well-known for the linguistic characteristics. There are three linguistic communities in the State; French, Flemish and German. Flemish is actually identifiable with High Dutch and the name is rather of historical one. French is also dubbed as Walloon for the same reason. The State comprises of four linguistically distinguished regions; French, Flemish, the bilingual region of Brussels-Capital, and German. Every commune in the Kingdom belongs to one of these linguistic region¹⁰. Demographically, 58% of the total population speak Flemish as the first language, 32% French, and 10% speak German and other languages. Flemish and French have enjoyed legally special status in the State. For example, the Constitution stated that:

For those cases prescribed in the Constitution, the elected members of each House are divided into a French language group and a Dutch language group in such manner as is laid down by law¹¹.

An act of Parliament may exempt certain territories, whose boundaries it shall determine, from being divided into provinces, place them directly under the executive authority and subject them to an individual status.

Such an act must be passed by a majority vote in each linguistic group of each of the

⁸ Article 4, paragraph 1 of the Directive.

⁹ Article 2, paragraph 2, *supra*.

¹⁰ Article 3b of the Belgian Constitution.

¹¹ Article 32b, *supra*.

Houses, on condition that the majority of the members of each group is present and that number of votes in favour in each of the two linguistic groups attains two thirds of the votes cast¹².

The coexistence of the Flemish-speaking majority and the French-speaking minority has been a source of conflicts for a long time. Although the two are treated delicately as equals in the Constitution and many other legislations, the power balance problem between them has often paralysed the politics of the State.

3.2. Media Regulations

In Belgian Constitutional system, each linguistic “community” (Flemish, French and German) enjoys high autonomy. The regulation of broadcasting media falls within the competence of community.

a) Flemish Community

The fundamental media rules in the Flemish community was established by the Decree of 25 January 1995 (DCFL No 1995-01-25/38) and the Order of 28 May 2004 (MB No 295, 19.8.2004). The Decree recognises six different categories of television broadcasting companies:

1. The public broadcasting company Vlaamse Radio en Televisieomroep which has two channels. The VRT is mainly financed by public funding from the Flemish community.
2. Private broadcasting companies for the whole Flemish community. The most important commercial station is a Flemish Media Company VMM with three channels (VTM, Kanaal 2 and JIM TV).
Since March 1, 2002, the former British commercial broadcasting station VT4 has been operating under a Flemish broadcasting license. Primarily for smaller or specific audiences, there is also Event TV, Kanaal Z and Vitaya, a lifestyle television station.
3. Regional stations. There are ten regional stations, financially mainly relying on advertising and sponsorship.
4. Target groups and theme-television. This television broadcast one specific kind of programs or aims at a certain minority group. Until now; however, such televisions have not become operational, or they took the option to obtain a license as a general broadcaster.
5. Pay-TV. Canal+ is the only pay television network in Flanders.
6. Television services. A television station, which targets the public with different sort of services (not operational yet).

Commercial radio stations are recognised by the Decree of 1998. Regional radio for specific province is also admissible.

In Flemish community, private radio stations must broadcast in Dutch, though exceptions to this rule can be granted by the regulatory authority. The Flemish Government may impose quotas on stations to ensure a greater use of the Dutch language. Flemish television productions and co-productions must amount to at least 50 percent of the total programming between 18:00 and 23:00 on the public broadcasting channel.

b) French Community

The Decree of 14 July 1997 regulates the public service broadcaster, the RTBF, which has two television channels, and six radio channels. Other audiovisual media service in the community are

¹² Article 1, *supra*.

regulated by the Decree of 17 July 1987, later supplemented by Decree of 27 February 2003 on broadcasting (MB No 137, 17.4.2003) and the Order of 8 June 2004 (MB No 318, 6.9.2004). French community recognises four different categories of television broadcasting companies:

1. Local and communal television. Currently twelve televisions are licensed by the French Community.
2. Private television. There are two commercial television channels, RTL TVI and Club RTL.
3. Pay television. As in Flanders, Canal+ is the only station that offers several paying channels.
4. Other services. The Government allows the RTBF and the other broadcasting organizations to use the cable for other services than television or radio programs.

In the French-speaking community, radio stations of the public broadcaster are required to broadcast at least 40 percent of non-classical music in French, except for the two thematic channels, which must broadcast 15 percent of non-classical music in French (annual averages). At least 33 percent of television broadcasting time (excluding news, advertising, sports, etc.) should be carried out by French-speaking professionals. Private radio stations must broadcast in French, but exceptions to this rule can be approved by the regulatory authority. 30 percent of music broadcasts should be in French, of which 15 percent should originate in the French community.

c) German Community

The German community has a public service broadcaster, the BRF (Belgische Rundfunk- und Fernsehzentrum der Deutschsprachigen Gemeinschaft). Since it is a rather small community, the television service from the BRF is limited to a daily news program. The radio station broadcasts 24 hours a day. The Media Decree of April 26, 1999 provides for local radio broadcasting.

4. France

4.1. Linguistic Situation

France was once divided into two linguistic areas; *Oïl* in the north of Loire and *Oc* languages in the south. In 1539 François I ordered the Paris dialect of *Oïl* language shall be the sole official language of the court. Since 1694, *Académie Française* in the *Institut de France* has taken the task of language maintenance. Today most of French people understand “French”, though there exist some minority but large groups. They include Breton (685 thousands speakers), Catalan (260 thousands), Corsican (200 thousands), German (1.5 million) and Provençal (10 millions)¹³.

Contrary to the diversity, France has been well-known for its strong monolingual policies. French Constitution declared in Article 2 that “[t]he language of the Republic is French.” The principle was supplemented by the following legislations. The Law Relative To The Use Of The French Language in 1994 stated that:

Established by the Constitution as the language of the French Republic, the French language is a key element in the personality and the heritage of France. French shall be the language of instruction, work, trade and exchanges and of the public services¹⁴.

The use of French shall be mandatory for the designation, offer, presentation, instructions for use, and description of the scope and conditions of a warranty of goods, products and services, as well as bills and receipts. The same provisions apply to any written, spoken, radio and television advertisement. The provisions of the present article

¹³ Population data were taken from Gordon, *Ethnologue: Languages of the World*, 15th ed., Dallas, Texas (2005).

¹⁴ Article 1 of the Law No. 94-665 of 4 August 1994 Relative To The Use Of The French Language.

shall not apply to the names of typical products and specialties of foreign origin known by the general public. Legislation relative to brands shall not prevent the application of the first and second paragraphs of the present Article to the remarks and messages recorded with the brand¹⁵.

The language of instruction, examinations and competitive examinations, as well as theses and dissertations in State and private educational institutions shall be French, except for cases justified by the need to teach foreign and regional languages and cultures or where the teachers are associate teachers or guest teachers. Foreign schools or schools specially set up to teach Foreign nationals as well as institutions providing instruction of an international nature are not bound by this obligation¹⁶.

4.2. Media Regulations

In France, the State government has played a central role in the marketplace of media activity. Until 1982 all broadcasting media had been owned, operated and regulated by the State government. In that year, the Assembly opened the possibility for private companies to broadcast widely. Conseil Supérieur de L'Audiovisuel (CSA) takes the task to endow private companies the broadcasting license of television and radio. It applies laws and decrees set by the Ministry of Culture, and if it finds a violation, it can levies the broadcaster.

One of the significant legislations is the Law No. 86-1067 of 1986 on Freedom of Communication, amended by the Law No. 2000-719 in 2000. Article 20-1 of it provided that:

The use of French is compulsory in all the programs and advertising messages of radio and television broadcasting organizations and services, whatever their mode of dissemination or distribution, with the exception of motion picture and radio and television productions in their original language version. Where the broadcasts or advertising messages referred to in the first paragraph of the present Article are accompanied by translations in a foreign language, the presentation in French must be as legible, audible and intelligible as the presentation in the foreign language.

In addition, it established a quota system for music played on the radio: 40-percent quota of French-language music (including 20 percent of new artists or new releases) transmitted between 6:30am and 10:30pm. Article 28(2) bis of it stated:

The substantial proportion of musical works in the French language or performed in a regional language being used in France, which has to reach a minimum of 40 percent of French-language songs, with half of which at least coming from new talents or new productions, broadcast during significant listening times by all radio broadcasting services licensed by the Conseil supérieur de l'audiovisuel, for the share of its programs comprising musical entertainment.

However, the aimed percentage was too high to be implemented, therefore the legislator accepted some flexibility in the number. The Ministry requires that 35 per cent of songs on radio stations targeting teenagers be of francophone origin (which includes French as well as African-French or Arab-French), while 60 per cent of songs on stations targeting seniors (aged 45 and over) be of francophone origin.

15 Article 2, *supra*.

16 Article 11, *supra*..

5. Switzerland

5.1. Linguistic Situation

Switzerland has the longest history as a multilingual State in Europe. Approximately 19% of the total population use French as the first language, 65% use Swiss-German (Schwyzertuetsch), 12% Swiss-Italian (Ticino), and 1% of the people speak Retho-Romance¹⁷. The State has accepted relatively a large number of foreign workers; one from every four is of foreign nationality. Apart from the “indigenous” languages, they speak Spanish, Portuguese, Arabic and many other languages and comprise linguistic minority groups.

The State consists of 23 cantons, each of which enjoys high autonomy and has its own constitution, legislative and judicial power. The borders of the cantons do not necessarily accord with the linguistic demography, though in general “French”, “German”, and “Italian” cantons are distinguishable. The federal Constitution states that:

German, French, Italian and Romansh are the national languages of Switzerland.

German, French and Italian are declared to be the official languages of the Confederation.¹⁸

The members and temporary appointees of the Federal Tribunal are nominated by the Federal Assembly, which will take due care that the three official languages of the Confederation are represented¹⁹.

The official language of each municipality is predetermined in the constitution of the respective canton. Currently only one larger municipality, Biel/Bienne, is officially bilingual, and others adopt monolingual policies. The federal government treat the three official languages equally, however at the same time it has tried to save the linguistic minorities, in particular the fourth national language, Romansh. The Federal Act on Financial Aid to Support and Protect Romansh and Italian Language and Culture of 1995 stipulates a financial aid to the canton of Graubünden to support and protect the Romansh and Italian language and culture and to the canton of Ticino to support and protect the Italian language.

5.2. Media Regulations

Article 93(3) guaranteed the freedom of language use and freedom of the media. There is no official restrictions on the language practice in private broadcasting. However, the the public broadcasting is obliged to takes into account the unique character of the country and the requirements of the cantons to produce radio programs for all regions in their national languages by the Federal Act on Radio and Television Broadcasting of 1997.

Public broadcasting is now realized by the Swiss Broadcasting Corporation (SBC), which is responsible for a national public service encompassing seven TV channels and eighteen radio stations. SBC Charter defines the number of radio and TV stations that SBC may operate. Each region (German, French and Italian) has three radio stations and there is also one radio station for the Romansh-speaking area. The three regions have one television channel each and all of them must broadcast programs in Romansh. It must be complemented with one supplementary local language television channel in each region. The Charter also lays down a programming mandate, which SBC must fulfil in all its radio and television schedules: “[t]o promote understanding, cohesion and exchange between the different parts of the country” and “[t]o consider the non-Swiss

¹⁷ Gordon, *supra*.

¹⁸ Article 116 of the Constitution.

¹⁹ Article 107.

population and support contact with the Swiss residents abroad.”

6.Ireland

6.1.Linguistic Situation

The linguistic situation of Republic of Ireland is rather complicated. On one hand, the Constitution (Bunreacht) clearly provided in Article 8 that “[t]he Irish language as the national language is the first official language.” On the other hand, demographical census showed that less than 70 thousands people were native Irish speakers. Including the bilingual speakers, the number increases to 790 thousands, though nevertheless it is the absolute minority in the State. Vast majority of the State are monolingual English users²⁰. 6% of the land surface are defined as Irish areas (Gaeltacht), but even in the areas the Irish language have been dying out rapidly. According to the survey of Committee on Irish Language Attitudes Research (CILAR), from 7% to 28% of Gaeltacht interviewees, depending on the area in which they lived, were never users of Irish in their childhood home, at school or during adult life²¹.

This twisted situation has been established in the independence movement against the British rule; since late 19th century the Irish nationalism needed the core elements which identify the Irish people as distinct nation from the Crown. Irish language, as well as Catholic belief and traditional Gaelic sports, was celebrated by the nationalists. It was meaningful that Douglas Hyde, the founder of Gaelic League and a professor of Irish language, was elected for the first President of the independent Ireland in 1938²². From the beginning the government has kept trying to preserve and promote the language, though the results are unsuccessful so far. Some socio-linguists use the term “Irelandisation” to describe linguistic alienation between State's efforts and people's daily lives²³.

6.2.Media Regulations

a) Historical Development

From its dawn, Irish government has devoted to establish national broadcasting media. In 1923, Walsh, the Postmaster-General of Saorstát Éireann, prepared a White Paper concerning the possibility of Irish broadcasting. He cared the negative effects on the restoration of the Irish language if Irish people could hear only British broadcasts. The first radio station was established in 1926 and called 2RN, “to Erin”, and operated by the Post Office. Hyde made the first opening speech of the station, telling “a nation is made from within itself, it is made first of all by its language.”²⁴ In the next year, the government opened another radio station in Cork. The programmes were mostly transmitted from Dublin's 2RN via telephone network. In 1932, first nation-wide radio station was established (Radio Éireann). Radio Éireann manage to devote over four percent of its airtime to Irish-language programmes. This situation improved during the 1940s when over 11 percent of airtime was devoted to Irish-language programmes. Not only contents *in*

20 According to Special Eurobarometer 243, *Europeans and Their Languages* (2006), only 13% of Irish people have learned or improved the foreign language[s] in the past 2 years, and 16% intend to do so in the future.

21 See: Chapter 1 of Ó Huallacháin (ed.), *The Irish and Irish*, Baile Átha Cliath, Dublin (1994).

22 However, it should be noted that Hyde himself kept distance from the nationalist movement and tried to distinguish the language matters from political discussions. See: A. MacPóilin, “Plus ça Change: the Irish Language and Politics” in MacPóilin (ed.), *The Irish Language in Northern Ireland*, Ultach Trust, Belfast (1997).

23 J. A. Fishman, “Status Planning for Endangered Languages” in Fodor and Hagège (eds.) *Language Reform: History and Future*, Buske, Hamburg (1989).

24 I. Watson, “Irish-language Broadcasting: History, Ideology and Identity”, *Media, Culture & Society*, Vol. 24 (2002), p. 741.

Irish language but also contents *on Irish language* were broadcast through the channel.

In 1957, Minister for Posts and Telegraphs proposed the establishment of national television service on commercial basis. Two years later, considering the discussions in the period, the Minister declared that the new television station and existing national radio should be operated by a semi-public organ, Radio Telefís Éireann (RTÉ), and it should be funded on license fees and advertisements. The principles applied to RTÉ were defined in the Broadcasting Authority Act of 1960. Article 17 of it declared that:

In performing its functions, the Authority shall bear constantly in mind the national aims of restoring the Irish language and preserving and developing the national culture and shall endeavour to promote the attainment of these aims.

However, this provision had little effect on the practice of RTÉ for it was commercial-based and the Irish programmes were unpopular among the listeners most of who were English monolinguals. Only 6% of the total air time were devoted to Irish programmes in the 60's. The situation went even worse in the successive years; in 1975, the ratio of Irish programmes to total airtime of RTÉ was 2.8%; in 1985 and 1995, it went to 2%.

The native Irish speakers in the Gaeltachats have strongly protested such situation. Some of them resorted to self-help by establishing own radio- and television stations for the local area without permission of national authority. One typical case can be seen in *The Minister for Posts and Telegraph v. Cáit Bean Uí Chadhain* (Supreme Court, 16th July 1982). The defendant was prosecuted for the illegal operation of television station. She claimed that the Broadcasting Authority failed in its duty under Section 13 of the Broadcasting Act of 1976 in the light of the small amount of time devoted to television programmes in Irish. The Court did not accept the claim as a legitimate defence and sentenced her guilty²⁵. But this case reminded the authority of the necessity of Irish channels. In 1989, Feachtas Náisiúnta Teilifíse (FNT) was established as a pressure association to demand Irish broadcasting channels. As the result, TG4 started in 1996 as an Irish channel within RTÉ organisation.

b) Legislations Today

Section 28(2)(a) Broadcasting Act of 2001 obliges the public broadcasters "to provide a comprehensive range of programs in the Irish and English language that reflect the cultural diversity of the whole island of Ireland and include, both on television and radio, programs that entertain, inform and educate, provide coverage of sporting, religious and cultural activities and cater for the expectations of the community generally as well as members of the community with special or minority interests and which, in every case, respect human dignity". Section 28(2)(b) then requires the public broadcasters to "provide programs of news and current affairs in the Irish and English languages[...]"

The Radio and Television Act of 1988 stipulates in Section 6(3) that with respect to areas comprising the Gaeltacht Region, particular attention should be paid to the preservation of the Irish language as a spoken language.

The 2003 Broadcasting Funding Act sets aside 5 percent of net receipts for television license fees, for the funding of grants to support certain types of television and radio programmes (including programs on Irish heritage, culture and language). News and current affairs programmes are not eligible for funding under the terms of the Act but they have to be broadcast at peak times.

25 T. Ó Máille, *The Status of the Irish Language*, Bord na Garlige (1990), p.12.

7. Conclusion

The four jurisdictions described above show the diverse attitudes of States toward the language usage in broadcasting media. In Belgium, the State's power to control media is divided by the linguistic communities so radically that each autonomous community regulates the broadcasting in its territory on a monolingual assumption. In France, the centralised government adopts a series of policies to preserve and promote its official language, assimilating linguistic minorities and rejecting the influence of the foreign powerful languages. In Switzerland, the federal government accepts the free choice of language in broadcasting media, though it exercises care about the preservation of national languages to a certain extent. And in Ireland, the government has paid much effort to save the national but minority language in the media policy, albeit it has made little conspicuous fruits. In each State, the nationalism and linguistic policy on media are somehow correlative.

From a democratic point of view, it is highly required that every citizen should have access to public information as well as education, news and entertainments in the broadcasting media through his/her own mother tongue. The Resolution on the Language and Cultures of Regional and Ethnic Minorities in the European Community, adopted by the European Parliament in 1987, recommended to Member States to “take measures in respect of the mass media, including [...] granting and making possible access to local, regional and central public and commercial broadcasting systems in such a way as to guarantee the continuity and effectiveness of broadcasts in regional and minority groups”²⁶ and so on. However, the concern for the mental integrity is also critical for the States. The diversity of media regulation in the language matter can be seen as the dependent variable of the struggle within the States over the “national” identity.

²⁶ Paragraph 7 of the Resolution.