Does subsidiarity make for more comprehensive language policies?

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Subsidiarity can be used as a general principle to improve coordination between tiers of government (local, regional, national, supra-national [EU]). It can also guide inter-tier cooperation in language policy.

EU member state political structures differ in terms of their degree of decentralization depending on their state traditions and language regimes shaped by historical trajectory and institutional arrangements, i.e. the historical and institutional foundations of their diversity governance. Typically, most structures have three tiers (national; regional/provincial; local/municipal). The real question is the *distribution* of competencies between these tiers, the way this distribution of competencies responds to current challenges (including power asymmetry, inclusion and dynamics problems) and contributes to cohesion as the result of the co-presence of (local) inclusion and mobility. The question is whether recorded experience from case studies suggests that a certain type of distribution works better than others for effective language policies, and if so, under what conditions. We have to keep in mind that the issues at hand, and hence the answers, may differ depending on what type of language policies we are talking about (protecting a "unique" regional or minority language), allocating language rights to a *national* minority, integrating migrants etc.

### What does research tell us?

The core question of subsidiarity, if it is to be fitted into an EU context, is that of the distribution of competences between, on the one hand, member states (which can then devolve them to regions, and municipalities) and the EU institutions on the other hand, as part of the overall project of EU integration. This core question takes on specific meaning when applied to language issues.

A subsidiarity-oriented understanding of language rights and multilingualism should *both* rely primarily on the most *local* body capable of giving meaning and effect to language rights *and* accord authority and responsibility to larger, more comprehensive bodies to intervene so as to assist the realization of language rights. Subsidiarity is a somewhat paradoxical principle as it goes beyond the rigid dualism of states and international community – limiting intervention, yet requiring it. This duality is still evident in a notable ambiguity surrounding invocations of the principle and much of the disagreement about its proper application and its translation into language rights practice.

### Illustration and evidence

Language policy choices and the governance of linguistic diversity vary case by case, depending on historical trajectory, shaped by different combinations of ethnic demography, territorial concentration, administrative structure, local practices and the application of international standards, constrained and guided by state traditions that are implicit or explicit in political institutions, allocations of power and state interventions in linguistically diverse societies. Federalist and unitary states embody different language ideologies and language hierarchies reflecting different power relations and conception about the relationship between nation, state and diversity. The variation from officially monolingual nationalising states (e.g. France, Greece, Romania, Slovakia) to multilingual federal states (e.g. Belgium, Canada, Switzerland) illustrate the diversity of state traditions as well as incoherences and discrepancies between the language policies and socio-linguistical realities.

As to the power asymmetry problem, building the distinction between *minority* and *threatened* languages into a flexible territorial approach conducive to multilingualism and the application of "additive" multilingualism seem to be adequate answers. The additive approach is a complementary (and somewhat affirmative) approach that favours the maintenance of diversity in contrast to the exclusionary "subtractive" multilingualism. It enables the learning of the state's official language as a second language (essential to employment and social mobility) while reinforcing the mother tongue as first language (essential to identity, psychological and security needs). It applies asymmetrical treatment of unequal cases providing greater power and influence to the speakers of minority and threatened languages than their numbers. This fits to a relative conception of equality which holds that human beings living in different circumstances and conditions are not similar and in certain aspects they need politically, legally and socially different treatment. Hence, additive multilingualism is capable to reconcile status differences in languages with equality in a world where majority rights are implicit, and minority rights are seen as "special" and in need of justification. As to the inclusion problem, devolving territorialism further can prove to be an adequate answer to the situation of minorities-within-minorities. As to the dynamics problem, change in the ethnodemographic composition and constant migration flows may challenge the legitimacy of the language regime.

### Policy implications

By departing from the rigid interpretation of the territorial principle and introducing variety-enhancing and tolerability-enhancing asymmetries, we can apply flexible forms of territoriality that have nothing to do with linguistic segregation, and can actually be reconciled with linguistic diversity by exploiting different tiers of government, fine-tuning the allocation of competences between these authorities, building in asymmetries in favor of languages seen as weaker and most in need of protection, and using decentralization as one of the best safeguards of democracy. Language policies based on territoriality also tie in with the notion of inclusion. In Wales, for example, the *inclusion* of newcomers (whether they speak English or Polish) into *Welsh-speaking* society (e.g. in areas like Ceredigion or Dyfed) would greatly benefit from robust territoriality protecting and promoting Welsh.

### References and further reading

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